

KATE SNYDER (MAYOR)  
BELINDA S. RAY (1)  
SPENCER THIBODEAU (2)  
TAE Y. CHONG (3)  
ANDREW J. ZARRO (4)

MARK N. DION (5)  
APRIL FOURNIER (A/L)  
PIOUS ALI (A/L)  
NICHOLAS M. MAVODONES, JR. (A/L)

## **REMOTE CITY COUNCIL MEETING - JUNE 7, 2021**

The Portland City Council will hold a City Council Meeting remotely using Zoom. The Honorable Kate Snyder, Mayor, will preside.

### **ZOOM INFORMATION:**

Virtual meetings are allowed using emergency legislation approved by LD 2167; 1 M.R.S. §403A, that authorizes cities and towns to conduct meetings online.

Allow your computer to install the free Zoom app to get the best meeting experience. If you are not able to attend live, a recording will be uploaded to [portlandmaine.gov/livestream](https://portlandmaine.gov/livestream) the next day. For public comment, 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://us02web.zoom.us/j/84217109286?pwd=NzBPM2hQaDB0NWFBWmpHck1lbnRpQT09>

Passcode: 970838

Or iPhone one-tap :

US: +13017158592,,84217109286#,,,,\*970838# or +13126266799,,84217109286#,,,,\*970838#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 301 715 8592 or +1 312 626 6799 or +1 929 205 6099 or +1 253 215 8782 or +1 346 248 7799 or +1 669 900 6833

Webinar ID: 842 1710 9286

Passcode: 970838

International numbers available: <https://us02web.zoom.us/j/84217109286?pwd=NzBPM2hQaDB0NWFBWmpHck1lbnRpQT09>

### **PLEDGE OF ALLEGIANCE:**

### **ROLL CALL:**

### **ANNOUNCEMENTS:**

### **APPROVAL OF MINUTES OF PREVIOUS MEETING:**

## **Approval of the draft May 17, 2021 City Council Meeting Minutes**

### **PROCLAMATIONS:**

**Proclamation 15-20/21 Recognizing June 2021 as LGBTQ+ Pride Month -  
Sponsored by Kate Snyder, Mayor**

### **CONSENT ITEMS:**

**Order 261-20/21 Appointing Members to Various Board and Commissions -  
Sponsored by the Nominating Committee, Councilor Pious Ali, Chair**

The Nominating Committee met on May 19 and May 24, 2021 and interviewed for the following seats: two (2) applicants for the Fish Exchange Seat A; 10 applicants for the Portland Public Art Committee; eight (8) applicants for the Police Citizen Review Subcommittee; four (4) applicants for the Rental Housing Advisory Committee; eight (8) applicants for the Land Bank Commission; two (2) applicants for the Civil Service Employment Committee.

After interviews were completed the Nominating Committee voted (4-0) to send the following for recommendation:

Jess Lipton, Portland Public Art Committee, Exp. 06/30/2024  
Danielle Gagnon, Portland Public Art Committee, Exp. 06/30/2024  
Tim Smith, Police Citizen Review Subcommittee, Exp. 03/30/2024  
Anne Hardcastle, Police Citizen Review Subcommittee, Exp. 03/24/2024  
Avis Leavitt, Fish Exchange A, Exp. 10/31/2024  
Meredith Cook, Rental Housing Advisory Committee, Exp. 03/30/2024  
Christopher Marot, Rental Housing Advisory Committee, Exp. 03/30/2024  
Wendy Harmon, Rental Housing Advisory Committee, Exp. 03/30/2024  
Jeremy Lock, Rental Housing Advisory Committee, Exp. 03/30/2024  
Patrizia Bailey, Land Bank Commission, Exp. 06/30/2024  
Daniel Herzlinger, Land Bank Commission, Exp. 06/30/2024  
Jayne Foley, Land Bank Commission, Exp. 06/30/2024  
Robert Foster, Land Bank Commission, Exp. 06/30/2023  
Alan Freedman, Civil Service Employment Commission, Exp. 06/30/2024  
Elaine Edwards, Civil Service Employment Commission, Exp. 06/30/2024

Five affirmative votes are required for passage after public comment.

**Order 262-20/21 Declaring June 17 to October 31, 2021 the In the Square Festival -  
Sponsored by Jon P. Jennings, City Manager**

Friends of the Congress Square Park are requesting to organize and host events at the Park. The event season, April to October, will include a wide variety of community activities such as art interactions, dance performances, live music, films and community gatherings.



**Order 263-20/21 Approving Residential Parking Permit Extension Re: Islander Parking - Sponsored by Jon P. Jennings, City Manager**

This order has been passed annually to provide parking for island residents on the mainland.

Specifically, it maintains 10 spaces on Hancock Street and 12 spaces on Thames Street for all-day parking by island residents with parking stickers in spaces with otherwise time-limited parking.

The order also maintains 42 parking spaces on the north side of Marginal Way, from the Park & Ride Lot to Cove Street, in the Island Residential Zone. This order, if passed, would expire on June 30, 2022.

**Order 264-20/21 Declaring July 13, 2021 the Portland Greendrinks Festival - Sponsored by Jon P. Jennings, City Manager**

Portland Greendrinks, a volunteer-managed, nonprofit social networking group built around a common interest in the natural environment, has requested approval to hold their July gathering at the new waterfront park on Thames Street at Amethyst Lot.

The organization is working with Portland Parks Conservancy and the City of Portland to plan the event, which will benefit the Portland Parks Conservancy.

Beer and hard cider will be served to age 21+ attendees. A 21+ Beer Garden (fenced-in area) will be set up in the park, staffed with security personnel from the City's Public Assembly Facilities Division. Portland Parks Conservancy will cover the cost of city staff and materials.

The space will be reserved from 4:00 p.m. to 9:00 p.m., with the event running from 5:30 p.m. to 8:00 p.m. A small public announcement system will be used for announcement and background music.

Greendrinks events have been held on public parkland in the past, including Deering Oaks (2013) and Fort Allen Park (2019).

**Order 265-20/21 Authorizing City Application for Federal Funds to Dredge Public and Private Berthing and Vessel Support Resources and to Develop a Confined Aquatic Disposal Cell in Portland Harbor - Sponsored by Jon P. Jennings, City Manager**

This order grants Council approval of the City's application for federal funding for the dredging of the Portland Harbor and development of a Confined Aquatic Disposal (CAD) Cell. While Council approval is not required per the City Charter, it is a requirement of the grant application process.

The City is seeking funding via the Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Transportation Discretionary Grant program to implement planned public and private dredging projects in Portland Harbor. Dredging vessel support areas will provide safe and full tide access to berthing, loading, and marine support services. Dredging will also remove and dispose of sediment impacted by historic industrial activities and non-point source pollution.

These sediments will be responsibly disposed of in a Confined Aquatic Disposal (CAD) cell, to be constructed within Portland Harbor as a component of the project. The City of Portland will be the lead applicant for RAISE project funds, with the City of South Portland as co-applicant and critical support provided by the Portland Harbor Commission (PHC) and the Maine Department of Transportation (MaineDOT).

The applicants seek \$24,000,000 in RAISE funding. Federal funds will be matched by a \$3,000,000 commitment by MaineDOT. A balance of \$3,000,000 will be needed from Portland Harbor property owners benefitting from the dredge - including the City of Portland. Property owner contributions will be in the form of "tipping fees" to be allocated on a per cubic yard of sediment dredged, currently estimated at \$12.50/cubic yard.

The City of Portland is proposed to be the fiscal agent for the RAISE grant, and the City Council is also asked to commit to the City's administering the grant, contracting the project, collecting the private contributions, and allocating the City's tipping fees - currently estimated at \$650,000. The City's financial commitment, if approved, will be allocated from future year Waterfront Tax Increment Financing Funds.

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

**Order 283-20/21 Appointing Constables for the Jetport and the Fire Department - Sponsored by Jon P. Jennings, City Manager**

This order appoints Chris Bellefeuille at the Portland International Jetport and Jon Belanger at the Portland Fire Department constables for the 2021 calendar year.

These constables are not allowed to carry a firearm, concealed or unconcealed, in the performance of duties, or to make arrests or issue parking tickets.

Five affirmative votes are required for passage after public comment.

**LICENSES:**

**Order 266-20/21 Granting Municipal Officers' Approval of Washington Baths LLC dba Washington Baths. Application for a Class III & IV FSE with Outdoor Dining on Private Property at 145 Washington Avenue - Sponsored by Jon P. Jennings, City Manager**

Application was filed on 5/3/2021. New City applications. Applicant currently holds a Class III & IV FSE at this location.

Five affirmative votes are required for passage after public comment.

**Order 267-20/21 Granting Municipal Officers' Approval of LB Kitchen LLC dba LB Kitchen. Application for a Class III & IV FSE with Outdoor Dining on Private Property and Public Property at 249 Congress Street - Sponsored by Jon P. Jennings, City Manager**

Application was filed on 5/5/2021. New City applications. Applicant currently holds a Class III & IV FSE with Outdoor Dining on Private Property at this location.

Five affirmative votes are required for passage after public comment.

**Order 268-20/21 Granting Municipal Officers' Approval of NPCC LLC dba Aloft Hotel Portland. Application for a Class IA FSE at 379 Commercial Street - Sponsored by Jon P. Jennings, City Manager**

Application was filed on 5/3/2021. New City and State applications.

Five affirmative votes are required for passage after public comment.

**Order 269-20/21 Granting Municipal Officers' Approval of Mark Barrasso dba Anthony's Italian Kitchen. Application for a Class III & IV FSE with Indoor Entertainment and Outdoor Dining on Public Property at 151 Middle Street - Sponsored by Jon P. Jennings, City Manager**

Application was filed on 5/3/2021. New City and State applications. Applicant currently holds a FSE with Prep at this location.

Five affirmative votes are required for passage after public comment.

**Order 270-20/21 Granting Municipal Officers' Approval of City of Portland dba Congress Square Park. Application for an Outdoor Entertainment license at 8 Congress Square - Sponsored by Jon P. Jennings, City Manager**

Application was filed on 5/5/2021. New City applications.

Five affirmative votes are required for passage after public comment.

**Order 271-20/21 Granting Municipal Officers' Approval of Friends & Family, Inc. dba Friends & Family. Application for a Class III & IV with Outdoor Dining on Public Property at 593 Congress Street - Sponsored by Jon P. Jennings, City Manager**

Application was filed on 5/13/2021. New City and State applications. Location was previously Vinland.

Five affirmative votes are required for passage after public comment.

**Order 272-20/21 Granting Municipal Officers' Approval of Rosemont Market Inc dba Rosemont Market. Application for a Class III & IV at 42 Resurgam Place - Sponsored by Jon P. Jennings, City Manager**

Application was filed on 5/17/2021. New City and State applications. Location was previously Cellardoor Winery.

Five affirmative votes are required for passage after public comment.

**Order 273-20/21 Granting Municipal Officers' Approval of The Club at Riverside LLC dba The Club at Riverside. Application for a Class I FSE with Combined Entertainment and Outdoor Dining on Private Property at 1158 Riverside Street - Sponsored by Jon P. Jennings, City Manager**

Application was filed on 5/17/2021. New City and State applications. Location was previously Riverside Grill.

Five affirmative votes are required for passage after public comment.

**Order 274-20/21 Granting Municipal Officers' Approval of Local Food 1, LLC dba Lupita's Taqueria. Application for a Class I FSE with Indoor Entertainment at 15 Exchange Street - Sponsored by Jon P. Jennings, City Manager**

Application was filed on 5/17/2021. New City and State applications. Applicant currently holds a Class III & IV FSE with Indoor Entertainment at this location under the name B Good.

Five affirmative votes are required for passage after public comment.

**Order 275-20/21 Granting Municipal Officers' Approval of Altwater Holdings LLC, dba Sagamore Hill Lounge. Application for a Class A Lounge with Outdoor Dining on Public Property at 150 Park Street - Sponsored by Jon P. Jennings, City Manager**

Application was filed on 5/14/2021. New City and State applications. Applicant currently holds a Class XI FSE with Outdoor Dining on Private Property.

Five affirmative votes are required for passage after public comment.

**Order 276-20/21 Granting Municipal Officers' Approval of Brickyard Hollow Brewing Co. dba Brickyard Hollow Brewing Co. Application for a Class XI FSE at 9 Commercial Street - Sponsored by Jon P. Jennings, City Manager**

Application was filed on 5/5/2021. New City and State applications. Location was previously Arabica Coffee.

Five affirmative votes are required for passage after public comment.

**Order 277-20/21 Granting Municipal Officers' Approval of The Whiskey Barrel LLC dba The Yard. Renewal application for a Combined Entertainment License at 82 Hanover Street - Sponsored by Jon P. Jennings, City Manager**

Application was filed on 5/11/2021. Applicant currently holds a Class XI FSE with Combined Entertainment and Outdoor Dining on Private Property.

Five affirmative votes are required for passage after public comment.

**BUDGET ITEMS:**

**COUNCIL ACTION ON THE MUNICIPAL BUDGET WILL TAKE PLACE AFTER PUBLIC COMMENT. PUBLIC COMMENT AND FIRST READS OF ALL MUNICIPAL BUDGET ORDERS TOOK PLACE MAY 17, 2021.**

**Order 248-20/21 Approving Fiscal Year 2022 Administrative Fees in the Permitting & Inspections and Parks Recreation & Facilities Departments - Sponsored by Jon P. Jennings, City Manager**

This order authorizes certain administrative charges in the Permitting & Inspections (Electrical Fees) and Parks, Recreation & Facilities (Athletic Facilities & Aquatics) Departments.

This item must be read on two separate days. It received its first reading on May 17, 2021. Five affirmative votes are required for passage after public comment.

**Order 249-20/21 Authorizing City Manager to Enter into Certain Agreements to Implement the Fiscal Year 2022 Human Resources and Certain Fringe Benefits Budgets - Sponsored by Jon P. Jennings, City Manager**

This order authorizes the City Manager to enter into standard agreements and amendments to standard agreements with providers of services for Fiscal Year 2022 in order to implement portions of human resources, medical, workers' compensation, and liability budgets.

This item must be read on two separate days. It received its first reading on May 17, 2021. Five affirmative votes are required for passage after public comment.

**Order 250-20/21 Re: Fiscal Year 2022 Self--Insured Liability Program - Sponsored by Jon P. Jennings, City Manager**

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

Five affirmative votes are required for passage.

**Order 251-20/21 Authorizing the Director of Parks, Recreation and Facilities to Set Fees and Enter Rental Agreements for City Facilities - Sponsored by Jon P. Jennings, City Manager**

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

Staff has historically set fees and signed rental agreements for City facilities such as Merrill Auditorium, the Portland Exposition Building and Ocean Gateway. These facilities host hundreds of events annually, and fees are determined based on the unique staffing levels and services they require.

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

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

Five affirmative votes are required for passage after public comment.

**Order 252-20/21 Authorizing the City Manager to Enter into Certain Agreements to Implement Fiscal Year 2022 Health and Human Services Budget – Sponsored by Jon P. Jennings, City Manager**

This order authorizes the City Manager to enter into standard agreements and amendments to those standard agreements to receive reimbursement for services by the Health and Human Services Department.

In addition, the City enters into agreements with service providers and landlords to provide services for department programs.

This item must be read on two separate days. It received its first reading on May 17, 2021. Five affirmative votes are required for passage after public comment.

**Order 253-20/21 Authorizing Corporation Counsel to Undertake Civil Actions to Collect Delinquent Personal Property Taxes - Sponsored by Jon P. Jennings, City Manager**

This item will give Corporation Counsel a standing authorization to undertake civil actions to collect any delinquent personal property taxes that arise during the course of the fiscal year.

Otherwise it would be necessary for the City Council to specifically authorize each individual legal action. This general authorization will take the place of the case-by-case approach.

Five affirmative votes are required for passage.

**Order 254-20/21 Authorizing Non-Union Wage Adjustment - Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr. Chair**

This Order authorizes the City Manager to utilize a 2.0% Cost of Living Adjustment (COLA) for pay adjustments for non-union employees and approves the new pay plan.

This item must be read on two separate days. It received its first reading on May 17, 2021. Five affirmative votes are required for passage after public comment.

**Order 255--20/21 Designating Fiscal Year 2022 Funds for Specific Island Services -  
Sponsored by Jon P. Jennings, City Manager**

The municipal budget includes \$40,000 for use on Peaks Island in addition to the funds used to pay for direct and indirect city services. Pursuant to a request from the Peaks Island Council these funds will be used as follows in FY22:

Item A: Peaks Island Summer Bike Ticket Program \$500  
Item B: PI Needs-Based Boat Tickets \$3,000  
Item C: PI Portland Public Middle & High School Student Boat Passes \$4,500  
Item D: PI Full Time College Students (Portland Area) 3 Monthly Stickers \$450  
Item E: PI Children Attending Private Schools Vouchers \$400  
Item F: PI ITS (Island "Taxi"): Island Transportation System \$20,984  
Item G: PI PITEA (Heating): Peaks Island Tax & Energy Assistance \$5,300  
Item H: PI PEAT: Peaks Island Environmental Team Visitor Education Materials \$860  
Item I: PI Administrative Expenses \$2,006  
Item J: Fifth Maine Museum - Window Replacement \$2,000  
TOTAL: \$40,000

This item must be read on two separate days. It received its first reading on May 17, 2021. Five affirmative votes are required for passage after public comment.



**Order 256-20/21 Amendment to Portland City Code RE: Various Fee Increases for Fiscal Year 2022 - Sponsored by Jon P. Jennings, City Manager**

Amends the following fees in Chapter 24 in §24-72 and §24-84:

(a) The proposed sewer rate for July 1, 2021 is \$11.80 per hundred cubic feet (hcf), up from the October 1, 2020 rate of \$11.15 hcf.

| Chapter 24         | Description                        | Current Fee | Proposed Fee        |
|--------------------|------------------------------------|-------------|---------------------|
| <b>Sewers</b>      |                                    |             |                     |
| <i>Sec. 24--72</i> | <b>Sanitary sewer user charges</b> |             |                     |
| <b>24--72 (c)</b>  | <b>Sewer user fees \$</b>          | \$11.15/hcf | <b>\$11.80/ hcf</b> |

(b) The proposed stormwater rate for July 1, 2021 is \$7.00 per 1,200 sf of impervious surface area, up from the October 1, 2020 rate of \$6.75.

| Chapter 24            | Description                      | Current Fee                                 | Proposed Fee                                      |
|-----------------------|----------------------------------|---------------------------------------------|---------------------------------------------------|
| <b>Stormwater</b>     |                                  |                                             |                                                   |
| <i>Sec. 24--84(a)</i> | <b>Stormwater Service Charge</b> |                                             |                                                   |
|                       | Stormwater Service Charge \$     | \$6.75 per 1,200 sf impervious surface area | <b>\$7.00</b> per 1200 sf impervious surface area |

This item must be read on two separate days. It received its first reading on May 17, 2021. Five affirmative votes are required for passage after public comment.

**Order 257-20/21 Fiscal Year 2021--2022 Appropriation Resolve - Sponsored by Jon P. Jennings, City Manager**

The Appropriation Resolve contains the City Manager's recommended budget for Fiscal Year 2022 for general municipal purposes in the amount of \$268,216,301. In addition, it contains the Portland Board of Education's recommended budget for FY2022 for school purposes in the amount of \$125,154,700.

The Finance Committee voted unanimously (3-0) at its May 20, 2021 meeting to forward the FY22 City Manager's Recommended budget to the full City Council for approval.

The tax levy based upon the City Manager's recommended budget is \$91,014,931 and \$100,582,406 for the Portland Board of Education's recommended School Budget. The Portland Board of Education's recommended School Budget and the City Manager's budget recommendations for municipal purposes results in a combined tax levy of \$191,597,337 for Fiscal Year 2022.

The Appropriation Resolve also directs the Assessor of Taxes to assess a tax upon all real and personal property liable to be taxed as of April 1, 2021 and sets 30 Days after Tax Commitment 2021 as the tax due date, which may be paid in two installments due 30 Days after Tax Commitment 2021, and on March 18, 2022.

The delinquency rate of interest is set at 6.0% per year, and the abatement rate of interest is set at 2.0% per year.

This item must be read on two separate days. It received its first reading on May 17, 2021. Five affirmative votes are required for passage after public comment.

**RESOLUTIONS:**

**Res 10-20/21 Recommending Increased Frequency of Property Revaluations for the City of Portland - Sponsored by Kate Snyder, Mayor**

This Resolution recommends that the City conduct property revaluations, and budget the funding for them, every five years. The City has just completed its first revaluation in the past fifteen years, which has created inequities in the tax burden of its property owners.

Five affirmative votes are required for passage after public comment.

**UNFINISHED BUSINESS:**

**Order 259-20/21 Authorizing 6th Amendment to the Downtown Transit Oriented Development and Omnibus Tax Increment Financing District to Increase Funding to Creative Portland - Sponsored by Spencer Thibodeau, Chair, Housing & Economic Development Committee**

The Housing and Economic Development Committee (HEDC) reviewed Creative Portland Board's request for additional Downtown TOD TIF funding and recommended, on a vote of 4-0 on March 16, 2021, to forward this to the City Council for approval.

Creative Portland (CP) Board President Kate Anker presented the Board's request to the HEDC at their March 2nd and 16th meetings for increased funding for CP programs and services. It is noted that the Housing and Economic Development Department includes two full-time positions which provide staff support to the CP Board. The CP Board's request is for the City of Portland to fund the entire costs for the two full-time staff positions assigned to the Board and for the City to redirect the historic level of funding of \$100,000 along with a \$55,000 increase to support programs and services outlined in the attached CP Board request.

The Downtown TOD TIF currently has a cap of \$100,000 annually to support CP. Historically, TIF funding only supported staff costs. The Proposed TIF District Amendment would establish a minimum annual level of funding for CP in the amount of \$155,000 to support CP programs and services. See below funding table:

| <b>CP Funding Table</b>                                               |                                                 |              |
|-----------------------------------------------------------------------|-------------------------------------------------|--------------|
| <b>Timeframe and Use</b>                                              | <b>Source</b>                                   | <b>Total</b> |
| Existing – City Staff Costs                                           | \$100,000 – DT TOD TIF<br>\$40,000 – DT TOD TIF | \$140,000    |
| CP Board Request:<br>- City Staff Costs<br>- CP Programs and Services | \$140,000 – TIF<br>\$155,000 – DT TOD TIF       | \$295,000    |

This item must be read on two separate days. It received its first reading on May 17, 2021. Five affirmative votes are required for passage after public comment.

Staff recommends that this item be postponed to September 8, 2021 (the first meeting in September) so that a City Council workshop can be scheduled in order to discuss the implications of the proposed TIF amendment and potential one-time use of FY22 fund balance in more detail.

**Order 260-20/21 Establishing a 180-Day Moratorium on New Shelters in the Bayside Neighborhood - Sponsored by Tae Chong, Chair, Health & Human Services and Public Safety Committee**

The Health & Human Services and Public Safety Committee met on May 11, 2021 and voted 3-0 to recommend passage to the full Council to take effect immediately as an emergency measure.

This moratorium would prevent new permanent emergency shelters and expansions of existing shelters in the Bayside neighborhood for 180 days while the Health & Human Services and Public Safety Committee finalizes its recommendation for an emergency shelter licensing scheme.

This item must be read on two separate days. It received its first reading on May 17, 2021. Five affirmative votes are required for passage after public comment.

**Order 261A-20/21 Traffic Schedule Amendment Re: New 30-Minute Parking Spaces at 132 Marginal Way - Sponsored by Jon P. Jennings, City Manager**

As part of improvements to 132 Marginal Way, a private developer is updating the upper floors of the current multi-use building to 1-and 2-bedroom units, and desires more turnover spaces on-street for first-floor commercial space. The requested Council action would allow the development to add seven (7) 30-minute parking spaces to an area that is currently an esplanade.

This item must be read on two separate days. It received its first reading on May 17, 2021. Five affirmative votes are required for passage after public comment..

**ORDERS:**

**Order 278-20/21 Approving and Authorizing Maine Department of Transportation and City of Portland Land Exchange Agreement Re: International Marine Terminal - Sponsored by Councilor Spencer Thibodeau, Chair, Housing & Economic Development Committee**

This item would approve the Land Exchange Agreement between the Maine Department of Transportation (MaineDOT) and the City. On May 18, the Housing & Economic Development Committee voted (4-0) to recommend approval of this agreement to the City Council.

The City and MaineDOT properties are determined to be of equivalent value, so no money will change hands. This agreement provides for an exchange as follows:

**City of Portland Properties to Exchange with MaineDOT**

**International Marine Terminal Property:** Currently leased to the Maine Port Authority.

**Cliff Island Wharf:** The State owns all public wharfs in Casco Bay. Transferring this responsibility to the State relieves the City of all financial maintenance responsibility for this Wharf in the future.

**MaineDOT Properties to Exchange with the City**

**Wye Property along County Way:** This is a 10-acre site with known environmental issues, which City staff feel can be managed to support site development in the future. Land of this size on the Peninsula is scarce.

**Park & Ride Lot (on Marginal Way, adjacent to Miss Portland Diner):** The City's intended future use of this property is to support transportation activities.

**Former Union Branch Rail Corridor (from Forest Avenue to Park Street, including the railroad bridge):** City ownership and MaineDOT commitment to construct a multi-use trail will complete a major trail connection throughout the City.

The Maine Port Authority (MPA) and MaineDOT began leasing the International Marine Terminal (IMT) from the City in 2009. Since that time, the MPA and MaineDOT have dramatically expanded the footprint of the IMT by acquiring adjacent property and have constructed numerous improvements. In 2018, MaineDOT approached the City regarding this land exchange.

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

**Order 279-20/21 Approving Modification Three to an Agreement between Portland and the Maine Department of Transportation re: Congress Street Traffic Signals - Sponsored by Jon P. Jennings, City Manager**

This project is a Locally Administered Project (LAP) where the City administers the project and receives funding from the State. It will modernize the traffic control architecture to the newest standard available along Congress from Fore River Parkway to Stevens Avenue.

Due to the cost of the awarded bid, the Portland Area Comprehensive Transportation System (PACTS) is providing an additional \$127,800 toward the project and the City is providing an additional \$255,839.

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

**Order 280-20/21 Approving Modification 1 to the Agreement Between Portland and the Maine Department of Transportation re: Congress Square Intersection Improvements - Sponsored by Jon P. Jennings, City Manager**

The original project agreement with the Maine Department of Transportation (MaineDOT) approved by the Council by Order 32-19/20 on September 4, 2019, with Work Identification Number 024293.00, included costs related to the project design only. This order seeks to modify that agreement to now include construction costs.

The Congress Square Intersection Improvement Project will provide safety and mobility improvements to the intersection of Congress Street/High Street/Free Street, including improved intersection alignment, shorter and more intuitive pedestrian crossings, and new signal equipment.

The project will improve safety and mobility for all modes by improving signal timing and vehicle detection, reducing crosswalk lengths, and expanding pedestrian plazas.

The updated agreement increases the City's share from \$61,540 to \$1,654,138.00, and increases MaineDOT's share from \$38,460 to \$1,000,000.00.

This item must be read on two separate days. Staff is requesting that the second reading be waived, which requires seven affirmative votes. Staff also requests that this item be passed as an emergency. Passage as an emergency requires seven votes, following public comment.

**Order 281-20/21 Approving and Authorizing First Letter Agreement with Developers Collaborative for the Homeless Service Center Project on Riverside Street - Sponsored by Councilor Spencer Thibodeau, Chair, Housing & Economic Development Committee**

The Housing and Economic Development Committee, on May 18, 2021, selected Developers Collaborative to be the developer for the Riverside Street HSC. A copy of the Developers Collaborative (DC) HSC Proposal is enclosed.

Step one for the HSC is to prepare conceptual site and building design plans, along with handling a public engagement process to include working with the City Health and Human Services Committee, City staff, HSC facility partners, and the general public. To begin this process, DC proposes entering into the Proposed First Letter Agreement (copy attached). The First Letter Agreement Scope of Work includes:

- Conceptual Site and Building Design along with the Public Process.
- Due Diligence. Project feasibility in design, site constraints, permitting, and financing.
- Deliverables. Formulate a financing, partnership, and phasing strategy that best fits the circumstances.
- Compensation and additional items. DC and third-party consultants will receive no compensation for the scope of work included in the First Letter Agreement for a period of sixty days (60) days.

Next steps include:

- Second Letter of Agreement is proposed to provide for City payment of and/or reimbursement for Developer fees and third-party costs related to the HSC Project.
- Ground Lease/Master Lease. Following the Second Letter of Agreement, a Ground Lease/Master Lease between the parties is proposed to include the final terms of the partnership.

Five affirmative votes are required for passage after public comment.

**AMENDMENTS:**

**Order 282-20/21 Amendment To Zoning Map from B-1 to B-2b for Jeffrey Curran at 163 Washington Avenue - Sponsored by Brandon Mazer, Chair, Portland Planning Board**

The applicant seeks a zoning map amendment for a property at 163 Washington Avenue. The property is currently zoned B-1 Neighborhood Business; the application seeks a zoning change to B-2b Community Business.

At their review on April 13, the Planning Board determined that the proposing zoning map amendment was not consistent with the Comprehensive Plan for the City of Portland (0-7).

The applicant seeks this map amendment to allow for the conversion of the first floor in the existing building at 163 Washington Avenue into a brewery with a tasting area, which is not a permitted use in the B-1 zone.

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

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



**ZOOM INFORMATION:**

Virtual meetings are allowed using emergency legislation approved by LD 2167; 1 M.R.S. §403A, that authorizes cities and towns to conduct meetings online.

Allow your computer to install the free Zoom app to get the best meeting experience. If you are not able to attend live, a recording will be uploaded to [portlandmaine.gov/livestream](https://portlandmaine.gov/livestream) the next day. For public comment, 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://us02web.zoom.us/j/85621497951?pwd=UFFoUHdtZldieU1vVms5eFB2L25ZZz09>

Passcode: 206775

Or iPhone one-tap :

US: +13017158592,,85621497951#,,, \*206775# or

+13126266799,,85621497951#,,, \*206775#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 301 715 8592 or +1 312 626 6799 or +1 929 205 6099 or +1 253 215 8782 or +1 346 248 7799 or +1 669 900 6833

Webinar ID: 856 2149 7951

Passcode: 206775

International numbers available: <https://us02web.zoom.us/j/khadnBmg9>

**PLEDGE OF ALLEGIANCE:**

**ROLL CALL:**

Mayor Snyder called the meeting to order at 5:03 PM. (All Councilors Present).

**ANNOUNCEMENTS:**

Mayor Snyder announced that the workshop regarding the June 8, 2021 Election, only lasted 15 minutes. She wanted to let the public know if they tuned in late and there saw no meeting this was why.

Mayor Snyder wished Councilor Ali a Happy Birthday. His birthday is this Friday.

Mayor Snyder also announced that the City Council Workshop on Racial Equity that was slated for June 3 will not be taking place. Staff will be sending out a doodle poll to find out what availability the Racial Equity Steering Committee members and City Council might have.

Councilor Chong announced that May is Asian Americans month.

**APPROVAL OF MINUTES OF PREVIOUS MEETING:**

**Approval of the Draft Special City Council Meeting Minutes for May 10, 2021**

Motion was made by Councilor Ray and seconded by Councilor Zarro for approval of the May 10, 2021 Special City Council meeting minutes. Passage 9-0.

**PROCLAMATIONS:**

**Proc 14-20/21 Recognizing Eid-ul-Fitr 2021 - Sponsored by Kate Snyder, Mayor**

**APPOINTMENTS:**

**Order 246-20/21 Appointing Constables for Various Departments - Sponsored by Jon P. Jennings, City Manager**

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

**Order 247-20/21 Appointing Councilor Mark Dion and Councilor Andrew Zarro to Various Boards and Committees - Sponsored by Kate Snyder, Mayor**

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

**BUDGET ITEMS:**

**PUBLIC COMMENT WILL BE TAKEN AT THIS COUNCIL MEETING ON ALL MUNICIPAL BUDGET ORDERS. COUNCIL ACTION ON THE MUNICIPAL BUDGET WILL TAKE PLACE ON JUNE 7, 2021 AT 5:00 P.M.**

**Order 248-20/21 Approving Fiscal Year 2022 Administrative Fees in the Permitting & Inspections and Parks Recreation & Facilities Departments - Sponsored by Jon P. Jennings, City Manager**

This is its first reading.

**Order 249-20/21 Authorizing City Manager to Enter into Certain Agreements to Implement the Fiscal Year 2022 Human Resources and Certain Fringe Benefits Budgets - Sponsored by Jon P. Jennings, City Manager**

This is its first reading.

**Order 250-20/21 Re: Fiscal Year 2022 Self--Insured Liability Program - Sponsored by Jon P. Jennings, City Manager**

Motion was made by Councilor Ray and seconded by Councilor Thibodeau to postpone Order 250 to the June 7, 2021 City Council meeting. Passage 9-0.

**Order 251-20/21 Authorizing the Director of Parks, Recreation and Facilities to Set Fees and Enter Rental Agreements for City Facilities - Sponsored by Jon P. Jennings, City Manager**

Motion was made by Councilor Mavodones and seconded by Councilor Ray to postpone Order 251 to the June 7, 2021 City Council Meeting. Passage 9-0.

**Order 252-20/21 Authorizing the City Manager to Enter into Certain Agreements to Implement Fiscal Year 2022 Health and Human Services Budget – Sponsored by Jon P. Jennings, City Manager**

This is its first reading.

**Order 253-20/21 Authorizing Corporation Counsel to Undertake Civil Actions to Collect Delinquent Personal Property Taxes - Sponsored by Jon P. Jennings, City Manager**

Motion was made by Councilor Mavodones and seconded by Councilor Ray to postpone Order 253 to the June 7, 2021 City Council Meeting. Passage 9-0.

**Order 254-20/21 Authorizing Non-Union Wage Adjustment - Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr. Chair**

This is its first reading.

**Order 255--20/21 Designating Fiscal Year 2022 Funds for Specific Island Services - Sponsored by Jon P. Jennings, City Manager**

This is its first reading.

**Order 256-20/21 Amendment to Portland City Code RE: Various Fee Increases for Fiscal Year 2022 - Sponsored by Jon P. Jennings, City Manager**

This is its first reading.

**Order 257-20/21 Fiscal Year 2021--2022 Appropriation Resolve - Sponsored by Jon P. Jennings, City Manager**

This is its first reading

**UNFINISHED BUSINESS:**

**Order 240-20/21 Approving City Lease with 39 LLC of 39 Forest Avenue for the Relocation of the City's Health and Human Services Department, Divisions of Social Services and Public Health - Sponsored by Jon P. Jennings, City Manager**

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

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

**Order 241-20/21 Accepting and Appropriating a \$3,000 Grant from ConnectMaine Authority to Support Efforts of the Broadband Planning Committee - Sponsored by Jon P. Jennings, City Manager**

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

**Order 242-20/21 Amending the Downtown Transit Oriented Development and Omnibus Tax Increment Financing District to Make 45 Brown Street Unit 2 an Affordable Housing Tax Increment Financing District and to Allow Funding for Public Restrooms - Sponsored by Councilor Spencer Thibodeau, Chair, Housing & Economic Development Committee**

Motion was made by Councilor Thibodeau and seconded by Councilor Chong to refer Order 242 back to the Housing & Economic Development Committee. Passage 9-0.

**Order 243-20/21 Designating the 45 Brown Street Unit 2 Affordable Housing District and Tax Increment Financing District and Adopting the Municipal Development Program for the District - Sponsored by Housing & Economic Development Committee, Councilor Spencer Thibodeau, Chair**

Motion was made by Councilor Thibodeau and seconded by Councilor Chong to refer Order 243 back to the Housing & Economic Development Committee. Passage 9-0.

**Order 244-20/21 Approving and Authorizing the City Manager to Enter into the Credit Enhancement Agreement with Brown Tower, LLC - Sponsored by Councilor Spencer Thibodeau, Chair/Housing and Economic Development Committee**

Motion was made by Councilor Thibodeau and seconded by Councilor Chong to refer Order 244 back to the Housing & Economic Development Committee. Passage 9-0.

**Order 245-20/21 Accepting and Appropriating a \$42,500 Donation from Matthew Best in honor of Arthur Best to the Fire Department Medical Crisis Unit - Sponsored by Jon P. Jennings, City Manager**

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

**ORDERS:**

**Order 258-20/21 Authorizing the Housing & Economic Development Department Director to Submit Portland Affordable Housing Tax Increment Financing District Annual Reports - Sponsored by Jon P. Jennings, City Manager**

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

**Order 259-20/21 Authorizing 6th Amendment to the Downtown Transit Oriented Development and Omnibus Tax Increment Financing District to Increase Funding to Creative Portland - Sponsored by the Housing and Economic Development Committee, Councilor Spencer Thibodeau, Chair**

This is its first reading.

**Order 260-20/21 Establishing a 180-Day Moratorium on New Shelters in the Bayside Neighborhood - Sponsored by Tae Chong, Chair, Health & Human Services and Public Safety Committee**

Motion was made by Councilor Ray and seconded by Councilor Ali to waive the second reading and pass as an emergency. Motion failed 6-3 (Fournier, Ali, Zarro).

This is its first reading.

**AMENDMENTS:**

**Order 261-20/21 Traffic Schedule Amendment Re: New 30-Minute Parking Spaces at 132 Marginal Way - Sponsored by Jon P. Jennings, City Manager**

This is its first reading.

Motion was made by Councilor Chong and seconded by Councilor Ali to adjourn.

Passage 9-0 at 7:08 PM

A TRUE RECORD

---

Katherine L Jones, City Clerk

**CITY OF PORTLAND  
IN THE CITY COUNCIL**

**PROCLAMATION RECOGNIZING JUNE 2021 AS  
LGBTQ+ PRIDE MONTH**

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

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

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

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

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

**WHEREAS**, June 28, 2021 marks the 51st anniversary of the first Gay Pride marches in the history of United States, and June is now celebrated as LGBTQ+ Pride Month nationwide; and

**WHEREAS**, June 28, 2021 marks the 52nd anniversary of the Stonewall uprising, on which occasion the LGBTQ+ community recognizes more than a half-century of the LGBTQ+ movement, celebrates and honors its accomplishments, and raises awareness of its ongoing struggles:

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

**Signed and sealed this 7th day of June, 2021**



**Kate. Snyder, Mayor  
City of Portland**

**MEMORANDUM**  
**City Council Agenda Item**

**FROM:**

**DATE:** May 27, 2021

**SUBJECT:** Order 261-20/21 Appointing Members to Various Board and Commissions -  
Sponsored by the Nominating Committee, Councilor Pious Ali, Chair

**SPONSOR:**

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

**COUNCIL MEETING DATE ACTION IS REQUESTED:**

**1st Reading**

**Final Action**

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

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

**I. SUMMARY**

**II. AGENDA DESCRIPTION**

The Nominating Committee met on May 19 and May 24, 2021 and interviewed for the following seats: two (2) applicants for the Fish Exchange Seat A; 10 applicants for the Portland Public Art Committee; eight (8) applicants for the Police Citizen Review Subcommittee; four (4) applicants for the Rental Housing Advisory Committee; eight (8) applicants for the Land Bank Commission; two (2) applicants for the Civil Service Employment Committee.

After interviews were completed the Nominating Committee voted (4-0) to send the following for recommendation:

Jess Lipton, Portland Public Art Committee, Exp. 06/30/2024  
Danielle Gagnon, Portland Public Art Committee, Exp. 06/30/2024  
Tim Smith, Police Citizen Review Subcommittee, Exp. 03/30/2024  
Anne Hardcastle, Police Citizen Review Subcommittee, Exp. 03/24/2024  
Avis Leavitt, Fish Exchange A, Exp. 10/31/2024  
Meredith Cook, Rental Housing Advisory Committee, Exp. 03/30/2024  
Christopher Marot, Rental Housing Advisory Committee, Exp. 03/30/2024  
Wendy Harmon, Rental Housing Advisory Committee, Exp. 03/30/2024  
Jeremy Lock, Rental Housing Advisory Committee, Exp. 03/30/2024  
Patrizia Bailey, Land Bank Commission, Exp. 06/30/2024  
Daniel Herzlinger, Land Bank Commission, Exp. 06/30/2024  
Jayne Foley, Land Bank Commission, Exp. 06/30/2024  
Robert Foster, Land Bank Commission, Exp. 06/30/2023  
Alan Freedman, Civil Service Employment Commission, Exp. 06/30/2024  
Elaine Edwards, Civil Service Employment Commission, Exp. 06/30/2024

Five affirmative votes are required for passage after public comment.

**III. BACKGROUND**

**IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED**

**V. FINANCIAL IMPACT**

**VI. STAFF ANALYSIS AND BACKGROUND**

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

**VII. RECOMMENDATION**

**VIII. LIST ATTACHMENTS**

1. Boards and Appointments by Nominating Comm 6.7.2021
2. Resumes for June 7, 2021
3. Memo to City Council for appointments May 2021

Prepared by:

Date: 5/27/2021



KATE SNYDER (MAYOR)  
BELINDA S. RAY (1)  
SPENCER R. THIBODEAU (2)  
TAE Y. CHONG (3)  
ANDREW ZARRO (4)

**CITY OF PORTLAND  
IN THE CITY COUNCIL**

MARK DION (5)  
APRIL D. FOURNIER(A/L)  
PIOUS ALI (A/L)  
NICHOLAS M. MAVODONES, JR (A/L)

**ORDER APPOINTING MEMBERS OF  
VARIOUS BOARDS AND COMMISSIONS**

**ORDERED,** that the City Council hereby appoints the following members of the Boards and Commissions listed:

| <b>Name</b>       | <b>Board and Committee</b>          | <b>Expiration</b> |
|-------------------|-------------------------------------|-------------------|
| Jess Lipton       | Portland Public Art Committee       | 06/30/2024        |
| Danielle Gagnon   | Portland Public Art Committee       | 06/30/2024        |
| Tim Smith         | Police Citizen Review Subcommittee  | 03/30/2024        |
| Anne Hardcastle   | Police Citizen Review Subcommittee  | 03/24/2024        |
| Avis Leavitt      | Fish Exchange A                     | 10/31/2024        |
| Meredith Cook     | Rental Housing Advisory Committee   | 03/30/2024        |
| Christopher Marot | Rental Housing Advisory Committee   | 03/30/2024        |
| Wendy Harmon      | Rental Housing Advisory Committee   | 03/30/2024        |
| Jeremy Lock       | Rental Housing Advisory Committee   | 03/30/2024        |
| Patrizia Bailey   | Land Bank Commission                | 06/30/2024        |
| Daniel Herzlinger | Land Bank Commission                | 06/30/2024        |
| Jayne Foley       | Land Bank Commission                | 06/30/2024        |
| Robert Foster     | Land Bank Commission                | 06/30/2024        |
| Alan Freedman     | Civil Service Employment Commission | 06/30/2024        |
| Elaine Edwards    | Civil Service Employment Commission | 06/30/2024        |

**Appointments Committee Chair  
c/o City Clerk  
389 Congress Street  
Portland ME 04101**

Dear Appointments Committee Chair,

I am formally submitting my name for reappointment consideration to the Portland Public Art Committee. In my last three years of service, PPAC we have launched new initiatives to connect the Portland community to our collection including coloring books distributed to restaurants and local organizations, accepted and installed new works, and taken part in redesign of the USM roundabout including a signature sculpture in one of the city's primary gateways. I continue to serve with the temporary public art advisory group that oversaw the installation of Jesse Salisbury's Gathering Stones last year on the Easter Prom trail. In July of 2020, I was elected to the role of Vice Chair. With board term limits affecting the renewal of past members, I will be the longest serving member still on the board.

In my professional life, I am the gallery manager and marketing director of Casco Bay Artisans. I have assisted in building the gallery's digital presence and outreach which has played an integral part of our survival during the ongoing pandemic. When not working for the arts, I am a nationally exhibiting video and performance artist.

Over the last decade I have been directly involved with or have kept the pulse on the arts community in the city. I served as the first secretary of the board for Creative Portland from 2009 to 2013. During this period I was the liaison between Creative Portland and the Portland Public Art Committee. Additionally, I, with the assistance of board members, city staff, and community leaders, drafted the current temporary public art guidelines used by the city. In 2013, I became the program assistant at Creative Portland. In that capacity I oversaw the growth of the First Friday Art Walk including three closures of Congress Street and the partnership with Metro to bring free bus service across the city during the event. In 2017 I took over as program manager for L/A Arts in Lewiston Auburn. Over eight months, I implemented a plan to expand and grow their monthly art walk and oversaw the programming component of A Place for Makers, an NEA funded economic development series.

I would be honored to continue public service in the arts. I feel my dedication, expertise, and experience in Portland and outside communities will be an asset and compliment the talents of the Portland Public Art Committee board.

Thank you for your consideration,



Jess Lauren Lipton



Jess Lauren Lipton

## Experience

### Current

Artist/Owner Pop Killed Culture/Narcissa Gold

Create large scale immersive experiences through performance and sculpture  
Currently focused on physically interactive performance work

Gallery Manager: Casco Bay Artisans

Oversee marketing and outreach for international commercial art gallery representing over 50 artists from around the globe. Head of growth strategies including audience engagement and event programming.

### Past

Program Manager at L/A Arts

overseeing Art Walk LA's expansion and connection to the diverse Lewiston Auburn Community of Franco heritage and African Refugees  
implementing interactive public art experiences to bring the community together through the arts.

Program Assistant at Creative Portland

Managed the First Friday Art Walk for 3 years, designed and oversaw infrastructure implementation; negotiated with Metro to provide free buses throughout the city every art walk

Oversaw 2 Degrees networking program; provided direct connections to those looking to live and work in Portland; designed bi monthly events to engage the 'connectors'.

Drafted temporary public art guidelines with city staff that were adopted by city council

Board Member: Creative Portland; Portland Public Art Committee; The Dooryard Arts Collective; Maine Masters

Gallery Manager of the Sylvia Kania Gallery 2008-2012

## Boards and Committees

Maine Masters Committee – 2011 – present

Portland Public Art Committee – 2010 – 2013, 2018 - present

The Dooryard Arts Collective – 2010 – 2014

Creative Portland Corporation – 2009 – 2013

## Statement

I am a performance and new media artist with a fondness for six pack rings and human touch. I am obsessed with the flash in the pan, the inexhaustible pleasure, and the endless high of what we call pop culture. I'm interested in the mechanics of how ideas, images, people, etc become popular and how long that duration is. The things that survive, like artifacts will become our culture thus leading to the equation pop = immediacy / culture = longevity.

## Education

B.F.A. - The College of New Jersey 2007

New York University Gallatin School of Individualized Study 2002 -2003

## Selected Residencies

Groundwork V Southwest Harbor, ME

## Selected Awards

2020

Jess Lauren Lipton

[REDACTED]  
[REDACTED]  
[REDACTED]

*Social Art Award 2019 from the Institute of Art and Innovation - Consent, Intent, & Boundaries 2019*

*Maine Arts Commission Artist Project Grant – My Body is Your Body is Everybody is Nobody*

*White Girl Wasted Critics Choice Awards (3) PortFringe 2019*

#thisisfringe

WAIT. WHAT-WHAT-WHAT DID I JUST SEE?? (you have to see for yourself!)

SWIPE RIGHT (these artists/this show was hot!)

#### Selected Exhibitions

- 2020 My Body is Your Body is Everybody is Nobody (Postponed due to Covid-19) Online  
There's Always Something Between Us (Postponed due to Covid-19) PortFringe, Portland, ME
- 2019 Consent, Intent, & Boundaries, Maine International Film Festival, Waterville, ME  
Body | Mass | Absolution, ChaShaMa Gala, NYC  
White Girl Wasted, PortFringe, Portland, ME  
Modern Intimacy, Casco Bay Artisans, Portland, ME  
Everybody Has a Story, Rochester, NY
- 2018 My Body is Your Body is Everybody is Nobody, Elizabeth Foundation Project Space, NYC  
Icarus, Sacred & Profane, Portland, ME  
Documented Humans, Alexandria, VA  
Body|Mass PortFringe, Portland, ME  
Validity, Catapult Gallery, Cape Girardeau, MO  
Consent, Intent, & Boundaries, Flask Lounge, Portland, ME  
Tiny Acts Topple Empires, Penn State, State College, PA  
Cold Cold Night (Body|Mass Performance), Portland, ME  
PortFringe PopUp Midsummer Night's Dream, Portland, ME
- 2017 Handled Gallery 263, Cambridge, MA  
Hey Baby (Nest Performance) New Fruit, Portland, ME  
My Body is Your Body is Everybody is Nobody Center for Maine Contemporary Art, Rockland, ME  
Radical Presence PortFringe, Portland, ME  
Touch Me/Wash Me Cambridge School of Weston, Weston, MA
- 2016 Touch Me/Wash Me TEDxDirigo Dissonance, Portland, ME  
Nest Sacred & Profane, Peaks Island, ME  
Modern Intimacy & Pop Feminism Oak Street Lofts Gallery, Portland, ME  
Touch Me/Wash Me New Fruit, Portland, ME
- 2015 Modern Intimacy Masonic Temple, Portland, ME
- 2014 Dinner @ Eight Butch Voices Conference, San Francisco, CA  
Isobel TCNJ Alumni Show, Ewing, NJ
- 2013 Touch Me/Wash Me 3 Fish Gallery, Portland, ME  
Sensory Circus Meg Perry Center, Portland, ME
- 2012 Edges of Vision 3 Fish Gallery, Portland, ME  
Seeking Wonderland (chess set) Governor's Island, NYC  
Seeking Wonderland Sylvia Kania Gallery, Portland, ME  
Plasticitis Strain SP 1 The Thought Lot, Shippensburg, PA  
We Conjure Tornadoes The Dooryard Art Collective, Portland, ME
- 2011 (dis)orientation The Dooryard Arts Collective, Portland, ME  
Touch Me (My Skin Will Keep You) 21 Rooms, Nevada Motel; York, ME

Jess Lauren Lipton

[REDACTED]  
[REDACTED]  
0000000773

Ravage Me Until I Can't Breathe Anymore Sylvia Kania Gallery, Portland, ME  
Obsessive Tendencies (Sommes Nous....) Sylvia Kania Gallery, Portland, ME  
2010 Obsessive Tendencies (Fortress) Sylvia Kania Gallery, Portland, ME  
Obsessive Tendencies (Mea Culpa) Sylvia Kania Gallery, Portland, ME  
Souviens Toi video – Rouges Gallery event; Portland Maine

Danielle Gagnon  
[REDACTED]

Portland, ME 04101  
[REDACTED]  
[REDACTED]

March 5, 2021

Nominating Committee Chair  
c/o City Clerk  
389 Congress Street  
Portland, ME 04101

Dear Nominating Committee Chair,

I am writing to apply for the volunteer position on the Portland Public Art Committee. I am a passionate supporter of public art and am eager to volunteer to help preserve, restore and enhance the City-owned public art collection. At the Autodesk Foundation, I manage a software donation program that provides \$30 million USD worth of software to 2000+ nonprofits and social startups creating positive social and environmental impact. The Foundation supports entrepreneurs and innovators' design solutions to the world's most pressing challenges such as climate change and inequity. The solutions that engage with the built environment and public art are the initiatives that inspire me most and motivated me to apply for this committee. As a meticulous program and project manager, strategic leader, and empathetic team player I am thrilled to apply to volunteer with the Portland Public Art Committee.

An early experience working at the Bruner Foundation taught me best in class examples of public art that would fuel my ability to strategically recommend locations for permanent art installations around Portland. The Bruner Foundation holds a bi-annual award cycle that reviews, documents, and celebrates examples of urban excellence around the United States. They create case studies documenting the transformative power public art can have on a community. I witness how public art can drive economic development, urban revitalization, and community culture - as a volunteer I will strive for the best for Portland.

As a program manager, I recommend an annual budget and often seek additional funds throughout the year for new valuable opportunities; I believe this will translate to recommending expenditures and seeking private donations. First, I've learned that influential communication doesn't come from addressing the "what" but rather is rooted in explaining the "why" and demonstrating the potential value of the investment. Secondly, I develop partnerships with some of the largest international nonprofits such as Habitat for Humanity and Doctor's Without Borders to lead strategic engagements. Empathy is at the center of this work to understand their goals, so I can surface opportunities that have mutual benefit.

In closing, I am eager to join this committee not only because of my passion for public art, but also because of my love for Portland. As a new community member, I know that connections are built by getting your hands dirty and working with your neighbors for the betterment of all. And for me, this is the way I hope to contribute. Thank you for your consideration.

Best,

Danielle Gagnon

## DANIELLE GAGNON

### EDUCATION

#### **The College of Wooster**

Bachelor of Arts, English major and Art History minor

Wooster, OH

May 2016

**Honors:** Dean's Scholarship, Theater and Dance Scholarship, English Honor Society

Senior Independent Thesis

- A creative nonfiction collection entitled *So Many Around the Table: The Multiplicity of Truths within the Myth of "The Poor"* curating oral histories shared at a free breakfast program illustrating the diverse experiences of living in low-income communities.

### EXPERIENCE

#### **Autodesk Foundation**

Program Manager

Remote

October 2018 — present

- Manages a best-in-class global software donation program getting \$30M worth of software in the hands of 2000+ nonprofits, startups and entrepreneurs using design for environmental and social good.
- Develops and executes program strategy, manages a global team, and collaborates with vendors.
- Advocates for the program by writing annual reports to the Foundation's Board of Directors.
- Builds productive relationships with large, international nonprofit organizations that lead to strategic partnership engagements.

#### **Autodesk Inc.**

BUILD Space Programs Coordinator

Boston, MA

February 2017—October 2018

- Coordinated BUILD Space community management operations, resources, and communications.
- Lead equipment procurement processes, manages vendor contracts, and awards sponsorships.
- Project managed public events, programs, tours, and special projects; facilitated internal team meetings.

#### **The Rose Fitzgerald Kennedy Greenway Conservancy**

Public Art Intern

Boston, MA

October 2016—January 2017

- Conducted research and created written content for the upcoming public art installations.
- Supported preparations for exhibition logistics, operations, and public art special events.

#### **The Rudy Bruner Award for Urban Excellence - Bruner Foundation**

Summer Intern

Cambridge, MA

June 2016—October 2016

- Collected materials on past award winners to enhance archives and database.
- Produced informative and accessible written content for website, member updates, and blogs.

#### **The College of Wooster Art Museum**

Gallery Attendant

Wooster, OH

September 2015—May 2016

- Ensure premiere visitor experience; answered questions and performed gallery tours.
- Co-designed interactive exhibition components; assisted installation and de-installation processes.

### COMMUNITY SERVICE

#### **Poverty Outreach Program House**

Program House Co-coordinator

Wooster, OH

August 2013—May 2016

- Volunteered serving breakfast and acting as a social connector referring patrons to local social services.

### SKILLS

#### **Research**

Market Research  
Business models analysis  
Conducting interviews  
Observational research

#### **Technology**

Experienced with Adobe Products,  
Microsoft Office, Salesforce,  
HubSpot, Airtable, CRMs  
Website design and social media

#### **Communication**

Formal writing skills  
Workshop facilitation  
Strategic partnership  
Content creation

December 22, 2020

Appointments Committee Chairman (via e-mail to kj@portlandmaine.gov)

c/o City Clerk

389 Congress St

Portland, ME 04101

Ladies and Gentlemen:

I am interested in being the public member of the Police Citizen Review Committee. (See below – would also consider other vacancies).

I have worked at Unum for the last 25 years. My first job at Unum was paying disability claims to people in need. Helping people at one of the most difficult times in their lives taught me a lot about compassion. I have worked in many operational roles at Unum and am currently the privacy officer.

I developed excellent customer service and communication skills by working with people from all walks of life often when they were in crisis, facing financial pressures and medical issues. Others would describe me as a good listener and fair minded. Keep calm and carry on.

While in Law School, I worked my 3<sup>rd</sup> year as an intern in the Cumberland County D.A.'s office – working on both criminal and civil cases. (Full time in the summer, part time during the school year). I learned a lot about all sides of police work. I have had no professional (and thankfully no personal!) involvement with the criminal justice system since. I have spent my entire professional career in insurance and most of it not practicing law.

I grew up in Lewiston and have lived in Portland (mostly districts 4 and 5) since 1992. My wife and I currently live in Deering Center and we have a daughter at Deering High School. Our other daughter is in college in PA but also went to local schools through high school.

The reason I'm applying is that I'd like to give back to this community after 30 years here; raising a family and living in this wonderful city. I also feel like it is time to get involved and not sit on the sidelines and that I have the skills to help.

My previous service includes being selected by the city to be a parent representative to the Portland School Committee project that did a curriculum overhaul about 10 years ago and as a member of the Maine Cybersecurity cluster – which was led out of USM when I was on the Board.

Resume attached.

While I am primarily interested in the PCRS, please also consider this to be an application and an expression of interest in the planning board and rent board (District 5). As I said, I'm at a point in my life where I can and want to give back.

Sincerely – Tim Smith



*Sent via e-mail 12/22 as well*



## Timothy D. Smith, JD, CIPP (U.S.)

---

Trusted business partner/advisor; execute strategic priorities in a fast-paced, dynamic, matrixed environment, balancing legal and smart risk assessment with business strategy, partnership and decision-making in a Fortune 500 (\$10b+ annual revenue) Financial Services Company. Highly skilled at in-house and external customer engagement and relationship management. Superior communication skills; translate complex information clearly and concisely, tailored to the audience.

### Areas of Expertise

- Data Monetization; adept at using company data/proactive stakeholder engagement to advance business growth
  - Assess privacy risks and develop robust governance controls while eliminating inefficient processes and activities
  - Extensive practical and regulatory experience; data leakage, incident and breach management
  - Disability, Life, Long Term Care, Dental & Vision Insurance; HIA, ALHC and MHP (professional designations)
  - Strategic leadership related to key acquisitions (M&A), third party partnerships and implementation of IT systems
  - Program development; apply state, federal, global data privacy and information management laws to continuously evolving policies and programs
- 

### Professional Experience

UNUM | Portland, Maine

1998 - Present

**Chief Privacy Officer and Vice President**

2012 - Present

Privacy, Information Governance Compliance and Law

Recognized for providing exceptional in-house and external customer service; counseling regarding health plans, third party administrators, insurance brokers, healthcare exchanges, and health management programs in regard to privacy and security laws and regulations.

#### Privacy Strategy

- Design and implement continuously improving framework and effective operating model for Unum's privacy function including hiring, leading, developing and retaining a team of 10+ privacy and information governance professionals
- Develop and lead initiatives to advance effectiveness and sophistication of privacy compliance programs while delivering enhanced experiences across end-to-end customer journeys that are responsible for hundreds of millions of dollars of increased sales and reduced operating expenses
- Monitor/analyze business impact of privacy-related regulatory changes in all regions of Unum's global footprint
- Serve as information privacy resource expert to the organization, advising on privacy and data protection issues and implications for strategic initiatives (M&A, third party partnerships, business development deals)

#### Program Development / Execution

- Data incident/loss/breach management/disability, successfully managed scores of state (incl. NYDFS) and federal (incl. U.S. Senate, U.S. Department of Health & Human Services) inquiries and investigations over past decade
- Review and update existing privacy policies, procedures, and processes in rapidly evolving regulatory requirements
- Deliver enterprise-wide and site-specific employee and vendor training on privacy regulations, risks, and processes
- Develop and implement legal and regulatory compliance programs for GDPR, CCPA/CPRA, NYDFS Reg 500, and HIPAA
- Defined relevant metrics, including key performance indicators and crisp reports, to communicate privacy risk management events and program progress to executive leadership and the Board

#### Business Partnership & Advising

- Data Monetization: Proactively support legal use of data to support business growth by advising Finance, Marketing, Underwriting, Strategic Development office and Pilot/POC office on strategy as well as specific initiatives
- Work closely with peers in Legal, Transactions, Compliance, IT, etc., to define roles/responsibilities related to privacy risk management, ensure consistent processes/approaches, identify synergies/economies of scale, break down silos and instill ownership in support of a collegial, globally-coordinated privacy program and ethical control culture
- Partner with other control functions, including Third Party Risk Management, to ensure efficient, effective and risk-based vetting and oversight of vendors and other third parties with access to personal information entrusted to Unum

---

**Business Partnership & Advising - continued**

- Collaborate with IT Risk Committee, Information Security, and Data Governance to ensure alignment between security and privacy compliance programs, including policies, practices, incident response, and investigations
- In partnership with Enterprise Risk and IT Security, co-own incident management response plan which includes investigating potential data breaches and determining if incidents meet applicable regulatory reporting requirements
- Led historic defensible data deletion initiative of structured and unstructured data that was beyond retention and no longer of value, saving the company hundreds of millions of dollars in data storage and breach mitigation costs

**Additional Experience**

|                                                                   |             |
|-------------------------------------------------------------------|-------------|
| Vice President, Regulatory and Government Affairs                 | 2010 - 2012 |
| Vice President, Government Affairs                                | 2008 - 2010 |
| Assistant Vice President, Appeals; IDI, LTD, LTC, Life, STD, AD&D | 2006 - 2008 |
| Various Operations roles                                          | 1998 - 2006 |

---

**Guest Speaker Engagements**

- IAPP (International Association of Privacy Professionals) Global Privacy, Security, Risk Conference
  - MIT Sloan School of Management | Data Monetization Conference and case study
  - PLI's (Practicing Law Institute) | General Data Protection Regulation Boot Camp
  - Defense Research Institute (DRI) Privacy Conference | Importance of Privacy Training
  - Definitive Disability Conference | Privacy Presentation
  - Massachusetts Bar Association Privacy Conference | Privacy Overview
  - University of Maine Summer Privacy Institute | A Day in the Life of a CPO
- 

**Leadership / Community Involvement**

- **Director** | Unum Ireland Board
  - **Director** | Maine and Company Board
  - **Board Chair** | Maine Guaranty Association
  - **Board Member** | Maine Cybersecurity Cluster
- 

**Education**

- J.D. | University of Maine School of Law | Portland, ME
- B.A. | Major History, Minor German (fluent) | University of Pennsylvania | Philadelphia, PA

*Anne E. Hardcastle*

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

March 1, 2021

Nominating Committee Chair  
c/o City Clerk  
389 Congress Street  
Portland, ME 04101

Re: Police Citizen Review Subcommittee

Dear Nominating Committee Chair,

Please consider my profile for one of the 2 open positions on the Police Citizen Review Subcommittee. I am certain that with my extensive legal and compliance experience, I have a lot to offer the team. My family and I relocated to Portland over 10 years ago – my young sons and I have established, meaningful roots here in Portland. In continuing to build those roots, I'm looking for the opportunity to give back to our community. And, more importantly, I want to be a part of building and preserving a better, more just, community for my sons.

A litigator by training, I have spent nearly twenty years practicing law in both private and corporate settings. For the last decade or more, my law practice has focused exclusively on matters involving global compliance issues, focusing on compliance with global anti-corruption laws, as well as the development and implementation of global compliance programs, corporate compliance policy and programmatic development, global training communications and planning, internal investigations, and enforcement matters relating to global regulatory compliance. This experience makes me uniquely qualified to review process and procedure, identify gaps or weaknesses (as well as highlight strengths), provide guidance on process improvements, and recommend training and communication next steps to help build/maintain public trust and understanding of the process and systems.

I would be grateful for the opportunity to discuss how I might be of service to the Police Citizen Review Subcommittee.

Very truly yours,

Anne E. Hardcastle

*Anne E. Hardcastle*

---

*Bar Admissions*

*State of New York*

*Commonwealth of Massachusetts*

*District of Columbia*

---

**Profile**

- Experienced attorney and compliance professional, specializing in global ethics, anti-corruption, competition, privacy, and other general global compliance matters for Fortune 200 companies.
  - Expertise in managing diverse global cross-functional teams involving key stakeholders at every level of the organization.
  - Significant policy and procedure drafting, implementation, and oversight capabilities for risk assessment and management programs for 1,000 to 10,000 3rd party relationships for large, multi-national conglomerates.
  - Expertise in global compliance processes and management from initial design to implementation, including program development, production of training and resource materials, and post implementation management and oversight.
- 

**Experience**

**IDEXX Laboratories, Westbrook, ME**

**2019 – Present**

*Regional Compliance Lead – The Americas, OPTI Medical (global)*

*Global Trade Center of Excellence Lead*

Managing all compliance risk areas across the Americas, as well as managing global risks for OPTI Medical, the human health subsidiary of IDEXX. Proactively identifying and mitigating compliance risks, focusing on areas of anti-bribery/corruption, competition, global privacy laws, international trade, and hotline investigations; Managing significant pipeline of third parties business partners to ensure proper anti-bribery due diligence; Enhancing trade compliance controls in the areas of sanctions, anti-boycott and export regulations.

**Kimberly-Clark Corporation, Roswell, GA (remote)**

**2017 - 2019**

*Compliance Leader – Anti-Corruption*

Design, leadership and deployment of the global anti-bribery and anti-corruption compliance program by collaborating with the global, regional and functional teams to raise awareness, develop knowledge, engage commitment and create/strengthen process/controls aiming at prevention, detection and response; Driving ownership, engaging and collaborating with business and functional leaders for a culture of ethics; Assessing risks across the various regions, businesses, operations and go to market strategies; Implementing and identifying needs and opportunities for trainings and communications, in partnership with other functions and owners; Managing investigations and root cause analysis for any corruption related matters; Driving continuous improvements based upon audit, testing and evaluation, partnering closely with Audit team; Global point of reference for legal advice on anti-corruption related matters, in partnership with local teams.

**PPG Industries, Inc. Pittsburgh, PA (remote)**

**2012-2017**

*Consulting Anti-Corruption Counsel*

Focus on global anti-corruption compliance for multinational, manufacturing corporation with ~45,000 employees worldwide. Expand and hone previous compliance expertise in establishing, designing, executing, and managing company's comprehensive, global, anti-corruption compliance program, including assessment and management of risk with respect to third parties working with individual, highly specialized and regulated business units with vastly diverse business models including aerospace, automotive, and construction in challenging international operating environments. Advise and create policies and procedures which balance linking external business partners with the Company's internal legal, business, and compliance stakeholders to deliver optimal due diligence compliance program globally. Coordinate and supervise phased deployment of compliance program that will evaluate upwards of 8,000 third parties.

**The Coca-Cola Company, Atlanta, GA (remote)**

**2010-2017**

*Consulting Ethics & Compliance Counsel*

*Anne E. Hardcastle [REDACTED] Portland ME 04103*

Focus on global anti-corruption and anti-competition compliance and general business counsel. Establish, design, and execute Company's global third-party partner compliance program, with emphasis on assessment and management of the Company's risk with respect to third parties worldwide in diverse operating environments and including such diverse parties as, lobbyists, logistics personnel, consultants, and agents. This process includes formulating and implementing policies to ensure adherence to global and national laws and regulations; partnering with multiple, internal business units to create a global program; assessing, hiring, and providing feedback to outside vendor to establish electronic due diligence platform; drafting procedure and policy documentation; producing training and resource materials; and deploying business units globally. Currently, overseeing, as part of a cross functional team, continued implementation and improvement of an established, company-wide, global anti-competition compliance program mandated by various national and supranational governmental organizations. Establish and hone significant people, project, and program management skills through in-person and remote supervision of personnel and projects.

**DLA Piper US LLP, New York, NY**

**2006-2010**

*Associate*

Advised clients on domestic and international corporate internal investigations with focus on compliance with the U.S. Foreign Corrupt Practices Act; conducted global risk assessments and transactional due diligence reviews. Tasked with drafting and overseeing implementations of compliance policies. Further provided support to ongoing corporate investigations regarding domestic marketing and sales compliance for leading pharmaceutical company in United States. Assisted with general corporate compliance matters; intellectual property matters, as well as complex commercial litigation.

**Make A Better Place, New York, NY**

**2004-2006**

*Executive Director*

Provided oversight and guidance on strategic restructuring of nonprofit arts organization that provided creative arts programs to children as a vehicle for positive social change. Developed primary goals, operating plans, policies, and strategic long-range objectives for organization. Executive oversight of organizational objectives, financial management, personnel, fundraising, program direction, public relations, marketing, licensing, intellectual property and recruiting. Represented organization to multiple facets of the community including foundations, government, corporate sponsors, as well as media.

**Latham & Watkins LLP, New York, NY**

**2001-2003**

*Associate*

Represented multinational corporations in connection with all stages of complex, civil, and commercial litigation and international arbitrations. Primary practice areas included intellectual property and antitrust litigation. Researched, drafted, and finalized extensive pleadings. Planned, executed, and managed due diligence investigations and large- and small-scale document retrieval, review, and productions and acquisition due diligence investigations, including client interviews.

## **Education**

---

**American University, Washington College of Law, Washington, DC**

**2001**

Juris Doctor *Magna Cum Laude*.

**American University, School of International Service, Washington, DC**

**2001**

Master of Arts International Relations, focus in Cross-Cultural Communications.

**Emory University, Atlanta, GA**

**1997**

Bachelor of Arts Art History.

## **Civic & Charitable Service**

---

**Longfellow Elementary School PTO**

**2017-2020**

*Anne E. Hardcastle [REDACTED] Portland ME 04103*

***Co-President***

Provide leadership to the Parent Teacher Organization and support and counsel to leadership within my children's elementary school.

**Cathedral of the Immaculate Conception**

**2014-2020**

***Sunday School Teacher***

Co-teach Sunday school classes to Pre-K and Kindergarten children.

**Maine Volunteer Lawyers for the Arts**

**2010-2019**

***Board Member***

Provide organizational assistance, fundraising, organizational development, and outreach to arts nonprofit focusing on education, guidance, and counsel for individual artists and arts organizations.

**New York Lawyers for the Public Interest**

**2008 – 2010**

***Volunteer Special Education Lawyer***

Practice focused on the representation of special education students seeking appropriate educational placement and the required supporting services.

**Volunteer Lawyers for the Arts**

**2001-2010**

***Volunteer Lawyer***

Practice focuses on the representation of individual artists and arts organizations.

**Youth I.N.C. (Improving Nonprofits for Children)**

**2006-2010**

***Member, Consulting Advisory Board***

Provided oversight and guidance on board development and governance, fundraising, capacity building, & general nonprofit legal issues for 20 member nonprofit organizations.

**Make A Better Place**

**2001-2009**

***Member, Advisory Board***

Provided oversight and guidance on strategic restructuring of nonprofit arts organization that provided creative arts programs to children as a vehicle for positive social change. General Counsel Advisor.

On Thu, Mar 4, 2021 at 8:22 PM Avis Leavitt [REDACTED] > wrote:  
Katherine L. Jones, CCM

Avis C. Leavitt

[REDACTED]  
Scarborough, ME 04074  
[REDACTED]  
[REDACTED]

March 4, 2021

RE: Class A, Portland Fish Exchange, Board of Directors appointment

Dear Ms. Jones,

I would like to be considered for reappointment to the Portland Fish Exchange board of directors. I have represented boats on the exchange for over 30 years now. I have served on the Board since 2009. I feel as a former boat owner and seller at PFE and a representative to over 90 % of the boats that land here, I have a lot of valuable input. I represent both large & small boats & feel they all need to be represented.

Thank you for your consideration.

Sincerely,

Avis C. Leavitt

Meredith K. Cook

[REDACTED]  
Portland, Maine 04103  
[REDACTED]  
[REDACTED]

February 22, 2021

City Council Nominating Committee  
389 Congress Street  
Portland, Maine 04101  
Submitted to [klj@portlandmaine.gov](mailto:klj@portlandmaine.gov)

To Whom It May Concern:

I am writing to apply for reappointment to the Rental Housing Advisory Committee as a tenant representative. I have served as co-chair of the Committee since September of 2019.

I originally applied for appointment because I have encountered the difficulties of navigating the rental market in Portland in several capacities. I have worked at Through These Doors and Preble Street and witnessed firsthand the struggles of people experiencing homelessness and housing insecurity. Many of my friends are artists and service industry employees who similarly wonder whether they will continue to be able to live within city limits. I joined the Committee to tackle these issues on a systemic level to make our great city livable for all.

Although the Committee has struggled to gain its footing and discern a true sense of direction, I am proud of the work we have done thus far and the relationships we have built. I am seeking reappointment because I hope to build on the work we have done as the Committee finds its purpose.

Thank you for considering my application for reappointment. I hope to have the opportunity to speak further about my qualifications and the position.

Sincerely,

Meredith K. Cook



**Meredith K. Cook**

[REDACTED]  
Portland, Maine 04103  
[REDACTED]  
[REDACTED]

## **EDUCATION**

**University of Maine School of Law, Portland, Maine**

*Juris Doctor*; degree expected May 2023

Class Rank: 5/85; GPA 3.912

**University of Southern Maine, Portland, Maine**

*Master of Policy, Planning, and Management* student; expected graduation May 2021

Concentration in policy analysis, GPA 3.867

**Iowa State University, Ames, Iowa**

*Bachelor of Arts*, Political Science

May 2016

## **EXPERIENCE**

**Jackson & MacNichol, South Portland, Maine**

*Legal Intern*, October 2020-present

- Review client files for relevant evidence to prepare for upcoming U.S. Department of Veterans Affairs (VA) disability appeal hearings.
- Prepare memoranda to assist the firm's VA attorneys prepare for hearings.

**Preble Street, Portland, Maine**

*Maine Hunger Initiative Social Change Advocate*, February 2019-August 2020

- Served as Preble Street's anti-hunger policy expert; led anti-hunger policy advocacy efforts in the state and federal legislatures and state and federal executive administrations.
- Built Preble Street's base of anti-hunger advocates; developed leaders with lived experiences of hunger to be policy advocates for anti-hunger initiatives.
- Researched opportunities and policies to reduce hunger; identified and mobilized anti-hunger champions in the state legislature.

**Maine Community Law Center, Portland, Maine**

*Legal Assistant*, May 2018-February 2019

- Served as the point of access for prospective new clients seeking general practice legal services on a sliding fee scale, including managing the intake process and conducting conflict of interest checks.
- Provided administrative support to the Executive Director and Law Fellows, including drafting motions, conducting research, drafting correspondence, and maintaining client files.
- Managed social media presence and branding; sought new marketing and networking opportunities.

**Through These Doors** (*formerly Family Crisis Services*), Portland, Maine

*Abuse in Later Life Victim Advocate*, June 2017-April 2018

- Supported and advocated for victims of domestic violence and Abuse in Later Life (AiLL) in various civil and criminal court settings, including negotiating terms of Protection from Abuse Orders with the adverse party.
- Provided direct service, advocacy, outreach, and support to victims/survivors of domestic violence, elder abuse, stalking, and sexual violence with a focus on victims of AiLL.
- Engaged in community outreach activities such as visits to retirement communities, tabling events, and attending area elder abuse task force meetings to educate the public at-large on AiLL and the resources available for victims.
- Assisted victims of AiLL with accessing community resources by providing referrals to free legal assistance, mental health and substance abuse treatment, emergency housing and financial assistance, and other social welfare programs.

*Housing Specialist Advocate*, January 2017-June 2017

- Advocated for homeless victims/survivors of domestic violence to obtain safe, affordable, permanent housing by serving as a liaison between shelter residents, landlords, Maine State Housing Authority, and other housing placement programs.
- Navigated complex housing assistance programs and applications; maintained a working knowledge of policy updates and proposed changes to federal and state housing assistance programs.
- Assisted in day-to-day domestic violence shelter operations including shelter intakes, housing and healthcare assessments and applications, and resident support.

**Office of Congressman Mike Michaud** (D-ME-02), Washington, D.C.

*Congressional Intern*, August 2013-December 2013

- Researched legislation and prepared legislative memoranda under staff supervision to assist the Congressman with policy decisions in line with the Congressman's legislative history and priorities.
- Interacted and corresponded with constituents regarding questions, comments, and concerns.

**COMMUNITY INVOLVEMENT**

City of Portland Rental Housing Advisory Committee

*Co-chair*, September 2019-present

**SKILLS AND INTERESTS**

Trained in Westlaw and LexisNexis. Hobbies include hiking (slowly), skiing (badly), and spending time outside with my dog, Marshall.

PINE TREE LEGAL ASSISTANCE, INC.

Christopher Marot, Esq. ♦ Portland Area Office

Portland, Maine 04112-0547

March 4, 2021

Kathy Jones  
City Clerk  
389 Congress St  
Portland, ME 04101  
[klj@portlandmaine.gov](mailto:klj@portlandmaine.gov)

*via Email*

Re: Rental Housing Advisory Committee

Dear Ms. Jones:

Please accept this letter and attached resume as my application for membership on the Rental Housing Advisory Committee.

I am currently in the housing attorney position in Pine Tree's Portland Area Office. I represent tenants in the Portland District Court eviction docket as well as advising and providing representation to tenants on housing safety, admissions, and security deposit issues. Prior to that, I served in a grant funded position at Pine Tree focused on warranty of habitability and lead hazard issues in Portland area rental housing.

I am also a proud resident of the City of Portland and am excited by the opportunity to serve the City in this capacity. Please let me know if you need any additional information.

If you have any questions, please do not hesitate to call me at [REDACTED]

Sincerely,

/s/ Christopher Marot  
Christopher Marot, Esq.

## CHRISTOPHER CHARLES MAROT



### EDUCATION

**University of Maine School of Law, Portland, Maine**

*Juris Doctor, May 2014 Magna Cum Laude*

- CALI Award Recipient – Refugee and Human Rights Clinic, 2014

**University of Connecticut School of Law, Hartford, Connecticut**

Attended 2010-12 (completed first year at night); transferred to University of Maine School of Law

**College of the Holy Cross, Worcester, Massachusetts**

*Bachelor of Arts, History, May 2006*

### PROFESSIONAL EXPERIENCE

**Pine Tree Legal Assistance, Portland, Maine (2014-Present)**

*Attorney*

- Represent and counsel low-income clients in many areas of law ranging from subsidized and private housing and eviction matters, warranty of habitability, and family matters.
- Draft model policy for personal property retrieval in protection order cases.
- Collaborate with partner agencies to draft and advocate for a bill that adds human trafficking to the Protection from Abuse statute.
- Organize the 2016 and 2018 Pine Tree Retreat as a member of the Training Committee.
- Co-Chair of the Litigation Practice Group focusing on litigation training and best practices within Pine Tree.

**Cumberland Legal Aid Clinic, Portland, Maine**

*Student Attorney, (Summer 2013-Spring 2014)*

- Represented and counseled clients in a variety of civil matters, including divorce, parental rights and responsibilities, and immigration cases.
- Advocated in two asylum hearings, both of which were successful.
- Drafted motions, orders and complaints; negotiated with opposing counsel; and litigated hearings and trials.
- Participated in the Domestic Violence Program and represented clients seeking Protection from Abuse orders, which included negotiating agreements with both unrepresented and represented defendants and representing clients in hearings.

**New London High School, New London, Connecticut**

*Social Studies Teacher & Team Leader (Fall 2007-Spring 2012)*

- Led a 12-teacher department with responsibility for budgeting, ordering curriculum and supplies, and organizing and leading team meetings
- Taught 9<sup>th</sup> grade Social Studies to a diverse student body, with over 80% of students living below the poverty line.
- Taught the first AVID class at the high school, a program which emphasizes study skills, college readiness, and assistance with college forms and financial aid applications.

### PUBLIC SERVICE EXPERIENCE

**Peaks Island Fund, Peaks Island, Maine**

*Governance Committee Chairman, 2015-2018*

- Rewrite grant-making guidelines for island community fund.
- Collaborate with members to make grant awards to ten island-based non-profits annually.

**Justice Action Group, Portland, Maine**

*Student Intern, August 2013-June 2014<sup>3</sup>*

- Researched innovative practices for JAG Symposium.
- Organized support and volunteers for Lawyers in Libraries.

**New London Education Association, New London, Connecticut**

*PAC Chairman & Building Representative, 2011-2012*

- Assisted union members with contract issues.
- Advocated for union members in *Weingarten* meetings.
- Created and organized first local union political action committee.

**New London Charter Revision Commission, New London, Connecticut**

*Member & Secretary, Fall 2010-Summer 2011*

- Participated in drafting language providing for a mayoral form of government.
- Prepared and filed official minutes of Commission proceedings.

**Windham Board of Finance, Willimantic, Connecticut**

*Member & Secretary, 2007-2008*

- Met with community members and city officials to review city budgets and expenditures.
- Elected at the age of 23.

March 3, 2021

Wendy Harmon

[REDACTED]

Portland, Maine 04103

I would like to submit my application for a second term of the Rental Housing Advisory Committee, as the appointed member representing Southern Maine Landlords Association.

I am a Realtor with over 20 years of experience, in the housing market in Greater Portland, and I currently work at the Keller Williams, Portland office.

I also own several rental properties in Portland and surrounding communities, and have over 40 years of experience in rental housing.

I am involved with the following organizations:

Board of Directors for Southern Maine Landlord Association

Board member for the Portland Hockey Trust program, which is a nonprofit organization that teaches ice skating to 3.4.5 graders in Portland school, free of charge

Member of the Maine Apartment Owners and Managers,

Prior to this past year, I was also involved with the Preble Street Soup Kitchen

Some of my previous City of Portland committee positions:

CDBG Allocation Committee

2000 Housing Task Force

Childhood Lead Prevention Committee

Development of the Pesticide ordinance

Please accept my request for appointment for another term, as the Southern Maine Landlord Association representative, Thank you

March 3, 2021

Wendy Harmon

[REDACTED]

Portland, Maine 04103

I would like to submit my application for a second term of the Rental Housing Advisory Committee, as the appointed member representing Southern Maine Landlords Association.

I am a Realtor with over 20 years of experience, in the housing market in Greater Portland, and I currently work at the Keller Williams, Portland office.

I also own several rental properties in Portland and surrounding communities, and have over 40 years of experience in rental housing.

I am involved with the following organizations:

Board of Directors for Southern Maine Landlord Association

Board member for the Portland Hockey Trust program, which is a nonprofit organization that teaches ice skating to 3.4.5 graders in Portland school, free of charge

Member of the Maine Apartment Owners and Managers,

Prior to this past year, I was also involved with the Preble Street Soup Kitchen

Some of my previous City of Portland committee positions:

CDBG Allocation Committee

2000 Housing Task Force

Childhood Lead Prevention Committee

Development of the Pesticide ordinance

Please accept my request for appointment for another term, as the Southern Maine Landlord Association representative, Thank you



Wendy Harmon <wendyharmon@kw.com>

---

**SMLA endorsement of Wendy Harmon**

1 message

---

Southern Maine Landlord Association <[REDACTED]>

Wed, Mar 3, 2021 at 11:11 AM

(RE: [REDACTED])  
To: Wendy Harmon <[REDACTED]>



306 Congress Street | Portland, ME 04101 | 207-200-7963 | [www.smlamaine.com](http://www.smlamaine.com)

---

March 3, 2021

To Whom It May Concern,

The SMLA board again elects Wendy Harmon to represent our organization for another term of the Rental Housing Advisory Committee.

Thank you,

SMLA

---

**©2021 Southern Maine Landlord Association. All Rights Reserved.**

Contact Email: [smlaemail19@gmail.com](mailto:smlaemail19@gmail.com)

You are receiving this message because you opted in at [www.smlamaine.com](http://www.smlamaine.com)  
Unsubscribe





Wendy Harmon <wendyharmon@kw.com>

---

**SMLA endorsement of Wendy Harmon**

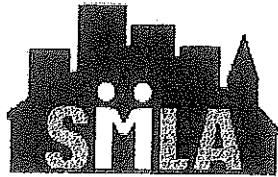
1 message

Southern Maine Landlord Association

Wed, Mar 3, 2021 at 11:11 AM

Reply-To: [REDACTED]

To: Wendy Harmon <[REDACTED]>



**SOUTHERN MAINE  
LANDLORD ASSOCIATION**

306 Congress Street | Portland, ME 04101 | 207-200-7963 | [www.smlamaine.com](http://www.smlamaine.com)

---

March 3, 2021

To Whom It May Concern,

The SMLA board again elects Wendy Harmon to represent our organization for another term of the Rental Housing Advisory Committee.

Thank you,

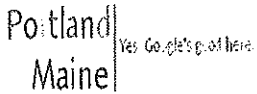
SMLA

---

**©2021 Southern Maine Landlord Association. All Rights Reserved.**

Contact Email: [smlaemail19@gmail.com](mailto:smlaemail19@gmail.com)

You are receiving this message because you opted in at [www.smlamaine.com](http://www.smlamaine.com)  
Unsubscribe



Katherine Jones &lt;klj@portlandmaine.gov&gt;

---

**Rental Housing Advisory Committee**

1 message

---

**Jeremy Lock** <[REDACTED]>  
To: "klj@portlandmaine.gov" <klj@portlandmaine.gov>

Fri, Mar 5, 2021 at 6:16 PM

Hi!

Please see attached for my resume for the role on the Rental Housing Advisory Committee serving in the landlord capacity. I own a 2 unit in Woodfords Corner that is used as both a short-term and long-term rental, so I understand the landlord/tenant dynamic. Being on the "front lines", I also understand the need for affordable housing, yet also appreciate the challenges landlords face with the implementation of the new rent control ordinance. I feel that a balance can be accomplished here, but representatives advocating for both tenants and landlords need to come to the table with an open mind and truly be receptive to hearing the other side's concerns and I feel that's something I can provide. Please contact me with any questions or if in need of any additional documentation. Thank you!

**Jeremy Lock****Broker**

[REDACTED]

3 [REDACTED]



Cape Elizabeth · Falmouth · Yarmouth

[www.portsiderealestategroup.com](http://www.portsiderealestategroup.com)

[REDACTED]

Please leave Portside a Google Review!

---

 **Resume.pdf**  
108K

## Contact

(207) 747-7871 (Mobile)  
Jeremy@PortsideREG.com

[www.linkedin.com/in/  
jeremylock](http://www.linkedin.com/in/jeremylock) (LinkedIn)  
[www.PWMHomes.com](http://www.PWMHomes.com)  
(Personal)

## Honors-Awards

2011-2016 FIVE STAR Real  
Estate Agent™

# Jeremy Lock

Real Estate Broker at Portside Real Estate Group  
Portland

## Summary

My entry into the world of real estate began in 2003 when I worked as a new home consultant for a national home builder in San Diego, CA. The experience was invaluable as it allowed me to witness homes in all stages of the construction process and gain a better understanding of a home's systems and how they worked together. I still apply the insight gleaned from this experience regularly as it allows me to evaluate homes on a more critical level. Clients who are buyers might say too critical, but I feel it's my job to provide you with all the info you need to make an informed decision.

Upon relocating to Portland, I felt that it was imperative to align myself with a brokerage that embodied the same level of professionalism and client centric approach that I prided myself on providing to my clients. After working with several of the areas' high producing teams, I quickly realized that Portside Real Estate Group was where I belonged. Its boutique feel, higher level of personalized service, and fresh take on marketing made it evident that my clients' interests would best be served here. My goal is to make your real estate transaction a pleasant one. Not one strewn with unforeseen surprises, but rather smooth and seamless made possible through proactive communication.

---

## Experience

Portside Real Estate Group  
Real Estate Broker  
June 2018 - Present (2 years 10 months)

Keller Williams Realty, Inc.  
2 years 3 months

Buyer Specialist with The Hatcher Group  
September 2016 - June 2018 (1 year 10 months)  
Portland, Maine Area

Broker Associate  
April 2016 - September 2016 (6 months)  
Greater San Diego Area

Coldwell Banker Residential Brokerage  
Broker Associate  
September 2011 - April 2016 (4 years 8 months)  
Mission Hills

Realty National  
Broker Associate  
March 2011 - September 2011 (7 months)  
San Diego, CA

Coldwell Banker Residential Brokerage  
Broker Associate  
April 2009 - May 2011 (2 years 2 months)

Lennar  
New Home Consultant  
May 2003 - April 2009 (6 years)

---

## Education

San Diego State University  
BS, Marketing · (2000 - 2003)

February 22, 2021

  
Portland ME 04103

Mr. Katherine Jones  
City of Portland  
389 Congress Street  
Portland, ME 04101

Re: Land Bank Commission

Dear Ms. Jones:

I would like to apply for a position on the Land Bank Commission. I currently serve and my term is expiring this year.

Attached you will find my resume. I would like to be considered for the position.

Sincerely,

Patrizia A. Bailey  


Patrizia A. Bailey

April, 2020

  
Portland, Maine 04013

202 213 7454 cell

Summary of Qualifications:

As a real estate professional with an accounting background, I have over twenty-five years of experience in all aspects of multi-family housing development, with specialized expertise in financing, restructuring debt and analyzing affordable housing regulated by federal, state and local jurisdictions. My employment experience includes activities supporting the acquisition, development, construction and management of properties for national publicly-held companies and small partnerships. I have consulted with non profits involved in affordable housing as well as acquired, renovated and sold single family homes.

2015 to Present

Managing Partner-Building Performance Advisors LLC

Building Performance Advisors (BPA) is a professional consulting firm. We are a certified woman-owned small business providing small business financial consulting and an array of real estate services. BPA is committed to serve each client's best interest by providing dedicated service in a timely and practical manner.

[www.buildingperformanceadvisors.com](http://www.buildingperformanceadvisors.com)

Recent services: Small Business consulting that included providing financial plans for small businesses and assisting with securing financing for the business. Financial and asset management consulting to the South Portland Housing Authority that included restructuring debt, development planning and financing on housing properties within their portfolio.

Other: I am the Facility Security Officer for BPA.

2000-2003

Senior Vice President-AIMCO-Apartment Investment Management Company Southeast Transaction Team

Managed a portfolio of approximately 277 real estate assets located in the southeastern United States and Puerto Rico. Responsibilities included developing sale and refinancing plans for assets within the portfolio. Created \$6m to \$10m of annual revenue through the successful completion of state agency refinancing and sales of partnership interests. Successfully completed a multi-asset refinancing transaction with Rural Housing- Department of Agriculture, one of the first in the program. Other activities included completing 23 "Mark to Market" transactions with the U.S. Department of Housing and Urban Development.

1996-2000

Senior Vice President-AIMCO

Asset Management and Transaction Services for Third Party owner

Provided asset management services for a portfolio of 280 real estate assets located throughout the U.S. Analyzed the financial activity of each asset and compared property performance with ownership goals. Duties included performing periodic inspections of the real estate, reviewing management and maintenance operations, and comparing actual performance to budget. Produced sale opportunities and effected transactions on behalf of property owners. Related work included identifying purchasers and performing due diligence that included analysis of partnership agreements, review of regulatory agreements, collection and analysis of market information, and research of other relevant information. Successful in executing five to twelve sale deals annually. Supervised a staff of five asset managers working on this portfolio.

1990-1996

Vice President-NHP-National Housing Partnerships

Asset Management-Indirect Portfolio

Managed approximately 120 real estate assets managed by "indirect" third party agents not affiliated with NHP. Successfully transferred management of 15 assets to NHP from the indirect portfolio. Responsibilities included working with regulatory agencies to develop and implement workout plans for troubled assets.

1988-1990

Development Manager-The Investment Group

Managed the development of multifamily housing properties that included both new construction and substantial rehabilitation. Responsible for securing construction financing, developing the investment structure, managing the regulatory review and approval process, and overseeing design and construction management operations.

Education:

BS-Accounting-Indiana University of Pennsylvania

Other Experience:

Board Member-two years-Jubilee Enterprise of Greater Washington

Portland, Maine-Land Bank Commission

Personal: Married -2 children

March 4, 2021

Mr. Pious Ali  
Nominating Committee Chair c/o City Clerk  
389 Congress Street  
Portland, ME 04101

Dear Mr. Ali,

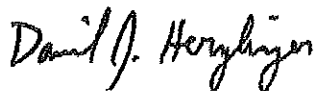
I am submitting this cover letter and resume to apply to serve as a member of the City of Portland Land Bank Commission (Commission). I learned of the current vacancy on the Commission through an e-mail newsletter from the Back Cove Neighborhood Association and was immediately interested in the position.

I believe my professional experience and personal love of the outdoors and local open spaces make me a strong candidate to serve on the Commission. My career as a project manager and environmental scientist at an environmental engineering and consulting firm requires an in-depth understanding of the natural sciences and ecology. My day-to-day work with renewable energy developers includes assessing parcels of land for wildlife habitat and ecological functions and values. I often need to support our clients with issues related to land acquisition, conservation easements and deed restrictions.

On a more personal level, I've always valued open space and parks. My work for my home town's parks department during summers in high school, my past position as a volunteer tour guide for the Emerald Necklace Conservancy in Boston and my current role as a trail monitor at Canco Woods for Portland Trails are all a reflection of my strong connection with and value of open spaces. My family and I have come to especially appreciate local open spaces and parks during this past year of the pandemic. These parks and urban open spaces are great assets to the people of the City of Portland, and I would appreciate the opportunity to play a larger role in protecting them.

Please contact me at [REDACTED] if you have any questions and I look forward to hearing from you.

Sincerely,

A handwritten signature in black ink that reads "Daniel J. Herzlinger". The signature is written in a cursive, slightly slanted style.

Daniel J. Herzlinger



## Daniel J. Herzlinger, PWS

---

### Summary of Qualifications

- Versatile Project Manager and Professional Wetland Scientist (PWS) with over sixteen years of experience in non-profit, government and environmental consulting industries.
- Regulatory expertise in a range of laws including the Maine Natural Resources Protection Act, Massachusetts Wetlands Protection Act, Massachusetts Environmental Policy Act, Rhode Island Freshwater Wetlands Act, Section 401 and 404 of the Federal Clean Water Act, NPDES Phase II, New York State Article VII and Vermont Section 248 Petitions.
- Skilled in wetland delineation under state and federal methods.
- Represent clients at meetings and regulatory hearings.
- Technical expertise with GIS and sub-meter accurate GPS.

### Education

**Nicholas School of the Environment, Duke University, Durham, NC**  
**MASTER OF ENVIRONMENTAL MANAGEMENT, May 2001**

- *Master's Project:* Identifying landscape characteristics of black bear corridors in Vermont.

**Bates College, Lewiston, ME**

**BACHELOR OF ARTS, BIOLOGY, May 1997**

- *Study Abroad:* School for Field Studies, British Columbia, Canada, Summer 1996

### Professional Experience

**TRC, Scarborough, ME, 2013 – present**  
**Senior Project Manager/Senior Wetland Scientist**

- Project manager for renewable energy generation facilities and transmission infrastructure projects.
- Coordinate and oversee environmental field surveys, civil engineering design, visual assessments and geotechnical investigations for clients with projects throughout New England.
- Manage portfolio of utility maintenance projects on transmission lines, distribution lines and substations from design and permitting to environmental construction inspections. Develop scope of work, oversee staff and maintain project budget and schedule for regional utility.
- Prepare licensing and permitting submittals for: New York Article VII, Vermont Section 248 Petitions, FERC filings, federal Clean Water Act, MA Wetlands Protection Act, 401 Water Quality Certifications, MA Chapter 91 and NPDES Phase II Stormwater.

**ESS Group, Inc. Waltham, MA, 2006 – 2013**

**Project Scientist/Group Manager**

- Managed workload backlog, delegate work to staff within practice area, led weekly practice area meetings and oversaw implementation of the practice area business development plan.
- Served as project manager; coordinate with clients and lead multidisciplinary project teams to implement projects on schedule and within budget.
- Fostered new business opportunities through attendance at networking events, conferences and outreach to potential clients.
- Prepared proposals, including detailed scopes of work and budgets, for a range of federal, state, municipal, non-profit, energy sector and industrial clients.
- Specialized skills in ecological field investigations, wetland delineations, environmental permit preparation, watershed management plan development, wildlife habitat evaluations and rare species surveys.

**Town of Acushnet, Acushnet, MA, 2004 – 2005**

**Conservation/Planning Agent**

- Administered the MA Wetlands Protection Act; reviewed RDA and NOI filings consisting of site plans, construction narratives, drainage calculations and wetland replication sequences.
- Served as technical advisor to Conservation Commission; provided reports and made recommendations to the Commission, answered technical inquiries at public hearings.
- Chaired the Town's Phase II Stormwater Committee; worked with other departments to implement the Town's Stormwater Management Plan.
- Coordinated natural resource protection and management for the town; assessed parcels for acquisition and prepared management plans.
- Conducted site visits to determine accuracy of wetland delineations, monitored construction sites, investigated violations of the Wetlands Protection Act and administered enforcement proceedings.

**Westport River Watershed Alliance, Westport, MA, 2001 – 2004.**

**Education/Outreach Coordinator**

- Assisted with water quality data collection, analysis and presentation of results.
- Conducted teacher workshops, classroom presentations, field studies, and interpretive tours for students and adults throughout the region.
- Wrote successful grant proposals to fund new initiatives.

**Vermont Institute of Natural Science, Woodstock, VT, 2000.**

**Research Intern**

- Completed independent, year-long study of black bear habitat in Vermont.
- Integrated raw data on black bear habitat into GIS database and conducted extensive landscape analysis using GIS and S-Plus statistics software.
- Presented study results to Vermont Institute of Natural Science and Vermont Department of Fish & Wildlife for use as conservation planning tool.

**Alton Jones Campus, University of Rhode Island, West Greenwich, RI, 1999.**

**Expedition Leader/Field Ecology Teacher**

- Planned and led backpacking and canoeing trips for teenagers throughout New England.
- Developed and taught natural science lessons.
- Handled medical emergencies in remote areas.

**Biology Department, Idaho State University, Pocatello, ID, Summer 1997.**

**Field Technician**

- Participated in doctoral research project in the Frank Church Wilderness, working independently in wilderness backcountry area.
- Collected data on amphibian population dynamics using GPS and radio telemetry.

**Professional  
Development**

- Society of Wetland Scientists – Professional Wetland Scientist (#1899)
- Member of Association of Massachusetts Wetland Scientists
- Expertise with ArcGIS 10 and Trimble GeoXT GPS
- OSHA 40-hr Hazwoper Course (1998) and 8-hr Refreshers
- OSHA 10-hr Construction Safety and Health Training
- Presented at the Massachusetts Congress of Lakes and Ponds Associations, *Freshwater Dredging, Debunking the Myths* (2012)
- Volunteer trail monitor for Portland Trails
- Past volunteer tour guide/docent, Emerald Necklace Conservancy, Boston, MA

klj@portlandmaine.gov

To Nominating Committee Chair,

I am applying for the Parks Commission and/or Land Bank Commission. I believe either of these positions would be a good fit based on my background. I recently graduated in December from the University of Southern Maine with a Masters in Policy, Planning and Management concentrating in Sustainable Development. I also hold a Bachelor of Science from the University of Maine (2015) in Economics and Environmental Science, with a concentration in Renewable Energy, Economics, and Policy. With my six years of formal sustainability, economic and policy related education I believe I am an ideal candidate for this position. This will provide an opportunity for me to build and expand my professional experience.

The time I have spent on my master's degree at USM has allowed me to continue my research and studies in policy beyond my undergraduate career including completing various research projects related to the local community and the outdoors. My graduate thesis focused on outdoor recreation as a part of urban and rural planning titled "Outdoor Recreation in Maine and COVID-19". I also completed two recent projects during my graduate studies on homeless populations within Portland, ME and the United States, this included a Ten-Year Plan to End Homelessness in Portland, Maine. These topics show some of my experience with Maine communities and policy.

Previously, I worked as a Graduate Assistant for the New England Environmental Finance Center which is funded partially through the EPA, working on various sustainability projects under the supervision of Martha Sheils (for local communities in the southern Maine). I completed a research project with CIEE, a large international education non-profit where I collected data on intercultural training programs. I spent time updating databases and organizing the information. As an undergrad, I also worked for a student group where I researched sustainable campus techniques and provided data and educational information for students on campus.

When not furthering my education I have spent the last 7 years in the Maine hospitality industry, managing, serving and bartending at some of the most well-known locations in the State of Maine. This level of experience in managing and interacting with people has fine-tuned my ability to interact with those in a professional work environment. Working in this job field has made me extremely diligent in high stress, fast pace work environments.

I have spent most of my life dedicated to studying how I can make an impact on the world and my community. I believe volunteering for the City of Portland is one of the many ways I believe I can do so. I spend most of my free time as an herbalist, fitness instructor and active member of the local Portland community. I believe my time spent here and my professional education would make me a valuable commission member for the City of Portland, Maine.

Sincerely,

Jayne Foley



## Jayne M. Foley



### PROFESSIONAL EXPERIENCE

#### *Intern, Forest City LLC*

October 2020-December 2020

Intern for Liz Trice assisting in projects including research and data analysis. Sitting in on meeting with MxG partners.

#### *Server/Bartender, Novare Res Bier Cafe*

June 2018- Present, Portland, ME

Serving food and drinks to customers in a professional atmosphere. Making drinks for customers. Provided customer service, information on beer, wine, and liquor selection as well as an extensive level of beer knowledge.

#### *Graduate Assistant, New England Environmental Finance Center*

September 2018- May 2019, Portland, ME

Assists with various environmental projects including MS4 education outreach project, TRAPPD, etc. under the supervision of Martha Sheils.

#### *Temporary Contracted Researcher, CIEE*

February 2018-March 2018, Portland, ME

Online research and data collection for an international education non-profit. Collected and organized data to update an existing database. Used Google Sheets to store and update database.

#### *Bartender/Manager, Nocturnem Draft Haus*

April 2014-February 2018, Bangor, ME

Served food and drinks to customers in a professional atmosphere. Provided customer service and supervised other employees. Managed closing duties in restaurant. Educated customers on beer, wine, and liquor selection.

#### *Student Educator, Green Campus Initiative, University of Maine*

September 2013- May 2014, Orono, ME

Provided sustainability and recycling education to students and peers. This included hands on education as well as marketing and providing visual information. Attended group meetings to discussing tools and plan initiatives for a sustainable campus.

### EDUCATION

University of Southern Maine, 2020

Master's in Policy, Planning and Management

-Concentration in Sustainable Development and GIS

-Capstone Thesis Project Completed Summer 2020- Outdoor Recreation in Maine and COVID-19

University of Maine, 2015

Bachelor of Science in Economics and Bachelor of Science in Environmental Science

-Concentration in Renewable Energy Economics and Policy.

### SKILLS

- Proficient in Microsoft Office Suite (Word, Excel, Powerpoint) and Google Drive (Sheets, Docs)

- Experience with GIS, EViews, Fortran 77
- Completed courses in Calculus (3), Econometrics, Data Analysis and Statistics
- Knowledge from college courses in Environmental Law, Regulation and Policy and Land-use Planning.
- Great communication and leadership skills
- Extensive experiencing in customer service and management.
- Curator of Art Haus Bangor, Art Gallery
- 60 Hour trained Herbalist
- 80 Hour trained Physical Fitness Instructor

#### **VOLUNTEER EXPERIENCE**

Campaign Volunteer, Laura Supica for Bangor City Council  
 International Volunteer, Cross Cultural Solutions, Costa Rica Program  
 International Volunteer, Cross Cultural Solutions, Ghana Program

November 2017  
 February 2017  
 April 2012

#### **References**

##### **PROFESSIONAL REFERENCES**

Paul Landry

General Manager, Novare Res Bier Cafe  
 Supervisor, 2.5 years  
 Portland, ME

[REDACTED]

Laura Supica

Secretary for the Secretary of State/ Bangor City Councilor/Politician  
 Co-worker, 4 years,  
 Continued professional advocate and mentor  
 Bangor, ME

[REDACTED]

Martha Sheils

Director, New England Environmental Finance Center  
 Supervisor, 1 year  
 University of Southern Maine  
 Portland, Maine

[REDACTED]

##### **PERSONAL REFERENCE**

Jillian Foley

Senior Research Analyst, CIEE Research and Business Development  
 Supervisor and family member  
 Portland, ME

[REDACTED]

Robert Foster  
43 Waverly St.  
Portland, ME 04013

March 12, 2021

Nominating Committee Chair  
c/o City Clerk  
389 Congress Street, Portland ME 04101

Appointment Committee Chairperson,

Please accept this cover letter and resume as my application for a position on Portland's Land Bank Commission. I grew up enjoying Portland's open spaces. And, after our family returned here to raise our two young daughters, I want to help preserve those open spaces for future generations, while also balancing private interests.

Evergreen Cemetery and the surrounding land have always been dear to my heart. As a commissioner I would explore ways to ensure that this area remains open and accessible to Portland residents, looking closely to UNE's plans to expand its campus northward. I would bring the same level of passion that I have for spaces like Evergreen to all threats to open space in the City. Skills that I would employ include:

- **Research and writing.** As an attorney-editor at Thomson Reuters (Practical Law), I research, draft, and publish material to help federal and state litigators more effectively and efficiently serve their clients. I have developed a keen attention to detail and ability to succinctly communicate often complex concepts via writing.
- **Teamwork.** I am a thoughtful, contributing member of a 65-person team of attorney-editors whose backgrounds and careers span all segments of the legal profession. I am comfortable listening but also communicating my opinions to my workgroup or formally presenting to the entire team.
- **Knowledge of Portland.** I grew up in Portland (Portland High class of 2005) and have first-hand understanding of Portland's open spaces. I am also a compulsive researcher of all topics related to Portland land and real estate. This includes tracking almost all news related to Portland land development as well as using the Cumberland County registry of deed to satisfy personal curiosity about specific parcels and projects.

Thank you for your time and consideration. I may be contacted at any time by email at [REDACTED] or by phone at [REDACTED]. I look forward to hearing from you.

Sincerely,  
Rob Foster

## ROBERT FOSTER

[REDACTED] • [REDACTED] • [REDACTED] • [REDACTED]

---

### EDUCATION

---

**American University Washington College of Law, J.D.**

**May 2012**

- Articles & Features Editor, Sustainable Development Law & Policy; Student Attorney, Community & Economic Development Law Clinic; *Involvement*: ABA, Equal Justice Foundation, Phi Alpha Delta Law Fraternity, NHC Young Leaders in Affordable Housing

**Boston University, B.A., Economics**

**May 2009**

**Portland High School, Diploma**

**May 2005**

---

### EXPERIENCE

---

**Practical Law, Thomson Reuters, New York, NY, Senior Associate Editor**

**June 2014 – Present**

- Track and write legal updates on appellate court decisions that affect federal civil litigation
- Author resources for attorneys including long-form notes, filing checklists, standard documents
- Collaborate with team of 65 attorney editors to streamline editorial processes and improve legal products

**The Neighborhood of Affordable Housing, Boston, MA, Development Assistant**

**Jan. – June 2013**

- Researched grant opportunities, sent LOIs, drafted proposals including program budgets
- Tracked compliance with grant requirements, drafted sub-grant agreements, prepared for external audits
- Developed program and application materials for the Greater Boston Senior Home Repair Collaborative

**Massachusetts Financial Education Collaborative, Boston, MA, Legal Volunteer**

**Sept. – Dec. 2012**

- Wrote and delivered all startup governance documents for the Steering Committee of the Collaborative

**Community & Economic Development Law Clinic, Washington, D.C.**

**Aug. 2011 – May 2012**

*Student Attorney, American University Washington College of Law*

- Counseled, advised, and presented to organizational clients in Maryland and D.C. on organizational structure, corporate governance, and financial operations including taxes
- Negotiated forbearance agreement terms for a \$350k bridge loan with a D.C. agency lender
- Obtained and protected tax-exemption under IRC 501(c)(3) for affordable housing and other nonprofits

**Volunteers of America, Alexandria, VA, Law Clerk**

**Jan. – Aug. 2011**

- Amended and filed nonprofit affiliate articles and bylaws for HUD compliance
- Reviewed, redlined, and drafted addenda for service, hotel, and other contracts
- Drafted legal memoranda in areas including nonprofit governance, charitable solicitation compliance, constitutional law, and state, federal, and agency housing regulations

**Susan Collins, U.S. Senate, Lewiston, ME/Washington, D.C., Legislative Intern**

**May – Aug. 2009, 2010**

- Managed and performed constituent casework for Veteran's Affairs, Immigration, and Social Security
- Performed community outreach at local town and city halls in Maine's Tri-County region

---

### PUBLICATIONS AND TECHNOLOGY

---

**Publications**

- *Small Wind Turbines may Change the Future of Energy in Developing Countries*, Sustainable Development Law & Policy, Volume XI, Issue 3, Spring 2011
- *Competitive Skills Scholarship Program 2008 Enrollment Profile*, Center for Workforce Research and Information, Maine Department of Labor, Dec. 2008

**Computer Proficiency**

- Extensive experience using the MS Office Suite, including Word, Excel, Outlook, and Powerpoint;
- Extensive experience using Practical Law publishing software, including ACT, Fatwire, and Arbortext;
- Extensive experience using Adestra to prepare and send emails;
- Working knowledge of HTML for website creation and coding emails

Portland  
Maine

Yes, Google's good here

Katherine Jones <klj@portlandmaine.gov>

---

**Civil Service Commission**

1 message

 <[redacted]@portlandmaine.gov>  
To: "klj@portlandmaine.gov" <klj@portlandmaine.gov>

Fri, Mar 12, 2021 at 2:18 PM

  
Portland, ME. 04102

March 12, 2021

Ms. Katherine L. Jones, CCM, CMC, Registrar  
City Clerk  
389 Congress Street  
Portland, ME. 04101

Dear Ms. Jones:

I have previously served as a Civil Service Commissioner and wish to be considered for re-nomination to that position. I understand the importance of recruiting, hiring, promoting and retaining individuals who are motivated to provide the highest level of service possible to the citizens of Portland. Hence, I wish to again serve as a member of the Employment Subcommittee.

The commitment and dedication to the principles of community service that I have observed from city employees with whom I have served on candidate interview panels has been impressive. Candidates are expected to meet a very high standard and those standards were not compromised during my prior tenure as a Civil Service Commissioner. I am also proud of having voted during my first term to amend the ordinance to allow police officers to be considered for promotion to Sergeant after three, rather than five year and to modify the command staff structure in that department.

It was an honor to have served as a Civil Service Commissioner in the past and I hope that I have earned the opportunity to again serve the citizens of Portland in that capacity.

Sincerely yours,

Alan J. Freedman

Resume attached

---

 resume11.odt  
22K



# Alan Freedman

---

## **Self Employment**

### **Real Estate and Construction**

- Residential renovation
- Property management
- Residential sales

## **Municipal Fire Department Experience**

### **Fire Department, Brookline, MA**

- Served in positions from firefighter to interim department shift commander
- Taught first aid and CPR
- Supervised engine and ladder companies
- Conducted training drills
- Conducted in-service building inspections
- Communicated with hierarchical superiors and subordinates to prevent and solve problems
- Commanded engine company that responded to emergencies in Boston and surrounding communities such as Cambridge, Somerville, Revere, Newton, and Chelsea
- Streamlined internal station supply distribution system and considerably reduced time devoted to this task
- Developed incident management plans
- Determined priorities
- Obtained, allocated, and coordinated resources to accomplish objectives
- Designed sound level survey and hearing screening program and authored resulting health hazard analysis for Local 950 (available on request)

## **Education**

### **MPA, Western Carolina University**

- Pi Gamma Mu International Honor Society
- The Honor Society of Phi Kappa Phi
- WCU Graduate School Research Symposium Student Paper Competition, 2003 Finalist: Education Category

### **BS, Fire Science and Political Science, Boston State College**

**Selected Training and Certification**

- Managing Fire Services (ICMA)
- EMT (Current in ME)
- Hazardous Materials Incident Analysis
- PADI Open Water Diver
- Certified by Commonwealth of MA for all Fire Department ranks including Chief of Department

**Community Activities****American Red Cross**

- Instructor of First Aid and Personal Safety (10 years)

**Mission–St. Joseph’s Health System**

- Owen Heart Center Information Staff (3 years)

**Roslindale Village Market Committee**

- Community driven private-public sector collaboration supported by a city administration committed to assisting neighborhood residents in their efforts to establish a supermarket to anchor the revitalization of an urban business district

**Publications**

*Engineering*, “Fire In Abandoned Mill: Lessons Learned”, *Fire* Vol.157,No.8, August, 2004

“Lessons From the Thomas Wolfe House Fire”, *Fire Engineering*, Vol. 156, No.2, February, 2003

“Camaraderie and Organizational Dysfunction”, *Fire Engineering*, Vol. 151,No.2, September, 1998

“Hearing Loss: An Avoidable Hazard”, *Fire Engineering*, Vol.146, No.4, April, 1993

---

**Elaine Edwards**

[REDACTED]  
Portland ME  
[REDACTED]

February 23, 2021

**Katherine Jones**

City Clerk  
389 Congress St.  
Portland ME 04101

Dear Ms. Jones

Thank you for sending the information I need to notify you of my intentions to re-apply for appointment to the Civil Service Commission Subcommittee. I am enjoying this appointment and will re-apply.

I am including my updated resume with this cover letter as requested.

Sincerely,

Elaine Edwards

## Resume of Elaine P. (Whitmore) Edwards

### Education

Portland High School 1967-1969

University of Southern ME 1969-1973 B.S. Education, Major English, Minor History

### Career

United States Postal Service, Portland ME College Postal Assistant October 1970-September 1973.

United States Postal Service Career September 1973 to July 1 2012

### Positions

Retail and Mail Processing Clerk September 1973 - May 1979 Portland ME Post Office

CityCarrier Portland May 1979 - October 1985

Postmaster Woolwich ME October 1985 to June 1988

Supervisor Bath ME Post Office June 1988 to May 1992

Postmaster Boothbay Harbor ME May 1992- May 1999

Diversity Specialist District of Maine May 1999 to February 2003

Postmaster Cumberland Ctr ME February 2003 to July 2012

### Training

Certified Interviewer

Promotion Board Member, Chair

Equal Employment Opportunity

Certified Global Career Development Counselor, Faciliator

Train the Trainer

### Volunteer Position

City of Portland Civil Service Subcommittee, Hiring June 2018 - present



Office of the City Clerk  
Katherine L. Jones, CMC

## MEMORANDUM

**TO:** Mayor Snyder and Members of the Portland City Council  
**FROM:** Katherine L. Jones  
**DATE:** May 26, 2021  
**RE:** Appointments

The Nominating Committee met on May 19 and May 24, 2021 and interviewed two (2) applicants for the Fish Exchange Seat A. Ten (10) applicants for the Portland Public Art Committee. Eight (8) applicants for the Police Citizen Review Subcommittee. Four (4) applicants for the Rental Housing Advisory Committee. Eight (8) applicants for the Land Bank Commission. Two (2) applicants for the Civil Service Employment Committee. The Nominating Committee voted (4-0) to send forward the following recommendations to the Various Boards and Commissions.

| Name              | Board and Commission                | Expiration |
|-------------------|-------------------------------------|------------|
| Jess Lipton       | Portland Public Art Committee       | 06/30/2024 |
| Danielle Gagnon   | Portland Public Art Committee       | 06/30/2024 |
| Tim Smith         | Police Citizen Review Subcommittee. | 03/30/2024 |
| Anne Hardcastle   | Police Citizen Review Subcommittee  | 03/30/2024 |
| Avis Leavitt      | Fish Exchange A                     | 10/31/2024 |
| Meredith Cook     | Rental Housing Advisory Committee   | 03/30/2024 |
| Christopher Marot | Rental Housing Advisory Committee   | 03/30/2024 |
| Wendy Harmon      | Rental Housing Advisory Committee   | 03/30/2024 |
| Jeremy Lock       | Rental Housing Advisory Committee   | 03/30/2024 |
| Patrizia Bailey   | Land Bank Commission                | 06/30/2024 |
| Daniel Herzlinger | Land Bank Commission                | 06/30/2024 |
| Jayne Foley       | Land Bank Commission                | 06/30/2024 |
| Robert Foster     | Land Bank Commission                | 06/30/2023 |
| Alan Freedman     | Civil Service Employment Commission | 06/30/2024 |
| Elaine Edwards    | Civil Service Employment Commission | 06/30/2024 |

**MEMORANDUM**  
**City Council Agenda Item**

**FROM:** Clare Norton

**DATE:** April 14, 2021

**SUBJECT:** Order 262-20/21 Declaring June 17 to October 31, 2021 the In the Square Festival - Sponsored by Jon P. Jennings, City Manager

**SPONSOR:** Jon P Jennings, City Manager

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

**COUNCIL MEETING DATE ACTION IS REQUESTED:**

**1st Reading 5/17/2021**

**Final Action 5/17/2021**

**Can action be taken at a later date: No Programming starts in April.**

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

**I. SUMMARY**

Order declaring Friends of Congress Square Park "In the Square" Festival as a weekly festival event April thru October 2021.

**II. AGENDA DESCRIPTION**

Friends of the Congress Square Park are requesting to organize and host events at the Park. The event season, April to October, will include a wide variety of community activities such as art interactions, dance performances, live music, films and community gatherings.

**III. BACKGROUND**

Since 2014, the Friends of Congress Square Park have scheduled and organized ongoing events for Congress Square Park. When the events were last held in 2019, they were very well received by the public. Visitor attendance to the park has increased dramatically since the Friends began organizing events there. Organizers estimate more than 90,000 people have enjoyed the programming there since the inception of this partnership in 2014.

**IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED**

For the City Council to pass the order declaring "In the Square" as a festival.

**V. FINANCIAL IMPACT**

**VI. STAFF ANALYSIS AND BACKGROUND**

City staff are confident that Friends of Congress Square Park can host a successful season of "In the Square".

**VII. RECOMMENDATION**

It is recommended that this order be declared.

**VIII. LIST ATTACHMENTS**

1. In the Square festival 6.7.2021
2. FOCSP App 2021
3. Friends of Congress Square Park - In The Square Festival c 2021 Memo - Google Docs

Prepared by:

Clare Norton

Date: 4/14/2021

KATE SNYDER (MAYOR)  
BELINDA S. RAY (1)  
SPENCER R. THIBODEAU (2)  
TAE Y. CHONG (3)  
ANDREW ZARRO (4)

**CITY OF PORTLAND  
IN THE CITY COUNCIL**

MARK DION (5)  
APRIL D. FOURNIER(A/L)  
PIOUS ALI (A/L)  
NICHOLAS M. MAVODONES, JR (A/L)

**ORDER DECLARING JUNE 17 TO OCTOBER 31, 2021  
THE IN THE SQUARE FESTIVAL**

**ORDERED**, that June 17-October 31, 2021 is hereby declared to be the In the Square Festival, sponsored by the Friends of Congress Square Park; and

**BE IT FURTHER ORDERED**, that the In the Square Festival area shall be the all of Congress Square Park and the sidewalks bordering the park (Congress Street & High Street sidewalks); and

**BE IT FURTHER ORDERED**, that some areas of the parking land on Congress Street (directly beside the park) may be posted No Parking on Festival days (most events will be held on Wednesdays, Fridays & Saturdays, with some Sundays being used; and

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

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

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

1. The Friends of Congress Square Park shall defend, indemnify and hold harmless the City of Portland, its officers and employees, from and against all claims arising out of or resulting from the Festival and/or use of City streets and property for said Festival, and shall procure and maintain public liability insurance in the minimum amount of \$400,000 per occurrence for personal or bodily injury, death or property damage and covering the obligation of indemnification hereunder. The Friends of Congress Square Park shall provide the City with a certificate showing evidence of such insurance and showing the City as an additional insured on said insurance;



2. No alcoholic beverages may be sold on the streets or public property during the Festival within the Festival Area;
3. The Friends of Congress Square Park shall comply with all Public Assembly Facilities Division Conditions for use of grounds, and requirements for food service, vending sales, tent and stage installations and other items specified in that permit shall be adhered to, but the Public Assembly Facilities Division fees for the use of the park are waived;
4. The Friends of Congress Square Park shall have sole authority over participating vendors at the Festival and may charge a fee to vendors for the opportunity to vend at the In the Square Festival;
5. In addition, the Business Licensing Office shall charge the usual fees for licensing food vendors, and street goods vendors for the Festival to those vendors the Friends of Congress Square Park has agreed shall participate;
6. Public Assembly Facilities Division concert license conditions shall be complied with and any and all amplified music and public announcements shall be maintained at a reasonable noise level (under 92 decibels) and be configured by the event organizer to focus volume away from residential housing and neighboring business, limiting any impact in the area by the sound level;

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

**CITY OF PORTLAND, PUBLIC ASSEMBLY FACILITIES DIVISION**  
**PUBLIC PARK & SPACE APPLICATION (5 pages)**  
 212 Canco Rd. • Suite A • Portland • ME • 04103 • (207) 808-5400 x0  
 Ted Musgrave [tvm@portlandmaine.gov](mailto:tvm@portlandmaine.gov)



**APPLICATION FEE \$25.00**

**PAYMENT MUST BE MADE WHEN SUBMITTING APPLICATION**

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

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

|                                           |                                       |                                 |  |                          |  |                                 |  |
|-------------------------------------------|---------------------------------------|---------------------------------|--|--------------------------|--|---------------------------------|--|
| <b>TODAY'S DATE</b>                       |                                       | 03/8/2021                       |  | <b>ORGANIZATION NAME</b> |  | Friends of Congress Square Park |  |
| <b>ADDRESS</b><br>(Street/City/State/Zip) |                                       | PO Box 5056, Portland, ME 04101 |  |                          |  |                                 |  |
| <b>CONTACT NAME(S)</b>                    |                                       | C.J. Opperthausen               |  | <b>TITLE(S)</b>          |  | Executive Director              |  |
| <b>PHONE</b>                              | 248-961-1554                          |                                 |  | <b>PHONE</b>             |  |                                 |  |
| <b>EMAIL</b>                              | cjopperthausen@congresssquarepark.org |                                 |  | <b>EMAIL</b>             |  |                                 |  |

|                                                                                                                |  |                                                     |  |
|----------------------------------------------------------------------------------------------------------------|--|-----------------------------------------------------|--|
| <b>PARK AREA / PUBLIC SPACE REQUESTED</b>                                                                      |  | Congress Square Park                                |  |
| <b>EVENT DAY(S) &amp; DATE(S)</b>                                                                              |  | May 1 – Oct 31, 2021                                |  |
|                                                                                                                |  | <b>RAIN DAY(S) &amp; DATE(S)</b><br>(50% added fee) |  |
| <b>OVERALL EVENT START &amp; END TIME</b><br>(When setup will begin until cleanup is expected to be complete.) |  | Varies (see attached)                               |  |
|                                                                                                                |  | <b>EVENT START &amp; END TIME</b>                   |  |
|                                                                                                                |  | Varies (see attached)                               |  |

|                                                                         |  |                                  |  |
|-------------------------------------------------------------------------|--|----------------------------------|--|
| <b>EVENT NAME</b>                                                       |  | <b>EXPECTED ATTENDANCE</b>       |  |
| "In the Square" Festival in Congress Square Park 8 <sup>th</sup> Season |  | Will vary by event from 30 - 100 |  |

**DESCRIPTION OF EVENT:** Please be specific regarding area of public space/park and describe EVENT in detail.

The Friends of Congress Square Park will program a series of events and activities to occur between May 1 and October 31, 2021 primarily on Friday and Sunday evenings and Saturdays throughout the day. Additional daytime and evening events will occur on variable days during the week. The events and activities will be free to the public (no charge for admittance to the square).

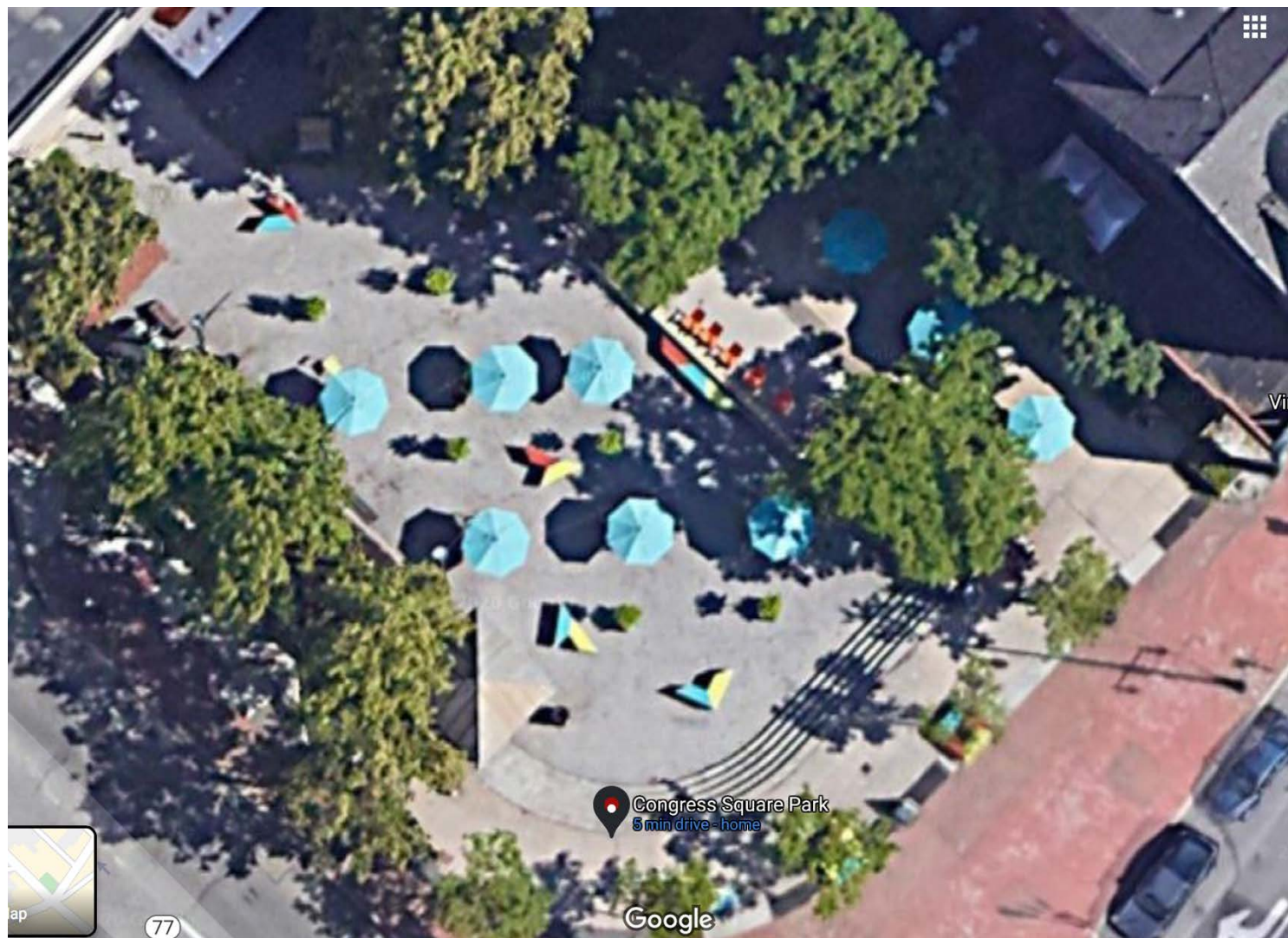
This is the eighth season for FoCSP and continues the community led creative placemaking that has successfully activated Congress Square Park through free public amenities and events. The event season will include a wide variety of community activities such as live music, films, Tai-Chi, literary events, and community gatherings. All activities will be scheduled in advance with Ted Musgrave at the PAFD Office. *A complete calendar of events will be published by April 15th. A draft schedule is attached to this application.* Organizers will also work with other groups during the permit period so that other agencies or events, other than FoCSP events, will also take place in the square/park.

Similar to previous years (and under the Memorandum of Understanding between City of Portland and Friends of Congress Square Park – to be renewed in 2021), tables and chairs will be set up on the sunken plaza area, portable planters brought into the park, temporary art will be placed with the approval of the Portland Public Art Committee, banners will be placed, and festive lights hung in the trees.

Electricity will be needed during some events. Musical equipment and PA (and movie screen) set up on the stage area. Events and concerts at the park will end by 8pm. Film screenings will go later, ending by (at the very latest) 10pm. A concert license (covering the season's events) will be procured from the PAFD Office for \$100.

Events will be promoted on: Congresssquarepark.org    Facebook.com/congresssquare  
 Instagram.com/congresssquare    Twitter.com/congresssquare

A map of the space follows:



|                                                                         |                                             |    |
|-------------------------------------------------------------------------|---------------------------------------------|----|
| IS THERE A REGISTRATION FEE/PLEDGES COLLECTED FOR THIS EVENT? <b>NO</b> | Please check:    _____ FEE    _____ PLEDGES |    |
| IF YES FOR FEES, HOW MUCH?                                              | FEE                                         | \$ |
|                                                                         | STUDENT FEE                                 | \$ |

**WHAT WILL BE THE ANTICIPATED NEED FOR PARKING AND WHAT IS YOUR PARKING PLAN?** *Artists and the public are advised to park on-street and in area parking garages.*

PLEASE CHECK OFF AND ANSWER:  
 PLEASE SEE ATTACHED FEE SCHEDULE / DEPT. INFORMATION IF YOU ANSWER YES

|   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | X-YES | X-NO | X-NOT SURE |
|---|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|------|------------|
| * | Are you setting up a <b>canopy(s)?</b> (10'x10' size or smaller) <b>How many?</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |       |      | X          |
| * | Do you wish to set up a <b>tent(s)</b> and/or <b>stage(s)</b> ? A canopy/tent or stage larger than 10'x10' needs a Temporary Tent or Stage Permit issued by Building Inspections. For permit application, please go to: <a href="http://portlandmaine.gov/DocumentCenter/Home/View/2317">http://portlandmaine.gov/DocumentCenter/Home/View/2317</a> or contact the Permitting and Inspections Department at <a href="mailto:buildinginspections@portlandmaine.gov">buildinginspections@portlandmaine.gov</a> or 874-8703 for more information. PLEASE apply at least 2-weeks before your event. |       | X    |            |

|                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |   |   |  |
|---------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|--|
|                                                                                                                                                   | <b>Tent/Stage Size(s):</b><br><b>Exact Location(s) of Tent/Stage Placement Requested:</b><br>*** In order to drive tent stakes into the ground, DIG SAFE must be contacted: 888-344-7233. ***                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |   |   |  |
| *                                                                                                                                                 | Will you be setting up <b>tables and/or chairs</b> ? How many tables: 10 chairs: 40                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | X |   |  |
| *                                                                                                                                                 | Are other items or equipment being placed on City property? (i.e. Moon Bounce, Dunk Tank, Radio Station Van, Helium Tank, etc.) Please List: A/V equipment, inflatable movie screen                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | X |   |  |
| *                                                                                                                                                 | Will there be <b>refreshments</b> at the event?<br>Do you wish to <b>sell food</b> ?<br>If so, you will need approval from PAFD and possibly a Temporary Food Service License from Business Licensing Office. PLEASE provide them at least 2 weeks advance notice (874-8557).<br><b>List food and drink / Food Trucks, etc.:</b><br>PLEASE NOTE: A Temporary Food Service License is NOT needed when:<br>1. Food Vendors have a current City of Portland Food License<br>2. Just pre-packaged refreshments, or food & drink items are purchased or donated from a licensed establishment<br>3. Bottled water / water is served<br>A TFSL is needed when food vendors are not licensed or when food is being prepared and cooked at the event. |   | X |  |
| *                                                                                                                                                 | Do you wish to sell <b>non-food items</b> (like T-shirts, crafts, cd's, etc.)? If so, please apply for a Street Goods Vendor License(s) at the Business Licensing Office (874-8557) – 2 week notice.<br><b>List items you wish to sell:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |   | X |  |
| *                                                                                                                                                 | Are you setting up a <b>PA (sound) system</b> ?<br>Are you planning on having <b>Amplified Music</b> ? <b>Y</b> <b>Band</b> ? <b>Y</b> <b>DJ</b> ? <b>Boom Box</b> ?<br>If so, your event may require an entertainment license. PAFD will advise upon review of your application. Amplified speech (i.e. Press Conference) does not require the license, however, a Sound Security Deposit may be required. There are time restrictions for amplified music/speech in Downtown Parks & Squares: limited to 11:45am – 1:15pm and 1 hour between 5pm - 8pm.                                                                                                                                                                                     | X |   |  |
| *                                                                                                                                                 | Will your event require <b>electricity</b> ? Electricity is available at Deering Oaks Park, Monument Square, Congress Square, Tommy's Park, Post Office Park, Payson Park, Preble Street Grass Area, Eastern Prom, Fort Allen Park, and Lincoln Park. A \$40 activation fee is required.                                                                                                                                                                                                                                                                                                                                                                                                                                                      | X |   |  |
| *                                                                                                                                                 | Are you planning on bringing a <b>Grill for a Barbecue</b> ?<br>Grilling is subject to weather conditions and possibly Fire Dept. review.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |   | X |  |
| *                                                                                                                                                 | Will the event require <b>reserved parking spaces / parking meters</b> ? How many? <b>2 per event</b><br>"No Parking" signs may be purchased at the PAFD Office, 212 Canco Rd.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | X |   |  |
| *                                                                                                                                                 | Will your event need <b>safety vests, signs, barricades and/or cones</b> ?<br><b>Please list what you would like to borrow/rent:</b><br>Limited safety vests, cones & barricades may be borrowed/rented from PAFD Office.<br>Traffic signs may be borrowed/rented from Public Works if needed (874-8493).                                                                                                                                                                                                                                                                                                                                                                                                                                     |   | X |  |
| *                                                                                                                                                 | Will your event require <b>street closures</b> ? (Please be specific under "Description of Event")<br>Will your event affect <b>METRO BUS ROUTES</b> ?<br>(If service is affected, organizer needs to work directly with METRO for endorsement / feedback).<br>Please check with Glenn Fenton, METRO: 517-3029 ( <a href="mailto:gffenton@gpmetro.com">gffenton@gpmetro.com</a> ) to discuss.                                                                                                                                                                                                                                                                                                                                                 |   | X |  |
| *                                                                                                                                                 | Will your event require <b>Police</b> assistance? An event such as a road race, march or parade in the street, would typically require police assistance. To reserve & hire an Officer(s) to be on site at your event, please call Sgt. Nevins (874-8554) or Police Shift Command (874-8855/8556) well in advance to arrange.                                                                                                                                                                                                                                                                                                                                                                                                                 |   | X |  |
| *                                                                                                                                                 | Will your event require <b>Fire/EMS</b> assistance? (For a large walk/race, it may be required.)<br>To hire or inquire about hiring city Fire/EMS staff to be on site, please email <a href="mailto:fireprevention@portlandmaine.gov">fireprevention@portlandmaine.gov</a> well in advance of the event. For general questions, you may also call 874-8400.                                                                                                                                                                                                                                                                                                                                                                                   |   | X |  |
| *                                                                                                                                                 | Will your event require <b>Parking Control</b> assistance? To hire a Parking Control Officer(s) to be on site at your event, please call 874-8910 well in advance to arrange.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |   | X |  |
| <b>Fees for Police, Fire/EMS or Parking Control Staff will be invoiced by those individual departments &amp; should be paid to them directly.</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |   |   |  |
| *                                                                                                                                                 | Will your event require <b>porta-restroom</b> rental(s) or need existing porta-restrooms cleaned? (Some of the parks already have porta-restrooms. Event participants may use these, but a \$25 fee is assessed for events where attendance is 150 or more.) Porta-restrooms may be rented from any of the local companies. Units currently on site are through Associated Septic.                                                                                                                                                                                                                                                                                                                                                            |   | X |  |
| *                                                                                                                                                 | Do you wish to have a <b>banner over the street</b> to advertise your event? (Banners hung over Congress St. or Baxter Blvd). Banner inquiries directed to PAFD: 808-5400 x0.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |   | X |  |

| INSURANCE CERTIFICATE INFORMATION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                             |                      |  |  |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|--|--|
| *                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Will your event require liability Insurance?<br>(Commercial liability insurance is required for a walkathon, race, festival, press conference, concert, etc. Product liability insurance is also required if the event has been approved for serving food.) | X<br>NEED<br>CURRENT |  |  |
| ♦ If you answered YES, you shall procure and maintain occurrence-based Commercial General Liability and Product Liability Insurance, when required, in an amount not less than Four Hundred Thousand Dollars (\$400,000.00) per occurrence for bodily injury, death and property damage. You shall name the City of Portland as an additional insured or shall obtain a general liability extension endorsement, for coverage only in those areas where government immunity has been expressly waived by 14 M.R.S. A. § 8104-A, as limited by § 8104-B, and § 8111. The terms of this permit and the insurance coverage shall not be deemed a waiver of any defenses, immunities or limitations of liability or damages available to |                                                                                                                                                                                                                                                             |                      |  |  |



the CITY under the Maine Tort Claims Act, other Maine statutory law, judicial precedent, common law, or any other defenses, immunities or limitations of liability available to the City. You shall also be responsible for any and all deductibles and/or self-insured retentions.

♦ Both the **Certificate of Insurance** and **Additional Insured Endorsement** shall be sent to [tvm@portlandmaine.gov](mailto:tvm@portlandmaine.gov) and must state that the policy is endorsed to name the City of Portland as an additional insured pursuant to the date of the event (and rain date).

## PUBLIC ASSEMBLY FACILITIES DIVISION POLICIES

### EVENT REVIEW

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

### ELECTRICITY

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

### BARBECUES - GAS GRILLS ONLY

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

### PORTA-RESTROOMS / BATHROOM FACILITIES

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

### TRASH

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

### MARKING OF GROUNDS

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

### USE OF CANDLES

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

### ADA COMPLIANCE

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

### PARKING ON GRASS AREAS / SIDEWALKS / ILLEGALLY PARKED VEHICLES

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

### RESERVED PARKING

To reserve parking for your event, please contact the PAFD Office (808-5400 x0). Staff will review your request and can issue you "No Parking" signs (\$25 each\*). You will need to label signs and tape them to meters or signposts AT LEAST 24 HOURS PRIOR TO YOUR EVENT. (NOTE: If event is on a Sunday or Monday, NP Signs may need to be posted on the preceding Friday by Noon.) Please do not cover up coin slots on meters. If the reserved parking area has no actual parking meters, you may need to tape signs to sign posts, utility poles, trees, or orange cones (placed on the sidewalk beside the street). The PAFD Office has cones it can rent to you (see fee schedule below) if needed. To ensure you can have vehicles (illegally parked at signs you've posted) towed, please complete and fax/email/hand deliver to city departments a "No Parking Authorization Form," which you can get from staff when you pick up NP signs. Please make sure signs are removed once the event is complete. **\*Under certain conditions, the reserved parking fee may be reduced. Upon review of your application, PAFD will advise if your event qualifies for a reduction. If paying a reduced rate, towing may not be enforceable. PAFD will advise regarding these parameters as well.**

#### ALCOHOL / SMOKE-FREE ZONES

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

#### AMPLIFIED SOUND POLICY

Outdoor events with amplified sound may require an Entertainment License from the PAFD Office.  
If the Police Dept./City Staff receive noise complaints, they will respond accordingly.  
Please set the PA System up with speakers facing away from businesses/residences to lessen impact.  
Please keep volume levels low out of consideration for nearby residents and businesses.  
The Permittee (organizer) shall not allow the sound emanating from the event to exceed an A-weighted 85 decibels / C-weighted 95 decibels. One verbal warning shall be issued if the sound has been found to have exceeded those limits. The warning may be given to the sound board operator or the organizer/organizer's designee. If the decibel limit is found to have been exceeded a second time during the same event, the single event entertainment license (or permission to use a bullhorn/PA system) shall be immediately suspended, the PA system / amplification / bullhorn turned off, and the sound security deposit forfeited.

#### CANCELLATION POLICY

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

#### NOTIFICATION

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

#### STREET CLOSURE NOTIFICATION

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

#### REVOCABLE PERMIT

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

|                                                      |               |     |      |          |
|------------------------------------------------------|---------------|-----|------|----------|
| I HAVE READ AND UNDERSTAND ALL OF THE ABOVE POLICIES | TYPE INITIALS | CJO | DATE | 3/8/2021 |
|------------------------------------------------------|---------------|-----|------|----------|

#### ASSUMPTION OF RISK & LIABILITY

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

|                                                          |               |     |      |          |
|----------------------------------------------------------|---------------|-----|------|----------|
| I have read the Assumption of Risk & Liability Agreement | TYPE INITIALS | CJO | DATE | 3/8/2021 |
|----------------------------------------------------------|---------------|-----|------|----------|

**PLEASE INITIAL & DATE HIGH-LIGHTED YELLOW BOXES ABOVE.**

#### FEE SCHEDULE - UPDATED JULY 1, 2019

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

|                                                                    |                                                             |
|--------------------------------------------------------------------|-------------------------------------------------------------|
| Simple Event (no registration fee): \$75/hour                      | Electricity (activation/de-activation) Fee: \$40/flat       |
| Event with registration or pledges & attendance 25 - 300: \$125/hr | Porta Restroom User Fee (if attendance is 150+): \$25       |
| Event with registration or pledges & attendance 301+: \$225/hr     | Entertainment License: \$50                                 |
| Film/Photo Shoot: \$150/day                                        | Barricades: \$5/ea. Rental Fee + \$25/ea. Security Deposit  |
| Public Space/Park Security Deposit: \$100 - \$1000                 | Bike Racks: \$10/ea. Rental Fee + \$25/ea. Security Deposit |

|                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                            |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Sound Security Deposit: \$100 - \$1,000<br>Impact/Street Closure Fee (variable based on impact): \$100-\$500<br>Staff Fee (on site event support): \$37/hour<br>Administrative Fee (event coordination support): \$40/hour or more<br>"No Parking" Signs: \$25 each<br>Cancellation Fee: \$75 | Flashing Lights: \$10/ea. Rental Fee + \$40/ea. Security Deposit<br>Cones: \$2/ea. Rental Fee + \$15/ea. Security Deposit<br>Safety Vests: \$15/ea. Security Deposit<br>Keys: \$50/ea. Security Deposit<br>Equipment Delivery Fee: \$100 or more<br>Fortification Fee: TBD |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                                                                       |
|-----------------------------------------------------------------------|
| <b>PLEASE MAKE CHECKS PAYABLE TO "CITY OF PORTLAND".</b>              |
| Please make out separate checks for security deposit and permit fees. |

| TOTAL AMOUNT(S) DUE TO PUBLIC ASSEMBLY FACILITIES DIVISION (Please make all security deposit checks out separately) |                  |                                                     |                   |
|---------------------------------------------------------------------------------------------------------------------|------------------|-----------------------------------------------------|-------------------|
| Permit Fee for use of area:                                                                                         | <b>\$ waived</b> | Single Entertainment (Amplified Sound) License Fee  | <b>\$ 100 due</b> |
| Number of Hours of Use: <b>Approx.</b>                                                                              |                  | Equipment Rental Fee:                               | <b>\$0</b>        |
| Staff Fee (on site event support):                                                                                  | <b>\$0</b>       | Public Space / Park / Sound Security Deposit:       | <b>\$ waived</b>  |
| Admin. Fee (event coordination support):                                                                            | <b>\$0</b>       | Borrowed / Rented Equipment Deposit:                | <b>\$0</b>        |
| Electricity Fee (activation/de-activation):                                                                         | <b>\$ waived</b> | Additional Fees:                                    | <b>\$ waived</b>  |
| Impact/Street Closure Fee (variable based on impact):                                                               | <b>\$0</b>       | (Porta-Restroom User Fee, "No Parking" Signs, etc.) |                   |

| FOR OFFICE USE ONLY                                                                                                     |                 |                        |                  |                   |                  |                   |                      |
|-------------------------------------------------------------------------------------------------------------------------|-----------------|------------------------|------------------|-------------------|------------------|-------------------|----------------------|
| DATE APPLICATION RECEIVED:                                                                                              |                 |                        |                  |                   |                  |                   |                      |
| APPLICATION FEE:                                                                                                        | <b>\$ 25.00</b> | PERMIT FEE:            | <b>\$ waived</b> | SECURITY DEPOSIT: | <b>\$ waived</b> | INSURANCE NEEDED? | <b>Yes - updated</b> |
| DATE RECEIVED:                                                                                                          |                 | DATE RECEIVED:         |                  | DATE RECEIVED:    |                  | DATE RECEIVED:    |                      |
| PAYMENT TYPE                                                                                                            |                 |                        |                  |                   |                  |                   |                      |
| VISA / MC NUMBER:                                                                                                       |                 | CHECK NUMBER:          |                  | CHECK AMOUNT:     | <b>\$</b>        | CASH AMOUNT:      | <b>\$</b>            |
| CREDIT CARD AMOUNT:                                                                                                     | <b>\$</b>       | CREDIT CARD EXP. DATE: |                  | CHECK NUMBER:     |                  | CHECK AMOUNT:     | <b>\$</b>            |
| <b>PLEASE NOTE: A \$3.00 or 2.65% SERVICE FEE (whichever is greater) WILL BE ADDED TO ALL CREDIT CARD TRANSACTIONS.</b> |                 |                        |                  |                   |                  |                   |                      |

|                                                                                                                                                             |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>PLEASE RETURN FORM (WORD DOC) AT LEAST 30 DAYS IN ADVANCE TO:</b>                                                                                        |
| ♦ Public Assembly Facilities Div. ~ 212 Canco Rd. ~ Portland ~ ME ~ 04103 EMAIL PREFERRED: <a href="mailto:tvm@portlandmaine.gov">tvm@portlandmaine.gov</a> |

TO: Jon Jennings, City Manager  
FROM: Ethan Hipple, Director of Parks, Recreation & Facilities Management  
DATE: April 1, 2021  
RE: **Council Agenda Item – Friends of Congress Square Park  
“In the Square” Festival**

---

I am requesting that the following order be placed on the next City Council agenda:

**Order declaring Friends of Congress Square Park “In the Square” Festival as a weekly festival event: June 17 – October 31, 2021.**

---

Since 2014, the Friends of Congress Square Park have scheduled and organized ongoing events for Congress Square Park. When the events were last held in 2019, they were very well received by the public. Visitor attendance to the park had increased dramatically since the friends began organizing events there, and prior to the COVID-19 outbreak forcing the cancellation of the 2020 season, organizers estimated more than 90,000 people had enjoyed the programming there since the inception of this partnership in 2014.

This year, the Friends of Congress Square Park have again submitted a request to organize and host events at the park (titled: “In the Square”). The event season (Spring, Summer & Fall) will include a wide variety of community activities such as art interactions, dance performances, live music, films and community gatherings. Most events will be held on Wednesday, Friday & Saturdays (with some Sundays potentially being used: Movies in the Park). Dances and concerts at the park will end by 9pm. The Friends of Congress Square Park - through the city’s Public Assembly Facilities Division, will work with other groups during this time so that other agencies and events, other than FoCSP organized activities, may take place in the park.

Funds for running the “In the Square” Festival will come directly from fundraising efforts by the Friends of Congress Square Park. There is no admission charge to the events: concerts and activities/events are free to the public.

The festival zone for the “In the Square Festival” is all of Congress Square Park and the sidewalks bordering the park (Congress Street & High Street sidewalks).

The Order should include the following items:

Friends of Congress Square Park “In the Square” Festival will be authorized for Spring, Summer & Fall (June 17 – October 31, 2021), at Congress Square Park area.



(continued)

This festival area will be closed to street vendors pursuant to Section 19-17 of the Portland City Code and is reserved for the use of festival organizers for the purpose of conducting the “In the Square” Festival, subject to the direction and control of the City Manager.

In order to hold the events on city property, some areas of the parking lane on Congress Street (directly beside the park), need to be posted “No Parking” on event days. Vehicles in violation of the “No Parking” signs shall be towed at owner’s expense.

The City Manager is authorized to issue a revocable permit under Section 25-27 of the Municipal Code to the Friends of Congress Square Park for the use of the above-described area for said Festival subject to the following conditions:

- The Friends of Congress Square Park shall indemnify the City and hold it harmless from and against all claims arising out of activities during said Festival, and shall take out and maintain public liability insurance coverage in the amount of at least **\$400,000** per occurrence for personal or bodily injury, death or property damage for said purpose. This insurance certificate will also list the City of Portland as an additional insured in regards to the “In the Square Festival”, and the City be endorsed on the policy;
- The Friends of Congress Square Park shall have sole authority over participating vendors at the events and may charge a fee to vendors for the opportunity to vend at the “In the Square Festival;”
- Conditions for use of grounds, specified in a permit issued from Public Assembly Facilities Division, shall be adhered to;
- Under no circumstances may alcoholic beverages be consumed or sold on the streets or park areas of said area during said festival;
- Any and all amplified music/public announcements shall be maintained at a reasonable level (under 85dBs) and be configured by the event organizer to focus volume away from residential housing and neighboring businesses, limiting any sound impacts in the area; and
- Public Assembly Facility Division permit fees for use of the area are waived; other fees to city departments may be due (as specified in the 2018 Memorandum of Understanding between City of Portland and Friends of Congress Square Park).

(continued)

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

Document prepared by Clare Norton

KATE SNYDER (MAYOR)  
BELINDA S. RAY (1)  
SPENCER R. THIBODEAU (2)  
TAE Y. CHONG (3)  
ANDREW ZARRO (4)

**CITY OF PORTLAND  
IN THE CITY COUNCIL**

MARK DION (5)  
APRIL D. FOURNIER(A/L)  
PIOUS ALI (A/L)  
NICHOLAS M. MAVODONES, JR (A/L)

**ORDER APPROVING RESIDENTIAL PARKING PERMIT EXTENSION  
RE: ISLANDER PARKING**

**ORDERED**, that Traffic Schedule XXVIII, Residential Parking Permit Area, District IR established pursuant to Order 306-07/08 passed on June 16, 2008 and amended by Order 278-08/09 on June 1, 2009, Order 246-09/10 on June 7, 2010, Order 270-10/11 on June 20, 2011, Order 217-11/12 on June 18, 2012, Order 235-12/13 on June 3, 2013, Order 265-13/14 on June 16, 2014, Order 289-14/15 on June 15, 2015, Order 262-16/17 on May 16, 2016, Order 254-16/17 on June 19, 2017, Order 230-17/18 on June 4, 2018, Order 260-18/19 on June 3, 2019 and by Order 189-19/20 on June 1, 2020, is hereby amended, as follows:

By extending the one-year period that will expire on June 30, 2021 to June 30, 2022 and by extending the Schedule XXVIII, Residential Parking Permit Area, District IR to include forty-two (42) parking spaces on the north side of Marginal Way between the Park & Ride Lot and Cove Street, 10 parking spaces on the westerly side of Hancock Street between Fore and Thames streets and 12 on-street parking spaces on the north side of Thames Street between India and Hancock Street.

**MEMORANDUM**  
**City Council Agenda Item**

**FROM:** Clare Norton

**DATE:** May 14, 2021

**SUBJECT:** Order 264-20/21 Declaring July 13, 2021 the Portland Greendrinks Festival - Sponsored by Jon P. Jennings, City Manager

**SPONSOR:** Jon P Jennings, City Manager

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

**COUNCIL MEETING DATE ACTION IS REOUESTED:**

**1st Reading 6/7/2021**

## Final Action

**Can action be taken at a later date: No Event is on July 13th.**

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

## I. SUMMARY

Order declaring Portland Parks Conservancy event, Portland Greendrinks as a festival.

## II. AGENDA DESCRIPTION

Portland Greendrinks, a volunteer-managed, nonprofit social networking group built around a common interest in the natural environment, has requested approval to hold their July gathering at the new waterfront park on Thames Street at Amethyst Lot.

The organization is working with Portland Parks Conservancy and the City of Portland to plan the event, which will benefit the Portland Parks Conservancy.

Beer and hard cider will be served to age 21+ attendees. A 21+ Beer Garden (fenced-in area) will be set up in the park, staffed with security personnel from the City's Public Assembly Facilities Division. Portland Parks Conservancy will cover the cost of city staff and materials.

The space will be reserved from 4:00 p.m. to 9:00 p.m., with the event running from 5:30 p.m. to 8:00 p.m. A small public announcement system will be used for announcement and background music.

Greendrinks events have been held on public parkland in the past, including Deering Oaks (2013) and Fort Allen Park (2019).

### III. BACKGROUND

Portland Greendrinks is a project of the Maine based non-profit, The Triceratops Group, founded by Elliott May in 2010. The goal of Greendrinks is good times shared among people working in or interested in, environmental and sustainability issues.

#### IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

Council declaring the Portland Parks Conservancy Portland Greendrinks event, as a festival.

## V. FINANCIAL IMPACT

The City's staff costs and materials will be covered by the organizers.

**VI. STAFF ANALYSIS AND BACKGROUND**

The Parks, Recreation and Facilities Department has worked with the organizations on events in the past and we are confident in their ability to host the event.

**VII. RECOMMENDATION**

It is recommended that the order be declared.

**VIII. LIST ATTACHMENTS**

1. Portland Greendrinks Festival 6.7.2021
2. Portland Greendrinks Memo July 2021
3. PPC App for Greendrinks

Prepared by:

Clare Norton

Date: 5/14/2021

KATE SNYDER (MAYOR)  
BELINDA S. RAY (1)  
SPENCER R. THIBODEAU (2)  
TAE Y. CHONG (3)  
ANDREW ZARRO (4)

**CITY OF PORTLAND  
IN THE CITY COUNCIL**

MARK DION (5)  
APRIL D. FOURNIER(A/L)  
PIOUS ALI (A/L)  
NICHOLAS M. MAVODONES, JR (A/L)

**ORDER DECLARING JULY 13, 2021  
THE PORTLAND GREENDRINKS FESTIVAL**

**ORDERED**, that the September 10, 2019 is hereby declared to be the Portland Greendrinks Festival, sponsored by the Portland Parks Conservancy; and

**BE IT FURTHER ORDERED**, that the Portland Greendrinks Festival area shall be the waterfront park located on Thames Street at Amethyst Lot; and

**BE IT FURTHER ORDERED**, that Thames Street may be posted No Parking on Festival days; and

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

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

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

1. The Portland Parks Conservancy shall defend, indemnify and hold harmless the City of Portland, its officers and employees, from and against all claims arising out of or resulting from the Festival and/or use of City streets and property for said Festival, and shall procure and maintain public liability insurance in the minimum amount of \$400,000 per occurrence for personal or bodily injury, death or property damage and covering the obligation of indemnification hereunder. The Portland Parks Conservancy shall provide the City with a certificate showing evidence of such insurance and showing the City as an additional insured on said insurance;
2. No alcoholic beverages may be sold on the streets or public property during the Festival within the Festival Area except in the 21-years-old and older beer garden overseen by staff from Facilities Management;

3. The Portland Parks Conservancy may charge a fee for admission to the festival;
4. The Portland Parks Conservancy shall comply with all Public Assembly Facilities Division Conditions for use of grounds, and requirements for food service, vending sales, tent and stage installations and other items specified in that permit shall be adhered to, and staff fees for Public Assembly Facilities Division and any other city staff people needed will be paid by the Portland Parks Conservancy;
5. The Portland Parks Conservancy shall have sole authority over participating vendors at the Festival and may charge a fee to vendors for the opportunity to vend at the Portland Greendrinks Festival;
6. In addition, the Business Licensing Office shall charge the usual fees for licensing food vendors, and street goods vendors for the Festival to those vendors the Portland Parks Conservancy has agreed shall participate;
7. Public Assembly Facilities Division concert license conditions shall be complied with and any and all amplified music and public announcements shall be maintained at a reasonable noise level (under 92 decibels) and be configured by the event organizer to focus volume away from residential housing and neighboring business, limiting any impact in the area by the sound level;

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

TO: Jon Jennings, City Manager  
FROM: Ethan Hipple, Director of Parks, Recreation & Facilities Management  
DATE: May 12<sup>th</sup> 2021  
RE: **Council Agenda Item – Portland Parks Conservancy –  
“Portland Greendrinks” Event**

---

I am requesting that the following order be placed on the next City Council agenda:  
**Order declaring Portland Parks Conservancy "Portland Greendrinks" Event,  
Tuesday, July 13, 2021, as a festival.**

---

Portland Greendrinks wishes to hold their July gathering at the new Waterfront Park (Amethyst Lot). Portland Greendrinks is working with Portland Parks Conservancy and the City of Portland to plan this event. Beer and hard cider would be served to age 21+ attendees. Portland Parks Conservancy is allotted proceeds from the event. The goal of Portland Greendrinks is pretty simple: good times shared among people working in, or interested in, environmental and sustainability issues. Portland Greendrinks is a project of the Maine-based non-profit, The Triceratops Group, founded by Elliott May in January 2010.

Setup for the event will start at 4pm Tuesday, July 13, with cleanup finished by 9pm. The event itself will run 5:30 – 8pm.

A 21+ Beer Garden (fenced in area) will be set up at the Waterfront Park, staffed with security personnel from the city's PAFD Division. Portland Parks Conservancy covers cost of city staff time and materials. If refreshments on site, those will be sold by invited Food Trucks.

A small PA System, for announcements and background music, will be set up at the park.

The Festival Zone for the event is all of the new Waterfront Park.

The Festival area will be closed to street vendors pursuant to Section 19-17 of the Portland City Code and is reserved for the use of Portland Parks Conservancy and Portland Greendrinks for the purpose of conducting the **"Portland Greendrinks"** Festival, subject to the direction and control of the City Manager.

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

- Under no circumstances may alcoholic beverages be sold or consumed on City of Portland right-of-ways during said event, other than what is approved by City Council/Business Licensing Office (a beer garden is proposed for the new Waterfront



Park. Portland Parks Conservancy is the non-profit associated with the application. City staff will monitor the Beer Garden.);

- Portland Parks Conservancy shall indemnify the City and hold it harmless from and against all claims arising out of activities during said event, and shall take out and maintain public liability insurance coverage in the amount of at least \$400,000 combined single limit for personal or bodily injury, death, or property for said purposes, and shall provide alcohol liability coverage as well;
- Conditions for use of grounds, specified in a permit issued from Public Assembly Facilities Division Office, shall be adhered to;
- Festival organizers shall have sole authority over participating vendors at the event and may charge a fee to vendors for the opportunity to vend at the Festival, as well as charge an admission fee to participants;
- City license fees, tent permit fee, and costs for city staff assistance, will be paid by organizer, Portland Parks Conservancy (permit fees for use of the park are waived);
  - Any and all amplified music and public announcements at the Festival Area shall be maintained at a reasonable noise level (less than an A-weighted 85 decibels / C-weighted 95 decibels) and be configured by the event organizer to focus volume away from residential housing, limiting any impact in the area by the sound level; and
  - A Single Entertainment License must be obtained from the Public Assembly Facilities Division.

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

Document prepared by Clare M Norton; PAFD Booking Coordinator



**CITY OF PORTLAND, PUBLIC ASSEMBLY FACILITIES DIVISION**  
**PUBLIC PARK & SPACE APPLICATION (5 pages)**  
 212 Canco Rd. • Suite A • Portland • ME • 04103 • (207) 808-5435  
 Clare Norton [clare@portlandmaine.gov](mailto:clare@portlandmaine.gov)

**APPLICATION FEE \$25.00**

**PAYMENT MUST BE MADE WHEN SUBMITTING APPLICATION**

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

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

|                                           |                                                                                        |                                   |  |                          |                     |                            |                    |
|-------------------------------------------|----------------------------------------------------------------------------------------|-----------------------------------|--|--------------------------|---------------------|----------------------------|--------------------|
| <b>TODAY'S DATE</b>                       |                                                                                        | 5/10/2021                         |  | <b>ORGANIZATION NAME</b> |                     | Portland Parks Conservancy |                    |
| <b>ADDRESS</b><br>(Street/City/State/Zip) |                                                                                        | P.O. Box 15064 Portland, ME 04112 |  |                          |                     |                            |                    |
| <b>CONTACT NAME(S)</b>                    |                                                                                        | Nan Cumming                       |  |                          | <b>TITLE(S)</b>     |                            | Executive Director |
| <b>PHONE</b>                              | 207 808-5455                                                                           |                                   |  | <b>PHONE</b>             | 207 650-8245 (cell) |                            | <b>PHONE</b>       |
| <b>EMAIL</b>                              | <a href="mailto:nan@portlandparksconservancy.org">nan@portlandparksconservancy.org</a> |                                   |  | <b>EMAIL</b>             |                     |                            | <b>EMAIL</b>       |

|                                                                                                                |  |                       |                                                     |
|----------------------------------------------------------------------------------------------------------------|--|-----------------------|-----------------------------------------------------|
| <b>PARK AREA / PUBLIC SPACE REQUESTED</b>                                                                      |  | Amethyst Park         |                                                     |
| <b>EVENT DAY(S) &amp; DATE(S)</b>                                                                              |  | Tuesday July 13, 2021 | <b>RAIN DAY(S) &amp; DATE(S)</b><br>(50% added fee) |
| <b>OVERALL EVENT START &amp; END TIME</b><br>(When setup will begin until cleanup is expected to be complete.) |  | 4:00-9:00pm           | <b>EVENT START &amp; END TIME</b><br>5:30-8:00pm    |

|                                          |                            |
|------------------------------------------|----------------------------|
| <b>EVENT NAME</b>                        | <b>EXPECTED ATTENDANCE</b> |
| Green Drinks: Portland Parks Conservancy | 500                        |

**DESCRIPTION OF EVENT:** Please be as specific as possible regarding area of public space/park that you would like to permit and please describe event in detail. Please include a detailed map of the proposed event area, proposed route &/or proposed street closures where applicable.

Portland Green Drinks is a nonprofit organization that holds monthly events that connect people interested in the environment and sustainability issues with related nonprofits. A small amount of money is raised from event admission (approx \$1000) for the nonprofit. The Portland Parks Conservancy (PPC) has been selected as a nonprofit beneficiary for July 2021. It will be an excellent way for us to raise awareness of our organization. Beer and hard cider are served. The event is primarily socializing, with a few speeches—no other activities are planned. The event runs 5:30 – 8pm. (Sunset: 8:21pm)

Location: Amethyst Park. Alcohol served within a contained area of the park. City PAFD Staff would be hired by organizer to staff the beer garden. The Green Drinks organizers manage the beer vendors—specific vendors have not been selected yet. Beer vendors donate their beer and other beverages.

We do not foresee the need for a tent.

A small PA system will be used for announcements + maybe background music. ELEC needed.

Use of food trucks is undecided at this point. Will update once that decision is made and trucks are invited.

PPC will obtain necessary insurance coverage for the event.

<http://www.greendrinks.org/ME/Portland,%20ME>

<https://www.facebook.com/portlandmainegreendrinks/>

<https://www.facebook.com/PortlandParksConservancy/>

|                                                                      |                                                                        |         |
|----------------------------------------------------------------------|------------------------------------------------------------------------|---------|
| <b>IS THERE A REGISTRATION FEE/PLEDGES COLLECTED FOR THIS EVENT?</b> | Please check: <u>    X    </u> FEE <u>                    </u> PLEDGES |         |
| <b>IF YES FOR FEES, HOW MUCH?</b>                                    | <b>FEE</b>                                                             | \$10-12 |
|                                                                      | <b>STUDENT FEE</b>                                                     | \$--    |

**WHAT WILL BE THE ANTICIPATED NEED FOR PARKING AND WHAT IS YOUR PARKING PLAN?**

On street and parking in nearby garages.

**PLEASE CHECK OFF AND ANSWER:**

|   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | X-YES                                       | X-NO | X-NOT SURE                               |
|---|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------|------|------------------------------------------|
| * | Are you setting up a <b>canopy(s)</b> ? (10'x10' size or smaller) <b>How many?</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <b>ONE,<br/>10 X 10</b>                     |      |                                          |
| * | Do you wish to set up a <b>tent(s)</b> and/or <b>stage(s)</b> ? A canopy/tent or stage larger than 10'x10' needs a Temporary Tent or Stage Permit issued by Building Inspections. For permit application, please go to: <a href="http://portlandmaine.gov/DocumentCenter/Home/View/2317">http://portlandmaine.gov/DocumentCenter/Home/View/2317</a> or contact the Permitting and Inspections Department at <a href="mailto:buildinginspections@portlandmaine.gov">buildinginspections@portlandmaine.gov</a> or 874-8703 for more information. PLEASE apply at least 2-weeks before your event.<br><b>Tent/Stage Size(s):</b><br><b>Exact Location(s) of Tent/Stage Placement Requested:</b><br>*** In order to drive tent stakes into the ground, DIG SAFE must be contacted: 888-344-7233.<br>*** |                                             | X    |                                          |
| * | Will you be setting up <b>tables and/or chairs</b> ? How many tables: 10 chairs: 20                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                             |      |                                          |
| * | Are other items or equipment being placed on City property? (i.e. Moon Bounce, Dunk Tank, Radio Station Van, Helium Tank, etc.) Please List:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                             | X    |                                          |
| * | Will there be <b>refreshments</b> at the event?<br>Do you wish to <b>sell food</b> ?<br>If so, you will need approval from PAFD and possibly a Temporary Food Service License from Business Licensing Office. PLEASE provide them at least 2 weeks advance notice (874-8557).<br><b>List food and drink / Food Trucks, etc.:</b><br>PLEASE NOTE: A Temporary Food Service License is NOT needed when:<br>1. Food Vendors have a current City of Portland Food License<br>2. Just pre-packaged refreshments, or food & drink items are purchased or donated from a licensed establishment<br>3. Bottled water / water is served<br>A TFSL is needed when food vendors are not licensed or when food is being prepared and cooked at the event.                                                       | <b>X<br/>ALCOHOL</b>                        | X    | <b>FOOD<br/>TRUCKS MAY<br/>BE ONSITE</b> |
| * | Do you wish to sell <b>non-food items</b> (like T-shirts, crafts, cd's, etc.)? If so, please apply for a Street Goods Vendor License(s) at the Business Licensing Office (874-8557) – 2 week notice.<br><b>List items you wish to sell:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                             | X    |                                          |
| * | Are you setting up a <b>PA (sound) system</b> ?<br>Are you planning on having <b>Amplified Music</b> ? <b>Band?</b> <b>DJ?</b> <b>Boom Box?</b><br>If so, your event may require a concert license. PAFD will advise upon review of your application. Amplified speech (i.e. Press Conference) does not require the license, however, a Sound Security Deposit may be required. There are time restrictions for amplified music/speech in Downtown Parks & Squares: limited to 11:45am – 1:15pm and 1 hour between 5pm - 8pm.                                                                                                                                                                                                                                                                       | <b>X,<br/>JUST<br/>AMPLIFIED<br/>SPEECH</b> |      |                                          |
| * | Will your event require <b>electricity</b> ? Electricity is available at Deering Oaks Park, Monument Square, Congress Square, Tommy's Park, Post Office Park, Payson Park, Preble Street Grass Area, Eastern Prom, Fort Allen Park, and Lincoln Park. A \$40 activation fee is required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <b>X</b>                                    |      |                                          |
| * | Are you planning on bringing a <b>Grill for a Barbecue</b> ?<br>Grilling is subject to weather conditions and possibly Fire Dept. review.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                             | X    |                                          |
| * | Will the event require <b>reserved parking spaces / parking meters</b> ? How many?<br>"No Parking" signs may be purchased at the PAFD Office, 212 Canco Rd.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                             | X    |                                          |
| * | Will your event need <b>safety vests, signs, barricades and/or cones</b> ?<br><b>Please list what you would like to borrow/rent:</b><br>Limited safety vests, cones & barricades may be borrowed/rented from PAFD Office. Traffic signs may be borrowed/rented from Public Works if needed (874-8493).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <b>X<br/>PERIMETER<br/>FENCING</b>          |      |                                          |

|                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                            |   |   |  |
|---------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|--|
| *                                                                                                                                                 | Will your event require <b>street closures</b> ? (Please be specific under "Description of Event")<br>Will your event affect <b>METRO BUS ROUTES</b> ?<br>(If service is affected, organizer needs to work directly with METRO for endorsement / feedback). Please check with Glenn Fenton, METRO: 517-3029 ( <a href="mailto:gffenton@gpmetro.com">gffenton@gpmetro.com</a> ) to discuss. |   | X |  |
| *                                                                                                                                                 | Will your event require <b>Police</b> assistance? An event such as a road race, march or parade in the street, would typically require police assistance. To reserve & hire an Officer(s) to be on site at your event, please call Sgt. Nevins (874-8554) or Police Shift Command (874-8855/8556) well in advance to arrange.                                                              |   | X |  |
| *                                                                                                                                                 | Will your event require <b>Fire/EMS</b> assistance? (For a large walk/race, it may be required.)<br>To hire or inquire about hiring city Fire/EMS staff to be on site, please email <a href="mailto:fireprevention@portlandmaine.gov">fireprevention@portlandmaine.gov</a> well in advance of the event. For general questions, you may also call 874-8400.                                |   | X |  |
| *                                                                                                                                                 | Will your event require <b>Parking Control</b> assistance? To hire a Parking Control Officer(s) to be on site at your event, please call 874-8910 well in advance to arrange.                                                                                                                                                                                                              |   | X |  |
| <b>Fees for Police, Fire/EMS or Parking Control Staff will be invoiced by those individual departments &amp; should be paid to them directly.</b> |                                                                                                                                                                                                                                                                                                                                                                                            |   |   |  |
| *                                                                                                                                                 | Will your event require <b>porta-restroom</b> rental(s) or need existing porta-restrooms cleaned? (Some of the parks already have porta-restrooms. Event participants may use these, but a \$25 fee is assessed for events where attendance is 150 or more.) Porta-restrooms may be rented from any of the local companies. Units currently on site are through Associated Septic.         | X |   |  |

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

## PUBLIC ASSEMBLY FACILITIES DIVISION POLICIES

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

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

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

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

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

if park is clean and conditions for use adhered to, your security deposit will be returned to you. Thank you in advance!

#### MARKING OF GROUNDS

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

#### USE OF CANDLES

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

#### ADA COMPLIANCE

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

#### PARKING ON GRASS AREAS / SIDEWALKS / ILLEGALLY PARKED VEHICLES

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

#### RESERVED PARKING

To reserve parking for your event, please contact the PAFD Office (808-5400 x0). Staff will review your request and can issue you "No Parking" signs (\$25 each\*). You will need to label signs and tape them to meters or signposts AT LEAST 24 HOURS PRIOR TO YOUR EVENT. (NOTE: If event is on a Sunday or Monday, NP Signs may need to be posted on the preceding Friday by Noon.) Please do not cover up coin slots on meters. If the reserved parking area has no actual parking meters, you may need to tape signs to sign posts, utility poles, trees, or orange cones (placed on the sidewalk beside the street). Please make sure signs are removed once the event is complete.

#### ALCOHOL / SMOKE-FREE ZONES

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

#### AMPLIFIED SOUND POLICY

Outdoor events with amplified sound may require an Entertainment License from the PAFD Office.  
If the Police Dept./City Staff receive noise complaints, they will respond accordingly.  
Please set the PA System up with speakers facing away from businesses/residences to lessen impact.  
Please keep volume levels low out of consideration for nearby residents and businesses.  
The Permittee (organizer) shall not allow the sound emanating from the event to exceed an A-weighted 85 decibels / C-weighted 95 decibels. One verbal warning shall be issued if the sound has been found to have exceeded those limits. The warning may be given to the sound board operator or the organizer/organizer's designee. If the decibel limit is found to have been exceeded a second time during the same event, the entertainment license (or permission to use a bullhorn/PA system) shall be immediately suspended, the PA system / amplification / bullhorn turned off, and the sound security deposit forfeited.

#### CANCELLATION POLICY

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

#### NOTIFICATION

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

#### STREET CLOSURE NOTIFICATION

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

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

|                                                      |               |    |      |         |
|------------------------------------------------------|---------------|----|------|---------|
| I HAVE READ AND UNDERSTAND ALL OF THE ABOVE POLICIES | TYPE INITIALS | NC | DATE | 5/10/21 |
|------------------------------------------------------|---------------|----|------|---------|

| ASSUMPTION OF RISK & LIABILITY                                                                                                                                                                                                                                                                                                                                                                                                                         |               |    |      |         |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|----|------|---------|
| Users of the area agree to accept the grounds in an "as is" condition and shall be responsible for all risk and liability in using the park/public space area for the said event. By returning this form (should permission be granted to use city property), the above parties agree to indemnify, defend, and hold harmless the City of Portland, its employees and agents, from and against all claims arising out of activities during said event. |               |    |      |         |
| I have read the Assumption of Risk & Liability Agreement                                                                                                                                                                                                                                                                                                                                                                                               | TYPE INITIALS | NC | DATE | 5/10/21 |

|                                                        |
|--------------------------------------------------------|
| PLEASE INITIAL & DATE HIGH-LIGHTED YELLOW BOXES ABOVE. |
|--------------------------------------------------------|

|                                                                                                                                                                 |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| PLEASE RETURN FORM (WORD DOC) AT LEAST 30 DAYS IN ADVANCE TO:                                                                                                   |
| ♦ Public Assembly Facilities Div. ~ 212 Canco Rd. ~ Portland ~ ME ~ 04103 EMAIL PREFERRED: <a href="mailto:clare@portlandmaine.gov">clare@portlandmaine.gov</a> |

|                                                                                                                                                                            |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>FEE SCHEDULE – UPDATED JULY 1, 2019</b><br><b>Fees are tiered and assigned based on the level of demand placed on City resources and impact on City infrastructure.</b> |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                     |
|---------------------|
| FOR OFFICE USE ONLY |
|---------------------|

|                                                                    |                                                                  |
|--------------------------------------------------------------------|------------------------------------------------------------------|
| Simple Event (no registration fee): \$75/hour                      | Electricity (activation/de-activation) Fee: \$40/flat            |
| Event with registration or pledges & attendance 25 - 300: \$125/hr | Porta Restroom User Fee (if attendance is 150+): \$25            |
| Event with registration or pledges & attendance 301+: \$225/hr     | Entertainment License: \$50                                      |
| Film/Photo Shoot: \$150/day                                        | Barricades: \$5/ea. Rental Fee + \$25/ea. Security Deposit       |
| Public Space/Park Security Deposit: \$100 - \$1000                 | Bike Racks: \$10/ea. Rental Fee + \$25/ea. Security Deposit      |
| Sound Security Deposit: \$100 - \$1,000                            | Flashing Lights: \$10/ea. Rental Fee + \$40/ea. Security Deposit |
| Impact/Street Closure Fee (variable based on impact): \$100-\$500  | Cones: \$2/ea. Rental Fee + \$15/ea. Security Deposit            |
| Staff Fee (on site event support): \$37/hour                       | Safety Vests: \$15/ea. Security Deposit                          |
| Administrative Fee (event coordination support): \$40/hour or more | Keys: \$50/ea. Security Deposit                                  |
| "No Parking" Signs: \$25 each                                      | Equipment Delivery Fee: \$100 or more                            |
| Cancellation Fee: \$75                                             | Fortification Fee: TBD                                           |

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

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

|                     |          |                |    |                      |    |                      |       |
|---------------------|----------|----------------|----|----------------------|----|----------------------|-------|
| APPLICATION<br>FEE: | \$ 25.00 | PERMIT<br>FEE: | \$ | SECURITY<br>DEPOSIT: | \$ | INSURANCE<br>NEEDED? | Y / N |
| DATE RECEIVED:      |          | DATE RECEIVED: |    | DATE RECEIVED:       |    | DATE RECEIVED:       |       |

**MEMORANDUM**  
**City Council Agenda Item**

**FROM:** Greg Mitchell, Director

**DATE:** May 17, 2021

**SUBJECT:** Order 265-20/21 Authorizing City Application for Federal Funds to Dredge Public and Private Berthing and Vessel Support Resources and to Develop a Confined Aquatic Disposal Cell in Portland Harbor - Sponsored by Jon P. Jennings, City Manager

**SPONSOR:** Councilor Spencer Thibodeau, Chair/Housing and Economic Development Committee, meeting held on 2/2/2021 with the Committee showing support to move forward with the grant application.

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

**COUNCIL MEETING DATE ACTION IS REQUESTED:**

**1st Reading 6/7/2021**

**Final Action 6/7/2021**

**Can action be taken at a later date: Yes Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Application deadline is July 12, 2021; action, therefore, could be taken at the June 21 meeting but no later.**

**PRESENTATION:** Greg Mitchell, if needed.

**I. SUMMARY**

City staff seeks Council authorization to apply for Federal funds through Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Discretionary Grant program to implement planned public and private dredging projects in Portland Harbor.

**II. AGENDA DESCRIPTION**

This order grants Council approval of the City's application for federal funding for the dredging of the Portland Harbor and development of a Confined Aquatic Disposal (CAD) Cell. While Council approval is not required per the City Charter, it is a requirement of the grant application process.

The City is seeking funding via the Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Transportation Discretionary Grant program to implement planned public and private dredging projects in Portland Harbor. Dredging vessel support areas will provide safe and full tide access to berthing, loading, and marine support services. Dredging will also remove and dispose of sediment impacted by historic industrial activities and non-point source pollution.

These sediments will be responsibly disposed of in a Confined Aquatic Disposal (CAD) cell, to be constructed within Portland Harbor as a component of the project. The City of Portland will be the lead applicant for RAISE project funds, with the City of South Portland as co-applicant and critical support provided by the Portland Harbor Commission (PHC) and the Maine Department of Transportation (MaineDOT).

The applicants seek \$24,000,000 in RAISE funding. Federal funds will be matched by a \$3,000,000 commitment by MaineDOT. A balance of \$3,000,000 will be needed from Portland Harbor property owners benefitting from the dredge - including the City of Portland. Property owner contributions will be in the form



of “tipping fees” to be allocated on a per cubic yard of sediment dredged, currently estimated at \$12.50/cubic yard.

The City of Portland is proposed to be the fiscal agent for the RAISE grant, and the City Council is also asked to commit to the City’s administering the grant, contracting the project, collecting the private contributions, and allocating the City’s tipping fees - currently estimated at \$650,000. The City’s financial commitment, if approved, will be allocated from future year Waterfront Tax Increment Financing Funds.

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

### **III. BACKGROUND**

Dredging the public and private vessel support areas of Portland Harbor has been a long-term priority for the City and the greater waterfront community for many years. These piers, wharfs, marinas, boat yards, and ramps are essential to the ongoing and future economic health and functional water access needs of marine industry, marine transport, recreational boating, fisheries, and island communities.

The City applied in 2020 under the BUILD program but was not awarded funding. USDOT staff provided feedback on the 2020 application and recommended resubmitting.

#### *Process:*

The process resulting in the current request has been underway in earnest since the creation of the Waterfront Coordinator position in 2014. Led by the City of Portland, key project partners include the City of South Portland, the PHC, and MDOT. The process has been highly collaborative with formative participation by private waterfront property owners, the fishing community, state and federal agencies, and environmental groups including the Friends of Casco Bay. The environmental and economic benefits of harbor dredging are specifically recommended by the Casco Bay Estuary Partnership in their Casco Bay Plan (2016) as approved by the Environmental Protection Agency (EPA).

Working with a grant from the EPA Brownfields Program, the PHC has conducted extensive testing, outreach, design, and permitting for the proposed dredge areas on both sides of the Fore River. The project has benefitted from close partnership with significant funding from MDOT to the City of Portland for development of the CAD cell plan. Additional funds have been provided by the Maine Technology Institute (MTI.)

Technical Support for the process has been led by Stantec Consulting with support for the EPA funded work conducted by Campbell Environmental Consultants.

Workshops presenting the project have been held with the former Economic Development Committee, the Sustainability and Transportation Committee, and the full City Councils for both Portland and South Portland.

Community presentations have been made to the Portland Propeller Club and the Waterfront Alliance of Portland Harbor.

#### *Project Summary:*

In short, over 244,000 cubic yards of material needs to be removed from Portland Harbor to restore lost or

degraded berthing areas. Given the environmental state of these sediments, disposal at sea is not an option and the project has identified a feasible site for a CAD cell to responsibly contain and sequester contaminated materials. The CAD cell site has been identified near the US Coast Station.

In aggregate, +/-108,000 cubic yards of material are estimated for dredging from the Portland side of the Fore River and +/-136,000 cubic yards of material anticipated from the South Portland waterfront. City owned public facilities in Portland alone (East End boat ramps, Ocean Gateway and the Amethyst lot, Maine State Pier, and the Portland Fish Pier) will contribute nearly 52,000 cubic yards of material. The South Portland “Portland Street Pier” is a minor contributor, estimated at +/-2,300 cubic yards. The balance of sediment will come from private piers, boat yards, and marinas throughout the harbor.

The project will benefit 30 private commercial properties, supporting dozens of businesses, hundreds of jobs, thousands of vessels, and millions of dollars in annual economic activity. A comprehensive economic assessment of the direct and indirect value of the project and of the impacted properties is underway to further refine the benefits of the project and the costs of inaction. This assessment will serve additionally as the basis for satisfying recent amendments to Chapter 8 of the City Code requiring ongoing periodic economic evaluations of the Portland Waterfront.

Additional information and background on the project is found at: <http://www.portlandharbordredge.info/>

#### **IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED**

Portland Harbor dredging and support for the working waterfront have been City Council priorities for many years. The Portland Harbor dredge and CAD cell construction are specifically noted in Portland’s Plan 2030, the City’s Comprehensive Plan and are included in the City’s Economic Development Plan.

In the short term, dredging will significantly expand and improve berthing and loading access to the harbor for commercial and recreation activities. Long-term preservation and improvements to vessel support areas are an existential necessity for Portland’s working waterfront and the Island communities of Casco Bay.

#### **V. FINANCIAL IMPACT**

Preparation and filing of the RAISE application is currently funded. As noted above, the City of Portland is a significant waterfront property owner and will need to participate financially based on City facility dredging needs.

The fee amount and distribution is still under discussion, but as much as \$20.40/cubic yard had been previously estimated. The current estimation, at \$12.50/cubic yard, assumes a full award of \$24,000,000 from the RAISE program and would result in the City of Portland’s fees totaling over \$650,000.

Existing staffing for the process by the Housing and Economic Development Department will continue as funded through the Waterfront TIF program. As with any project of this complexity, additional soft costs may be needed to move the project forward and would use the Waterfront TIF fund. Staff will work with the City Manager, outside agencies, and private partners to minimize these costs to the extent possible.

Eelgrass impacts from dredging the East End Beach barge landing are estimated to generate fees over \$500,000. These costs are currently included within the project cost estimates. If deemed ineligible for funding under the RAISE program, alternative funding for eelgrass mitigation may be needed.

If the RAISE grant is awarded, a contract with U.S. Department of Transportation would spell out specific commitments and would return to the City Council for approval, including required City allocations of funds.

## **VI. STAFF ANALYSIS AND BACKGROUND**

See above.

## **VII. RECOMMENDATION**

City staff recommends that the City Council authorize the City Manager to apply to the RAISE Transportation Discretionary Grant program to implement planned public and private dredging projects in Portland Harbor.

## **VIII. LIST ATTACHMENTS**

1. Portland Harbor Dredging Application 6.7.2021
2. 2-2-2021 HEDC Meeting Presentation by WBN

Prepared by:

Greg Mitchell, Director

Date: 5/17/2021

KATE SNYDER (MAYOR)  
BELINDA S. RAY (1)  
SPENCER R. THIBODEAU (2)  
TAE Y. CHONG (3)  
ANDREW ZARRO (4)

**CITY OF PORTLAND  
IN THE CITY COUNCIL**

MARK DION (5)  
APRIL D. FOURNIER(A/L)  
PIOUS ALI (A/L)  
NICHOLAS M. MAVODONES, JR (A/L)

**ORDER APPROVING CITY APPLICATION FOR FEDERAL FUNDS TO DREDGE  
PUBLIC AND PRIVATE BERTHING AND VESSEL SUPPORT SERVICES AND TO  
DEVELOP A CONFINED AQUATIC DISPOSAL CELL IN PORTLAND HARBOR**

**ORDERED**, that the application for federal funding to dredge public and private berthing and vessel support services and to develop a confined aquatic disposal cell in Portland Harbor, named the Portland Harbor Commercial Revitalization Project, is hereby approved; and

**BE IT FURTHER ORDERED**, the City Manager or his or her designee is authorized to execute the federal funding application and any and all documents necessary to apply for and accept this funding and otherwise carry out the intent of this order.

# **Portland Harbor Dredge Update Housing and Economic Development Committee February 2, 2021**



# Project Partners







# Where is dredging needed?

- 30 Property Owners
- 47+ dredge areas
- 244,000 cy sediment
- Goal of 100% participation





## Fore River, 2018





## Benefits of Dredging

- Improved and expanded Berthing
- Cleaner Environment

Photo credit:  
Parker Poole  
Dec. 15, 2020

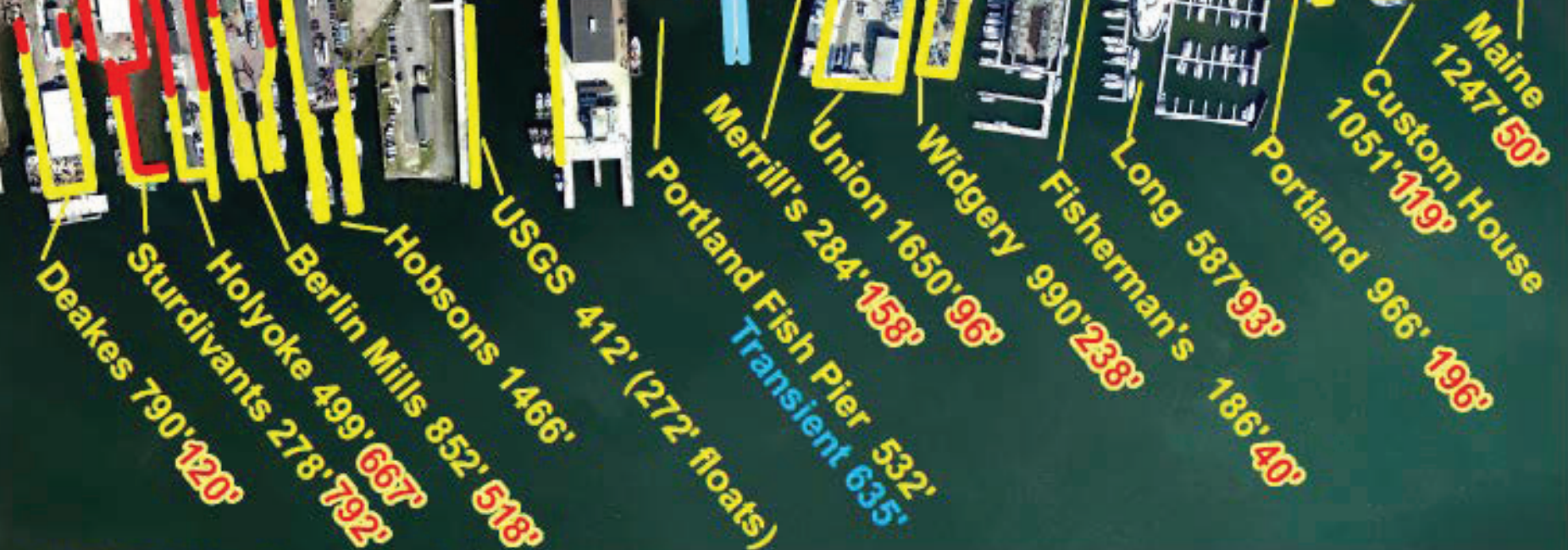


# Typical Harbor Sediments

Marine clay below  
contaminated muds and  
silts



**+/-26%  
loss  
to  
sedimentation**

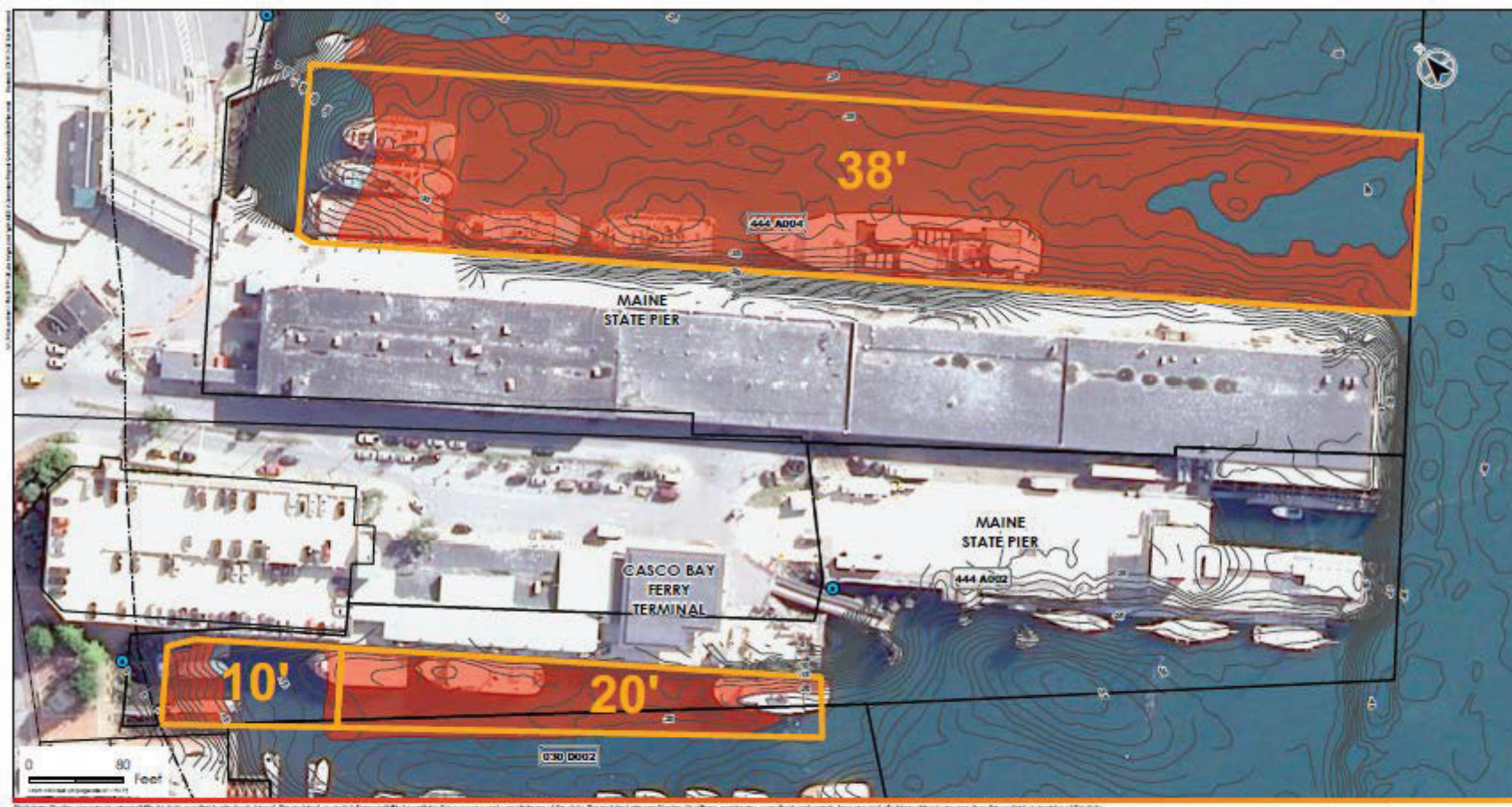


**11,790' In Current Use  
3,087' Potential  
(from dredging)**

**WCZ Commerical Berthing  
Existing and Potential**







30 Park Drive  
Topsham, ME USA 04086  
Phone (207) 729-1199



**Legend**

- Stormwater Outfall
- 1:1 Bathymetric Contour
- Wharf Owner Tax Parcel and Map/Plot
- Tax Parcel
- Approximate Submerged Lands Regulatory Limit
- Dredge Limit and Target Depth
- Estimated Dredge Area

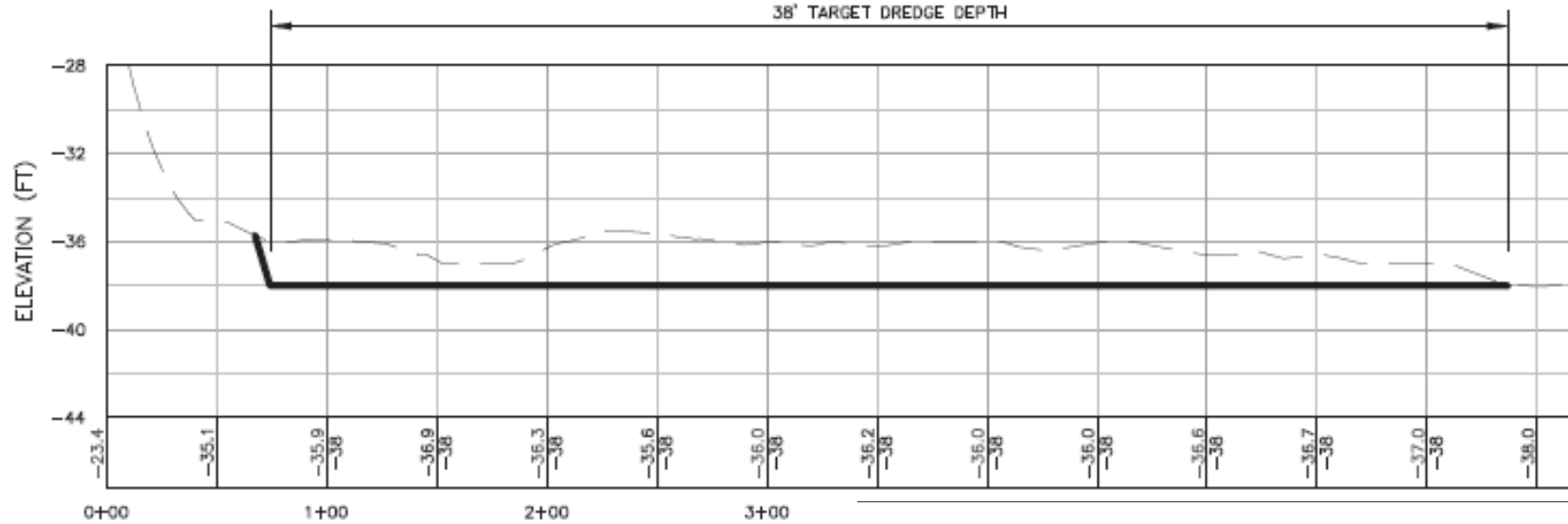
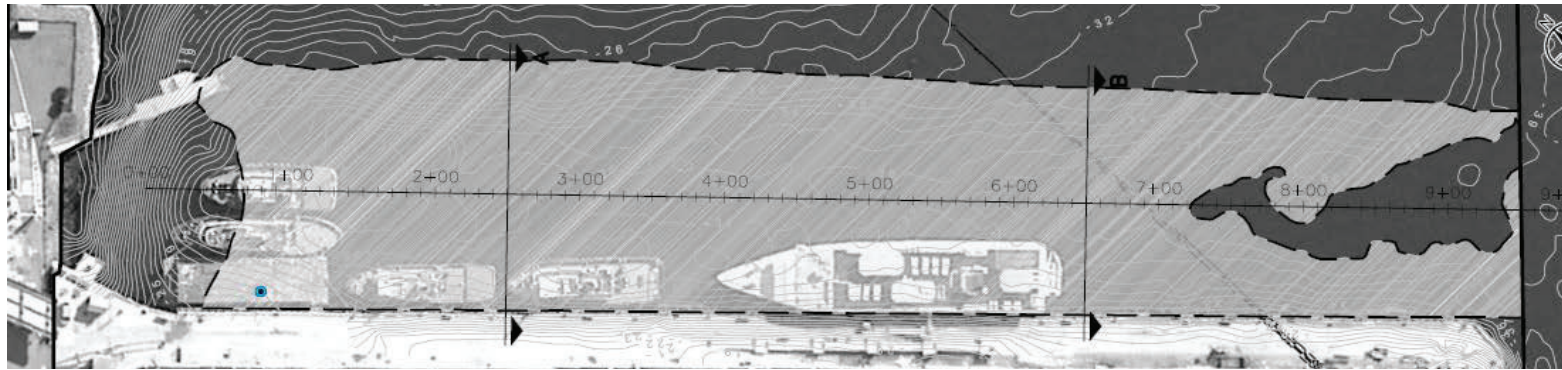
| Channel    | Pre-1980s | 1980s - 2000s | 2000s - 2010s | Estimated Dredge Volume (cu yd) |
|------------|-----------|---------------|---------------|---------------------------------|
| Channel 1  | 100       | 200           | 300           | 1500                            |
| Channel 2  | 150       | 250           | 350           | 2250                            |
| Channel 3  | 200       | 300           | 400           | 3000                            |
| Channel 4  | 250       | 350           | 450           | 3750                            |
| Channel 5  | 300       | 400           | 500           | 4500                            |
| Channel 6  | 350       | 450           | 550           | 5250                            |
| Channel 7  | 400       | 500           | 600           | 6000                            |
| Channel 8  | 450       | 550           | 650           | 6750                            |
| Channel 9  | 500       | 600           | 700           | 7500                            |
| Channel 10 | 550       | 650           | 750           | 8250                            |
| Channel 11 | 600       | 700           | 800           | 9000                            |
| Channel 12 | 650       | 750           | 850           | 9750                            |
| Channel 13 | 700       | 800           | 900           | 10500                           |
| Channel 14 | 750       | 850           | 950           | 11250                           |
| Channel 15 | 800       | 900           | 1000          | 12000                           |
| Channel 16 | 850       | 950           | 1050          | 12750                           |
| Channel 17 | 900       | 1000          | 1100          | 13500                           |
| Channel 18 | 950       | 1050          | 1150          | 14250                           |
| Channel 19 | 1000      | 1100          | 1200          | 15000                           |
| Channel 20 | 1050      | 1150          | 1250          | 15750                           |
| Channel 21 | 1100      | 1200          | 1300          | 16500                           |
| Channel 22 | 1150      | 1250          | 1350          | 17250                           |
| Channel 23 | 1200      | 1300          | 1400          | 18000                           |
| Channel 24 | 1250      | 1350          | 1450          | 18750                           |
| Channel 25 | 1300      | 1400          | 1500          | 19500                           |
| Channel 26 | 1350      | 1450          | 1550          | 20250                           |
| Channel 27 | 1400      | 1500          | 1600          | 21000                           |
| Channel 28 | 1450      | 1550          | 1650          | 21750                           |
| Channel 29 | 1500      | 1600          | 1700          | 22500                           |
| Channel 30 | 1550      | 1650          | 1750          | 23250                           |
| Channel 31 | 1600      | 1700          | 1800          | 24000                           |
| Channel 32 | 1650      | 1750          | 1850          | 24750                           |
| Channel 33 | 1700      | 1800          | 1900          | 25500                           |
| Channel 34 | 1750      | 1850          | 1950          | 26250                           |
| Channel 35 | 1800      | 1900          | 2000          | 27000                           |
| Channel 36 | 1850      | 1950          | 2050          | 27750                           |
| Channel 37 | 1900      | 2000          | 2100          | 28500                           |
| Channel 38 | 1950      | 2050          | 2150          | 29250                           |
| Channel 39 | 2000      | 2100          | 2200          | 30000                           |
| Channel 40 | 2050      | 2150          | 2250          | 30750                           |
| Channel 41 | 2100      | 2200          | 2300          | 31500                           |
| Channel 42 | 2150      | 2250          | 2350          | 32250                           |
| Channel 43 | 2200      | 2300          | 2400          | 33000                           |
| Channel 44 | 2250      | 2350          | 2450          | 33750                           |
| Channel 45 | 2300      | 2400          | 2500          | 34500                           |
| Channel 46 | 2350      | 2450          | 2550          | 35250                           |
| Channel 47 | 2400      | 2500          | 2600          | 36000                           |
| Channel 48 | 2450      | 2550          | 2650          | 36750                           |
| Channel 49 | 2500      | 2600          | 2700          | 37500                           |
| Channel 50 | 2550      | 2650          | 2750          | 38250                           |
| Channel 51 | 2600      | 2700          | 2800          | 39000                           |
| Channel 52 | 2650      | 2750          | 2850          | 39750                           |
| Channel 53 | 2700      | 2800          | 2900          | 40500                           |
| Channel 54 | 2750      | 2850          | 2950          | 41250                           |
| Channel 55 | 2800      | 2900          | 3000          | 42000                           |
| Channel 56 | 2850      | 2950          | 3050          | 42750                           |
| Channel 57 | 2900      | 3000          | 3100          | 43500                           |
| Channel 58 | 2950      | 3050          | 3150          | 44250                           |
| Channel 59 | 3000      | 3100          | 3200          | 45000                           |
| Channel 60 | 3050      | 3150          | 3250          | 45750                           |
| Channel 61 | 3100      | 3200          | 3300          | 46500                           |
| Channel 62 | 3150      | 3250          | 3350          | 47250                           |
| Channel 63 | 3200      | 3300          | 3400          | 48000                           |
| Channel 64 | 3250      | 3350          | 3450          | 48750                           |
| Channel 65 | 3300      | 3400          | 3500          | 49500                           |
| Channel 66 | 3350      | 3450          | 3550          | 50250                           |
| Channel 67 | 3400      | 3500          | 3600          | 51000                           |

Notes:

1. Coordinate System: NAD 1983 StatePlane Maine West FIPS 1002 Feet
2. Hydrographic bathymetric survey performed by Apex Companies, LLC, between November 30, 2016 through December 1, 2016.
3. Hydrographic survey datum is referenced to Mean Lower Low Water (MLLW) 1985-2001 tidal epoch. The correction from NAVD83 to MLLW is 0.25 feet for Casco Bay.
4. Elevation assumptions were made to the existing bathymetric surfaces where elevation data was missing to complete proposed dredge footprint.
5. Elevation in these areas is approximate.
6. An additional 1' cover allowance was applied to each proposed dredge area.
7. 2018 coastal Casco Bay aerial orthophotos provided by the State of Maine, Maine Office of GIS and Maine Geological Library Board.

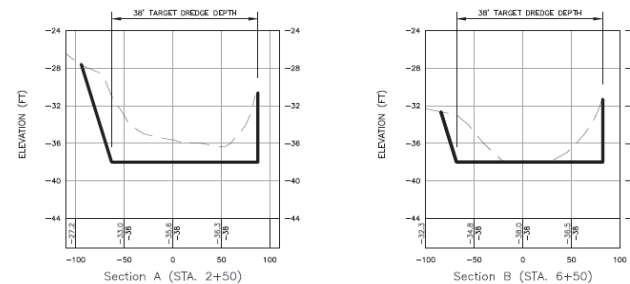
Client/Project  
Portland Harbor Commission  
Portland Harbor Brownfields  
Deedline Project  
Figure No.

**Maine State Pier  
Proposed Dredge**  
10/2/2019



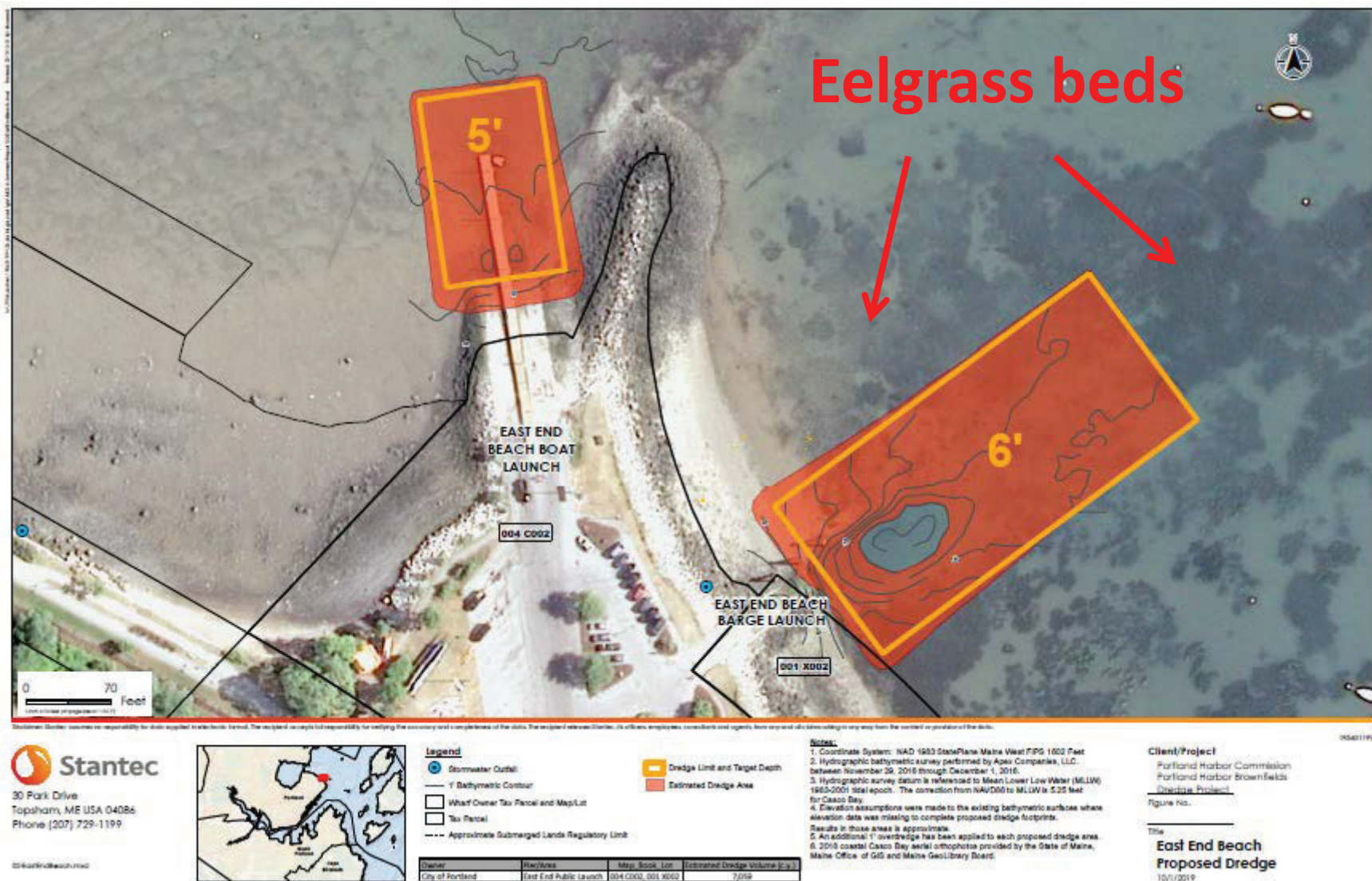
# Sample Design:

## Maine State Pier



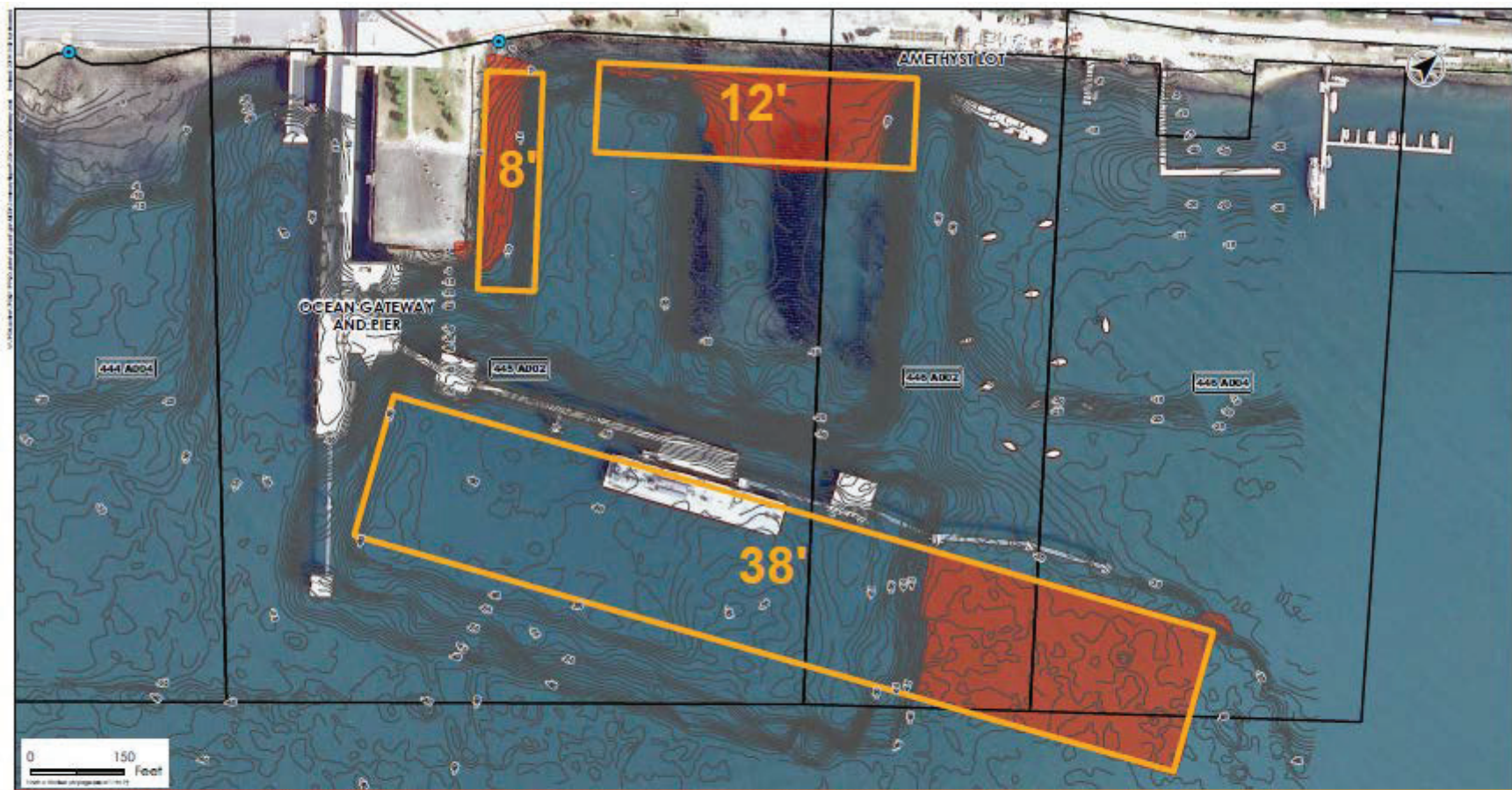
SECTION(S) - MAINE STATE PIER





## East End Boat Ramps





05401199



30 Park Drive  
Topsham, ME USA 04086  
Phone (207) 729-1199

38-OceanGateway.mxd



#### Legend

- Stormwater Outfall
- 1' Bathymetric Contour
- Wharf Owner Tax Parcel and Map Lot
- Tax Parcel
- Approximate Submerged Lands Regulatory Limit
- Dredge Limit and Target Depth
- Estimated Dredge Area

| Owner            | Prop. Uses     | Map Scale: Feet             | Estimated Dredge Volume (cu yd) |
|------------------|----------------|-----------------------------|---------------------------------|
| City of Portland | Water Services | 2.00:1 (200' to 400' scale) | 18,400                          |

#### Notes:

1. Coordinate System: NAD 1983 StatePlane Maine West FIPS 1902 Feet
2. Hydrographic bathymetric survey performed by Apco Companies, LLC, between November 26, 2016 through December 1, 2016.
3. Hydrographic survey datum is referenced to Mean Lower Low Water (MLLW) 1985-2001 tidal epoch. The correction from NAVD83 to MLLW is 5.25 feet for Casco Bay.
4. Elevation assumptions were made to the existing bathymetric surfaces where elevation data was missing to complete proposed dredge footprint. Results in those areas is approximate.
5. An additional 1' overdredge has been applied to each proposed dredge area.
6. 2016 coastal Casco Bay aerial orthophotos provided by the State of Maine, Maine Office of GIS and Maine Geospatial Board.

#### Client/Project

Portland Harbor Commission  
Portland Harbor Brownfields  
Dredge Project  
Figure No.

#### Title

**Amethyst Lot/Ocean Gateway  
Proposed Dredge**  
10/2/2019

# Ocean Gateway





**Stantec**  
30 Park Drive  
Topsham, ME USA 04086  
Phone (207) 729-1199



| Legend                    |                                    |                    |                                              |
|---------------------------|------------------------------------|--------------------|----------------------------------------------|
|                           | Stormwater Outfall                 |                    | Approximate Submerged Lands Regulatory Limit |
|                           | 1' Bathymetric Contour             |                    | Dredge Limit and Target Depth                |
|                           | Wharf Owner Tax Parcel and Map/Lot |                    | Estimated Dredge Area                        |
|                           | Tax Parcel                         |                    |                                              |
| Owner                     | Parcel                             | Map/Lot            | Estimated Dredge Volume (cu yd)              |
| Proponents of Union Wharf | Union Wharf (1)                    | 001 0000, 001 0000 | 8,226                                        |
| City of Portland          | Merrill's Wharf                    | 001 0010           | 9,540                                        |
| Waterfront Maine          | Merrill's Wharf                    | 001 0017           | 8,028                                        |

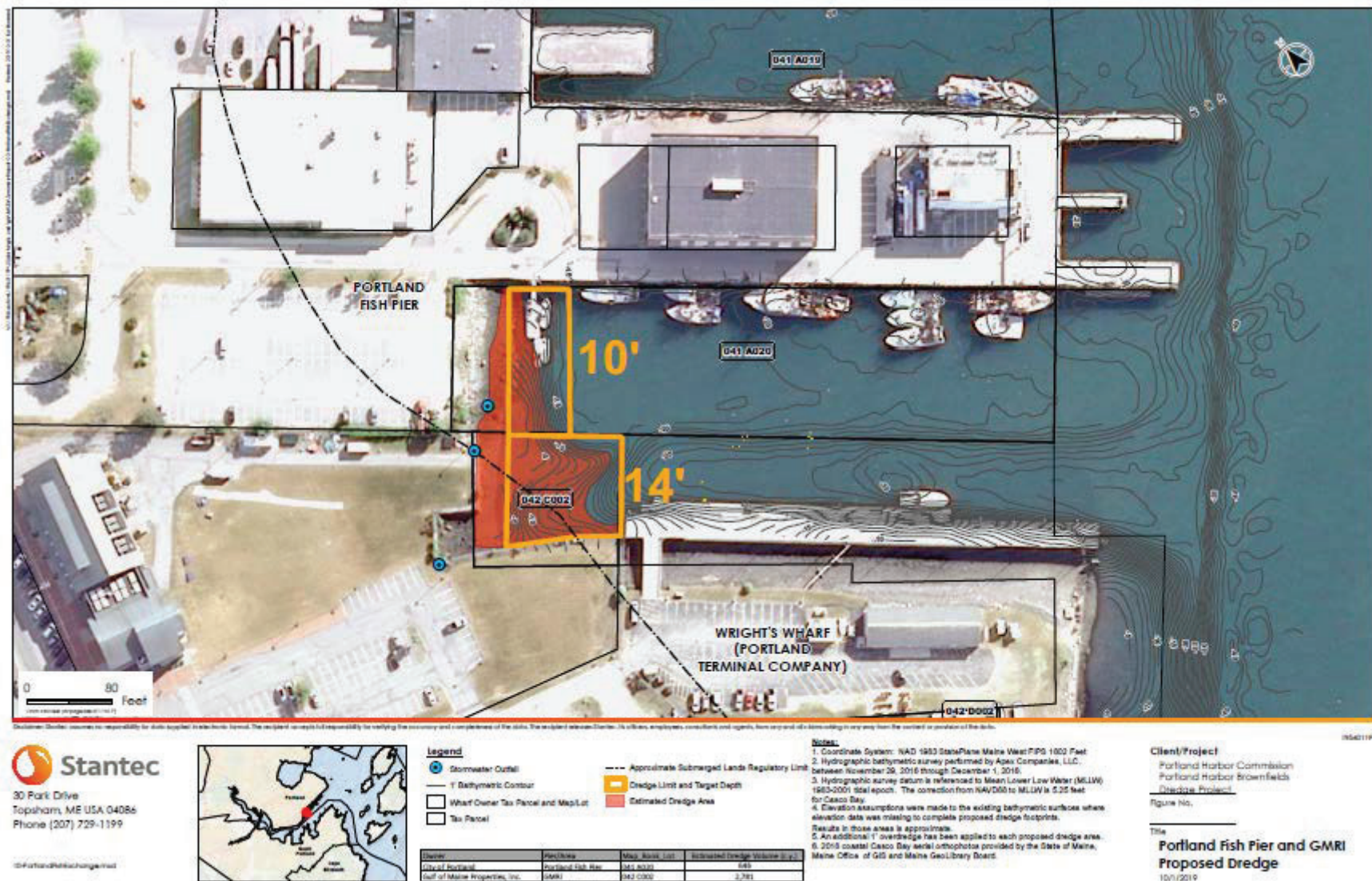
**Notes:**  
1. Coordinate System: NAD 1983 StatePlane Maine West FIPS 1000 Feet  
2. Hydrographic bathymetric survey performed by Apex Companies, LLC, between November 26, 2016 through December 1, 2016.  
3. Hydrographic survey datum is referenced to Mean Lower Low Water (MLLW) 1985-2001 tidal epoch. The correction from NAVD83 to MLLW is 5.25 feet for Casco Bay.  
4. Elevation assumptions were made to the existing bathymetric surfaces where elevation data was missing to complete proposed dredge footprints. Results in those areas is approximate.  
5. An additional 1' overdredge has been applied to each proposed dredge area.  
6. 2015 coastal Casco Bay aerial orthophotos provided by the State of Maine, Maine Office of GIS and Maine Geospatial Board.

**Client/Project**  
Portland Harbor Commission  
Portland Harbor Brownfields  
Dredging Project  
Figure No.

**Title**  
**Union Wharf (s)/Merrill's Wharf  
Proposed Dredge**  
10/2/2019

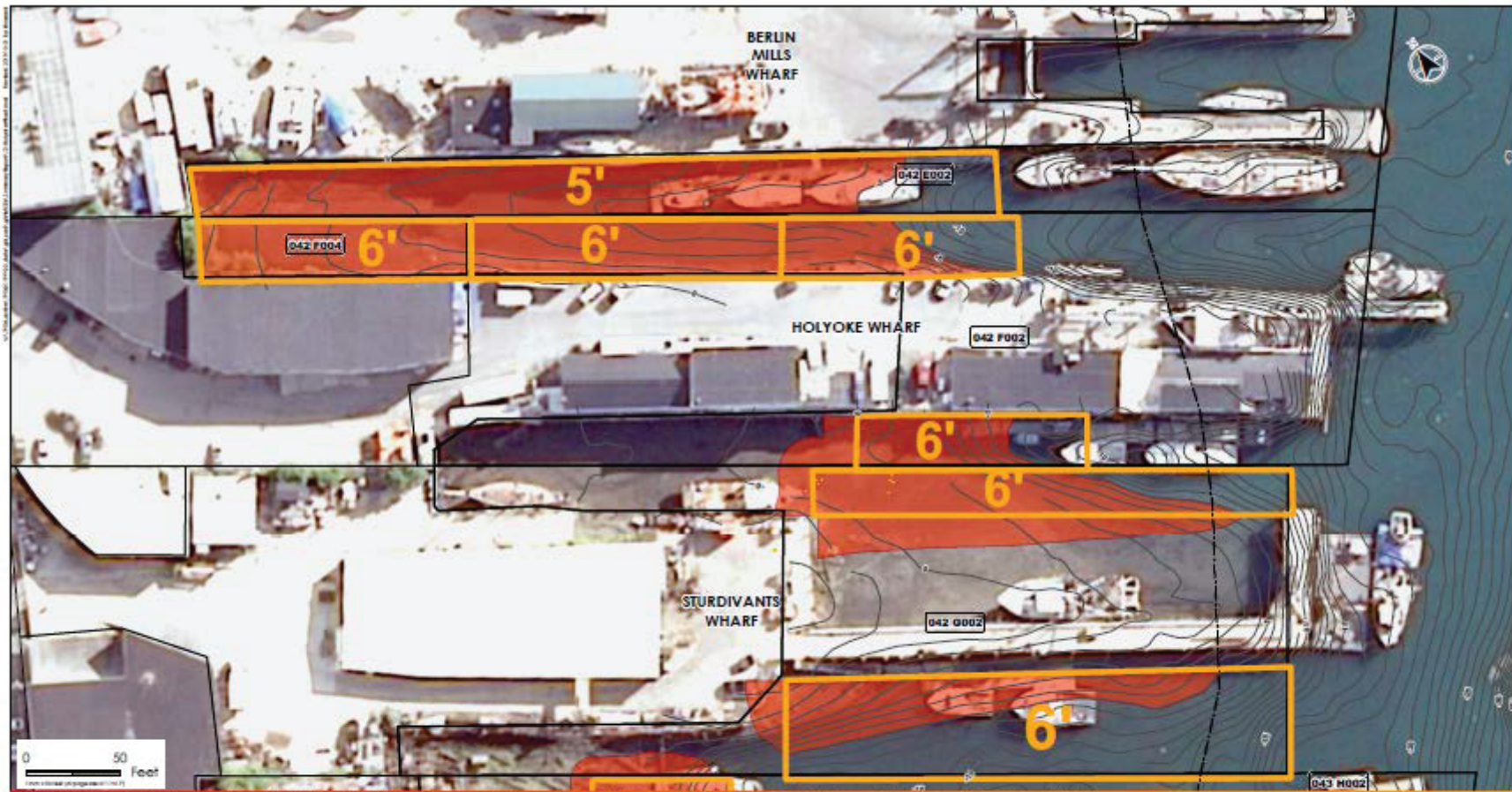
## Portland Fish Pier – East side





## Portland Fish Pier – West side





Stantec inc. assumes no responsibility for data supplied by third parties. The recipient accepts full responsibility for verifying the accuracy and completeness of the data. The recipient releases Stantec, its officers, employees, consultants and agents, from any and all liability in any way from the content or provision of the data.

**Stantec**  
30 Park Drive  
Topsham, ME USA 04086  
Phone (207) 729-1199

10/10/2019



| Legend                  |                                    |               |                                              |
|-------------------------|------------------------------------|---------------|----------------------------------------------|
|                         | Stormwater Outfall                 |               | Approximate Submerged Lands Regulatory Limit |
|                         | Bathymetric Contour                |               | Dredge Limit and Target Depth                |
|                         | Wharf Owner Tax Parcel and Map Lot |               | Estimated Dredge Area                        |
|                         | Tax Parcel                         |               |                                              |
| Owner                   | Wharf/Map Lot                      | Map Book, Lot | Estimated Dredge Volume (cu yd)              |
| Berun Mills Wharf       | Berun Mills Wharf (S)              | 042 E002      | 1,809                                        |
| Holyoke Wharf, Inc.     | Holyoke Wharf                      | 042 F004      | 1,217                                        |
| Sturdivants Wharf, Inc. | Sturdivants Wharf                  | 042 G002      | 1,809                                        |
| Sturdivants Wharf, Inc. | Sturdivants Wharf (N)              | 043 H002      | 1,809                                        |

**Notes:**  
1. Coordinate System: NAD 1983 StatePlane Maine West FIPS 1002 Feet  
2. Hydrographic bathymetric survey performed by Apex Companies, LLC, between November 29, 2016 through December 1, 2016.  
3. Hydrographic survey datum is referenced to Mean Lower Low Water (MLLW) 1985-2001 tidal epoch. The correction from NAVD83 to MLLW is 5.25 feet for Casco Bay.  
4. Elevation assumptions were made to the existing bathymetric surface where elevation data was missing to complete proposed dredge footprints. Results in those areas is approximate.  
5. An additional 1' over-dredge has been applied to each proposed dredge area.  
6. 2018 coastal Casco Bay aerial orthophotos provided by the State of Maine, Maine Office of GIS and Maine Geospatial Board.

**Client/Project**  
Portland Harbor Commission  
Portland Harbor Brownfields  
Dredging Project  
Figure No.

**Title**  
**Berlin Mills (S)/Holyoke/ Sturdivants Wharf (N) Proposed Dredge**  
10/1/2019

Private piers and marinas on both sides of the Fore River



# Dredging and Berthing Sediment Disposal





# Sediment Disposal CAD Site

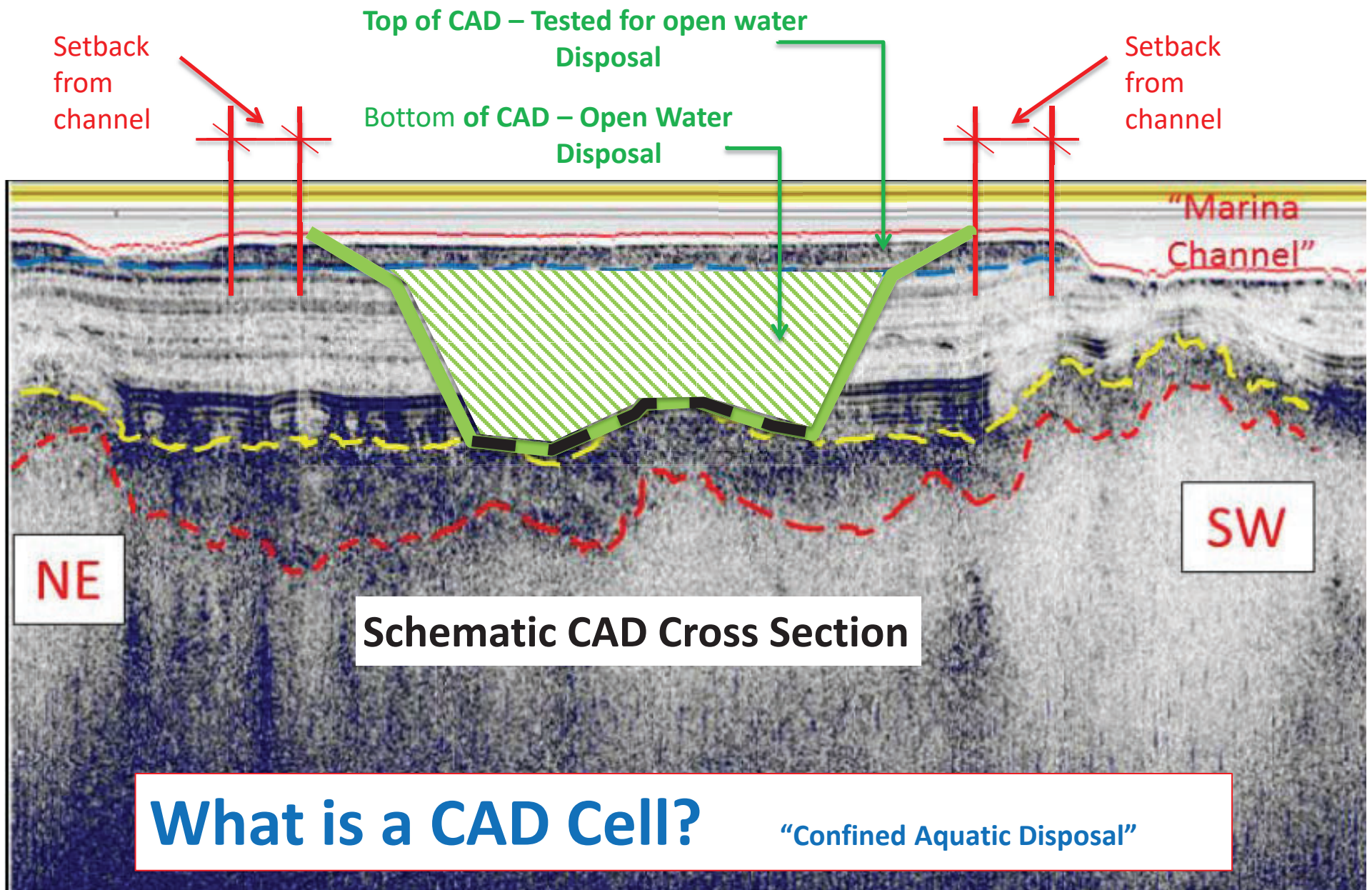


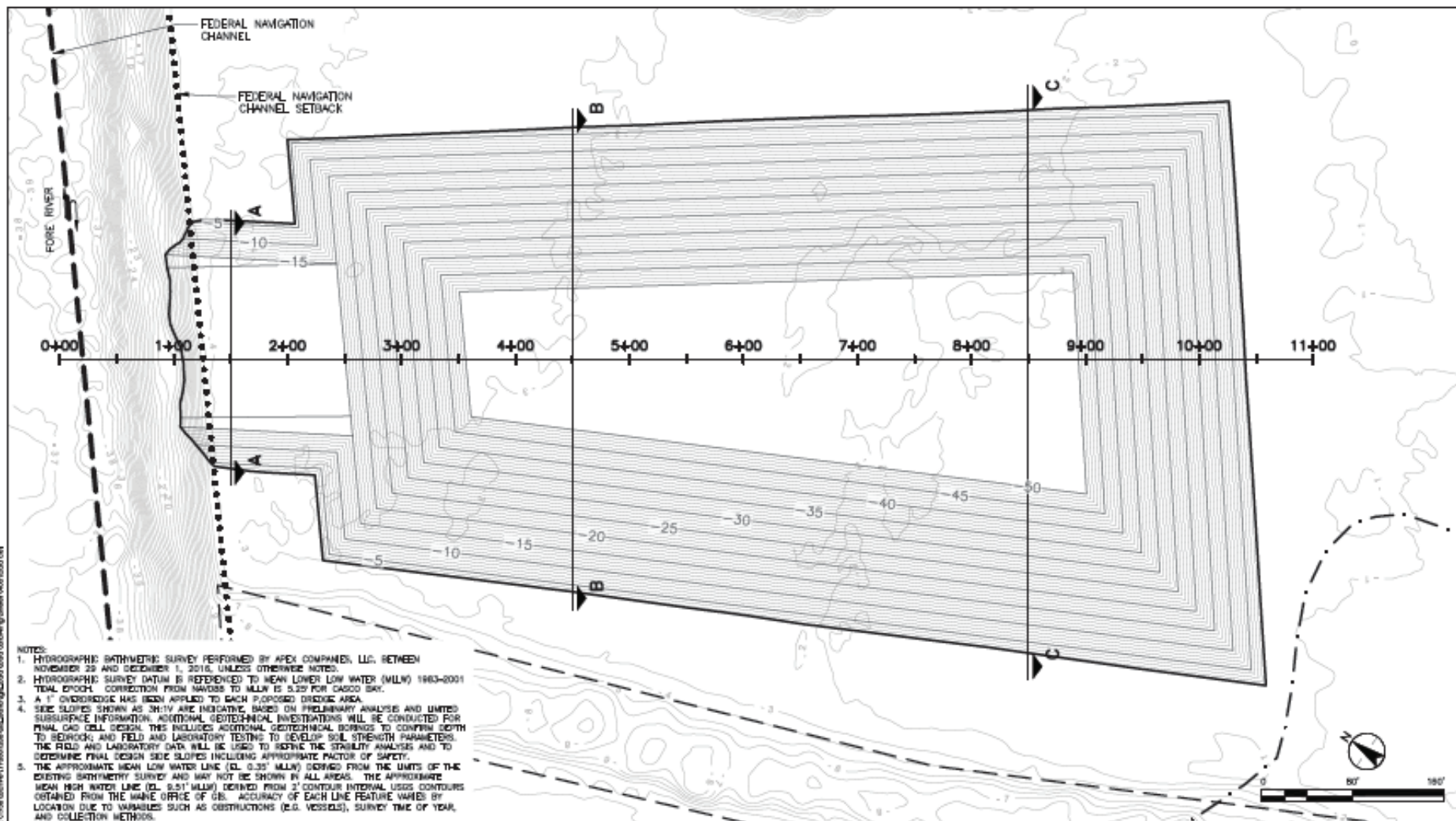




## CAD Site







- NOTES:
1. HYDROGRAPHIC BATHYMETRIC SURVEY PERFORMED BY APEX COMPANIES, LLC, BETWEEN NOVEMBER 28 AND DECEMBER 1, 2018. UNLESS OTHERWISE NOTED.
  2. HYDROGRAPHIC SURVEY DATUM IS REFERENCED TO MEAN LOWER LOW WATER (MLLW) 1983-2001 TIDAL EPOCH. CORRECTION FROM NAVD83 TO MLLW IS 5.35' FOR CASCO BAY.
  3. A 1" OVERSLOPE HAS BEEN APPLIED TO EACH PROPOSED DREDGE AREA.
  4. SIDE SLOPES SHOWN AS SHOWN ARE INDICATIVE BASED ON PRELIMINARY ANALYSES AND LIMITED SUBSURFACE INFORMATION. ADDITIONAL GEOTECHNICAL INVESTIGATIONS WILL BE CONDUCTED FOR FINAL CAD CELL DESIGN. THIS INCLUDES ADDITIONAL GEOTECHNICAL BORINGS TO CONFIRM SOFT TO BEDROCK, AND FIELD AND LABORATORY TESTING TO DEVELOP SOIL STRENGTH PARAMETERS. THE FIELD AND LABORATORY DATA WILL BE USED TO REFINE THE STABILITY ANALYSES AND TO DETERMINE FINAL DESIGN SIDE SLOPES INCLUDING APPROPRIATE FACTOR OF SAFETY.
  5. THE APPROXIMATE MEAN LOW WATER LINE (CL. 0.35' MLLW) DERIVED FROM THE UNITS OF THE EXISTING BATHYMETRIC SURVEY AND MAY NOT BE SHOWN IN ALL AREAS. THE APPROXIMATE MEAN HIGH WATER LINE (CL. 9.51' MLLW) DERIVED FROM 2" CONTOUR INTERVAL USGS CONTOURS OBTAINED FROM THE NAVAL OFFICE OF GIS. ACCURACY OF EACH LINE FEATURE VARIES BY LOCATION DUE TO VARIABLES SUCH AS OBSTRUCTIONS (E.G. VESSELS), SURVEY TIME OF YEAR, AND COLLECTION METHODS.



Stantec Consulting Services Inc.  
30 Park Drive  
Portland ME 04106-1707  
Tel (207) 728-1199  
www.stantec.com

**FOR PERMITTING  
PURPOSES ONLY  
NOT FOR CONSTRUCTION**

#### Legend

- 2- 1" BATHYMETRIC CONTOUR
- 15- 1" PROPOSED DREDGE CONTOUR
- THE MAP PARCEL LINE
- THE MAP PARCEL NUMBER
- APPROXIMATE SURFACED LANDS REGULATORY UNIT (RLU)
- APPROXIMATE MEAN LOW WATER
- APPROXIMATE MEAN HIGH WATER

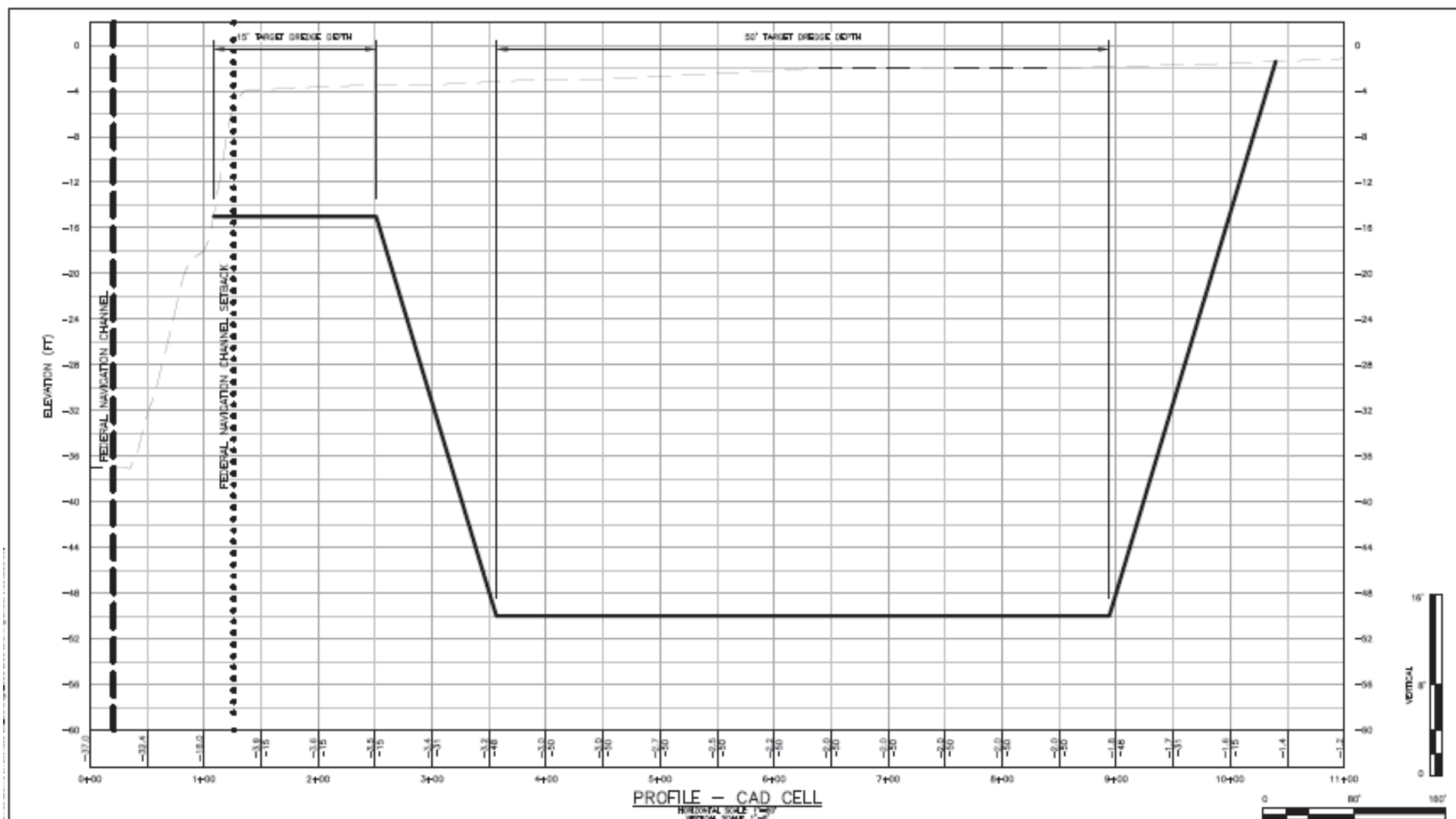
Client/Project  
**City of Portland**  
**Portland Harbor**  
**CAD Cell Project**

Project No.  
195601208

Title  
**Proposed CAD Cell**  
**Grading Plan**

|                 |            |
|-----------------|------------|
| Revision        | Date       |
|                 | 2019.12.02 |
| Reference Sheet | Figure No. |
|                 | 2          |





Stantec Consulting Services Inc.  
 30 Park Drive  
 Topsham ME 04865-1737  
 Tel: (207) 724-1199  
 www.stantec.com

**FOR PERMITTING  
 PURPOSES ONLY  
 NOT FOR CONSTRUCTION**

**NOTES:**

1. HYDROGRAPHIC BATHYMETRIC SURVEY PERFORMED BY APEX COMPANIES, LLC. BETWEEN NOVEMBER 29, 2018 THROUGH DECEMBER 1, 2018.
2. HYDROGRAPHIC SURVEY DATUM IS REFERENCED TO MEAN LOWER LOW WATER (MLLW) 1985-2001 TIDAL EPOCH. THE CORRECTION FROM NAVD83 TO MLLW IS 5.25 FEET FOR CASCO BAY.
3. AN ADDITIONAL 1' OVERDREDGE HAS BEEN APPLIED TO EACH PROPOSED DREDGE AREA.
4. SEE SLOPES SHOWN AS 3H:1V ARE INDICATIVE BASED ON PRELIMINARY ANALYSIS AND LIMITED SUBSURFACE INFORMATION. ADDITIONAL GEOTECHNICAL INVESTIGATIONS WILL BE CONDUCTED FOR FINAL CAD CELL DESIGN. THIS INCLUDES ADDITIONAL GEOTECHNICAL BORINGS TO CONFIRM DEPTH TO BEDROCK AND FIELD AND LABORATORY TESTING TO DEVELOP SOIL STRENGTH PARAMETERS. THE FIELD AND LABORATORY DATA WILL BE USED TO REFINE THE STABILITY ANALYSIS AND TO DETERMINE FINAL DESIGN SIDE SLOPES INCLUDING APPROPRIATE FACTOR OF SAFETY.

**Legend**

- — — — — EXISTING BATHYMETRY
- — — — — PROPOSED TARGET DREDGE DEPTH

Client/Owner  
**City of Portland**  
 Portland Harbor  
 CAD Cell Project

Project No.  
 195601208

Title  
**Proposed CAD Cell  
 Profile**

|                 |            |
|-----------------|------------|
| Revision        | Date       |
|                 | 2019.12.02 |
| Reference Sheet | Figure No. |
|                 | 3          |



# Funding Expectations

Total Project Costs:    +/- \$30,000,000

## *Anticipated Sources:*

- Federal Grants (BUILD or TIGER) \$24,000,000
- State Transportation Funds –Up to \$5mill in MDOT Workplan. Will be allocated on a 1 to 1 basis
- Local “tipping fees” based on sediment volume
- State assisted with BUILD grant application for the last round – Local governments contributing 50%
- 2021 Grant writing costs: \$50,000 – proposed to be shared with South Portland and State of Maine
- City of Portland Tipping Fees could range from \$650,000 to \$1.3 mill depending on fee and volume

# **Project Schedule - Tentative**

- **Permit submittals- December 2019**
- **Permits received- Dec-2020 to Feb 2021.**  
**MeDEP permits have been issued. ACOE, any day**
- **BUILD grant Notice – by April 2021**
- **BUILD grant application due – July 2021**
- **BUILD award - by Sept 2021**
- **100% design and bidding- winter 2021/2022**
- **CAD construction – winter 2022/2023**
- **Harbor dredging- 2023-2027**

# Questions?



**MEMORANDUM**  
**City Council Agenda Item**

**FROM:**

**DATE:** June 3, 2021

**SUBJECT:** Order 283-20/21 Appointing Constables for the Jetport and the Fire Department -  
Sponsored by Jon P. Jennings, City Manager

**SPONSOR:**

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

**COUNCIL MEETING DATE ACTION IS REQUESTED:**

**1st Reading**

**Final Action**

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

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

**I. SUMMARY**

**II. AGENDA DESCRIPTION**

This order appoints Chris Bellefeuille at the Portland International Jetport and Jon Belanger at the Portland Fire Department constables for the 2021 calendar year.

These constables are not allowed to carry a firearm, concealed or unconcealed, in the performance of duties, or to make arrests or issue parking tickets.

Five affirmative votes are required for passage after public comment.

**III. BACKGROUND**

**IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED**

**V. FINANCIAL IMPACT**

**VI. STAFF ANALYSIS AND BACKGROUND**

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

**VII. RECOMMENDATION**

**VIII. LIST ATTACHMENTS**

1. Constable for the Jetport and Fire Dept. 6.7.2021

Prepared by:

Date: 6/3/2021

KATE SNYDER (MAYOR)  
BELINDA S. RAY (1)  
SPENCER R. THIBODEAU (2)  
TAE Y. CHONG (3)  
ANDREW ZARRO (4)

**CITY OF PORTLAND  
IN THE CITY COUNCIL**

MARK DION (5)  
APRIL D. FOURNIER(A/L)  
PIOUS ALI (A/L)  
NICHOLAS M. MAVODONES, JR (A/L)

**ORDER APPOINTING CONSTABLES  
FOR THE JETPORT AND THE FIRE DEPARTMENT**

**ORDERED**, that Chris Bellefeuille at the Portland International Jetport is hereby appointed constable for the 2021 calendar year; and

**BE IT FURTHER ORDERED**, that Jon Belanger at the Portland Fire Department is hereby appointed constable for the 2021 calendar year; and

**BE IT FURTHER ORDERED**, that this appointments shall be effective from the effective date of this order until 12:00 midnight, December 31, 2021; and

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



**MEMORANDUM**  
**City Council Agenda Item**

**FROM:**

**DATE:** May 7, 2021

**SUBJECT:** Order 266-20/21 Granting Municipal Officers' Approval of Washington Baths LLC dba Washington Baths. Application for a Class III & IV FSE with Outdoor Dining on Private Property at 145 Washington Avenue - Sponsored by Jon P. Jennings, City Manager

**SPONSOR:**

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

**COUNCIL MEETING DATE ACTION IS REQUESTED:**

**1st Reading**

**Final Action**

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

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

**I. SUMMARY**

**II. AGENDA DESCRIPTION**

Application was filed on 5/3/2021. New City applications. Applicant currently holds a Class III & IV FSE at this location.

Five affirmative votes are required for passage after public comment.

**III. BACKGROUND**

**IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED**

**V. FINANCIAL IMPACT**

**VI. STAFF ANALYSIS AND BACKGROUND**

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

**VII. RECOMMENDATION**

**VIII. LIST ATTACHMENTS**

1. Washington BathsOD
2. 20210514095558759

Prepared by:

Date: 5/7/2021

KATHLEEN M SNYDER (MAYOR)  
BELINDA S. RAY (1)  
SPENCER R. THIBODEAU (2)  
TAE Y. CHONG (3)  
ANDREW J. ZARRO (4)

**CITY OF  
PORTLAND**  
IN THE CITY COUNCIL

MARK N. DION (5)  
APRIL FOURNIER (A/L)  
PIOUS ALI (A/L)  
NICHOLAS M. MAVODONES, JR (A/L)

ORDER  
GRANTING MUNICIPAL OFFICERS'  
APPROVAL OF:

**Washington Baths LLC dba Washington Baths. Application for a Class III & IV FSE with  
Outdoor Dining on Private Property at 145 Washington Avenue**

Henry Smith  
42 Morning St., Apt. 2  
Portland, ME 04101  
henry@washingtonbaths.com

April 17, 2021

Mayor Snyder and Members of City Council  
389 Congress Street  
Portland, ME 04101

Dear Mayor Snyder and Members of the Portland City Council:

I respectfully write to request issuance of a new Outdoor Dining on Private Property License for use at Washington Baths LLC, a forthcoming business located at the following address:

145 Washington Avenue  
Portland, ME 04101

Intent for acquisition of this license is based upon the business' role as a community center and social gathering environment for the city of Portland.

Washington Baths is primarily a public sauna. The operating spaces of the business include two locker rooms, two saunas, a lounge space, a courtyard with a cold plunge and a hot pool, and two massage rooms. The back of house contains an office and small commercial kitchen.

A limited menu of food and beverages is to be offered that is intended to supplement the other functions of the space. In addition to beer and wine will be offered prepared snacks and drinks including but not limited to coffee, tea, potato chips, dumplings, pickles, and soups.

If there are any questions or concerns, please do not hesitate to be in touch with either myself (henry@washingtonbaths.com or 413-281-1924) or the owner, Asher Woodworth (asher@washingtonbaths.com or 207-332-4911).

Sincerely,

Henry Smith  
Manager, Washington Baths



**CITY OF PORTLAND**  
**Permitting and Inspections Department**  
**Outdoor Dining Permit on Private Property**  
**Supplemental Application**

License accompanies a City of Portland Food Service Establishment or Food Service Establishment with Liquor License

☒ Outdoor Dining on Private Property \$125.00    ☒ Legal Advertisement Deposit \$100.00

|                               |                           |                |              |        |              |
|-------------------------------|---------------------------|----------------|--------------|--------|--------------|
| <b>Business Information</b>   |                           |                |              |        |              |
| Business Name (d/b/a):        | Washington Baths          | Phone:         | 207-253-1555 |        |              |
| Location Address:             | 145 Washington Ave.       | Zip:           | 04101        |        |              |
| Mailing Address:              | " "                       | Zip:           |              |        |              |
| Contact Person:               | Henry Smith               | Phone:         | 413-281-1924 |        |              |
| Contact Person Email:         | henry@washingtonbaths.com |                |              |        |              |
| Manager of Establishment:     | Henry Smith               | Date of Birth: | 9/5/86       | Phone: | 413-281-1924 |
| Owner of Premises (Landlord): | Asher Woodworth           |                |              |        |              |
| Address of Premises Owner:    | 145 Washington Ave.       | Zip:           | 04101        |        |              |

**Owner Information**

|                           |                 |                                  |                          |
|---------------------------|-----------------|----------------------------------|--------------------------|
| <b>Corporate Name</b>     |                 | <b>Corporate Mailing Address</b> |                          |
| Akasha 155                |                 | 145 Washington Ave. Zip: 04101   |                          |
| Contact Person:           | Asher Woodworth | Phone:                           | 207-332-4911             |
| <b>Principal Officers</b> | <b>Title</b>    | <b>Date of Birth</b>             | <b>Residence Address</b> |
|                           |                 |                                  |                          |
|                           |                 |                                  |                          |
|                           |                 |                                  |                          |
|                           |                 |                                  |                          |

EAST COVE STREET (PRIVATE)

WASHINGTON AVENUE

B-1 ZONE

R-4 ZONE

R-4 ZONE

R-4 ZONE

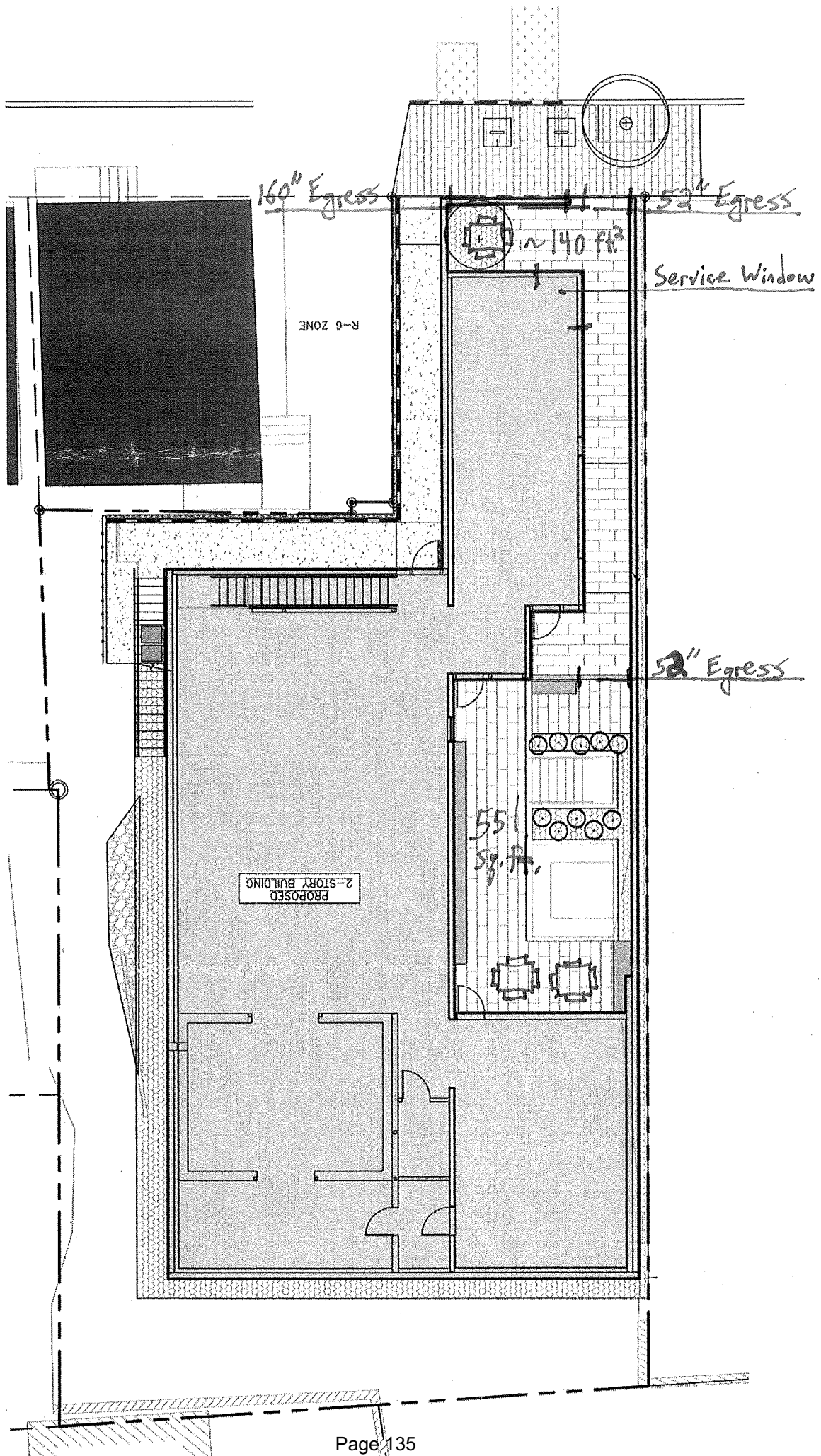
R-4 ZONE

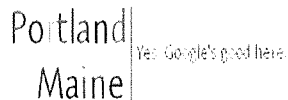
R-4 ZONE

WALNUT STREET

SCALE: 1" = 10'





**Jessica Hanscombe** <jhanscombe@portlandmaine.gov>

---

**Re: Washington Baths**

---

**Dan Hondo** <danh@portlandmaine.gov>

Tue, May 11, 2021 at 4:56 PM

To: Jessica Hanscombe &lt;jhanscombe@portlandmaine.gov&gt;

No issues on PD side

On Fri, May 7, 2021 at 1:03 PM Jessica Hanscombe &lt;jhanscombe@portlandmaine.gov&gt; wrote:

Good Afternoon

Please see the attached application. This is to ADD Outdoor Dining to their license. This will go before council on 6/7/2021. Please advise Jessica

Jessica Blais Hanscombe  
Director of Permitting and Inspections  
City of Portland  
389 Congress Street  
Portland, Maine 04101  
207-874-8783  
jhanscombe@portlandmaine.gov

--

Lt. Dan Hondo  
Portland Maine Police Dept.  
Patrol Team B3/B4  
(207)874-8513



**CITY OF PORTLAND**  
**Permitting and Inspections Department**

May 10, 2021

Washington Baths LLC  
145 Washington Avenue  
Portland, ME 04101

**Re: Washington Baths LLC dba Washington Baths. Application for a Class III & IV FSE with Outdoor Dining on Private Property at 145 Washington Avenue**

Dear Henry Smith,

This letter shall serve as a reminder of the public hearing before the Portland City Council on **Monday June 7, 2021 at 5:00 p.m.**, for the review of application for a Class III & IV FSE with Outdoor Dining on Private Property at 145 Washington Avenue. The meeting will take place virtually. The link can be found on the Meeting Agenda which will be posted on the City Website on June 4, 2021.

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

Please contact our office directly with questions at (207) 874-8557 or [bl@portlandmaine.gov](mailto:bl@portlandmaine.gov).

Sincerely,

Jessica Hanscombe  
Director of Permitting and Inspections

## **Legal Advertisement**

### **Notice of Public Hearing City of Portland**

A Public Hearing will be held on June 7, 2021 at 5:00 P.M., virtually Washington Baths LLC dba Washington Baths. Application for a Class III & IV FSE with Outdoor Dining on Private Property at 145 Washington Avenue. Sponsored by Jon P. Jennings, City Manager.

**MEMORANDUM**  
**City Council Agenda Item**

**FROM:**

**DATE:** May 7, 2021

**SUBJECT:** Order 267-20/21 Granting Municipal Officers' Approval of LB Kitchen LLC dba LB Kitchen. Application for a Class III & IV FSE with Outdoor Dining on Private Property and Public Property at 249 Congress Street - Sponsored by Jon P. Jennings, City Manager

**SPONSOR:**

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

**COUNCIL MEETING DATE ACTION IS REQUESTED:**

**1st Reading**

**Final Action**

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

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

**I. SUMMARY**

**II. AGENDA DESCRIPTION**

Application was filed on 5/5/2021. New City applications. Applicant currently holds a Class III & IV FSE with Outdoor Dining on Private Property at this location.

Five affirmative votes are required for passage after public comment.

**III. BACKGROUND**

**IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED**

**V. FINANCIAL IMPACT**

**VI. STAFF ANALYSIS AND BACKGROUND**

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

**VII. RECOMMENDATION**

**VIII. LIST ATTACHMENTS**

1. LB Kitchen
2. 20210514095629551

Prepared by:

Date: 5/7/2021



KATHLEEN M SNYDER (MAYOR)  
BELINDA S. RAY (1)  
SPENCER R. THIBODEAU (2)  
TAE Y. CHONG (3)  
ANDREW J. ZARRO (4)

**CITY OF  
PORTLAND**  
IN THE CITY COUNCIL

MARK N. DION (5)  
APRIL FOURNIER (A/L)  
PIOUS ALI (A/L)  
NICHOLAS M. MAVODONES, JR (A/L)

ORDER  
GRANTING MUNICIPAL OFFICERS'  
APPROVAL OF:

**LB Kitchen LLC dba LB Kitchen. Application for a Class III & IV FSE with Outdoor Dining on Private Property and Public Property at 249 Congress Street.**

Bryna Gootkind  
LB Kitchen, LLC  
249 Congress St.  
Portland, ME 04101

3/31/21

Mayor Kate Snyder  
City Hall  
389 Congress St.  
Portland, ME 04101

Dear Mayor Snyder and City Council,

This is a letter of intent that is requesting city permits for LB Kitchen to provide outdoor seating for our restaurant at 249 Congress Street Portland, Maine 04101. This outdoor space will serve food, beer and wine 7 days a week from 8AM – 5PM.

Thank you for your consideration.

Bryna Gootkind



**CITY OF PORTLAND**  
**Permitting and Inspections Department**  
**Outdoor Dining Permit on Public Property**  
**Supplemental Application**

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

|                                                                                                                                             |
|---------------------------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Legal Advertisement Deposit \$100.00                                                                    |
| <input checked="" type="checkbox"/> Outdoor Dining on Public Property \$84.00 plus \$2.00 per Square foot \$2.00 X <u>48</u> SF = <u>96</u> |
| <input type="checkbox"/> Outdoor Dining on Public Property in a City Park \$84.00 plus \$6.30 per Square foot \$6.30 X _____ SF = _____     |

| Business Information          |                                                                                       |
|-------------------------------|---------------------------------------------------------------------------------------|
| Business Name (d/b/a):        | LB KITCHEN LLC Phone: 207 775 2695                                                    |
| Location Address:             | 249 CONGRESS ST. PORTLAND, ME Zip: 04101                                              |
| Mailing Address:              | 249 CONGRESS ST PORTLAND ME Zip: 04101                                                |
| Contact Person:               | BRYNA GOOTKIND Phone: 978.207.9151                                                    |
| Contact Person Email:         | BRYNA@LBKITCHENPORTLANDME.COM                                                         |
| Manager of Establishment:     | BRYNA Date of Birth: 09.02.80 Phone: 978.207.9151                                     |
| Owner of Premises (Landlord): | BRYNA GOOTKIND + LEE PARRINGTON                                                       |
| Address of Premises Owner:    | <del>BRYNA GOOTKIND + LEE PARRINGTON</del> Zip: 2 HIGH BLUFF LN. SCARBOROUGH ME 04074 |

**Owner Information**

| Corporate Name     |                | Corporate Mailing Address               |                                      |
|--------------------|----------------|-----------------------------------------|--------------------------------------|
| LB KITCHEN LLC     |                | 249 CONGRESS ST. PORTLAND ME Zip: 04101 |                                      |
| Contact Person:    | BRYNA GOOTKIND | Phone:                                  | 978.207.9151                         |
| Principal Officers | Title          | Date of Birth                           | Residence Address                    |
| LEE PARRINGTON     | OWNER          | 1.16.69                                 | 2 HIGH BLUFF LN SCARBOROUGH ME 04074 |
| KIMMY WEBER        | MANAGER        | 4.12.91                                 | 110 KENNEDY DRIVE PORTLAND ME 04103  |
|                    |                |                                         |                                      |
|                    |                |                                         |                                      |

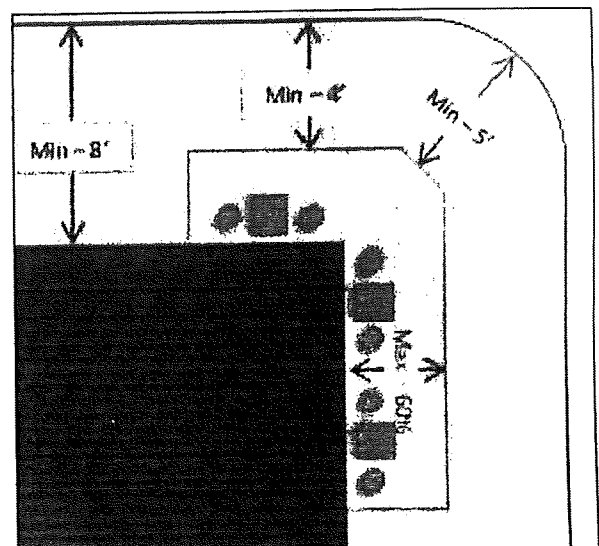


**CITY OF PORTLAND**  
**Permitting and Inspections Department**

|                                        |                                            |
|----------------------------------------|--------------------------------------------|
| Class of License:                      | CLASS III + IV                             |
| Type of food served:                   | BBQAY FAST + LUNCH HEALTH FOOD + SMOOTHIES |
| Please circle all that will be served: | Beer    Wine    Liquor                     |
| Hours & days of operation:             | 8-5 Mon-Sun                                |
| Number of Tables                       | 4-8                                        |
| Number of Chairs                       | 8-16                                       |

**Design and Construction**

| Existing Sidewalk Width<br>(property line to curb) | Sidewalk Dining Allowed? |
|----------------------------------------------------|--------------------------|
| < 8'0"                                             | No                       |
| ≥ 8'0"                                             | Yes – up to 60% of       |
| Sidewalk Type                                      | Sidewalk Passage Width   |
| Standard sidewalk                                  | 4'0"                     |
| Street corner                                      | 5'0"                     |

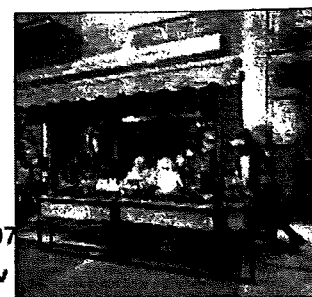
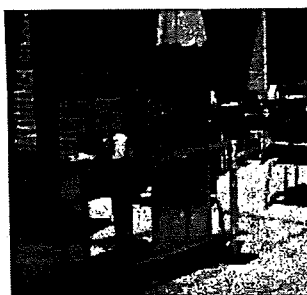


- Outdoor dining area shall not exceed 60% of the sidewalk width.
- A continuous, unobstructed sidewalk passage of 4 feet from the outer boundary of the seating area to the curb must be maintained. If the passage is not straight due to existing obstacles, then additional width may be required. Any changes to existing straight passage is at the discretion of the City.
- Egress must be maintained free of obstruction.
- Permanent fixtures, such as awnings, require a building permit separate from the Outdoor Dining permit and subject to approval by the Building Authority.
- Umbrellas do not require a permit.
- Umbrellas must be secured and maintain the height clearance for sidewalk passage.

**Barriers**

- If barriers are proposed, they must be free-standing. Physical attachments to a building are not allowed.
- Stanchions and ropes are encouraged. Sectional fencing is allowed with a high degree of visual transparency (at least 50% open). Solid or opaque barriers are not allowed.
- Shall not exceed 42" in height and may not include commercial signage.

Example barrier types that meet regulation



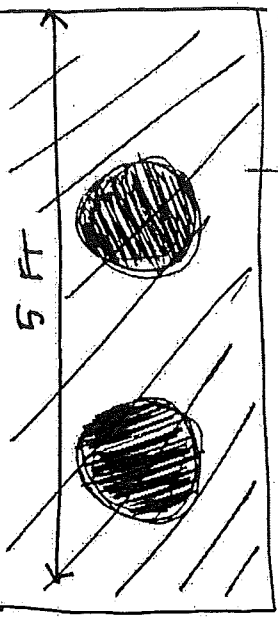
NEIGHBORING  
BUILDING

249 CONGRESS STREET

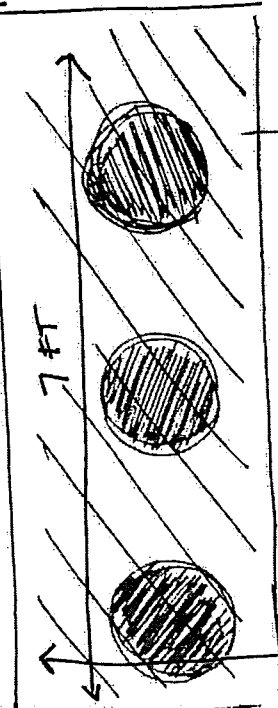
DOOR

US KITCHEN

NEIGHBORING  
BUILDING



5x4 / 20 sq ft



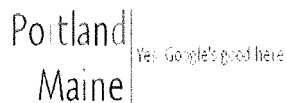
7x4 / 28 sq ft

7 feet 8 in

7 feet 8 in

11 feet 8 inches

CONGRESS STREET



Jessica Hanscombe <jhanscombe@portlandmaine.gov>

---

## Re: LB Kitchen

---

Dan Hondo <danh@portlandmaine.gov>

Tue, May 11, 2021 at 4:55 PM

To: Jessica Hanscombe <jhanscombe@portlandmaine.gov>

No issues on PD side

On Fri, May 7, 2021 at 2:39 PM Jessica Hanscombe <jhanscombe@portlandmaine.gov> wrote:

Good Afternoon

Attached is an application to add Outdoor Dining on Public Property. This will go before council on 6/7/2021. Please advise. Thanks Jessica

Jessica Blais Hanscombe  
Director of Permitting and Inspections  
City of Portland  
389 Congress Street  
Portland, Maine 04101  
207-874-8783  
jhanscombe@portlandmaine.gov

--

Lt. Dan Hondo  
Portland Maine Police Dept.  
Patrol Team B3/B4  
(207)874-8513



**CITY OF PORTLAND**  
**Permitting and Inspections Department**

May 10, 2021

LB Kitchen  
249 Congress Street  
Portland, ME 04101

**Re: LB Kitchen LLC dba LB Kitchen. Application for a Class III & IV FSE with Outdoor Dining on Private Property and Public Property at 249 Congress Street**

Dear Bryna Gootkind

This letter shall serve as a reminder of the public hearing before the Portland City Council on **Monday June 7, 2021 at 5:00 p.m.**, for the review of application for a Class III & IV FSE with Outdoor Dining on Private and Public Property at 249 Congress Street. The meeting will take place virtually. The link can be found on the Meeting Agenda which will be posted on the City Website on June 4, 2021.

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

Please contact our office directly with questions at (207) 874-8557 or [bl@portlandmaine.gov](mailto:bl@portlandmaine.gov).

Sincerely,

Jessica Hanscombe  
Director of Permitting and Inspections



## **Legal Advertisement**

### **Notice of Public Hearing City of Portland**

A Public Hearing will be held on June 7, 2021 at 5:00 P.M., virtually LB Kitchen LLC dba LB Kitchen. Application for a Class III & IV FSE with Outdoor Dining on Private Property and Public Property at 249 Congress Street. Sponsored by Jon P. Jennings, City Manager.

**MEMORANDUM**  
**City Council Agenda Item**

**FROM:**

**DATE:** May 10, 2021

**SUBJECT:** Order 268-20/21 Granting Municipal Officers' Approval of NPCC LLC dba Aloft Hotel Portland. Application for a Class IA FSE at 379 Commercial Street - Sponsored by Jon P. Jennings, City Manager

**SPONSOR:**

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

**COUNCIL MEETING DATE ACTION IS REQUESTED:**

**1st Reading**

**Final Action**

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

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

**I. SUMMARY**

**II. AGENDA DESCRIPTION**

Application was filed on 5/3/2021. New City and State applications.

Five affirmative votes are required for passage after public comment.

**III. BACKGROUND**

**IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED**

**V. FINANCIAL IMPACT**

**VI. STAFF ANALYSIS AND BACKGROUND**

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

**VII. RECOMMENDATION**

**VIII. LIST ATTACHMENTS**

1. Aloft Hotel Portland
2. 20210525091127660

Prepared by:

Date: 5/10/2021



KATHLEEN M SNYDER (MAYOR)  
BELINDA S. RAY (1)  
SPENCER R. THIBODEAU (2)  
TAE Y. CHONG (3)  
ANDREW J. ZARRO (4)

**CITY OF  
PORTLAND**  
IN THE CITY COUNCIL

MARK N. DION (5)  
APRIL FOURNIER (A/L)  
PIOUS ALI (A/L)  
NICHOLAS M. MAVODONES, JR (A/L)

**ORDER  
GRANTING MUNICIPAL OFFICERS'  
APPROVAL OF:**

**NPCC LLC dba Aloft Hotel Portland. Application for a Class IA FSE at 379 Commercial Street.**

Bill Hagen  
Aloft Hotel Portland  
379 Commercial Street,  
Portland ME 04101

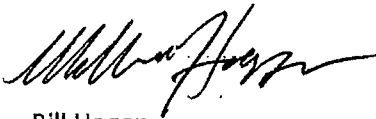
April 13, 2021

Greetings Mayor Snyder and members of the Portland City Council,

This is a letter of intent from Bill Hagen to obtain a liquor license for The Aloft Hotel Portland, located at 379 Commercial Street in downtown Portland. This hotel will have 157 guest rooms, a small conference room, a limited grab and go breakfast area, and a bar with limited bar tapas menu.

I am looking to acquire a liquor license for the hotel to allow us to serve our guests and the local visiting public. The hotel is a sassy Marriott lifestyle brand and we are very excited to join the Portland downtown community.

Thank you for your time and consideration,

A handwritten signature in black ink, appearing to read 'Bill Hagen', with a stylized, cursive script.

Bill Hagen

General Manager



**CITY OF PORTLAND**

**Permitting and Inspections Department**

**Application for Food Service Establishment with Alcoholic Beverages License**

|                                             |                                    |                           |                     |
|---------------------------------------------|------------------------------------|---------------------------|---------------------|
| <b>Business Information</b>                 |                                    |                           |                     |
| Business Name (d/b/a):                      | Aloft Hotel Portland               | Phone:                    | 207-761-6000        |
| Location Address:                           | 379 Commerical Street, Portland ME |                           | Zip: 04101          |
| If new, what was formerly at this location: |                                    |                           |                     |
| Mailing Address:                            | 379 Commerical Street, Portland ME |                           | Zip: 04101          |
| Contact Person:                             | Bill Hagen                         | Phone:                    | 207-216-2261        |
| Contact Person Email:                       | bhagen@pyramidhotelgroup.com       |                           |                     |
| Manager of Establishment:                   | Bill Hagen                         | Date of Birth: 09/08/1989 | Phone: 207-216-2261 |
| Owner of Premises (Landlord):               |                                    |                           |                     |
| Address of Premises Owner:                  |                                    |                           | Zip:                |

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

| Name of Owner(s) | Date of Birth | Residence Address |
|------------------|---------------|-------------------|
|                  |               |                   |
|                  |               |                   |

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

|                           |                   |                                  |                                        |
|---------------------------|-------------------|----------------------------------|----------------------------------------|
| <b>Corporate Name</b>     |                   | <b>Corporate Mailing Address</b> |                                        |
| NPCC LLC                  |                   | PO BOX 1383 Sanibel, FL 33957    |                                        |
| Contact Person:           | David Leatherwood | Phone:                           | 239-395-0453                           |
| <b>Principal Officers</b> |                   |                                  |                                        |
|                           | <b>Title</b>      | <b>Date of Birth</b>             | <b>Residence Address</b>               |
| David Leatherwood         | Managing Member   | 11/28/1961                       | 4257 West Gulf Drive, Sanibel FL 33957 |
|                           |                   |                                  |                                        |
|                           |                   |                                  |                                        |
|                           |                   |                                  |                                        |
| Class of Liquor License:  |                   | Hotel - Food Optional (I-A)      |                                        |

389 Congress Street, Room 307 • Portland, Maine 04101 • 207-874-8557

bl@portlandmaine.gov • www.portlandmaine.gov



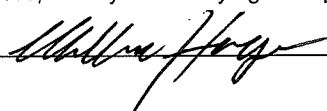
**CITY OF PORTLAND**  
**Permitting and Inspections Department**

|                                                                                                                                     |                                                                      |                                    |
|-------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------|------------------------------------|
| Type of food served:                                                                                                                | Small bites / Bar bites / Breakfast grab and go                      |                                    |
| Please circle all that will be served:                                                                                              | <u>Beer</u> <u>Wine</u> <u>Liquor</u>                                |                                    |
| Projected percentage of sales:                                                                                                      | Generated from Food: <u>25%</u>                                      | Generated from Alcohol: <u>75%</u> |
| Hours & days of operation:                                                                                                          | Sun - Thur 3pm - 10pm / Fri-Sat 3pm-11pm / Breakfast Daily 7am -10am |                                    |
| <b>QUESTIONS</b>                                                                                                                    |                                                                      | <b>Y/N</b>                         |
| Will full-course meals, only capable of consumption with the use of tableware, be served the entire time the establishment is open? |                                                                      | Y <u>(N)</u>                       |
| If No, please explain: <u>Small bites and Grab and go Primary Food served</u>                                                       |                                                                      |                                    |
| Is the establishment less than 300 feet from a school, dormitory, church or parish house, or similar establishment?                 |                                                                      | Y <u>(N)</u>                       |
| If yes, give the distance:                                                                                                          |                                                                      |                                    |
| Will you have entertainment on the premises? (If yes, a Supplemental Application for Entertainment is required.)                    |                                                                      | Y <u>(N)</u>                       |
| Will you permit dancing after 1:00 a.m.?                                                                                            |                                                                      | Y <u>(N)</u>                       |
| Will you have outside dining? (If yes, an Outdoor Dining Application is required)                                                   |                                                                      | Y <u>(N)</u>                       |
| If yes, will the outside dining be on PUBLIC or PRIVATE property (circle one).                                                      |                                                                      |                                    |
| Will you have any amusement devices (pinball, video games, juke box)?                                                               |                                                                      | Y <u>(N)</u>                       |
| If yes, please list: # of pinball machines: _____ # of amusements: _____ # of pool tables: _____                                    |                                                                      |                                    |
| What is your targeted opening date?                                                                                                 |                                                                      | <u>06/15/21</u>                    |
| Does the Issuance of this license directly or indirectly benefit any City employee(s)?                                              |                                                                      | Y <u>(N)</u>                       |
| If Yes, list name(s) of employee(s) and department(s):                                                                              |                                                                      |                                    |
| Have any of the applicants, including the corporation (if applicable), ever held a business license with the City of Portland?      |                                                                      | <u>(Y)</u> N                       |
| If Yes, please list business name(s) and location(s):<br><u>AC Hotel Portland, 158 Fore Street, Portland ME 04101</u>               |                                                                      |                                    |
| Is any principal officer under the age of 21?                                                                                       |                                                                      | Y <u>(N)</u>                       |
| Have applicant, partners, associates, or corporate officers ever been arrested, indicted, or convicted for any violation of law?    |                                                                      | Y <u>(N)</u>                       |
| If Yes, please explain:                                                                                                             |                                                                      |                                    |

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

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

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

Signature  Title GM Date 04/13/21

389 Congress Street, Room 307 • Portland, Maine 04101 • 207-874-8557

bl@portlandmaine.gov • www.portlandmaine.gov





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

**Application for an On-Premises License**

*All Questions Must Be Answered Completely. Please print legibly.*

| Division Use Only                                                        |     |
|--------------------------------------------------------------------------|-----|
| License No:                                                              |     |
| Class:                                                                   | By: |
| Deposit Date:                                                            |     |
| Amt. Deposited:                                                          |     |
| Payment Type:                                                            |     |
| OK with SOS:    Yes <input type="checkbox"/> No <input type="checkbox"/> |     |

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

|                                                                                           |                                                                                                    |
|-------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------|
| Legal Business Entity Applicant Name (corporation, LLC):<br>NPCC LLC                      | Business Name (D/B/A):<br>Aloft Hotel Portland                                                     |
| Individual or Sole Proprietor Applicant Name(s):                                          | Physical Location:<br>379 Commercial Street, Portland ME 04101                                     |
| Individual or Sole Proprietor Applicant Name(s):                                          | Mailing address, if different:                                                                     |
| Mailing address, if different from DBA address:<br>PO Box 1383 Sanibel, FL 33957          | Email Address:<br>bhagen@pyramidhotelgroup.com                                                     |
| Telephone #                      Fax #:<br>239-395-0453                      603-643-2209 | Business Telephone #                      Fax #:<br>207-761-6000                      207-761-6489 |
| Federal Tax Identification Number:<br>61-1759588                                          | Maine Seller Certificate # or Sales Tax #:                                                         |
| Retail Beverage Alcohol Dealers Permit:                                                   | Website address:                                                                                   |

1. New license or renewal of existing license?    ☒ New                      Expected Start date: 06/15/2021

☐ Renewal                      Expiration Date: \_\_\_\_\_

2. The dollar amount of gross income for the licensure period that will end on the expiration date above:

Food: \_\_\_\_\_ Beer, Wine or Spirits: \_\_\_\_\_ Guest Rooms: \_\_\_\_\_

3. Please indicate the type of alcoholic beverage to be sold: (check all that apply)

☒ Malt Liquor (beer)    ☒ Wine    ☒ Spirits

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

- |                                                                                                                    |                                                                          |                                                       |
|--------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------|-------------------------------------------------------|
| <input type="checkbox"/> Restaurant<br>(Class I, II, III, IV)                                                      | <input type="checkbox"/> Class A Restaurant/Lounge<br>(Class XI)         | <input type="checkbox"/> Class A Lounge<br>(Class X)  |
| <input type="checkbox"/> Hotel<br>(Class I, II, III, IV)                                                           | <input checked="" type="checkbox"/> Hotel – Food Optional<br>(Class I-A) | <input type="checkbox"/> Bed & Breakfast<br>(Class V) |
| <input type="checkbox"/> Golf Course (included optional licenses, please check if apply)<br>(Class I, II, III, IV) | <input type="checkbox"/> Auxiliary                                       | <input type="checkbox"/> Mobile Cart                  |
| <input type="checkbox"/> Tavern<br>(Class IV)                                                                      | <input type="checkbox"/> Other: _____                                    |                                                       |
| <input type="checkbox"/> Qualified Caterer                                                                         | <input type="checkbox"/> Self-Sponsored Events (Qualified Caterers Only) |                                                       |

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

5. Business records are located at the following address:

379 Commercial Street, Portland ME 04101

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

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

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

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

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

☐ Yes ☒ No

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

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

☐ Yes ☒ No

If yes, please provide details: \_\_\_\_\_

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

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

| Name of Business                    | License Number | Complete Physical Address          |
|-------------------------------------|----------------|------------------------------------|
| AC Hotel Portland                   | HOT-2018-10932 | 158 Fore Street, Portland ME 04101 |
| Owned by Portland Norwich Group LLC |                | David Leatherwood, Managing Member |

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

| Full Name                                               | DOB                                                     | Place of Birth |
|---------------------------------------------------------|---------------------------------------------------------|----------------|
| David Leatherwood                                       | 11/28/1961                                              | Pensacola, FL  |
| William Hagen                                           | 09/08/1989                                              | Orem, UT       |
|                                                         |                                                         |                |
|                                                         |                                                         |                |
| Residence address on all the above for previous 5 years |                                                         |                |
| Name<br>William Hagen                                   | Address:<br>1.) 41 Pine Street, South Portland ME 04106 |                |
| Name<br>David Leatherwood                               | Address:<br>1.) 4257 West Gulf Drive Sanibel, FL 33957  |                |
| Name<br>David Leatherwood                               | Address:<br>2.) 500 Sawgrass Place Sanibel, FL 33957    |                |
| Name<br>David Leatherwood                               | Address:<br>3.) 1224 Route 5 N Norwich, VT 05055        |                |

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

☐ Yes ☒ No

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

\_\_\_\_\_

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

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

Name: \_\_\_\_\_ Date of Conviction: \_\_\_\_\_

Offense: \_\_\_\_\_ Location: \_\_\_\_\_

Disposition: \_\_\_\_\_

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

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

Name: \_\_\_\_\_ Date of Conviction: \_\_\_\_\_

Offense: \_\_\_\_\_ Location: \_\_\_\_\_

Disposition: \_\_\_\_\_

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

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

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

\_\_\_\_\_

18. If you are applying for a liquor license for a Hotel or Bed & Breakfast, please provide the number of guest rooms available: 157.00

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

Lobby bar and restaurant seating - exterior patio seating (10 seats) Meeting rooms in hotel for banquets

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

Name: Holy Trinity Greek Orthodox Church

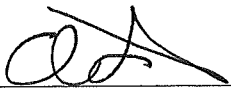
Distance: 0.40

## Section II: Signature of Applicant(s)

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

Please sign and date in blue ink.

Dated: 04/05/2021



Signature of Duly Authorized Person

David Leatherwood, Managing Member  
Printed Name Duly Authorized Person



Signature of Duly Authorized Person

William Hagen / GM  
Printed Name of Duly Authorized Person

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

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

*All Questions Must Be Answered Completely. Please print legibly.*

1. Exact legal name: NPCC LLC
2. Doing Business As, if any: Aloft Hotel Portland
3. Date of filing with Secretary of State: 03/03/2015 State in which you are formed: Delaware
4. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine:  
8/31/2018
5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors, managers, members or partners and the percentage ownership any person listed: (attached additional pages as needed)

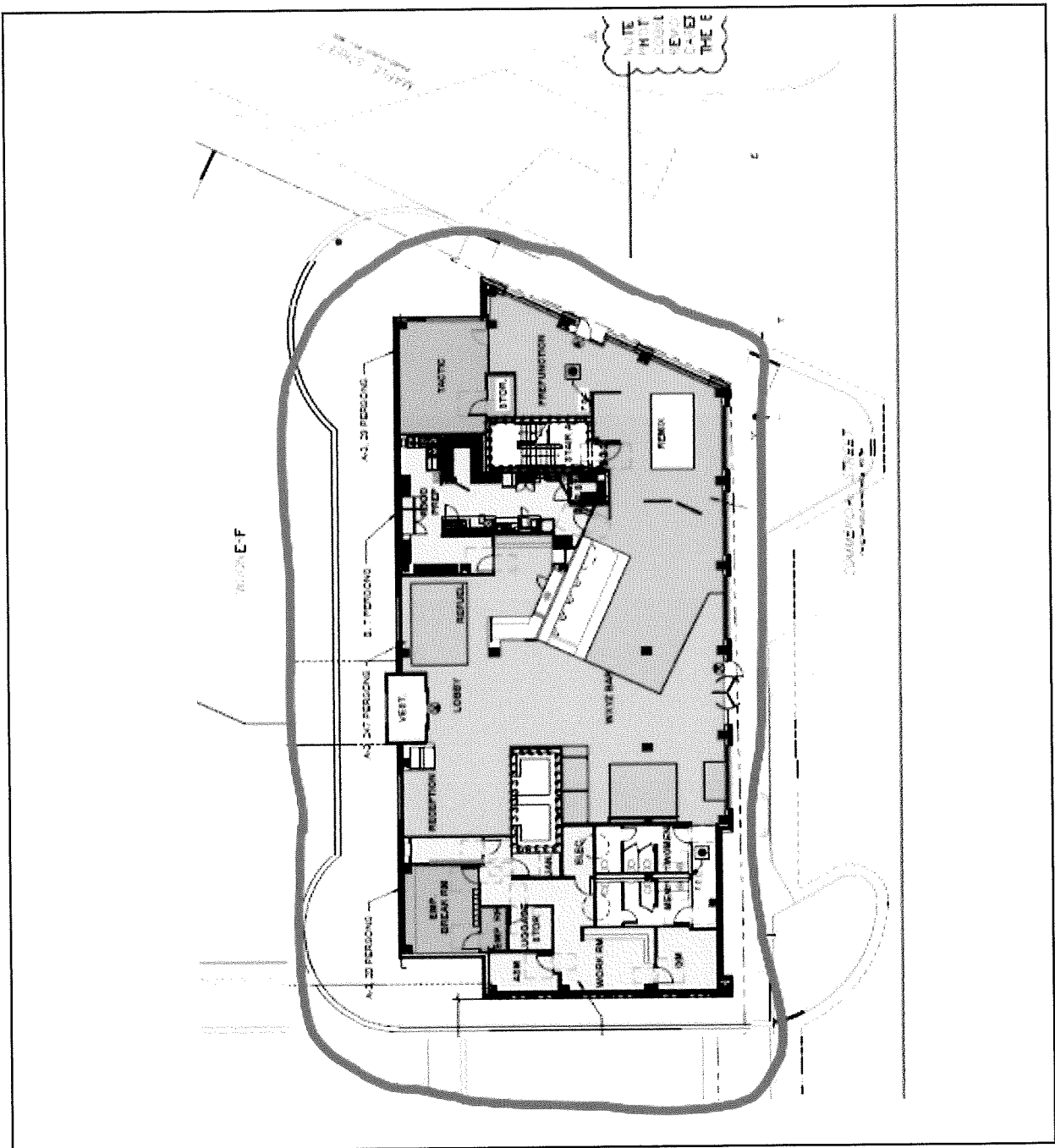
| Name              | Address (5 Years)    | Date of Birth | Title    | Percentage of Ownership |
|-------------------|----------------------|---------------|----------|-------------------------|
| David Leatherwood | 4257 West Gulf Drive | 11/28/1961    | Managing | 100.0000                |
|                   | Sanibel, FL 33957    |               | Member   |                         |
|                   | 500 Sawgrass Place   |               |          |                         |
|                   | Sanibel, FL 33957    |               |          |                         |
|                   | 1224 Route 5 N       |               |          |                         |
|                   | Norwich, VT 05055    |               |          |                         |

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

## Section VI Premises Floor Plan

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

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





## COCKTAILS

- New Old Fashioned** 11  
Bulleit Rye, Orange Bitters, Cherry Simple Syrup, Orange Zest, Black Cherries
- Blueberry Currant Bramble** 12  
Hendrick's Gin, Crème de Cassis, Fresh Lemon Juice, Blueberry Puree, Blueberries
- Midnight Manhattan** 12  
Bulleit Bourbon, Sweet Vermouth, Chocolate Bitters, Lemon Zest, Black Cherries - served up or on the rocks
- SRO Sour** 10  
Tullamore Dew Irish Whiskey, Fresh Lemon Juice, Simple Syrup, 7 Deadly Zins floaters
- Liquid Sunshine** 12  
Patron Silver Tequila, Aperol Aperitif, Grapefruit Juice, Agave Nectar, Club Soda
- Year of the Dragon** 10  
Ciroc Peach Vodka, Lemon, Strawberry, Simple Syrup, Club Soda
- Sarasota Southside** 10  
Bombay Sapphire Gin, Lemon, Mint, Agave Nectar, Club Soda, Aromatic Bitters
- NY Spritzer** 11  
Kim Crawford Sauvignon Blanc, Fresh Lemon Juice, St. Germain Elderflower Liqueur, Club Soda
- Maritime Mojito** 9  
Bacardi Superior Rum, Fresh Lime Juice, Mint, Agave Nectar, Club Soda, Aromatic Bitters
- Fresh and Green** 9  
Absolut Vodka, Lemon, Mint, Club Soda, Simple Syrup
- DRAUGHT BEER** 7  
Big Top Suncoast Pale Ale
- Darwin Circa 1926** 7  
Tangerine Wheat
- Motonworks V-Twin** 7  
Vienna Lager
- Lagunitas IPA** 7
- Stella Artois** 7
- BOTTLED BEER** 5  
Budweiser - Bud Light - Michelob Ultra
- Miller Lite** 5  
Coors Light - Yuengling
- Samuel Adams** 5  
- Samuel Adams Seasonal
- Corona** 6  
- Corona Light - Pacifico
- Heineken** 6  
- Amstel Light - Newcastle
- Stella Cidre** 6  
- Angry Orchard

Ask about our rotating selection of local and craft beers  
You must be of legal drinking age to consume alcohol.

## WHITE WINES

- Magnolia Grove Chardonnay Glass 7 Bottle 28
- Kendall-Jackson Chardonnay Glass 10 Bottle 40
- Kim Crawford Sauvignon Blanc Glass 11 Bottle 44
- Ruffino Pinot Grigio Glass 8 Bottle 32
- Ca'bolani Pinot Grigio Glass 10 Bottle 40
- Thomas Schmitt Riesling Glass 9 Bottle 36
- RED WINES** Glass 7 Bottle 28
- Magnolia Grove Cabernet
- Dan Cohn Bellacosa Cabernet Glass 13 Bottle 52
- Santa Ema Merlot Glass 9 Bottle 36
- Meiomi Pinot Noir Glass 12 Bottle 48
- 7 Deadly Zins Zinfandel Glass 11 Bottle 44
- Terrazas Reserva Malbec Glass 9 Bottle 36
- SPARKLING WINES** 12
- Lamarca Prosecco 187ml 9
- Freixenet Cordon Negro 187ml 13
- Chandon Brut 187ml 13
- Chandon Rose 187ml 11
- Babe Rose 200ml

## HAPPY HOUR

4-6pm daily

- \$1 off House Spirits
- \$1 off Wines by the Glass
- \$1 off Draught Beers
- \$1 off "Additional" Food Menu

You must be of legal drinking age to consume alcohol.

## WXYZ by Aloft

### STREET TACOS (2) \$9

- Korean BBQ Pork**  
Korean BBQ Sauce, Green Onion, Sesame Ginger
- Crispy Fish**  
Chipotle Crema, Avocado, Cilantro, Lime

### WINGS (5) + SIDE: \$13

- Sweet Chili**
- Korean BBQ**
- Garlic | Parmesan**
- Buffalo Cauliflower**

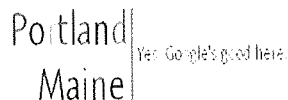
### SIDES \$5

- Bacon Cheese Fries**
- Sharp Cheddar Mac n Cheese**
- Kale + Quinoa Salad**
- Carrot + Celery Salad**

If you have any concerns regarding food allergies, please alert your server prior to ordering.  
Consuming raw or undercooked eggs, meat, poultry, seafood or shellfish may increase your risk of food-borne illness.

## ADDITIONALS

- Chips and Salsa** 6  
Zesty salsa served with corn tortilla chips
- Hummus** 8  
Topped with roasted red pepper, kalamatta olives and served with toasted pita chips
- Fruit & Cheese Plate** 12  
Assorted cheeses with seasonal fresh fruit and assorted crackers
- Wedge Caesar** 10  
Romaine, parmesan cheese, tomatoes, toasted croutons - add chicken for \$3
- Onion Rings** 8  
Crispy beer battered onion rings served with a Cajun remoulade sauce
- Loaded Potato Skins** 9  
Loaded with cheddar cheese, crunchy bacon bits and green onion
- Mac n Cheese Bites** 9  
Tasty pockets of macaroni noodles and pepperjack cheese
- Italian Meatballs** 10  
Four savory meatballs cooked in marinara sauce
- BBQ Chicken Flatbread** 12  
Grilled chicken, bbq sauce and mixed cheeses topped with green onion
- Meat Lover Flatbread** 12  
Pepperoni, ham, bacon and mozzarella cheese over marinara
- Roasted Vegetable Flatbread** 12  
Spinach, tomato, green onion, red pepper And mozzarella cheese with a balsamic drizzle
- SWEET**
- Vanilla Bean Cheesecake** 6  
Creamy, New York style cheesecake with whipped cream and berries
- Brownie Bites** 6  
Bite-sized brownies with chocolate and caramel dipping sauces



Jessica Hanscombe &lt;jhanscombe@portlandmaine.gov&gt;

---

**Re: Aloft Hotel**

**Ann Machado** <amachado@portlandmaine.gov>  
To: Jessica Hanscombe <jhanscombe@portlandmaine.gov>

Mon, May 24, 2021 at 4:24 PM

The Aloft Hotel is located at 379 Commercial Street in the B5b zone. A hotel is a permitted use in the B5b zone per Table 6-C. Permit BLDC2019-00557 was issued on 10/24/2019 for a 157 room hotel with amenities. As an approved hotel, an Innholder-41+ rooms (Class 1A) license is permitted.

This has been approved by awning in Energov.

Ann  
Ann Machado  
Zoning Administrator  
Permitting and Inspections Department  
City of Portland, Maine  
(207) 874-8709  
amachado@portlandmaine.gov

On Thu, May 20, 2021 at 2:15 PM Jessica Hanscombe <jhanscombe@portlandmaine.gov> wrote:  
Can you write something up for zoning on this one please?

Jessica Blais Hanscombe  
Director of Permitting and Inspections  
City of Portland  
389 Congress Street  
Portland, Maine 04101  
207-874-8783  
jhanscombe@portlandmaine.gov

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

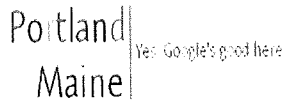
From: **Jessica Hanscombe** <jhanscombe@portlandmaine.gov>  
Date: Mon, May 10, 2021 at 3:35 PM  
Subject: Aloft Hotel

To: Benjamin Pearson <bnp@portlandmaine.gov>, Dan Hondo <danh@portlandmaine.gov>, Eric Cobb <ecobb@portlandmaine.gov>, Fire Prevention <fireprevention@portlandmaine.gov>, Jason Grant <jgrant@portlandmaine.gov>, Laurie Carlson <lac@portlandmaine.gov>, Tom Williams <tw@portlandmaine.gov>, Treasury Division <treasury@portlandmaine.gov>

Good Afternoon

Please see the attached application. This will go before council on 6/7/2021. Please advise. Jessica

Jessica Blais Hanscombe  
Director of Permitting and Inspections  
City of Portland  
389 Congress Street  
Portland, Maine 04101  
207-874-8783  
jhanscombe@portlandmaine.gov



Jessica Hanscombe <jhanscombe@portlandmaine.gov>

---

**Re: Aloft Hotel**

**Dan Hondo** <danh@portlandmaine.gov>  
To: Jessica Hanscombe <jhanscombe@portlandmaine.gov>

Tue, May 11, 2021 at 4:55 PM

No issues on PD side

On Mon, May 10, 2021 at 3:35 PM Jessica Hanscombe <jhanscombe@portlandmaine.gov> wrote:  
Good Afternoon

Please see the attached application. This will go before council on 6/7/2021. Please advise. Jessica

Jessica Blais Hanscombe  
Director of Permitting and Inspections  
City of Portland  
389 Congress Street  
Portland, Maine 04101  
207-874-8783  
jhanscombe@portlandmaine.gov

--  
Lt. Dan Hondo  
Portland Maine Police Dept.  
Patrol Team B3/B4  
(207)874-8513



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

**JESSICA HANSCOMBE  
389 CONGRESS ST  
PORTLAND, ME 04103**

**Transaction Response #: MIQ99E714473**

## **Criminal History Record**

### **Introduction**

**This criminal history record was produced in response to the following request ( Produced on 2021-05-10 ) :**

**Inquiries Name(s)                      DAVID LEATHERWOOD (1961-11-28)**

**NO MATCH WAS FOUND FOR YOUR REQUEST.**



**CITY OF PORTLAND**  
**Permitting and Inspections Department**

May 10, 2021

NPCC LLC  
379 Commercial Street  
Portland ME 04101

**Re: NPCC LLC dba Aloft Hotel Portland. Application for a Class IA FSE at 379 Commercial Street**

Dear Bill Hagen

This letter shall serve as a reminder of the public hearing before the Portland City Council on **Monday June 7, 2021 at 5:00 p.m.**, for the review of application for a Class IA FSE at 379 Commercial Street. The meeting will take place virtually. The link can be found on the Meeting Agenda which will be posted on the City Website on June 4, 2021.

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

Please contact our office directly with questions at (207) 874-8557 or [bl@portlandmaine.gov](mailto:bl@portlandmaine.gov).

Sincerely,

Jessica Hanscombe  
Director of Permitting and Inspections

## **Legal Advertisement**

### **Notice of Public Hearing City of Portland**

A Public Hearing will be held on June 7, 2021 at 5:00 P.M., virtually NPCC LLC dba Aloft Hotel Portland. Application for a Class IA FSE at 379 Commercial Street. Sponsored by Jon P. Jennings, City Manager.

**MEMORANDUM**  
**City Council Agenda Item**

**FROM:**

**DATE:** May 12, 2021

**SUBJECT:** Order 269-20/21 Granting Municipal Officers' Approval of Mark Barrasso dba Anthony's Italian Kitchen. Application for a Class III & IV FSE with Indoor Entertainment and Outdoor Dining on Public Property at 151 Middle Street - Sponsored by Jon P. Jennings, City Manager

**SPONSOR:**

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

**COUNCIL MEETING DATE ACTION IS REQUESTED:**

**1st Reading**

**Final Action**

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

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

**I. SUMMARY**

**II. AGENDA DESCRIPTION**

Application was filed on 5/3/2021. New City and State applications. Applicant currently holds a FSE with Prep at this location.

Five affirmative votes are required for passage after public comment.

**III. BACKGROUND**

**IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED**

**V. FINANCIAL IMPACT**

**VI. STAFF ANALYSIS AND BACKGROUND**

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

**VII. RECOMMENDATION**

**VIII. LIST ATTACHMENTS**

1. Anthonys
2. 20210520092213620

Prepared by:



Date: 5/12/2021

KATHLEEN M SNYDER (MAYOR)  
BELINDA S. RAY (1)  
SPENCER R. THIBODEAU (2)  
TAE Y. CHONG (3)  
ANDREW J. ZARRO (4)

**CITY OF  
PORTLAND**  
IN THE CITY COUNCIL

MARK N. DION (5)  
APRIL FOURNIER (A/L)  
PIOUS ALI (A/L)  
NICHOLAS M. MAVODONES, JR (A/L)

ORDER  
GRANTING MUNICIPAL OFFICERS'  
APPROVAL OF:

**Mark Barrasso dba Anthony's Italian Kitchen. Application for a Class III & IV FSE with  
Indoor Entertainment and Outdoor Dining on Public Property at 151 Middle Street**

Anthony's Italian Kitchen

151 Middle Street

Portland, Maine 04101

To Mayor Kate Snyder and the Portland City Council,

Anthony's Italian Kitchen, located at 151 Middle Street in Portland, would like to apply for a beer and wine license. We were intending to serve from 11:00am until 9:00pm on Monday through Saturday. We will be serving in our dining room as well as upstairs at our outdoor seating. We will also serve on Saturday nights at our Dinner Theater shows that end at 9:00pm. All servers will take the necessary classes for training. Thank You.

Respectfully Submitted,

Mark Barrasso

Proprietor, Anthony's Italian Kitchen



**CITY OF PORTLAND**  
**Permitting and Inspections Department**  
**Application for Food Service Establishment with Alcoholic Beverages License**

|                                             |                             |                |              |        |              |
|---------------------------------------------|-----------------------------|----------------|--------------|--------|--------------|
| <b>Business Information</b>                 |                             |                |              |        |              |
| Business Name (d/b/a):                      | Anthony's Italian Kitchen   | Phone:         | 207 774-8668 |        |              |
| Location Address:                           | 151 Middle St. PORTLAND     |                | Zip: 04101   |        |              |
| If new, what was formerly at this location: |                             |                |              |        |              |
| Mailing Address:                            | 151 Middle St PORTLAND      |                | Zip: 04101   |        |              |
| Contact Person:                             | MARK BARRASSO               | Phone:         | 207 749-9779 |        |              |
| Contact Person Email:                       | mbarrasso@maine.cc.com      |                |              |        |              |
| Manager of Establishment:                   | MARK BARRASSO               | Date of Birth: | 7-9-75       | Phone: | 207 749-9779 |
| Owner of Premises (Landlord):               | EAST BROWN CO               |                |              |        |              |
| Address of Premises Owner:                  | 100 Commercial St. PORTLAND |                |              |        | Zip: ME      |

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

| Name of Owner(s) | Date of Birth | Residence Address       |
|------------------|---------------|-------------------------|
| MARK BARRASSO    | 7-9-75        | 68 NEW YORK AVE.        |
|                  |               | SO. PORTLAND, ME. 04106 |

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

|                           |              |                                  |                          |
|---------------------------|--------------|----------------------------------|--------------------------|
| <b>Corporate Name</b>     |              | <b>Corporate Mailing Address</b> |                          |
|                           |              | Zip:                             |                          |
| Contact Person:           |              | Phone:                           |                          |
| <b>Principal Officers</b> | <b>Title</b> | <b>Date of Birth</b>             | <b>Residence Address</b> |
|                           |              |                                  |                          |
|                           |              |                                  |                          |
|                           |              |                                  |                          |
|                           |              |                                  |                          |
| Class of Liquor License:  |              | Class III IV                     |                          |



**CITY OF PORTLAND**  
**Permitting and Inspections Department**

|                                                                                                                                     |                                       |                                       |                                           |
|-------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|---------------------------------------|-------------------------------------------|
| Type of food served:                                                                                                                | SANDWICHES, PIZZA, PASTA DINNERS      |                                       |                                           |
| Please circle all that will be served:                                                                                              | <input checked="" type="radio"/> Beer | <input checked="" type="radio"/> Wine | <input type="radio"/> Liquor              |
| Projected percentage of sales:                                                                                                      | Generated from Food: 90%              | Generated from Alcohol: 10%           |                                           |
| Hours & days of operation:                                                                                                          | MONDAY TO SATURDAY 11:00am - 8:00pm   |                                       |                                           |
| <b>QUESTIONS</b>                                                                                                                    |                                       |                                       |                                           |
| Will full-course meals, only capable of consumption with the use of tableware, be served the entire time the establishment is open? |                                       |                                       | Y/N<br><input checked="" type="radio"/> Y |
| If No, please explain:                                                                                                              |                                       |                                       |                                           |
| Is the establishment less than 300 feet from a school, dormitory, church or parish house, or similar establishment?                 |                                       |                                       | Y/N<br><input checked="" type="radio"/> Y |
| If yes, give the distance:                                                                                                          |                                       |                                       |                                           |
| Will you have entertainment on the premises? (If yes, a Supplemental Application for Entertainment is required.)                    |                                       |                                       | Y/N<br><input checked="" type="radio"/> Y |
| Will you permit dancing after 1:00 a.m.?                                                                                            |                                       |                                       | Y/N<br><input checked="" type="radio"/> Y |
| Will you have outside dining? (If yes, an Outdoor Dining Application is required)                                                   |                                       |                                       | Y/N<br><input checked="" type="radio"/> Y |
| If yes, will the outside dining be on <u>PUBLIC</u> or PRIVATE property (circle one).                                               |                                       |                                       |                                           |
| Will you have any amusement devices (pinball, video games, juke box)?                                                               |                                       |                                       | Y/N<br><input checked="" type="radio"/> Y |
| If yes, please list: # of pinball machines: _____ # of amusements: _____ # of pool tables: _____                                    |                                       |                                       |                                           |
| What is your targeted opening date?                                                                                                 |                                       |                                       | A.S.A.P.                                  |
| Does the Issuance of this license directly or indirectly benefit any City employee(s)?                                              |                                       |                                       | Y/N<br><input checked="" type="radio"/> Y |
| If Yes, list name(s) of employee(s) and department(s):                                                                              |                                       |                                       |                                           |
| Have any of the applicants, including the corporation (if applicable), ever held a business license with the City of Portland?      |                                       |                                       | Y/N<br><input checked="" type="radio"/> Y |
| If Yes, please list business name(s) and location(s):<br>Anthony's ITALIAN Kitchen 137 MIDDOK ST.                                   |                                       |                                       |                                           |
| Is any principal officer under the age of 21?                                                                                       |                                       |                                       | Y/N<br><input checked="" type="radio"/> Y |
| Have applicant, partners, associates, or corporate officers ever been arrested, indicted, or convicted for any violation of law?    |                                       |                                       | Y/N<br><input checked="" type="radio"/> Y |
| If Yes, please explain:                                                                                                             |                                       |                                       |                                           |

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

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

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

Signature [Signature] Title OWNER Date 2-22-21



CITY OF PORTLAND  
Permitting and Inspections Department

Application for an Entertainment License

☒ Indoor Entertainment \$500.00      ☐ Outdoor Entertainment \$700.00      ☐ Combined Entertainment \$800.00  
☐ Sound Mitigation Fee \$150.00

|                                               |                          |        |              |
|-----------------------------------------------|--------------------------|--------|--------------|
| <b>Business Information</b>                   |                          |        |              |
| Business Name (d/b/a):                        | Anthony's Dinner Theater | Phone: | 207 221-2267 |
| Location Address:                             | 151 Middle St. Portland  | Zip:   | 04106        |
| Owner Name:                                   | Mark Barlasso            | Phone: | 207 749-9779 |
| Owner Email:                                  | mbarlasso@a-maine-nr.com |        |              |
| Contact Person responsible for Entertainment: | Mark Barlasso            | Phone: | 207 749-9779 |
| Contact Person Email:                         | mbarlasso@a-maine-nr.com |        |              |
| Manager of Establishment:                     | See Above                | Phone: |              |
| Manager Email:                                | See Above                |        |              |

About Your Establishment

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

SATURDAY NIGHT DINNER SHOWS LASTING  
FROM 6-9pm.

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

Signature [Signature] Title Owner Date 2-22-21

For more information, refer to the City Code of Ordinance: Chapter 4 Amusements, at [www.portlandmaine.gov](http://www.portlandmaine.gov)



STAGE  
20'

60'

STOLE  
16' counter  
Kitchen  
4' counter

Total Seating  
is 40 people

Entrance

256-8611

2 Handicapped  
Rest  
Rooms



# Anthony's Italian Kitchen Sound Mitigation Plan

Prepared by Neil Griggs

Audio Engineer-Headlight A.V.

[ngriggs@headlightav.com](mailto:ngriggs@headlightav.com)

(207)838-6818

Methods used to minimize impact on surrounding uses.

Venue has existing thick curtains that can be closed to separate the stage/dining area from the entrance/service area. And a curtain for the exit door in the stage/dining area.

Speaker location and direction/stage and site layout and direction.

Single speaker hung at ceiling height pointed diagonally towards corner where bathrooms are. Site is in basement location at 151 Middle St. pointing south east.

Sound system details and controls.

1-Peavey PR12 12' speaker

1-Soundcraft Gigrac 600 powered mixer. 300 watt per channel. (only one side being used)

Anticipated sound readings.

Measured sound pressure levels at 85 db (A weighted) at 5 ft from speaker and then 5 ft from exit door interior at 75 db. Measurement in hall outside of exit door is 65 db.

Noise canceling or mitigation measures proposed.

It seems like the venue has already taken appropriate steps to mitigate impact on the other businesses in the area. My 85 db reference point used for measuring impact is above what will be real world operating levels as their usual entertainment is a solo piano player with vocal. Usual performance times are 8 to 10 pm Saturday evenings so impact on retail establishments in the building will be minimal.

*Neil S Griggs*

4/8/2021

# City of Portland

## Sound Mitigation Review

Date: 5/14/2021

Business Anthony's Italian Kitchen

Applicant Mark Barrasso

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

DIRECT ALL INQUIRIES TO:

Kevin Schneck

(207) 756-8433

[kschneck@portlandmaine.gov](mailto:kschneck@portlandmaine.gov)



**CITY OF PORTLAND**  
**Permitting and Inspections Department**  
**Outdoor Dining Permit on Public Property**  
**Supplemental Application**

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

|                                                                                                                                                 |
|-------------------------------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Legal Advertisement Deposit \$100.00                                                                        |
| <input type="checkbox"/> Outdoor Dining on Public Property \$84.00 plus \$2.00 per Square foot \$2.00 X <u>175</u> SF = <u>7</u> <u>434</u> -00 |
| <input type="checkbox"/> Outdoor Dining on Public Property in a City Park \$84.00 plus \$6.30 per Square foot \$6.30 X _____ SF = _____         |

| Business Information          |                                                    |
|-------------------------------|----------------------------------------------------|
| Business Name (d/b/a):        | Anthony's Italian Kitchen Phone: 774-8668          |
| Location Address:             | 151 Middle St Zip: 04101                           |
| Mailing Address:              | Zip:                                               |
| Contact Person:               | MARK BARASSO Phone: 749-9779                       |
| Contact Person Email:         | mbarasse@markbarasso.com                           |
| Manager of Establishment:     | MARK BARASSO Date of Birth: 7-9-75 Phone: 774-8668 |
| Owner of Premises (Landlord): | EAST BROWN CO                                      |
| Address of Premises Owner:    | 100 COMMERCIAL ST Zip: 04101                       |

**Owner Information**

| Corporate Name     |       | Corporate Mailing Address |                   |
|--------------------|-------|---------------------------|-------------------|
|                    |       | Zip:                      |                   |
| Contact Person:    |       | Phone:                    |                   |
| Principal Officers | Title | Date of Birth             | Residence Address |
|                    |       |                           |                   |
|                    |       |                           |                   |
|                    |       |                           |                   |
|                    |       |                           |                   |

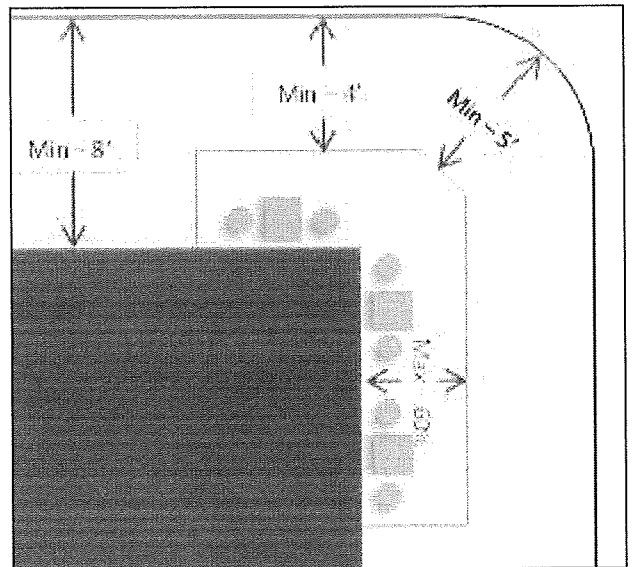


**CITY OF PORTLAND**  
**Permitting and Inspections Department**

|                                        |                                                                                                                   |
|----------------------------------------|-------------------------------------------------------------------------------------------------------------------|
| Class of License:                      | Beer & Wine                                                                                                       |
| Type of food served:                   | Sandwiches, Pizza & Pasta                                                                                         |
| Please circle all that will be served: | Beer <input checked="" type="checkbox"/> Wine <input checked="" type="checkbox"/> Liquor <input type="checkbox"/> |
| Hours & days of operation:             | 11-9 Mon - Sat                                                                                                    |
| Number of Tables                       | 4                                                                                                                 |
| Number of Chairs                       | 16                                                                                                                |

**Design and Construction**

| Existing Sidewalk Width<br>(property line to curb) | Sidewalk Dining Allowed? |
|----------------------------------------------------|--------------------------|
| < 8'0"                                             | No                       |
| ≥ 8'0"                                             | Yes – up to 60% of       |
| Sidewalk Type                                      | Sidewalk Passage Width   |
| Standard sidewalk                                  | 4'0"                     |
| Street corner                                      | 5'0"                     |

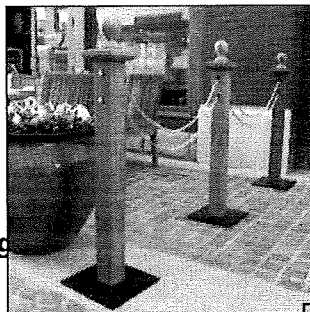


- Outdoor dining area shall not exceed 60% of the sidewalk width.
- A continuous, unobstructed sidewalk passage of 4 feet from the outer boundary of the seating area to the curb must be maintained. If the passage is not straight due to existing obstacles, then additional width may be required. Any changes to existing straight passage is at the discretion of the City.
- Egress must be maintained free of obstruction.
- Permanent fixtures, such as awnings, require a building permit separate from the Outdoor Dining permit and subject to approval by the Building Authority.
- Umbrellas do not require a permit.
- Umbrellas must be secured and maintain the height clearance for sidewalk passage.

**Barriers**

- If barriers are proposed, they must be free-standing. Physical attachments to a building are not allowed.
- Stanchions and ropes are encouraged. Sectional fencing is allowed with a high degree of visual transparency (at least 50% open). Solid or opaque barriers are not allowed.
- Shall not exceed 42" in height and may not include commercial signage.

Example barrier types that meet regulation

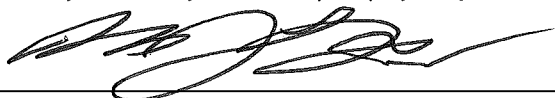




**CITY OF PORTLAND**  
**Permitting and Inspections Department**  
**Maintenance and Operations**

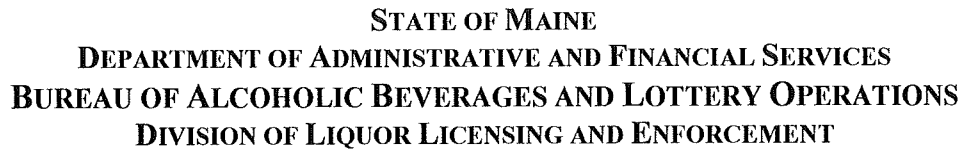
- Outdoor dining components must be within the permitted area and allow safe passage of pedestrian traffic. Failure to comply may result in a revocation of the permit.
- The permit holder is responsible for keeping the outdoor seating area clean.
- No food shall be prepared in the designated outdoor dining area.
- All outdoor dining components shall be removed before snowfall and while any snow or ice exists within four feet of the outdoor dining area. The City will not be responsible for damage to any property that is not removed prior to sidewalk maintenance.
- Outdoor dining areas must meet ADA regulations and accessible seating is required.
- Request for the use of adjacent on street parking space for outdoor dining installations requires Parking Office and Building Authority review and approval.

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

Signature  Title proprietor Date 3-12-21

**For Administrative Use Only**

|                            |                 |          |              |
|----------------------------|-----------------|----------|--------------|
| Amount: _____              | Request Date /  | Approval | Notes: _____ |
| Date Paid: _____           | FD: _____       | /        | _____        |
| CC _____ CA _____ CK _____ | Health: _____   | /        | _____        |
|                            | PD: _____       | /        | _____        |
| Amount: _____              | Treasury: _____ | /        | _____        |
| Date Paid: _____           | Zoning: _____   | /        | _____        |
| CC _____ CA _____ CK _____ |                 |          |              |



All Questions Must Be Answered Completely. Please print legibly.

| Division Use Only                                                        |     |
|--------------------------------------------------------------------------|-----|
| License No:                                                              |     |
| Class:                                                                   | By: |
| Deposit Date:                                                            |     |
| Amt. Deposited:                                                          |     |
| Payment Type:                                                            |     |
| OK with SOS:    Yes <input type="checkbox"/> No <input type="checkbox"/> |     |

|                                                                  |                                                       |
|------------------------------------------------------------------|-------------------------------------------------------|
| Legal Business Entity Applicant Name (corporation, LLC):         | Business Name (D/B/A):<br>Anthony's Italian Kitchen   |
| Individual or Sole Proprietor Applicant Name(s):<br>Mark Barasso | Physical Location:<br>151 Middle St, Portland, 04101  |
| Individual or Sole Proprietor Applicant Name(s):                 | Mailing address, if different:                        |
| Mailing address, if different from DBA address:                  | Email Address:                                        |
| Telephone #                      Fax #:                          | Business Telephone #                      Fax #:      |
| Federal Tax Identification Number:<br>46-3631035                 | Maine Seller Certificate # or Sales Tax #:<br>1164883 |
| Retail Beverage Alcohol Dealers Permit:                          | Website address:                                      |

1. New license or renewal of existing license? ☒ New Expected Start date: ASAP  
☐ Renewal Expiration Date: \_\_\_\_\_
2. The dollar amount of gross income for the licensure period that will end on the expiration date above:  
Food: 300,000 Beer, Wine or Spirits: 30,000 Guest Rooms: N/A
3. Please indicate the type of alcoholic beverage to be sold: (check all that apply)  
☒ Malt Liquor (beer) ☒ Wine ☐ Spirits

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

- |                                                                                                                    |                                                                          |                                                       |
|--------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------|-------------------------------------------------------|
| <input checked="" type="checkbox"/> Restaurant<br>(Class I, II, III, IV)                                           | <input type="checkbox"/> Class A Restaurant/Lounge<br>(Class XI)         | <input type="checkbox"/> Class A Lounge<br>(Class X)  |
| <input type="checkbox"/> Hotel<br>(Class I, II, III, IV)                                                           | <input type="checkbox"/> Hotel – Food Optional<br>(Class I-A)            | <input type="checkbox"/> Bed & Breakfast<br>(Class V) |
| <input type="checkbox"/> Golf Course (included optional licenses, please check if apply)<br>(Class I, II, III, IV) | <input type="checkbox"/> Auxiliary                                       | <input type="checkbox"/> Mobile Cart                  |
| <input type="checkbox"/> Tavern<br>(Class IV)                                                                      | <input type="checkbox"/> Other: _____                                    |                                                       |
| <input type="checkbox"/> Qualified Caterer                                                                         | <input type="checkbox"/> Self-Sponsored Events (Qualified Caterers Only) |                                                       |

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

5. Business records are located at the following address:

151 Middle St, Portland 04101

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

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

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

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

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

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

☐ Yes ☐ No

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

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

☐ Yes ☒ No

If yes, please provide details: \_\_\_\_\_  
\_\_\_\_\_

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

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

| Name of Business | License Number | Complete Physical Address |
|------------------|----------------|---------------------------|
|                  |                |                           |
|                  |                |                           |

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

| Full Name     | DOB    | Place of Birth        |
|---------------|--------|-----------------------|
| MARK BARRASSO | 7-9-75 | BOSTON, MASSACHUSETTS |
|               |        |                       |
|               |        |                       |
|               |        |                       |

Residence address on all the above for previous 5 years

|               |                                         |
|---------------|-----------------------------------------|
| Name          | Address:                                |
| MARK BARRASSO | 68 NEW YORK AVE. SO. PORTLAND ME. 04106 |
| Name          | Address:                                |
|               |                                         |
| Name          | Address:                                |
|               |                                         |
| Name          | Address:                                |
|               |                                         |



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

☐ Yes ☒ No

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

\_\_\_\_\_

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

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

Name: \_\_\_\_\_ Date of Conviction: \_\_\_\_\_

Offense: \_\_\_\_\_ Location: \_\_\_\_\_

Disposition: \_\_\_\_\_

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

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

Name: \_\_\_\_\_ Date of Conviction: \_\_\_\_\_

Offense: \_\_\_\_\_ Location: \_\_\_\_\_

Disposition: \_\_\_\_\_

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

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

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

EAST BROWN COW, 100 COMMERCIAL ST. PORTLAND, 04101

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

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

See ATTACHED

20. What is the distance from the premises to the **nearest** school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel?

Name: PORTLAND HIGH SCHOOL

Distance: 1 mile

## Section II: Signature of Applicant(s)

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

Please sign and date in blue ink.

Dated: 2-22-21

  
\_\_\_\_\_  
Signature of Duly Authorized Person

MARK J. BARRASSO  
\_\_\_\_\_  
Printed Name Duly Authorized Person

\_\_\_\_\_  
Signature of Duly Authorized Person

\_\_\_\_\_  
Printed Name of Duly Authorized Person

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

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

Dated: \_\_\_\_\_

Who is approving this application? ☐ Municipal Officers of \_\_\_\_\_

☐ County Commissioners of \_\_\_\_\_ County

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

| Signature of Officials | Printed Name and Title |
|------------------------|------------------------|
|                        |                        |
|                        |                        |
|                        |                        |
|                        |                        |
|                        |                        |

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

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

§653. Hearings; bureau review; appeal

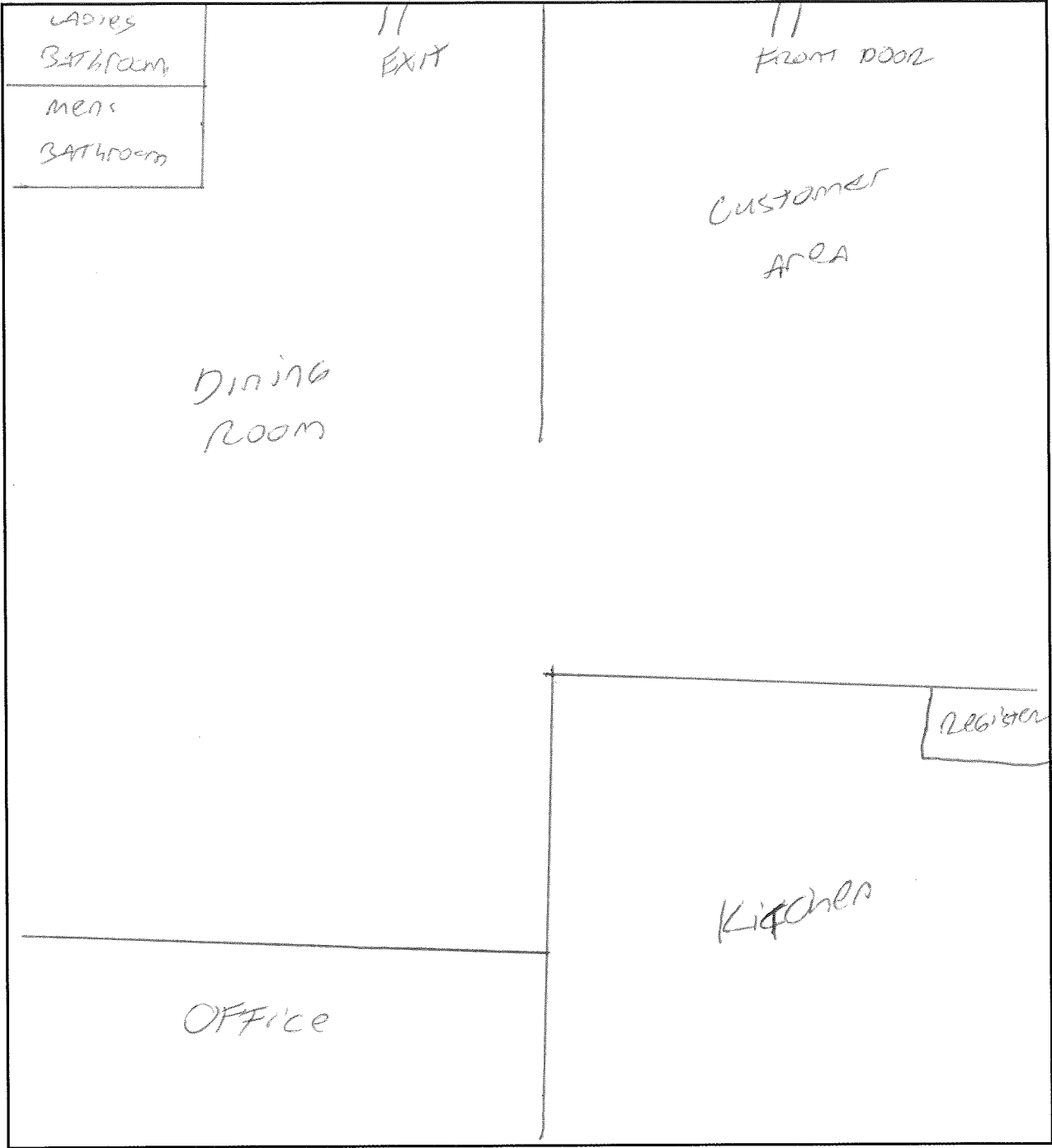
**1. Hearings.** The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, may hold a public hearing for the consideration of applications for new on-premises licenses and applications for transfer of location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

A. The bureau shall prepare and supply application forms.

Section VI Premises Floor Plan

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

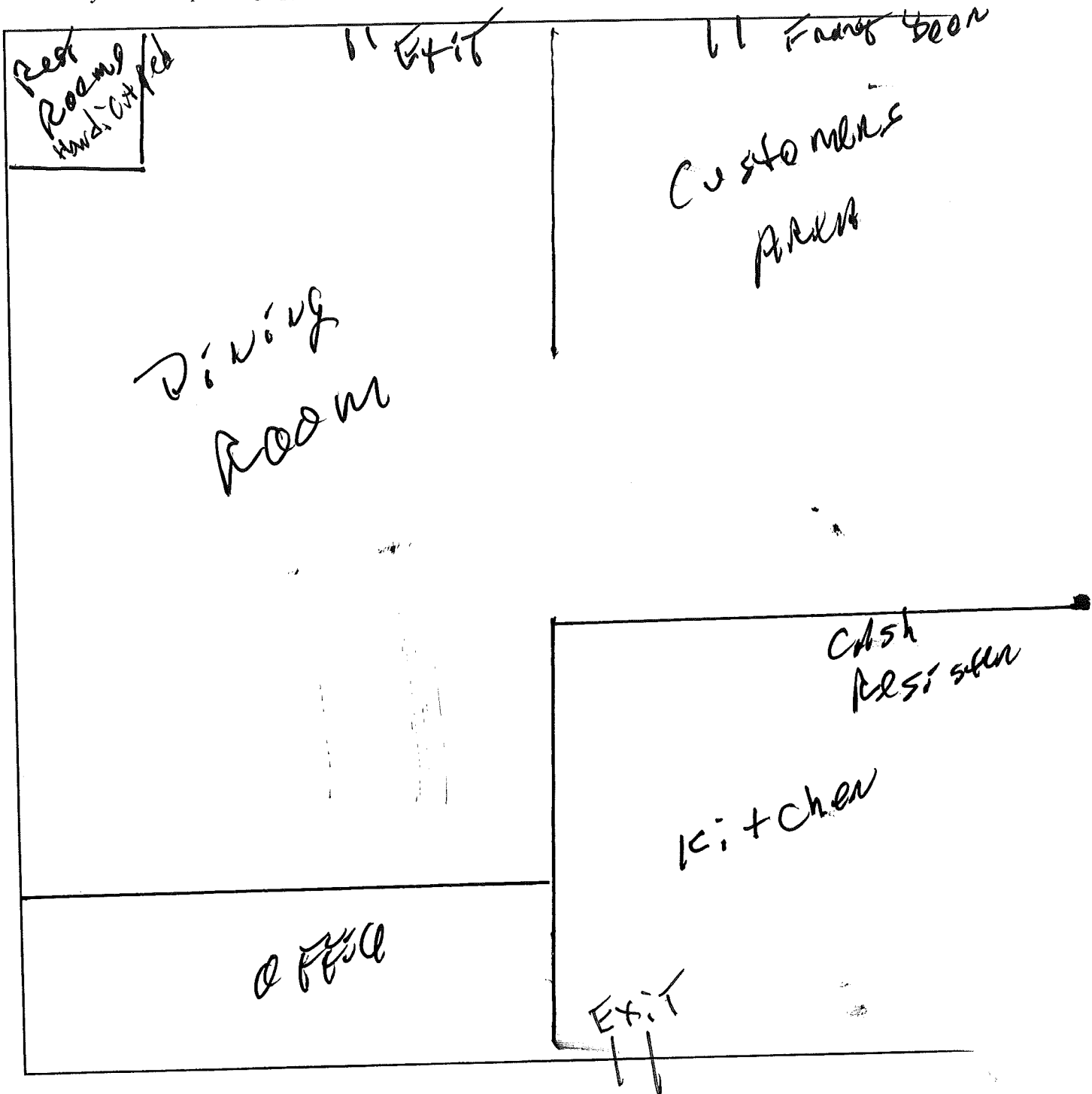
Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the following areas: entrances, office area, coolers, storage areas, display cases, shelves, restroom, point of sale area, area for on-premise consumption, dining rooms, event/function rooms, lounges, outside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



## Section VI Premises Floor Plan

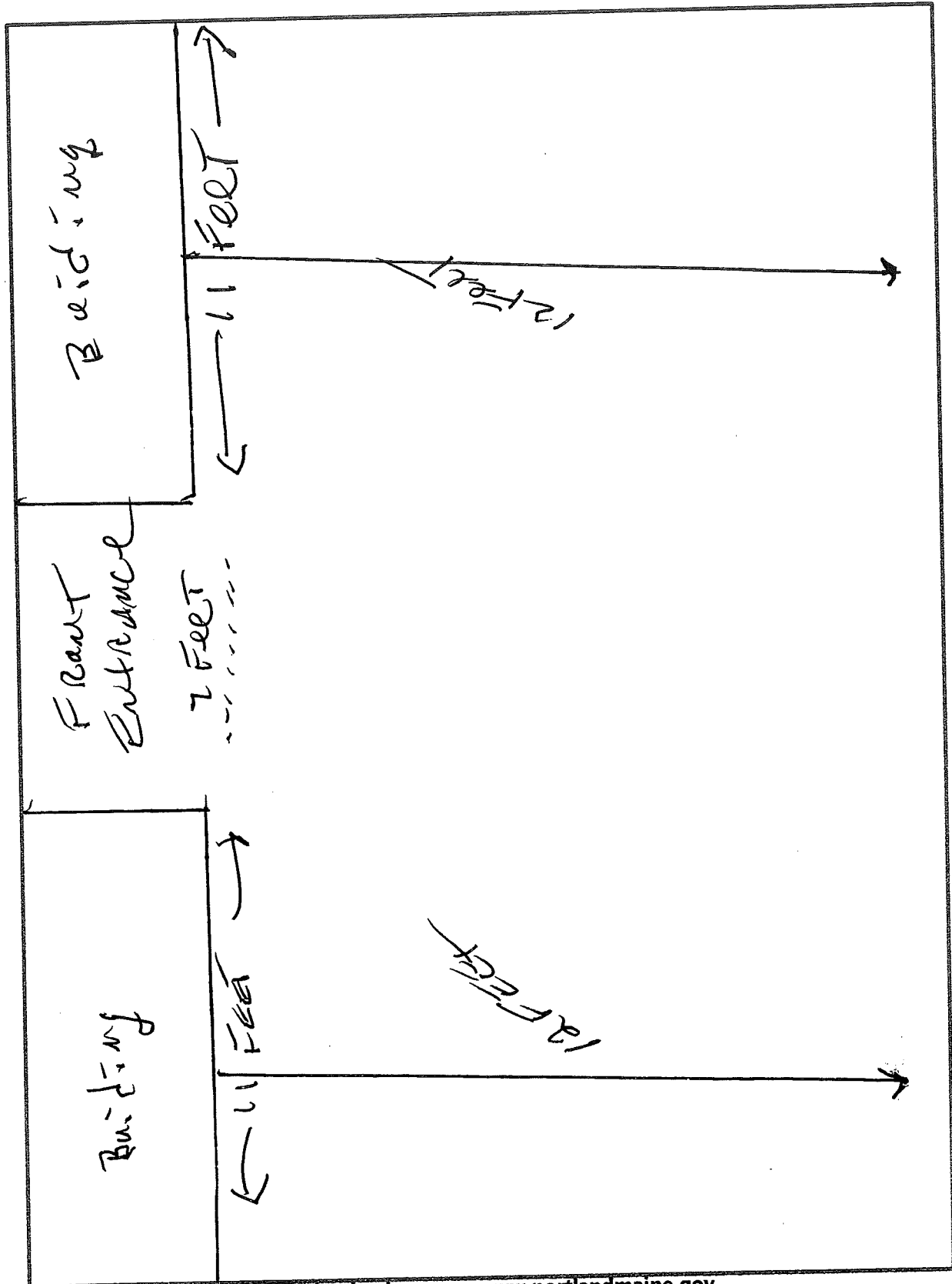
In an effort to clearly define your license premise and the areas that consumption and storage of liquor authorized by your license type is allowed, the Bureau requires all applications to include a diagram of the premises licensed.

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





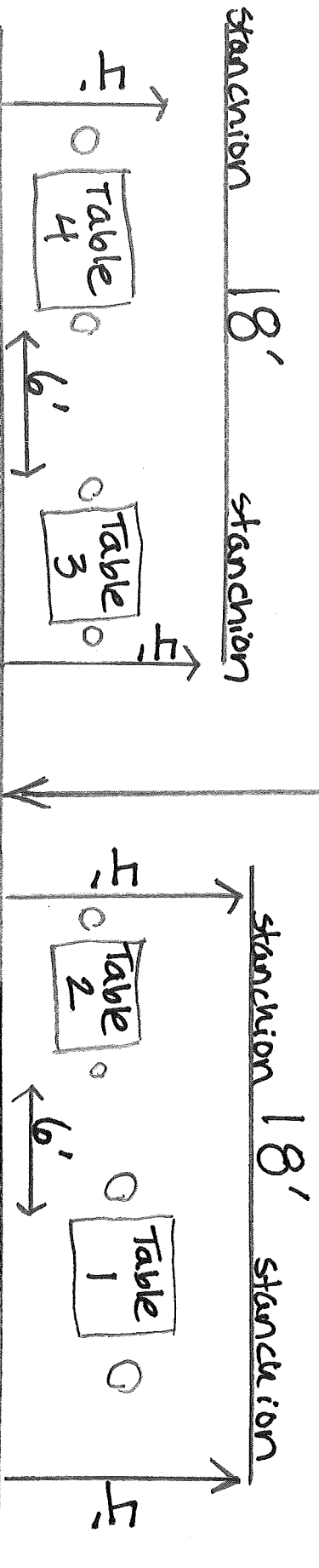
CITY OF PORTLAND  
Permitting and Inspections Department



# MIDDLE STREET

-CURB-

TOTAL  
OUTDOOR  
SQ. FT. = 90



MARKET STREET

PEARL STREET

## PASTA/SAUCE All served with garlic bread

|                                                                     |       |
|---------------------------------------------------------------------|-------|
| Choice of Pasta with Sauce:<br>Angel hair • Ziti • Gluten Free Ziti |       |
| Garlic Butter/Garlic Butter                                         | 10.50 |
| House meatbase                                                      | 10.50 |
| Marinara meatless                                                   | 10.50 |
| Alfredo                                                             | 12.50 |
| Basil Pesto                                                         | 12.50 |
| Bolognese thick meat sauce                                          | 12.50 |
| Carbonara Parneson cream sauce with bacon                           | 12.50 |
| Add a Small Salad                                                   | 4.00  |

## DINNERS All served with garlic bread

|                                                                                                      |       |
|------------------------------------------------------------------------------------------------------|-------|
| Mile-High Lasagna Made with 6 cheeses                                                                | 13.99 |
| Pasta with 2 Homemade Meatballs                                                                      | 13.99 |
| Pasta with 2 Italian Sausages                                                                        | 14.99 |
| Chicken Anthony White meat chicken, broccoli and ziti in a garlic butter sauce                       | 13.99 |
| Tortellini Alfredo                                                                                   | 13.99 |
| Chicken Marsala White meat chicken cutlets, ham, mushrooms, in a marsala wine sauce served over ziti | 13.99 |
| Cheese Tortellini Topped with Anthony's House Sauce                                                  | 13.99 |
| Chicken or Eggplant Parneson                                                                         | 13.99 |
| <small>Served with choice of pasta</small>                                                           |       |

## BEVERAGES

|                                                                                        |        |
|----------------------------------------------------------------------------------------|--------|
| Bottled Soda 20 oz. Choose from our selection                                          | \$2.40 |
| Lipton Ice Tea 16 oz. Choose from diet & lemon                                         | \$2.70 |
| Bottled Water 20 oz.                                                                   | \$2.40 |
| Dole Fruit Juices 15.2 oz.<br><small>Choose from apple, orange &amp; cranberry</small> | \$2.70 |
| Milk low-fat or chocolate                                                              | \$2.60 |

Anthony's Italian Kitchen quality is very important—fresh ingredients and good bread. We add creativity—new twists to old favorites. And quantity, too—we won't be leaving room for dessert. In short, we make a sandwich to wow you. Our restaurant is set up like a traditional Italian eatery, replete with red and white checkered table clothes. There's a wine list, and a selection of beer.

"I have been in love with this place for as long as I've visited (and later lived) in Portland. There's a certain something about the atmosphere that is quaint and very European."

*-from tripadvisor.com*

"Awesome homemade meatballs, eggplant and chicken parmesan! Pizza by the slice in three varieties everyday. Everything from a small salad to a traditional Italian dinner: the chicken Marsala is my favorite! Relaxed atmosphere, friendly."

*-from citysearch.com*

"The best meatballs I've ever had. EVER! My mouth is starting to water and I'm getting a craving for some of them as I'm typing this. This family owned restaurant is fantastic. The food is great and the people who serve it to you are even better! I've been lucky enough to eat Anthony's cooking many, many times and I have never been disappointed. So go and try the meatballs and be a member of a large, fabulous Italian family for the night!"

*-from yelp.com*



"A Lot of Italian for Not Much American"

# ANTHONY'S

## Italian Kitchen



151 Middle Street • Portland, Maine

774-8668 • Fax 774-2395

Order online at

[anthonyitaliankitchen.com](http://anthonyitaliankitchen.com)





## PIZZA

|                                                                             | 10"                                 | 16"     |
|-----------------------------------------------------------------------------|-------------------------------------|---------|
| <b>Cheese</b>                                                               | 9.99                                | 16.99   |
| <b>Veggie</b>                                                               | 13.99                               | 19.99   |
| <i>Green peppers, mushrooms, onion &amp; olives</i>                         |                                     |         |
| <b>Bolognese</b>                                                            | 13.99                               | 19.99   |
| <i>Pepperoni, sausage, meatball &amp; extra cheese</i>                      |                                     |         |
| <b>Greek</b>                                                                | 13.99                               | 19.99   |
| <i>Sausage, black olives, feta cheese, onions &amp; roasted red peppers</i> |                                     |         |
| <b>Kamelameha</b>                                                           | 13.99                               | 19.99   |
| <i>Pineapple &amp; bacon</i>                                                |                                     |         |
| <b>Chicken Polynesian</b>                                                   | 13.99                               | 19.99   |
| <i>Grilled Chicken, pineapple, peppers &amp; onions</i>                     |                                     |         |
| <b>Athens</b>                                                               | 13.99                               | 19.99   |
| <i>Grilled chicken, spinach, tomatoes, onions &amp; feta</i>                |                                     |         |
| <b>Hawaiian</b>                                                             | 13.99                               | 19.99   |
| <i>Pineapple &amp; ham</i>                                                  |                                     |         |
| <b>Additional Toppings</b>                                                  | 2.00ea.                             | 2.75ea. |
| <b>Gluten Free</b>                                                          | 12.99                               | cheese  |
| <b>SLICES</b>                                                               |                                     |         |
| <b>Cheese</b>                                                               | Pepperoni                           | Special |
| 3.10                                                                        | 3.60                                | 4.10    |
| <b>SALADS</b>                                                               | <i>All served with garlic bread</i> |         |
| <b>Garden</b>                                                               |                                     | 7.50    |
| <b>Chef's</b>                                                               |                                     | 10.50   |
| <b>Tuna</b>                                                                 |                                     | 10.50   |
| <b>Antipasto</b>                                                            |                                     | 10.50   |
| <b>Garlic Chicken</b>                                                       |                                     | 10.50   |
| <b>Caesar Salad with Grilled Chicken</b>                                    |                                     | 10.50   |
| <b>Buffalo Chicken</b>                                                      |                                     | 10.50   |
| <b>Chicken Salad w/ walnuts &amp; cranberries</b>                           |                                     | 7.99    |
| <b>SANDWICHES</b>                                                           |                                     |         |
| <b>Plantadosi Italian Roll</b>                                              | 8"                                  | 10"     |
| <b>Meatball Old family recipe</b>                                           | 9.50                                | 10.50   |
| <b>Tuna all white meat</b>                                                  | 8.99                                | 9.50    |
| <b>Egg Salad</b>                                                            | 8.99                                | 9.50    |
| <b>Roast Beef</b>                                                           | 9.50                                | 10.50   |
| <b>Chicken Salad all white meat</b>                                         | 9.50                                | 10.50   |
| <b>Turkey Breast</b>                                                        | 9.50                                | 10.50   |

## SYRIAN ROLL UPS

*White, whole wheat, spinach*

|                                                                                                               |      |
|---------------------------------------------------------------------------------------------------------------|------|
| <b>Veggie</b>                                                                                                 | 9.50 |
| <i>Lettuce, tomato, onion, green pepper, pickle, olive, cucumber, provolone cheese and mayo</i>               |      |
| <b>Tuna</b>                                                                                                   | 9.50 |
| <i>all white meat</i>                                                                                         |      |
| <b>Egg Salad</b>                                                                                              | 9.50 |
| <b>Turkey Breast</b>                                                                                          | 9.50 |
| <b>Roast Beef</b>                                                                                             | 9.50 |
| <b>Ham &amp; Swiss</b>                                                                                        | 9.50 |
| <b>Chicken Salad</b>                                                                                          | 9.50 |
| <i>All white meat</i>                                                                                         |      |
| <b>Grilled Chicken</b>                                                                                        | 9.50 |
| <i>Chicken honey mustard, lettuce, roasted red peppers</i>                                                    |      |
| <b>Greek Grilled Chicken</b>                                                                                  | 9.50 |
| <i>Grilled chicken breast, lettuce, feta cheese, cucumber, olives, roasted red peppers and Greek dressing</i> |      |
| <b>Greek Gyro</b>                                                                                             | 9.99 |
| <i>Spiced beef, lettuce, tomato, onion and tzatziki sauce (sour cream with cucumber and garlic)</i>           |      |
| <b>Gobbler</b>                                                                                                | 9.50 |
| <i>Turkey cranberry sauce, lettuce, tomato, onion mayo and Swiss cheese</i>                                   |      |
| <b>Autumn Gobbler</b>                                                                                         | 9.99 |
| <i>Turkey, warm stuffing, cranberry sauce, lettuce and mayo</i>                                               |      |
| <b>Grilled Chicken Caesar</b>                                                                                 | 9.50 |
| <i>Grilled chicken, lettuce, tomato, Parmesan cheese and Caesar dressing</i>                                  |      |
| <b>B.L.T.</b>                                                                                                 | 9.50 |
| <i>Bacon, lettuce, tomato and mayo</i>                                                                        |      |
| <b>Turkey Club</b>                                                                                            | 9.99 |
| <i>Bacon, lettuce, tomato, turkey, Swiss cheese and mayo</i>                                                  |      |
| <b>Ali Baba</b>                                                                                               | 9.99 |
| <i>Pesto, baby spinach, tomato, onion, feta cheese and Caesar dressing</i>                                    |      |
| <b>Chicken Salad</b>                                                                                          | 9.99 |
| <i>with Walnuts and Cranberries</i>                                                                           |      |
| <b>Buffalo Chicken</b>                                                                                        | 9.99 |
| <i>Spicy buffalo chicken, lettuce and celery with blue cheese dressing</i>                                    |      |
| <b>Turkey and Ham</b>                                                                                         | 9.99 |
| <i>Turkey, ham, Swiss cheese, lettuce, honey mustard</i>                                                      |      |

## SPECIALTYS SANDWICHES

8" 10"

|                                                                                                                          |            |       |
|--------------------------------------------------------------------------------------------------------------------------|------------|-------|
| <b>Boston Italian</b>                                                                                                    | 9.50       | 10.50 |
| <i>Finest Italian meats and cheese with thinly sliced onion, tomato, olive oil and oregano</i>                           |            |       |
| <b>Maine Italian</b>                                                                                                     | 9.50       | 10.50 |
| <i>Ham, American cheese, tomato, onion, green pepper, pickles, olives, olive oil, salt and pepper</i>                    |            |       |
| <b>Chicken Cutlet Parmesan</b>                                                                                           | 9.50       | 10.50 |
| <i>White meat chicken, breaded and fried, then baked with marinara sauce and three cheeses</i>                           |            |       |
| <b>Eggplant Parmesan</b>                                                                                                 | 9.50       | 10.50 |
| <i>Thinly sliced eggplant, breaded and fried then baked with marinara sauce and three cheeses</i>                        |            |       |
| <b>Sausage with Peppers and Onions</b>                                                                                   | 9.50       | 10.50 |
| <i>Sweet Italian sausage sautéed with peppers and onions in garlic and olive oil</i>                                     |            |       |
| <b>Tony Soprano</b>                                                                                                      | 9.50       | 10.50 |
| <i>Genoa salami, prosciutto, capicola, imported provolone, onion, tomato, roasted red peppers, olive oil and oregano</i> |            |       |
| <b>Steak and Cheese</b>                                                                                                  | 9.99       | 10.99 |
| <i>with peppers and onions</i>                                                                                           |            |       |
| <b>North End Salami</b>                                                                                                  | 10.50      |       |
| <i>Prosciutto, imported provolone, tomato, roasted red peppers, lettuce, and vinaigrette</i>                             |            |       |
| <b>Meat Lovers</b>                                                                                                       | 10.50      |       |
| <i>Salami, capicola, prosciutto, pepperoni, imported provolone, tomato, onion and vinaigrette</i>                        |            |       |
| <b>Gourmet Veggie</b>                                                                                                    | 10.50      |       |
| <i>Pesto, imported provolone, lettuce, tomato, onions, roasted red peppers and vinaigrette</i>                           |            |       |
| <b>Italian Roast Beef</b>                                                                                                | 10.50      |       |
| <i>Roast beef, imported provolone, sautéed green peppers, onions, and vinaigrette</i>                                    |            |       |
| <b>Italian Sausage</b>                                                                                                   | 10.50      |       |
| <i>Sweet Italian sausage, imported provolone, sautéed green peppers, onion and mustard</i>                               |            |       |
| <b>TOASTED SUPER MELTS</b>                                                                                               |            |       |
| <b>Spicy Tuna</b>                                                                                                        | wrap 10.50 | 10.50 |
| <i>Tuna, hot, pickles, tomatoes, onions, American cheese</i>                                                             |            |       |
| <b>Crispy Chicken</b>                                                                                                    | 10.50      | 10.50 |
| <i>Chicken cutlet, lettuce, tomatoes, BBQ sauce, provolone</i>                                                           |            |       |
| <b>Turkey</b>                                                                                                            | 10.50      | 10.50 |
| <i>Tzatziki sauce, lettuce, cucumber, provolone</i>                                                                      |            |       |
| <b>Ham &amp; Swiss</b>                                                                                                   | 10.50      | 10.50 |
| <i>Honey mustard, pickles, tomatoes</i>                                                                                  |            |       |
| <b>Pesto Grilled Chicken</b>                                                                                             | 10.50      | 10.50 |
| <i>Tomatoes, onions, shredded Parmesan</i>                                                                               |            |       |
| <b>Cordon Bleu</b>                                                                                                       | 10.50      | 10.50 |
| <i>Chicken salad, ham, American and Swiss cheese</i>                                                                     |            |       |



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

JESSICA HANSCOMBE  
389 CONGRESS ST  
PORTLAND, ME 04103

Transaction Response #: MIQ99E717246

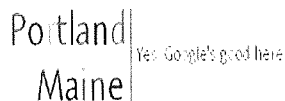
## Criminal History Record

### Introduction

This criminal history record was produced in response to the following request ( Produced on 2021-05-12 ) :

Inquiries Name(s) MARK BARRASSO (1975-07-09)

**NO MATCH WAS FOUND FOR YOUR REQUEST.**



Jessica Hanscombe <jhanscombe@portlandmaine.gov>

---

**Re: Anthony's Italian Kitchen**

---

**Dan Hondo** <danh@portlandmaine.gov>

Wed, May 12, 2021 at 11:00 AM

To: Jessica Hanscombe <jhanscombe@portlandmaine.gov>

No issues on PD side

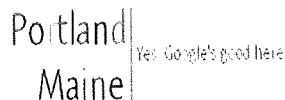
On Wed, May 12, 2021 at 10:48 AM Jessica Hanscombe <jhanscombe@portlandmaine.gov> wrote:

Good Morning

Please see the attached application that will go before council on 6/7/2021. Thank you Jessica

Jessica Blais Hanscombe  
Director of Permitting and Inspections  
City of Portland  
389 Congress Street  
Portland, Maine 04101  
207-874-8783  
jhanscombe@portlandmaine.gov

--  
Lt. Dan Hondo  
Portland Maine Police Dept.  
Patrol Team B3/B4  
(207)874-8513



Jessica Hanscombe &lt;jhanscombe@portlandmaine.gov&gt;

---

**Re: Anthony's Italian Kitchen**

---

**Glen McGary** <glenm@portlandmaine.gov>

Wed, May 12, 2021 at 1:21 PM

To: Jessica Hanscombe &lt;jhanscombe@portlandmaine.gov&gt;

Cc: Benjamin Pearson &lt;bnp@portlandmaine.gov&gt;, Chris Beaumont &lt;cbeaumont@portlandmaine.gov&gt;, Dan Hondo &lt;danh@portlandmaine.gov&gt;, Eric Cobb &lt;ecobb@portlandmaine.gov&gt;, Fire Prevention &lt;fireprevention@portlandmaine.gov&gt;, Jason Grant &lt;jgrant@portlandmaine.gov&gt;, Laurie Carlson &lt;lac@portlandmaine.gov&gt;, Tom Williams &lt;tw@portlandmaine.gov&gt;, Treasury Division &lt;treasury@portlandmaine.gov&gt;, Zoning &lt;zoning@portlandmaine.gov&gt;, Kevin Schneck &lt;kschneck@portlandmaine.gov&gt;

PPD Approves

On Wed, May 12, 2021 at 10:48 AM Jessica Hanscombe &lt;jhanscombe@portlandmaine.gov&gt; wrote:

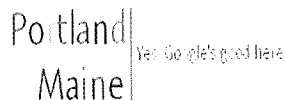
Good Morning

Please see the attached application that will go before council on 6/7/2021. Thank you Jessica

Jessica Blais Hanscombe  
Director of Permitting and Inspections  
City of Portland  
389 Congress Street  
Portland, Maine 04101  
207-874-8783  
jhanscombe@portlandmaine.gov

--

Lieutenant Glen McGary  
Portland Police Department  
109 Middle Street  
Portland, Maine 04101  
Office (207) 756-8294  
Fax (207) 874-8580



Jessica Hanscombe <jhanscombe@portlandmaine.gov>

## Re: Anthony's Italian Kitchen

amachado <amachado@portlandmaine.gov>

Wed, May 19, 2021 at 10:37 AM

To: Zoning <zoning@portlandmaine.gov>

Cc: Sandra Driscoll <sdriscoll@portlandmaine.gov>, Zoning <zoning@portlandmaine.gov>, Jessica Hanscombe <jhanscombe@portlandmaine.gov>, Business Licensing <bl@portlandmaine.gov>

I have approved the license in Energov. Anthony's Italian Kitchen has existed as a restaurant for a long time. A restaurant located in the B-3 Zone is a permitted use per Table 6-C. A restaurant is allowed to serve wine and beer.

Ann Machado

Zoning Administrator.

On Wednesday, May 19, 2021 at 10:23:20 AM UTC-4 Sandra Driscoll wrote:

Not a new location. Not a new owner.

Changing liquor classification

On Wed, May 19, 2021 at 10:00 AM amachado <amachado@portlandmaine.gov> wrote:

Is this a new owner or is Anthony's Kitchen changing their location?

Thanks.

Ann

On Wednesday, May 12, 2021 at 10:48:34 AM UTC-4 Jessica Hanscombe wrote:

Good Morning

Please see the attached application that will go before council on 6/7/2021. Thank you Jessica

Jessica Blais Hanscombe

Director of Permitting and Inspections

City of Portland

389 Congress Street

Portland, Maine 04101

207-874-8783

jhanscombe@portlandmaine.gov

--

Thank you  
Sandy

Regards,

**Sandy Driscoll**  
**Licensing and Housing Safety Assistant**

389 Congress Street  
Room 307  
Portland, ME 04101



**CITY OF PORTLAND**  
**Permitting and Inspections Department**

May 12, 2021

Mark Barrasso  
Anthony's Italian Kitchen  
151 Middle Street  
Portland ME 04101

**Re: Mark Barrasso dba Anthony's Italian Kitchen. Application for a Class III & IV FSE with Indoor Entertainment and Outdoor Dining on Public Property at 151 Middle Street**

Dear Mark Barrasso

This letter shall serve as a reminder of the public hearing before the Portland City Council on **Monday June 7, 2021 at 5:00 p.m.**, for the review of application for Class III & IV FSE with Indoor Entertainment and Outdoor Dining on Public Property at 151 Middle Street. The meeting will take place virtually. The link can be found on the Meeting Agenda which will be posted on the City Website on June 4, 2021.

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

Please contact our office directly with questions at (207) 874-8557 or [bl@portlandmaine.gov](mailto:bl@portlandmaine.gov).

Sincerely,

Jessica Hanscombe  
Director of Permitting and Inspections

## **Legal Advertisement**

### **Notice of Public Hearing City of Portland**

A Public Hearing will be held on June 7, 2021 at 5:00 P.M., virtually Mark Barrasso dba Anthony's Italian Kitchen. Application for a Class III & IV FSE with Indoor Entertainment and Outdoor Dining on Public Property at 151 Middle Street. Sponsored by Jon P. Jennings, City Manager.

**MEMORANDUM**  
**City Council Agenda Item**

**FROM:**

**DATE:** May 13, 2021

**SUBJECT:** Order 270-20/21 Granting Municipal Officers' Approval of City of Portland dba Congress Square Park. Application for an Outdoor Entertainment license at 8 Congress Square - Sponsored by Jon P. Jennings, City Manager

**SPONSOR:**

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

**COUNCIL MEETING DATE ACTION IS REQUESTED:**

**1st Reading**

**Final Action**

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

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

**I. SUMMARY**

**II. AGENDA DESCRIPTION**

Application was filed on 5/5/2021. New City applications.

Five affirmative votes are required for passage after public comment.

**III. BACKGROUND**

**IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED**

**V. FINANCIAL IMPACT**

**VI. STAFF ANALYSIS AND BACKGROUND**

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

**VII. RECOMMENDATION**

**VIII. LIST ATTACHMENTS**

1. Congress Square
2. 20210517121224377

Prepared by:

Date: 5/13/2021





KATHLEEN M SNYDER (MAYOR)  
BELINDA S. RAY (1)  
SPENCER R. THIBODEAU (2)  
TAE Y. CHONG (3)  
ANDREW J. ZARRO (4)

**CITY OF  
PORTLAND**  
IN THE CITY COUNCIL

MARK N. DION (5)  
APRIL FOURNIER (A/L)  
PIOUS ALI (A/L)  
NICHOLAS M. MAVODONES, JR (A/L)

**ORDER  
GRANTING MUNICIPAL OFFICERS'  
APPROVAL OF:**

**City of Portland dba Congress Square Park. Application for an Outdoor Entertainment  
license at 8 Congress Square.**



**CITY OF PORTLAND**  
**Permitting and Inspections Department**

**Application for an Entertainment License**

|                                                        |                                                                    |                                                          |
|--------------------------------------------------------|--------------------------------------------------------------------|----------------------------------------------------------|
| <input type="checkbox"/> Indoor Entertainment \$500.00 | <input checked="" type="checkbox"/> Outdoor Entertainment \$700.00 | <input type="checkbox"/> Combined Entertainment \$800.00 |
| <input type="checkbox"/> Sound Mitigation Fee \$150.00 |                                                                    |                                                          |

| Business Information                          |                                      |
|-----------------------------------------------|--------------------------------------|
| Business Name (d/b/a):                        | Congress Square Park Phone: 808-5400 |
| Location Address:                             | 8 Congress Square Zip: 04101         |
| Owner Name:                                   | City of Portland Phone: 808-5441     |
| Owner Email:                                  | ehipple@portlandmaine.gov            |
| Contact Person responsible for Entertainment: | Clare Norton Phone: 808-5435         |
| Contact Person Email:                         | clare@portlandmaine.gov              |
| Manager of Establishment:                     | Alex Marshall Phone: 808-5442        |
| Manager Email:                                | amarshall@portlandmaine.gov          |

**About Your Establishment**

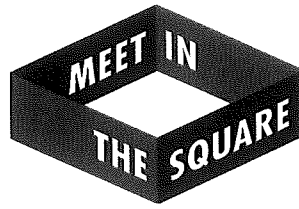
Describe in detail the type and nature of the business and proposed entertainment: In partnership with Friends of Congress Square Park, the City of Portland will be hosting periodic events in Congress Square Park throughout the remainder of the 2021 Calendar Year. Sound levels at these performances will be monitored by Friends of Congress Square Park to ensure compliance with city code/ordinances.

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

Signature [Signature] Title DIRECTOR OF PAF Date 5/17/21

For more information, refer to the City Code of Ordinance: Chapter 4 Amusements, at [www.portlandmaine.gov](http://www.portlandmaine.gov)





**FRIENDS  
OF CONGRESS  
SQUARE PARK**

Sound Mitigation Plan  
The Friends of Congress Square Park  
May 2021

As part of our sound mitigation plan, the Friends of Congress Square Park (FoCSP) will take sound readings using our decibel monitoring device during all FoCSP-coordinated amplified events in Congress Square Park. We will work with our sound technicians and/or musicians, performers, or speakers to ensure compliance with the Portland City Code.

In the event that we receive a complaint related to the volume of our amplified events, we will consider the timing of the event and what we might do to satisfy the complaint in the future.

- i) *The Friends of Congress Square Park is the 501(c)(3) non-profit place manager of Congress Square Park, an urban public open space in downtown Portland. We seek to create an inclusive, welcoming and vibrant community gathering place accessible to all through neighborhood engagement, programming, and the arts.*

**CONGRESSSQUAREPARK.ORG**

**FOLLOW US**    **@congresssquare**

# City of Portland

## Sound Mitigation Review

Date: 5/214/2021

Business Congress Square Park

Applicant Ethan Hipple

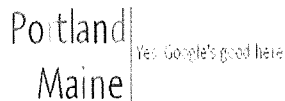
| DESCRIPTION                                                           | yes | no  |
|-----------------------------------------------------------------------|-----|-----|
| Sound system appropriate for the size venue                           |     | Yes |
| Performance space located in an appropriate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

DIRECT ALL INQUIRIES TO:

Kevin Schneck

(207) 756-8433

[kschneck@portlandmaine.gov](mailto:kschneck@portlandmaine.gov)

**Jessica Hanscombe** <jhanscombe@portlandmaine.gov>

---

**Re: Congress Square Park**

---

**Glen McGary** <glenm@portlandmaine.gov>

Thu, May 13, 2021 at 12:34 PM

To: Jessica Hanscombe &lt;jhanscombe@portlandmaine.gov&gt;

Cc: Kevin Schneck &lt;kschneck@portlandmaine.gov&gt;

As long as someone from the city will be doing periodic sound meter tests before and during an event, PPD will approve.

Glen

On Thu, May 13, 2021 at 12:30 PM Jessica Hanscombe <jhanscombe@portlandmaine.gov> wrote:

Hi guys

Attached is an application that will go before council on 6/7. Please advise. Jess

Jessica Blais Hanscombe  
Director of Permitting and Inspections  
City of Portland  
389 Congress Street  
Portland, Maine 04101  
207-874-8783  
jhanscombe@portlandmaine.gov

--

Lieutenant Glen McGary  
Portland Police Department  
109 Middle Street  
Portland, Maine 04101  
Office (207) 756-8294  
Fax (207) 874-8580



**CITY OF PORTLAND**  
**Permitting and Inspections Department**

May 14, 2021

City of Portland, PAFD  
Ethan Hipple  
212 Canco Road  
Portland ME 04103

**Re: City of Portland dba Congress Square Park. Application for an Outdoor Entertainment license at 8 Congress Square.**

Dear Clare Norton

This letter shall serve as a reminder of the public hearing before the Portland City Council on **Monday June 7, 2021 at 5:00 p.m.**, for the review of application for an Outdoor Entertainment license at 8 Congress Square. The meeting will take place virtually. The link can be found on the Meeting Agenda which will be posted on the City Website on June 4, 2021.

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

Please contact our office directly with questions at (207) 874-8557 or [bl@portlandmaine.gov](mailto:bl@portlandmaine.gov).

Sincerely,

Jessica Hanscombe  
Director of Permitting and Inspections



## **Legal Advertisement**

### **Notice of Public Hearing City of Portland**

A Public Hearing will be held on June 7, 2021 at 5:00 P.M., virtually City of Portland dba Congress Square Park. Application for an Outdoor Entertainment license at 8 Congress Square. Sponsored by Jon P. Jennings, City Manager.

**MEMORANDUM**  
**City Council Agenda Item**

**FROM:**

**DATE:** May 14, 2021

**SUBJECT:** Order 271-20/21 Granting Municipal Officers' Approval of Friends & Family, Inc. dba Friends & Family. Application for a Class III & IV with Outdoor Dining on Public Property at 593 Congress Street - Sponsored by Jon P. Jennings, City Manager

**SPONSOR:**

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

**COUNCIL MEETING DATE ACTION IS REQUESTED:**

**1st Reading**

**Final Action**

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

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

**I. SUMMARY**

**II. AGENDA DESCRIPTION**

Application was filed on 5/13/2021. New City and State applications. Location was previously Vinland.

Five affirmative votes are required for passage after public comment.

**III. BACKGROUND**

**IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED**

**V. FINANCIAL IMPACT**

**VI. STAFF ANALYSIS AND BACKGROUND**

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

**VII. RECOMMENDATION**

**VIII. LIST ATTACHMENTS**

1. Friends & Family
2. 20210517121343113

Prepared by:

Date: 5/14/2021



KATHLEEN M SNYDER (MAYOR)  
BELINDA S. RAY (1)  
SPENCER R. THIBODEAU (2)  
TAE Y. CHONG (3)  
ANDREW J. ZARRO (4)

**CITY OF  
PORTLAND**  
IN THE CITY COUNCIL

MARK N. DION (5)  
APRIL FOURNIER (A/L)  
PIOUS ALI (A/L)  
NICHOLAS M. MAVODONES, JR (A/L)

**ORDER  
GRANTING MUNICIPAL OFFICERS'  
APPROVAL OF:**

**Friends & Family, Inc. dba Friends & Family. Application for a Class III & IV with  
Outdoor Dining on Public Property at 593 Congress Street**

April 27, 2021

Dear Mayor Snyder and Councilmembers Mavadones, Ali, Fournier, Ray, Thibodeau, Chong, Zarro, and Dion,

It was with great pleasure that we submit our licensing application for our restaurant and market, Friends & Family, to be located in the former Vinland premises at 593 Congress Street.

With Friends & Family, we hope to add an inviting, warm, and community-oriented restaurant option to Portland's thriving Arts District. We plan to serve a lunch and dinner menu of hearty dishes, meat and cheese boards, and other tasty snacks, alongside a small but mighty list of natural wines, local beers, and delicious non-alcoholic beverage options. Takeaway options for local business people, residents, and visitors alike will compliment a limited number of indoor and outdoor seats. In addition to freshly prepared food for on-site or takeaway consumption, we will fill our space with specialty food products from here and away, allowing customers to create their own picnic meals, or to grab something delicious on their commute home.

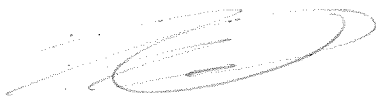
Our focus will be on lunch and early dinner service, with hours of operation spanning Thursday – Monday, 11am-8pm. We will also plan to be open outside those hours occasionally to support Arts District events, such as First Friday.

As a born and raised Mainer, Cecily Upton is committed to our Portland community. Her first jobs after graduating from Bowdoin College were actually within a few blocks of the Friends & Family location: she was an early gallery and art manager for SPACE and also helped to organize the 2004 Portland Museum of Art Biennial Exhibition as a curatorial assistant. Since then, she has built a career in the nonprofit education and sustainable food world, co-founding the national nonprofit FoodCorps, which helps students build healthy relationships with food in school. FoodCorps has been a longtime force for good in Maine, in part due to Cecily's connections to the state. She has long and deep roots in Portland and beyond and is excited to give back to her home city in this new way with Friends & Family.

Michael Malyniowsky is a culinary professional who has worked in the industry for 26 years. He has worked as a Sous Chef in Michelin starred kitchens, as an Executive Chef for companies like LinkedIn, Twitch, and Ad Astra Space Program, and has led research and development for multi-million dollar catering operations. Most recently, he built a San Francisco Chronicle Top-100 restaurant program for one of the largest breweries on the West Coast. A native Canadian, he's excited to start a new chapter in Maine.

Together, we are eager to build Friends & Family as a place where people can focus on just that: gathering with their friends and family. We will feature the best of Maine products and ingredients, while adding a new, fun, and dynamic space to the Arts District.

Thank you for considering our application,



Michael and Cecily





**CITY OF PORTLAND**  
**Permitting and Inspections Department**  
**Application for Food Service Establishment with Alcoholic Beverages License**

|                                             |                                 |                |              |
|---------------------------------------------|---------------------------------|----------------|--------------|
| <b>Business Information</b>                 |                                 |                |              |
| Business Name (d/b/a):                      | Friends & Family                | Phone:         | 207-808-8257 |
| Location Address:                           | 593 Congress St, Portland, ME   |                | Zip: 04101   |
| If new, what was formerly at this location: | Vinland                         |                |              |
| Mailing Address:                            | 593 Congress St, Portland, ME   |                | Zip: 04101   |
| Contact Person:                             | Cecily Upton                    | Phone:         | 207 274-0533 |
| Contact Person Email:                       | friendsandfamilymaine@gmail.com |                |              |
| Manager of Establishment:                   | Cecily Upton                    | Date of Birth: | 12/19/1980   |
|                                             |                                 | Phone:         | 207 274-0533 |
| Owner of Premises (Landlord):               | Hammond Heirs, LLC              |                |              |
| Address of Premises Owner:                  | PO Box 5273, Portland, ME       |                | Zip: 04101   |

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

| Name of Owner(s) | Date of Birth | Residence Address |
|------------------|---------------|-------------------|
|                  |               |                   |
|                  |               |                   |

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

|                           |              |                                   |                                         |
|---------------------------|--------------|-----------------------------------|-----------------------------------------|
| <b>Corporate Name</b>     |              | <b>Corporate Mailing Address</b>  |                                         |
| Friends & Family, Inc     |              | 217 Preble St, South Portland, ME | Zip: 04106                              |
| Contact Person:           | Cecily Upton | Phone:                            | 207-274-0533                            |
| <b>Principal Officers</b> | <b>Title</b> | <b>Date of Birth</b>              | <b>Residence Address</b>                |
| Cecily Upton              | Owner        | 12/19/1980                        | 217 Preble St, South Portland, ME 04106 |
| Michael Malyniowsky       | Owner        | 10/15/1980                        | 41 Howard St, #1, Portland, ME 04101    |
|                           |              |                                   |                                         |
|                           |              |                                   |                                         |
| Class of Liquor License:  |              | III, IV                           |                                         |



**CITY OF PORTLAND**  
**Permitting and Inspections Department**

|                                        |                                                                                         |                                          |                                 |
|----------------------------------------|-----------------------------------------------------------------------------------------|------------------------------------------|---------------------------------|
| Type of food served:                   | Lunch and dinner menu, featuring seasonal small plates, charcuterie, cheese, sandwiches |                                          |                                 |
| Please circle all that will be served: | <input checked="" type="checkbox"/> Beer                                                | <input checked="" type="checkbox"/> Wine | <input type="checkbox"/> Liquor |
| Projected percentage of sales:         | Generated from Food: 55%                                                                | Generated from Alcohol: 45%              |                                 |
| Hours & days of operation:             | Thursday - Monday, 11am - 8pm                                                           |                                          |                                 |

|                                                                                                                                       |                                                            |
|---------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------|
| <b>QUESTIONS</b>                                                                                                                      | Y/N                                                        |
| Will full-course meals, only capable of consumption with the use of tableware, be served the entire time the establishment is open?   | <input checked="" type="radio"/> Y <input type="radio"/> N |
| If No, please explain:                                                                                                                |                                                            |
| Is the establishment less than 300 feet from a school, dormitory, church or parish house, or similar establishment?                   | <input checked="" type="radio"/> Y <input type="radio"/> N |
| If yes, give the distance:                                                                                                            |                                                            |
| Will you have entertainment on the premises? (If yes, a Supplemental Application for Entertainment is required.)                      | <input checked="" type="radio"/> Y <input type="radio"/> N |
| Will you permit dancing after 1:00 a.m.?                                                                                              | <input checked="" type="radio"/> Y <input type="radio"/> N |
| Will you have outside dining? (If yes, an Outdoor Dining Application is required)                                                     | <input checked="" type="radio"/> Y <input type="radio"/> N |
| If yes, will the outside dining be on <input checked="" type="radio"/> PUBLIC or <input type="radio"/> PRIVATE property (circle one). |                                                            |
| Will you have any amusement devices (pinball, video games, juke box)?                                                                 | <input checked="" type="radio"/> Y <input type="radio"/> N |
| If yes, please list: # of pinball machines: _____ # of amusements: _____ # of pool tables: _____                                      |                                                            |
| What is your targeted opening date?                                                                                                   | 7/1/2021                                                   |
| Does the Issuance of this license directly or indirectly benefit any City employee(s)?                                                | <input checked="" type="radio"/> Y <input type="radio"/> N |
| If Yes, list name(s) of employee(s) and department(s):                                                                                |                                                            |
| Have any of the applicants, including the corporation (if applicable), ever held a business license with the City of Portland?        | <input checked="" type="radio"/> Y <input type="radio"/> N |
| If Yes, please list business name(s) and location(s):                                                                                 |                                                            |
| Is any principal officer under the age of 21?                                                                                         | <input checked="" type="radio"/> Y <input type="radio"/> N |
| Have applicant, partners, associates, or corporate officers ever been arrested, indicted, or convicted for any violation of law?      | <input checked="" type="radio"/> Y <input type="radio"/> N |
| If Yes, please explain: <b>Arrested for minor traffic violation in 2002, all charges dropped</b>                                      |                                                            |

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

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

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

Signature  Title Owner Date 4/27/2021



**CITY OF PORTLAND**  
**Permitting and Inspections Department**  
**Outdoor Dining Permit on Public Property**  
**Supplemental Application**

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

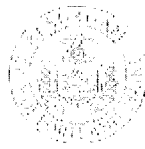
- ☐ Legal Advertisement Deposit \$100.00
- ☒ Outdoor Dining on Public Property \$84.00 plus \$2.00 per Square foot \$2.00 X 40.5 SF = \_\_\_\_\_
- ☒ Outdoor Dining on Public Property in a City Park \$84.00 plus \$6.30 per Square foot \$6.30 X 328.5 SF = \_\_\_\_\_

|                               |                                   |                |          |
|-------------------------------|-----------------------------------|----------------|----------|
| <b>Business Information</b>   |                                   |                |          |
| Business Name (d/b/a):        | Friends & Family                  | Phone:         |          |
|                               |                                   | 207            | 808-5237 |
| Location Address:             | 593 Congress St, Portland, ME     |                |          |
|                               |                                   | Zip:           | 04101    |
| Mailing Address:              | 217 Preble St, South Portland, ME |                |          |
|                               |                                   | Zip:           | 04106    |
| Contact Person:               | Cecily Upton                      | Phone:         |          |
|                               |                                   | 207            | 274-0533 |
| Contact Person Email:         | friendsandfamilymaine@gmail.com   |                |          |
| Manager of Establishment:     | Cecily Upton                      | Date of Birth: |          |
|                               |                                   | Phone:         |          |
|                               |                                   | 207            | 274-0533 |
| Owner of Premises (Landlord): | Hammond Heirs, LLC                |                |          |
| Address of Premises Owner:    | PO Box 5273, Portland, ME         |                |          |
|                               |                                   | Zip:           | 04101    |

**Owner Information**

|                           |              |                                   |                                         |
|---------------------------|--------------|-----------------------------------|-----------------------------------------|
| <b>Corporate Name</b>     |              | <b>Corporate Mailing Address</b>  |                                         |
| Friends & Family, LLC     |              | 217 Preble St, South Portland, ME |                                         |
|                           |              | Zip:                              | 04106                                   |
| Contact Person:           | Cecily Upton | Phone:                            |                                         |
|                           |              | 207                               | 274-0533                                |
| <b>Principal Officers</b> | <b>Title</b> | <b>Date of Birth</b>              | <b>Residence Address</b>                |
| Cecily Upton              | Owner        | 12/19/1980                        | 217 Preble St, South Portland, ME 04106 |
| Michael Malyniowsky       | Owner        | 10/15/1980                        | 41 Howard St, #1, Portland, ME 04101    |
|                           |              |                                   |                                         |
|                           |              |                                   |                                         |



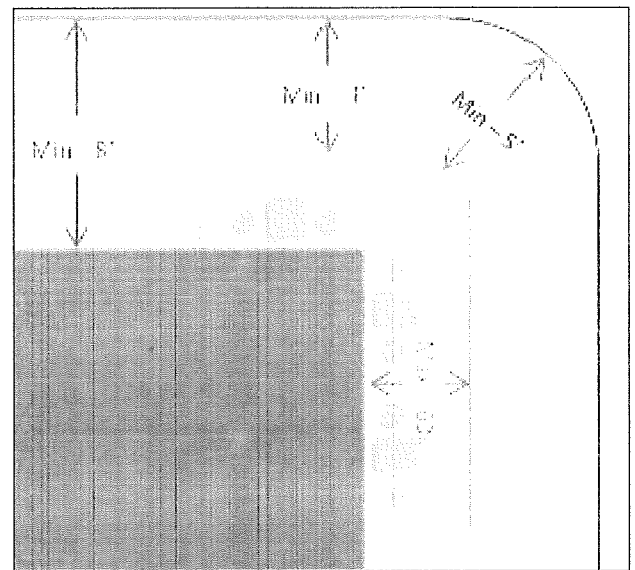


**CITY OF PORTLAND**  
**Permitting and Inspections Department**

|                                        |                                                                                |
|----------------------------------------|--------------------------------------------------------------------------------|
| Class of License:                      | III, IV                                                                        |
| Type of food served:                   | Lunch and dinner of hearty small plates, meats and cheeses, sandwiches, pizzas |
| Please circle all that will be served: | Beer Wine Liquor                                                               |
| Hours & days of operation:             | Thursday - Monday, 11am - 8pm                                                  |
| Number of Tables                       | Six, 2-Two Tops and 4-Six Tops                                                 |
| Number of Chairs                       | 28 Seats                                                                       |

**Design and Construction**

| Existing Sidewalk Width<br>(property line to curb) | Sidewalk Dining Allowed? |
|----------------------------------------------------|--------------------------|
| < 8'0"                                             | No                       |
| ≥ 8'0"                                             | Yes – up to 60% of       |
| Sidewalk Type                                      | Sidewalk Passage Width   |
| Standard sidewalk                                  | 4'0"                     |
| Street corner                                      | 5'0"                     |

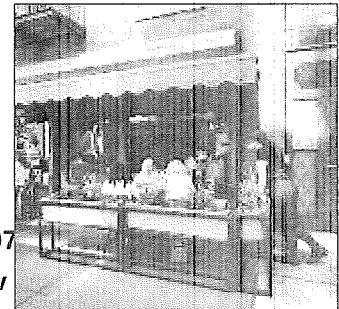
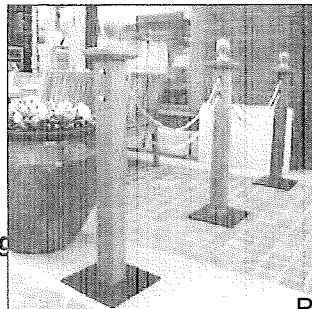


- Outdoor dining area shall not exceed 60% of the sidewalk width.
- A continuous, unobstructed sidewalk passage of 4 feet from the outer boundary of the seating area to the curb must be maintained. If the passage is not straight due to existing obstacles, then additional width may be required. Any changes to existing straight passage is at the discretion of the City.
- Egress must be maintained free of obstruction.
- Permanent fixtures, such as awnings, require a building permit separate from the Outdoor Dining permit and subject to approval by the Building Authority.
- Umbrellas do not require a permit.
- Umbrellas must be secured and maintain the height clearance for sidewalk passage.

**Barriers**

- If barriers are proposed, they must be free-standing. Physical attachments to a building are not allowed.
- Stanchions and ropes are encouraged. Sectional fencing is allowed with a high degree of visual transparency (at least 50% open). Solid or opaque barriers are not allowed.
- Shall not exceed 42" in height and may not include commercial signage.

Example barrier types that meet regulation

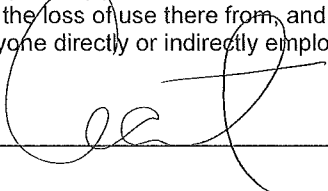




**CITY OF PORTLAND**  
**Permitting and Inspections Department**  
**Maintenance and Operations**

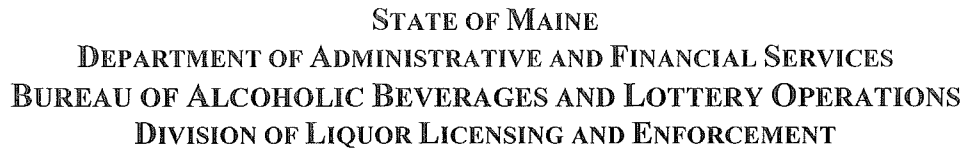
- Outdoor dining components must be within the permitted area and allow safe passage of pedestrian traffic. Failure to comply may result in a revocation of the permit.
- The permit holder is responsible for keeping the outdoor seating area clean.
- No food shall be prepared in the designated outdoor dining area.
- All outdoor dining components shall be removed before snowfall and while any snow or ice exists within four feet of the outdoor dining area. The City will not be responsible for damage to any property that is not removed prior to sidewalk maintenance.
- Outdoor dining areas must meet ADA regulations and accessible seating is required.
- Request for the use of adjacent on street parking space for outdoor dining installations requires Parking Office and Building Authority review and approval.

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

Signature  Title Owner Date 5/6/2021

**For Administrative Use Only**

|                            |                         |              |
|----------------------------|-------------------------|--------------|
| Amount: _____              | Request Date / Approval | Notes: _____ |
| Date Paid: _____           | FD: _____ / _____       | _____        |
| CC _____ CA _____ CK _____ | Health: _____ / _____   | _____        |
|                            | PD: _____ / _____       | _____        |
| Amount: _____              | Treasury: _____ / _____ | _____        |
| Date Paid: _____           | Zoning: _____ / _____   | _____        |
| CC _____ CA _____ CK _____ |                         |              |



*All Questions Must Be Answered Completely. Please print legibly.*

| Division Use Only                                                        |     |
|--------------------------------------------------------------------------|-----|
| License No:                                                              |     |
| Class:                                                                   | By: |
| Deposit Date:                                                            |     |
| Amt. Deposited:                                                          |     |
| Payment Type:                                                            |     |
| OK with SOS:    Yes <input type="checkbox"/> No <input type="checkbox"/> |     |

1. New license or renewal of existing license? ☒ New Expected Start date: 07/01/2021  
☐ Renewal Expiration Date: \_\_\_\_\_

|       |           |                        |           |              |
|-------|-----------|------------------------|-----------|--------------|
| Food: | \$211,000 | Beer, Wine or Spirits: | \$109,000 | Guest Rooms: |
|-------|-----------|------------------------|-----------|--------------|

☒ Malt Liquor (beer)      ☒ Wine      ☐ Spirits

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

- |                                                                                                                    |                                                                          |                                                       |
|--------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------|-------------------------------------------------------|
| <input checked="" type="checkbox"/> Restaurant<br>(Class I, II, III, IV)                                           | <input type="checkbox"/> Class A Restaurant/Lounge<br>(Class XI)         | <input type="checkbox"/> Class A Lounge<br>(Class X)  |
| <input type="checkbox"/> Hotel<br>(Class I, II, III, IV)                                                           | <input type="checkbox"/> Hotel – Food Optional<br>(Class I-A)            | <input type="checkbox"/> Bed & Breakfast<br>(Class V) |
| <input type="checkbox"/> Golf Course (included optional licenses, please check if apply)<br>(Class I, II, III, IV) | <input type="checkbox"/> Auxiliary                                       | <input type="checkbox"/> Mobile Cart                  |
| <input type="checkbox"/> Tavern<br>(Class IV)                                                                      | <input type="checkbox"/> Other: _____                                    |                                                       |
| <input type="checkbox"/> Qualified Caterer                                                                         | <input type="checkbox"/> Self-Sponsored Events (Qualified Caterers Only) |                                                       |

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

5. Business records are located at the following address:

593 Congress St, Portland, ME 04101

---

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

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

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

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

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

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

☐ Yes ☒ No

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

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

☐ Yes ☒ No

If yes, please provide details: \_\_\_\_\_

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

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

| Name of Business | License Number | Complete Physical Address |
|------------------|----------------|---------------------------|
|                  |                |                           |
|                  |                |                           |

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

| Full Name           | DOB        | Place of Birth          |
|---------------------|------------|-------------------------|
| Cecily Upton        | 12/19/1980 | Portland, Maine         |
| Michael Malyniowsky | 10/15/1980 | Ottawa, Ontario, Canada |

Residence address on all the above for previous 5 years

Name: Cecily Upton Address: 217 Preble St, South Portland, ME 04101

Name: Michael Malyniowsky Address: 386 Page St, San Francisco, CA 94102

Name: Michael Malyniowsky Address: 863 Waller St, Apt 1, San Francisco, CA 94117

Name: Address:

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

☐ Yes ☒ No

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

\_\_\_\_\_

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

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

Name: \_\_\_\_\_ Date of Conviction: \_\_\_\_\_

Offense: \_\_\_\_\_ Location: \_\_\_\_\_

Disposition: \_\_\_\_\_

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

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

Name: \_\_\_\_\_ Date of Conviction: \_\_\_\_\_

Offense: \_\_\_\_\_ Location: \_\_\_\_\_

Disposition: \_\_\_\_\_

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

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

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

Hammond Heirs, LLC, PO Box 5273, Portland, ME 04101

\_\_\_\_\_

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

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

The premises includes +/- 1720 square feet. +/- 1000 square feet of on-premise consumption which includes an 8 seat bar, and 6 tables that accomodate an additional 30 guests.

The first floor also includes 2 guest bathrooms and a back prep kitchen with egress.

Additionally, the premises include a mezzanine office and a basement storage area.

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

Name: Portland High School

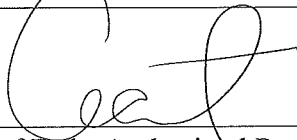
Distance: .5 miles

## Section II: Signature of Applicant(s)

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

Please sign and date in blue ink.

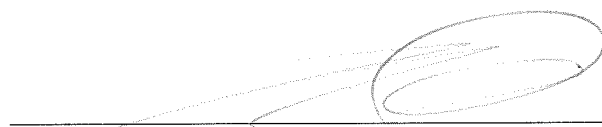
Dated: 04/20/2021



Signature of Duly Authorized Person

Cecily Upton

Printed Name Duly Authorized Person



Signature of Duly Authorized Person

Michael Malyniowsky

Printed Name of Duly Authorized Person

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

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

*All Questions Must Be Answered Completely. Please print legibly.*

1. Exact legal name: Friends & Family, Inc
2. Doing Business As, if any: Friends & Family
3. Date of filing with Secretary of State: 04/15/2021 State in which you are formed: Maine
4. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine:  
\_\_\_\_\_
5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors, managers, members or partners and the percentage ownership any person listed: (attached additional pages as needed)

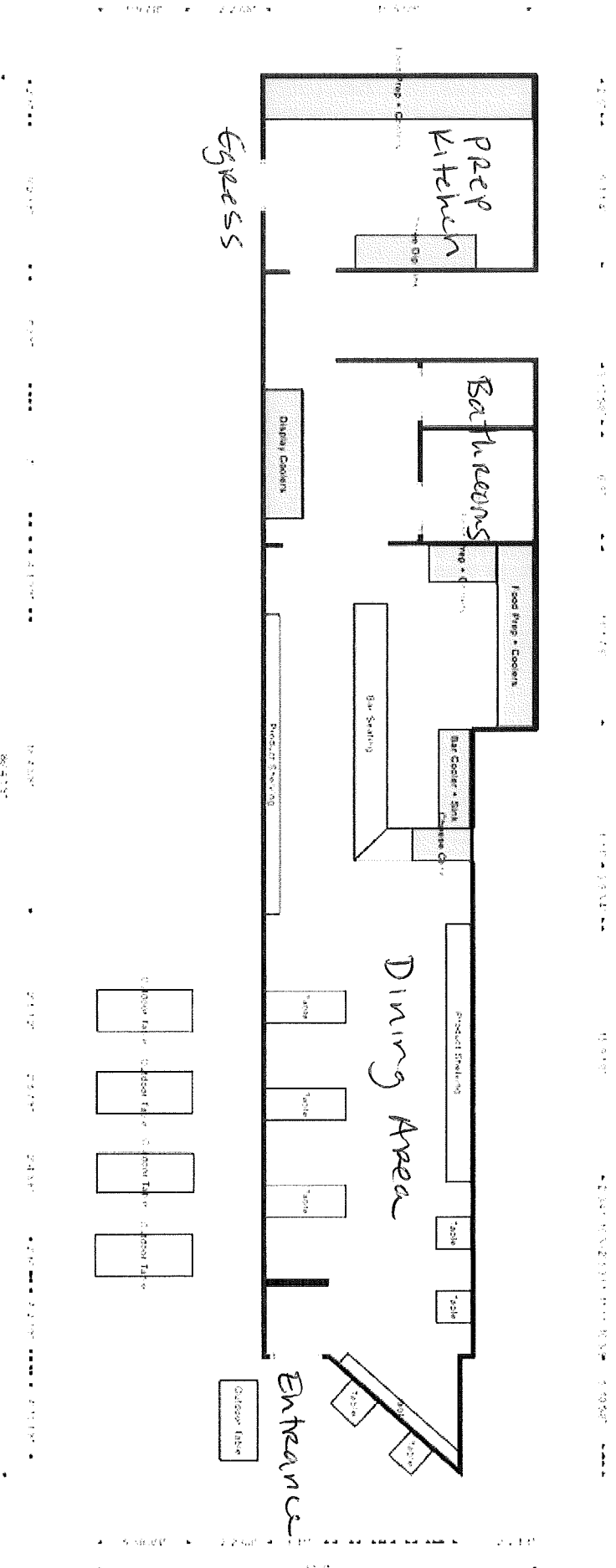
| Name                | Address (5 Years)                             | Date of Birth | Title | Percentage of Ownership |
|---------------------|-----------------------------------------------|---------------|-------|-------------------------|
| Cecily Upton        | 217 Preble St, S Portland                     | 12/19/80      | Owner | 50                      |
|                     | Maine, 04106                                  |               |       |                         |
| Michael Malyniowsky | 386 Page St, San Francisco, CA 94102          | 10/15/80      | Owner | 50                      |
|                     | 863 Waller St, Apt 1, San Francisco, CA 94117 |               |       |                         |
|                     |                                               |               |       |                         |
|                     |                                               |               |       |                         |

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



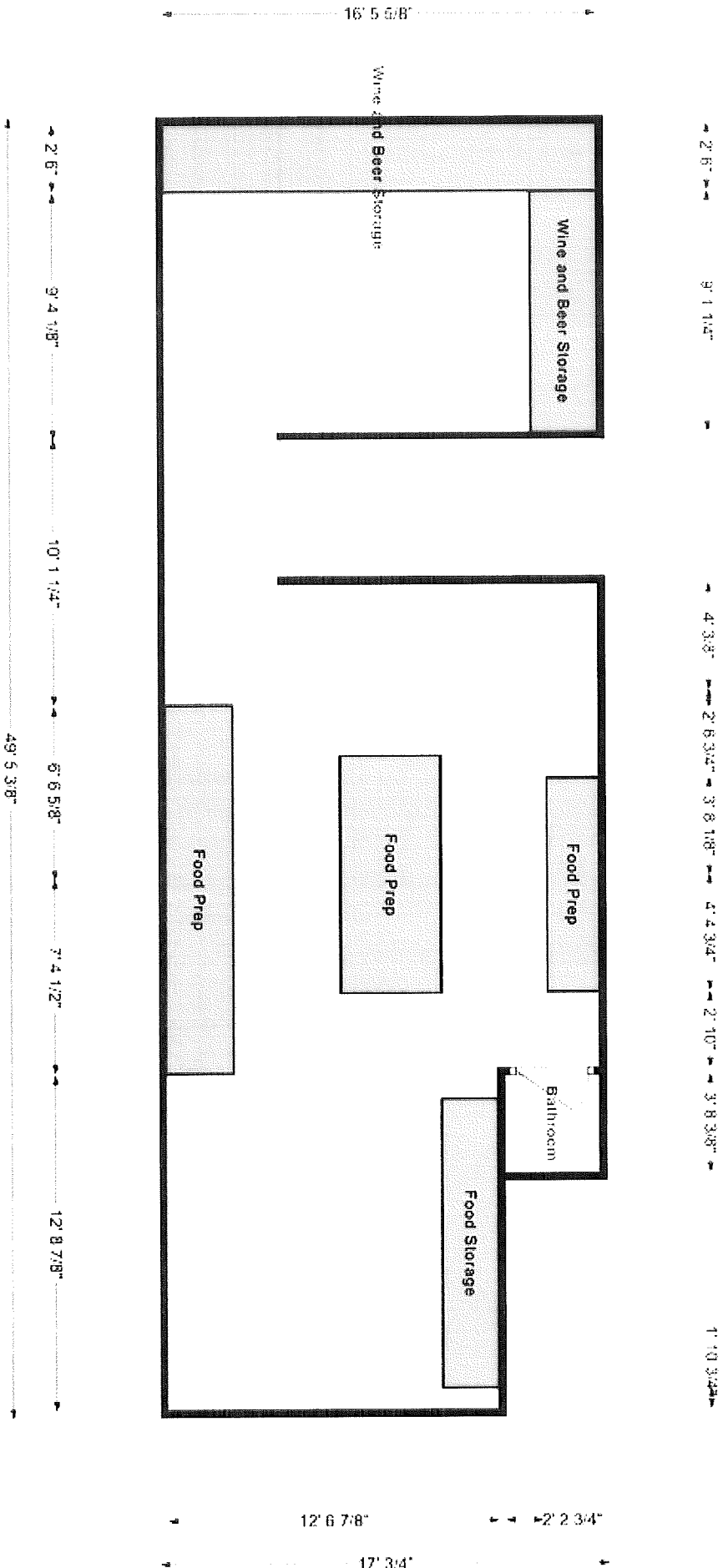
# Friends + Family State Application

593 Congress St. - Main  
Floor



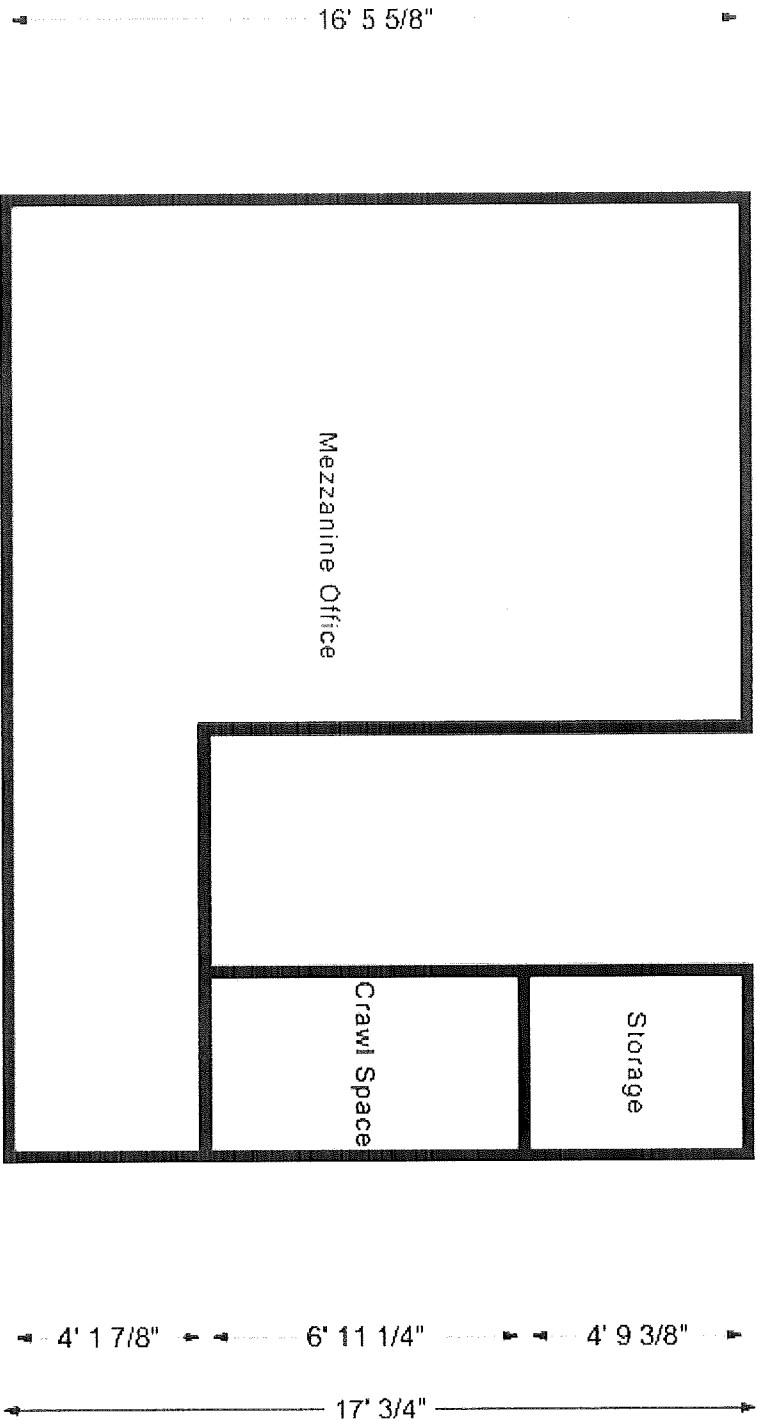
Friends + Family  
~~State~~ Application  
Stake

5A3 Congress Basement



Friends + Family  
State Application

543 Congress Mezzanine



Friends & Family  
593 Congress St.  
Outdoor Dining

Public, Non-Park  
40.5 sq. ft.

Public, Park  
328.5 sq ft

St. Congress

Park Planters

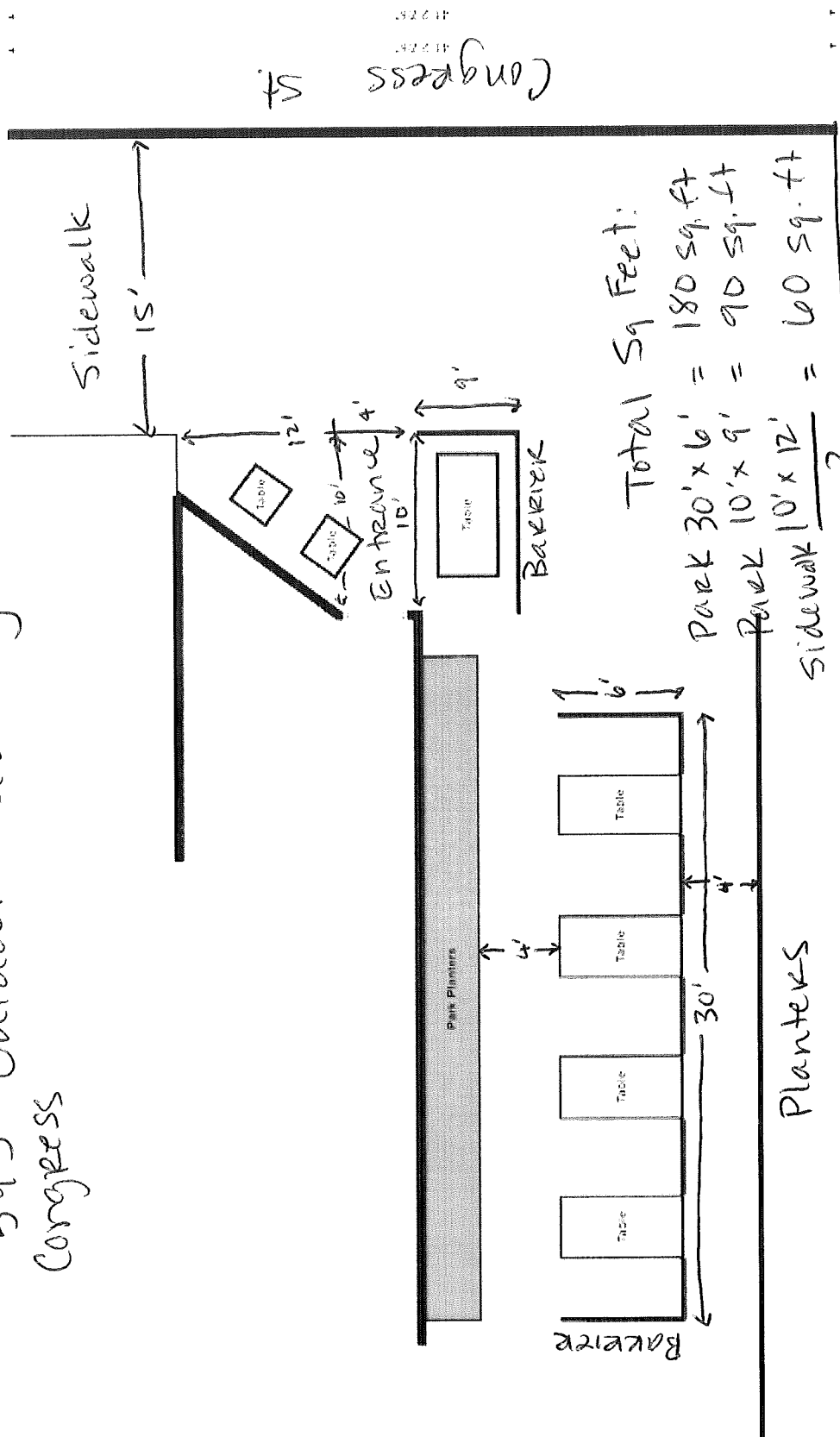
Congress  
Square  
Park

## Planters



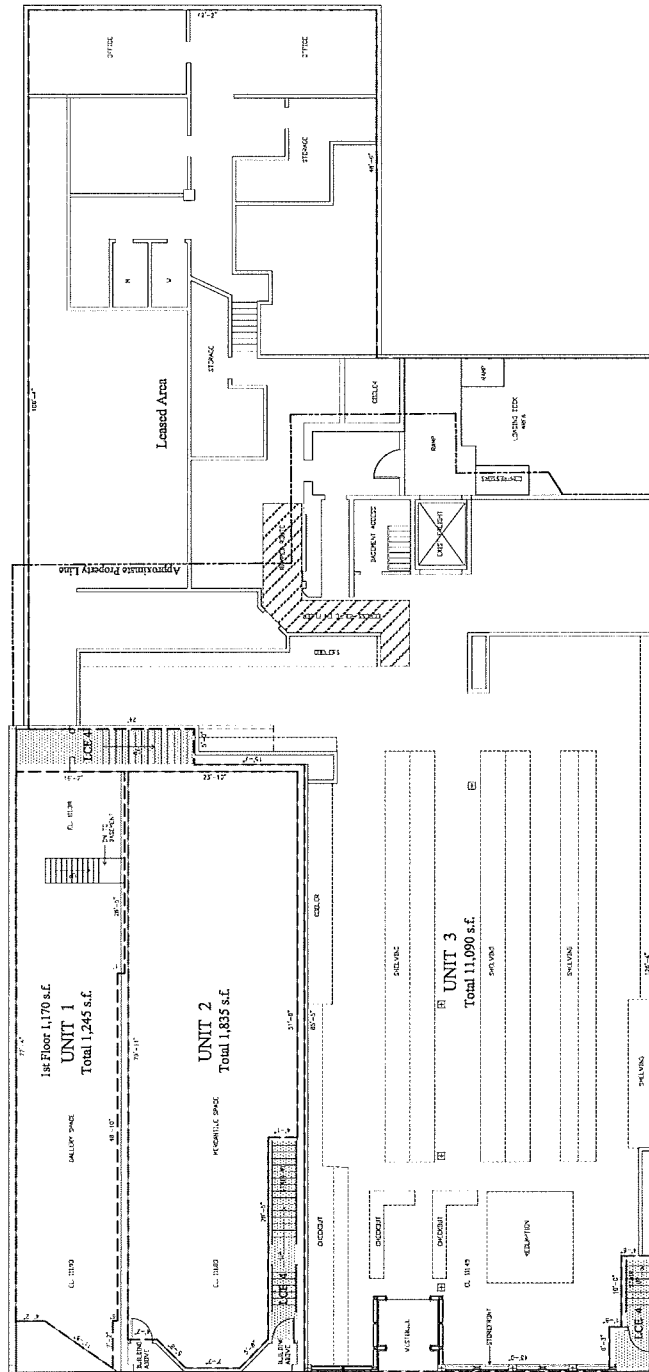
Free SD export  
floorplaner

# 593 Outdoor Seating Congress



Congress Square  
Park

Congress  
Square  
Park



OWNER OF RECORD:  
ANNAMARIE & PAUL J. TRUSIANI  
585 CONGRESS STREET  
PORTLAND, MAINE 04101  
CCS-1 800-415 PAGE 88

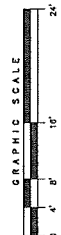
# VERTICAL BOUNDARIES

FIRST FLOOR  
"585 CONGRESS STREET CONDOMINIUM"  
585 CONGRESS STREET, PORTLAND, MAINE  
MADE FOR RECORD OWNERS  
ANNAMARIE & PAUL TRUSIANI  
585 CONGRESS STREET, PORTLAND, MAINE

|                                                          |      |                            |           |              |            |
|----------------------------------------------------------|------|----------------------------|-----------|--------------|------------|
| OWEN HASKELL, INC.                                       |      | PROFESSIONAL LAND SURVEYOR |           | JOB NO.      | 2010-02    |
| 100 U.S. STATE CHURCH, PORTLAND, ME 04101 (207) 774-4424 |      | DATE OF SURVEY             |           | DATE OF PLOT | 2010-02-02 |
| Drawn By                                                 | EB   | Scale                      | 1/8" = 1' | Check By     | EB         |
| Book No.                                                 | FILE | Sheet                      |           | Drawn No.    | 1 OF 4     |

JOHN W. SWAN, PLS #11338

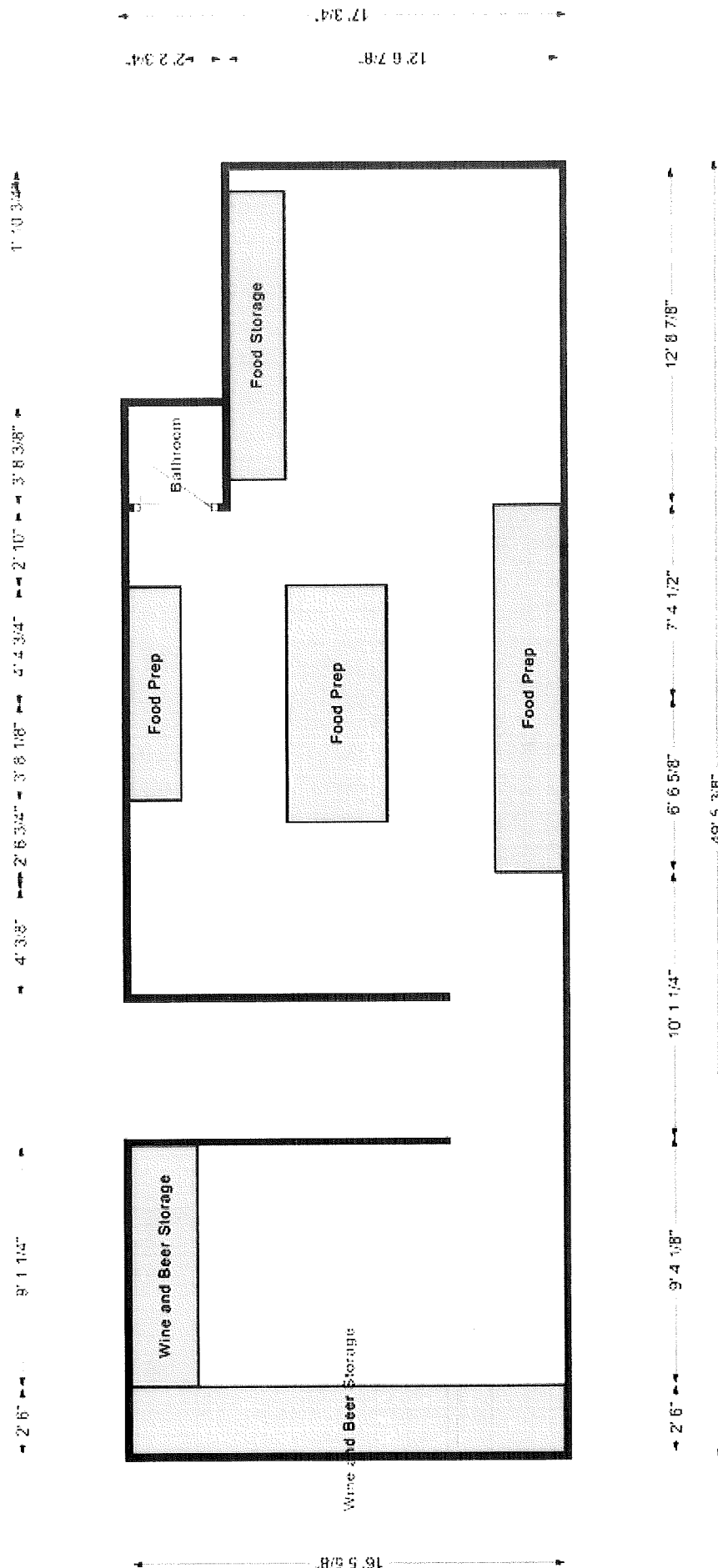
LEGEND:  
UNITED COMMON ELEMENT  
LCE  
UNIT BOUNDARY



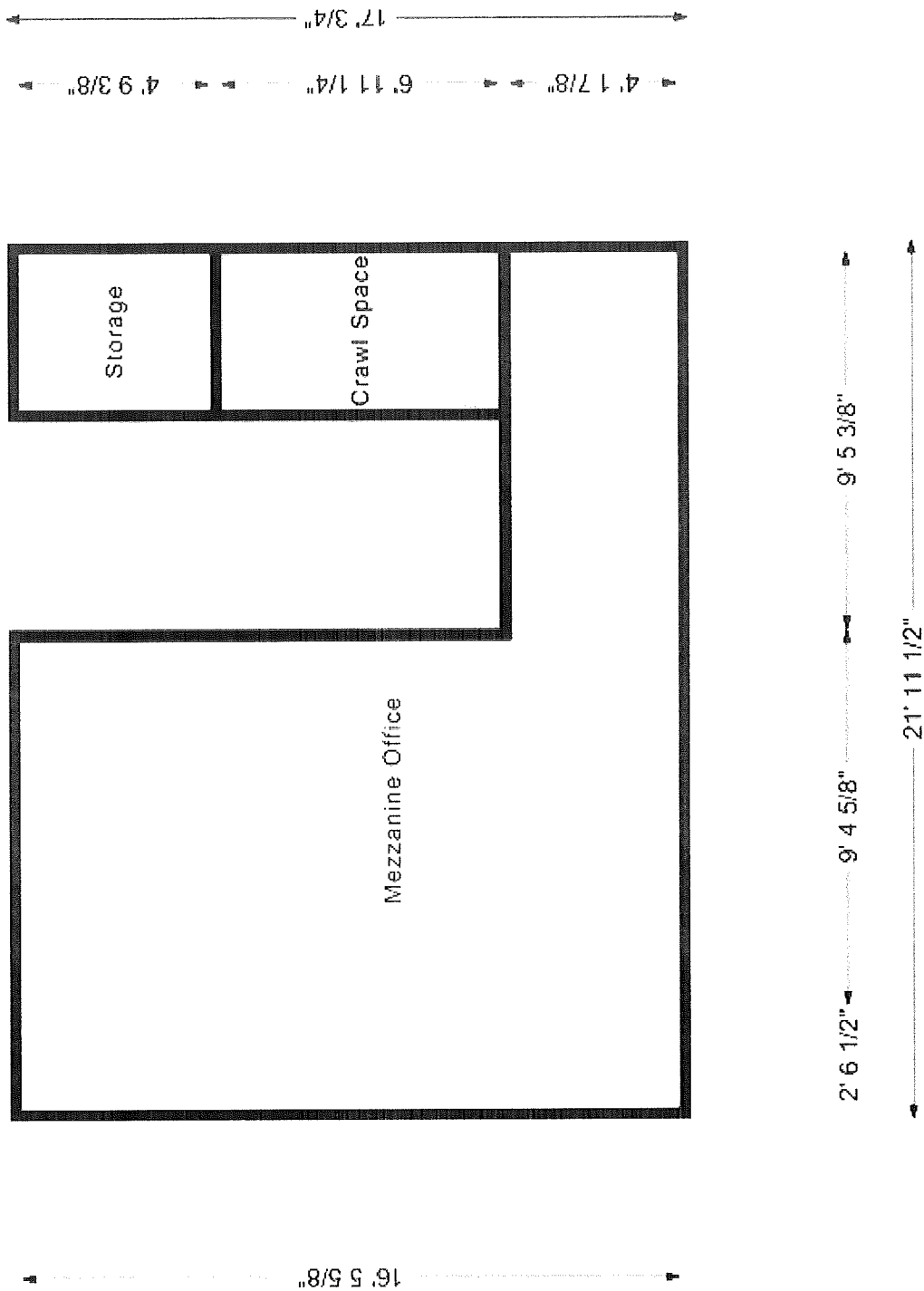
NOTE: ELEVATIONS BASED ON CITY OF PORTLAND DATUM.

Friends + Family  
City Application

# 593 Congress Basement



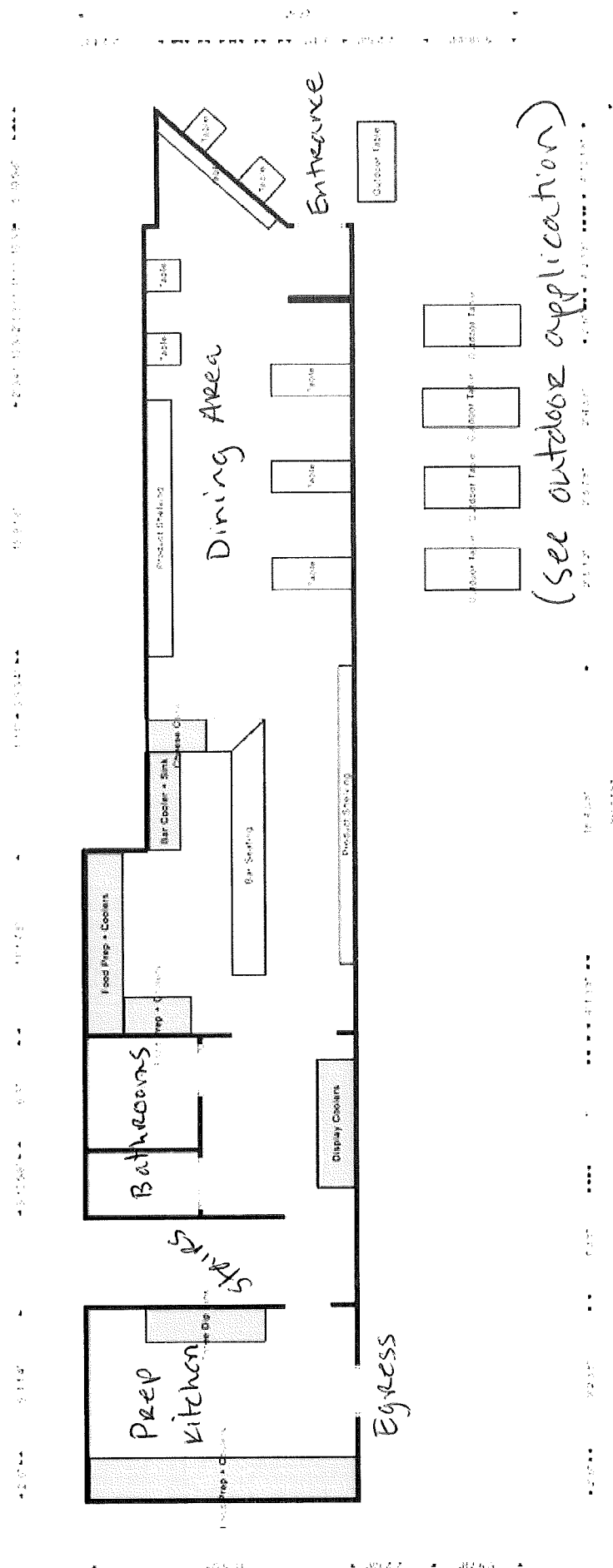
2' 6 1/2" 9' 1 3/4" 5' 6 1/8" 3' 10 5/8"  
593 Congress Mezzanine office





# Friends + Family City Application

593 Congress - Main Floor



## FRIENDS & FAMILY MENU

### Salads + Sandwiches

#### Caesar salad

- Chicories with a tarragon Caesar dressing and seeds

#### Meatball Caesar

- Bitter greens and Parmesan

#### Chicken Cutlet

- Arugula, stracciatella and Calabrian honey

#### Grilled Cheese

- Toma, fontina and pesto on Scratch Baking Pain de Mie

#### Ham, Jam + Tam

- Fig jam with prosciutto, arugula and Mt Tam

#### Hummus

- Cucumber and sprouts on griddled bread

#### Medianoche

- Roast pork, ham, gruyere, pickles and citrus mustard aioli

### Pizza

#### Irene

- Dry cured black olive, shaved red onion and piri picante

#### Moonbeam

- Seasonal vegetable offerings from the market

### Hearty Snacks

#### Caviar

- Served with Fox chips, chive and crema

#### Beef "carpaccio"

- Bresola, pickles, egg, frisée, Banyuls

#### Fondue

- Comte, Berganuss, Riesling, Scratch Baking crouton

#### Daily Meat and Cheese Boards (sm + lg)

#### Roasted Meatballs

- Polenta, lemon salsa verde and herb salad

#### Seasonal Burrata

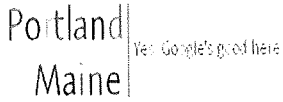
- Basil oil, pistou basil, Maine sea salt served with Standard Baking crostini

#### Sicilian Sashimi

- Seasonal Maine gulf fish with caper, red onion and olive oil

#### Pork or duck Rillettes

- Mustard, cornichon, crostini



Jessica Hanscombe &lt;jhanscombe@portlandmaine.gov&gt;

---

**Re: Friends & Family**

---

Glen McGary &lt;glenm@portlandmaine.gov&gt;

Fri, May 14, 2021 at 1:07 PM

To: Jessica Hanscombe &lt;jhanscombe@portlandmaine.gov&gt;

Cc: Benjamin Pearson &lt;bnp@portlandmaine.gov&gt;, Chris Beaumont &lt;cbeaumont@portlandmaine.gov&gt;, Dan Hondo &lt;danh@portlandmaine.gov&gt;, Eric Cobb &lt;ecobb@portlandmaine.gov&gt;, Fire Prevention &lt;fireprevention@portlandmaine.gov&gt;, Jason Grant &lt;jgrant@portlandmaine.gov&gt;, Laurie Carlson &lt;lac@portlandmaine.gov&gt;, Tom Williams &lt;tw@portlandmaine.gov&gt;, Treasury Division &lt;treasury@portlandmaine.gov&gt;

PPD approves

On Fri, May 14, 2021 at 12:58 PM Jessica Hanscombe &lt;jhanscombe@portlandmaine.gov&gt; wrote:

Good Afternoon

Please see the attached application. This will go before council on 6/7/2021. Please advise. Jess

Jessica Blais Hanscombe  
Director of Permitting and Inspections  
City of Portland  
389 Congress Street  
Portland, Maine 04101  
207-874-8783  
jhanscombe@portlandmaine.gov

--  
Lieutenant Glen McGary  
Portland Police Department  
109 Middle Street  
Portland, Maine 04101  
Office (207) 756-8294  
Fax (207) 874-8580



**CITY OF PORTLAND**  
**Permitting and Inspections Department**

May 14, 2021

Brickyard Hollow Brewing Co  
236 Main Street  
Yarmouth ME 04096

**Re Friends & Family, Inc. dba Friends & Family. Application for a Class III & IV with Outdoor Dining on Public Property at 593 Congress Street**

Dear Cecily Upton

This letter shall serve as a reminder of the public hearing before the Portland City Council on **Monday June 7, 2021 at 5:00 p.m.**, for the review of application for a Class III & IV with Outdoor Dining on Public Property at 593 Congress Street. The meeting will take place virtually. The link can be found on the Meeting Agenda which will be posted on the City Website on June 4, 2021.

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

Please contact our office directly with questions at (207) 874-8557 or [bl@portlandmaine.gov](mailto:bl@portlandmaine.gov).

Sincerely,

Jessica Hanscombe  
Director of Permitting and Inspections

## **Legal Advertisement**

### **Notice of Public Hearing City of Portland**

A Public Hearing will be held on June 7, 2021 at 5:00 P.M., virtually Friends & Family, Inc. dba Friends & Family. Application for a Class III & IV with Outdoor Dining on Public Property at 593 Congress Street. Sponsored by Jon P. Jennings, City Manager.

**MEMORANDUM**  
**City Council Agenda Item**

**FROM:**

**DATE:** May 17, 2021

**SUBJECT:** Order 272-20/21 Granting Municipal Officers' Approval of Rosemont Market Inc dba Rosemont Market. Application for a Class III & IV at 42 Resurgam Place - Sponsored by Jon P. Jennings, City Manager

**SPONSOR:**

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

**COUNCIL MEETING DATE ACTION IS REQUESTED:**

**1st Reading**

**Final Action**

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

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

**I. SUMMARY**

**II. AGENDA DESCRIPTION**

Application was filed on 5/17/2021. New City and State applications. Location was previously Cellardoor Winery.

Five affirmative votes are required for passage after public comment.

**III. BACKGROUND**

**IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED**

**V. FINANCIAL IMPACT**

**VI. STAFF ANALYSIS AND BACKGROUND**

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

**VII. RECOMMENDATION**

**VIII. LIST ATTACHMENTS**

1. Rosemont Market
2. 20210520091953662

Prepared by:

Date: 5/17/2021





KATHLEEN M SNYDER (MAYOR)  
BELINDA S. RAY (1)  
SPENCER R. THIBODEAU (2)  
TAE Y. CHONG (3)  
ANDREW J. ZARRO (4)

**CITY OF  
PORTLAND**  
IN THE CITY COUNCIL

MARK N. DION (5)  
APRIL FOURNIER (A/L)  
PIOUS ALI (A/L)  
NICHOLAS M. MAVODONES, JR (A/L)

ORDER  
GRANTING MUNICIPAL OFFICERS'  
APPROVAL OF:

**Rosemont Market Inc dba Rosemont Market. Application for a Class III & IV at 42  
Resurgam Place.**

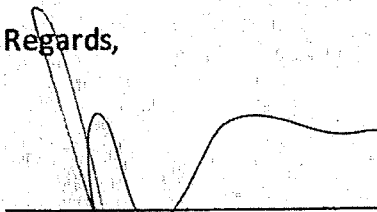
Mayor Snyder and Members of the City Council of Portland:

Rosemont Market and Bakery has long had the privilege of being a cornerstone for promoting local, healthy, and accessible food to our community in Portland. We are now looking at expanding our presence in the city by undergoing a project at Thompson's Point. We hope to open a grab-and-go food market highlighting the produce and producers of Maine as well as a Wine Bar for our community to enjoy. Our goal in the wine bar is to create a meeting place for people to come together and enjoy a glass of wine, some local snacks, and to share the stories of our producers that make Rosemont's wine program so special. The wine bar will also include the option of enjoying some of Rosemont's hand-selected cheeses, from-scratch dips and spreads, locally cured meats, and fresh baguettes from their bakery.

We've been excited to be a source of wine from small sustainable producers in our stores and look forward to the opportunity to share this with a wider audience at our new wine bar at Thompson's Point.

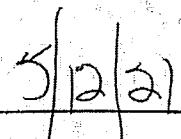
Thank you for your consideration of our application.

Regards,



---

John Naylor  
CEO Rosemont Market & Bakery



---

5/12/2021



## CITY OF PORTLAND

## Permitting and Inspections Department

## Application for Food Service Establishment with Alcoholic Beverages License

|                                             |                                               |
|---------------------------------------------|-----------------------------------------------|
| <b>Business Information</b>                 |                                               |
| Business Name (d/b/a):                      | ROSEMONT MARCET                               |
| Location Address:                           | 1 THOMPSON'S POINT, 42 RESURGAM PLACE         |
| If new, what was formerly at this location: | CELLAR DOOR WINERY                            |
| Mailing Address:                            | 832 STEVENS AVE PORTLAND, ME                  |
| Contact Person:                             | Michelle McMahan                              |
| Contact Person Email:                       | michelle@rosemontmarket.com                   |
| Manager of Establishment:                   |                                               |
| Owner of Premises (Landlord):               | FOREFRONT BRICK NORTH                         |
| Address of Premises Owner:                  | c/o BOULLOS ASSET MANAGEMENT, ONE CANAL PLAZA |

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

| Name of Owner(s) | Date of Birth | Residence Address |
|------------------|---------------|-------------------|
|                  |               |                   |
|                  |               |                   |

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

|                           |                     |                              |                                    |
|---------------------------|---------------------|------------------------------|------------------------------------|
| Corporate Name            |                     | Corporate Mailing Address    |                                    |
| ROSEMONT MARKET INC       |                     | 832 STEVENS AVE PORTLAND, ME |                                    |
| Contact Person:           | Michelle McMahan    | Phone:                       | 207 699 4306                       |
| Principal Officers        | Title               | Date of Birth                | Residence Address                  |
| JOHN NAYLOR               | CEO/owner           | 5/9/56                       | 45 FLEETWOOD ST PORTLAND, ME       |
| <del>SCOTT ANDERSON</del> | <del>CO-OWNER</del> | <del>10/7/57</del>           | <del>232 RAY ST PORTLAND, ME</del> |
|                           |                     |                              |                                    |
| Class of Liquor License:  |                     | Class III + IV               |                                    |

389 Congress Street, Room 307 • Portland, Maine 04101 • 207-874-8557

bl@portlandmaine.gov • www.portlandmaine.gov



**CITY OF PORTLAND**  
**Permitting and Inspections Department**

|                                                                                                                                                                     |                                          |                                       |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|---------------------------------------|
| Type of food served:                                                                                                                                                |                                          |                                       |
| Please circle all that will be served:                                                                                                                              | <u>Beer</u> <u>Wine</u> Liquor           |                                       |
| Projected percentage of sales:                                                                                                                                      | Generated from Food: <u>20-25%</u>       | Generated from Alcohol: <u>80-75%</u> |
| Hours & days of operation:                                                                                                                                          | <u>W-F: 3-9 ; Saturday/Sunday - 11-9</u> |                                       |
| <b>QUESTIONS</b>                                                                                                                                                    |                                          | <b>Y/N</b>                            |
| Will full-course meals, only capable of consumption with the use of tableware, be served the entire time the establishment is open?                                 |                                          | <u>Y</u> N                            |
| If No, please explain:                                                                                                                                              |                                          |                                       |
| Is the establishment less than 300 feet from a school, dormitory, church or parish house, or similar establishment?                                                 |                                          | Y <u>N</u>                            |
| If yes, give the distance:                                                                                                                                          |                                          |                                       |
| Will you have entertainment on the premises? (If yes, a Supplemental Application for Entertainment is required.)                                                    |                                          | Y <u>N</u>                            |
| Will you permit dancing after 1:00 a.m.?                                                                                                                            |                                          | Y <u>N</u>                            |
| Will you have outside dining? (If yes, an Outdoor Dining Application is required)                                                                                   |                                          | Y <u>N</u>                            |
| If yes, will the outside dining be on PUBLIC or PRIVATE property (circle one).                                                                                      |                                          |                                       |
| Will you have any amusement devices (pinball, video games, juke box)?                                                                                               |                                          | Y <u>N</u>                            |
| If yes, please list: # of pinball machines: _____ # of amusements: _____ # of pool tables: _____                                                                    |                                          |                                       |
| What is your targeted opening date?                                                                                                                                 |                                          | <u>7/1/21</u>                         |
| Does the Issuance of this license directly or indirectly benefit any City employee(s)?                                                                              |                                          | Y <u>N</u>                            |
| If Yes, list name(s) of employee(s) and department(s):                                                                                                              |                                          |                                       |
| Have any of the applicants, including the corporation (if applicable), ever held a business license with the City of Portland?                                      |                                          | <u>Y</u> N                            |
| If Yes, please list business name(s) and location(s): <u>832 STEVENS AVE ; 28 Congress St.</u><br><u>ROSEMONT MARKET &amp; BAKERY : 580 BRIGHT AVE ; 40 PINE ST</u> |                                          |                                       |
| Is any principal officer under the age of 21?                                                                                                                       |                                          | Y <u>N</u>                            |
| Have applicant, partners, associates, or corporate officers ever been arrested, indicted, or convicted for any violation of law?                                    |                                          | Y <u>N</u>                            |
| If Yes, please explain:                                                                                                                                             |                                          |                                       |

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

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

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

Signature \_\_\_\_\_ Title CEO Date 4/28/21



*All Questions Must Be Answered Completely. Please print legibly.*

| Division Use Only                                                        |     |
|--------------------------------------------------------------------------|-----|
| License No:                                                              |     |
| Class:                                                                   | By: |
| Deposit Date:                                                            |     |
| Amt. Deposited:                                                          |     |
| Payment Type:                                                            |     |
| OK with SOS:    Yes <input type="checkbox"/> No <input type="checkbox"/> |     |

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

|                                                                                   |                                                                       |
|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------|
| Legal Business Entity Applicant Name (corporation, LLC):<br>Rosemont Market, Inc. | Business Name (D/B/A):<br>Rosemont Market & Wine Bar                  |
| Individual or Sole Proprietor Applicant Name(s):                                  | Physical Location:<br>42 Resurgam Place, Portland, ME 04101           |
| Individual or Sole Proprietor Applicant Name(s):                                  | Mailing address, if different:<br>832 Stevens Ave, Portland, ME 04103 |
| Mailing address, if different from DBA address:                                   | Email Address:<br>michelle@rosemontmarket.com                         |
| Telephone #                      Fax #:                                           | Business Telephone #                      Fax #:<br>207.699.4306      |
| Federal Tax Identification Number:                                                | Maine Seller Certificate # or Sales Tax #:                            |
| Retail Beverage Alcohol Dealers Permit:                                           | Website address:<br>rosemontmarket.com                                |

1. New license or renewal of existing license? ☒ New Expected Start date: 07/01/2021  
☐ Renewal Expiration Date: \_\_\_\_\_
2. The dollar amount of gross income for the licensure period that will end on the expiration date above:  
Food: \$ 250,000.00 Beer, Wine or Spirits: \$ 750,000.00 Guest Rooms: \_\_\_\_\_
3. Please indicate the type of alcoholic beverage to be sold: (check all that apply)  
☒ Malt Liquor (beer) ☒ Wine ☐ Spirits

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

- |                                                                                                                    |                                                                          |                                                       |
|--------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------|-------------------------------------------------------|
| <input checked="" type="checkbox"/> Restaurant<br>(Class I, II, III, IV)                                           | <input type="checkbox"/> Class A Restaurant/Lounge<br>(Class XI)         | <input type="checkbox"/> Class A Lounge<br>(Class X)  |
| <input type="checkbox"/> Hotel<br>(Class I, II, III, IV)                                                           | <input type="checkbox"/> Hotel – Food Optional<br>(Class I-A)            | <input type="checkbox"/> Bed & Breakfast<br>(Class V) |
| <input type="checkbox"/> Golf Course (included optional licenses, please check if apply)<br>(Class I, II, III, IV) | <input type="checkbox"/> Auxiliary                                       | <input type="checkbox"/> Mobile Cart                  |
| <input type="checkbox"/> Tavern<br>(Class IV)                                                                      | <input type="checkbox"/> Other: _____                                    |                                                       |
| <input type="checkbox"/> Qualified Caterer                                                                         | <input type="checkbox"/> Self-Sponsored Events (Qualified Caterers Only) |                                                       |

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

5. Business records are located at the following address:

832 Stevens Avenue, Portland, ME 04103

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

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

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

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

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

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

☐ Yes ☒ No

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

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

☐ Yes ☒ No

If yes, please provide details: \_\_\_\_\_

\_\_\_\_\_

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

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

| Name of Business  | License Number | Complete Physical Address |
|-------------------|----------------|---------------------------|
| SEE ATTACHED FORM |                |                           |
|                   |                |                           |

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

| Full Name                                               | DOB        | Place of Birth |
|---------------------------------------------------------|------------|----------------|
| John Naylor                                             | 05/09/1956 | New Jersey     |
| Scott Anderson                                          | 10/07/1957 | New York       |
|                                                         |            |                |
|                                                         |            |                |
| Residence address on all the above for previous 5 years |            |                |
| Name                                                    | Address:   |                |
| John Naylor, 45 Fleetwood Street, Portland, ME 01402    |            |                |
| Name                                                    | Address:   |                |
| Scott Anderson, 232 Ray Street, Portland, ME 04103      |            |                |
| Name                                                    | Address:   |                |
|                                                         |            |                |
| Name                                                    | Address:   |                |
|                                                         |            |                |

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

☐ Yes ☒ No

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

\_\_\_\_\_

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

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

Name: \_\_\_\_\_ Date of Conviction: \_\_\_\_\_

Offense: \_\_\_\_\_ Location: \_\_\_\_\_

Disposition: \_\_\_\_\_

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

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

Name: \_\_\_\_\_ Date of Conviction: \_\_\_\_\_

Offense: \_\_\_\_\_ Location: \_\_\_\_\_

Disposition: \_\_\_\_\_

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

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

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

Forefront Brick North, c/o Boulos Asset Management, One Canal Plaza, Ste. 500, Portland, ME 04101



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

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

---

---

---

---

20. What is the distance from the premises to the **nearest** school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel?

Name: Waynflete Athletic Fields

Distance: 2.00

## Section II: Signature of Applicant(s)

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

Please sign and date in blue ink.

Dated: 05/10/2021

\_\_\_\_\_  
Signature of Duly Authorized Person

John Naylor  
Printed Name Duly Authorized Person

\_\_\_\_\_  
Signature of Duly Authorized Person

\_\_\_\_\_  
Printed Name of Duly Authorized Person

**MAINE LIQUOR LICENSES ROSEMONT MARKETS**

#751 96 MAIN ST YARMOUTH ME 04096 EXP 1/21/22

#530 580 BRIGHTON AVE PORTLAND ME 04102 EXP 2/3/22

#11530 231 US RT 1 FALMOUTH ME 04105 EXP 2/9/22

#1019 40 PINE ST PORTLAND ME 04101 EXP 5/11/21

#2035 88 CONGRESS ST PORTLAND ME 04101 EXP 7/28/21

#10572 537 SHORE RD CAPE ELIZABETH ME 04107 EXP 12/4/21

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

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

*All Questions Must Be Answered Completely. Please print legibly.*

1. Exact legal name: Rosemont Market, Inc.
2. Doing Business As, if any: Rosemont Market & Wine Bar
3. Date of filing with Secretary of State: 10/15/2004 State in which you are formed: ME
4. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine:  
\_\_\_\_\_
5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors, managers, members or partners and the percentage ownership any person listed: (attached additional pages as needed)

| Name           | Address (5 Years)               | Date of Birth | Title         | Percentage of Ownership |
|----------------|---------------------------------|---------------|---------------|-------------------------|
| John Naylor    | 45 Fleetwood St, Portland 04102 | 05/09/1956    | Treasurer     | 51.0000                 |
| Scott Anderson | 232 Ray St, Portland 04103      | 10/07/1957    | Pres of Board | 49.0000                 |
|                |                                 |               |               |                         |
|                |                                 |               |               |                         |
|                |                                 |               |               |                         |
|                |                                 |               |               |                         |

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

Trash/Compost/Dish Drop

## On-Premise

Wine Bar

Countertop Coolers

Cash Register

Open air cooler

Off-Premise

Case

Freezer

Grocery

3 Door Bev.

Refrigerator

Bay sink

Wine Shelf

Cooler

Retail Storage

Ice Machine

Restroom

## Rosemont Wine Bar Menu

Wine by the Glass - \$9:

Whites:

T Cuvee Bianco – Alto Adige, Italy

Jaffelin Chardonnay – Burgundy, France

Reds:

T Cuvee Rosso – Alto Adige

Jaffelin Pinot Noir – Burgundy, France

Rose:

Domaine des Fouquette Rose – Provence, France

Casa Rossa Ile de Beaute Rose – Corsica, France

Bubbles:

Victorin Chastenay Cremant de Bourgogne

Thorigny Vouvray Brut

Rotating Champagne

Aperitif/Digestif/Sweet:

Niepoort Tawny Port

Spinetta Moscato d'Asti

Beer:

Rotating Can Selection - \$6

Other Options

Espresso, Cappuccino available at Rwanda Bean Coffee till 8PM

Maine Root Ginger

**Bites:**

Cheese Plate 10, 18, 25

Choose 1, 3, 5

Charcuterie Plate – 10, 18, 25

Choose 1, 3, 5

Mixed Plate – 18, 25

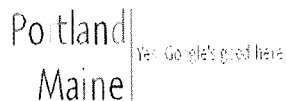
Choose 3, 5

Rotating Baguette Sandwich - \$8

Baguette Sandwich with Butter, Cured Meat, Cornichon - \$10

Rotating Crudites Plate with Dips - \$12

Fish Dips/Tinned fish Plate with Rosemont Bread - \$15

**Jessica Hanscombe** <jhanscombe@portlandmaine.gov>

---

**Re: Rosemont Market**

---

**Glen McGary** <glenm@portlandmaine.gov>

Tue, May 18, 2021 at 7:51 PM

To: Jessica Hanscombe &lt;jhanscombe@portlandmaine.gov&gt;

Cc: Benjamin Pearson &lt;bnp@portlandmaine.gov&gt;, Chris Beaumont &lt;cbeaumont@portlandmaine.gov&gt;, Dan Hondo &lt;danh@portlandmaine.gov&gt;, Eric Cobb &lt;ecobb@portlandmaine.gov&gt;, Fire Prevention &lt;fireprevention@portlandmaine.gov&gt;, Jason Grant &lt;jgrant@portlandmaine.gov&gt;, Laurie Carlson &lt;lac@portlandmaine.gov&gt;, Stephen Marcotte &lt;smarcotte@portlandmaine.gov&gt;, Tom Williams &lt;tw@portlandmaine.gov&gt;, Treasury Division &lt;treasury@portlandmaine.gov&gt;

PPD Approves

On Mon, May 17, 2021 at 2:28 PM Jessica Hanscombe &lt;jhanscombe@portlandmaine.gov&gt; wrote:

Good Afternoon

Please see the attached application. This will go before council on 6/7/2021. Please advise. Thanks  
JessicaJessica Blais Hanscombe  
Director of Permitting and Inspections  
City of Portland  
389 Congress Street  
Portland, Maine 04101  
207-874-8783  
jhanscombe@portlandmaine.gov

--

Lieutenant Glen McGary  
Portland Police Department  
109 Middle Street  
Portland, Maine 04101  
Office (207) 756-8294  
Fax (207) 874-8580



**CITY OF PORTLAND**  
**Permitting and Inspections Department**

May 19, 2021

Rosemont Market Inc  
832 Stevens Ave  
Portland ME 04103

**Re: Rosemont Market Inc dba Rosemont Market. Application for a Class III & IV at 42 Resurgam Place**

Dear Michelle McMahan

This letter shall serve as a reminder of the public hearing before the Portland City Council on **Monday June 7, 2021 at 5:00 p.m.**, for the review of application for a Class III & IV at 42 Resurgam Place. The meeting will take place virtually. The link can be found on the Meeting Agenda which will be posted on the City Website on June 4, 2021.

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

Please contact our office directly with questions at (207) 874-8557 or [bl@portlandmaine.gov](mailto:bl@portlandmaine.gov).

Sincerely,

Jessica Hanscombe  
Director of Permitting and Inspections



## **Legal Advertisement**

### **Notice of Public Hearing City of Portland**

A Public Hearing will be held on June 7, 2021 at 5:00 P.M., virtually Rosemont Market Inc dba Rosemont Market. Application for a Class III & IV at 42 Resurgam Place. Sponsored by Jon P. Jennings, City Manager.

**MEMORANDUM**  
**City Council Agenda Item**

**FROM:**

**DATE:** May 17, 2021

**SUBJECT:** Order 273-20/21 Granting Municipal Officers' Approval of The Club at Riverside LLC dba The Club at Riverside. Application for a Class I FSE with Combined Entertainment and Outdoor Dining on Private Property at 1158 Riverside Street - Sponsored by Jon P. Jennings, City Manager

**SPONSOR:**

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

**COUNCIL MEETING DATE ACTION IS REQUESTED:**

**1st Reading**

**Final Action**

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

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

**I. SUMMARY**

**II. AGENDA DESCRIPTION**

Application was filed on 5/17/2021. New City and State applications. Location was previously Riverside Grill.

Five affirmative votes are required for passage after public comment.

**III. BACKGROUND**

**IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED**

**V. FINANCIAL IMPACT**

**VI. STAFF ANALYSIS AND BACKGROUND**

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

**VII. RECOMMENDATION**

**VIII. LIST ATTACHMENTS**

1. The Club at Riverside
2. Club

Prepared by:

Date: 5/17/2021

KATHLEEN M SNYDER (MAYOR)  
BELINDA S. RAY (1)  
SPENCER R. THIBODEAU (2)  
TAE Y. CHONG (3)  
ANDREW J. ZARRO (4)

**CITY OF  
PORTLAND**  
IN THE CITY COUNCIL

MARK N. DION (5)  
APRIL FOURNIER (A/L)  
PIOUS ALI (A/L)  
NICHOLAS M. MAVODONES, JR (A/L)

ORDER  
GRANTING MUNICIPAL OFFICERS'  
APPROVAL OF:

**The Club at Riverside LLC dba The Club at Riverside. Application for a Class I FSE with Combined Entertainment and Outdoor Dining on Private Property at 1158 Riverside Street.**

# The Club at Riverside

---

Jessica Toher

1158 Riverside Street  
Portland, Maine 04103  
(207) 408-2253  
jess4meyer@gmail.com

Dear Mayor Snyder and City Council Members,

I am writing this letter to be considered for and granted all necessary licenses including: Liquor, Food Service and Entertainment, to lease the space as a new restaurant (The Club at Riverside) at the Riverside Municipal Golf Course (formally Riverside Grill). I would like to provide the golf members as well as the community with a pub style restaurant including spirits. I distinctly understand that the maintenance of good business ethics and public relations are of utmost importance. The City has made it very clear in it's position that the quality of food and beverage sold is a matter of HIGHEST concern and will be fulfilled in that very manner by myself, management and staff. My unwavering commitment to excellence and continuous improvement at this establishment will be above and beyond more than fulfilled.

Along with great food and liquor I am hoping to be granted an entertainment license to have bands indoors as well as outdoors with a specific mitigation plan in effect.

During the off season, along with restaurant operation, my commitment to endless ideas for private functions and gatherings for the community will be proposed during winter activities, (as we have many sledders and skiers) to help serve the community and the surrounding areas. I understand the initial contract award period will be from it's execution until November 30, 2021 unless sooner terminated in accordance with the lease agreement. Thank you all so very much for your time.

Sincerely,

Jessica Lynn Toher



**CITY OF PORTLAND**  
**Permitting and Inspections Department**  
**Application for Food Service Establishment with Alcoholic Beverages License**

|                                             |                                                        |                         |                     |
|---------------------------------------------|--------------------------------------------------------|-------------------------|---------------------|
| <b>Business Information:</b>                |                                                        |                         |                     |
| Business Name (d/b/a):                      | The Club at Riverside                                  | Phone: 207              | 797-3524            |
| Location Address:                           | 1158 Riverside St. Portland ME                         | Zip:                    | 04103               |
| If new, what was formerly at this location: | Riverside Grill                                        |                         |                     |
| Mailing Address:                            | 1158 Riverside St.<br>Portland ME 04103                | Zip:                    | 04103               |
| Contact Person:                             | Jessica Toher                                          | Phone: 207              | 408-2253            |
| Contact Person Email:                       | jess4meyer@gmail.com                                   |                         |                     |
| Manager of Establishment:                   | Jessica Toher                                          | Date of Birth: 08-03-79 | Phone: 207 408 2253 |
| Owner of Premises (Landlord):               | City of Portland<br>389 Congress St. Portland ME 04101 |                         |                     |
| Address of Premises Owner:                  | 389 Congress St. Portland ME                           | Zip:                    | 04101               |

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

| Name of Owner(s) | Date of Birth | Residence Address |
|------------------|---------------|-------------------|
|                  |               |                   |
|                  |               |                   |

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

|                           |               |                                   |                                   |            |
|---------------------------|---------------|-----------------------------------|-----------------------------------|------------|
| <b>Corporate Name</b>     |               | <b>Corporate Mailing Address</b>  |                                   |            |
| The Club at Riverside LLC |               | 1158 Riverside St.<br>Portland ME |                                   | Zip: 04103 |
| Contact Person:           | Jessica Toher | Phone: 207                        | 408-2253                          |            |
| <b>Principal Officers</b> |               |                                   |                                   |            |
|                           | <b>Title</b>  | <b>Date of Birth</b>              | <b>Residence Address</b>          |            |
| Jessica Toher             | Owner         | 08-03-79                          | 49 Ballpark Dr. Portland ME 04103 |            |
|                           |               |                                   |                                   |            |
|                           |               |                                   |                                   |            |
|                           |               |                                   |                                   |            |
| Class of Liquor License:  |               | Class 1                           |                                   |            |



**CITY OF PORTLAND**  
**Permitting and Inspections Department**

|                                                                                                                                     |                                                                                                                     |                         |                                                                   |
|-------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------|-------------------------|-------------------------------------------------------------------|
| Type of food served:                                                                                                                | Pub Style                                                                                                           |                         |                                                                   |
| Please circle all that will be served:                                                                                              | <input checked="" type="radio"/> Beer <input checked="" type="radio"/> Wine <input checked="" type="radio"/> Liquor |                         |                                                                   |
| Projected percentage of sales:                                                                                                      | Generated from Food:                                                                                                | Generated from Alcohol: |                                                                   |
| Hours & days of operation:                                                                                                          | Mon-Sunday 8am-11pm Private functions 8am-1am                                                                       |                         |                                                                   |
| <b>QUESTIONS:</b>                                                                                                                   |                                                                                                                     |                         |                                                                   |
| Will full-course meals, only capable of consumption with the use of tableware, be served the entire time the establishment is open? |                                                                                                                     |                         | Y/N<br><input checked="" type="radio"/> Y <input type="radio"/> N |
| If No, please explain:                                                                                                              |                                                                                                                     |                         |                                                                   |
| Is the establishment less than 300 feet from a school, dormitory, church or parish house, or similar establishment?                 |                                                                                                                     |                         | <input checked="" type="radio"/> Y <input type="radio"/> N        |
| If yes, give the distance:                                                                                                          |                                                                                                                     |                         |                                                                   |
| Will you have entertainment on the premises? (If yes, a Supplemental Application for Entertainment is required.)                    |                                                                                                                     |                         | <input checked="" type="radio"/> Y <input type="radio"/> N        |
| Will you permit dancing after 1:00 a.m.?                                                                                            |                                                                                                                     |                         | <input checked="" type="radio"/> Y <input type="radio"/> N        |
| Will you have outside dining? (If yes, an Outdoor Dining Application is required)                                                   |                                                                                                                     |                         | <input checked="" type="radio"/> Y <input type="radio"/> N        |
| If yes, will the outside dining be on PUBLIC or <u>PRIVATE</u> property (circle one).                                               |                                                                                                                     |                         |                                                                   |
| Will you have any amusement devices (pinball, video games, juke box)?                                                               |                                                                                                                     |                         | <input checked="" type="radio"/> Y <input type="radio"/> N        |
| If yes, please list: # of pinball machines: _____ # of amusements: _____ # of pool tables: _____                                    |                                                                                                                     |                         |                                                                   |
| What is your targeted opening date?                                                                                                 |                                                                                                                     |                         | JUNE 1 2021                                                       |
| Does the issuance of this license directly or indirectly benefit any City employee(s)?                                              |                                                                                                                     |                         | <input checked="" type="radio"/> Y <input type="radio"/> N        |
| If Yes, list name(s) of employee(s) and department(s):                                                                              |                                                                                                                     |                         |                                                                   |
| Have any of the applicants, including the corporation (if applicable), ever held a business license with the City of Portland?      |                                                                                                                     |                         | <input checked="" type="radio"/> Y <input type="radio"/> N        |
| If Yes, please list business name(s) and location(s):                                                                               |                                                                                                                     |                         |                                                                   |
| 49 Ballpark Drive Portland ME 04103                                                                                                 |                                                                                                                     |                         |                                                                   |
| Is any principal officer under the age of 21?                                                                                       |                                                                                                                     |                         | <input checked="" type="radio"/> Y <input type="radio"/> N        |
| Have applicant, partners, associates, or corporate officers ever been arrested, indicted, or convicted for any violation of law?    |                                                                                                                     |                         | <input checked="" type="radio"/> Y <input type="radio"/> N        |
| If Yes, please explain:                                                                                                             |                                                                                                                     |                         |                                                                   |

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

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

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

Signature [Signature] Title OWNER Date 04/15/21



**CITY OF PORTLAND**  
**Permitting and Inspections Department**  
**Outdoor Dining Permit on Private Property**  
**Supplemental Application**

License accompanies a City of Portland Food Service Establishment or Food Service Establishment with Liquor License

☒ Outdoor Dining on Private Property \$125.00    ☐ Legal Advertisement Deposit \$100.00

| Business Information          |                                            |                         |                     |
|-------------------------------|--------------------------------------------|-------------------------|---------------------|
| Business Name (d/b/a):        | The Club at RIVERSIDE                      | Phone: 207              | 797-3574            |
| Location Address:             | 1158 RIVERSIDE Street<br>PORTLAND MAINE    | Zip:                    | 04103               |
| Mailing Address:              | 1158 RIVERSIDE Street<br>PORTLAND ME 04103 | Zip:                    | 04103               |
| Contact Person:               | JESSICA TOHER                              | Phone: 207              | 797 3574            |
| Contact Person Email:         | jess4meyer@gmail.com                       |                         |                     |
| Manager of Establishment:     | Jessica Toher                              | Date of Birth: 08.03.79 | Phone: 207 408-2253 |
| Owner of Premises (Landlord): | City of Portland                           |                         |                     |
| Address of Premises Owner:    | 389 Congress Street Portland ME Zip: 04101 |                         |                     |

**Owner Information**

| Corporate Name            |               | Corporate Mailing Address                   |                                     |
|---------------------------|---------------|---------------------------------------------|-------------------------------------|
| The Club at Riverside LLC |               | 49 Ballpark Drive<br>PORTLAND ME Zip: 04103 |                                     |
| Contact Person:           | Jessica Toher | Phone: 207                                  | 408-2253                            |
| Principal Officers        | Title         | Date of Birth                               | Residence Address                   |
| Jessica Toher             | Owner         | 08.03.79                                    | 49 Ballpark Drive Portland ME 04103 |
|                           |               |                                             |                                     |
|                           |               |                                             |                                     |





**CITY OF PORTLAND**  
Permitting and Inspections Department

|                                        |                                                          |
|----------------------------------------|----------------------------------------------------------|
| Class of License:                      | CLASS 1                                                  |
| Type of food served:                   | Pub Style                                                |
| Please circle all that will be served: | Beer Wine Liquor                                         |
| Hours & days of operation:             | Monday - Sunday 8am - 11pm (Private Functions 8am - 1am) |
| Number of Tables                       | 25                                                       |
| Number of Chairs                       | 60                                                       |

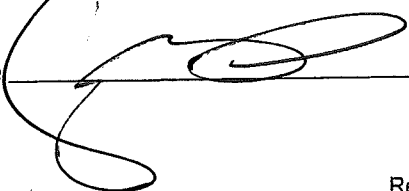
**Design and Construction**

- If you are building a structure or adding impervious surface for the outdoor dining area please contact the Permitting and Inspections Department for permitting requirements at [permitting@portlandmaine.gov](mailto:permitting@portlandmaine.gov) or 874-8703.

**Maintenance and Operations**

- Outdoor dining components must be within the permitted area and allow safe passage of pedestrian traffic. Failure to comply may result in a revocation of the permit.
- No food shall be prepared in the designated outdoor dining area.
- Outdoor dining areas must meet ADA regulations and accessible seating is required.

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

Signature  Title Owner Date 04/15/21

**For Administrative Use Only**

|                            |                         |              |
|----------------------------|-------------------------|--------------|
| Amount: _____              | Request Date / Approval | Notes: _____ |
| Date Paid: _____           | FD: _____               | _____        |
| CC _____ CA _____ CK _____ | Health: _____           | _____        |
|                            | PD: _____               | _____        |
| Amount: _____              | PR: _____               | _____        |
| Date Paid: _____           | Treasury: _____         | _____        |
| CC _____ CA _____ CK _____ | Zoning: _____           | _____        |





CITY OF PORTLAND  
Permitting and Inspections Department

Application for an Entertainment License

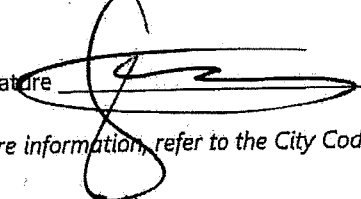
☐ Indoor Entertainment \$500.00      ☐ Outdoor Entertainment \$700.00      ☒ Combined Entertainment \$800.00

|                                               |                                       |        |     |            |
|-----------------------------------------------|---------------------------------------|--------|-----|------------|
| Business Information:                         |                                       |        |     |            |
| Business Name (d/b/a):                        | The Club at RIVERSIDE                 | Phone: | 207 | 797-3524   |
| Location Address:                             | 1158 RIVERSIDE Street<br>PORTLAND ME. |        |     | Zip: 04103 |
| Owner Name:                                   | Jessica Toher                         | Phone: | 207 | 408-2253   |
| Owner Email:                                  | jess4meyer@gmail.com                  |        |     |            |
| Contact Person responsible for Entertainment: | Jessica Toher                         | Phone: | 207 | 408-2253   |
| Contact Person Email:                         | jess4meyer@gmail.com                  |        |     |            |
| Manager of Establishment:                     | Jessica Toher                         | Phone: | 207 | 408 2253   |
| Manager Email:                                | jess4meyer@gmail.com                  |        |     |            |

About Your Establishment

Describe in detail the type and nature of the business and proposed entertainment:  
LIVE BANDS, AUDIO, Televisions, Music, Karaoke  
Restaurant with full Bar. Golf mobile Service

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

Signature  Title OWNER Date 04/21/21

For more information, refer to the City Code of Ordinance: Chapter 4 Amusements, at [www.portlandmaine.gov](http://www.portlandmaine.gov)



Jack Murray Engineer/Producer/System Designer

Odds Are Productions LLC  
dba Ocean AVL  
Portland, ME

The Club at Riverside Golf Course

1158 Riverside St  
Portland, ME 04103

May 13, 2021

Dear Jess,

Thanks so much for taking the time to reach out about a sound mitigation plan. It appears as though you've come up with a solid plan to combat any potential complaints.

Highlights from our talks include:

- An official handbook of rules for any staff to reference during a shift containing outdoor music.
- Position speakers away from residential dwellings during outside events keeping volume levels reasonable. Hiring a professional for bigger events.
- Documenting consistent sound decibel readings from pre-determined locations every hour during the operation of outdoor music. These readings will be 60-second dBA weighted average. (Taking a reading before the music begins will help determine a baseline to compare during performances)
- A signed agreement on file for every group/artist affirming they know the rules contained within the official handbook.
- If a Portland police office arrives on location to do a decibel reading, you will cooperate in all respects and be ready to provide this policy/procedure document, the band's signed agreements, and decibel reading log without hesitation.

I believe the plan you've laid out to me and will subsequently provide to the city will satisfy their criteria to show you are taking a proactive approach and not a reactive approach after complaints may arise.

Take care,

Jack

# **THE CLUB AT RIVERSIDE GOLF COURSE DECIBEL LOG SHEET**

MAX READING OF 85dBA or 95dBC 8ft from the closest degree for indoor music  
 MAX READING OF 85dBA or 95dBC at the closest property line (Riverside Street) for outdoor music

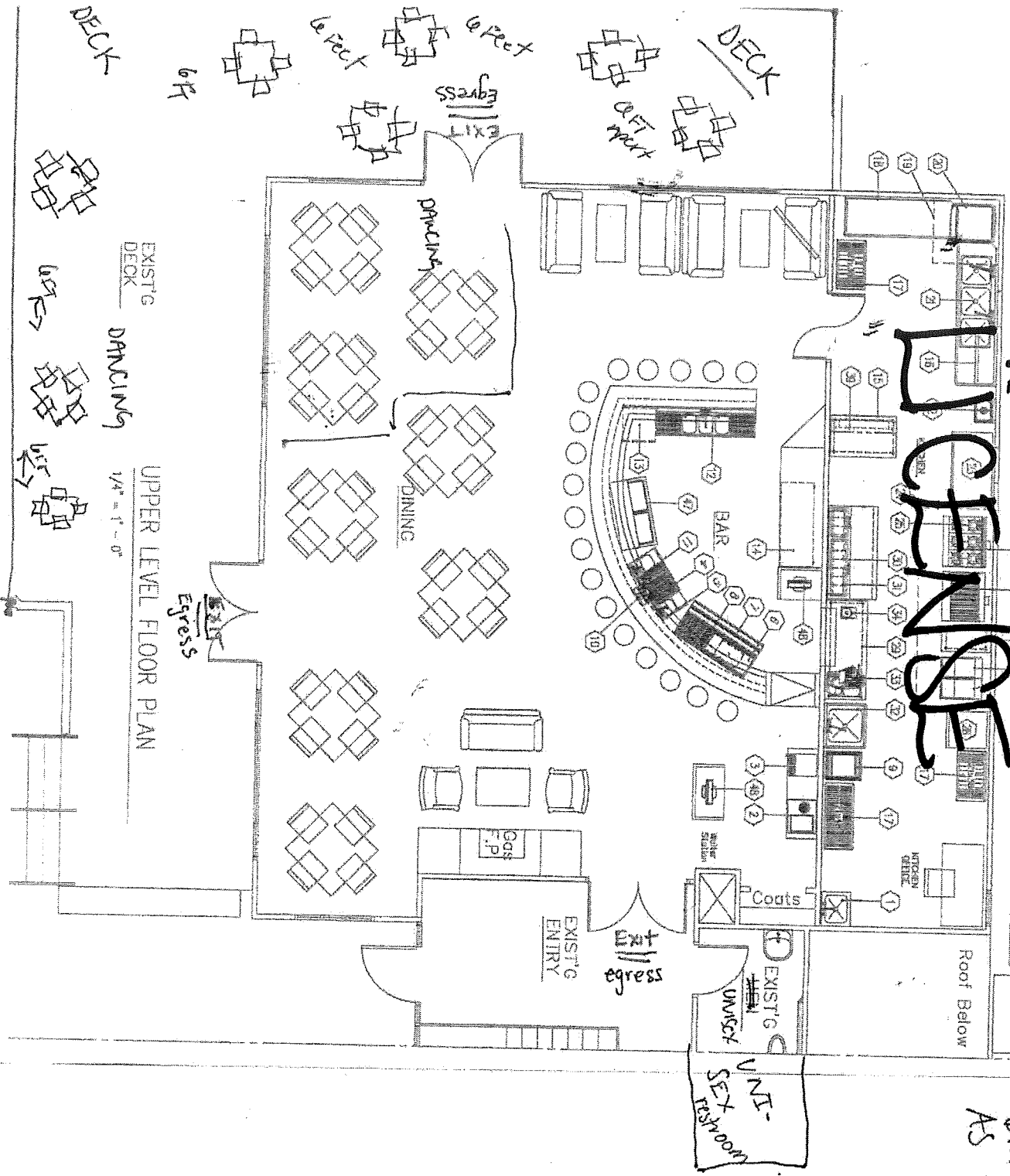
DATE: \_\_\_\_\_

BAND: \_\_\_\_\_

| Hour    | Actual Time | Reading | In Compliance? | Reading #2 | Reading #3 | Initials |
|---------|-------------|---------|----------------|------------|------------|----------|
| 12:00pm |             |         |                |            |            |          |
| 1:00pm  |             |         |                |            |            |          |
| 2:00pm  |             |         |                |            |            |          |
| 3:00pm  |             |         |                |            |            |          |
| 4:00pm  |             |         |                |            |            |          |
| 5:00pm  |             |         |                |            |            |          |
| 6:00pm  |             |         |                |            |            |          |
| 7:00pm  |             |         |                |            |            |          |
| 8:00pm  |             |         |                |            |            |          |
| 9:00pm  |             |         |                |            |            |          |
| 10:00pm |             |         |                |            |            |          |
| 11:00pm |             |         |                |            |            |          |
| 12:00am |             |         |                |            |            |          |
| 1:00am  |             |         |                |            |            |          |

# ENTERTAINMENT

## DISCENSE



Will remove Three tables accordingly for BAND + DANCING (INDOOR) AS WELL AS OUTDOOR.

# City of Portland

## Sound Mitigation Review

Date: 5/25/2021

Business The Club at Riverside

Applicant Jessica Toher

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

DIRECT ALL INQUIRIES TO:

Kevin Schneck

(207) 756-8433

[kschneck@portlandmaine.gov](mailto:kschneck@portlandmaine.gov)

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

| DIVISION USE ONLY                                                        |     |
|--------------------------------------------------------------------------|-----|
| License No:                                                              |     |
| Class:                                                                   | By: |
| Deposit Date:                                                            |     |
| Amt. Deposited:                                                          |     |
| Cash Ck Mo:                                                              |     |
| Good SOS & DBA: YES <input type="checkbox"/> NO <input type="checkbox"/> |     |

PRESENT LICENSE EXPIRES: \_\_\_\_\_

NEW application: ☒ Yes ☐ No

If business is NEW or under new ownership, indicate starting date: JUNE 1st

Requested inspection (New Licensees/ Ownership Changes Only) Date: ASAP Business hours: 8am-11pm  
private functions 8am-1am

INDICATE TYPE OF PRIVILEGE: ☒ MALT ☒ VINOUS ☒ SPIRITUOUS

INDICATE TYPE OF LICENSE:

- ☒ RESTAURANT (Class I,II,III,IV) ☐ RESTAURANT/LOUNGE (Class XI) ☐ CLASS A LOUNGE (Class X)  
☐ HOTEL (Class I,II,III,IV) ☐ HOTEL, FOOD OPTIONAL (Class I-A) ☐ BED & BREAKFAST (Class V)  
☐ GOLF COURSE (Class I,II,III,IV) ☐ TAVERN (Class IV) ☐ QUALIFIED CATERING  
☐ OTHER: \_\_\_\_\_ ☐ SELF-SPONSORED EVENTS  
(QUALIFIED CATERERS ONLY)

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

|                                                       |  |  |                                                                    |  |  |
|-------------------------------------------------------|--|--|--------------------------------------------------------------------|--|--|
| Corporation Name:<br><u>The Club at Riverside LLC</u> |  |  | Business Name (D/B/A)<br><u>The Club at Riverside</u>              |  |  |
| APPLICANT(S) - (Sole Proprietor) DOB:                 |  |  | Physical Location: <u>1158 Riverside St.</u>                       |  |  |
|                                                       |  |  | <u>Portland ME 04103</u>                                           |  |  |
| DOB:                                                  |  |  | City/Town State Zip Code                                           |  |  |
|                                                       |  |  | <u>Portland ME 04103</u>                                           |  |  |
| Address <u>1158 Riverside St.</u>                     |  |  | Mailing Address Same As Above? <input checked="" type="checkbox"/> |  |  |
| City/Town State Zip Code                              |  |  | City/Town State Zip Code                                           |  |  |
| <u>Portland ME 04103</u>                              |  |  |                                                                    |  |  |
| Telephone Number Fax Number                           |  |  | Business Telephone Number Fax Number                               |  |  |
| <u>207 797 3524</u>                                   |  |  |                                                                    |  |  |
| Federal I.D. #                                        |  |  | Seller Certificate #:<br>or Sales Tax #:                           |  |  |
| <u>86-3336335</u>                                     |  |  | <u>1216656</u>                                                     |  |  |
| Email Address:                                        |  |  | Website:                                                           |  |  |
| <u>jess4meyer@gmail.com</u>                           |  |  |                                                                    |  |  |

1. If premise is a Hotel or Bed & Breakfast, indicate number of rooms available for transient guests: \_\_\_\_\_

2. State amount of gross income from period of last license:

ROOMS \$ \_\_\_\_\_ FOOD \$ \_\_\_\_\_ LIQUOR \$ \_\_\_\_\_

3. Is applicant a corporation, limited liability company or limited partnership? YES ☒ NO ☐

~~If Yes, please complete the Corporate Information required for Business Entities who are licensees~~

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



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

License #

Name of Business

Physical Location

City / Town

6. If manager is to be employed, give name: \_\_\_\_\_

7. Business records are located at: 1158 Riverside St. Portland ME 04103

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

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

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

| Full Name (Please Print) | DOB      | Place of Birth    |
|--------------------------|----------|-------------------|
| Jessica Toher            | 08.03.79 | Maine Medical Ctr |
|                          |          |                   |
|                          |          |                   |

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

| Name:                        | City:    | State: |
|------------------------------|----------|--------|
| Jessica Toher 49 Ballpark Dr | Portland | ME     |
| Jessica Toher                | Winthrop | ME     |
|                              |          |        |

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

Name: \_\_\_\_\_ Date of Conviction: \_\_\_\_\_

Offense: \_\_\_\_\_, Location: \_\_\_\_\_

Disposition: \_\_\_\_\_ (use additional sheet(s) if necessary)

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

Yes ☐ No ☒ If Yes, give name: \_\_\_\_\_

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

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

16. Describe in detail the premises to be licensed: (On Premise Diagram Required) SEE ATTACHED

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

YES ☒ NO ☐ Applied for: Entertainment, Liquor, Food

18. What is the distance from the premises to the NEAREST school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? TALBOT Elementary 1.7 miles

Which of the above is nearest? School

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

If YES, give details: Line of Credit: LMD CAPITAL

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

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

Dated at: Portland, MAINE on April 21, 20 21  
Town/City, State Date

PLEASE SIGN IN BLUE INK

  
Signature of Applicant or Corporate Officer(s)  
Jessica Toher  
Print Name

\_\_\_\_\_  
Signature of Applicant or Corporate Officer(s)  
\_\_\_\_\_  
Print Name

#### FEE SCHEDULE

|                                                                                                                                                                                                                                                        |                 |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|
| <b>FILING FEE: (must be included on all applications)</b>                                                                                                                                                                                              | <b>\$ 10.00</b> |
| <b>Class I</b> Spirituous, Vinous and Malt                                                                                                                                                                                                             | \$ 900.00       |
| <b>CLASS I:</b> Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers; OTB                                     |                 |
| <b>Class I-A</b> Spirituous, Vinous and Malt, Optional Food (Hotels Only)                                                                                                                                                                              | \$1,100.00      |
| <b>CLASS I-A:</b> Hotels only that do not serve three meals a day.                                                                                                                                                                                     |                 |
| <b>Class II</b> Spirituous Only                                                                                                                                                                                                                        | \$ 550.00       |
| <b>CLASS II:</b> Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; and Vessels.                                                        |                 |
| <b>Class III</b> Vinous Only                                                                                                                                                                                                                           | \$ 220.00       |
| <b>CLASS III:</b> Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.          |                 |
| <b>Class IV</b> Malt Liquor Only                                                                                                                                                                                                                       | \$ 220.00       |
| <b>CLASS IV:</b> Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.           |                 |
| <b>Class III &amp; IV</b> Malt & Vinous Only                                                                                                                                                                                                           | \$ 440.00       |
| <b>CLASS III &amp; IV:</b> Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts. |                 |
| <b>Class V</b> Spirituous, Vinous and Malt (Clubs without Catering, Bed & Breakfasts)                                                                                                                                                                  | \$ 495.00       |
| <b>CLASS V:</b> Clubs without catering privileges.                                                                                                                                                                                                     |                 |
| <b>Class X</b> Spirituous, Vinous and Malt – Class A Lounge                                                                                                                                                                                            | \$2,200.00      |
| <b>CLASS X:</b> Class A Lounge                                                                                                                                                                                                                         |                 |
| <b>Class XI</b> Spirituous, Vinous and Malt – Restaurant Lounge                                                                                                                                                                                        | \$1,500.00      |
| <b>CLASS XI:</b> Restaurant/Lounge; and OTB.                                                                                                                                                                                                           |                 |
| <b>SELF-SPONSORED EVENTS: Qualified Caterers Only</b>                                                                                                                                                                                                  | \$ 700.00       |

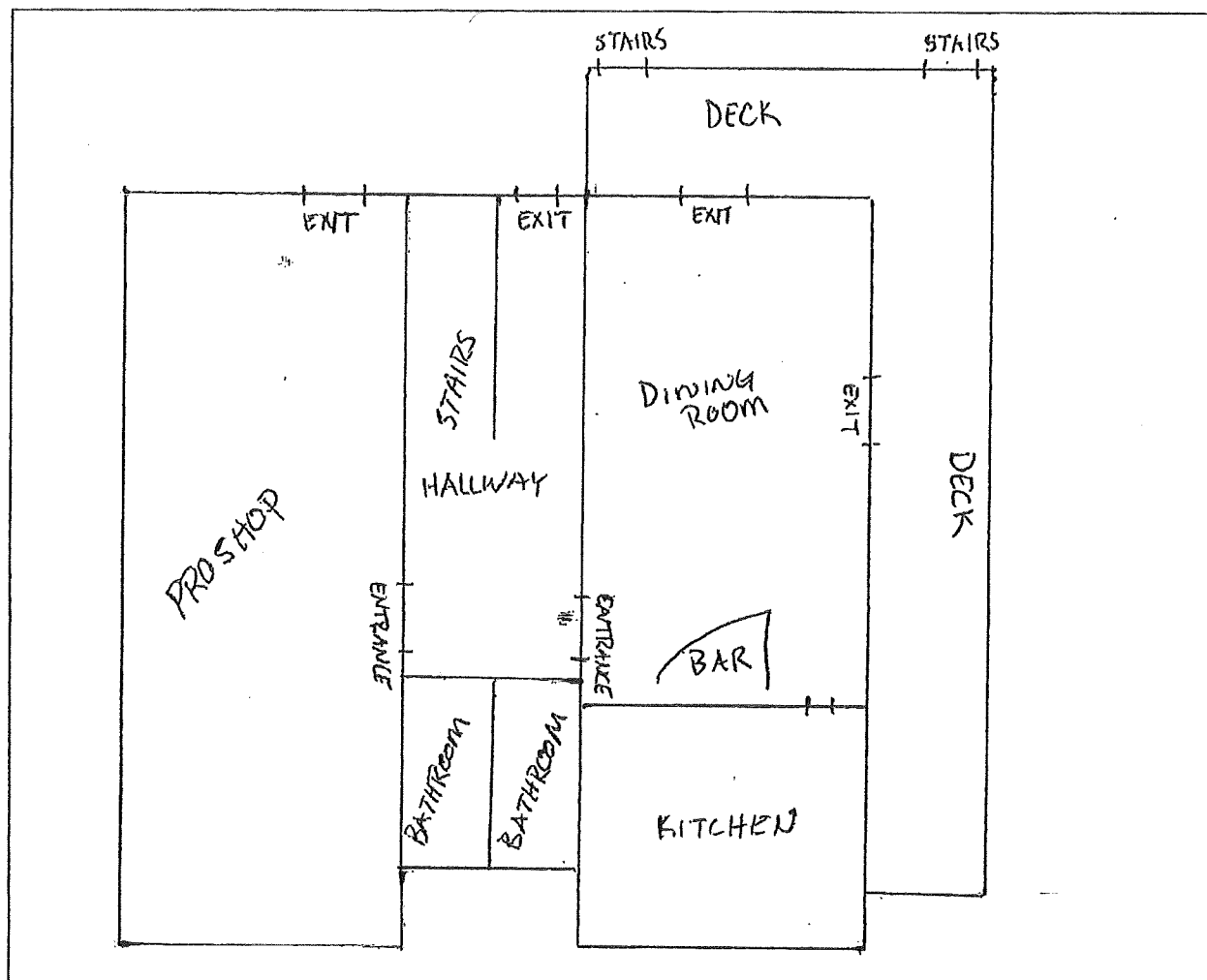
Bureau of Alcoholic Beverages and Lottery Operations  
 Division of Liquor Licensing & Enforcement  
 8 State House Station, Augusta, ME 04333-0008  
 10 Water Street, Hallowell, ME 04347  
 Tel: (207) 624-7220 Fax: (207) 287-3434  
 Email Inquiries: [MaineLiquor@maine.gov](mailto:MaineLiquor@maine.gov)

| DIVISION USE ONLY        |              |
|--------------------------|--------------|
| <input type="checkbox"/> | Approved     |
| <input type="checkbox"/> | Not Approved |
| BY:                      |              |

## ON PREMISE DIAGRAM

In an effort to clearly define your license premise and the area that consumption and storage of liquor is allowed. The Division requires all applicants to submit a diagram of the premise to be licensed in addition to a completed license application.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the areas of your diagram including entrances, office area, kitchen, storage areas, dining rooms, lounges, function rooms, restrooms, decks and all areas that you are requesting approval from the Division for liquor consumption.



SECOND LEVEL

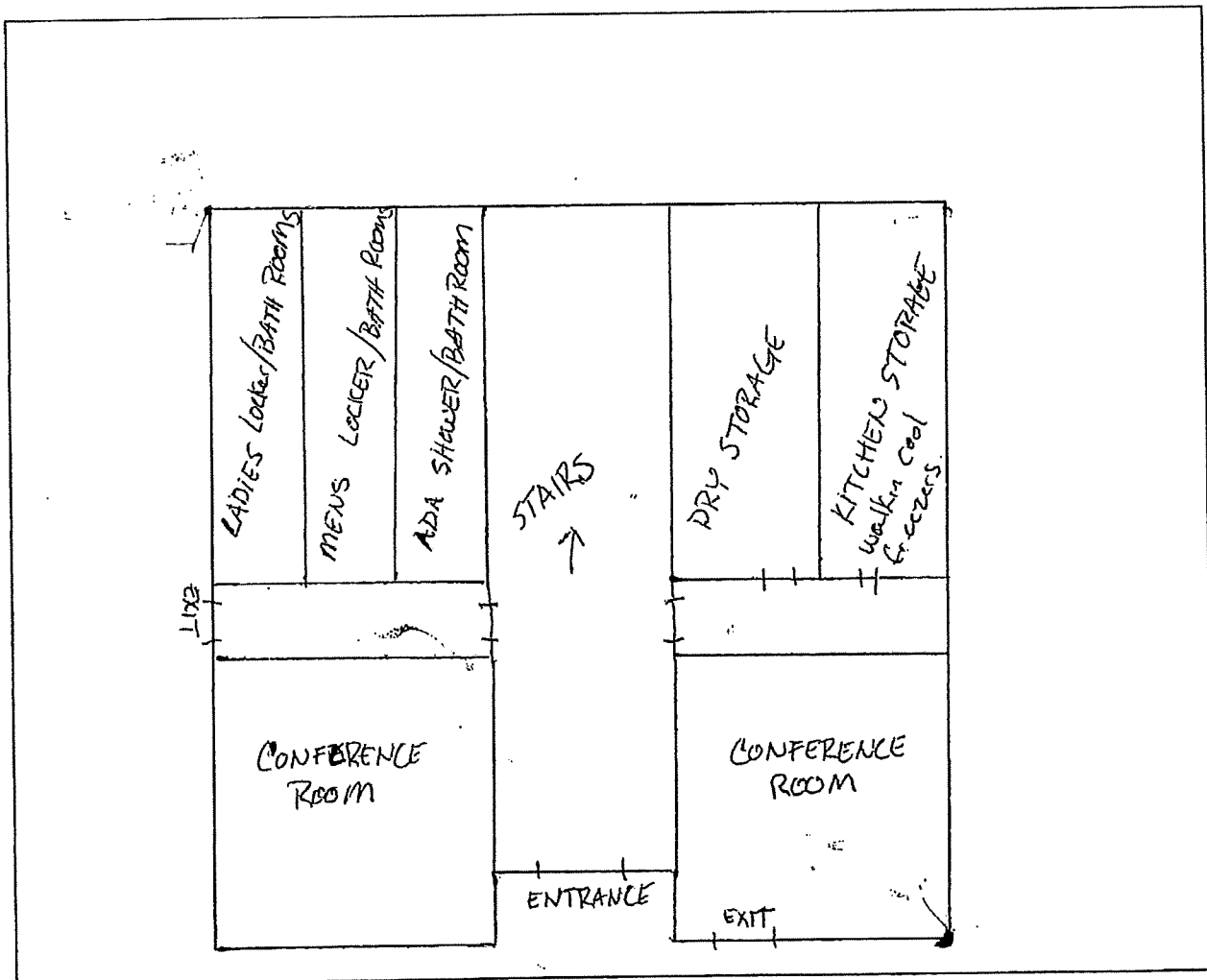
Bureau of Alcoholic Beverages and Lottery Operations  
Division of Liquor Licensing & Enforcement  
8 State House Station, Augusta, ME 04333-0008  
10 Water Street, Hallowell, ME 04347  
Tel: (207) 624-7220 Fax: (207) 287-3434  
Email Inquiries: [MaineLiquor@maine.gov](mailto:MaineLiquor@maine.gov)

| DIVISION USE ONLY        |              |
|--------------------------|--------------|
| <input type="checkbox"/> | Approved     |
| <input type="checkbox"/> | Not Approved |
| BY:                      |              |

### ON PREMISE DIAGRAM

In an effort to clearly define your license premise and the area that consumption and storage of liquor is allowed. The Division requires all applicants to submit a diagram of the premise to be licensed in addition to a completed license application.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the areas of your diagram including entrances, office area, kitchen, storage areas, dining rooms, lounges, function rooms, restrooms, decks and all areas that you are requesting approval from the Division for liquor consumption.



FIRST LEVEL



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

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

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

Please clearly complete this form in its entirety.

1. Exact legal name: The Club at Riverside LLC
2. Doing Business As, if any: The Club at RIVERSIDE
3. Date of filing with Secretary of State: 04/15/21 State in which you are formed: MAINE
4. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine: N/A
5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list the percentage ownership: (attach additional sheets as needed)

| NAME          | ADDRESS (5 YEARS)                                                  | Date of Birth | TITLE | Ownership % |
|---------------|--------------------------------------------------------------------|---------------|-------|-------------|
| Jessica Toher | 49 Ballpark Dr. Portland ME 04103<br>2 Fox Run<br>Windham ME 04092 | 08-03-79      | OWNER | 100         |
|               |                                                                    |               |       |             |
|               |                                                                    |               |       |             |
|               |                                                                    |               |       |             |

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

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

7. Has any principal person involved in the entity ever been convicted of any violation of the law, other than minor traffic violations, in the United States? ☐ Yes ☒ No

8. If Yes to Question 7, please complete the following: (attached additional sheets as needed)

Name: \_\_\_\_\_

Date of Conviction: \_\_\_\_\_

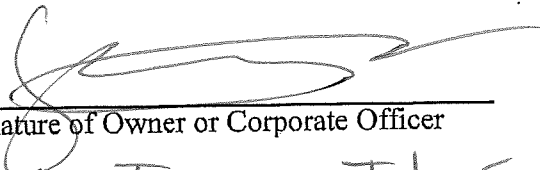
Offense: \_\_\_\_\_

Location of Conviction: \_\_\_\_\_

Disposition: \_\_\_\_\_

Signature:

PLEASE SIGN IN BLUE INK

  
Signature of Owner or Corporate Officer

Date

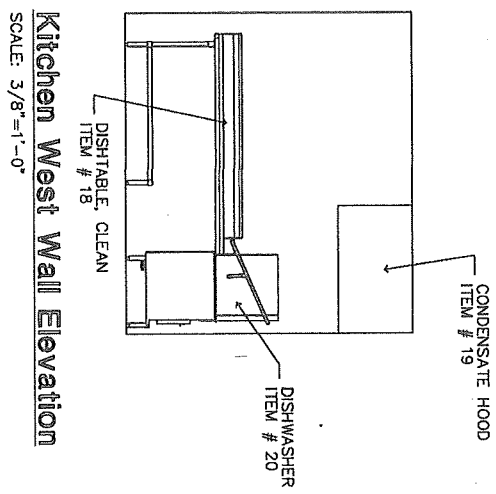
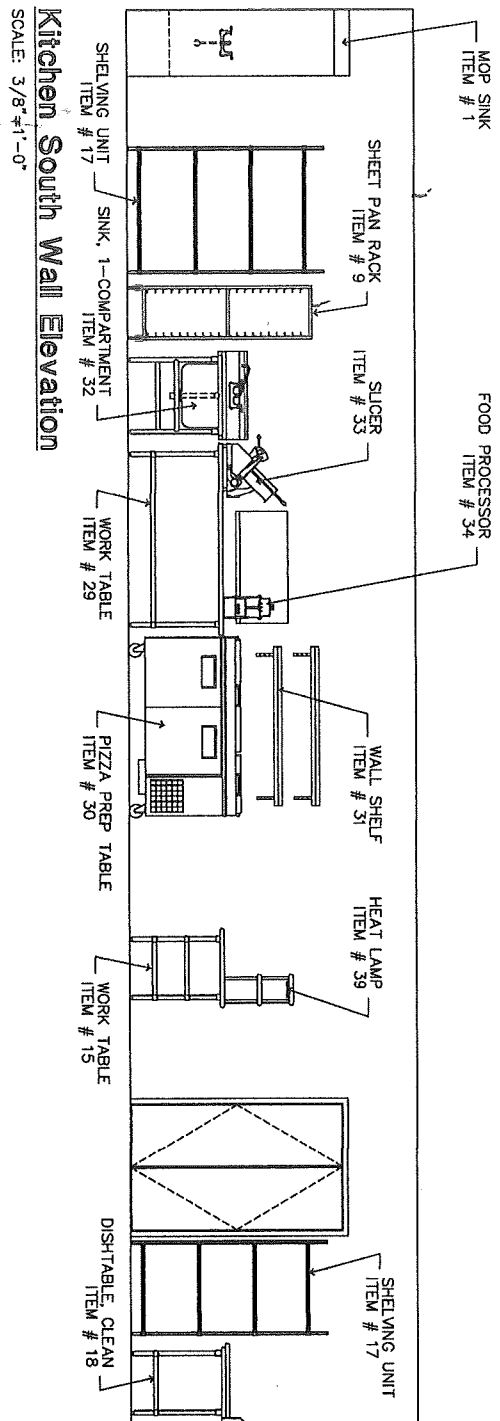
04/21/21

JESSICA Toher  
Print Name of Owner or Corporate Officer

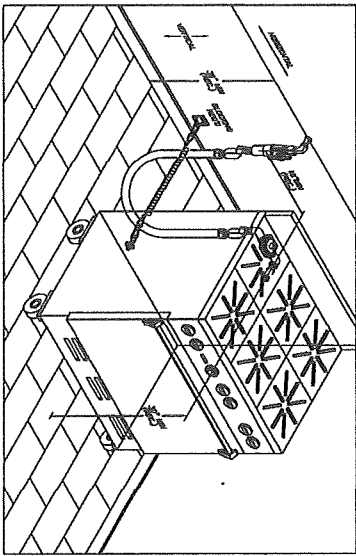
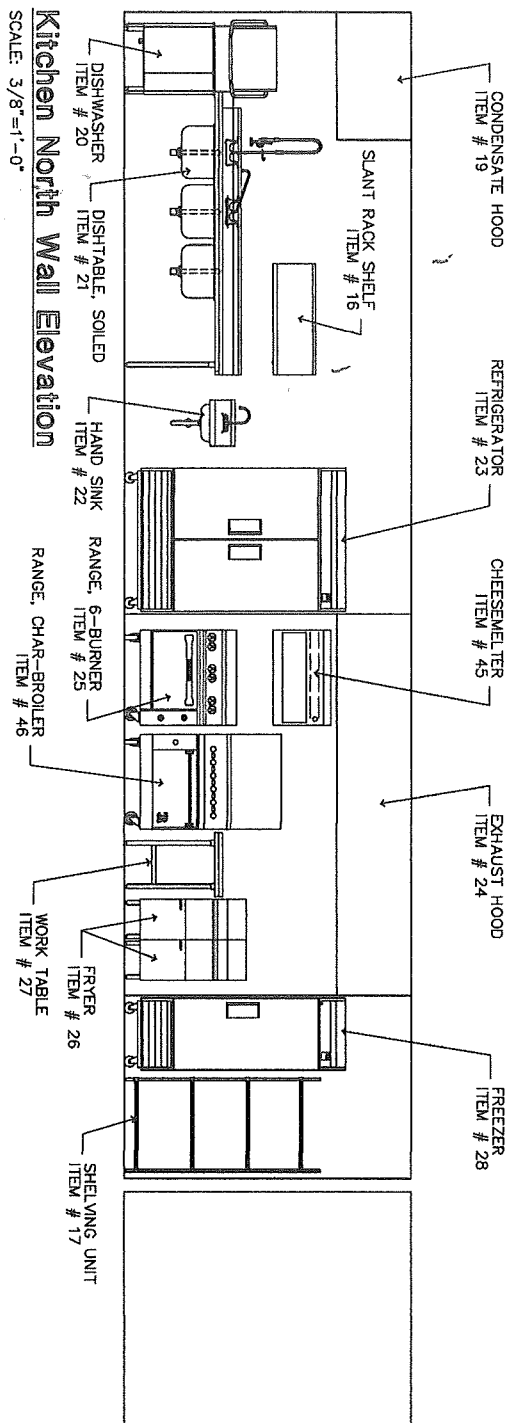
Submit Completed Forms to:

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

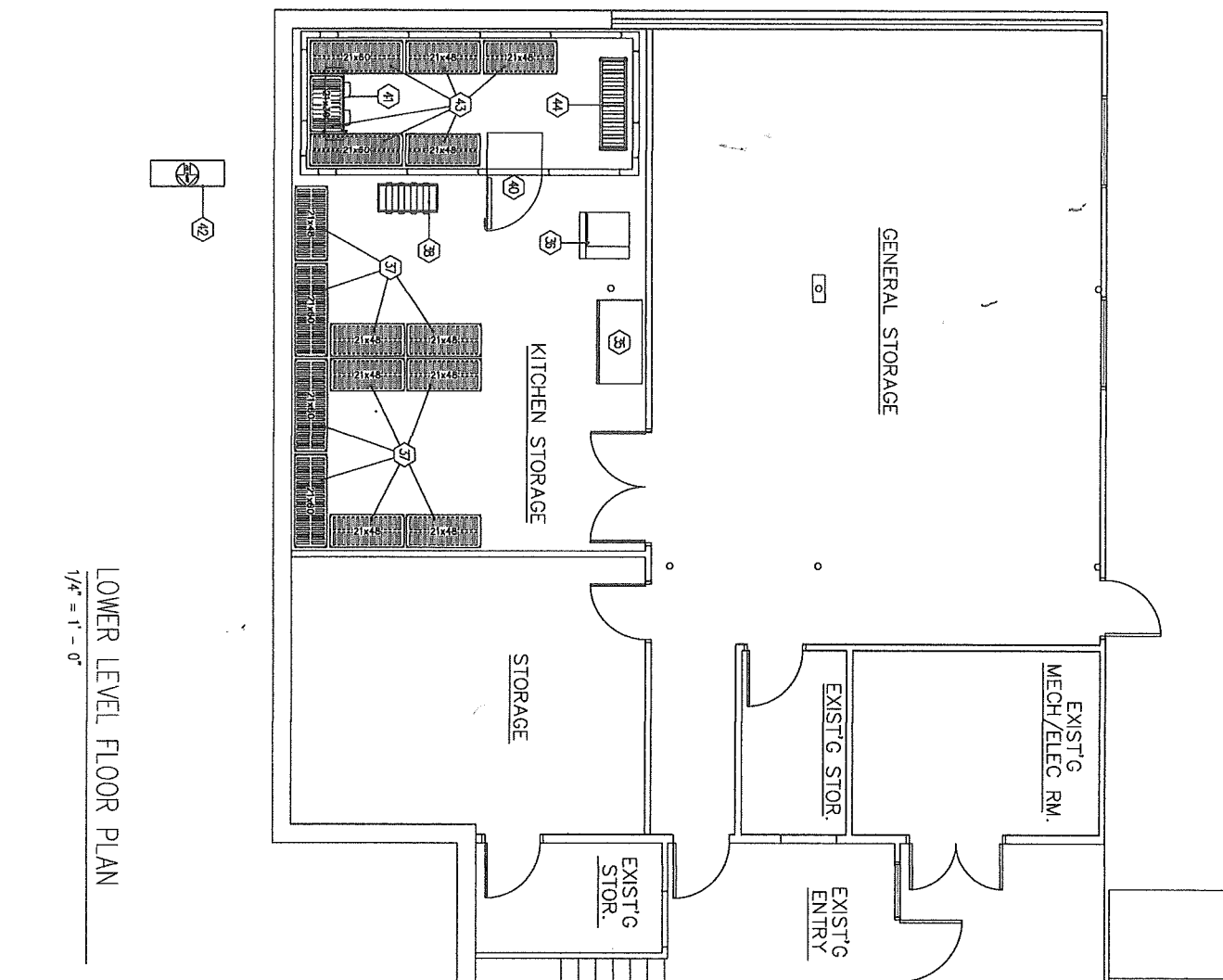








**FLEXIBLE GAS CONNECTION DETAIL**  
SCALE: NONE



LOWER LEVEL FLOOR PLAN  
 1/4" = 1' - 0"

| FOODSERVICE EQUIPMENT SCHEDULE |     |                                   |            |     |     |         |       |        |       |      |        |          |       |        |             |       |         |             |     |      |
|--------------------------------|-----|-----------------------------------|------------|-----|-----|---------|-------|--------|-------|------|--------|----------|-------|--------|-------------|-------|---------|-------------|-----|------|
| MC                             | QTY | DESCRIPTION                       | ELECTRICAL |     |     |         | WATER |        | WASTE |      | GAS    |          | STEAM |        | VENTILATION |       |         | REMARKS     |     |      |
|                                |     |                                   | FLAMPS     | KW  | HP  | VOLTS   | PHASE | DIRECT | COLD  | HOT  | DIRECT | INDIRECT | SIZE  | RETURN | PSIG        | INLET | EXHAUST | MAKE-UP AIR | CFM | SIZE |
| 1                              | 1   | MOP SINK                          |            |     |     |         |       |        |       |      |        |          |       |        |             |       |         |             |     |      |
| 2                              | 1   | WATER AND ICE STATION             |            |     |     |         |       |        |       |      |        |          |       |        |             |       |         |             |     |      |
| 3                              | 1   | COFFEE BREWER (ARROT)             | 25.8       | 63  |     | 120/240 | 1 X   | 1/2"   | 1/2"  | 1"   | 1"     | 1"       |       |        |             |       |         |             |     |      |
| 4                              | 1   | UNDERBAR DRINKING STORAGE CABINET |            |     |     |         |       |        |       |      |        |          |       |        |             |       |         |             |     |      |
| 5                              | 1   | BLENDER STATION/DUMP SINK         | 15.0       |     |     | 120     | 1 X   | 1/2"   | 1/2"  | 1"   | 1"     | 1"       |       |        |             |       |         |             |     |      |
| 6                              | 1   | ICE BIN                           |            |     |     |         |       |        |       |      |        |          |       |        |             |       |         |             |     |      |
| 7                              | 1   | UNDERBAR SPEEDRAIL DOUBLE         |            |     |     |         |       |        |       |      |        |          |       |        |             |       |         |             |     |      |
| 8                              | 1   | UNDERBAR DRAINBOARD               |            |     |     |         |       |        |       |      |        |          |       |        |             |       |         |             |     |      |
| 9                              | 1   | SHEET PAN RACK                    |            |     |     |         |       |        |       |      |        |          |       |        |             |       |         |             |     |      |
| 10                             | 1   | BEER TOWER                        |            |     |     |         |       |        |       |      |        |          |       |        |             |       |         |             |     |      |
| 11                             | 1   | UNDERBAR SINK                     |            |     |     |         |       |        |       |      |        |          |       |        |             |       |         |             |     |      |
| 12                             | 1   | UNDERBAR 3-COMPARTMENT SINK       |            |     |     |         |       |        |       |      |        |          |       |        |             |       |         |             |     |      |
| 13                             | 1   | DISHWASHER UNDERCOUNTER           | 32.5       |     |     | 120/208 | 1 X   | 1/2"   | 1/2"  | 3/4" | 1"     | 1"       |       |        |             |       |         |             |     |      |
| 14                             | 1   | BACK BAR COOLER                   | 7.0        | 1/3 | 115 | 1 X     |       |        |       |      |        |          |       |        |             |       |         |             |     |      |
| 15                             | 1   | WINE COOLER                       |            |     |     |         |       |        |       |      |        |          |       |        |             |       |         |             |     |      |
| 16                             | 1   | WORK TABLE W/OVER SHELF           |            |     |     |         |       |        |       |      |        |          |       |        |             |       |         |             |     |      |
| 17                             | 3   | SHELVING UNIT                     |            |     |     |         |       |        |       |      |        |          |       |        |             |       |         |             |     |      |
| 18                             | 1   | DISHWASHER CLEAN                  |            |     |     |         |       |        |       |      |        |          |       |        |             |       |         |             |     |      |
| 19                             | 1   | CONDENSATE HOOD                   |            |     |     |         |       |        |       |      |        |          |       |        |             |       |         |             |     |      |
| 20                             | 1   | DISHWASHER W/BOOSTER HEAT         | 45.4       |     |     | 208     | 3 X   | 1/2"   | 1/2"  | 1/2" | 1/2"   | 1/2"     |       |        |             |       |         |             |     |      |
| 21                             | 1   | DISHWASHER W/3-COMP. SINK         |            |     |     |         |       |        |       |      |        |          |       |        |             |       |         |             |     |      |
| 22                             | 1   | HAND SINK                         |            |     |     |         |       |        |       |      |        |          |       |        |             |       |         |             |     |      |
| 23                             | 1   | REFRIGERATOR, 2-SEC. (EXISTING)   | 81         | 1/2 | 115 | 1 X     |       |        |       |      |        |          |       |        |             |       |         |             |     |      |
| 24                             | 1   | EXHAUST HOOD SYSTEM               |            |     |     |         |       |        |       |      |        |          |       |        |             |       |         |             |     |      |
| 25                             | 1   | RANGE, 6-BURNER (EXISTING)        |            |     |     |         |       |        |       |      |        |          |       |        |             |       |         |             |     |      |
| 26                             | 2   | FRYER, DEEP FAT                   |            |     |     |         |       |        |       |      |        |          |       |        |             |       |         |             |     |      |
| 27                             | 1   | WORK TABLE                        |            |     |     |         |       |        |       |      |        |          |       |        |             |       |         |             |     |      |
| 28                             | 1   | FREEZER, 1-SECTION                | 22         | 1/3 | 115 | 1 X     |       |        |       |      |        |          |       |        |             |       |         |             |     |      |
| 29                             | 1   | REFRIGERATOR (EXISTING)           |            |     |     |         |       |        |       |      |        |          |       |        |             |       |         |             |     |      |
| 30                             | 1   | REFRIGERATED PREP TABLE           | 88         | 1/3 | 115 | 1 X     |       |        |       |      |        |          |       |        |             |       |         |             |     |      |
| 31                             | 2   | WALL SHELF                        |            |     |     |         |       |        |       |      |        |          |       |        |             |       |         |             |     |      |
| 32                             | 1   | SINK, 1-COMPARTMENT (EXISTING)    |            |     |     |         |       |        |       |      |        |          |       |        |             |       |         |             |     |      |
| 33                             | 1   | SLICER                            | 5.4        | 1/2 | 120 | 1 X     |       |        |       |      |        |          |       |        |             |       |         |             |     |      |
| 34                             | 1   | FOOD PROCESSOR                    | 7.0        | 1/2 | 120 | 1 X     |       |        |       |      |        |          |       |        |             |       |         |             |     |      |
| 35                             | 1   | FREEZER, 2-SECTION (FUTURE ITEM)  | 11.0       | 3/4 | 115 | 1 X     |       |        |       |      |        |          |       |        |             |       |         |             |     |      |
| 36                             | 1   | ICE MACHINE W/BIN                 | 11.7       | 1/3 | 115 | 1 X     |       |        |       |      |        |          |       |        |             |       |         |             |     |      |
| 37                             | 10  | SHELVING UNIT (EXISTING)          |            |     |     |         |       |        |       |      |        |          |       |        |             |       |         |             |     |      |
| 38                             | 1   | BAG-N-BOX RACK (EXISTING)         | 15.0       |     |     | 120     | 1 X   | 1/2"   |       |      |        |          |       |        |             |       |         |             |     |      |
| 39                             | 1   | HEAT LAMP                         | 67         | 08  |     | 120     | 1 X   |        |       |      |        |          |       |        |             |       |         |             |     |      |
| 40                             | 1   | WALK-IN COOLER                    | 15         |     |     | 120     | 1 X   |        |       |      |        |          |       |        |             |       |         |             |     |      |
| 41                             | 1   | EVAPORATOR COIL COOLER            | 23         |     |     | 115     | 1 X   |        |       |      |        |          |       |        |             |       |         |             |     |      |
| 42                             | 1   | COMPRESSOR COOLER                 | 59         | 1   | 208 | 3 X     |       |        |       |      |        |          |       |        |             |       |         |             |     |      |
| 43                             | 1   | WINE COOLER (EXISTING)            |            |     |     |         |       |        |       |      |        |          |       |        |             |       |         |             |     |      |
| 44                             | 1   | WINE COOLER (EXISTING)            |            |     |     |         |       |        |       |      |        |          |       |        |             |       |         |             |     |      |
| 45                             | 1   | CHEESEMELTER, RANGE-MOUNT         | 8.0        | 1/4 | 115 | 1 X     |       |        |       |      |        |          |       |        |             |       |         |             |     |      |
| 46                             | 1   | RANGE, CHAR-BROILER               | 63         | 1/2 | 120 | 1 X     |       |        |       |      |        |          |       |        |             |       |         |             |     |      |
| 47                             | 1   | BOTTLE COOLER (EXISTING)          |            |     |     | 120     | 1 X   |        |       |      |        |          |       |        |             |       |         |             |     |      |
| 48                             | 2   | P.O.S. SYSTEM (BY OWNER)          | 5.0        |     |     | 120     | 1 X   |        |       |      |        |          |       |        |             |       |         |             |     |      |

# The Club

@RIVERSIDE

## APPETIZERS

### NACHOS 9.95

Cheese, Jalapeno, Red/Green Pepper, Onion, Tomato, Olive, Cilantro

### QUESADILLA 9.95

Cheese, Red Pepper, Green Pepper, Onion, Jalapeno, Cilantro

### SHRIMP COCKTAIL 9.95

Four Shrimp with Homemade Cocktail Sauce

### Wings (6) 7.95 (12) 13.95

Buffalo/Sweet Chili/Salt & Vinegar

### TENDERS (3) 4.95 (6) 7.95

Buffalo/Sweet Chili/Salt & Vinegar

### VEGGIE PLATE

Homemade Dip

## LUNCH

Short Rib Grilled Cheese,  
Garlic Mayo, Red Onion on  
Sourdough

Club Sandwich  
BLT with Turkey/Ham

Lobster Roll

Buffalo Chicken Wrap  
Grilled or Fried  
Served with  
TOTS/FRIES/CHIPS

Shrimp Tacos (3)  
Creamy Cilantro Slaw

Grain Bread/Cucumber/Red  
Onion/Swiss/Truffle Mayo

Thin Crust  
Cheese/Pepperoni  
Special Pizza of the Day

Classic with L/T/O



# SOUP & SALAD

Strawberry/Red  
Onion/Avocado/Sliced Almonds  
served with Honey Poppy Seed  
Balsamic dressing  
Add Chicken 4 Salmon 6 Steak 5

Seared Tuna over greens  
avocado/edamame/radish  
Carrot/Cucumber and green onion  
House Dressing

## MAIN

Garlic Mashed/Veg  
Mashed and Green Beans  
Broccolini and Roasted Potatoes

**Served With Salad**

*The Club*

@RIVERSIDE



# KIDS

TOTS/FRIES/FRUIT

Grilled Cheese

Chicken Tenders

Pasta

Kraft Mac & Cheese

Cheese Quesadilla

5.95

# DESSERT

ROTATING



# Brunch

HOURS 9am-2pm

## SIGNATURES

### Short Rib Benedict 12.95

We elevated a signature English muffin topped with tender short ribs, perfectly poached eggs and smoked cheddar hollandaise.

### Corned Beef Hash 12.95

Shredded hash mixed with dry-rubbed corned beef, caramelized poblanos and onions, topped with two eggs your style.

### Breakfast Quesadilla 10.95

Black beans, fluffy scrambled egg, spicy cheese, red onion with a creamy cilantro drizzle

## CLASSICS

### French Toast 7.95

### Pancakes 7.95

Served with Bacon or Sausage

## SIDES

Bacon 2.95

Eggs 2.95

Toast 1.95

Sausage 2.95

Fruit 2.95

Bagel

### Breakfast Sandwich 5.95

Egg, cheese

Bacon/Sausage/Short Rib

## kids

Pancakes 4.95

Plain or Chocolate

French Toast Sticks 4.95

Toaster Strudels 4.95

ALL SERVED WITH

PROTEIN

y/ cream cheese 2.95



**HOURS**  
**11-8**

*Winter @  
The Club*



## LUNCH

**Tenders (3) 4.95 (6) 7.95**

Buffalo/Sweet Chili/Salt & Vinegar

**Quesadilla 9.95**

Cheese/Red Onion/Red Pepper  
jalapeno/Cilantro

**Nachos 9.95**

Cheese/Jalapeno/Onion  
Tomato/Olive/Cilantro

**Wings (6) 7.95 (12) 13.95**

Buffalo/Sweet Chili/Salt & Vinegar

**Pizza 6.95**

Cheese/Pepperoni/Special of the day

**Buffalo Chicken Wrap 6.95**

TOTS/FRIES/CHIPS

**Club Burger 6.95**

Classic with L/T/O

TOTS/FRIES/CHIPS

**Ground Sausage 7.95**

**Mac & Cheese**

**ROTATING DINNER SPECIAL**

## SOUPS

**CUP 2.95 BOWL 4.95**

**Chicken Corn Chowder**

**Chicken Noodle**

**White White Chicken Stew**

**Short Rib Stew 7.95**

**French Onion 5.95**

## SALADS

**Roasted Vegetable**

Baby Potatos/Butternut Squash/  
Red Onion/Carrots/Basil/Fets  
Warm Bacon Dressing

**Garden Salad 5.95**

**Cesar Salad 6.95**

## DRESSINGS

Ranch/Balsamic/Blue Cheese/French  
Creamy Warm Bacon Vinaigrette



KIDS

TOTS/FRIES/FRUIT

Grilled Cheese

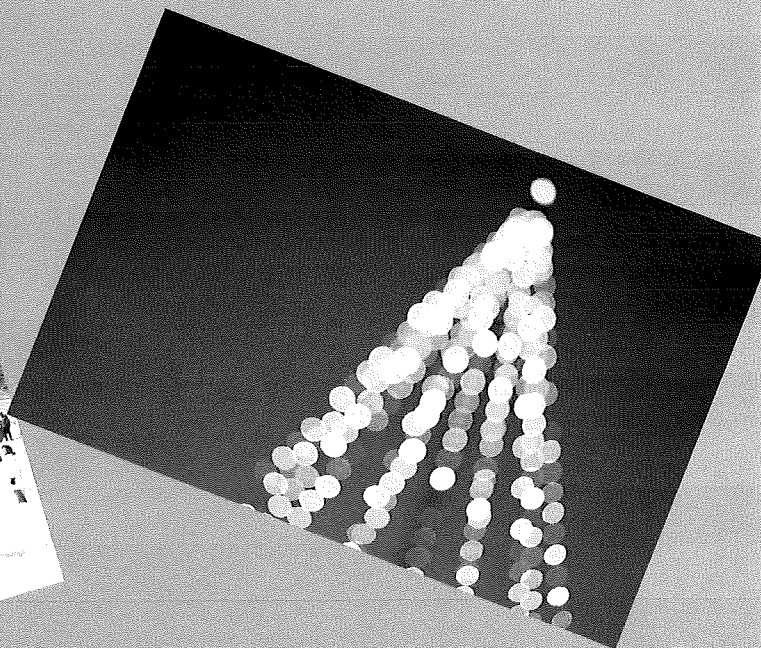
Chicken Tenders

Pasta

Mac & Cheese

Cheese Quesadilla

5.95





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

JESSICA HANSCOMBE  
389 CONGRESS ST  
PORTLAND, ME 04103

Transaction Response #: MIQ99E722477

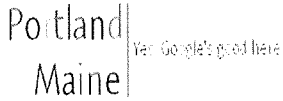
## Criminal History Record

### Introduction

This criminal history record was produced in response to the following request ( Produced on 2021-05-17 ) :

Inquiries Name(s) JESSICA TOHER (1979-08-03)

**NO MATCH WAS FOUND FOR YOUR REQUEST.**



Jessica Hanscombe &lt;jhanscombe@portlandmaine.gov&gt;

---

**Re: The Club at Riverside**

---

**Glen McGary** <glenm@portlandmaine.gov>

Tue, May 18, 2021 at 7:50 PM

To: Jessica Hanscombe &lt;jhanscombe@portlandmaine.gov&gt;

Cc: Benjamin Pearson &lt;bnp@portlandmaine.gov&gt;, Chris Beaumont &lt;cbeaumont@portlandmaine.gov&gt;, Dan Hondo &lt;danh@portlandmaine.gov&gt;, Eric Cobb &lt;ecobb@portlandmaine.gov&gt;, Fire Prevention &lt;fireprevention@portlandmaine.gov&gt;, Jason Grant &lt;jgrant@portlandmaine.gov&gt;, Laurie Carlson &lt;lac@portlandmaine.gov&gt;, Stephen Marcotte &lt;smarcotte@portlandmaine.gov&gt;, Tom Williams &lt;tw@portlandmaine.gov&gt;, Treasury Division &lt;treasury@portlandmaine.gov&gt;, Kevin Schneck &lt;kschneck@portlandmaine.gov&gt;

PPD Approves

On Mon, May 17, 2021 at 2:45 PM Jessica Hanscombe &lt;jhanscombe@portlandmaine.gov&gt; wrote:

Good Afternoon

Please see the attached. This will go before council on 6/7/2021. Please advise. Jessica

Jessica Blais Hanscombe  
Director of Permitting and Inspections  
City of Portland  
389 Congress Street  
Portland, Maine 04101  
207-874-8783  
jhanscombe@portlandmaine.gov

--

Lieutenant Glen McGary  
Portland Police Department  
109 Middle Street  
Portland, Maine 04101  
Office (207) 756-8294  
Fax (207) 874-8580



**CITY OF PORTLAND**  
**Permitting and Inspections Department**

May 19, 2021

The Club at Riverside LLC  
1158 Riverside Street  
Portland ME 04103

**Re: The Club at Riverside LLC dba The Club at Riverside. Application for a Class I FSE with Combined Entertainment and Outdoor Dining on Private Property at 1158 Riverside Street.**

Dear Jessica Toher

This letter shall serve as a reminder of the public hearing before the Portland City Council on **Monday June 7, 2021 at 5:00 p.m.**, for the review of application for a Class I FSE with Combined Entertainment and Outdoor Dining on Private Property at 1158 Riverside Street. The meeting will take place virtually. The link can be found on the Meeting Agenda which will be posted on the City Website on June 4, 2021.

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

Please contact our office directly with questions at (207) 874-8557 or [bl@portlandmaine.gov](mailto:bl@portlandmaine.gov).

Sincerely,

Jessica Hanscombe  
Director of Permitting and Inspections

## **Legal Advertisement**

### **Notice of Public Hearing City of Portland**

A Public Hearing will be held on June 7, 2021 at 5:00 P.M., virtually The Club at Riverside LLC dba The Club at Riverside. Application for a Class I FSE with Combined Entertainment and Outdoor Dining on Private Property at 1158 Riverside Street. Sponsored by Jon P. Jennings, City Manager.

**MEMORANDUM**  
**City Council Agenda Item**

**FROM:**

**DATE:** May 18, 2021

**SUBJECT:** Order 274-20/21 Granting Municipal Officers' Approval of Local Food 1, LLC dba Lupita's Taqueria. Application for a Class I FSE with Indoor Entertainment at 15 Exchange Street - Sponsored by Jon P. Jennings, City Manager

**SPONSOR:**

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

**COUNCIL MEETING DATE ACTION IS REQUESTED:**

**1st Reading**

**Final Action**

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

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

**I. SUMMARY**

**II. AGENDA DESCRIPTION**

Application was filed on 5/17/2021. New City and State applications. Applicant currently holds a Class III & IV FSE with Indoor Entertainment at this location under the name B Good.

Five affirmative votes are required for passage after public comment.

**III. BACKGROUND**

**IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED**

**V. FINANCIAL IMPACT**

**VI. STAFF ANALYSIS AND BACKGROUND**

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

**VII. RECOMMENDATION**

**VIII. LIST ATTACHMENTS**

1. Lupitas
2. 20210527083527118

Prepared by:

Date: 5/18/2021



KATHLEEN M SNYDER (MAYOR)  
BELINDA S. RAY (1)  
SPENCER R. THIBODEAU (2)  
TAE Y. CHONG (3)  
ANDREW J. ZARRO (4)

**CITY OF  
PORTLAND**  
IN THE CITY COUNCIL

MARK N. DION (5)  
APRIL FOURNIER (A/L)  
PIOUS ALI (A/L)  
NICHOLAS M. MAVODONES, JR (A/L)

**ORDER  
GRANTING MUNICIPAL OFFICERS'  
APPROVAL OF:**

**Local Food 1, LLC dba Lupita's Taqueria. Application for a Class I FSE with Indoor  
Entertainment at 15 Exchange Street**



Dear Mayor Snyder and Members of City Council,

My name is Bill Zolper and since 2013 when I opened my first business at 15 Exchange Street I've faced many challenges over the years but none quite like 2020. As we are halfway through 2021. I've decided along with my management team to take a different direction for the 15 Exchange Street space we've called BGOOD for the past 8+ years and change the concept.

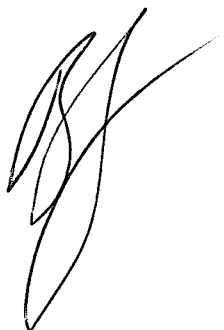
The concept, Lupita's Taqueria is a combination of my time spent with my wife Alejandra who is from Medellin, Colombia and our time there at different eateries which provide such a different experience of eating.

We look forward to bringing a little bit of that Latina soul to Portland and in doing so we intend to serve delicious food alongside authentic margaritas and Colombian micheladas!

We hope to see you there.

All the best,

Bill Zolper

A handwritten signature in black ink, consisting of several overlapping loops and a long, sweeping horizontal stroke extending to the right.



**CITY OF PORTLAND**  
**Permitting and Inspections Department**  
**Application for Food Service Establishment with Alcoholic Beverages License**

|                                             |                                         |                |              |        |              |
|---------------------------------------------|-----------------------------------------|----------------|--------------|--------|--------------|
| <b>Business Information</b>                 |                                         |                |              |        |              |
| Business Name (d/b/a):                      | Lupita's Taqueria                       | Phone:         | 207-747-5355 |        |              |
| Location Address:                           | 15 Exchange St. Portland, ME Zip: 04101 |                |              |        |              |
| If new, what was formerly at this location: | BGOOD - same ownership - change of DBA  |                |              |        |              |
| Mailing Address:                            | PO Box 20 Portland, ME 04112 Zip: 04112 |                |              |        |              |
| Contact Person:                             | Bill Zolper                             | Phone:         | 207-949-0935 |        |              |
| Contact Person Email:                       | william.zolper@gmail.com                |                |              |        |              |
| Manager of Establishment:                   | Chris Platts                            | Date of Birth: | 8/12/90      | Phone: | 207-219-9580 |
| Owner of Premises (Landlord):               | CPSP, LLC                               |                |              |        |              |
| Address of Premises Owner:                  | 9 Exchange St. Portland, ME Zip: 04101  |                |              |        |              |

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

| Name of Owner(s) | Date of Birth | Residence Address |
|------------------|---------------|-------------------|
|                  |               |                   |
|                  |               |                   |

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

|                                                       |                      |                                   |                                        |
|-------------------------------------------------------|----------------------|-----------------------------------|----------------------------------------|
| <b>Corporate Name</b>                                 |                      | <b>Corporate Mailing Address</b>  |                                        |
| Local Food 1, LLC                                     |                      | PO Box 20 Portland, ME Zip: 04112 |                                        |
| Contact Person:                                       | Bill Zolper          | Phone:                            | 207-949-0935                           |
| <b>Principal Officers</b>                             |                      |                                   |                                        |
| <b>Title</b>                                          | <b>Date of Birth</b> | <b>Residence Address</b>          |                                        |
| William Zolper                                        | owner/operator       | 5/12/90                           | 179 Congress St. #1 Portland, ME 04101 |
|                                                       |                      |                                   |                                        |
|                                                       |                      |                                   |                                        |
| Class of Liquor License: Class A Restaurant (Class 1) |                      |                                   |                                        |

389 Congress Street, Room 307 • Portland, Maine 04101 • 207-874-8557

bl@portlandmaine.gov • www.portlandmaine.gov



**CITY OF PORTLAND**  
**Permitting and Inspections Department**

|                                                                                                                                     |                                                                                                                              |                             |
|-------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------|-----------------------------|
| Type of food served:                                                                                                                | Tacos, nachos, salsas, guacamole                                                                                             |                             |
| Please circle all that will be served:                                                                                              | Beer <input checked="" type="checkbox"/> Wine <input checked="" type="checkbox"/> Liquor <input checked="" type="checkbox"/> |                             |
| Projected percentage of sales:                                                                                                      | Generated from Food: 80%                                                                                                     | Generated from Alcohol: 20% |
| Hours & days of operation:                                                                                                          | Mon-Sat 11AM to 2AM Sun 11AM-10PM                                                                                            |                             |
| <b>QUESTIONS</b>                                                                                                                    |                                                                                                                              |                             |
| Will full-course meals, only capable of consumption with the use of tableware, be served the entire time the establishment is open? | Y/N <input checked="" type="checkbox"/>                                                                                      |                             |
| If No, please explain:                                                                                                              |                                                                                                                              |                             |
| Is the establishment less than 300 feet from a school, dormitory, church or parish house, or similar establishment?                 | Y/N <input checked="" type="checkbox"/>                                                                                      |                             |
| If yes, give the distance:                                                                                                          |                                                                                                                              |                             |
| Will you have entertainment on the premises? (If yes, a Supplemental Application for Entertainment is required.)                    | Y/N <input checked="" type="checkbox"/>                                                                                      |                             |
| Will you permit dancing after 1:00 a.m.?                                                                                            | Y/N <input checked="" type="checkbox"/>                                                                                      |                             |
| Will you have outside dining? (If yes, an Outdoor Dining Application is required)                                                   | Y/N <input checked="" type="checkbox"/>                                                                                      |                             |
| If yes, will the outside dining be on PUBLIC or PRIVATE property (circle one).                                                      |                                                                                                                              |                             |
| Will you have any amusement devices (pinball, video games, juke box)?                                                               | Y/N <input checked="" type="checkbox"/>                                                                                      |                             |
| If yes, please list: # of pinball machines: _____ # of amusements: _____ # of pool tables: _____                                    |                                                                                                                              |                             |
| What is your targeted opening date?                                                                                                 | 6/8/21                                                                                                                       |                             |
| Does the Issuance of this license directly or indirectly benefit any City employee(s)?                                              | Y/N <input checked="" type="checkbox"/>                                                                                      |                             |
| If Yes, list name(s) of employee(s) and department(s):                                                                              |                                                                                                                              |                             |
| Have any of the applicants, including the corporation (if applicable), ever held a business license with the City of Portland?      | Y/N <input checked="" type="checkbox"/>                                                                                      |                             |
| If Yes, please list business name(s) and location(s):                                                                               | Local Food LLC                                                                                                               |                             |
| Is any principal officer under the age of 21?                                                                                       | Y/N <input checked="" type="checkbox"/>                                                                                      |                             |
| Have applicant, partners, associates, or corporate officers ever been arrested, indicted, or convicted for any violation of law?    | Y/N <input checked="" type="checkbox"/>                                                                                      |                             |
| If Yes, please explain:                                                                                                             |                                                                                                                              |                             |

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

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

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

Signature \_\_\_\_\_ Title owner/operator Date 5/4/21



**CITY OF PORTLAND**  
**Permitting and Inspections Department**

**Application for an Entertainment License**

|                                                                   |                                                         |                                                          |
|-------------------------------------------------------------------|---------------------------------------------------------|----------------------------------------------------------|
| <input checked="" type="checkbox"/> Indoor Entertainment \$500.00 | <input type="checkbox"/> Outdoor Entertainment \$700.00 | <input type="checkbox"/> Combined Entertainment \$800.00 |
|-------------------------------------------------------------------|---------------------------------------------------------|----------------------------------------------------------|

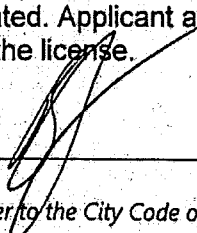
|                                               |                                         |
|-----------------------------------------------|-----------------------------------------|
| <b>Business Information</b>                   |                                         |
| Business Name (d/b/a):                        | Lupita's Taqueria Phone: 207-747-5355   |
| Location Address:                             | 15 Exchange St. Portland, ME Zip: 04101 |
| Owner Name:                                   | Bill Zolper Phone: 207-949-0935         |
| Owner Email:                                  | william.zolper@gmail.com                |
| Contact Person responsible for Entertainment: | ll ll Phone: ll ll                      |
| Contact Person Email:                         | ll ll                                   |
| Manager of Establishment:                     | Chris Platts Phone: 207-219-9580        |
| Manager Email:                                | chrisplatts@BGOOD.COM                   |

**About Your Establishment**

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

Playing music indoors.

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

Signature  Title owner Date 5/11/21

For more information, refer to the City Code of Ordinance: Chapter 4 Amusements, at [www.portlandmaine.gov](http://www.portlandmaine.gov)

## Sound Mitigation Plan

1. Details of methods used to minimize the impact on entertainment on the surrounding uses
  - a. The walls are double layered which is the first noise reducing impact noticed at 15 Exchange St. location. All walls are drywalled and then brick within the walls causing sound mediation.
  - b. Floor is separated from first floor ceiling, there is an apparent gap estimating 18 inches from floorboard to the ceiling of the downstairs room. This gap will also greatly reduce sound waves travelling beneath the two stories of the restaurant.
  - c. The room does have items within it such as: chairs, tables, lighting fixtures and railings all which will contain and mitigate sound waves travelling further then needed.
2. Free Space IZA 250-LZ / 190-HZ integrated zone amplifier  
ARCHITECTS' & ENGINEERS' SPECIFICATIONS

The mixer/amplifier shall employ Class-D amplification together with a digital signal processing architecture running at 48 kHz / 24 bit. The mixer/amplifier shall incorporate a switch-mode power supply allowing normal operation from AC outlets ranging from 100 – 240 V (+/- 10%) at 50/60 Hz. The amplifier shall have an IEC 320-C14 electrical power inlet and shall be equipped with a removable power supply cord. A power switch shall be located on the front panel. The product shall include protection from shorted loads and general overheating. The mixer/amplifier's physical size shall be 1 RU in height by 1/2 RU in width and be capable of rack mounting using an accessory kit. Two models shall be designed to be rack mounted together horizontally to combine for a full-width 1 RU installation. The product shall have venting appropriate for natural convection without fans. The amplifier section shall have two amplifier configurations offered in two separate models. Each output channel shall have output trim controls.

The low impedance model shall have two output channels with a frequency response of 40 Hz to 20 kHz (+0/-3 dB) and drive 4 ohm loads at 50 watts continuous power or 25 watts per channel continuous power into 8 ohm loads. The low impedance model shall have THD+N at full-rated power less than or equal to 0.3%. Output connection shall be made via two terminal strips that accommodate 22-14 AWG wires using included spade lug connectors.

The high impedance model shall have a single output channel with a frequency response of 60 Hz to 20 kHz (+0/-3 dB) and drive 70/100 V distributed audio systems. The high impedance model shall have THD+N at full-rated power less than or equal to 1%. Output connection shall be made via a 3-pin Euroblock connector.

Both models shall meet or exceed the following performance specifications: channel separation (crosstalk) less than or equal to -60 dB below rated power at 1 kHz and dynamic range of 88 dB. The mixer/amplifier shall incorporate 3 line-level inputs (two RCA stereo, one 3.5 mm stereo) and two microphone inputs for paging applications. Two of the line level inputs shall be selectable via a switch on the front panel while the third input shall override line-input channels upon connection. The nominal input sensitivity shall be 0 dBV for line level inputs and -40 dBV for microphone inputs. One microphone input shall be mounted to

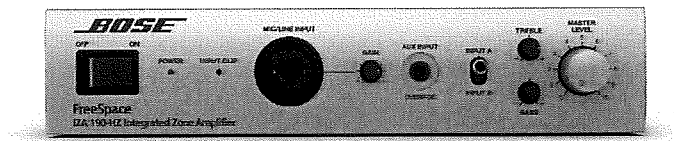
the front panel, have a selectable mix/duck option and use a combination XLR-TRS connector for dynamic microphones. The second microphone input shall be mounted on the rear, support dynamic microphones and select telephone systems with PTT switching. Both microphone inputs shall bypass master volume control via a selector on the rear panel. All inputs shall have individual input gain controls with the exception of the 3.5 mm priority input connector on the front panel. Two LEDs shall be visible on the front panel—one (blue) for power indication, the second (red) for input level clip (over -3 dBFS). The mixer/amplifier shall have an auxiliary line-output via two RCA connectors. The digital signal processor shall enable a user-selectable loudspeaker preset (Bose FreeSpace FS2 and FS4 loudspeakers) or high-pass filter to be applied to the loudspeaker output and (via selector) the auxiliary output connectors. The front panel shall also have user-accessible treble, bass and master volume controls. The mixer/amplifier shall have a remote control input intended for use with the Bose Volume control with A/B switch user interface or third party switches/10k ohm linear taper potentiometers. The mixer/amplifier shall offer a master mute connection for use with external dry contacts to mute output of the amplifier and auxiliary output. The rear panel shall contain a stereo/mono switch that allows optimization of the amplifier output (low impedance model only) and the auxiliary line-level output when using stereo or mono sources.

The mixer/amplifier chassis shall be constructed of painted steel. The dimensions of the mixer/amplifier shall allow for 19-inch (483 mm) EIA standard rack mounting using the optional rack mounting kit accessory. The mixer/amplifier shall be 1.8 inches (45 mm) in height, 8.4 inches (214 mm) in width and 12.2 inches (310 mm) in depth. The low impedance model shall weigh 4.8 pounds (2.2 kg). The high impedance model shall weigh 7 pounds (3.2 kg). The mixer/amplifier shall be the Bose FreeSpace IZA 250-LZ (or IZA 190-HZ) integrated zone amplifier.

3. Noise cancelling measures will be optimized by keeping the windows closed at all times during entertainment, while there is no other mitigation measures available inside of this small space.
4. No on-site overview needed as the allowable maximum persons is well below 250 persons.

# FreeSpace IZA 250-LZ / 190-HZ

## Integrated Zone Amplifier



### Product Description

For background/foreground music and paging applications, the Bose FreeSpace IZA 250-LZ and IZA 190-HZ integrated zone amplifiers are designed to deliver premium sound, provide simplified set up and easy daily operation, and offer the flexibility to expand when more loudspeakers are required. When used with FreeSpace FS2 and FS4 loudspeakers, even further sound optimization is possible through onboard selectable EQ presets.

### Product Information

The Bose FreeSpace IZA 250-LZ / IZA 190-HZ integrated zone amplifier provides signal processing, routing, paging and amplification for a wide range of commercial applications such as retail stores, restaurants and bars, hospitality venues, conference rooms, schools and auxiliary zones. The integrated zone amplifier offers a variety of easy-to-use input connections (mic/line/page), input gain and output level adjustments, and operational modes. Selectable Bose FreeSpace FS2 and FS4 loudspeaker EQ presets are available for loudspeaker optimization.

### Applications

Designed for a wide range of applications, including:

- Retail stores
- Restaurants and bars
- Hospitality venues
- Conference centers
- Schools
- Auxiliary zones

### Key Features

**Amplification for premium sound** from a reliable, high quality Class-D amplifier provides optimized performance and premium sound quality through the use of internal digital signal processing

**Installation made simple** with set up done locally from the front and rear panels of the amplifier—no computer is required

**Opti-voice paging** provides smooth automatic transition between the music and page signals

**End-user friendly** front panel allows users to connect devices easily, make tonal adjustments or select between two sources. Optional wall mountable Bose Volume control with A/B switch user interface allows volume and source selection controls to be placed away from the amplifier for user convenience

**Compact, lightweight design** enables the FreeSpace integrated zone amplifier to be placed out of the way—on a table, desk, counter, shelf or in an equipment rack using the optional Rack Mount Kit accessory

# FreeSpace IZA 250-LZ / 190-HZ

## Integrated Zone Amplifier

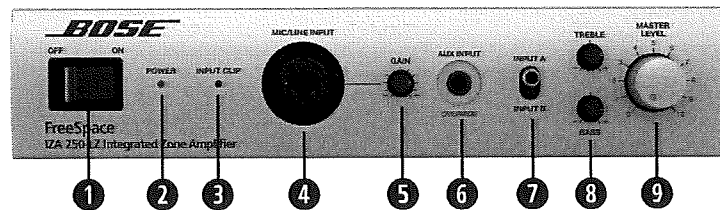
### Technical Specifications

| POWER RATING                   |                                                                                                                                                                                        |                          |                                                  |                      |
|--------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------------------------------|----------------------|
|                                | FreeSpace IZA 250-LZ integrated zone amplifier                                                                                                                                         |                          | FreeSpace IZA 190-HZ integrated zone amplifier   |                      |
| Amplifier Power                | 2 x 50 W @ 4 Ω, 2 x 25 W @ 8 Ω                                                                                                                                                         |                          | 1 x 90 W @ 70/100 V                              |                      |
| AUDIO PERFORMANCE              |                                                                                                                                                                                        |                          |                                                  |                      |
| Frequency Response             | 40 Hz - 20 kHz (+0/-3 dB, @ 1 W reference 1 kHz)                                                                                                                                       |                          | 60 Hz - 20 kHz (+0/-3 dB, @ 1 W reference 1 kHz) |                      |
| THD+N                          | ≤0.3 % (at full rated power)                                                                                                                                                           |                          | ≤1 % (at full rated power)                       |                      |
| Channel Separation (Crosstalk) | ≤-60 dBV (below rated power, 1 kHz)                                                                                                                                                    |                          | ≤-60 dBV (below rated power, 1 kHz)              |                      |
| Dynamic Range                  | 88 dB                                                                                                                                                                                  |                          | 88 dB                                            |                      |
| INTEGRATED DSP                 |                                                                                                                                                                                        |                          |                                                  |                      |
| A/D and D/A Converters         | 24-bit / 48 kHz                                                                                                                                                                        |                          |                                                  |                      |
| Processing Functions           | Loudspeaker EQ, Bose Opti-voice paging, Dynamic equalization                                                                                                                           |                          |                                                  |                      |
| Loudspeaker Presets            | FreeSpace FS2 and FS4 loudspeakers, High-Pass Filter (HPF)                                                                                                                             |                          |                                                  |                      |
| Audio Latency                  | 10.4 ms - (any input to speaker output or aux output)                                                                                                                                  |                          |                                                  |                      |
| AUDIO INPUTS                   | LINE INPUTS                                                                                                                                                                            | MIC/LINE INPUTS          | PAGE INPUTS                                      | AUXILIARY INPUT      |
| Input Channels                 | 2 unbalanced line                                                                                                                                                                      | 1 balanced mic/line      | 1 Balanced mic                                   | 1 unbalanced line    |
| Connectors                     | Stereo RCA                                                                                                                                                                             | Combo XLR - 1/4"         | 4-pin Euroblock                                  | 3.5mm (1/8") TRS     |
| Input Range                    | -10 dBV - +10 dBV                                                                                                                                                                      | -60 dBV - +10 dBV        | -60 dBV - +10 dBV                                | 0 dBV - +10 dBV      |
| Adjustment Range               | -20 dB - +20 dB                                                                                                                                                                        | 0 dB - +50 dB            | 0 dB - +50 dB                                    | Fixed                |
| Input Impedance                | 20 kΩ                                                                                                                                                                                  | 2 kΩ                     | 2 kΩ                                             | 20 kΩ                |
| Maximum Input Level            | +10 dBV                                                                                                                                                                                | +10 dBV                  | +10 dBV                                          | +10 dBV              |
| Sensitivity                    | N/A                                                                                                                                                                                    | N/A                      | N/A                                              | 0 dBV                |
| Nominal Input Level            | 0 dBV                                                                                                                                                                                  | -40 dBV                  | -40 dBV                                          | 0 dBV                |
| AUDIO OUTPUTS                  | AMPLIFIER OUTPUTS                                                                                                                                                                      |                          | AUXILIARY OUTPUT                                 |                      |
|                                | FreeSpace IZA 250-LZ                                                                                                                                                                   | FreeSpace IZA 190-HZ     | FreeSpace IZA 250-LZ                             | FreeSpace IZA 190-HZ |
| Outputs                        | 2                                                                                                                                                                                      | 1                        | 1 unbalanced                                     | 1 unbalanced         |
| Connectors, Output             | 2-terminal barrier strip                                                                                                                                                               | 3-pin inverted Euroblock | Stereo RCA                                       | Stereo RCA           |
| Output Impedance               | 4 Ω                                                                                                                                                                                    | N/A                      | 400 Ω                                            | 400 Ω                |
| Nominal Output Level           | 2 x 50 W @ 4Ω (min); 2 x 25                                                                                                                                                            | 1 x 90 W @ 70/100 V      | 0 dBV (max)                                      | 0 dBV (max)          |
| INDICATORS AND CONTROLS        |                                                                                                                                                                                        |                          |                                                  |                      |
| LED Status Indicators          | Power - blue, Input clip - red (-3 dBFS)                                                                                                                                               |                          |                                                  |                      |
| Controls, Front Panel          | Power On/Off, Input Select (A/B), Tone Controls (Treble/Bass), Mic/Line Gain, Master Level                                                                                             |                          |                                                  |                      |
| Controls, Rear Panel           | Amplifier Mode DIP switch, Loudspeaker EQ preset selector, Input Gain (A/B/Page mic), Output trim                                                                                      |                          |                                                  |                      |
| ELECTRICAL                     |                                                                                                                                                                                        |                          |                                                  |                      |
| Mains Voltage                  | 100 V AC - 240 V AC (+/- 10%, 50/60 Hz)                                                                                                                                                |                          |                                                  |                      |
| AC Power Consumption           | 15 W (Idle), 200 W (Max)                                                                                                                                                               |                          |                                                  |                      |
| Mains Connector                | Standard IEC (C14)                                                                                                                                                                     |                          |                                                  |                      |
| Maximum Inrush Current         | 13.9 Amps (230 V / 50 Hz), 7.6 Amps (120 V / 60 Hz)                                                                                                                                    |                          |                                                  |                      |
| Overload Protection            | High temperature, short                                                                                                                                                                |                          |                                                  |                      |
| PHYSICAL                       |                                                                                                                                                                                        |                          |                                                  |                      |
| Rack Space Units               | 1 RU high, half rack wide                                                                                                                                                              |                          |                                                  |                      |
| Dimensions                     | 45 mm x 214 mm x 310 mm D (1.8" H x 8.4" W x 12.2")                                                                                                                                    |                          |                                                  |                      |
|                                | FreeSpace IZA 250-LZ                                                                                                                                                                   |                          | FreeSpace IZA 190-HZ                             |                      |
| Shipping Weight                | 3.0 kg (6.7 lb)                                                                                                                                                                        |                          | 4.1 kg (9.0 lb)                                  |                      |
| Net Weight                     | 2.2 kg (4.8 lb)                                                                                                                                                                        |                          | 3.2 kg (7.0 lb)                                  |                      |
| Cooling System                 | Natural convection                                                                                                                                                                     |                          |                                                  |                      |
| GENERAL                        |                                                                                                                                                                                        |                          |                                                  |                      |
| Inputs (Control)               | Remote input for CC-1 volume control (operates with a fixed input B) or CC-2 volume control with A/B source select user interface, Mute input for amplifier muting via contact closure |                          |                                                  |                      |



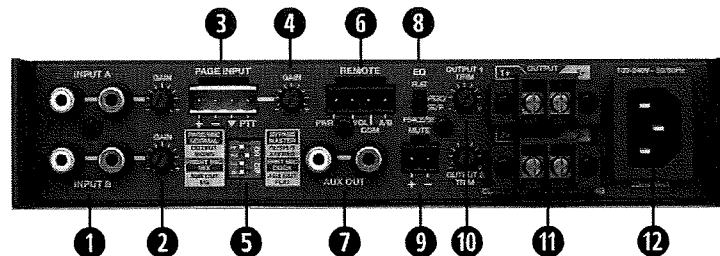
# FreeSpace IZA 250-LZ / 190-HZ

## Integrated Zone Amplifier



- ❶ **POWER SWITCH** - ON/OFF AC power
- ❷ **POWER** - LED indicates if unit is active
- ❸ **INPUT CLIP** - LED indicates when any input source approaches the threshold value of -3 dBFS
- ❹ **MIC/LINE INPUT** - Combination balanced XLR-TRS connector for use with dynamic microphones
- ❺ **MIC/LINE INPUT GAIN** - Allows gain adjustment (0 dB to +50 dB) of microphones connected to the MIC/LINE INPUT
- ❻ **AUX INPUT** - 3.5 mm (1/8") stereo line-level input connector. Connection mutes INPUT A and INPUT B for priority override
- ❼ **INPUT A/B\*** - Allows selection of rear line-input channels A or B
- ❽ **TREBLE/BASS** - Allows tonal adjustments of output channels. Provides +/-6 dB adjustment at 7 kHz and 100 Hz
- ❾ **MASTER LEVEL\*** - Controls the overall system volume for both the loudspeakers and the variable AUX OUT connector

\*When using a REMOTE connection with the system, the INPUT A/B selector switch and MASTER LEVEL control become disabled



- ❶ **INPUT A/B** - Two channels of stereo RCA input connectors
- ❷ **INPUT GAIN** - Allows for -20 dB to +20 dB of adjustment to each INPUT A/B input
- ❸ **PAGE INPUT** - Euroblock mic/line input with trigger contact closure for use with push-to-talk microphones
- ❹ **PAGE INPUT GAIN** - Allows for 0 db to +50 dB of gain control of page input signal
- ❺ **DIP switches** - A bank of four switches set the amplifier configuration
- ❻ **REMOTE** - Input jack for CC-1 volume control (operates with a fixed input B) or CC-2 volume control with A/B source select user interface.
- ❼ **AUX OUT** - Variable output line-level signal for routing signal to additional audio equipment
- ❽ **EQ** - Provides loudspeaker equalization presets for the FreeSpace FS2 and FS4 loudspeakers. Can be set to high-pass filter (HPF) for an amplifier rated frequency response
- ❾ **MUTE** - Contact closure connection that upon trigger (short) will mute all outputs (including AUX OUT)
- ❿ **OUTPUT 1 / OUTPUT 2 TRIM** - Allows for up to 20 dB attenuation of the individual loudspeaker outputs relative to the master level
- ⓫ **OUTPUT** - Speaker connections for up to two 4Ω or 8Ω loudspeaker loads (IZA 250-LZ) or one 3-pin Euroblock for 70/100 V systems (IZA 190-HZ)
- ⓬ **AC MAINS RECEPTACLE** - AC line voltage input

# FreeSpace IZA 250-LZ / 190-HZ

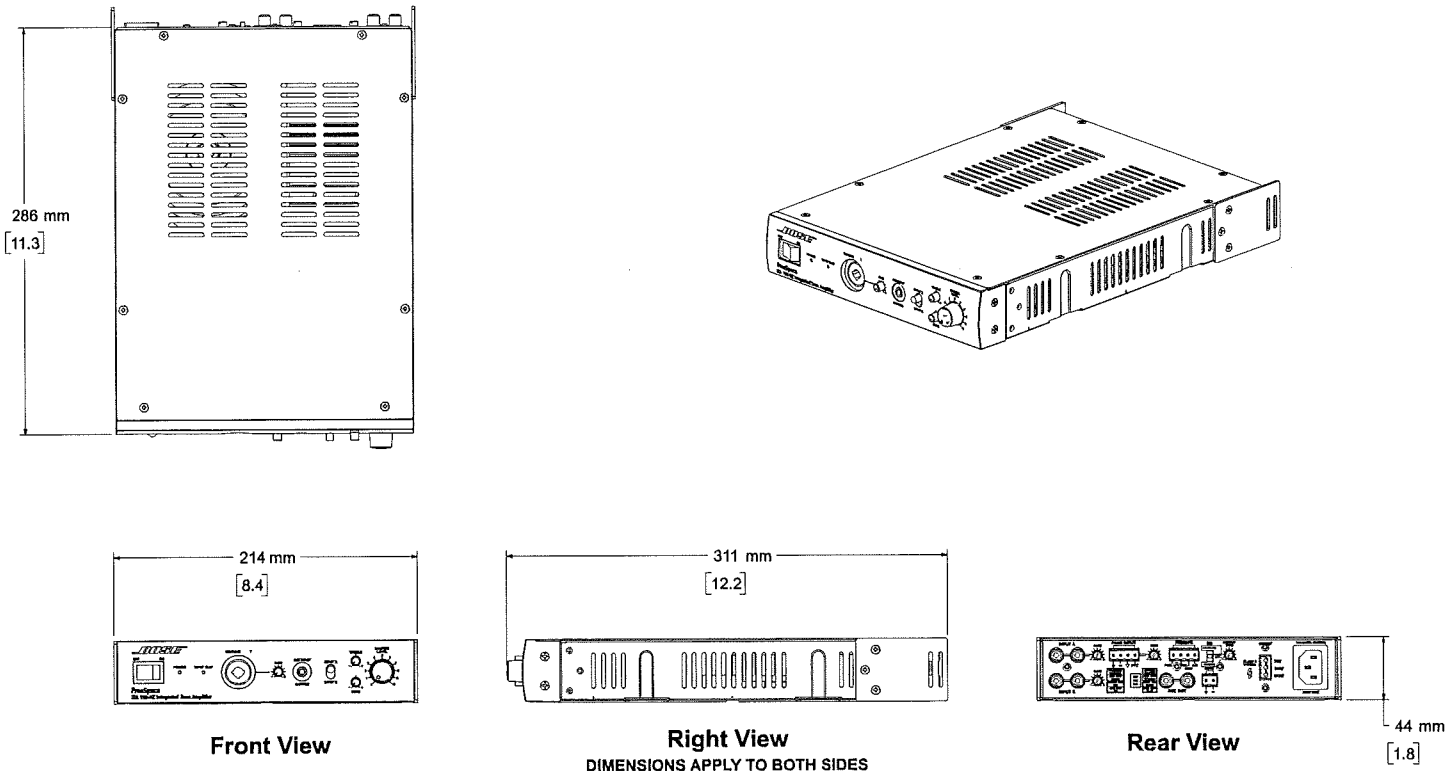
## Integrated Zone Amplifier

### AC Current Draw and Thermal Dissipation Information

| IZA 250-LZ                                         |                                                  |                          |                                  |                                  |                          |        |         |
|----------------------------------------------------|--------------------------------------------------|--------------------------|----------------------------------|----------------------------------|--------------------------|--------|---------|
| Test Signal & Power Level                          | Load Configuration<br>(Both IZA channels driven) | Total Audio<br>Output, W | 120 VAC 60 Hz<br>Line Current, A | 230 VAC 50 Hz<br>Line Current, A | Thermal Dissipation, Max |        |         |
|                                                    |                                                  |                          |                                  |                                  | Watts                    | BTU/hr | kCal/hr |
| Power On, Idling                                   |                                                  | 0                        | 0.3                              | 0.16                             | 37                       | 127    | 32      |
| 1/8th Rated Power<br>IEC268 Bandlimited Pink Noise | 8 Ω / Ch                                         | 6                        | 0.4                              | 0.23                             | 45                       | 153    | 39      |
| 6 dB Crest Factor<br>FS2C/SE/P EQ Enabled          | 4 Ω / Ch                                         | 13                       | 0.48                             | 0.29                             | 53                       | 181    | 46      |
| 1/3rd Rated Power<br>IEC268 Bandlimited Pink Noise | 8 Ω / Ch                                         | 17                       | 0.63                             | 0.37                             | 63                       | 215    | 54      |
| 6 dB Crest Factor<br>FS2C/SE/P EQ Enabled          | 4 Ω / Ch                                         | 33                       | 0.9                              | 0.53                             | 87                       | 298    | 75      |

| IZA 190-HZ                                         |                                                  |                          |                                  |                                  |                          |        |         |
|----------------------------------------------------|--------------------------------------------------|--------------------------|----------------------------------|----------------------------------|--------------------------|--------|---------|
| Test Signal & Power Level                          | Load Configuration<br>(Both IZA channels driven) | Total Audio<br>Output, W | 120 VAC 60 Hz<br>Line Current, A | 230 VAC 50 Hz<br>Line Current, A | Thermal Dissipation, Max |        |         |
|                                                    |                                                  |                          |                                  |                                  | Watts                    | BTU/hr | kCal/hr |
| Power On, Idling                                   |                                                  | 0                        | 0.21                             | 0.17                             | 40                       | 136    | 34      |
| 1/8th Rated Power<br>IEC268 Bandlimited Pink Noise | 70V                                              | 11                       | 0.46                             | 0.28                             | 53                       | 180    | 45      |
| 6 dB Crest Factor<br>FS2C/SE/P EQ Enabled          | 100V                                             | 11                       | 0.52                             | 0.32                             | 61                       | 210    | 53      |
| 1/3rd Rated Power<br>IEC268 Bandlimited Pink Noise | 70V                                              | 30                       | 0.89                             | 0.47                             | 78                       | 266    | 67      |
| 6 dB Crest Factor<br>FS2C/SE/P EQ Enabled          | 100V                                             | 30                       | 0.82                             | 0.46                             | 76                       | 259    | 65      |

### Mechanical Diagrams



# FreeSpace IZA 250-LZ / 190-HZ

## Integrated Zone Amplifier

### Safety and Regulatory Compliance

FreeSpace IZA 250-LZ / IZA 190-HZ integrated zone amplifiers comply with CE requirements, are cUL listed according to UL/CSA 60065 and UL/CSA 62368-1; CB certified, according to IEC60065 (8th edition) and IEC62368-1 (2nd Edition), including all group and national differences. These models also comply with FCC Part 15B Class A, EN55103-1 (1997), EN55103-2 (1996), and CISPR13 (2003) requirements.

### Product Codes

#### FreeSpace IZA 250-LZ integrated zone amplifier

Product Code Voltage Variant

|         |             |
|---------|-------------|
| 120V US | 344871-1440 |
| 230V EU | 344871-2440 |
| 100V JP | 344871-3440 |
| 230V UK | 344871-4440 |
| 240V AU | 344871-5440 |

#### FreeSpace IZA 190-HZ integrated zone amplifier

Product Code Voltage Variant

|         |             |
|---------|-------------|
| 120V US | 344871-1430 |
| 230V EU | 344871-2430 |
| 100V JP | 344871-3430 |
| 230V UK | 344871-4430 |
| 240V AU | 344871-5430 |

### Accessories

Rack Mount Kit 353689-0410

#### ControlCenter CC-1 zone controller

|          |             |
|----------|-------------|
| US Black | 768932-0110 |
| US White | 768932-0210 |
| EU Black | 768932-2110 |
| EU White | 768932-2210 |
| JP Black | 768932-3110 |
| JP White | 768932-3210 |

#### ControlCenter CC-2 zone controller

|          |             |
|----------|-------------|
| US Black | 768938-0110 |
| US White | 768938-0210 |
| EU Black | 768938-2110 |
| EU White | 768938-2210 |
| JP Black | 768938-3110 |
| JP White | 768938-3210 |

# City of Portland

## Sound Mitigation Review

Date: 5/25/2021

Business Lupita's Taqueria

Applicant Bill Zoper

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

DIRECT ALL INQUIRIES TO:

Kevin Schneck

(207) 756-8433

[kschneck@portlandmaine.gov](mailto:kschneck@portlandmaine.gov)



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

**Application for an On-Premises License**

*All Questions Must Be Answered Completely. Please print legibly.*

| Division Use Only                                                        |     |
|--------------------------------------------------------------------------|-----|
| License No:                                                              |     |
| Class:                                                                   | By: |
| Deposit Date:                                                            |     |
| Amt. Deposited:                                                          |     |
| Payment Type:                                                            |     |
| OK with SOS:    Yes <input type="checkbox"/> No <input type="checkbox"/> |     |

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

|                                                                                 |                                                                  |
|---------------------------------------------------------------------------------|------------------------------------------------------------------|
| Legal Business Entity Applicant Name (corporation, LLC):<br>Local Food 1, LLC   | Business Name (D/B/A):<br>Lupitas Taqueria                       |
| Individual or Sole Proprietor Applicant Name(s):                                | Physical Location:<br>15 Exchange st. Portland, ME 04101         |
| Individual or Sole Proprietor Applicant Name(s):                                | Mailing address, if different:                                   |
| Mailing address, if different from DBA address:<br>PO Box 20 Portland, ME 04112 | Email Address:<br>william.zolper@gmail.com                       |
| Telephone #                      Fax #:<br>207-949-0935                         | Business Telephone #                      Fax #:<br>207-747-5355 |
| Federal Tax Identification Number:<br>46-1549041                                | Maine Seller Certificate # or Sales Tax #:<br>1162755            |
| Retail Beverage Alcohol Dealers Permit:                                         | Website address:<br>NA                                           |

1. New license or renewal of existing license?    ☒ New                      Expected Start date: 06/08/2021
- ☒ Renewal                      Expiration Date: 09/01/2021

2. The dollar amount of gross income for the licensure period that will end on the expiration date above:

Food: \_\_\_\_\_ Beer, Wine or Spirits: \_\_\_\_\_ Guest Rooms: \_\_\_\_\_

3. Please indicate the type of alcoholic beverage to be sold: (check all that apply)

☒ Malt Liquor (beer)    ☒ Wine    ☒ Spirits

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

- |                                                                                                                    |                                                                          |                                                       |
|--------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------|-------------------------------------------------------|
| <input checked="" type="checkbox"/> Restaurant<br>(Class I, II, III, IV)                                           | <input type="checkbox"/> Class A Restaurant/Lounge<br>(Class XI)         | <input type="checkbox"/> Class A Lounge<br>(Class X)  |
| <input type="checkbox"/> Hotel<br>(Class I, II, III, IV)                                                           | <input type="checkbox"/> Hotel – Food Optional<br>(Class I-A)            | <input type="checkbox"/> Bed & Breakfast<br>(Class V) |
| <input type="checkbox"/> Golf Course (included optional licenses, please check if apply)<br>(Class I, II, III, IV) | <input type="checkbox"/> Auxiliary                                       | <input type="checkbox"/> Mobile Cart                  |
| <input type="checkbox"/> Tavern<br>(Class IV)                                                                      | <input type="checkbox"/> Other: _____                                    |                                                       |
| <input type="checkbox"/> Qualified Caterer                                                                         | <input type="checkbox"/> Self-Sponsored Events (Qualified Caterers Only) |                                                       |

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

5. Business records are located at the following address:

179 Congress St Unit 1 Portland, ME 04101

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

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

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

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

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

☐ Yes ☒ No

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

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

☐ Yes ☒ No

If yes, please provide details: \_\_\_\_\_  
\_\_\_\_\_

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

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

| Name of Business  | License Number | Complete Physical Address              |
|-------------------|----------------|----------------------------------------|
| Local Food 2, LLC | RES-2015-7775  | 200 Gorham Rd South Portland, ME 04106 |
|                   |                |                                        |

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

| Full Name                                               | DOB                                | Place of Birth |
|---------------------------------------------------------|------------------------------------|----------------|
| William Zolper                                          | 05/12/1990                         | Syracuse, NY   |
|                                                         |                                    |                |
|                                                         |                                    |                |
|                                                         |                                    |                |
| Residence address on all the above for previous 5 years |                                    |                |
| Name                                                    | Address:                           |                |
| William Zolper                                          | 179 Congress St Portland, ME 04101 |                |
| Name                                                    | Address:                           |                |
| William Zolper                                          | 24 Cleeve St Portland, ME 04101    |                |
| Name                                                    | Address:                           |                |
|                                                         |                                    |                |
| Name                                                    | Address:                           |                |
|                                                         |                                    |                |

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

☐ Yes ☒ No

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

\_\_\_\_\_

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

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

Name: \_\_\_\_\_ Date of Conviction: \_\_\_\_\_

Offense: \_\_\_\_\_ Location: \_\_\_\_\_

Disposition: \_\_\_\_\_

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

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

Name: \_\_\_\_\_ Date of Conviction: \_\_\_\_\_

Offense: \_\_\_\_\_ Location: \_\_\_\_\_

Disposition: \_\_\_\_\_

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

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

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

CPSP, LLC 9 Exchange St Portland, ME 04101



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

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

When you enter the premises, you see an open kitchen with seating facing the street, tables inside as well with an ADA compliant bathroom. You head upstairs to see more seating with hardwood floors and two more additional bathrooms.

20. What is the distance from the premises to the **nearest** school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel?

Name: St Pauls Anglican Church

Distance: 1.20

## Section II: Signature of Applicant(s)

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

Please sign and date in blue ink.

Dated: 05/04/2021

Signature of Duly Authorized Person

William Zolper

Printed Name Duly Authorized Person

Signature of Duly Authorized Person

Printed Name of Duly Authorized Person

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

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

*All Questions Must Be Answered Completely. Please print legibly.*

1. Exact legal name: Local Food 1, LLC
2. Doing Business As, if any: Lupitas Taqueria
3. Date of filing with Secretary of State: 12/13/2012 State in which you are formed: Maine
4. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine:  
\_\_\_\_\_
5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors, managers, members or partners and the percentage ownership any person listed: (attached additional pages as needed)

| Name           | Address (5 Years)            | Date of Birth | Title | Percentage of Ownership |
|----------------|------------------------------|---------------|-------|-------------------------|
| William Zolper | 179 Congress St Portland, ME | 05/12/1990    | Owner | 100.0000                |
|                | 24 Cleeve St Portland, ME    |               |       |                         |
|                |                              |               |       |                         |
|                |                              |               |       |                         |
|                |                              |               |       |                         |
|                |                              |               |       |                         |

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

**SHEPHERD ENGINEERING, INC.**  
ELECTRICAL CONSULTANTS  
15 Exchange Street  
Portland, ME 04101  
Phone: (207) 757-7753 • Fax: (207) 757-3289  
www.shepherdeng.com

| DESCRIPTION | DATE | MARK |
|-------------|------|------|
|             |      |      |
|             |      |      |
|             |      |      |
|             |      |      |
|             |      |      |
|             |      |      |
|             |      |      |
|             |      |      |
|             |      |      |
|             |      |      |

**B GOOD**  
PORTLAND, ME

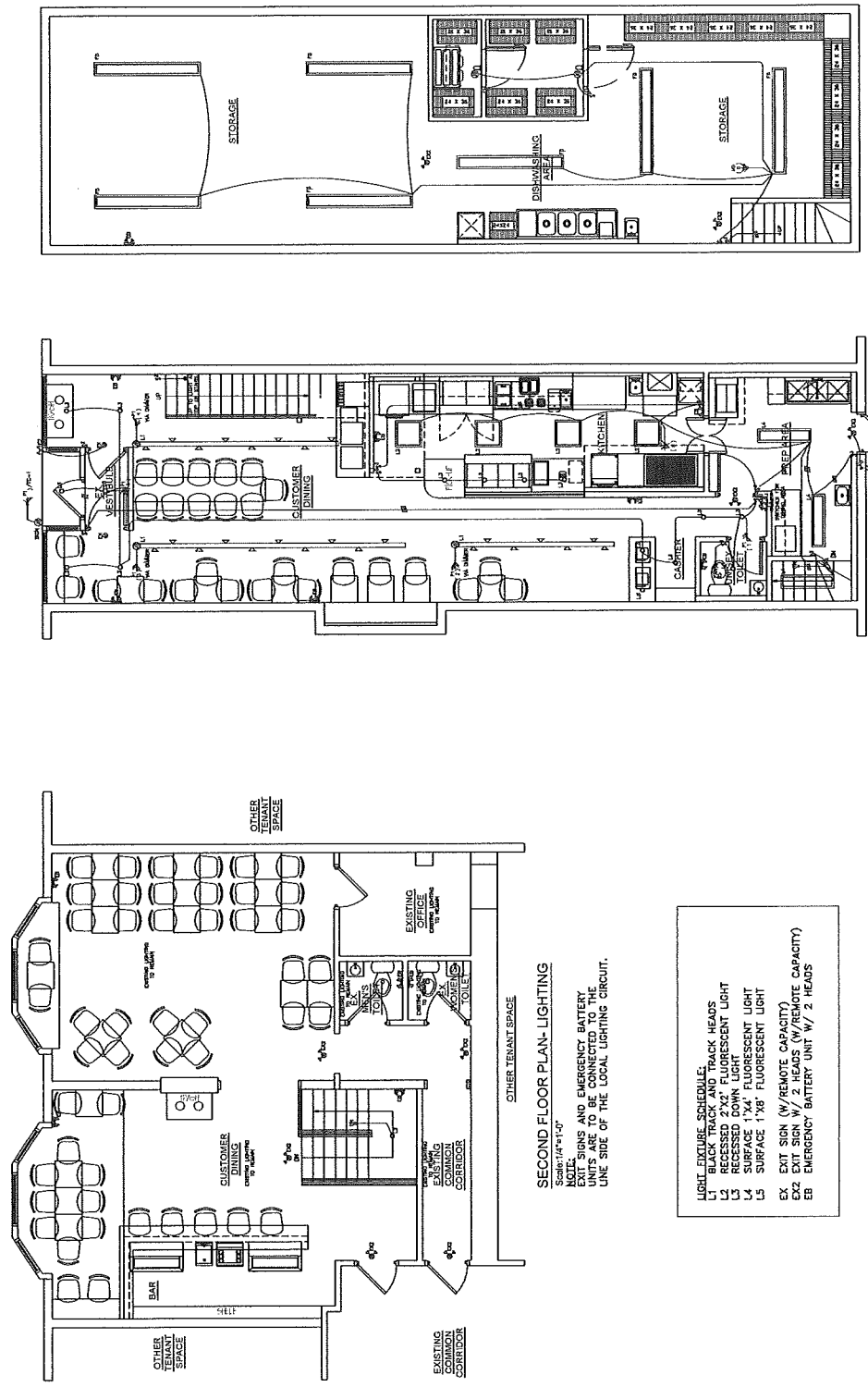
15 Exchange Street  
Portland, ME

**ELECTRICAL  
FLOOR PLANS-  
LIGHTING**

|              |                |
|--------------|----------------|
| Drawn By:    |                |
| Checked By:  |                |
| Scale:       | AS NOTED       |
| Project No.: | 022            |
| Revision:    |                |
| Date:        | April 12, 2013 |

**E1.1**

FOR PERMIT APPLICATION ONLY  
APRIL 2013



**BASEMENT PLAN- LIGHTING**  
Scale: 1/4"=1'-0"

NOTE:  
EXIT SIGNS AND EMERGENCY BATTERY  
UNITS ARE TO BE CONNECTED TO THE  
LINE SIDE OF THE LOCAL LIGHTING CIRCUIT.

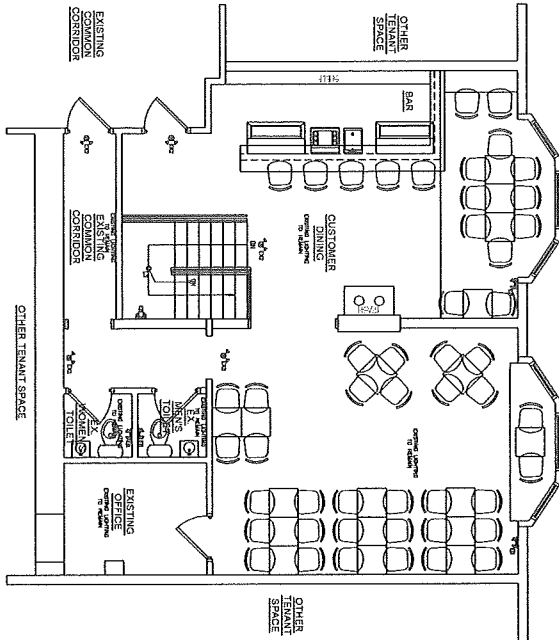
**FIRST FLOOR PLAN- LIGHTING**  
Scale: 1/4"=1'-0"

NOTE:  
EXIT SIGNS AND EMERGENCY BATTERY  
UNITS ARE TO BE CONNECTED TO THE  
LINE SIDE OF THE LOCAL LIGHTING CIRCUIT.

**SECOND FLOOR PLAN- LIGHTING**  
Scale: 1/4"=1'-0"

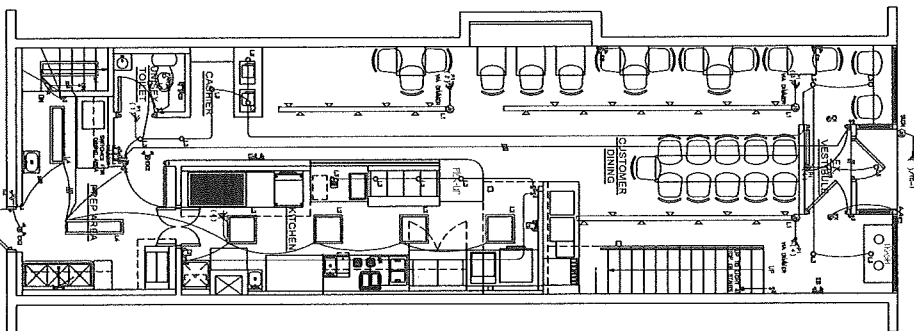
NOTE:  
EXIT SIGNS AND EMERGENCY BATTERY  
UNITS ARE TO BE CONNECTED TO THE  
LINE SIDE OF THE LOCAL LIGHTING CIRCUIT.

- LEGEND- FIXTURE SCHEDULE:**
- L1 BLACK TRACK AND TRACK HEADS
  - L2 RECESSED 2'X2' FLUORESCENT LIGHT
  - L3 RECESSED 1'X4' FLUORESCENT LIGHT
  - L4 SURFACE 1'X4' FLUORESCENT LIGHT
  - L5 SURFACE 1'X8' FLUORESCENT LIGHT
  - EX EXIT SIGN (W/ REMOTE CAPACITY)
  - EX2 EXIT SIGN W/ 2 HEADS (W/ REMOTE CAPACITY)
  - EB EMERGENCY BATTERY UNIT W/ 2 HEADS

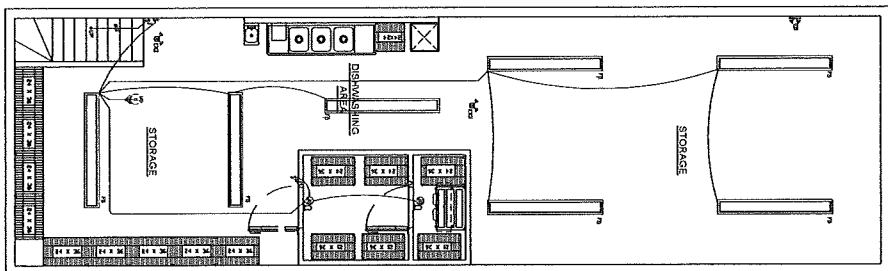


SECOND FLOOR PLAN- LIGHTING  
Scale: 1/4"=1'-0"  
NOTES:  
EXIT SIGNS AND EMERGENCY BATTERY UNITS ARE TO BE CONNECTED TO THE LINE SIDE OF THE LOCAL LIGHTING CIRCUIT.

- LIGHT FIXTURE SCHEDULE:
- L1 BLACK TRACK AND TRACK HEADS
  - L2 RECESSED 2'x2' FLUORESCENT LIGHT
  - L3 SURFACE 1'x4' FLUORESCENT LIGHT
  - L4 SURFACE 1'x8' FLUORESCENT LIGHT
  - EX EXIT SIGN (W/REMOTE CAPACITY)
  - EB EMERGENCY BATTERY UNIT (W/ 2 HEADS)



FIRST FLOOR PLAN- LIGHTING  
Scale: 1/4"=1'-0"  
NOTES:  
EXIT SIGNS AND EMERGENCY BATTERY UNITS ARE TO BE CONNECTED TO THE LINE SIDE OF THE LOCAL LIGHTING CIRCUIT.



BASEMENT PLAN- LIGHTING  
Scale: 1/4"=1'-0"  
NOTES:  
EXIT SIGNS AND EMERGENCY BATTERY UNITS ARE TO BE CONNECTED TO THE LINE SIDE OF THE LOCAL LIGHTING CIRCUIT.

FOR PERMIT APPLICATION ONLY  
APRIL 2013

The Architects Forum, Inc  
72 Manchester Road  
Newport, ME 05851  
Tel: 617.523.2828  
Fax: 617.523.2828

SHEPHERD ENGINEERING, INC.  
ELECTRICAL CONSULTANTS  
PROJECT: B-2020-E1  
REFERENCE: NO. 12061  
DATE: 4/17/2013

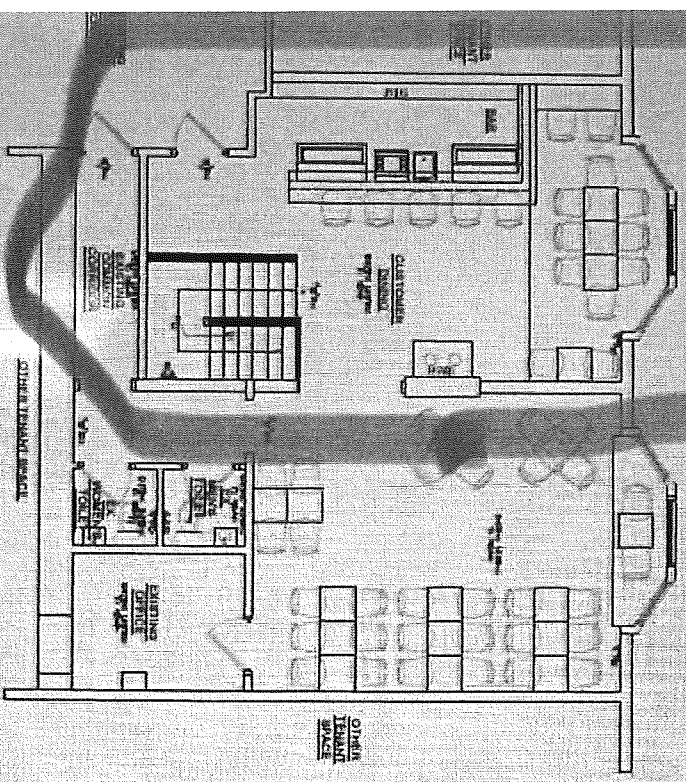
B GOOD  
PORTLAND, ME

15 Exchange Street  
Portland, ME

Electrical  
FLOOR PLANS-  
LIGHTING

E1.1

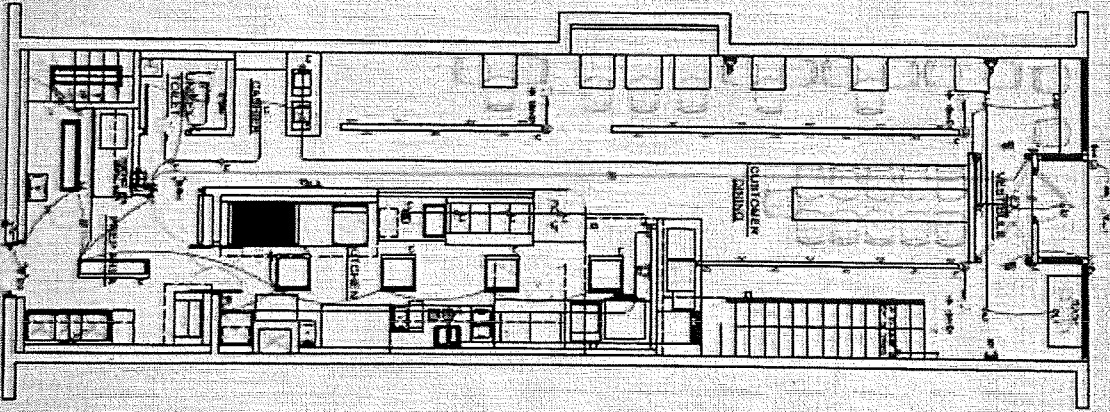




**SECOND FLOOR PLAN LIGHTING**

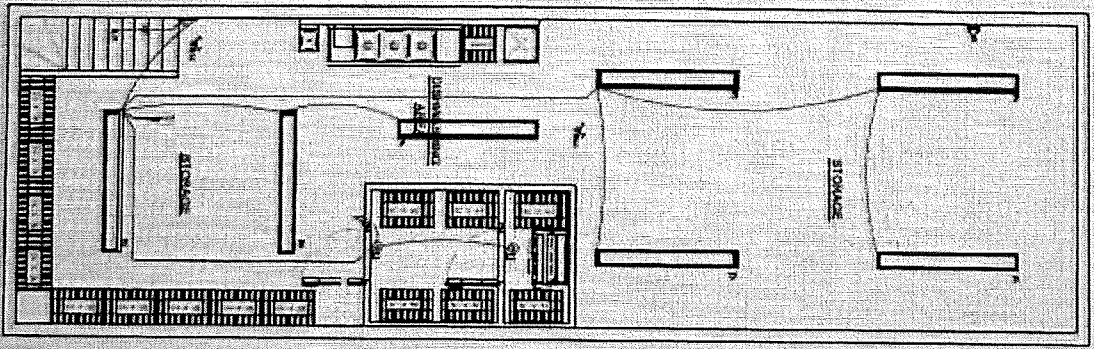
Scale: 1/4" = 1'-0"  
NOTE:  
EXIT SIGNS AND EMERGENCY BATTERY  
UNITS ARE TO BE CONNECTED TO THE  
LINE SIDE OF THE LOCAL LIGHTING CIRCUIT.

- Legend:**
- 1. BLACK TRIANGLE AND TRACK HEADS
  - 2. RECESSED 2'X4' FLUORESCENT LIGHT
  - 3. RECESSED DOWN LIGHT
  - 4. SURFACE MOUNT FLUORESCENT LIGHT
  - 5. SURFACE MOUNT FLUORESCENT LIGHT
  - 6. EXIT SIGN (W/REMOTE CAPACITY)
  - 7. EXIT SIGN (W/REMOTE CAPACITY)
  - 8. EMERGENCY BATTERY UNIT (W/2 HEADS)



**FIRST FLOOR PLAN LIGHTING**

Scale: 1/4" = 1'-0"  
NOTE:  
EXIT SIGNS AND EMERGENCY BATTERY  
UNITS ARE TO BE CONNECTED TO THE  
LINE SIDE OF THE LOCAL LIGHTING CIRCUIT.



**BASEMENT PLAN LIGHTING**

Scale: 1/4" = 1'-0"  
NOTE:  
EXIT SIGNS AND EMERGENCY BATTERY  
UNITS ARE TO BE CONNECTED TO THE  
LINE SIDE OF THE LOCAL LIGHTING CIRCUIT.



## **TACOS:**

STEAK (SHREDDED): SLOW COOKED STEAK MARINATED

COCHINITA PIBIL:

GROUND MEAT:

SHRIMP:

VEGGIE TACO: CHIPOTLE CAULIFLOWER, SALSA, GUACAMOLE

CHICKEN:

TACO BOWL: JALAPENO SLAW, RICE, GUACAMOLE + TWO PROTEINS OF CHOICE

## **SNACKS:**

CHIPS & SALSA: CORN TORTILLA CHIPS WITH SALSA FRESCA

GUACAMOLE: CORN CHIPS AND SALSA FRESCA

SALSA FLIGHT: MILD, GREEN, HOT SALSA

STREET CORN: COTIJA CHEESE, CHIPOTLE AIOLI, CHILLI LIME & CILANTRO

## **PARA TOMAR:**

MARGARITAS

MICHELADA

MEXICAN MICHELADA

LOCAL BEERS

## **POSTRES:**

TRES LECHES





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

JESSICA HANSCOMBE  
389 CONGRESS ST  
PORTLAND, ME 04103

Transaction Response #: MIQ99E723705

## Criminal History Record

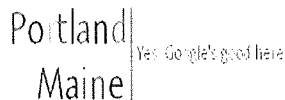
### Introduction

This criminal history record was produced in response to the following request ( Produced on 2021-05-18 ) :

Inquiries Name(s) WILLIAM ZOLPER (1990-05-12)

**NO MATCH WAS FOUND FOR YOUR REQUEST.**





Jessica Hanscombe <jhanscombe@portlandmaine.gov>

## Re: Lupita's Taqueria

Glen McGary <glenm@portlandmaine.gov>

Thu, May 20, 2021 at 1:34 PM

To: Jessica Hanscombe <jhanscombe@portlandmaine.gov>

Cc: Benjamin Pearson <bnp@portlandmaine.gov>, Chris Beaumont <cbeaumont@portlandmaine.gov>, Dan Hondo <danh@portlandmaine.gov>, Eric Cobb <ecobb@portlandmaine.gov>, Fire Prevention <fireprevention@portlandmaine.gov>, Jason Grant <jgrant@portlandmaine.gov>, Laurie Carlson <lac@portlandmaine.gov>, Stephen Marcotte <smarcotte@portlandmaine.gov>, Tom Williams <tw@portlandmaine.gov>, Treasury Division <treasury@portlandmaine.gov>, Kevin Schneck <kschneck@portlandmaine.gov>

PPD Approves

On Thu, May 20, 2021 at 8:08 AM Jessica Hanscombe <jhanscombe@portlandmaine.gov> wrote:  
Lupitas will be a Class I, Beer, Wine and Hard liquor. No change to the floor plan

Jessica Blais Hanscombe  
Director of Permitting and Inspections  
City of Portland  
389 Congress Street  
Portland, Maine 04101  
207-874-8783  
jhanscombe@portlandmaine.gov

On Tue, May 18, 2021 at 7:49 PM Glen McGary <glenm@portlandmaine.gov> wrote:  
I can only see the application without a floor plan or what types of alcohol they are serving

On Tue, May 18, 2021 at 9:16 AM Jessica Hanscombe <jhanscombe@portlandmaine.gov> wrote:  
Good Morning

Please see the attached. Owners of Bgood have changed the name and added spirits. This will go before council on 6/7/2021. Please advise Jess

Jessica Blais Hanscombe  
Director of Permitting and Inspections  
City of Portland  
389 Congress Street  
Portland, Maine 04101  
207-874-8783  
jhanscombe@portlandmaine.gov

--  
Lieutenant Glen McGary  
Portland Police Department  
109 Middle Street  
Portland, Maine 04101  
Office (207) 756-8294  
Fax (207) 874-8580

--  
Lieutenant Glen McGary  
Portland Police Department  
109 Middle Street



**CITY OF PORTLAND**  
**Permitting and Inspections Department**

May 18, 2021

Local Food 1, LLC  
PO Box 20  
Portland ME 04112

**Re: Local Food 1, LLC dba Lupita's Taqueria. Application for a Class I FSE with Indoor Entertainment at 15 Exchange Street**

Dear William Zolper

This letter shall serve as a reminder of the public hearing before the Portland City Council on **Monday June 7, 2021 at 5:00 p.m.**, for the review of application for a Class I FSE with Indoor Entertainment at 15 Exchange Street. The meeting will take place virtually. The link can be found on the Meeting Agenda which will be posted on the City Website on June 4, 2021.

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

Please contact our office directly with questions at (207) 874-8557 or [bl@portlandmaine.gov](mailto:bl@portlandmaine.gov).

Sincerely,

Jessica Hanscombe  
Director of Permitting and Inspections

## **Legal Advertisement**

### **Notice of Public Hearing City of Portland**

A Public Hearing will be held on June 7, 2021 at 5:00 P.M., virtually Local Food 1, LLC dba Lupita's Taqueria. Application for a Class I FSE with Indoor Entertainment at 15 Exchange Street. Sponsored by Jon P. Jennings, City Manager.

**MEMORANDUM**  
**City Council Agenda Item**

**FROM:**

**DATE:** May 18, 2021

**SUBJECT:** Order 275-20/21 Granting Municipal Officers' Approval of Altwater Holdings LLC, dba Sagamore Hill Lounge. Application for a Class A Lounge with Outdoor Dining on Public Property at 150 Park Street - Sponsored by Jon P. Jennings, City Manager

**SPONSOR:**

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

**COUNCIL MEETING DATE ACTION IS REQUESTED:**

**1st Reading**

**Final Action**

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

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

**I. SUMMARY**

**II. AGENDA DESCRIPTION**

Application was filed on 5/14/2021. New City and State applications. Applicant currently holds a Class XI FSE with Outdoor Dining on Private Property.

Five affirmative votes are required for passage after public comment.

**III. BACKGROUND**

**IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED**

**V. FINANCIAL IMPACT**

**VI. STAFF ANALYSIS AND BACKGROUND**

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

**VII. RECOMMENDATION**

**VIII. LIST ATTACHMENTS**

1. Sagamore
2. 20210520140936535

Prepared by:

Date: 5/18/2021



KATHLEEN M SNYDER (MAYOR)  
BELINDA S. RAY (1)  
SPENCER R. THIBODEAU (2)  
TAE Y. CHONG (3)  
ANDREW J. ZARRO (4)

**CITY OF  
PORTLAND**  
IN THE CITY COUNCIL

MARK N. DION (5)  
APRIL FOURNIER (A/L)  
PIOUS ALI (A/L)  
NICHOLAS M. MAVODONES, JR (A/L)

ORDER  
GRANTING MUNICIPAL OFFICERS'  
APPROVAL OF:

**Altwater Holdings LLC, dba Sagamore Hill Lounge. Application for a Class A Lounge  
with Outdoor Dining on Public Property at 150 Park Street-**

# SAGAMORE HILL BAR & LOUNGE

May 6, 2021

Honorable Kate Snyder  
Portland City Council  
389 Congress Street  
Portland, ME 04101

**RE: Sagamore Hill Lounge - Application for License Class change**

Dear Mayor Snyder & Members of Council:

We are asking that the City approve our application to change the classification of our liquor license from Class XI Restaurant Lounge to Class X Class A Lounge. Our license is set to renew on June 22, 2021, and we have been advised by representatives of BABLO that we need to seek a change in our classification due to certain legal requirements of the Class XI license.

The City previously approved a Class A Lounge (Class X) license for Sagamore Hill in November 2017 and we operated under that class license from May 2018 until June 2020 when we changed our classification to Class XI Restaurant Lounge. At the time, we were optimistic that we could meet the requirements of that license (\$50,000 in annual food sales) but, due to the the circumstances created by COVID-19, including closures, curfews, outdoor only operations, take-out only operations and reduced hours and staffing, we did not meet the food sale minimums and would not qualify for renewal of our Class XI lounge license this year. As such, we seek Council's approval to return to a Class X license for 2021-2022.

We are good corporate citizens of the City, we pay our taxes on time, we have employed 6 City residents continuously throughout the pandemic and have never had a complaint or incident with the Portland City Police. We believe we add value to our West End neighborhood and we would appreciate Council's approval of our license classification change request.

Yours truly,



Ryan L. Deskins, Owner  
Owner



**CITY OF PORTLAND**  
**Permitting and Inspections Department**  
**Application for Food Service Establishment with Alcoholic Beverages License**

|                                             |                                   |                |              |
|---------------------------------------------|-----------------------------------|----------------|--------------|
| <b>Business Information</b>                 |                                   |                |              |
| Business Name (d/b/a):                      | Sagamore Hill Lounge              | Phone:         | 207 808 8622 |
| Location Address:                           | 150 Park Street Portland ME       | Zip:           | 04101        |
| If new, what was formerly at this location: | N/A                               |                |              |
| Mailing Address:                            | 667 Congress St. #706 Portland ME | Zip:           | 04101        |
| Contact Person:                             | Ryan L. Deskins                   | Phone:         | 215 317 7469 |
| Contact Person Email:                       | ryan@sagamorehillmaine.com        |                |              |
| Manager of Establishment:                   | Ryan L. Deskins                   | Date of Birth: | 11/6/80      |
|                                             |                                   | Phone:         | 215 317 7469 |
| Owner of Premises (Landlord):               | 638 Congress St. Partners, LLC    |                |              |
| Address of Premises Owner:                  | 104 Grant St. , Portland ME       | Zip:           | 04101        |

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

| Name of Owner(s) | Date of Birth | Residence Address |
|------------------|---------------|-------------------|
|                  |               |                   |
|                  |               |                   |

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

|                           |                 |                                         |                                         |
|---------------------------|-----------------|-----------------------------------------|-----------------------------------------|
| <b>Corporate Name</b>     |                 | <b>Corporate Mailing Address</b>        |                                         |
| Atwater Holdings, LLC     |                 | 667 Congress St. #706 Portland ME 04101 |                                         |
| Contact Person:           | Ryan L. Deskins | Phone:                                  | 215 317 7469                            |
| <b>Principal Officers</b> | <b>Title</b>    | <b>Date of Birth</b>                    | <b>Residence Address</b>                |
| Ryan L. Deskins           | Owner           | 11/6/1980                               | 667 Congress St. #706 Portland ME 04101 |
|                           |                 |                                         |                                         |
|                           |                 |                                         |                                         |
|                           |                 |                                         |                                         |
| Class of Liquor License:  |                 | Class X - Class A lounge                |                                         |

389 Congress Street, Room 307 • Portland, Maine 04101 • 207-874-8557

bl@portlandmaine.gov • www.portlandmaine.gov





**CITY OF PORTLAND**  
**Permitting and Inspections Department**

|                                                                                                                                       |                                                                                                                     |                            |                                                                   |
|---------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------|----------------------------|-------------------------------------------------------------------|
| Type of food served:                                                                                                                  | Paninis, Soup, Pretzels (jumbo) etc. as required by Code.                                                           |                            |                                                                   |
| Please circle all that will be served:                                                                                                | <input checked="" type="radio"/> Beer <input checked="" type="radio"/> Wine <input checked="" type="radio"/> Liquor |                            |                                                                   |
| Projected percentage of sales:                                                                                                        | Generated from Food: 87                                                                                             | Generated from Alcohol: 93 |                                                                   |
| Hours & days of operation:                                                                                                            | Seven days per week 4pm - 1:00 Am                                                                                   |                            |                                                                   |
| <b>QUESTIONS</b>                                                                                                                      |                                                                                                                     |                            |                                                                   |
| Will full-course meals, only capable of consumption with the use of tableware, be served the entire time the establishment is open?   |                                                                                                                     |                            | Y/N<br><input checked="" type="radio"/> Y <input type="radio"/> N |
| If No, please explain: As required to meet 18-553 Ch. 102(6) of the Maine Code                                                        |                                                                                                                     |                            |                                                                   |
| Is the establishment less than 300 feet from a school, dormitory, church or parish house, or similar establishment?                   |                                                                                                                     |                            | Y/N<br><input type="radio"/> Y <input checked="" type="radio"/> N |
| If yes, give the distance:                                                                                                            |                                                                                                                     |                            |                                                                   |
| Will you have entertainment on the premises? (If yes, a Supplemental Application for Entertainment is required.)                      |                                                                                                                     |                            | Y/N<br><input type="radio"/> Y <input checked="" type="radio"/> N |
| Will you permit dancing after 1:00 a.m.?                                                                                              |                                                                                                                     |                            | Y/N<br><input type="radio"/> Y <input checked="" type="radio"/> N |
| Will you have outside dining? (If yes, an Outdoor Dining Application is required)                                                     |                                                                                                                     |                            | Y/N<br><input checked="" type="radio"/> Y <input type="radio"/> N |
| If yes, will the outside dining be on <input checked="" type="radio"/> PUBLIC or <input type="radio"/> PRIVATE property (circle one). |                                                                                                                     |                            |                                                                   |
| Will you have any amusement devices (pinball, video games, juke box)?                                                                 |                                                                                                                     |                            | Y/N<br><input type="radio"/> Y <input checked="" type="radio"/> N |
| If yes, please list: # of pinball machines: _____ # of amusements: _____ # of pool tables: _____                                      |                                                                                                                     |                            |                                                                   |
| What is your targeted opening date? N/A Business is open. Change of license class only.                                               |                                                                                                                     |                            |                                                                   |
| Does the Issuance of this license directly or indirectly benefit any City employee(s)?                                                |                                                                                                                     |                            | Y/N<br><input type="radio"/> Y <input checked="" type="radio"/> N |
| If Yes, list name(s) of employee(s) and department(s):                                                                                |                                                                                                                     |                            |                                                                   |
| Have any of the applicants, including the corporation (if applicable), ever held a business license with the City of Portland?        |                                                                                                                     |                            | Y/N<br><input type="radio"/> Y <input checked="" type="radio"/> N |
| If Yes, please list business name(s) and location(s):<br>Sagamore Hill Lounge. Current license. This is a license class change.       |                                                                                                                     |                            |                                                                   |
| Is any principal officer under the age of 21?                                                                                         |                                                                                                                     |                            | Y/N<br><input type="radio"/> Y <input checked="" type="radio"/> N |
| Have applicant, partners, associates, or corporate officers ever been arrested, indicted, or convicted for any violation of law?      |                                                                                                                     |                            | Y/N<br><input type="radio"/> Y <input checked="" type="radio"/> N |
| If Yes, please explain:                                                                                                               |                                                                                                                     |                            |                                                                   |

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

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

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

Signature Ryan L. Deskins Title owner Date 5/6/21



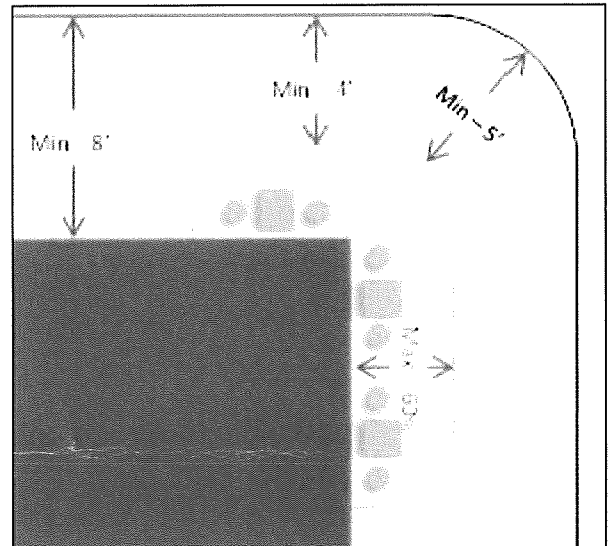
**CITY OF PORTLAND**  
**Permitting and Inspections Department**  
**Outdoor Dining Permit on Public Property**  
**Renewal Application**

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

|                             |                                   |        |              |
|-----------------------------|-----------------------------------|--------|--------------|
| <b>Business Information</b> |                                   |        |              |
| Business Name (d/b/a):      | Sagamore Hill lounge              | Phone: | 207 808 8622 |
| Location Address:           | 150 Park St. Portland ME          | Zip:   | 04101        |
| Mailing Address:            | 667 Congress St. #706 Portland ME | Zip:   | 04101        |
| Contact Person:             | Ryan Deskins                      | Phone: | 215 317 7469 |
| Contact Person Email:       | ryan@sagamorehillmaine.com        |        |              |

**Design and Construction**

| Existing Sidewalk Width<br>(property line to curb) | Sidewalk Dining Allowed? |
|----------------------------------------------------|--------------------------|
| < 8'0"                                             | No                       |
| ≥ 8'0"                                             | Yes – up to 60% of       |
| Sidewalk Type                                      | Sidewalk Passage Width   |
| Standard sidewalk                                  | 4'0"                     |
| Street corner                                      | 5'0"                     |



- Outdoor dining area shall not exceed 60% of the sidewalk width.
- A continuous, unobstructed sidewalk passage of 4 feet from the outer boundary of the seating area to the curb must be maintained. If the passage is not straight due to existing obstacles, then additional width may be required. Any changes to existing straight passage is at the discretion of the City.
- Egress must be maintained free of obstruction.
- Permanent fixtures, such as awnings, require a building permit separate from the Outdoor Dining permit and subject to approval by the Building Authority.
- Umbrellas do not require a permit.
- Umbrellas must be secured and maintain the height clearance for sidewalk passage.



**CITY OF PORTLAND**  
**Permitting and Inspections Department**  
**Barriers**

- If barriers are proposed, they must be free-standing. Physical attachments to a building are not allowed.
- Stanchions and ropes are encouraged. Sectional fencing is allowed with a high degree of visual transparency (at least 50% open). Solid or opaque barriers are not allowed.
- Shall not exceed 42" in height and may not include commercial signage.

Example barrier types that meet regulation



**Maintenance and Operations**

- Outdoor dining components must be within the permitted area and allow safe passage of pedestrian traffic. Failure to comply may result in a revocation of the permit.
- The permit holder is responsible for keeping the outdoor seating area clean.
- No food shall be prepared in the designated outdoor dining area.
- All outdoor dining components shall be removed before snowfall and while any snow or ice exists within four feet of the outdoor dining area. The City will not be responsible for damage to any property that is not removed prior to sidewalk maintenance.
- Outdoor dining areas must meet ADA regulations and accessible seating is required.
- Request for the use of adjacent on street parking space for outdoor dining installations requires Parking Office and Building Authority review and approval.

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

Signature  Title owner Date 5/6/21

**389 Congress Street, Room 307 • Portland, Maine 04101 • 207-874-8557**  
**bl@portlandmaine.gov • www.portlandmaine.gov**



**PROJECT:**  
**NEW BAR**

638 CONGRESS ST.  
PORTLAND, ME 04101

Page 331

## TYPICAL FREESTANDING BARRIER

A-1-2

LOBBY

EXISTING  
SPRINKLER  
FIRE ALARM

EXISTING  
STANDPIPES  
LOW MOUNTED

EMERGENCY  
EXIT ONLY

7

MAIN  
BUILDING  
ENTRY

APPROXIMATE  
BUILDING  
LOT LINE

38 SEASONAL GUEST SEATS 594.67 sq ft

UNOBSTRUCTED  
PASSAGE  
(MIN. 4'-0")

29'-0" 42" HIGH MAX

PARK STREET

5' CURB  
PARKING  
METER

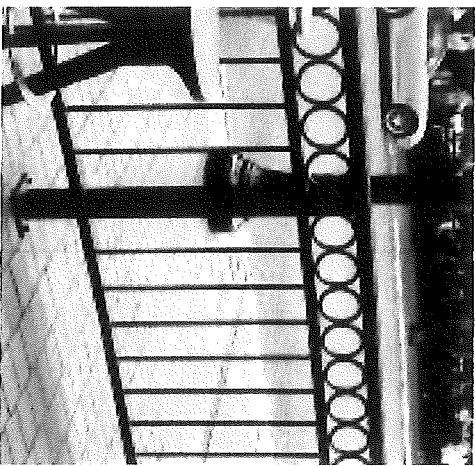
OUTDOOR SEATING  
SCALE: 3/32" = 1'-0"

0 8' 16' 24'

OLD PERMIT  
AREA

TO CONGRESS ST.

proposed  
NEW PERMIT  
AREA  
APPROX. 290 sq. ft.



TYPICAL FREESTANDING BARRIER



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

Application for an On-Premises License

*All Questions Must Be Answered Completely. Please print legibly.*

| Division Use Only                                                     |     |
|-----------------------------------------------------------------------|-----|
| License No:                                                           |     |
| Class:                                                                | By: |
| Deposit Date:                                                         |     |
| Amt. Deposited:                                                       |     |
| Payment Type:                                                         |     |
| OK with SOS: Yes <input type="checkbox"/> No <input type="checkbox"/> |     |

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

|                                                                                          |                                                                                  |
|------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------|
| Legal Business Entity Applicant Name (corporation, LLC):<br><u>Atwater Holdings, LLC</u> | Business Name (D/B/A):<br><u>Sagamore Hill Lounge</u>                            |
| Individual or Sole Proprietor Applicant Name(s):                                         | Physical Location:<br><u>150 Park St. Portland ME 04101</u>                      |
| Individual or Sole Proprietor Applicant Name(s):                                         | Mailing address, if different:<br><u>667 Congress St. #706 Portland ME 04101</u> |
| Mailing address, if different from DBA address:                                          | Email Address:<br><u>ryan@sagamorehillmaine.com</u>                              |
| Telephone #      Fax #:                                                                  | Business Telephone #      Fax #:<br><u>207 868 8622</u>                          |
| Federal Tax Identification Number:<br><u>82-2949210</u>                                  | Maine Seller Certificate # or Sales Tax #:<br><u>1188079</u>                     |
| Retail Beverage Alcohol Dealers Permit:                                                  | Website address:<br><u>www.sagamorehillmaine.com</u>                             |

1. New license or renewal of existing license? ☐ New      Expected Start date: \_\_\_\_\_

Application is to change from  
Class XI to Class X license  
for renewal.

☒ Renewal      Expiration Date: 6/22/21

2. The dollar amount of gross income for the licensure period that will end on the expiration date above:

Food: \$ 2,900      Beer, Wine or Spirits: \$ 173,000      Guest Rooms: 0

3. Please indicate the type of alcoholic beverage to be sold: (check all that apply)

☒ Malt Liquor (beer)      ☒ Wine      ☒ Spirits

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

- |                                                                                                                    |                                                                          |                                                                 |
|--------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------|-----------------------------------------------------------------|
| <input type="checkbox"/> Restaurant<br>(Class I, II, III, IV)                                                      | <input type="checkbox"/> Class A Restaurant/Lounge<br>(Class XI)         | <input checked="" type="checkbox"/> Class A Lounge<br>(Class X) |
| <input type="checkbox"/> Hotel<br>(Class I, II, III, IV)                                                           | <input type="checkbox"/> Hotel – Food Optional<br>(Class I-A)            | <input type="checkbox"/> Bed & Breakfast<br>(Class V)           |
| <input type="checkbox"/> Golf Course (included optional licenses, please check if apply)<br>(Class I, II, III, IV) | <input type="checkbox"/> Auxiliary                                       | <input type="checkbox"/> Mobile Cart                            |
| <input type="checkbox"/> Tavern<br>(Class IV)                                                                      | <input type="checkbox"/> Other: _____                                    |                                                                 |
| <input type="checkbox"/> Qualified Caterer                                                                         | <input type="checkbox"/> Self-Sponsored Events (Qualified Caterers Only) |                                                                 |

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

5. Business records are located at the following address:

150 Park St., Portland ME 04101

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

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

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

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

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

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

☐ Yes ☒ No

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

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

☐ Yes ☒ No

If yes, please provide details: \_\_\_\_\_

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

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

*Applicant holds a current Class X1 Restaurant lounge license.*

| Name of Business                                      | License Number         | Complete Physical Address                |
|-------------------------------------------------------|------------------------|------------------------------------------|
| <i>Atwater Holdings, LLC<br/>Sagamore Hill lounge</i> | <i>CARL-2017-10623</i> | <i>150 Park Street Portland ME 04101</i> |
|                                                       |                        |                                          |

*This application seeks to change this license to Class X.*

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

| Full Name              | DOB              | Place of Birth         |
|------------------------|------------------|------------------------|
| <i>Ryan L. Deskins</i> | <i>11/6/1980</i> | <i>Charlestown, WV</i> |
|                        |                  |                        |
|                        |                  |                        |

Residence address on all the above for previous 5 years

|                     |                                                |
|---------------------|------------------------------------------------|
| Name                | Address:                                       |
| <i>Ryan Deskins</i> | <i>667 Congress St. #706 Portland ME 04101</i> |
| Name                | Address:                                       |
|                     | <i>54 Chatham Pl. Newtown PA 18940</i>         |
| Name                | Address:                                       |
| Name                | Address:                                       |



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

☐ Yes ☒ No

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

\_\_\_\_\_

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

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

Name: \_\_\_\_\_ Date of Conviction: \_\_\_\_\_

Offense: \_\_\_\_\_ Location: \_\_\_\_\_

Disposition: \_\_\_\_\_

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

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

Name: \_\_\_\_\_ Date of Conviction: \_\_\_\_\_

Offense: \_\_\_\_\_ Location: \_\_\_\_\_

Disposition: \_\_\_\_\_

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

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

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

638 Congress St. Partners, LLC 104 Grant St. Portland ME 04101

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

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

Approx. 1600 sq. ft. of former lobby space in the Lafayette Bldg.

20. What is the distance from the premises to the **nearest** school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel?

Name: St. Luke's Episcopal Cathedral

Distance: 2400 ft. (approx.)

## Section II: Signature of Applicant(s)

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

Please sign and date in blue ink.

Dated: 5/6/21

  
Signature of Duly Authorized Person

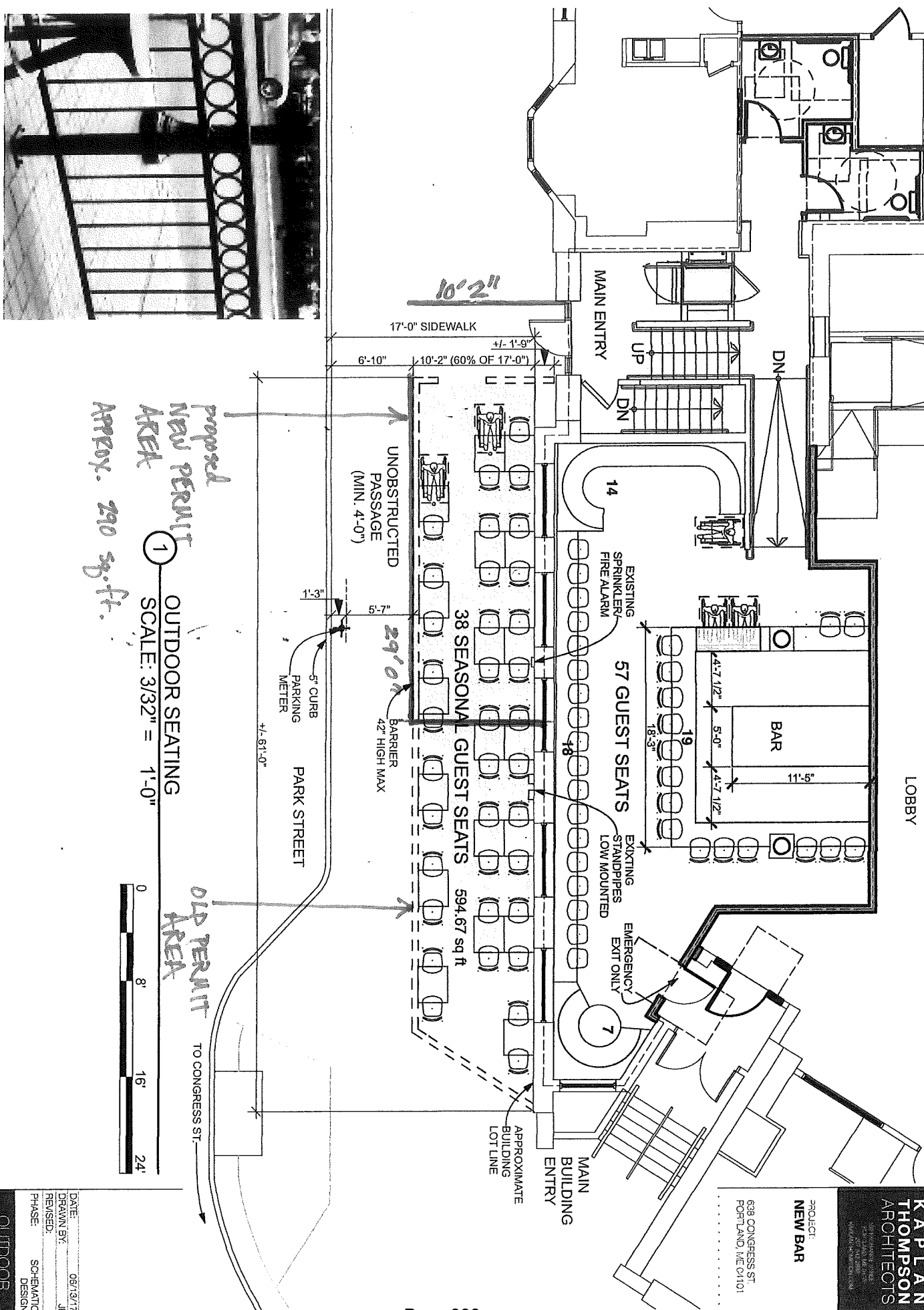
Ryan Deskins  
Printed Name Duly Authorized Person

\_\_\_\_\_  
Signature of Duly Authorized Person

\_\_\_\_\_  
Printed Name of Duly Authorized Person

**PROJECT:**  
**NEW BAR**

638 CONGRESS ST.  
PORTLAND, ME 04101



## TYPICAL FREESTANDING BARRIER

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

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

*All Questions Must Be Answered Completely. Please print legibly.*

1. Exact legal name: Atwater Holdings, LLC
2. Doing Business As, if any: Sagamore Hill Lounge
3. Date of filing with Secretary of State: 9/18/17 State in which you are formed: Maine
4. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine:  
\_\_\_\_\_
5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors, managers, members or partners and the percentage ownership any person listed: (attached additional pages as needed)

| Name         | Address (5 Years)                                         | Date of Birth | Title | Percentage of Ownership |
|--------------|-----------------------------------------------------------|---------------|-------|-------------------------|
| Ryan Deskins | 667 Congress St. Portland ME<br>54 Chatham Pl. Newtown PA | 11/6/80       | Owner | 100%                    |
|              |                                                           |               |       |                         |
|              |                                                           |               |       |                         |
|              |                                                           |               |       |                         |
|              |                                                           |               |       |                         |
|              |                                                           |               |       |                         |

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



*Menu items are subject to periodic change.*

---

## SIGNATURE COCKTAILS

### **BRITISH EMBASSY • 14**

London dry gin, Chambord, Campari, Dolin white vermouth, Earl Grey simple, lemon, creole bitters

### **DAKOTA FIZZ • 13**

Beefeater Pink gin, vanilla simple, cream, lemon, cinnamon simple, strawberry, egg white, seltzer

### **DR. FAUCI • 13**

Old Overholt Rye, Aperol, St. George spiced pear liqueur, simple, Peychaud's bitters, Sambuca mist

### **EL CHAPO'S ESCAPE • 14**

Ice Pik Vodka, Averna amaro, Amaro Sfumato Barbarossa, cold brew, cream, simple



## SAGAMORE HILL

### **GLASS CEILING • 15**

Del Maguay Vida Mezcal, Dolin blanc vermouth, Luxardo Bitter Bianco, fresno chili simple

### **GREEN NEW DEAL • 16**

Green Chartreuse, pineapple, cream of coconut, lime

### **MCKINLEY'S DELIGHT • 13**

Old Forester 86 proof bourbon, Campari, Heering Cherry, absinthe rinse

### **MUELLER REPORT • 12**

Ice Pik Vodka, ginger simple, lime, Angostura bitters, Maine Root ginger ale

### **PENNSYLVANIA AVENUE • 12**

Old Forester 86 proof bourbon, honey simple, ginger simple, grapefruit, egg white

### **POPLAR FOREST • 14**

Hendrick's gin, simple, lemon, green tabasco, English cucumber

### **SAMOAN SPICE • 13**

Tequila blanco, orange Curacao, papaya puree, fresno chili simple, lime, Vena's Island bitters

### **SECOND GENTLEMAN • 13**

London dry gin, St. George raspberry liqueur, ginger simple, lemon, Prosecco

### **ST. CROIX SIPPER • 14**

Old Forester 100 proof bourbon, French brandy, banana puree, cinnamon simple, coconut milk

### **SUMMER IN AUCKLAND • 15**

Three of Strong Brightwater rum, kiwi syrup, lime, kiwi, Prosecco splash

### **TROPIC OF RYE • 13**

Old Overholt Rye whiskey, black tea, pineapple, black tea simple, cinnamon simple, lemon

## SNACKS & SUCH

### **MARINATED OLIVES • 7**

Assorted Mediterranean olives & organic flax seed crackers. Served warm

### **BRAUHAUS PRETZEL • 8**

Our house oversized salted soft pretzel. Served hot with brown sugar bourbon mustard.

### **SOUP OF THE DAY • 7/10**

A warm and hearty offering in a cup or bowl.

### **CHEESE PANINI • 9**

House choice of cheese, butter, local sourdough bread

### **HAM & CHEESE PANINI • 11**

Virginia Ham, Vermont Cheddar and a touch of dijon mustard on local sourdough bread

### **PANINI OF THE DAY • MKT**

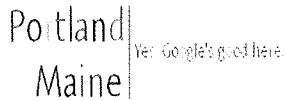
Daily specialty gourmet selection

## DRAFT BEER

### **ROTATING DRAFT BEERS**

We feature a varied selection of seasonal Maine craft beers. Please check the posted menu or ask your server about what we have on draft today. Prices will vary by selection.

## BOTTLES & CANS



Jessica Hanscombe <jhanscombe@portlandmaine.gov>

---

## Re: Sagamore Hill

---

Glen McGary <glenm@portlandmaine.gov>

Thu, May 20, 2021 at 1:34 PM

To: Treasury Division <treasury@portlandmaine.gov>

Cc: Jessica Hanscombe <jhanscombe@portlandmaine.gov>, Benjamin Pearson <bnp@portlandmaine.gov>, Chris Beaumont <cbeaumont@portlandmaine.gov>, Dan Hondo <danh@portlandmaine.gov>, Eric Cobb <ecobb@portlandmaine.gov>, Fire Prevention <fireprevention@portlandmaine.gov>, Jason Grant <jgrant@portlandmaine.gov>, Laurie Carlson <lac@portlandmaine.gov>, Stephen Marcotte <smarcotte@portlandmaine.gov>, Tom Williams <tw@portlandmaine.gov>

PPD Approves

On Thu, May 20, 2021 at 9:58 AM Treasury Division <treasury@portlandmaine.gov> wrote:  
They have a Fire bill for \$275.00 but that is all I see.

Amanda

On Thu, May 20, 2021 at 9:19 AM Jessica Hanscombe <jhanscombe@portlandmaine.gov> wrote:  
Good Morning

Please see the attached. This will go before council on 6/7/2021. Please advise. Jess

Jessica Blais Hanscombe  
Director of Permitting and Inspections  
City of Portland  
389 Congress Street  
Portland, Maine 04101  
207-874-8783  
jhanscombe@portlandmaine.gov

--

Treasury Department  
City of Portland,ME  
389 Congress St RM 102  
Portland,ME 04101  
207-874-8490  
treasury@portlandmaine.gov

Please sign up for the City Newsletter at stay connected: <https://www.portlandmaine.gov/2366/Stay-Connected>

--

Lieutenant Glen McGary  
Portland Police Department  
109 Middle Street  
Portland, Maine 04101  
Office (207) 756-8294  
Fax (207) 874-8580





**CITY OF PORTLAND**  
**Permitting and Inspections Department**

May 19, 2021

Brickyard Hollow Brewing Co  
236 Main Street  
Yarmouth ME 04096

**Re: Altwater Holdings LLC, dba Sagamore Hill Lounge. Application for a Class A Lounge with Outdoor Dining on Public Property at 150 Park Street.**

Dear Ryan Deskins

This letter shall serve as a reminder of the public hearing before the Portland City Council on **Monday June 7, 2021 at 5:00 p.m.**, for the review of application for a Class A Lounge with Outdoor Dining on Public Property at 150 Park Street. The meeting will take place virtually. The link can be found on the Meeting Agenda which will be posted on the City Website on June 4, 2021.

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

Please contact our office directly with questions at (207) 874-8557 or [bl@portlandmaine.gov](mailto:bl@portlandmaine.gov).

Sincerely,

Jessica Hanscombe  
Director of Permitting and Inspections

## **Legal Advertisement**

### **Notice of Public Hearing City of Portland**

A Public Hearing will be held on June 7, 2021 at 5:00 P.M., virtually Altwater Holdings LLC, dba Sagamore Hill Lounge. Application for a Class A Lounge with Outdoor Dining on Public Property at 150 Park Street-. Sponsored by Jon P. Jennings, City Manager.

**MEMORANDUM**  
**City Council Agenda Item**

**FROM:**

**DATE:** May 18, 2021

**SUBJECT:** Order 276-20/21 Granting Municipal Officers' Approval of Brickyard Hollow Brewing Co. dba Brickyard Hollow Brewing Co. Application for a Class XI FSE at 9 Commercial Street - Sponsored by Jon P. Jennings, City Manager

**SPONSOR:**

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

**COUNCIL MEETING DATE ACTION IS REQUESTED:**

**1st Reading**

**Final Action**

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

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

**I. SUMMARY**

**II. AGENDA DESCRIPTION**

Application was filed on 5/5/2021. New City and State applications. Location was previously Arabica Coffee.

Five affirmative votes are required for passage after public comment.

**III. BACKGROUND**

**IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED**

**V. FINANCIAL IMPACT**

**VI. STAFF ANALYSIS AND BACKGROUND**

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

**VII. RECOMMENDATION**

**VIII. LIST ATTACHMENTS**

1. Brickyard Hollow
2. 20210521090436903

Prepared by:

Date: 5/18/2021



KATHLEEN M SNYDER (MAYOR)  
BELINDA S. RAY (1)  
SPENCER R. THIBODEAU (2)  
TAE Y. CHONG (3)  
ANDREW J. ZARRO (4)

**CITY OF  
PORTLAND**  
IN THE CITY COUNCIL

MARK N. DION (5)  
APRIL FOURNIER (A/L)  
PIOUS ALI (A/L)  
NICHOLAS M. MAVODONES, JR (A/L)

ORDER  
GRANTING MUNICIPAL OFFICERS'  
APPROVAL OF:

**Brickyard Hollow Brewing Co. dba Brickyard Hollow Brewing Co. Application for a Class  
XI FSE at 9 Commercial Street.**



---

April 15, 2021

Mayor Snyder and Memebbers of the City Council  
City of Portland  
389 Congress Street  
Portland, ME 04101

**Re: Brickyard Hollow Brewing Company**

Dear Mayor Snyder and Members of the City Council,

We are making preparations to open a brewpub/restaurant in the City, in the space at 9 Commercial Street recently occupied by Arabica Coffee. We have executed a commercial lease with the owners of the property and are in the process of obtaining building permits in the hopes of an August 2021 opening.

Enclosed are applications for Food Service Establishment with Alcoholic Beverages License, and Brewery On Premise Consumption License, with all required supporting materials.

Brickyard Hollow Brewing Co has three other operations in Maine: Our flagship brewpub in Yarmouth, a downtown Freeport location focusing primarily on craft pizza, and a third pizza restaurant scheduled to open next week in Yarmouth.

We are very excited for the opportunity to open what we know will be a fun, high-quality restaurant in Portland, contributing to the eclectic and exciting vibe of the City.

Sincerely,

Raymond Kusche, Owner  
Brickyard Hollow Brewing Company

---

**Brickyard Hollow Brewing Company**  
236 Main Street, Yarmouth Maine 04096



## CITY OF PORTLAND

## Permitting and Inspections Department

## Application for Food Service Establishment with Alcoholic Beverages License

|                                             |                                                            |
|---------------------------------------------|------------------------------------------------------------|
| <b>Business Information</b>                 |                                                            |
| Business Name (d/b/a):                      | Brickyard Hollow Brewing Co Phone: 207 847-0411            |
| Location Address:                           | 9 Commercial St., Portland ME Zip: 04101                   |
| If new, what was formerly at this location: | Arabica Coffee                                             |
| Mailing Address:                            | 236 Main St., Yarmouth ME Zip: 04096                       |
| Contact Person:                             | Brendon Medeiros Phone: 207 774-8065                       |
| Contact Person Email:                       | brendon@brickyardhollow.com                                |
| Manager of Establishment:                   | Brendon Medeiros Date of Birth: 2/3/91 Phone: 207 774-8065 |
| Owner of Premises (Landlord):               | Casco Portland Partners, LLC                               |
| Address of Premises Owner:                  | 111 Commercial St., Portland ME Zip: 04101                 |

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

| Name of Owner(s) | Date of Birth | Residence Address |
|------------------|---------------|-------------------|
|                  |               |                   |
|                  |               |                   |

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

|                              |               |                                      |                               |
|------------------------------|---------------|--------------------------------------|-------------------------------|
| <b>Corporate Name</b>        |               | <b>Corporate Mailing Address</b>     |                               |
| Brickyard Hollow Brewing Co. |               | 236 Main St., Yarmouth ME Zip: 04096 |                               |
| Contact Person:              | Brad Moll Inc | Phone:                               | 207 776-8908                  |
| <b>Principal Officers</b>    | <b>Title</b>  | <b>Date of Birth</b>                 | <b>Residence Address</b>      |
| Brad Moll                    | President     | 7/4/72                               | 267 Hillside St., Yarmouth ME |
| Frank Grandin                | V. P.         | 3/6/72                               | 65 West St., Yarmouth ME      |
|                              |               |                                      |                               |
| Class of Liquor License:     |               | Class XL                             |                               |

389 Congress Street, Room 307 • Portland, Maine 04101 • 207-874-8557

bl@portlandmaine.gov • www.portlandmaine.gov



**CITY OF PORTLAND**  
**Permitting and Inspections Department**

|                                                                                                                                     |                                                    |                         |               |
|-------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------|-------------------------|---------------|
| Type of food served:                                                                                                                | <u>Standard Brewpub American, with craft pizza</u> |                         |               |
| Please circle all that will be served:                                                                                              | <u>Beer</u>                                        | <u>Wine</u>             | <u>Liquor</u> |
| Projected percentage of sales:                                                                                                      | Generated from Food:                               | Generated from Alcohol: |               |
| Hours & days of operation:                                                                                                          | <u>7 days/wk MON-SUN 11:00 AM — 1:00 AM</u>        |                         |               |
| <b>QUESTIONS</b>                                                                                                                    |                                                    |                         |               |
| Will full-course meals, only capable of consumption with the use of tableware, be served the entire time the establishment is open? | Y/N                                                | <u>Y</u>                |               |
| If No, please explain:                                                                                                              | Y/N                                                | <u>Y</u>                |               |
| Is the establishment less than 300 feet from a school, dormitory, church or parish house, or similar establishment?                 | Y/N                                                | <u>Y</u>                |               |
| If yes, give the distance:                                                                                                          | Y/N                                                | <u>N</u>                |               |
| Will you have entertainment on the premises? (If yes, a Supplemental Application for Entertainment is required.)                    | Y/N                                                | <u>N</u>                |               |
| Will you permit dancing after 1:00 a.m.?                                                                                            | Y/N                                                | <u>N</u>                |               |
| Will you have outside dining? (If yes, an Outdoor Dining Application is required)                                                   | Y/N                                                | <u>N</u>                |               |
| If yes, will the outside dining be on PUBLIC or PRIVATE property (circle one).                                                      | Y/N                                                | <u>N</u>                |               |
| Will you have any amusement devices (pinball, video games, juke box)?                                                               | Y/N                                                | <u>N</u>                |               |
| If yes, please list: # of pinball machines: _____ # of amusements: _____ # of pool tables: _____                                    | Y/N                                                | <u>N</u>                |               |
| What is your targeted opening date?                                                                                                 | Y/N                                                | <u>8-1-21</u>           |               |
| Does the Issuance of this license directly or indirectly benefit any City employee(s)?                                              | Y/N                                                | <u>N</u>                |               |
| If Yes, list name(s) of employee(s) and department(s):                                                                              | Y/N                                                | <u>N</u>                |               |
| Have any of the applicants, including the corporation (if applicable), ever held a business license with the City of Portland?      | Y/N                                                | <u>N</u>                |               |
| If Yes, please list business name(s) and location(s):                                                                               | Y/N                                                | <u>N</u>                |               |
| Is any principal officer under the age of 21?                                                                                       | Y/N                                                | <u>N</u>                |               |
| Have applicant, partners, associates, or corporate officers ever been arrested, indicted, or convicted for any violation of law?    | Y/N                                                | <u>N</u>                |               |
| If Yes, please explain:                                                                                                             | Y/N                                                | <u>N</u>                |               |

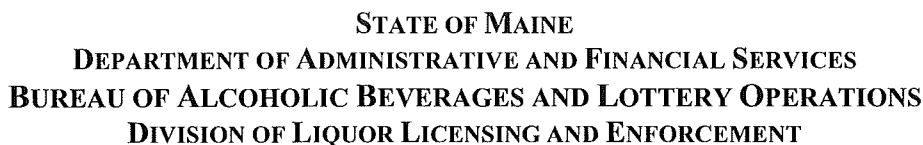
I, R. Kusche R. Kusche do hereby swear and affirm that every employee in my establishment that serves alcohol to the public has attended server training, or will attend server training within 90 days of their hire. I also understand that at any time the City license administrator can, upon request, require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

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

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

Signature R. Kusche Title Owner Date 4-15-21





*All Questions Must Be Answered Completely. Please print legibly.*

| Division Use Only                                                          |     |
|----------------------------------------------------------------------------|-----|
| License No:                                                                |     |
| Class:                                                                     | By: |
| Deposit Date:                                                              |     |
| Amt. Deposited:                                                            |     |
| Payment Type:                                                              |     |
| OK with SOS:      Yes <input type="checkbox"/> No <input type="checkbox"/> |     |

|                                                                                          |                                                                       |
|------------------------------------------------------------------------------------------|-----------------------------------------------------------------------|
| Legal Business Entity Applicant Name (corporation, LLC):<br>Brickyard Hollow Brewing Co. | Business Name (D/B/A):                                                |
| Individual or Sole Proprietor Applicant Name(s):                                         | Physical Location:<br>9 Commercial Street, Portland, ME 04101         |
| Individual or Sole Proprietor Applicant Name(s):                                         | Mailing address, if different:<br>236 Main Street, Yarmouth, ME 04096 |
| Mailing address, if different from DBA address:                                          | Email Address:<br>brendon@brickyardhollow.com                         |
| Telephone #                      Fax #:<br>207 774-8065                                  | Business Telephone #                      Fax #:<br>207 847-0411      |
| Federal Tax Identification Number:<br>81-5276352                                         | Maine Seller Certificate # or Sales Tax #:<br>1191127                 |
| Retail Beverage Alcohol Dealers Permit:                                                  | Website address:<br>www.brickyardhollow.com                           |

1. New license or renewal of existing license? ☒ New Expected Start date: 08/01/2021  
☐ Renewal Expiration Date: \_\_\_\_\_
2. The dollar amount of gross income for the licensure period that will end on the expiration date above:  
Food: \_\_\_\_\_ Beer, Wine or Spirits: \_\_\_\_\_ Guest Rooms: \_\_\_\_\_
3. Please indicate the type of alcoholic beverage to be sold: (check all that apply)  
☒ Malt Liquor (beer) ☒ Wine ☒ Spirits

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

- |                                                                                                                    |                                                                             |                                                       |
|--------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|-------------------------------------------------------|
| <input type="checkbox"/> Restaurant<br>(Class I, II, III, IV)                                                      | <input checked="" type="checkbox"/> Class A Restaurant/Lounge<br>(Class XI) | <input type="checkbox"/> Class A Lounge<br>(Class X)  |
| <input type="checkbox"/> Hotel<br>(Class I, II, III, IV)                                                           | <input type="checkbox"/> Hotel – Food Optional<br>(Class I-A)               | <input type="checkbox"/> Bed & Breakfast<br>(Class V) |
| <input type="checkbox"/> Golf Course (included optional licenses, please check if apply)<br>(Class I, II, III, IV) | <input type="checkbox"/> Auxiliary                                          | <input type="checkbox"/> Mobile Cart                  |
| <input type="checkbox"/> Tavern<br>(Class IV)                                                                      | <input type="checkbox"/> Other: _____                                       |                                                       |
| <input type="checkbox"/> Qualified Caterer                                                                         | <input type="checkbox"/> Self-Sponsored Events (Qualified Caterers Only)    |                                                       |

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

5. Business records are located at the following address:

267 Hillside Street, Yarmouth, Maine 04096

---

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

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

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

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

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

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

☐ Yes ☒ No

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

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

☐ Yes ☒ No

If yes, please provide details: \_\_\_\_\_

\_\_\_\_\_

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

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

| Name of Business             | License Number | Complete Physical Address     |
|------------------------------|----------------|-------------------------------|
| Brickyard Hollow Brewing Co. | ME-21069       | 236 Main Street, Yarmouth, ME |
|                              |                |                               |

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

| Full Name                                               | DOB                                                 | Place of Birth  |
|---------------------------------------------------------|-----------------------------------------------------|-----------------|
| Brad Moll - owner                                       | 07/04/1972                                          | Cleveland, Ohio |
| Frank Grondin - owner                                   | 03/06/1972                                          | Portland, Maine |
| Brendon Medeiros - general manager                      | 02/03/1991                                          | Fall River, MA. |
|                                                         |                                                     |                 |
| Residence address on all the above for previous 5 years |                                                     |                 |
| Name<br>Brad Moll                                       | Address:<br>267 Hillside Street, Yarmouth, ME 04096 |                 |
| Name<br>Frank Grondin                                   | Address:<br>65 West Street, Yarmouth, ME 04096      |                 |
| Name<br>Brendon Medeiros                                | Address:<br>10 Swan Street, Portland, ME            |                 |
| Name                                                    | Address:                                            |                 |

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

☐ Yes ☒ No

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

\_\_\_\_\_

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

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

Name: \_\_\_\_\_ Date of Conviction: \_\_\_\_\_

Offense: \_\_\_\_\_ Location: \_\_\_\_\_

Disposition: \_\_\_\_\_

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

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

Name: \_\_\_\_\_ Date of Conviction: \_\_\_\_\_

Offense: \_\_\_\_\_ Location: \_\_\_\_\_

Disposition: \_\_\_\_\_

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

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

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

Casco Portland Partners, LLC, 111 Commercial St, Suite 300 Portland, ME 04101

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

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

9 Commercial Street is a single story building located on the west side of the street. BHBC is leasing  
3,018 sqft within the 4,961 sqft building. The structure has a brick exterior and flat roofs, eight glass  
block windows on the south and west sides, one large plate glass window on the east storefront and  
main entrance wall. Two restrooms. Three exteriors doors.

20. What is the distance from the premises to the **nearest** school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel?

Name: Saint Peters Catholic Church - 72 Federal Street

Distance: 1,300.00

## Section II: Signature of Applicant(s)

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

Please sign and date in blue ink.

Dated: 4-14-21

Brady S. Moll  
Signature of Duly Authorized Person

\_\_\_\_\_  
Signature of Duly Authorized Person

Brad Moll  
Printed Name Duly Authorized Person

\_\_\_\_\_  
Printed Name of Duly Authorized Person

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

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

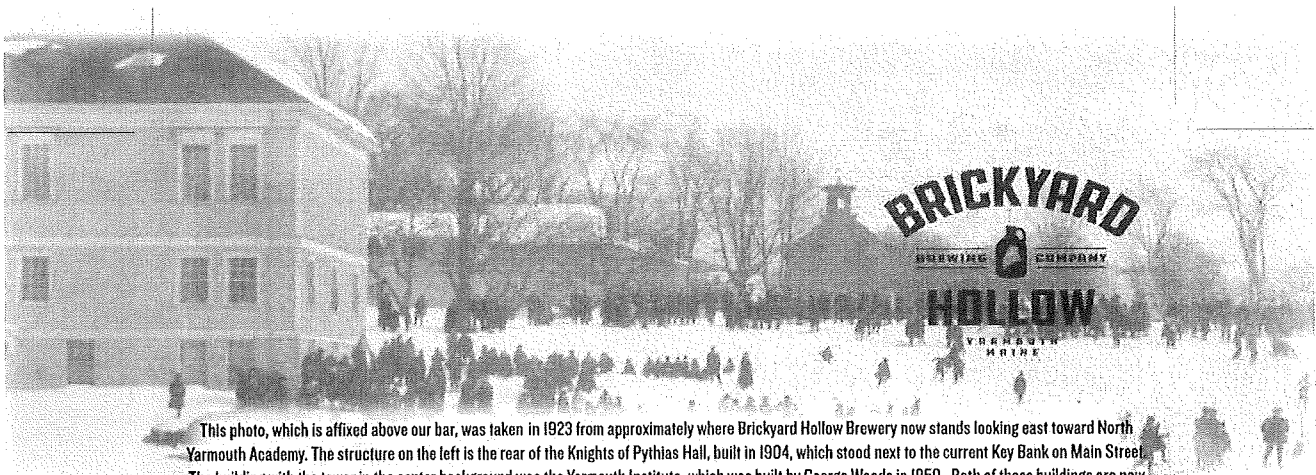
*All Questions Must Be Answered Completely. Please print legibly.*

1. Exact legal name: Brickyard Hollow Brewing Co.
2. Doing Business As, if any: \_\_\_\_\_
3. Date of filing with Secretary of State: 02/06/2017 State in which you are formed: Maine
4. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine:  
\_\_\_\_\_
5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors, managers, members or partners and the percentage ownership any person listed: (attached additional pages as needed)

| Name            | Address (5 Years)             | Date of Birth | Title | Percentage of Ownership |
|-----------------|-------------------------------|---------------|-------|-------------------------|
| Brad Moll       | 267 Hillside St. Yarmouth ME  | 07/04/1972    | Owner | 35.0000                 |
| Frank Grondin   | 65 West St. Yarmouth ME       | 03/06/1972    | Owner | 35.0000                 |
| Ray Kusche      | 16 Cortland Rod, Freeport, ME | 11/10/1954    | Owner | 10.0000                 |
| Rober Bolduc II | 17140 Ashcomb Way, Estero, FL | 08/09/1971    | Owner | 10.0000                 |
| John Irwin      | 304 Willey Pt Rd. Oakland, ME | 11/26/1953    | Owner | 5.0000                  |
| Mathew Henrick  | 304 Willey Pt Rd. Oakland, ME | 08/18/1972    | Owner | 5.0000                  |

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





This photo, which is affixed above our bar, was taken in 1923 from approximately where Brickyard Hollow Brewery now stands looking east toward North Yarmouth Academy. The structure on the left is the rear of the Knights of Pythias Hall, built in 1904, which stood next to the current Key Bank on Main Street. The building with the tower in the center background was the Yarmouth Institute, which was built by George Woods in 1850. Both of these buildings are now gone. This area in Yarmouth, which became known as "Brickyard Hollow", was once a muddy stretch of terrain which separated Yarmouth's fishing industry from its inland farming community. At the turn of the 20th century the town decided to eliminate the dividing line and fill the hollow in with black ash from the local paper mill. Eventually the area was populated with the local institutions that make up the heart of Yarmouth's Main Street Village. At Brickyard Hollow we are continuing that proud Yarmouth tradition of bringing communities together. We are all better together.

## SMALLS

### SPICY PORK POT STICKERS - \$9

8 pot stickers deep fried, served with sriracha and side of sesame ginger sauce

### OLD SCHOOL POUTINE - \$10

Bacon, farm fries, Pineland Farm cheese curds, house gravy

### BH WINGS - \$10 GF

8 wings, your choice of style: cajun dry rub, buffalo, house BBQ sauce or mango habanero rub

### CRAB CAKES - \$14

Maine crab meat, spicy caper remoulade

### GRILLED CHEESE - \$4.50

Swiss, cheddar, american cheese's, white deli bread

### SANTA FE EGG ROLLS - \$9.50

3 rolls filled with chicken, corn, black beans & peppers with chipotle aioli

### PRETZELS AND BEER CHEESE - \$8 V

Three warm soft stick seasoned pretzels with a side of house beer cheese

### FRIED AVOCADO SLICES - \$9 V+

Served with a side of chipotle ranch

### CHILI CHEESE TOTS - \$11 GF+

Tater tots, smothered with house beef chili, shredded cheddar, scallions

## SOUPS

Add warmed baguette bread - \$1.00

### HEARTY BEEF CHILI - \$5 CUP / \$8 BOWL GF

Ground beef, black & kidney beans, tomatoes, green peppers & onion

### BEEF STEW - \$9 CUP / \$13 BOWL GF+

Brasied beef, potatoes, carrots, pearl onions, parsnips. Served with crackers

### HOUSE MADE SOUP - \$5 CUP / \$8 BOWL

Ask your server about our current fresh soup, served with oyster crackers

## SALADS

### MODENA SALAD - \$11 V+, VG+, GF

Romaine lettuce, bacon, cherry tomatoes, red onion, smoked gouda, smoked almonds with balsamic vinaigrette

### SOUTHWEST CHEF SALAD - \$12 V, VG+, GF

Romaine lettuce, spicy house pickled veggies, corn salsa, cucumbers, fresh jalapenos, red onions, chipotle ranch dressing

### CAESAR SALAD - \$11 V, GF

Romaine lettuce, capers, shaved parmesan cheese, pretzel bread croutons, caesar dressing

## BOWLS

### PAD THAI - \$15.50 V+, GF

Rice noodles, egg, scallions, peanuts, cilantro, bean sprouts, Pad Thai sauce

### COLD QUINOA BOWL - \$15 V, GF+, VG+

Seasoned quinoa served cold with black bean and corn salsa, cucumber, pea shoots, roasted red pepper, cilantro lime crema, scallions

### VEGAN PAD THAI - \$15.50 GF, V, VG

Thai broth, scallions, cilantro, bean sprouts, peanuts, carrots, peppers, zucchini, rice noodles

### PORK BAHN MI BOWL - \$15 GF

Spring greens, pork, quinoa, kimchi, spicy house pickled vegetables, sriracha aioli

### ADD PROTEIN TO YOUR SALAD OR BOWL

\*Steak \$8, Grilled Chicken \$4, Pulled Southwest Chicken \$5, Shrimp \$8, Tofu \$4, Salmon \$8

GF = Gluten Free VG = Vegan V = Vegetarian

\* Can be modified for vegetarian, vegan or gluten free depending on the dish. Please ask your waitstaff for modification.



## **SANDWICHES**

### **REUBEN - \$15.50**

Corned beef, swiss cheese, sauerkraut, and thousand island dressing, grilled between slices of rye bread

### **BBQ PULLED PORK - \$14.50 GF\***

BBQ pulled pork, coleslaw, chipotle aioli

### **TURKEY RACHEL - \$14.50**

Rye bread, 1000 island dressing, swiss, slaw, turkey

### **GRILLED CHICKEN SANDWICH - \$14.50**

Grilled chicken, bacon, lettuce, tomato, ranch dressing

All sandwiches served with wedge farm fries and a pickle  
Substitute sweet potato fries or tater tots - \$1.00

## **PUB FAVORITES**

### **TWO STREET TACOS - \$14.50 GF\***

Your choice - seasoned shrimp or pulled chicken. Topped with fresh red cabbage, cilantro lime crema served with a side of black bean & corn salsa, and tortilla chips (substitute wedge farm fries - \$1.00)

### **BBQ PORK SHANKS - \$18**

BBQ pork shanks, side of mac n' cheese, maple garlic glazed carrots

### **CAVATAPPI BOLOGNESE - \$16.50**

Red cream sauce, ground beef, pulled pork over pasta, served with bread

### **STEAK FRITES\* - \$22**

Beef tenderloin medallions with gorgonzola, peppercorn brown sauce, steamed broccoli, and wedge farm fries

### **MAC N' CHEESE - \$14**

Macaroni pasta with a butter cracker topping (add pulled spicy chicken - \$5)

## **BURGERS**

Any burger can be substituted with a veggie patty or grilled chicken for no additional charge.

All burgers served with wedge farm fries.

### **THE CLASSIC\* - \$15.50 GF\***

Burger patty, American cheese, mayo, mustard, ketchup, red onion, lettuce, and pickle

### **BH BURGER\* - \$15.50 GF\***

Bacon crumble, onion crisps, lettuce, tomato, provolone cheese, BBQ sauce

### **BLACK & BLUE BURGER\* - \$16.00 GF\***

Blackened seasoning, lettuce, tomato, Gorgonzola cheese

### **BOURBIN BURGER\* - \$15.50 GF\***

Bourbin cheese, caramelized bacon-onion jam

### **BURGER WITH NO NAME\* - \$15.50 GF\***

Jalapeno aioli, jalapenos, provolone cheese, bacon, onion crisps, lettuce and tomatoes

### **CRAB CAKE BURGER - \$17.50**

Crab cake, lettuce, tomato, caper remoulade

### **MAPLE BACON BURGER - \$15.50 GF\***

Burger patty, maple bacon aioli, swiss cheese, more bacon, onion crisps, lettuce and tomatoes

### **VEGGIE BURGER - \$15.50 V, VG\***

Blue Mango vegetable patty, onion crisps, lettuce, tomato, provolone

Pretzel buns available - \$2.00. Gluten free buns available - \$2.00

Substitute sweet potato fries or tater tots - \$1.00

We Proudly Use Local Pineland Farms Beef and Wolf Pine Farm Vegetables!

## **NON-ALCOHOLIC DRINKS**

### **FRESH SQUEEZED LEMONADE - \$3**

### **CHOCOLATE OR WHITE 2% MILK - \$3**

### **MAINE ROOT - \$3.50**

Ginger, blueberry, or root beer

### **SOFT DRINKS - \$2 (free refills)**

Pepsi, Diet Pepsi, Mountain Dew, Ginger Ale, Orange, Sierra Mist

### **HOT TEA - \$2**

## **FRESH SIDES**

### **COLESLAW - \$4 GF, V**

### **MAPLE & GARLIC GLAZED CARROTS - \$5**

### **TATER TOTS - \$6**

### **WEDGE FARM FRIES - \$5**

### **SWEET POTATO FRIES - \$6**

GF = Gluten Free VG = Vegan V = Vegetarian

\* Can be modified for vegetarian, vegan or gluten free depending on the dish. Please ask your waitstaff for modification.

\* This food is, or may be served raw or undercooked and/or may contain raw or undercooked foods.

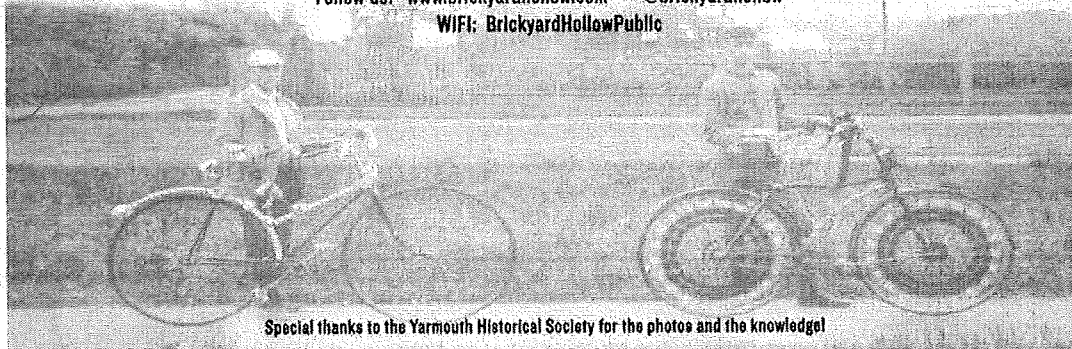
Consumption of this food may increase the risk of food borne illnesses.

Please check with your physician if you have any questions about consuming raw or undercooked foods.

Text: "BRICKYARD" to 55678 to join our loyalty program and earn a \$5.00 off credit

Follow us! [www.brickyardhollow.com](http://www.brickyardhollow.com) @brickyardhollow

WiFi: BrickyardHollowPublic



Special thanks to the Yarmouth Historical Society for the photos and the knowledge!



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

**JESSICA HANSCOMBE**  
**389 CONGRESS ST**  
**PORTLAND, ME 04103**

**Transaction Response #: MIQ99E717241**

## **Criminal History Record**

### **Introduction**

**This criminal history record was produced in response to the following request ( Produced on 2021-05-12 ) :**

Inquiries Name(s) **FRANK GRONDIN (1972-03-06)**

**NO MATCH WAS FOUND FOR YOUR REQUEST.**



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

JESSICA HANSCOMBE  
389 CONGRESS ST  
PORTLAND, ME 04103

Transaction Response #: MIQ99E717242

## Criminal History Record

### Introduction

This criminal history record was produced in response to the following request ( Produced on 2021-05-12 ) :

Inquiries Name(s) RAY KUSCHE (1954-11-10)

**NO MATCH WAS FOUND FOR YOUR REQUEST.**



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

JESSICA HANSCOMBE  
389 CONGRESS ST  
PORTLAND, ME 04103

Transaction Response #: MIQ99E717244

## Criminal History Record

### Introduction

This criminal history record was produced in response to the following request ( Produced on 2021-05-12 ) :

Inquiries Name(s) ROBER BOLDUC (1971-08-09)

**NO MATCH WAS FOUND FOR YOUR REQUEST.**



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

JESSICA HANSCOMBE  
389 CONGRESS ST  
PORTLAND, ME 04103

Transaction Response #: MIQ99E717245

## Criminal History Record

### Introduction

This criminal history record was produced in response to the following request ( Produced on 2021-05-12 ) :

Inquiries Name(s) JOHN IRWIN (1953-11-26)

**NO MATCH WAS FOUND FOR YOUR REQUEST.**



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

JESSICA HANSCOMBE  
389 CONGRESS ST  
PORTLAND, ME 04103

Transaction Response #: MIQ99E717239

## Criminal History Record

### Introduction

This criminal history record was produced in response to the following request ( Produced on 2021-05-12 ) :

Inquiries Name(s) BRAD MOLL (1972-07-04)

**NO MATCH WAS FOUND FOR YOUR REQUEST.**



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

JESSICA HANSCOMBE  
389 CONGRESS ST  
PORTLAND, ME 04103

Transaction Response #: MIQ99E717243

## Criminal History Record

### Introduction

**This criminal history record was produced in response to the following request ( Produced on 2021-05-12 ) :**

Inquiries Name(s) MATHEW HENRICK (1972-08-08)

**The information in this criminal history record is provided subject to the following caveats:**

Important! When a criminal history record and juvenile crime information record check is processed by the State Bureau of Identification using personal identifiers such as name and date of birth, it is possible that the record supplied belongs to another person with the same or essentially similar name and date of birth. Confirmation that convictions relate to person whose record has been requested requires fingerprint comparison. If the information contained in this response will be used to disqualify an applicant for employment, housing, credit, or other benefits or programs, the person making the eligibility determination using this record should provide the applicant with an opportunity to complete or contest the accuracy of the criminal history information in the response. An individual may request amendment or correction of criminal history record information by a criminal justice agency pursuant to 16 M.R.S. section 709.

**\*\*THIS RESPONSE IS BEING PRODUCED FOR YOUR REQUEST SENT: 2021-05-12**

This record, effective September 1, 2000, contains information relating to persons arrested as fugitives from justice, 15 M.R.S section 201.4 or arrested or charged with Maine crimes. It does not include former crimes no longer classified as criminal, or Class D and E crimes in Title 12 or Title 29-A, former Title 29, unless the crime is alcohol-related or drug-related 25 M.R.S. section 1541.4-A.A. For information regarding excluded Marine Resources crimes in Title 12, contact the Department of Marine Resources. For information regarding excluded Inland Fisheries and Wildlife crimes in Title 12, contact the Department of Inland Fisheries and Wildlife. For information relating to excluded crimes in Title 29-A former Title 29, contact the Secretary of State, Motor Vehicle Division. A list of former crimes is available from this Bureau.

THE FOLLOWING ATN(S) ARE UNSUPPORTED BY FINGERPRINTS IN STATE BUREAU OF IDENTIFICATION FILES: (275061B, 572759A, 096898B, 572740A).

## Identification

### Subject Name/or potential Alias Name(s)

HENRICK, MATTHEW  
HENRICK, MATTHEW J (AKA)

### Subject Description (date information provided listed in parentheses)

**State ID Number**

ME0093719

**DOC Number**

Unknown/NA

**Sex**

Male

**Race**

White

**Skin Tone**

Unknown/NA

**Height**

509

**Weight**

195

**Date of Birth**

1972-08-18

**Hair Color**

Brown

**Eye Color**

Hazel

**Scars, Marks, and Tattoos**

Unknown/NA

**Place of Birth**

Unknown/NA

**Citizenship**

Unknown/NA

**Residence**

Residence as of  
Address

2018-11-19  
304 WILLEY POINT ROAD  
OAKLAND, ME 04963

Residence as of  
Address

2018-07-04  
304 WILLEY POINT ROAD  
OAKLAND, ME 04963

Residence as of  
Address

2007-09-05  
3100 HAYWARD ROAD  
WINSLOW, ME

**Caution Information**

Firearms Disqualified

X - Unknown

## Criminal History



**Cycle 001**

**ATN/Tracking Number** 572740A  
**Earliest Event Date** 2004-01-06

**Arrest/Charge** (Cycle 001)  
**Arrest/Charge Date** 2004-01-06  
**Arresting/Charging Agency** ATTORNEY GENERAL AUGUSTA; ME006015A  
**Subject Name(s)** HENRICK, MATTHEW  
**Arrest Type** Adult  
**Charge 1**

Charge Number 572740A 001  
Charge Tracking Number 572740A  
Agency ATTORNEY GENERAL AUGUSTA; ME006015A  
Offense Date 2004-01-06  
Charge Description STEALING DRUGS (Charge Class C)  
Statute 17-A MRSA SUBSECTION 1109(1)  
State Sequence Code 9111  
Severity Felony

**Prosecutor Disposition** No data supplied

**Court Disposition** (Cycle 001)  
**Court Case Number** CR-2004-00587  
**Court Agency** SUPERIOR COURT AUGUSTA; ME006025J  
**Charge 1**

Charge Number 572740A 001  
Charge Tracking Number 572740A  
Agency SUPERIOR COURT AUGUSTA; ME006025J  
Offense Date 2004-01-06  
Charge Description STEALING DRUGS (Charge Class C)  
Statute 17-A MRSA SUBSECTION 1109(1)  
State Sequence Code 9111  
Severity Felony  
Disposition 2005-08-29; DISMISSED BY DA/AG - PLED OTHER CHARGE

**Sentencing** No data supplied

**Corrections** No data supplied

**Cycle 002**

**ATN/Tracking Number** 572759A  
**Earliest Event Date** 2004-01-06

**Arrest/Charge** (Cycle 002)  
**Arrest/Charge Date** 2004-01-06  
**Arresting/Charging Agency** ATTORNEY GENERAL AUGUSTA; ME006015A  
**Subject Name(s)** HENRICK, MATTHEW  
**Arrest Type** Adult  
**Charge 1**

Charge Number 572759A 001  
Charge Tracking Number 572759A  
Agency ATTORNEY GENERAL AUGUSTA; ME006015A  
Offense Date 2004-01-06  
Charge Description UNLAWFUL POSSESSION OF SCHEDULED DRUG (Charge Class D)  
Statute 17-A MRSA SUBSECTION 1107-A(1)(C)  
State Sequence Code 8571  
Severity Misdemeanor

**Charge 2**

Charge Number 572759A 002  
Charge Tracking Number 572759A  
Agency ATTORNEY GENERAL AUGUSTA; ME006015A  
Offense Date 2004-01-06  
Charge Description THEFT BY UNAUTHORIZED TAKING OR TRANSFER (Charge Class E)  
Statute 17-A MRSA SUBSECTION 353(1)(A)  
State Sequence Code 8423  
Severity Misdemeanor

**Charge 3**

Charge Number 572759A 003  
Charge Tracking Number 572759A  
Agency ATTORNEY GENERAL AUGUSTA; ME006015A  
Offense Date 2004-01-06  
Charge Description THEFT BY UNAUTHORIZED TAKING OR TRANSFER (Charge Class E)  
Statute 17-A MRSA SUBSECTION 353(1)(A)  
State Sequence Code 8423  
Severity Misdemeanor

---

**Prosecutor Disposition** No data supplied

---

**Court Disposition** (Cycle 002)  
**Court Case Number** AUGSCCR200500483  
**Court Agency** SUPERIOR COURT AUGUSTA; ME006025J  
**Charge 1**

Charge Number 572759A 001  
Charge Tracking Number 572759A

Agency SUPERIOR COURT AUGUSTA; ME006025J

Offense Date 2004-01-06

Charge Description UNLAWFUL POSSESSION OF SCHEDULED DRUG (Charge Class D)

Statute 17-A MRSA SUBSECTION 1107-A(1)(C)

State Sequence Code 8571

Severity Misdemeanor

Disposition 2005-08-17; GUILTY  
2005-08-17; CONT FOR SENTENCING

## Charge 2

Charge Number 572759A 002

Charge Tracking Number 572759A

Agency SUPERIOR COURT AUGUSTA; ME006025J

Offense Date 2004-01-06

Charge Description THEFT BY UNAUTHORIZED TAKING OR TRANSFER (Charge Class E)

Statute 17-A MRSA SUBSECTION 353(1)(A)

State Sequence Code 8423

Severity Misdemeanor

Disposition 2005-08-17; GUILTY  
2005-08-17; CONT FOR SENTENCING

## Charge 3

Charge Number 572759A 003

Charge Tracking Number 572759A

Agency SUPERIOR COURT AUGUSTA; ME006025J

Offense Date 2004-01-06

Charge Description THEFT BY UNAUTHORIZED TAKING OR TRANSFER (Charge Class E)

Statute 17-A MRSA SUBSECTION 353(1)(A)

State Sequence Code 8423

Severity Misdemeanor

Disposition 2005-08-17; GUILTY  
2005-08-17; CONT FOR SENTENCING

---

## Sentencing

(Cycle 002)

## Sentencing Agency

SUPERIOR COURT AUGUSTA; ME006025J

Court Case Number AUGSCCR200500483

Charge Number 572759A 001

Charge Sequence Number 1

Charge Tracking Number 572759A

Sentence 2005-08-26: INCARCERATED 364 days ALL SUSPENDED  
2005-08-26: PROBATION 1 years  
2005-08-26: PUBLIC SERVICE 100 hours  
2005-10-17: FINED \$500.00  
2005-10-17: INCARCERATED 364 days ALL SUSPENDED  
2005-10-17: PROBATION 1 years

## 2005-10-17: PUBLIC SERVICE 100 hours

---

**Sentencing** (Cycle 002)  
**Sentencing Agency** SUPERIOR COURT AUGUSTA; ME006025J  
Court Case Number AUGSCCR200500483  
Charge Number 572759A 002  
Charge Sequence Number 2  
Charge Tracking Number 572759A  
Sentence 2005-08-26: INCARCERATED 6 months ALL SUSPENDED  
2005-08-26: PROBATION 1 years  
2005-08-26: PUBLIC SERVICE 400 hours  
2005-10-17: FINED \$500.00  
2005-10-17: INCARCERATED 6 months ALL SUSPENDED  
2005-10-17: PROBATION 1 years  
2005-10-17: PUBLIC SERVICE 100 hours

---

**Sentencing** (Cycle 002)  
**Sentencing Agency** SUPERIOR COURT AUGUSTA; ME006025J  
Court Case Number AUGSCCR200500483  
Charge Number 572759A 003  
Charge Sequence Number 3  
Charge Tracking Number 572759A  
Sentence 2005-08-26: INCARCERATED 6 months ALL SUSPENDED  
2005-08-26: PROBATION 1 years  
2005-08-26: PUBLIC SERVICE 400 hours  
2005-10-24: FINED \$500.00  
2005-10-24: INCARCERATED 6 months ALL SUSPENDED  
2005-10-24: PROBATION 1 years  
2005-10-24: PUBLIC SERVICE 100 hours

---

**Corrections** No data supplied

|                  |
|------------------|
| <b>Cycle 003</b> |
|------------------|

---

**ATN/Tracking Number** 096898B  
**Earliest Event Date** 2014-08-16

---

**Arrest/Charge** (Cycle 003)  
**Arrest/Charge Date** 2014-08-16  
**Arresting/Charging Agency** OAKLAND PD; ME0060500  
**Subject Name(s)** HENRICK, MATTHEW J  
**Arrest Type** Adult  
**Charge 1**

Charge Number 096898B 001  
Charge Tracking Number 096898B  
Charge Case Number 14OAK-356-AR

Agency OAKLAND PD; ME0060500

Offense Date 2014-08-16

Charge Description OUI (ALCOHOL) (Charge Class D)

Statute 29-A MRSA SUBSECTION 2411(1-A)(A)

State Sequence Code 12942

Severity Misdemeanor

---

**Prosecutor Disposition** (Cycle 003)**Prosecutor Agency** DISTRICT ATTORNEY'S OFFICE AUGUSTA; ME006013A**Charge 1**

Charge Number 096898B 001

Charge Tracking Number 096898B

Offense Date 2014-08-16

Charge Description OUI (ALCOHOL) (Charge Class D)

Statute 29-A MRSA SUBSECTION 2411(1-A)(A)

State Sequence Code 12942

Severity Misdemeanor

Prosecutor Record ADDED

Modified/Updated

---

**Court Disposition** (Cycle 003)**Court Case Number** WATDCCR201401214**Court Agency** 7TH DISTRICT COURT WATERVILLE; ME006035J**Charge 1**

Charge Number 096898B 001

Charge Tracking Number 096898B

Agency 7TH DISTRICT COURT WATERVILLE; ME006035J

Offense Date 2014-08-16

Charge Description OUI (ALCOHOL) (Charge Class D)

Statute 29-A MRSA SUBSECTION 2411(1-A)(A)

State Sequence Code 12942

Severity Misdemeanor

Disposition 2014-09-16; GUILTY

---

**Sentencing** (Cycle 003)**Sentencing Agency** 7TH DISTRICT COURT WATERVILLE; ME006035J

Court Case Number WATDCCR201401214

Charge Number 096898B 001

Charge Sequence Number 1

Charge Tracking Number 096898B

Sentence 2014-09-16: FINED \$500.00

2014-09-16: INCARCERATED 10 days

2014-09-16: LICENSE SUSPENSION 150 days

---

**Corrections**

No data supplied

**Cycle 004**

**ATN/Tracking Number** 275061B  
**Earliest Event Date** 2018-05-31

---

**Arrest** No data supplied

---

**Prosecutor Disposition** (Cycle 004)  
**Prosecutor Agency** DISTRICT ATTORNEY'S OFFICE AUGUSTA; ME006013A  
**Charge 1**

Charge Number 275061B 001  
Charge Tracking Number 275061B  
Charge Description OUI (ALCOHOL) (Charge Class D)  
Statute 29-A MRSA SUBSECTION 2411(1-A)(A)  
State Sequence Code 12942  
Severity Misdemeanor  
Prosecutor Record ADDED  
Modified/Updated

---

**Court Disposition** (Cycle 004)  
**Court Case Number** KENCDCR201820577  
**Court Agency** KENNEBEC CRIMINAL DOCKET; ME006085J  
**Charge 1**

Charge Number 275061B 001  
Charge Tracking Number 275061B  
Agency KENNEBEC CRIMINAL DOCKET; ME006085J  
Charge Description OUI (ALCOHOL) (Charge Class D)  
Statute 29-A MRSA SUBSECTION 2411(1-A)(A)  
State Sequence Code 12942  
Severity Misdemeanor  
Disposition 2018-11-15; GUILTY

---

**Sentencing** (Cycle 004)  
**Sentencing Agency** KENNEBEC CRIMINAL DOCKET; ME006085J  
Court Case Number KENCDCR201820577  
Charge Number 275061B 001  
Charge Sequence Number 1  
Charge Tracking Number 275061B  
Sentence 2018-11-15: FINED \$700.00  
2018-11-15: LICENSE SUSPENSION 150 days

---

**Corrections** No data supplied

## Index of Agencies

|                  |                                   |
|------------------|-----------------------------------|
| Agency           | SUPERIOR COURT AUGUSTA; ME006025J |
| Agency Telephone | 207-622-9357                      |
| Address          | 95 STATE ST<br>AUGUSTA, ME 04330  |

---

|                  |                                          |
|------------------|------------------------------------------|
| Agency           | 7TH DISTRICT COURT WATERVILLE; ME006035J |
| Agency Telephone | 207-873-2103                             |
| Address          | 18 colby street<br>WATERVILLE, ME 04901  |

---

|                  |                                              |
|------------------|----------------------------------------------|
| Agency           | KENNEBEC CRIMINAL DOCKET; ME006085J          |
| Agency Telephone | 207-213-2800                                 |
| Address          | CAPITAL JUDICIAL CENTER<br>Augusta, ME 04330 |

---

|                  |                                              |
|------------------|----------------------------------------------|
| Agency           | KENNEBEC CRIMINAL DOCKET; ME006085J          |
| Agency Telephone | 207-213-2800                                 |
| Agency Facsimile | 0                                            |
| Address          | CAPITAL JUDICIAL CENTER<br>AUGUSTA, ME 04330 |

---

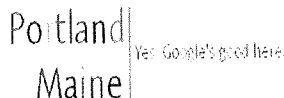
|                  |                                               |
|------------------|-----------------------------------------------|
| Agency           | DISTRICT ATTORNEY'S OFFICE AUGUSTA; ME006013A |
| Agency Telephone | 207-623-1156                                  |
| Address          | 95 STATE ST<br>AUGUSTA, ME 04330              |

---

|                  |                                                 |
|------------------|-------------------------------------------------|
| Agency           | ATTORNEY GENERAL AUGUSTA; ME006015A             |
| Agency Telephone | 207-626-8800                                    |
| Address          | STATE HOUSE STATION 6<br>AUGUSTA, ME 04333-0006 |

---

|                  |                                  |
|------------------|----------------------------------|
| Agency           | OAKLAND PD; ME0060500            |
| Agency Telephone | 207-465-2202                     |
| Address          | P O BOX 187<br>OAKLAND, ME 04963 |



Jessica Hanscombe &lt;jhanscombe@portlandmaine.gov&gt;

---

**Re: Brickyard Hollow Brewing Co**

---

**Glen McGary** <glenm@portlandmaine.gov>

Wed, May 12, 2021 at 1:22 PM

To: Jessica Hanscombe &lt;jhanscombe@portlandmaine.gov&gt;

Cc: Benjamin Pearson &lt;bnp@portlandmaine.gov&gt;, Chris Beaumont &lt;cbeaumont@portlandmaine.gov&gt;, Dan Hondo &lt;danh@portlandmaine.gov&gt;, Eric Cobb &lt;ecobb@portlandmaine.gov&gt;, Fire Prevention &lt;fireprevention@portlandmaine.gov&gt;, Jason Grant &lt;jgrant@portlandmaine.gov&gt;, Laurie Carlson &lt;lac@portlandmaine.gov&gt;, Stephen Marcotte &lt;smarcotte@portlandmaine.gov&gt;, Tom Williams &lt;tw@portlandmaine.gov&gt;, Treasury Division &lt;treasury@portlandmaine.gov&gt;, Zoning &lt;zoning@portlandmaine.gov&gt;

PPD Approves

On Wed, May 12, 2021 at 10:48 AM Jessica Hanscombe <jhanscombe@portlandmaine.gov> wrote:  
Good Morning

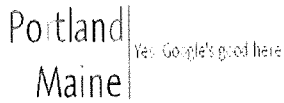
Please see the attached applications. These will go before council on 6/7/2021. Please advise. Jessica

Jessica Blais Hanscombe  
Director of Permitting and Inspections  
City of Portland  
389 Congress Street  
Portland, Maine 04101  
207-874-8783  
jhanscombe@portlandmaine.gov

--

Lieutenant Glen McGary  
Portland Police Department  
109 Middle Street  
Portland, Maine 04101  
Office (207) 756-8294  
Fax (207) 874-8580





Jessica Hanscombe <jhanscombe@portlandmaine.gov>

---

## Re: Brickyard Hollow Brewing Co

---

**Dan Hondo** <danh@portlandmaine.gov>  
To: Jessica Hanscombe <jhanscombe@portlandmaine.gov>

Wed, May 12, 2021 at 11:02 AM

No issues of PD side

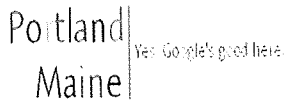
On Wed, May 12, 2021 at 10:48 AM Jessica Hanscombe <jhanscombe@portlandmaine.gov> wrote:

Good Morning

Please see the attached applications. These will go before council on 6/7/2021. Please advise. Jessica

Jessica Blais Hanscombe  
Director of Permitting and Inspections  
City of Portland  
389 Congress Street  
Portland, Maine 04101  
207-874-8783  
jhanscombe@portlandmaine.gov

--  
Lt. Dan Hondo  
Portland Maine Police Dept.  
Patrol Team B3/B4  
(207)874-8513



Jessica Hanscombe &lt;jhanscombe@portlandmaine.gov&gt;

---

**Re: Brickyard Hollow Brewing Co**

---

**amachado** <amachado@portlandmaine.gov>

Thu, May 20, 2021 at 3:33 PM

To: Zoning &lt;zoning@portlandmaine.gov&gt;

Cc: Zoning &lt;zoning@portlandmaine.gov&gt;, Jessica Hanscombe &lt;jhanscombe@portlandmaine.gov&gt;

Jessica -

A Class A Restaurant/Lounge (Class XI) is a permitted use in the IS-FBC Zone per section 9.1.7 of Article 9, Chapter 14. A brewery is also a permitted use under the same section.

Ann Machado  
Zoning Administrator

On Wednesday, May 12, 2021 at 1:23:22 PM UTC-4 Glen McGary wrote:  
PPD Approves

On Wed, May 12, 2021 at 10:48 AM Jessica Hanscombe <jhanscombe@portlandmaine.gov> wrote:  
Good Morning

Please see the attached applications. These will go before council on 6/7/2021. Please advise.  
Jessica

Jessica Blais Hanscombe  
Director of Permitting and Inspections  
City of Portland  
389 Congress Street  
Portland, Maine 04101  
207-874-8783  
jhanscombe@portlandmaine.gov

--  
Lieutenant Glen McGary  
Portland Police Department  
109 Middle Street  
Portland, Maine 04101  
Office (207) 756-8294  
Fax (207) 874-8580



**CITY OF PORTLAND**  
**Permitting and Inspections Department**

May 12, 2021

Brickyard Hollow Brewing Co  
236 Main Street  
Yarmouth ME 04096

**Re: Brickyard Hollow Brewing Co. dba Brickyard Hollow Brewing Co. Application  
for a Class XI FSE at 9 Commercial Street.**

Dear Brendon Medeiros

This letter shall serve as a reminder of the public hearing before the Portland City Council on **Monday June 7, 2021 at 5:00 p.m.**, for the review of application for Class XI FSE at 9 Commercial Street. The meeting will take place virtually. The link can be found on the Meeting Agenda which will be posted on the City Website on June 4, 2021.

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

Please contact our office directly with questions at (207) 874-8557 or [bl@portlandmaine.gov](mailto:bl@portlandmaine.gov).

Sincerely,

Jessica Hanscombe  
Director of Permitting and Inspections

## **Legal Advertisement**

### **Notice of Public Hearing City of Portland**

A Public Hearing will be held on June 7, 2021 at 5:00 P.M., virtually Brickyard Hollow Brewing Co. dba Brickyard Hollow Brewing Co. Application for a Class XI FSE at 9 Commercial Street. Sponsored by Jon P. Jennings, City Manager.

**MEMORANDUM**  
**City Council Agenda Item**

**FROM:**

**DATE:** May 12, 2021

**SUBJECT:** Order 277-20/21 Granting Municipal Officers' Approval of The Whiskey Barrel LLC dba The Yard. Renewal application for a Combined Entertainment License at 82 Hanover Street - Sponsored by Jon P. Jennings, City Manager

**SPONSOR:**

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

**COUNCIL MEETING DATE ACTION IS REQUESTED:**

**1st Reading**

**Final Action**

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

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

**I. SUMMARY**

**II. AGENDA DESCRIPTION**

Application was filed on 5/11/2021. Applicant currently holds a Class XI FSE with Combined Entertainment and Outdoor Dining on Private Property.

Five affirmative votes are required for passage after public comment.

**III. BACKGROUND**

**IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED**

**V. FINANCIAL IMPACT**

**VI. STAFF ANALYSIS AND BACKGROUND**

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

**VII. RECOMMENDATION**

**VIII. LIST ATTACHMENTS**

1. The Yard-Renewal
2. 20210512110929984
3. City of Portland Mail - Comments on License for The Yard
4. City of Portland Mail - Fwd\_ Comments on License Renewal for The Yard
5. City of Portland Mail - Fwd\_ The Yard license renewal sound clips
6. THE YARD comment

7. City of Portland Mail - Re\_
8. City of Portland Mail - Fwd\_ Order 277 - Landlord Letter in Support of Whiskey Barrel LLC dba The Yard

Prepared by:

Date: 5/12/2021

KATHLEEN M SNYDER (MAYOR)  
BELINDA S. RAY (1)  
SPENCER R. THIBODEAU (2)  
TAE Y. CHONG (3)  
ANDREW J. ZARRO (4)

**CITY OF  
PORTLAND**  
IN THE CITY COUNCIL

MARK N. DION (5)  
APRIL FOURNIER (A/L)  
PIOUS ALI (A/L)  
NICHOLAS M. MAVODONES, JR (A/L)

ORDER  
GRANTING MUNICIPAL OFFICERS'  
APPROVAL OF:

**The Whiskey Barrel LLC dba The Yard. Renewal application for a Combined  
Entertainment License at 82 Hanover Street**



## CITY OF PORTLAND

## Permitting and Inspections Department

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

[www.portlandmaine.gov](http://www.portlandmaine.gov)

## Renewal for Food Service Establishment with Alcoholic Beverages License

|                             |                                        |
|-----------------------------|----------------------------------------|
| <b>Business Information</b> |                                        |
| Business Name (d/b/a):      | The Yard                               |
| Location Address:           | 82 Hanover St. Portland ME 04101 Ste 7 |
| Mailing Address:            | 82 Hanover St. Portland ME 04101 Ste 7 |
| Contact Person:             | John Ferrara                           |
| Contact Person Email:       | John.J.ferrara@icloud.com              |

|                   |                                    |
|-------------------|------------------------------------|
| <b>Owner Name</b> | <b>Corporate Mailing Address</b>   |
| John Ferrara      | 92 Waterville Rd. Medford MA 02155 |

## About Your Establishment

|                                        |                                                    |
|----------------------------------------|----------------------------------------------------|
| Class of Liquor License:               |                                                    |
| Please circle all that will be served: | Beer Wine Liquor                                   |
| Hours & days of operation:             | Sun 12-11pm M-Th 2pm-11pm Fri 2pm-1am Sat 12pm-1am |

|                                                                                                              |            |
|--------------------------------------------------------------------------------------------------------------|------------|
| <b>QUESTIONS</b>                                                                                             | <b>Y/N</b> |
| Will you have entertainment on the premises?                                                                 | Y/N        |
| Will you permit dancing after 1:00 a.m.?                                                                     | Y/N        |
| Will you have outside dining? If yes, will the outside dining be on PUBLIC or PRIVATE property? (circle one) | Y/N        |
| Will you have any amusement devices (pinball, video games, juke box)?                                        | Y/N        |
| If yes, please list: # of pinball machines: _____ # of amusements: _____ # of pool tables: _____             |            |

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

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

Signature [Signature] Title \_\_\_\_\_ Date 5/3/21





**CITY OF PORTLAND**  
**Permitting and Inspections Department**  
**Renewal Application for an Entertainment License**

**Must Include:**

- ☐ 8 1/2" x 11" diagram showing layout of the premises to include dimensions, locations of dancing, seating, toilet rooms and means of egress.
- ☐ Sound Mitigation Plan (\*\*not required if renewal application for indoor only entertainment)
  - o Prepared and Certified by a Professional Sound Engineer
  - o Details of methods used to minimize the impact on entertainment on the surrounding uses
  - o Speaker Locations and directions
  - o Sound System details and controls
  - o Stage and site layout and direction
  - o Noise cancelling or mitigating measures proposed
  - o Anticipated Sound readings
    - Indoors Entertainment-8 feet from any outer wall
    - Outdoor/Combined Entertainment-Property line and closest residence
  - o On-Site monitor when attendees are expected to exceed 250

|                                               |                           |        |              |
|-----------------------------------------------|---------------------------|--------|--------------|
| <b>Business Information</b>                   | The Whiskey Barrel LLC    |        |              |
| Business Name (d/b/a):                        | The Yard                  | Phone: | 207-535-7773 |
| Location Address:                             | 82 Hanover St. Ste 7      | Zip:   | 04101        |
| Owner Name:                                   | John Ferrara              | Phone: | 207-735-7773 |
| Owner Email:                                  | John.J.ferrara@icloud.com |        |              |
| Contact Person responsible for Entertainment: | John Ferrara              | Phone: | 207-735-7773 |
| Contact Person Email:                         | John.J.ferrara@icloud.com |        |              |
| Manager of Establishment:                     | Dustin Day                | Phone: | 207-344-7011 |
| Manager Email:                                | dustin.day1@yahoo.com     |        |              |

**About Your Establishment**

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

Restaurant / Lounge with outdoor Band consisting of 10 more than a trio nothing past 10pm. Decibel meter will be used to measure sound. There will be a sound mitigation buffer on speakers. Applicant, by signature below, agrees to abide by all laws, orders, ordinances, rules and regulations governing the above license and further agrees that any misstatement of material fact may result in refusal of license or revocation, if one has been granted. Applicant agrees that all taxes and accounts pertaining to the premises will be paid prior to issuance of the license.

Signature [Signature] Title owner Date 6/16/2020

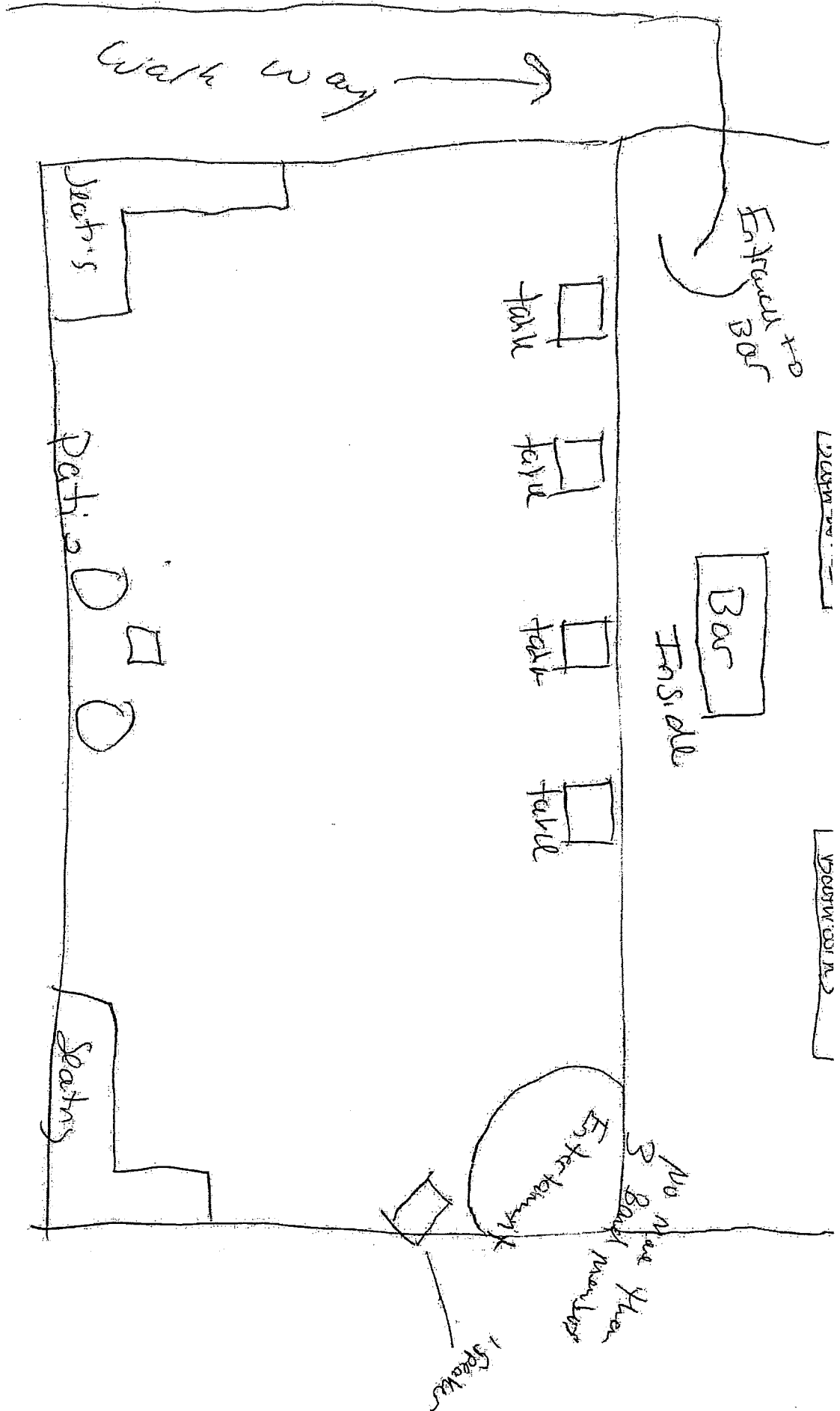
For more information, refer to the City Code of Ordinance: Chapter 4 Amusements, at [www.portlandmaine.gov](http://www.portlandmaine.gov)

389 Congress Street, Room 307 • Portland, Maine 04101 • 207-874-8557

[bl@portlandmaine.gov](mailto:bl@portlandmaine.gov) • [www.portlandmaine.gov](http://www.portlandmaine.gov)

## **Sound Mitigation plan**

- The Yard does not intend to have any music outside past 10 pm on weekends and nothing past 8pm on weekdays.
- Bands will consist of no more than a trio
- We plan to measure the sound with decibel meter that will read no more than 75 decibels
- There will be only one speaker on the patio with a sound mitigation buffer to reduce noise.
- The speaker will be positioned at a 45-degree tilt for sound to travel within the patio area
- The sound system will be just a speaker that can be controlled by the artist to reduce noise
- There will be no stage or lighting as entertainment is seasonal and weather permitting
- Per covid-19, there will be no dancing or congregating of patrons



## Sound Mitigation Review

Page 387

## NOISE COMPLAINTS

| CADCALL#  | Call Time & Date  | Address       | Common Name            | TYPE OF CALL | CAD CALL DISPOSITION eng             |
|-----------|-------------------|---------------|------------------------|--------------|--------------------------------------|
| 200670022 | 3/7/2020 12:53AM  | 82 HANOVER ST | THE WHISKEY BARREL     | LOUD MUSIC   | PROVIDED SERVICE                     |
| 202000565 | 7/18/2020 11:02PM | 82 HANOVER ST | THE WHISKEY BARREL     | LOUD MUSIC   | PROVIDED SERVICE                     |
| 202270605 | 8/14/2020 11:20PM | 82 HANOVER ST | THE YARD               | LOUD MUSIC   | PROVIDED SERVICE                     |
| 202290001 | 8/16/2020 12:12AM | 82 HANOVER ST | THE YARD               | LOUD MUSIC   | UNFOUNDED CALL                       |
| 202290409 | 8/16/2020 07:38PM | 82 HANOVER ST | THE YARD               | LOUD MUSIC   | PROVIDED SERVICE<br>PROVIDED SERVICE |
| 202300516 | 8/17/2020 08:07PM | 82 HANOVER ST | WILSON COUNTY BARBECUE | LOUD MUSIC   | INFORMATION ONLY<br>PROVIDED SERVICE |
| 202340737 | 8/21/2020 11:44PM | 82 HANOVER ST | THE YARD               | LOUD MUSIC   | UNFOUNDED CALL                       |
| 202560018 | 9/12/2020 01:04AM | 82 HANOVER ST | THE YARD               | LOUD MUSIC   |                                      |
| 202560019 | 9/12/2020 01:05AM | 82 HANOVER ST | THE YARD               | LOUD MUSIC   | PROVIDED SERVICE                     |
| 202560021 | 9/12/2020 01:05AM | 82 HANOVER ST | THE YARD               | LOUD MUSIC   |                                      |
| 202560527 | 9/12/2020 10:11PM | 82 HANOVER ST | THE YARD               | LOUD MUSIC   | PROVIDED SERVICE                     |
| 202560574 | 9/12/2020 11:32PM | 82 HANOVER ST | THE YARD               | LOUD MUSIC   | PROVIDED SERVICE<br>PROVIDED SERVICE |
| 202830588 | 10/9/2020 11:10PM | 82 HANOVER ST | THE YARD               | LOUD MUSIC   | PROVIDED SERVICE                     |

**To: Jessica Hanscombe**

**From: Lt. Glen McGary**

**Re: Noise complaints from 3/7/2020 to 10/9/2020**

**Date: 3/2/2021**

Jessia, please see the dispositions of the noise complaints from 3/7/2020 to 10/9/2020. The information that is provided in this report is from dispatch records from the caller and the officer who was sent to the call. Please let me know if you have any questions

Lt. Glen McGary

**Dispatch Call #/Date/Time/Address/Business Name**

**200670022 3/7/2020 12:53AM 82 HANOVER ST THE WHISKEY BARREL**

Comp: Jackie Newell 60 Paris St

Disposition: Closed on arrival

**202000565 7/18/2020 11:02PM 82 HANOVER ST THE WHISKEY BARREL**

Comp: Jackie Newell 60 Paris St

Disposition: Closed on arrival

**202270605 8/14/2020 11:20PM 82 HANOVER ST THE YARD**

Comp: Michael Proia 60 Paris St

Disposition: Closed on arrival

**202290001 8/16/2020 12:12AM 82 HANOVER ST THE YARD**

Comp: Michael Proia 60 Paris St

Disposition: Closed on arrival, No music

**202290409 8/16/2020 07:38PM 82 HANOVER ST THE YARD**

Comp: Jackie Newell 60 Paris St

Disposition: Bar agreed to turn down the music. No Reading taken

**202300516 8/17/2020 08:07PM 82 HANOVER ST WILSON COUNTY BARBECUE LOUD MUSIC**

Comp: Jackie Newell 60 Paris St

Disposition: Reading taken: Avg 58dB

**202340737 8/21/2020 11:44PM 82 HANOVER ST THE YARD**

Comp: Michael Proia 60 Paris St

Disposition: Reading taken: Avg 65dB

**202560018 9/12/2020 01:04AM 82 HANOVER ST THE YARD**

Comp: REFUSED

Disposition: Closed on arrival, No music

**202560019 9/12/2020 01:05AM 82 HANOVER ST THE YARD**

Comp: Abby Carney 60 Paris St

Disposition: Closed on arrival, No music

**202560021 9/12/2020 01:05AM 82 HANOVER ST THE YARD**

Comp: Jackie Newell 60 Paris St

Disposition: Closed on arrival, No music

**202560527 9/12/2020 10:11PM 82 HANOVER ST THE YARD**

Comp: Michael Proia 60 Paris St

Disposition: Live Band: The band was on break and the bar was notified to monitor the level

**202560574 9/12/2020 11:32PM 82 HANOVER ST THE YARD**

Comp: Bronte Pirulli 60 Paris St

Disposition: Reading taken: Avg 50dB

**202830588 10/9/2020 11:10PM 82 HANOVER ST THE YARD**

Comp: Michael Proia 60 Paris St

Disposition: Bar asked to check the level and turn down the music. No PPD reading





**CITY OF PORTLAND**  
**Permitting and Inspections Department**

May 12, 2021

The Whiskey Barrel  
82 Hanover Street  
Portland ME 04101

**Re: The Whiskey Barrel LLC dba The Yard. Renewal application for a Combined Entertainment License at 82 Hanover Street**

Dear John Ferrara

This letter shall serve as a reminder of the public hearing before the Portland City Council on **Monday June 7, 2021 at 5:00 p.m.**, for the review of application for a Combined Entertainment License at 82 Hanover Street. The meeting will take place virtually. The link can be found on the Meeting Agenda which will be posted on the City Website on June 4, 2021.

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

Please contact our office directly with questions at (207) 874-8557 or [bl@portlandmaine.gov](mailto:bl@portlandmaine.gov).

Sincerely,

Jessica Hanscombe  
Director of Permitting and Inspections

## **Legal Advertisement**

### **Notice of Public Hearing City of Portland**

A Public Hearing will be held on June 7, 2021 at 5:00 P.M., virtually The Whiskey Barrel LLC dba The Yard. Renewal application for a Combined Entertainment License at 82 Hanover Street. Sponsored by Jon P. Jennings, City Manager.



Dena Libner &lt;dlibner@portlandmaine.gov&gt;

---

## Comments on License for The Yard

---

Jacqueline Newell &lt;newell.jacqueline@gmail.com&gt;

Tue, May 25, 2021 at 10:41 AM

To: council@portlandmaine.gov

Cc: Belinda Ray &lt;bsr@portlandmaine.gov&gt;, Dena Libner &lt;dlibner@portlandmaine.gov&gt;

Good afternoon,

After speaking with the District 5 representative, Belinda Ray, I have learned that the license for The Yard is up for review on June 7th. As a neighbor, often disrupted by their noise, I'd like to provide my experience.

**Noise Violations.** Dena Libner said there have been no noise violations however, I know that is false. Last summer, I called the police with a noise complaint during one of their Reggae Sunday parties. The officer called me back and told me he could hear it from several blocks away and they **were, in fact, in violation** however, he went and spoke to them and did not write them up. How many other times has this happened?

**See Click Fix.** There are countless complaints about The Yard concerning noise at all hours (Mondays, weekends, it doesn't matter) phoned into the police. I used the filters on See Click Fix to see complaints mentioning The Yard and there are over 60 complaints in the last 8 months alone. If you search Whisky/Whiskey Barrel (it's previous name before rebranding last year) an additional 19 appear. 79 complaints on this app.

### Communication.

1. **Inability to Communicate.** During the first month of the pandemic, when The Yard was closed, a cigarette butler was left outside. It was knocked over and the wind spread cigarettes everywhere. I messaged them on Instagram to ask them to clean them up. The owner sent messages saying he knows who I work for and who my boss was. I told him these messages felt threatening, I simply wanted them to stop polluting.
2. **Blocking on Social Media.** When they re-opened last summer, several neighbors messaged them with concerns about their outdoor speakers and noise. Instead of responding, they blocked us on social media. They do not want to be neighbors, they do not want to communicate.

**Rooftop Bar.** Given the loud music, inside and outside, is not restricted to days of the week. You are rewarding poor behavior and lack of respect for neighbors if you allow them to have a rooftop bar.

**Adjacent Neighbors.** Wilson County is an amazing example of great neighbors. They respect noise levels, have music at appropriate times, and respond to any and all neighbor outreach. I suggest The Yard follow their example.

**Lastly,** in November 2019, a man was over served at The Yard (then called the Whiskey Barrel), and tried to break into my home. This was a man I knew but had not seen or spoken to in months. He told me he was going there and I did not respond. At midnight, he called, texted, rang my intercom, and even banged on my bedroom windows. In my personal experience, I do not trust what is happening there, due to this threatening experience.

As a neighbor who has tried to communicate with The Yard, I am begging the city to finally address the noise and the lack of respect coming from this bar from the last two years.

Thank you,

Jackie Newell  
60 Parris Street



Dena Libner &lt;dlibner@portlandmaine.gov&gt;

## Fwd: Comments on License Renewal for The Yard

1 message

Jon Jennings &lt;jpj@portlandmaine.gov&gt;

Fri, Jun 4, 2021 at 6:31 AM

To: Dena Libner &lt;dlibner@portlandmaine.gov&gt;, Jessica Hanscombe &lt;jhanscombe@portlandmaine.gov&gt;

Backup

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

From: **Kate Snyder** <[ksnyder@portlandmaine.gov](mailto:ksnyder@portlandmaine.gov)>

Date: Thu, Jun 3, 2021 at 2:59 PM

Subject: Fwd: Comments on License Renewal for The Yard

To: Jon Jennings <[jpj@portlandmaine.gov](mailto:jpj@portlandmaine.gov)>

FYI

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

From: **Abby Carney** <[acarney@pierceatwood.com](mailto:acarney@pierceatwood.com)>

Date: Thu, Jun 3, 2021 at 2:53 PM

Subject: Comments on License Renewal for The Yard

To: [council@portlandmaine.gov](mailto:council@portlandmaine.gov) <[council@portlandmaine.gov](mailto:council@portlandmaine.gov)>

To whom it may concern:

I am a resident of [60 Parris street, Unit 103](#) in Portland, which faces diagonally across the street from The Yard. I have called the police and submitted tickets on see, click, fix a number of times in the past two years, for loud music/noise/screaming coming from people outside very late at night coming from this place, and nothing changes. They are repeated offenders, as you can see from the number of complaints on see, click, fix, and I cannot imagine what will happen if this roof top bar gets approved. In late 2019/early 2020 I contacted the Yard's Instagram account via direct message after a particularly loud night, asked them politely to please be better neighbors, and I was blocked. Clearly this is not a business that is interested in even listening to the residents of this neighborhood. There have been some loud nights lately where I haven't even bothered calling the police to put in a noise complaint or to submit a ticket, since they don't seem to have any consequences to their loud obnoxious behavior, which is an additional problem here. Why aren't people made aware on see, click, fix, when submitting a noise complaint that they also must call the police? Why aren't businesses getting a report every day/week of all the tickets placed against them so they can be aware of what is happening? Where is the help from the city to address this? I beg of you, please please investigate this establishment more thoroughly and PLEASE do not approve license for a roof top bar.

Thank you,

Abby Carney

**Abby Carney**

Business Immigration Case Manager

PIERCE ATWOOD LLP

PH 207.791.1139

--

Kate Merchant Snyder, Mayor  
Portland, Maine  
Office: 207-874-8941

***Notice: Under Maine law, documents - including e-mails - in the possession of public officials or city employees about government business may be classified as public records. There are very few exceptions. As a result, please be advised that what is written in an e-mail could be released to the public and/or the media if requested.***

--

Jon P. Jennings, MPA  
City Manager  
[City of Portland](#)  
[389 Congress Street](#)  
[Portland, ME 04101](#)  
(207) 874-8689 Office  
[jpj@portlandmaine.gov](mailto:jpj@portlandmaine.gov)  
[www.portlandmaine.gov](http://www.portlandmaine.gov)



Dena Libner &lt;dlibner@portlandmaine.gov&gt;

---

**Fwd: The Yard license renewal sound clips**

---

**Jon Jennings** <jpj@portlandmaine.gov>  
To: Dena Libner <dlibner@portlandmaine.gov>

Fri, Jun 4, 2021 at 10:17 AM

Backup

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

From: **Sarah Michniewicz** <sarahmichniewicz@icloud.com>

Date: Fri, Jun 4, 2021 at 10:04 AM

Subject: The Yard license renewal sound clips

To: Snyder Kate <ksnyder@portlandmaine.gov>, Ray Belinda <bsr@portlandmaine.gov>, Thibodeau Spencer <sthobodeau@portlandmaine.gov>, Tae Chong <tchong@portlandmaine.gov>, <mdion@portlandmaine.gov>, Mavodones Nicholas <nmm@portlandmaine.gov>, Pious Ali <pali@portlandmaine.gov>, <azarro@portlandmaine.gov>, <afournier@portlandmaine.gov>

CC: Jennings Jon &lt;jpj@portlandmaine.gov&gt;, City Clerk &lt;cityclerk@portlandmaine.gov&gt;

To Mayor Snyder and Members of the City Council,

I'm writing in regards to the renewal of The Yard's license for liquor and entertainment.

As you are hopefully aware there have been many, many noise complaints for this establishment over the past year. I've called several times myself, even though I live nowhere near the Yard, because the volume of the amplified music is so excessive that it regularly carries over 1000' to my house, loud and clear.

Please listen to the clips linked below, recorded on my surveillance cameras during a live show at the Yard on May 28, for an idea of how loud the music is, even four blocks away. It sounds like it could be across the street. And of course it has been much worse for those living nearby. If this volume somehow doesn't exceed allowable decibel limits, those limits should probably be reassessed.

Sincerely,  
Sarah Michniewicz

[https://drive.google.com/file/d/1o3AWQ5GFizIHxjJuv878at\\_ZDfURptEG/view?usp=drivesdk](https://drive.google.com/file/d/1o3AWQ5GFizIHxjJuv878at_ZDfURptEG/view?usp=drivesdk)

<https://drive.google.com/file/d/1IK-z48su6VoRKOHLch6MPAgjW9IQp23m/view?usp=drivesdk>

--

Jon P. Jennings, MPA  
City Manager  
City of Portland  
389 Congress Street  
Portland, ME 04101  
(207) 874-8689 Office  
[jpj@portlandmaine.gov](mailto:jpj@portlandmaine.gov)  
[www.portlandmaine.gov](http://www.portlandmaine.gov)

Dear City Council of Portland,

My name is Jay Ferrara and I am the owner of The Yard.

It was brought to my attention that my combined entertainment license will be brought up for discussion on Monday June 7th.

When I opened the business, we chose this location as it was zoned to allow live entertainment, restaurants and bars.

Some of the bayside neighbors had made several complaints regarding the noise levels coming from my establishment.

I invited the Lieutenant of the Portland police department and Jessica Handscome to my establishment to meet and ensure we were complying. After reviewing the complaints, they advised I did in fact follow the noise level ordinance that the city allows.

To go one step further, they have suggested I add some soundproof panels along with a sound mitigation buffer on our sound system. I have complied with their suggestions, purchased a sound mitigation buffer for the speaker's and sound panels; and continue to monitor the sound levels.

The complaints at this point have become a level of harassment because some of these complaints are falsified. See attached sales data to show sales summaries.

*3/17-closed due to plumbing issue -see sales data*

*7/18 -closed due to possible Covid exposure -see sales data*

*8/14 we closed at 10 pm-see sales data under hourly tab*

*8/16 report came in at 7:38 we were within the hours and decibels at 55 but also agreed to officer to lower the volume.*

*9/12 report came in at 11:32 and decibel was read at 50, we were in compliance, but agreed to turn it down*

I have had conversations with the complainants via social media-. I have even offered to go down to 40 decibels. They did not like my response and now I am being targeted and harassed.

In addition to our efforts, All artists must fill out a log and ensure their sound levels reach no more than 50 and that's outside along with inside entertainment.

The noise complaints that are reported on click flix are not from The Yard. On May 25<sup>th</sup>, our property manager reached out and advised our music was loud and to cut music at 10 pm outside. I advised her that we did not have music outside and there was a truck parked at Fork Food lab with their music blaring.

On May 28th there was a complaint on click flix that loud music was coming from The Yard. Our property manager reached out and we once again explained it was not us. *We intentionally did not have entertainment that night to prove a point. The noise was coming from bayside bowl- they had a party on their roof. Although we chose not to have entertainment-we lost revenue that night just to show that it is not coming from The Yard.*

As we are not the only business that congregates the general public in West Bayside, we seem to be the target of every bit of noise that travels. Bayside bowl has their movie nights, and parties on the roof deck. So, my question, to the complaining neighbors is, how come you don't hear any other business? The noise complaints that come through are not coming from just The Yard. Anyone can make a complaint, but this should not warrant the removal of my combined entertainment license when we have been in compliance.

As we continue to go the extra step to ensure we are good neighbors-I ask the city council to continue our combined entertainment license as we remain in compliance with the zoning laws zoned for B7 per the city of Portland. If you decide that we can only provide entertainment inside, I ask you treat the neighboring businesses with the combined entertainment; the same.

Regards,

Jay Ferrara



## Summary

| Sales Summary Export |                         |             |            |               |
|----------------------|-------------------------|-------------|------------|---------------|
| 7/18/20 - 7/18/20    |                         |             |            |               |
| Sales Summary        | Net Sales               | Tax         | Gratuity   | Tips          |
|                      |                         |             |            |               |
|                      |                         |             |            |               |
|                      | Guest Count             | Order Count | Discounts  | Tips Withheld |
|                      |                         |             |            |               |
| Payment Summary      | Payment Type            | Count       | Amount     | Tips          |
|                      | Credit                  |             |            |               |
|                      | Cash                    |             |            |               |
|                      | Other                   |             |            |               |
|                      | Total                   |             |            |               |
|                      |                         |             |            |               |
|                      | Credit Types            |             |            |               |
|                      | Amex                    |             |            |               |
|                      | Discover                |             |            |               |
|                      | Mastercard              |             |            |               |
|                      | Visa                    |             |            |               |
|                      |                         |             |            |               |
|                      | Alternate Payment Types |             |            |               |
|                      |                         |             |            |               |
| Sales Categories     | Category                | Order Count | Item Count | Gross Amt     |
|                      | Can Beer                |             |            |               |
|                      | Wine                    |             |            |               |
|                      | Bucket Beer             |             |            |               |
|                      | Draft Beer              |             |            |               |
|                      | Retail                  |             |            |               |
|                      | Bottled Beer            |             |            |               |
|                      | Liquor                  |             |            |               |
|                      | NA Beverage             |             |            |               |
|                      | Food                    |             |            |               |
|                      | No Category             |             |            |               |
|                      | Total                   |             |            |               |
|                      |                         |             |            |               |
| Revenue Centers      | Revenue Center          | Order Count | Item Count | Gross Amt     |
|                      | Patio                   |             |            |               |
|                      | Dining Room             |             |            |               |
|                      | Bar                     |             |            |               |
|                      | No Revenue Center       |             |            |               |
| Dining Options       | Dining Option           | Order Count | Net Sales  |               |
|                      | Dine In                 |             |            |               |
|                      | None                    |             |            |               |
|                      |                         |             |            |               |
| Taxes                | Tax                     | Order Count | Tax Amount | Net Sales     |

## Summary

|                          |                            |                    |                   |                |
|--------------------------|----------------------------|--------------------|-------------------|----------------|
|                          | State Tax                  |                    |                   |                |
|                          | Non Taxable                |                    |                   |                |
|                          |                            |                    |                   |                |
| <b>Service Charges</b>   | <b>Service Charge</b>      | <b>Count</b>       | <b>Amount</b>     |                |
|                          |                            |                    |                   |                |
|                          |                            |                    |                   |                |
| <b>Menu Item Discour</b> | <b>Discount</b>            | <b>Count</b>       | <b>Amount</b>     |                |
|                          | Open % Item                |                    |                   |                |
|                          |                            |                    |                   |                |
|                          |                            |                    |                   |                |
| <b>Check Discounts</b>   | <b>Discount</b>            | <b>Count</b>       | <b>Amount</b>     |                |
|                          | Open % Check               |                    |                   |                |
|                          |                            |                    |                   |                |
|                          |                            |                    |                   |                |
| <b>Sales by Service</b>  | <b>Service</b>             | <b>Orders</b>      | <b>Net Sales</b>  |                |
|                          | Dinner                     |                    |                   |                |
|                          | Lunch                      |                    |                   |                |
|                          | No Service                 |                    |                   |                |
|                          |                            |                    |                   |                |
|                          |                            |                    |                   |                |
| <b>Voids</b>             | <b>Amount</b>              | <b>Order Count</b> | <b>Item Count</b> | <b>Percent</b> |
|                          |                            |                    |                   |                |
|                          |                            |                    |                   |                |
|                          |                            |                    |                   |                |
| <b>Cash Summary</b>      |                            |                    |                   |                |
|                          | <b>Total Cash Payments</b> |                    |                   |                |
|                          | Cash Adjustments           |                    |                   |                |
|                          | <b>Cash before Tipouts</b> |                    |                   |                |
|                          | Cash Gratuity              |                    |                   |                |
|                          | Credit / Non-Cash gratuity |                    |                   |                |
|                          | Credit / Non-Cash tips     |                    |                   |                |
|                          | <b>Total Cash</b>          |                    |                   |                |

## Summary

[illegible]

## Summary

[illegible]

## Summary

[illegible]

## Summary

[illegible]

## Summary

[illegible]

## Summary

[illegible]



## Summary

[illegible]

## Summary

[illegible]

# Hourly Breakdown

| Hour | Net Sales | Order Count | Guest Count |  |
|------|-----------|-------------|-------------|--|
| 4    | \$0.00    | 0           | 0           |  |
| 5    | \$0.00    | 0           | 0           |  |
| 6    | \$0.00    | 0           | 0           |  |
| 7    | \$0.00    | 0           | 0           |  |
| 8    | \$0.00    | 0           | 0           |  |
| 9    | \$0.00    | 0           | 0           |  |
| 10   | \$0.00    | 0           | 0           |  |
| 11   | \$0.00    | 0           | 0           |  |
| 12   | \$0.00    | 0           | 0           |  |
| 13   | \$0.00    | 0           | 0           |  |
| 14   | \$0.00    | 0           | 0           |  |
| 15   | \$0.00    | 0           | 0           |  |
| 16   | \$0.00    | 0           | 0           |  |
| 17   | \$0.00    | 0           | 0           |  |
| 18   | \$0.00    | 0           | 0           |  |
| 19   | \$0.00    | 0           | 0           |  |
| 20   | \$0.00    | 0           | 0           |  |
| 21   | \$0.00    | 0           | 0           |  |
| 22   | \$0.00    | 0           | 0           |  |
| 23   | \$0.00    | 0           | 0           |  |
| 0    | \$0.00    | 0           | 0           |  |
| 1    | \$0.00    | 0           | 0           |  |
| 2    | \$0.00    | 0           | 0           |  |
| 3    | \$0.00    | 0           | 0           |  |
|      |           |             |             |  |
|      |           |             |             |  |
|      |           |             |             |  |
|      |           |             |             |  |
|      |           |             |             |  |
|      |           |             |             |  |
|      |           |             |             |  |

### Weekday Breakdown

| Weekday | Net Sales | Order Count | Guest Count |  |
|---------|-----------|-------------|-------------|--|
| M       | \$0.00    | 0           | 0           |  |
| T       | \$0.00    | 0           | 0           |  |
| W       | \$0.00    | 0           | 0           |  |
| T       | \$0.00    | 0           | 0           |  |
| F       | \$0.00    | 0           | 0           |  |
| S       | \$0.00    | 0           | 0           |  |
| S       | \$0.00    | 0           | 0           |  |
|         |           |             |             |  |
|         |           |             |             |  |
|         |           |             |             |  |
|         |           |             |             |  |
|         |           |             |             |  |
|         |           |             |             |  |

Summary

| Sales Summary Export |                         |             |            |               |
|----------------------|-------------------------|-------------|------------|---------------|
| 3/07/20 - 3/07/20    |                         |             |            |               |
|                      |                         |             |            |               |
| Sales Summary        | Net Sales               | Tax         | Gratuity   | Tips          |
|                      | \$0.00                  | \$0.00      | \$0.00     | \$0.00        |
|                      |                         |             |            |               |
|                      | Guest Count             | Order Count | Discounts  | Tips Withheld |
|                      |                         | 0           | 0          | \$0.00        |
|                      |                         |             |            |               |
| Payment Summary      | Payment Type            | Count       | Amount     | Tips          |
|                      | Credit                  |             |            |               |
|                      | Cash                    |             |            |               |
|                      | Other                   |             |            |               |
|                      | Total                   |             |            |               |
|                      |                         |             |            |               |
|                      | Credit Types            |             |            |               |
|                      |                         |             |            |               |
|                      | Alternate Payment Types |             |            |               |
|                      |                         |             |            |               |
| Sales Categories     | Category                | Order Count | Item Count | Gross Amt     |
|                      | Can Beer                |             |            |               |
|                      | Wine                    |             |            |               |
|                      | Bucket Beer             |             |            |               |
|                      | Draft Beer              |             |            |               |
|                      | Retail                  |             |            |               |
|                      | Bottled Beer            |             |            |               |
|                      | Liquor                  |             |            |               |
|                      | NA Beverage             |             |            |               |
|                      | Food                    |             |            |               |
|                      | No Category             | 0           |            |               |
|                      | Total                   |             |            | 0             |
|                      |                         |             |            |               |
| Revenue Centers      | Revenue Center          | Order Count | Item Count | Gross Amt     |
|                      | Patio                   |             |            |               |
|                      | Dining Room             |             |            |               |
|                      | Bar                     |             |            |               |
|                      | No Revenue Cen          | 0           |            |               |
|                      |                         |             |            |               |
| Dining Options       | Dining Option           | Order Count | Net Sales  |               |
|                      | None                    | 0           | 0          |               |
|                      |                         |             |            |               |
| Taxes                | Tax                     | Order Count | Tax Amount | Net Sales     |
|                      | Non Taxable             | 0           |            | 0             |
|                      |                         |             |            |               |
| Service Charges      | Service Charge          | Count       | Amount     |               |
|                      |                         |             |            |               |
|                      |                         |             |            |               |

# Summary

| Menu Item Discour | Discount                   | Count       | Amount     |         |
|-------------------|----------------------------|-------------|------------|---------|
|                   |                            |             |            |         |
|                   |                            |             |            |         |
| Check Discounts   | Discount                   | Count       | Amount     |         |
|                   |                            |             |            |         |
|                   |                            |             |            |         |
| Sales by Service  | Service                    | Orders      | Net Sales  |         |
|                   | Dinner                     | 0           | \$0.00     |         |
|                   | Lunch                      | 0           | \$0.00     |         |
|                   | No Service                 | 0           | \$0.00     |         |
|                   |                            |             |            |         |
|                   |                            |             |            |         |
| Voids             | Amount                     | Order Count | Item Count | Percent |
|                   | \$0.00                     | 0           | 0          | 100.0%  |
|                   |                            |             |            |         |
|                   |                            |             |            |         |
| Cash Summary      |                            |             |            |         |
|                   | Total Cash Payments        |             | \$0.00     |         |
|                   | Cash Adjustments           |             | \$0.00     |         |
|                   | Cash before Tipouts        |             | \$0.00     |         |
|                   | Cash Gratuity              |             | -\$0.00    |         |
|                   | Credit / Non-Cash gratuity |             | -\$0.00    |         |
|                   | Credit / Non-Cash tips     |             | -\$0.00    |         |
|                   | Total Cash                 |             | \$0.00     |         |

## Summary

[illegible]

## Summary

[illegible]



## Summary

[illegible]

## Summary

[illegible]

## Summary

[illegible]

## Summary

[illegible]

## Summary

[illegible]

## Summary

[illegible]

# Hourly Breakdown

| Hour | Net Sales | Order Count | Guest Count |  |
|------|-----------|-------------|-------------|--|
| 4    | \$0.00    | 0           | 0           |  |
| 5    | \$0.00    | 0           | 0           |  |
| 6    | \$0.00    | 0           | 0           |  |
| 7    | \$0.00    | 0           | 0           |  |
| 8    | \$0.00    | 0           | 0           |  |
| 9    | \$0.00    | 0           | 0           |  |
| 10   | \$0.00    | 0           | 0           |  |
| 11   | \$0.00    | 0           | 0           |  |
| 12   | \$0.00    | 0           | 0           |  |
| 13   | \$0.00    | 0           | 0           |  |
| 14   | \$0.00    | 0           | 0           |  |
| 15   | \$0.00    | 0           | 0           |  |
| 16   | \$0.00    | 0           | 0           |  |
| 17   | \$0.00    | 0           | 0           |  |
| 18   | \$0.00    | 0           | 0           |  |
| 19   | \$0.00    | 0           | 0           |  |
| 20   | \$0.00    | 0           | 0           |  |
| 21   | \$0.00    | 0           | 0           |  |
| 22   | \$0.00    | 0           | 0           |  |
| 23   | \$0.00    | 0           | 0           |  |
| 0    | \$0.00    | 0           | 0           |  |
| 1    | \$0.00    | 0           | 0           |  |
| 2    | \$0.00    | 0           | 0           |  |
| 3    | \$0.00    | 0           | 0           |  |
|      |           |             |             |  |
|      |           |             |             |  |
|      |           |             |             |  |
|      |           |             |             |  |
|      |           |             |             |  |
|      |           |             |             |  |
|      |           |             |             |  |

Weekday Breakdown

| Weekday | Net Sales | Order Count | Guest Count |  |
|---------|-----------|-------------|-------------|--|
| M       | \$0.00    | 0           | 0           |  |
| T       | \$0.00    | 0           | 0           |  |
| W       | \$0.00    | 0           | 0           |  |
| T       | \$0.00    | 0           | 0           |  |
| F       | \$0.00    | 0           | 0           |  |
| S       | \$0.00    | 0           | 0           |  |
| S       | \$0.00    | 0           | 0           |  |
|         |           |             |             |  |
|         |           |             |             |  |
|         |           |             |             |  |
|         |           |             |             |  |
|         |           |             |             |  |
|         |           |             |             |  |



## Summary

| Sales Summary Export |                         |             |                |                |
|----------------------|-------------------------|-------------|----------------|----------------|
| 8/14/20 - 8/14/20    |                         |             |                |                |
|                      |                         |             |                |                |
| Sales Summary        | Net Sales               | Tax         | Gratuity       | Tips           |
|                      | \$4,511.05              | \$361.45    | \$0.00         | \$947.38       |
|                      |                         |             |                |                |
|                      | Guest Count             | Order Count | Discounts      | Tips Withheld  |
|                      | 196                     | 66          | 115.55         | \$0.00         |
|                      |                         |             |                |                |
| Payment Summary      | Payment Type            | Count       | Amount         | Tips           |
|                      | Credit                  | 82          | 4177.28        | 660.38         |
|                      | Cash                    | 22          | 695.22         | 287            |
|                      | Other                   |             |                |                |
|                      | <b>Total</b>            | <b>104</b>  | <b>4872.50</b> | <b>947.38</b>  |
|                      |                         |             |                |                |
|                      | Credit Types            |             |                |                |
|                      | Amex                    | 1           | 89.04          | 16             |
|                      | Discover                | 4           | 159.31         | 30.4           |
|                      | Mastercard              | 21          | 1277.1         | 213.4          |
|                      | Visa                    | 56          | 2651.83        | 400.58         |
|                      |                         |             |                |                |
|                      | Alternate Payment Types |             |                |                |
|                      |                         |             |                |                |
| Sales Categories     | Category                | Order Count | Item Count     | Gross Amt      |
|                      | Can Beer                | 16          | 24             | 95.38          |
|                      | Wine                    |             |                |                |
|                      | Bucket Beer             |             |                |                |
|                      | Draft Beer              | 21          | 45             | 262.92         |
|                      | Retail                  |             |                |                |
|                      | Bottled Beer            | 7           | 11             | 52.79          |
|                      | Liquor                  | 19          | 123            | 948.15         |
|                      | NA Beverage             | 39          | 144            | 1356.54        |
|                      | Food                    | 45          | 159            | 1895.08        |
|                      | No Category             | 0           |                |                |
|                      | <b>Total</b>            |             |                | <b>4610.86</b> |
|                      |                         |             |                |                |
| Revenue Centers      | Revenue Center          | Order Count | Item Count     | Gross Amt      |
|                      | Patio                   | 49          | 359            | 3331.72        |
|                      | Dining Room             |             |                |                |
|                      | Bar                     | 16          | 145            | 1279.14        |
|                      | No Revenue Cen          | 0           |                |                |
|                      |                         |             |                |                |
| Dining Options       | Dining Option           | Order Count | Net Sales      |                |
|                      | Dine In                 | 68          | 4511.05        |                |
|                      | None                    | 0           | 0              |                |
|                      |                         |             |                |                |
|                      |                         |             |                |                |
| Taxes                | Tax                     | Order Count | Tax Amount     | Net Sales      |

# Summary

|                          |                            |                    |                   |                |
|--------------------------|----------------------------|--------------------|-------------------|----------------|
|                          | State Tax                  |                    | 361.45            | 4511.05        |
|                          | Non Taxable                | 1                  |                   | 0              |
|                          |                            |                    |                   |                |
| <b>Service Charges</b>   | <b>Service Charge</b>      | <b>Count</b>       | <b>Amount</b>     |                |
|                          |                            |                    |                   |                |
|                          |                            |                    |                   |                |
| <b>Menu Item Discour</b> | <b>Discount</b>            | <b>Count</b>       | <b>Amount</b>     |                |
|                          | Open % Item                | 1                  | 2.25              |                |
|                          | Shift Drink                | 1                  | 7.87              |                |
|                          |                            |                    |                   |                |
|                          |                            |                    |                   |                |
| <b>Check Discounts</b>   | <b>Discount</b>            | <b>Count</b>       | <b>Amount</b>     |                |
|                          | Employee Discou            | 5                  | 71.17             |                |
|                          | Manager Comp -             | 1                  | 25                |                |
|                          | Open \$ Check              | 1                  | 9.26              |                |
|                          |                            |                    |                   |                |
|                          |                            |                    |                   |                |
| <b>Sales by Service</b>  | <b>Service</b>             | <b>Orders</b>      | <b>Net Sales</b>  |                |
|                          | Dinner                     | 59                 | \$4,134.58        |                |
|                          | Lunch                      | 9                  | \$376.47          |                |
|                          | No Service                 | 0                  | \$0.00            |                |
|                          |                            |                    |                   |                |
|                          |                            |                    |                   |                |
| <b>Voids</b>             | <b>Amount</b>              | <b>Order Count</b> | <b>Item Count</b> | <b>Percent</b> |
|                          | \$148.27                   | 5                  | 15                | 3.3%           |
|                          |                            |                    |                   |                |
|                          |                            |                    |                   |                |
| <b>Cash Summary</b>      |                            |                    |                   |                |
|                          | <b>Total Cash Payments</b> |                    | <b>\$695.22</b>   |                |
|                          | Cash Adjustments           |                    | \$0.00            |                |
|                          | <b>Cash before Tipouts</b> |                    | <b>\$695.22</b>   |                |
|                          | Cash Gratuity              |                    | -\$0.00           |                |
|                          | Credit / Non-Cash gratuity |                    | -\$0.00           |                |
|                          | Credit / Non-Cash tips     |                    | -\$660.38         |                |
|                          | <b>Total Cash</b>          |                    | <b>\$695.22</b>   |                |

## Summary

[illegible]

## Summary

[illegible]

## Summary

[illegible]

## Summary

[illegible]

## Summary

[illegible]

## Summary

[illegible]



## Summary

[illegible]

## Summary

[illegible]

# Hourly Breakdown

| Hour | Net Sales | Order Count | Guest Count |  |
|------|-----------|-------------|-------------|--|
| 4    | \$0.00    | 0           | 0           |  |
| 5    | \$0.00    | 0           | 0           |  |
| 6    | \$0.00    | 0           | 0           |  |
| 7    | \$0.00    | 0           | 0           |  |
| 8    | \$0.00    | 0           | 0           |  |
| 9    | \$0.00    | 0           | 0           |  |
| 10   | \$0.00    | 0           | 0           |  |
| 11   | \$0.00    | 0           | 0           |  |
| 12   | \$30.78   | 1           | 2           |  |
| 13   | \$98.94   | 2           | 6           |  |
| 14   | \$118.34  | 3           | 6           |  |
| 15   | \$128.41  | 3           | 7           |  |
| 16   | \$43.15   | 1           | 2           |  |
| 17   | \$568.90  | 9           | 24          |  |
| 18   | \$878.24  | 10          | 33          |  |
| 19   | \$908.98  | 12          | 39          |  |
| 20   | \$434.50  | 5           | 19          |  |
| 21   | \$628.77  | 11          | 34          |  |
| 22   | \$672.04  | 9           | 24          |  |
| 23   | \$0.00    | 0           | 0           |  |
| 0    | \$0.00    | 0           | 0           |  |
| 1    | \$0.00    | 0           | 0           |  |
| 2    | \$0.00    | 0           | 0           |  |
| 3    | \$0.00    | 0           | 0           |  |
|      |           |             |             |  |
|      |           |             |             |  |
|      |           |             |             |  |
|      |           |             |             |  |
|      |           |             |             |  |
|      |           |             |             |  |

### Weekday Breakdown

| Weekday | Net Sales  | Order Count | Guest Count |  |
|---------|------------|-------------|-------------|--|
| M       | \$0.00     | 0           | 0           |  |
| T       | \$0.00     | 0           | 0           |  |
| W       | \$0.00     | 0           | 0           |  |
| T       | \$0.00     | 0           | 0           |  |
| F       | \$4,511.05 | 66          | 196         |  |
| S       | \$0.00     | 0           | 0           |  |
| S       | \$0.00     | 0           | 0           |  |
|         |            |             |             |  |
|         |            |             |             |  |
|         |            |             |             |  |
|         |            |             |             |  |
|         |            |             |             |  |
|         |            |             |             |  |



Dena Libner &lt;dlibner@portlandmaine.gov&gt;

**Re:**

2 messages

**Kate Snyder** <ksnyder@portlandmaine.gov>

Mon, Jun 7, 2021 at 9:59 AM

To: Christine Arsenault <carsenault3@gmail.com>, Dena Libner <dlibner@portlandmaine.gov>, Jessica Grondin <jgrondin@portlandmaine.gov>, Katherine Jones <klj@portlandmaine.gov>  
 Cc: "council@portlandmaine.gov" <council@portlandmaine.gov>

Christine - I have cc'd city staff here so that we're sure to add your letter into the back up materials. Thanks,  
 Kate

On Mon, Jun 7, 2021 at 8:29 AM Christine Arsenault <[carsenault3@gmail.com](mailto:carsenault3@gmail.com)> wrote:

Will you plz upload the letter I sent on Friday? Here it is in case you need it again. Thank you

To The City of Portland Council Members,

Hi, my name is Christine Arsenault. I live at [56 Parris Street](#).

I keep hearing talk of The Yard as "bad neighbors" and it confuses me. Maybe I'm bias, but let's be real here. The sound of music playing is not offensive to me. To me, it means a musician is being paid, a bartender/server is making money and a small business in my neighborhood actually survived the craziness of the last 15 months. Shouldn't we give this business/venue a high five? Jay and his staff are responsible and kind. "Good neighbors," I would say. He has shown an ability to adapt to life circumstances with optimism and hard work. Isn't this what we want, not to throw another obstacle their way?

The rooftop plan was approved by the city planning board three years ago. And, they also approved Lancaster Court to have two more bar/restaurants. What exactly is the purpose of planning and development if nobody sticks to the plans?

I'm certainly not ecstatic over some of the changes happening in my neighborhood but a license was granted and plans were made. If the only complaint is "noise" and the music has never exceeded the decibel maximum, what exactly is the issue? There have been no bar fights, over serving, serving of minors or any other kind of violation. Nothing except noise. It's strange, I get SeeClickFix alerts about The Yard when it's not even open.

Many of us know I can recite a long list of the bad neighborhood encounters I have had. But, my car that got stolen and lived in was found, I've boarded up my basement windows so people can't use drugs and sleep below my bedroom, I replaced my stolen property and I have installed security cameras. I guess you can say I've adapted. Maybe in this situation some noise cancellation ear-buds will help?

I have absolutely no complaints about The Yard. I only have respect as a fellow industry person.

I'm beginning to wonder if maybe the planning process and how things become approved is the problem. In my opinion, it's bad policy to take a good persons business away when they have done absolutely nothing wrong.

Let's support small businesses, local musicians and restaurant/bars. We need all the help we can get!

Thank you for your service.

Christine

--  
 Kate Merchant Snyder, Mayor  
 Portland, Maine  
 Office: 207-874-8941

**Notice: Under Maine law, documents - including e-mails - in the possession of public officials or city employees about government business may be classified as public records. There are very few exceptions. As a result,**

*please be advised that what is written in an e-mail could be released to the public and/or the media if requested.*

**Jon Jennings** <jpj@portlandmaine.gov>  
To: Dena Libner <dlibner@portlandmaine.gov>

Mon, Jun 7, 2021 at 10:00 AM

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

From: **Nick Mavodones** <nmm@portlandmaine.gov>  
Date: Mon, Jun 7, 2021 at 8:35 AM  
Subject: Fwd:  
To: Jon Jennings <jpj@portlandmaine.gov>

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

From: **Christine Arsenault** <carsenault3@gmail.com>  
Date: Mon, Jun 7, 2021 at 8:29 AM  
Subject:  
To: [council@portlandmaine.gov](mailto:council@portlandmaine.gov) <[council@portlandmaine.gov](mailto:council@portlandmaine.gov)>

Will you plz upload the letter I sent on Friday? Here it is in case you need it again. Thank you

To The City of Portland Council Members,

Hi, my name is Christine Arsenault. I live at [56 Parris Street](#).

I keep hearing talk of The Yard as "bad neighbors" and it confuses me. Maybe I'm bias, but let's be real here. The sound of music playing is not offensive to me. To me, it means a musician is being paid, a bartender/server is making money and a small business in my neighborhood actually survived the craziness of the last 15 months. Shouldn't we give this business/venue a high five? Jay and his staff are responsible and kind. "Good neighbors," I would say. He has shown an ability to adapt to life circumstances with optimism and hard work. Isn't this what we want, not to throw another obstacle their way?

The rooftop plan was approved by the city planning board three years ago. And, they also approved Lancaster Court to have two more bar/restaurants. What exactly is the purpose of planning and development if nobody sticks to the plans?

I'm certainly not ecstatic over some of the changes happening in my neighborhood but a license was granted and plans were made. If the only complaint is "noise" and the music has never exceeded the decibel maximum, what exactly is the issue? There have been no bar fights, over serving, serving of minors or any other kind of violation. Nothing except noise. It's strange, I get SeeClickFix alerts about The Yard when it's not even open.

Many of us know I can recite a long list of the bad neighborhood encounters I have had. But, my car that got stolen and lived in was found, I've boarded up my basement windows so people can't use drugs and sleep below my bedroom, I replaced my stolen property and I have installed security cameras. I guess you can say I've adapted. Maybe in this situation some noise cancellation ear-buds will help?

I have absolutely no complaints about The Yard. I only have respect as a fellow industry person.

I'm beginning to wonder if maybe the planning process and how things become approved is the problem. In my opinion, it's bad policy to take a good persons business away when they have done absolutely nothing wrong.

Let's support small businesses, local musicians and restaurant/bars. We need all the help we can get!

Thank you for your service.

Christine

--

Nick Mavodones City Council At-Large 389 Congress Street Portland ME 04101 (207) 874-8685  
[nmm@portlandmaine.gov](mailto:nmm@portlandmaine.gov) Sent from Gmail Mobile

--

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



Dena Libner &lt;dlibner@portlandmaine.gov&gt;

---

**Fwd: Order 277 - Landlord Letter in Support of Whiskey Barrel LLC dba The Yard**

1 message

---

**Jessica Hanscombe** <jhanscombe@portlandmaine.gov>  
To: Dena Libner <dlibner@portlandmaine.gov>

Mon, Jun 7, 2021 at 10:32 AM

This got sent to every councilor individually....

Jessica Blais Hanscombe  
Director of Permitting and Inspections  
[City of Portland](#)  
[389 Congress Street](#)  
[Portland, Maine 04101](#)  
[207-874-8783](#)  
[jhanscombe@portlandmaine.gov](mailto:jhanscombe@portlandmaine.gov)

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

From: **Amalia Tardiff** <[atardiff@portproperty.com](mailto:atardiff@portproperty.com)>  
Date: Mon, Jun 7, 2021 at 10:26 AM  
Subject: Order 277 - Landlord Letter in Support of Whiskey Barrel LLC dba The Yard  
To: [bsr@portlandmaine.gov](mailto:bsr@portlandmaine.gov) <[bsr@portlandmaine.gov](mailto:bsr@portlandmaine.gov)>  
Cc: john ferrara <[john.j.ferrara@icloud.com](mailto:john.j.ferrara@icloud.com)>, [jhanscombe@portlandmaine.gov](mailto:jhanscombe@portlandmaine.gov) <[jhanscombe@portlandmaine.gov](mailto:jhanscombe@portlandmaine.gov)>

Councilor Ray,

My name is Amalia Tardiff. I am the Commercial Property Manager for Port Property. I'm writing today regarding Order 277 on your agenda this evening.

Port Property supports the renewal of a Combined Entertainment License for the Whiskey Barrel LLC dba The Yard, located at our at our property, 82 Hanover Street.

The Yard has been located at 82 Hanover Street since May 2019. Throughout that time, they have been an excellent tenant with a positive presence that contributes to the vibrancy we set out to create when developing this location.

We understand there may be some discussion tonight regarding noise complaints. We have many tenants in Bayside, both residential and commercial, and we take noise complaints very seriously. However, we have not received any such complaints from other tenants or neighbors regarding noise from The Yard. We do have a process in place for handling noise complaints with our tenants, should we receive any complaints in the future related to The Yard.

Thank you for your consideration. Please let me know if you have any questions.

Best,



Amalia Tardiff

Commercial Property Manager



[82 Hanover Street, Suite 5 | Portland, ME 04101](#)

Direct: 207.210.6859

Fax: 207.761.0770

[Portproperty.com](http://Portproperty.com)

**MEMORANDUM**  
**City Council Agenda Item**

**FROM:**

**DATE:** May 25, 2021

**SUBJECT:** COUNCIL ACTION ON THE MUNICIPAL BUDGET WILL TAKE PLACE AFTER PUBLIC COMMENT. PUBLIC COMMENT AND FIRST READS OF ALL MUNICIPAL BUDGET ORDERS TOOK PLACE MAY 17, 2021.

**SPONSOR:**

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

**COUNCIL MEETING DATE ACTION IS REQUESTED:**

**1st Reading**

**Final Action**

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

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

**I. SUMMARY**

**II. AGENDA DESCRIPTION**

**III. BACKGROUND**

**IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED**

**V. FINANCIAL IMPACT**

**VI. STAFF ANALYSIS AND BACKGROUND**

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

**VII. RECOMMENDATION**

**VIII. LIST ATTACHMENTS**

None

Prepared by:

Date: 5/25/2021

**MEMORANDUM**  
**City Council Agenda Item**

**FROM:**

**DATE:** May 17, 2021

**SUBJECT:** Order 248-20/21 Approving Fiscal Year 2022 Administrative Fees in the Permitting & Inspections and Parks Recreation & Facilities Departments - Sponsored by Jon P. Jennings, City Manager

**SPONSOR:**

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

**COUNCIL MEETING DATE ACTION IS REQUESTED:**

**1st Reading**

**Final Action**

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

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

**I. SUMMARY**

**II. AGENDA DESCRIPTION**

This order authorizes certain administrative charges in the Permitting & Inspections (Electrical Fees) and Parks, Recreation & Facilities (Athletic Facilities & Aquatics) Departments.

This item must be read on two separate days. It received its first reading on May 17, 2021. Five affirmative votes are required for passage after public comment.

**III. BACKGROUND**

**IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED**

**V. FINANCIAL IMPACT**

**VI. STAFF ANALYSIS AND BACKGROUND**

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

**VII. RECOMMENDATION**

**VIII. LIST ATTACHMENTS**

1. 1. Administrative Fee re Crash Response 5.17.2021

Prepared by:

Date: 5/17/2021



KATE SNYDER (MAYOR)  
BELINDA S. RAY (1)  
SPENCER R. THIBODEAU (2)  
TAE Y. CHONG (3)  
ANDREW ZARRO (4)

**CITY OF PORTLAND  
IN THE CITY COUNCIL**

MARK DION (5)  
APRIL D. FOURNIER(A/L)  
PIOUS ALI (A/L)  
NICHOLAS M. MAVODONES, JR (A/L)

**ORDER APPROVING FISCAL YEAR 2022 ADMINISTRATIVE FEES  
IN THE PERMITTING AND INSPECTIONS AND  
PARKS, RECREATION AND FACILITIES DEPARTMENTS**

**ORDERED**, that Electrical Fees, as shown in the schedule attached hereto from the Permitting and Inspections Department as Exhibit A, are hereby approved; and

**BE IT FURTHER ORDERED**, that Athletic Facilities and Aquatics Fees, as shown in the schedule attached hereto from the Parks, Recreation & Facilities Department as Exhibit B, are hereby approved; and

**BE IT FURTHER ORDERED**, that these fees shall be effective on July 1, 2021.

# EXHIBIT A

## FY22 REVENUE FEE SCHEDULE CHANGE

### Department: Permitting and Inspections

#### Electrical Permit Fees - Administrative

| Account #       | Revenue Description                                                                             | FY22        |                   |
|-----------------|-------------------------------------------------------------------------------------------------|-------------|-------------------|
|                 |                                                                                                 | Current Fee | Proposed Fee      |
| 10025200-326040 | Minimum Fee (in lieu of individual fees, where greater) Residential                             | 45.00       | ---               |
|                 | Minimum Fee (in lieu of individual fees, where greater) Commercial                              | 55.00       | ---               |
|                 | Administrative Fee/Minimum Fee (fee + line items)                                               | ---         | 75.00             |
|                 | After the Fact permit                                                                           | 100.00      | Double permit fee |
|                 | Air Conditioners - Central Unit (each)                                                          | 10.00       | ---               |
|                 | Air Conditioners - Window Units                                                                 | 3.00        | ---               |
|                 | Alterations to Existing Wiring                                                                  | 5.00        | ---               |
|                 | Circuses, Carnivals, Fairs Etc.                                                                 | 25.00       | ---               |
|                 | Mass Gathering (special events)                                                                 | ---         | 75.00             |
|                 | Emergency Lighting, Battery Units (each)                                                        | 1.00        | ---               |
|                 | Fire and Burglar Alarm Systems (residential)                                                    | 5.00        | ---               |
|                 | Fire and Burglar Alarm Systems (commercial and industrial)                                      | 15.00       | ---               |
|                 | Low Voltage (burglar alarms, fire alarms, fiber optics, data)/per system                        | ---         | 25.00             |
|                 | Generator                                                                                       | 20.00       | ---               |
|                 | Generator (up to 50KW)                                                                          | ---         | 40.00             |
|                 | Generator (51KW up to 200KW)                                                                    | ---         | 60.00             |
|                 | Generator (200KW and above)                                                                     | ---         | 200.00            |
|                 | Interior Transformers (0-25 kva) each                                                           | 5.00        | ---               |
|                 | Interior Transformers (25kva-200kva) each                                                       | 8.00        | ---               |
|                 | Interior Transformers (more than 200kva) each                                                   | 10.00       | ---               |
|                 | Transformers up to 15KVA                                                                        | ---         | 25.00             |
|                 | Transformers 16KVA up to 50KVA                                                                  | ---         | 40.00             |
|                 | Transformers 51KVA up to 250KVA                                                                 | ---         | 60.00             |
|                 | Motors (each)                                                                                   | 2.00        | ---               |
|                 | Motors (Fractional up to 5 HP)                                                                  | ---         | 10.00             |
|                 | Motors (6HP-15HP)                                                                               | ---         | 15.00             |
|                 | Motors (16HP-25HP)                                                                              | ---         | 20.00             |
|                 | Motors Above 25HP, each increment of 5HP                                                        | ---         | 4.00              |
|                 | Outside lighting and signs                                                                      | 10.00       | ---               |
|                 | Temporary Signs (electrical only)                                                               | ---         | 30.00             |
|                 | Permanent Signs (electrical only)                                                               | ---         | 30.00             |
|                 | Receptacles, Switches and Fixtures (each)                                                       | 0.20        | ---               |
|                 | Outlets (receptacles/lights/drops) 1-20                                                         | ---         | 12.00             |
|                 | Outlets (receptacles/lights/drops) 21-50                                                        | ---         | 25.00             |
|                 | Outlets (receptacles/lights/drops) 51-100                                                       | ---         | 40.00             |
|                 | Outlets (receptacles/lights/drops) greater than 101(each)                                       | ---         | 0.50              |
|                 | AFCI/GFCI Devices (each)                                                                        | ---         | 5.00              |
|                 | Exhaust Fans (each)                                                                             | ---         | 5.00              |
|                 | 120V, Dedicated Circuits (dishwasher, disposal, washer, refrigerators, sump pumps, etc.) (each) | ---         | 5.00              |

## FY22 REVENUE FEE SCHEDULE CHANGE

### Department: Permitting and Inspections

#### Electrical Permit Fees - Administrative (cont.)

|                            |                                                                                                    | FY22        |              |
|----------------------------|----------------------------------------------------------------------------------------------------|-------------|--------------|
| Account #                  | Revenue Description                                                                                | Current Fee | Proposed Fee |
| unit heaters, etc.) (each) | 240v (208), Dedicated Circuits up to 50amps (dryer, range, compressors, condensers, water heaters, | ---         | 10.00        |
|                            | 240v (208V) dedicated circuits 51A up to 200A (each)                                               | ---         | 20.00        |
|                            | Dedicated Circuits 50A up to 200A                                                                  | ---         | 30.00        |
|                            | Central fuel fired heating equipment (boilers, furnaces, wall hung units) (each) ---               | ---         | 20.00        |
|                            | Repair after fire                                                                                  | 15.00       | ---          |
|                            | Single Phase Service up to 200A                                                                    | ---         | 25.00        |
|                            | Single Phase Service 201A up to 600A                                                               | ---         | 45.00        |
|                            | Three Phase Service up to 200A                                                                     | ---         | 40.00        |
|                            | Three Phase Service 201A up to 600A                                                                | ---         | 60.00        |
|                            | Three Phase Service 601A up to 2,000A                                                              | ---         | 100.00       |
|                            | Three Phase Service 2,001A and Above                                                               | ---         | 150.00       |
|                            | Pools (above and underground)                                                                      | ---         | 50.00        |
|                            | Sauna Hot Tubs & Spas                                                                              | ---         | 40.00        |
|                            | Sub Panels (Remote from the Main)                                                                  | ---         | 15.00        |
|                            | Per Meter Charge                                                                                   | ---         | 7.50         |
|                            | Solar Array up to 25KW                                                                             | ---         | 50.00        |
|                            | Solar Array 26KW up to 50KW                                                                        | ---         | 100.00       |
|                            | Solar Array 51KW upto 200KW                                                                        | ---         | 150.00       |
|                            | Each additional KW above 200KW (each)                                                              | ---         | 10.00        |
|                            | Line Voltage Smoke/Heat/CO Detectors                                                               | ---         | 7.50         |
|                            | Manufactured/Modular units                                                                         | ---         | 30.00        |
|                            | Hazardous/Classified Wiring Systems                                                                | ---         | 40.00        |

--- Fee structure change proposal. Minimum fees last changed Order# 243 05/06; remaining fees last changed prior to 2000.

## EXHIBIT B

### FY22 Revenue Fee Schedule Change

Department: Parks, Recreation & Facilities Division: Athletic Facilities

Effective: 7/1/2021

| <u>Account Number</u>                      | <u>Revenue Description</u>          | <u>Current Rates</u> | <u>FY22 Proposed Rates</u> |
|--------------------------------------------|-------------------------------------|----------------------|----------------------------|
| <b>Fitzpatrick &amp; Memorial Stadiums</b> |                                     |                      |                            |
| <b>Without Lights, Per Hour</b>            |                                     |                      |                            |
| 10033204 367000                            | Resident Youth Groups               | \$50                 | \$50                       |
| 10033204 367000                            | Resident Adult Groups               | \$95                 | \$95                       |
| 10033204 367000                            | Non-Resident Youth Groups           | \$90                 | \$90                       |
| 10033204 367000                            | Non-Resident Adult Groups           | \$170                | \$170                      |
| <b>Fitzpatrick &amp; Memorial Stadiums</b> |                                     |                      |                            |
| <b>With Lights, Per Hour</b>               |                                     |                      |                            |
| 10033204 367000                            | Resident Youth Groups               | \$125                | \$125                      |
| 10033204 367000                            | Resident Adult Groups               | \$170                | \$170                      |
| 10033204 367000                            | Non-Resident Youth Groups           | \$165                | \$165                      |
| 10033204 367000                            | Non-Resident Adult Groups           | \$265                | \$265                      |
| <b>All Other Athletic Fields</b>           |                                     |                      |                            |
| <b>Without Lights, Per Hour</b>            |                                     |                      |                            |
| 10033204 367000                            | Resident Adult Groups               | \$40                 | \$45                       |
| 10033204 367000                            | Non-Resident Adult Groups           | \$80                 | \$80                       |
| 10033204 367000                            | Baseball/Softball Weekend Surcharge | \$10                 | \$10                       |
| 10033204 367000                            | For Profit Youth Groups             | \$30                 | \$35                       |
| 10033204 367000                            | Non-Profit Youth Groups             | \$0                  | \$0                        |
| 10033204 367000                            | AAU/Travel Organizations            | \$30 - \$40          | \$35                       |
| <b>All Other Athletic Fields</b>           |                                     |                      |                            |
| <b>With Lights, Per Hour</b>               |                                     |                      |                            |
| 10033204 367000                            | Resident Groups                     | \$75                 | \$75                       |
| 10033204 367000                            | Non-Resident Groups                 | \$125                | \$125                      |
| 10033204 367000                            | Baseball/Softball Weekend Surcharge | \$10                 | \$10                       |
| <b>Tennis Court Rentals</b>                |                                     |                      |                            |
| <b>Tournaments, Camps, Clinics</b>         |                                     |                      |                            |
| 10033204 367000                            | Resident (If Reserved)              | \$10                 | \$10                       |
| 10033204 367000                            | Non-Resident (If Reserved)          | \$20                 | \$20                       |



**FY22 Revenue Fee Schedule Change**  
Department: Parks, Recreation & Facilities Division: Aquatics

Effective: 7/1/2021

| <u>Account Number</u>              | <u>Revenue Description</u>                                  | <u>Current Rates</u> | <u>FY22 Proposed Rates</u> |
|------------------------------------|-------------------------------------------------------------|----------------------|----------------------------|
| <b>Swimming</b>                    |                                                             |                      |                            |
| 10033303 347080                    | Child - Resident                                            | \$1.00               | \$1.00                     |
| 10033303 347080                    | Child - Non Resident                                        | \$2.00               | \$2.00                     |
| 10033303 347080                    | Teen - Resident                                             | \$1.00               | \$1.00                     |
| 10033303 347080                    | Teen - Non Resident                                         | \$2.00               | \$2.00                     |
| <b>Swimming</b>                    |                                                             |                      |                            |
| <b>Kiwanis Pool</b>                |                                                             |                      |                            |
| 10033303 347080                    | Adult - Resident                                            | \$5.50               | \$5.50                     |
| 10033303 347080                    | Adult - Non Resident                                        | \$6.00               | \$6.00                     |
| <b>Swimming</b>                    |                                                             |                      |                            |
| <b>Reiche &amp; Riverton Pools</b> |                                                             |                      |                            |
| 10033303 347080                    | Adult - Resident                                            | \$5.00               | \$5.00                     |
| 10033303 347080                    | Adult - Non Resident                                        | \$5.50               | \$5.50                     |
| 10033303 347080                    | Senior - Resident (62 & Older)                              | \$3.50               | \$3.50                     |
| 10033303 347080                    | Senior - Non Resident (62 & Older)                          | \$4.00               | \$4.00                     |
| 10033303 347080                    | Masters - Resident                                          | \$6.75               | \$6.75                     |
| 10033303 347080                    | Master - Non Resident                                       | \$7.25               | \$7.25                     |
| <b>Swimming</b>                    |                                                             |                      |                            |
| <b>Punch Cards</b>                 |                                                             |                      |                            |
| 10033303 347080                    | Adult - Resident - 12 Punch Pass                            | \$60.00              | \$60.00                    |
| 10033303 347080                    | Adult - Non Resident - 12 Punch Pass                        | \$66.00              | \$66.00                    |
| 10033303 347080                    | Adult - Resident - 20 Punch Pass                            | \$100.00             | \$100.00                   |
| 10033303 347080                    | Adult - Non Resident - 20 Punch Pass                        | \$110.00             | \$110.00                   |
| 10033303 347080                    | Adult - Resident - 40 Punch Pass                            | \$200.00             | \$200.00                   |
| 10033303 347080                    | Adult - Non Resident - 40 Punch Pass                        | \$220.00             | \$220.00                   |
| 10033303 347080                    | Kiwanis - Adult - Resident - 12 Punch Pass                  | \$66.00              | \$66.00                    |
| 10033303 347080                    | Kiwanis - Adult - Non Resident - 12 Punch Pass              | \$72.00              | \$72.00                    |
| 10033303 347080                    | Kiwanis - Adult - Resident - 20 Punch Pass                  | \$110.00             | \$110.00                   |
| 10033303 347080                    | Kiwanis - Adult - Non Resident - 20 Punch Pass              | \$120.00             | \$120.00                   |
| 10033303 347080                    | Kiwanis - Adult - Resident - 40 Punch Pass                  | \$220.00             | \$220.00                   |
| 10033303 347080                    | Kiwanis - Adult - Non Resident - 40 Punch Pass              | \$240.00             | \$240.00                   |
| 10033303 347080                    | Senior Adult - Resident - 12 Punch Pass (62 & Older)        | \$42.00              | \$42.00                    |
| 10033303 347080                    | Senior Adult - Non Resident - 12 Punch Pass (62 & Older)    | \$48.00              | \$48.00                    |
| 10033303 347080                    | Senior Adult - Resident - 20 Punch Pass (62 & Older)        | \$70.00              | \$70.00                    |
| 10033303 347080                    | Senior Adult - Non Resident - 20 Punch Pass (62 & Older)    | \$80.00              | \$80.00                    |
| 10033303 347080                    | Senior Adult - Resident - 40 Punch Pass (62 & Older)        | \$120.00             | \$140.00                   |
| 10033303 347080                    | Senior Adult - Non Resident - 40 Punch Pass (62 & Older)    | \$160.00             | \$160.00                   |
| 10033303 347080                    | Senior Adult - Resident - 6 Month Pass (62 & Older)         | \$160.00             | \$160.00                   |
| 10033303 347080                    | Senior Adult - Resident - Yearly Pass (62 & Older)          | \$280.00             | \$280.00                   |
| 10033303 347080                    | Adult Aerobics - Resident - 12 Punch Pass                   | \$60.00              | \$66.00                    |
| 10033303 347080                    | Adult Aerobics - Non Resident - 12 Punch Pass               | \$66.00              | \$72.00                    |
| 10033303 347080                    | Adult Aerobics - Resident - 20 Punch Pass                   | \$110.00             | \$110.00                   |
| 10033303 347080                    | Adult Aerobics - Non Resident - 20 Punch Pass               | \$120.00             | \$120.00                   |
| 10033303 347080                    | Senior Aerobics - Resident - 12 Punch Pass (62 & Older)     | \$48.00              | \$48.00                    |
| 10033303 347080                    | Senior Aerobics - Non Resident - 12 Punch Pass (62 & Older) | \$57.00              | \$57.00                    |
| 10033303 347080                    | Senior Aerobics - Resident - 20 Punch Pass (62 & Older)     | \$80.00              | \$80.00                    |
| 10033303 347080                    | Senior Aerobics - Non Resident - 20 Punch Pass (62 & Older) | \$95.00              | \$95.00                    |
| 10033303 347080                    | Masters - Resident - 10 Punch Pass                          | \$67.50              | \$67.50                    |
| 10033303 347080                    | Masters - Non Resident - 10 Punch Pass                      | \$72.50              | \$72.50                    |
| <b>Swimming</b>                    |                                                             |                      |                            |
| <b>Swimming Instruction</b>        |                                                             |                      |                            |
| 10033303 347080                    | Infant/Toddler/Preschool - Resident                         | \$7.00               | \$8.00                     |
| 10033303 347080                    | Infant/Toddler/Preschool - Non Resident                     | \$7.50               | \$8.50                     |
| 10033303 347080                    | Level 1 - Level 3 - Resident                                | \$7.75               | \$8.75                     |
| 10033303 347080                    | Level 1 - Level 3 - Non Resident                            | \$8.25               | \$9.25                     |
| 10033303 347080                    | Level 4 - Level 6 - Resident                                | \$8.00               | \$9.00                     |
| 10033303 347080                    | Level 4 - Level 6 - Non Resident                            | \$8.50               | \$9.50                     |
| 10033303 347080                    | Adult Aerobics - Daily - Resident                           | \$4.50               | \$5.50                     |
| 10033303 347080                    | Adult Aerobics - Daily - Non Resident                       | \$5.00               | \$6.00                     |
| 10033303 347080                    | Senior Adult Aerobics - Daily - Resident (62 & Older)       | \$3.50               | \$4.00                     |
| 10033303 347080                    | Senior Adult Aerobics - Daily - Non Resident (62 & Older)   | \$4.25               | \$4.75                     |
| <b>Swimming</b>                    |                                                             |                      |                            |
| 10033303 347080                    | Water Safety Instruction Course - Resident                  | \$302.00             | \$302.00                   |
| 10033303 347080                    | Water Safety Instruction Course - Non Resident              | \$332.00             | \$302.00                   |
| 10033303 347080                    | Private Lessons - 1/2 Hour - Resident                       | \$30.00              | \$30.00                    |
| 10033303 347080                    | Private Lessons - 1/2 Hour - Non Resident                   | \$35.00              | \$35.00                    |
| 10033303 347080                    | Semi - Private Lessons - 1/2 Hour - Resident                | \$45.00              | \$45.00                    |

**FY22 Revenue Fee Schedule Change**  
 Department: Parks, Recreation & Facilities Division: Aquatics

Effective: 7/1/2021

| <u>Account Number</u> | <u>Revenue Description</u>                                          | <u>Current Rates</u> | <u>FY22 Proposed Rates</u> |
|-----------------------|---------------------------------------------------------------------|----------------------|----------------------------|
| 10033303 347080       | Semi - Private Lessons - 1/2 Hour - Non Resident                    | \$50.00              | \$50.00                    |
| 10033303 347080       | Private Lessons - 1 Hour - Resident                                 | \$50.00              | \$50.00                    |
| 10033303 347080       | Private Lessons - 1 Hour - Non Resident                             | \$60.00              | \$60.00                    |
| 10033303 347080       | Semi - Private Lessons - 1 Hour - Resident                          | \$70.00              | \$70.00                    |
| 10033303 347080       | Semi - Private Lessons - 1 Hour - Non Resident                      | \$85.00              | \$85.00                    |
| 10033303 347080       | Lifeguard Course - Resident                                         | \$200.00             | \$200.00                   |
| 10033303 347080       | Lifeguard Course - Non Resident                                     | \$215.00             | \$215.00                   |
| <b>Swimming</b>       | <b>Pool Rentals</b>                                                 |                      |                            |
| 10033303 347080       | Pool Rental - Portland Porpoise - Per Hour                          | \$20.00              | \$20.00                    |
| 10033303 347080       | Pool Rental - Portland Porpoise - Guard Per Hour                    | \$20.00              | \$20.00                    |
| 10033303 347080       | Pool Rental - Resident, Per Hour/Additional Guard \$25 Per Hour     | \$85.00              | \$85.00                    |
| 10033303 347080       | Pool Rental - Non Resident, Per Hour/Additional Guard \$25 Per Hour | \$95.00              | \$95.00                    |

**MEMORANDUM**  
**City Council Agenda Item**

**FROM:**

**DATE:** May 17, 2021

**SUBJECT:** Order 249-20/21 Authorizing City Manager to Enter into Certain Agreements to Implement the Fiscal Year 2022 Human Resources and Certain Fringe Benefits Budgets - Sponsored by Jon P. Jennings, City Manager

**SPONSOR:**

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

**COUNCIL MEETING DATE ACTION IS REQUESTED:**

**1st Reading**

**Final Action**

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

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

**I. SUMMARY**

**II. AGENDA DESCRIPTION**

This order authorizes the City Manager to enter into standard agreements and amendments to standard agreements with providers of services for Fiscal Year 2022 in order to implement portions of human resources, medical, workers' compensation, and liability budgets.

This item must be read on two separate days. It received its first reading on May 17, 2021. Five affirmative votes are required for passage after public comment.

**III. BACKGROUND**

**IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED**

**V. FINANCIAL IMPACT**

**VI. STAFF ANALYSIS AND BACKGROUND**

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

**VII. RECOMMENDATION**

**VIII. LIST ATTACHMENTS**

1. 2. Implement FY22 Human Resources and Benefits Budgets 5.17.2021

Prepared by:

Date: 5/17/2021

KATE SNYDER (MAYOR)  
BELINDA S. RAY (1)  
SPENCER R. THIBODEAU (2)  
TAE Y. CHONG (3)  
ANDREW ZARRO (4)

**CITY OF PORTLAND  
IN THE CITY COUNCIL**

MARK DION (5)  
APRIL D. FOURNIER(A/L)  
PIOUS ALI (A/L)  
NICHOLAS M. MAVODONES, JR (A/L)

**ORDER AUTHORIZING THE CITY MANAGER TO ENTER INTO CERTAIN  
AGREEMENTS TO IMPLEMENT THE FISCAL YEAR 2022 HUMAN RESOURCES  
AND CERTAIN FRINGE BENEFITS BUDGETS**

**ORDERED,** that the City Manager is authorized to enter into standard agreements and amendments to standard agreements with providers of services for Fiscal Year 2022 as needed in order to implement the Human Resources, Medical, Worker's Compensation and Liability budgets.

**MEMORANDUM**  
**City Council Agenda Item**

**FROM:**

**DATE:** May 17, 2021

**SUBJECT:** Order 250-20/21 Re: Fiscal Year 2022 Self--Insured Liability Program - Sponsored  
by Jon P. Jennings, City Manager

**SPONSOR:**

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

**COUNCIL MEETING DATE ACTION IS REQUESTED:**

**1st Reading**

**Final Action**

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

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

**I. SUMMARY**

**II. AGENDA DESCRIPTION**

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

Five affirmative votes are required for passage.

**III. BACKGROUND**

**IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED**

**V. FINANCIAL IMPACT**

**VI. STAFF ANALYSIS AND BACKGROUND**

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

**VII. RECOMMENDATION**

**VIII. LIST ATTACHMENTS**

None

Prepared by:

Date: 5/17/2021

**MEMORANDUM**  
**City Council Agenda Item**

**FROM:**

**DATE:** May 17, 2021

**SUBJECT:** Order 251-20/21 Authorizing the Director of Parks, Recreation and Facilities to Set Fees and Enter Rental Agreements for City Facilities - Sponsored by Jon P. Jennings, City Manager

**SPONSOR:**

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

**COUNCIL MEETING DATE ACTION IS REQUESTED:**

**1st Reading**

**Final Action**

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

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

**I. SUMMARY**

**II. AGENDA DESCRIPTION**

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

Staff has historically set fees and signed rental agreements for City facilities such as Merrill Auditorium, the Portland Exposition Building and Ocean Gateway. These facilities host hundreds of events annually, and fees are determined based on the unique staffing levels and services they require.

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

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

Five affirmative votes are required for passage after public comment.

**III. BACKGROUND**

**IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED**

**V. FINANCIAL IMPACT**

**VI. STAFF ANALYSIS AND BACKGROUND**

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

**VII. RECOMMENDATION**

**VIII. LIST ATTACHMENTS**

None

Prepared by:

Date: 5/17/2021



**MEMORANDUM**  
**City Council Agenda Item**

**FROM:**

**DATE:** May 17, 2021

**SUBJECT:** Order 252-20/21 Authorizing the City Manager to Enter into Certain Agreements to Implement Fiscal Year 2022 Health and Human Services Budget – Sponsored by Jon P. Jennings, City Manager

**SPONSOR:**

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

**COUNCIL MEETING DATE ACTION IS REQUESTED:**

**1st Reading**

**Final Action**

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

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

**I. SUMMARY**

**II. AGENDA DESCRIPTION**

This order authorizes the City Manager to enter into standard agreements and amendments to those standard agreements to receive reimbursement for services by the Health and Human Services Department.

In addition, the City enters into agreements with service providers and landlords to provide services for department programs.

This item must be read on two separate days. It received its first reading on May 17, 2021. Five affirmative votes are required for passage after public comment.

**III. BACKGROUND**

**IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED**

**V. FINANCIAL IMPACT**

**VI. STAFF ANALYSIS AND BACKGROUND**

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

**VII. RECOMMENDATION**

**VIII. LIST ATTACHMENTS**

None

Prepared by:

Date: 5/17/2021

**MEMORANDUM**  
**City Council Agenda Item**

**FROM:**

**DATE:** May 17, 2021

**SUBJECT:** Order 253-20/21 Authorizing Corporation Counsel to Undertake Civil Actions to Collect Delinquent Personal Property Taxes - Sponsored by Jon P. Jennings, City Manager

**SPONSOR:**

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

**COUNCIL MEETING DATE ACTION IS REQUESTED:**

**1st Reading**

**Final Action**

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

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

**I. SUMMARY**

**II. AGENDA DESCRIPTION**

This item will give Corporation Counsel a standing authorization to undertake civil actions to collect any delinquent personal property taxes that arise during the course of the fiscal year.

Otherwise it would be necessary for the City Council to specifically authorize each individual legal action. This general authorization will take the place of the case-by-case approach.

Five affirmative votes are required for passage.

**III. BACKGROUND**

**IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED**

**V. FINANCIAL IMPACT**

**VI. STAFF ANALYSIS AND BACKGROUND**

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

**VII. RECOMMENDATION**

**VIII. LIST ATTACHMENTS**

1. 7. FY2022 Authorizing Corp Counsel ...Collect Delinquent Personal Property Taxes

Prepared by:

Date: 5/17/2021

KATE SNYDER (MAYOR)  
BELINDA S. RAY (1)  
SPENCER R. THIBODEAU (2)  
TAE Y. CHONG (3)  
ANDREW ZARRO (4)

**CITY OF PORTLAND  
IN THE CITY COUNCIL**

MARK DION (5)  
APRIL D. FOURNIER(A/L)  
PIOUS ALI (A/L)  
NICHOLAS M. MAVODONES, JR (A/L)

**ORDER AUTHORIZING CORPORATION COUNSEL  
TO UNDERTAKE CIVIL ACTIONS TO COLLECT  
DELINQUENT PERSONAL PROPERTY TAXES**

**ORDERED,** that the Corporation Counsel, through the use of City Attorneys or Contractors, is hereby authorized to institute legal proceedings on behalf of the City to collect delinquent personal property taxes against debtors who have failed to pay the taxes when due.

**MEMORANDUM**  
**City Council Agenda Item**

**FROM:**

**DATE:** May 17, 2021

**SUBJECT:** Order 254-20/21 Authorizing Non-Union Wage Adjustment - Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr. Chair

**SPONSOR:**

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

**COUNCIL MEETING DATE ACTION IS REQUESTED:**

**1st Reading**

**Final Action**

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

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

**I. SUMMARY**

**II. AGENDA DESCRIPTION**

This Order authorizes the City Manager to utilize a 2.0% Cost of Living Adjustment (COLA) for pay adjustments for non-union employees and approves the new pay plan.

This item must be read on two separate days. It received its first reading on May 17, 2021. Five affirmative votes are required for passage after public comment.

**III. BACKGROUND**

**IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED**

**V. FINANCIAL IMPACT**

**VI. STAFF ANALYSIS AND BACKGROUND**

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

**VII. RECOMMENDATION**

**VIII. LIST ATTACHMENTS**

1. 8. COLA IN FY22 Non-Union Wage Adjustment

Prepared by:

Date: 5/17/2021



KATE SNYDER (MAYOR)  
BELINDA S. RAY (1)  
SPENCER R. THIBODEAU (2)  
TAE Y. CHONG (3)  
ANDREW ZARRO (4)

**CITY OF PORTLAND  
IN THE CITY COUNCIL**

MARK DION (5)  
APRIL D. FOURNIER(A/L)  
PIOUS ALI (A/L)  
NICHOLAS M. MAVODONES, JR (A/L)

**ORDER AUTHORIZING NON-UNION WAGE ADJUSTMENT**

**ORDERED,** that an overall wage increase of two percent (2%) for non-union employees is hereby approved effective July 1, 2021; and

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

**BE IT FURTHER ORDERED,** that the Mayor, the City Council, the City Clerk and Corporation Counsel shall receive a two percent (2%) wage increase effective July 1, 2021.



**CITY OF PORTLAND, MAINE**  
**FY22 Proposed Non-Union Pay Plan (2.0%)**

Effective 07/04/21

| Grade / Step                    | 0                       | 1                        | 2                        | 3                        | 4                        | 5                        | 6                        | 7                        | 8                        | 9                        | 10                       |
|---------------------------------|-------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| <b>BU #2000:<br/>NON UNION</b>  |                         |                          |                          |                          |                          |                          |                          |                          |                          |                          |                          |
| <b>2002 BAND B21 (37.5) (H)</b> | <b><u>\$18.1800</u></b> | <b><u>\$18.7300</u></b>  | <b><u>\$19.2900</u></b>  | <b><u>\$19.8700</u></b>  | <b><u>\$20.4600</u></b>  | <b><u>\$21.0700</u></b>  | <b><u>\$21.7200</u></b>  | <b><u>\$22.3600</u></b>  | <b><u>\$23.0300</u></b>  | <b><u>\$23.7300</u></b>  | <b><u>\$24.4300</u></b>  |
| Period / Weekly                 | <b><u>\$681.75</u></b>  | <b><u>\$702.38</u></b>   | <b><u>\$723.38</u></b>   | <b><u>\$745.13</u></b>   | <b><u>\$767.25</u></b>   | <b><u>\$790.13</u></b>   | <b><u>\$814.50</u></b>   | <b><u>\$838.50</u></b>   | <b><u>\$863.63</u></b>   | <b><u>\$889.88</u></b>   | <b><u>\$916.13</u></b>   |
| Annual                          | \$35,451.00             | \$36,523.76              | \$37,615.76              | \$38,746.76              | \$39,897.00              | \$41,086.76              | \$42,354.00              | \$43,602.00              | \$44,908.76              | \$46,273.76              | \$47,638.76              |
| <b>2003 BAND B22 (37.5) (H)</b> | <b><u>\$19.8300</u></b> | <b><u>\$20.4300</u></b>  | <b><u>\$21.0400</u></b>  | <b><u>\$21.6800</u></b>  | <b><u>\$22.3200</u></b>  | <b><u>\$22.9900</u></b>  | <b><u>\$23.6800</u></b>  | <b><u>\$24.3900</u></b>  | <b><u>\$25.1200</u></b>  | <b><u>\$25.8800</u></b>  | <b><u>\$26.6600</u></b>  |
| Period / Weekly                 | <b><u>\$743.63</u></b>  | <b><u>\$766.13</u></b>   | <b><u>\$789.00</u></b>   | <b><u>\$813.00</u></b>   | <b><u>\$837.00</u></b>   | <b><u>\$862.13</u></b>   | <b><u>\$888.00</u></b>   | <b><u>\$914.63</u></b>   | <b><u>\$942.00</u></b>   | <b><u>\$970.50</u></b>   | <b><u>\$999.75</u></b>   |
| Annual                          | \$38,668.76             | \$39,838.76              | \$41,028.00              | \$42,276.00              | \$43,524.00              | \$44,830.76              | \$46,176.00              | \$47,560.76              | \$48,984.00              | \$50,466.00              | \$51,987.00              |
| <b>2004 BAND B23 (37.5) (H)</b> | <b><u>\$21.4800</u></b> | <b><u>\$22.1300</u></b>  | <b><u>\$22.8000</u></b>  | <b><u>\$23.4800</u></b>  | <b><u>\$24.1800</u></b>  | <b><u>\$24.9100</u></b>  | <b><u>\$25.6500</u></b>  | <b><u>\$26.4300</u></b>  | <b><u>\$27.2100</u></b>  | <b><u>\$28.0300</u></b>  | <b><u>\$28.8800</u></b>  |
| Period / Weekly                 | <b><u>\$805.50</u></b>  | <b><u>\$829.88</u></b>   | <b><u>\$855.00</u></b>   | <b><u>\$880.50</u></b>   | <b><u>\$906.75</u></b>   | <b><u>\$934.13</u></b>   | <b><u>\$961.88</u></b>   | <b><u>\$991.13</u></b>   | <b><u>\$1,020.38</u></b> | <b><u>\$1,051.13</u></b> | <b><u>\$1,083.00</u></b> |
| Annual                          | \$41,886.00             | \$43,153.76              | \$44,460.00              | \$45,786.00              | \$47,151.00              | \$48,574.76              | \$50,017.76              | \$51,538.76              | \$53,059.76              | \$54,658.76              | \$56,316.00              |
| <b>2006 BAND B24 (37.5) (H)</b> | <b><u>\$23.5500</u></b> | <b><u>\$24.2700</u></b>  | <b><u>\$24.9900</u></b>  | <b><u>\$25.7400</u></b>  | <b><u>\$26.5100</u></b>  | <b><u>\$27.3100</u></b>  | <b><u>\$28.1200</u></b>  | <b><u>\$28.9700</u></b>  | <b><u>\$29.8400</u></b>  | <b><u>\$30.7400</u></b>  | <b><u>\$31.6600</u></b>  |
| Period / Weekly                 | <b><u>\$883.13</u></b>  | <b><u>\$910.13</u></b>   | <b><u>\$937.13</u></b>   | <b><u>\$965.25</u></b>   | <b><u>\$994.13</u></b>   | <b><u>\$1,024.13</u></b> | <b><u>\$1,054.50</u></b> | <b><u>\$1,086.38</u></b> | <b><u>\$1,119.00</u></b> | <b><u>\$1,152.75</u></b> | <b><u>\$1,187.25</u></b> |
| Annual                          | \$45,922.76             | \$47,326.76              | \$48,730.76              | \$50,193.00              | \$51,694.76              | \$53,254.76              | \$54,834.00              | \$56,491.76              | \$58,188.00              | \$59,943.00              | \$61,737.00              |
| <b>2008 BAND B25 (37.5) (H)</b> | <b><u>\$26.0300</u></b> | <b><u>\$26.8200</u></b>  | <b><u>\$27.6200</u></b>  | <b><u>\$28.4500</u></b>  | <b><u>\$29.3000</u></b>  | <b><u>\$30.1800</u></b>  | <b><u>\$31.0800</u></b>  | <b><u>\$32.0300</u></b>  | <b><u>\$32.9800</u></b>  | <b><u>\$33.9700</u></b>  | <b><u>\$35.0000</u></b>  |
| Period / Weekly                 | <b><u>\$976.13</u></b>  | <b><u>\$1,005.75</u></b> | <b><u>\$1,035.75</u></b> | <b><u>\$1,066.88</u></b> | <b><u>\$1,098.75</u></b> | <b><u>\$1,131.75</u></b> | <b><u>\$1,165.50</u></b> | <b><u>\$1,201.13</u></b> | <b><u>\$1,236.75</u></b> | <b><u>\$1,273.88</u></b> | <b><u>\$1,312.50</u></b> |
| Annual                          | \$50,758.76             | \$52,299.00              | \$53,859.00              | \$55,477.76              | \$57,135.00              | \$58,851.00              | \$60,606.00              | \$62,458.76              | \$64,311.00              | \$66,241.76              | \$68,250.00              |
| <b>2010 BAND B32 (37.5) (H)</b> | <b><u>\$26.0300</u></b> | <b><u>\$26.8200</u></b>  | <b><u>\$27.6200</u></b>  | <b><u>\$28.4500</u></b>  | <b><u>\$29.3000</u></b>  | <b><u>\$30.1800</u></b>  | <b><u>\$31.0800</u></b>  | <b><u>\$32.0300</u></b>  | <b><u>\$32.9800</u></b>  | <b><u>\$33.9700</u></b>  | <b><u>\$35.0000</u></b>  |
| Period / Weekly                 | <b><u>\$976.13</u></b>  | <b><u>\$1,005.75</u></b> | <b><u>\$1,035.75</u></b> | <b><u>\$1,066.88</u></b> | <b><u>\$1,098.75</u></b> | <b><u>\$1,131.75</u></b> | <b><u>\$1,165.50</u></b> | <b><u>\$1,201.13</u></b> | <b><u>\$1,236.75</u></b> | <b><u>\$1,273.88</u></b> | <b><u>\$1,312.50</u></b> |
| Annual                          | \$50,758.76             | \$52,299.00              | \$53,859.00              | \$55,477.76              | \$57,135.00              | \$58,851.00              | \$60,606.00              | \$62,458.76              | \$64,311.00              | \$66,241.76              | \$68,250.00              |

**CITY OF PORTLAND, MAINE**  
**FY22 Proposed Non-Union Pay Plan (2.0%)**

**Effective 07/04/21**

| Grade / Step                | 0                          | 1                          | 2                          | 3                          | 4                          | 5                          | 6                          |
|-----------------------------|----------------------------|----------------------------|----------------------------|----------------------------|----------------------------|----------------------------|----------------------------|
| <b>BU #2000:</b>            |                            |                            |                            |                            |                            |                            |                            |
| <b>NON UNION</b>            |                            |                            |                            |                            |                            |                            |                            |
| <b>2020 BAND C41 (37.5)</b> | \$31.2939                  | \$32.2317                  | \$33.2011                  | \$34.2011                  | \$35.2211                  | \$36.2816                  | \$37.3632                  |
| Period / Weekly             | <b><u>\$1,173.52</u></b>   | <b><u>\$1,208.69</u></b>   | <b><u>\$1,245.04</u></b>   | <b><u>\$1,282.54</u></b>   | <b><u>\$1,320.79</u></b>   | <b><u>\$1,360.56</u></b>   | <b><u>\$1,401.12</u></b>   |
| Annual (A)                  | <b><u>\$61,023.00</u></b>  | <b><u>\$62,852.00</u></b>  | <b><u>\$64,742.00</u></b>  | <b><u>\$66,692.00</u></b>  | <b><u>\$68,681.00</u></b>  | <b><u>\$70,749.00</u></b>  | <b><u>\$72,858.00</u></b>  |
| <b>2022 BAND C42 (37.5)</b> | \$32.8645                  | \$33.8435                  | \$34.8539                  | \$35.9040                  | \$36.9755                  | \$38.0973                  | \$39.2395                  |
| Period / Weekly             | <b><u>\$1,232.42</u></b>   | <b><u>\$1,269.13</u></b>   | <b><u>\$1,307.02</u></b>   | <b><u>\$1,346.40</u></b>   | <b><u>\$1,386.58</u></b>   | <b><u>\$1,428.65</u></b>   | <b><u>\$1,471.48</u></b>   |
| Annual (A)                  | <b><u>\$64,086.00</u></b>  | <b><u>\$65,995.00</u></b>  | <b><u>\$67,965.00</u></b>  | <b><u>\$70,013.00</u></b>  | <b><u>\$72,102.00</u></b>  | <b><u>\$74,290.00</u></b>  | <b><u>\$76,517.00</u></b>  |
| <b>2024 BAND C43 (37.5)</b> | \$34.5067                  | \$35.5368                  | \$36.6083                  | \$37.6989                  | \$38.8317                  | \$40.0045                  | \$41.1979                  |
| Period / Weekly             | <b><u>\$1,294.00</u></b>   | <b><u>\$1,332.63</u></b>   | <b><u>\$1,372.81</u></b>   | <b><u>\$1,413.71</u></b>   | <b><u>\$1,456.19</u></b>   | <b><u>\$1,500.17</u></b>   | <b><u>\$1,544.92</u></b>   |
| Annual (A)                  | <b><u>\$67,288.00</u></b>  | <b><u>\$69,297.00</u></b>  | <b><u>\$71,386.00</u></b>  | <b><u>\$73,513.00</u></b>  | <b><u>\$75,722.00</u></b>  | <b><u>\$78,009.00</u></b>  | <b><u>\$80,336.00</u></b>  |
| <b>2026 BAND C44 (37.5)</b> | \$36.3939                  | \$37.4851                  | \$38.6072                  | \$39.7701                  | \$40.9632                  | \$42.1872                  | \$43.4517                  |
| Period / Weekly             | <b><u>\$1,364.77</u></b>   | <b><u>\$1,405.69</u></b>   | <b><u>\$1,447.77</u></b>   | <b><u>\$1,491.38</u></b>   | <b><u>\$1,536.12</u></b>   | <b><u>\$1,582.02</u></b>   | <b><u>\$1,629.44</u></b>   |
| Annual (A)                  | <b><u>\$70,968.00</u></b>  | <b><u>\$73,096.00</u></b>  | <b><u>\$75,284.00</u></b>  | <b><u>\$77,552.00</u></b>  | <b><u>\$79,878.00</u></b>  | <b><u>\$82,265.00</u></b>  | <b><u>\$84,731.00</u></b>  |
| <b>2030 BAND C45 (37.5)</b> | \$39.0155                  | \$40.1883                  | \$41.4021                  | \$42.6360                  | \$43.9211                  | \$45.2373                  | \$46.5835                  |
| Period / Weekly             | <b><u>\$1,463.08</u></b>   | <b><u>\$1,507.06</u></b>   | <b><u>\$1,552.58</u></b>   | <b><u>\$1,598.85</u></b>   | <b><u>\$1,647.04</u></b>   | <b><u>\$1,696.40</u></b>   | <b><u>\$1,746.88</u></b>   |
| Annual (A)                  | <b><u>\$76,080.00</u></b>  | <b><u>\$78,367.00</u></b>  | <b><u>\$80,734.00</u></b>  | <b><u>\$83,140.00</u></b>  | <b><u>\$85,646.00</u></b>  | <b><u>\$88,213.00</u></b>  | <b><u>\$90,838.00</u></b>  |
| <b>2032 BAND C51 (37.5)</b> | \$36.3939                  | \$37.4851                  | \$38.6072                  | \$39.7701                  | \$40.9632                  | \$42.1872                  | \$43.4517                  |
| Period / Weekly             | <b><u>\$1,364.77</u></b>   | <b><u>\$1,405.69</u></b>   | <b><u>\$1,447.77</u></b>   | <b><u>\$1,491.38</u></b>   | <b><u>\$1,536.12</u></b>   | <b><u>\$1,582.02</u></b>   | <b><u>\$1,629.44</u></b>   |
| Annual (A)                  | <b><u>\$70,968.00</u></b>  | <b><u>\$73,096.00</u></b>  | <b><u>\$75,284.00</u></b>  | <b><u>\$77,552.00</u></b>  | <b><u>\$79,878.00</u></b>  | <b><u>\$82,265.00</u></b>  | <b><u>\$84,731.00</u></b>  |
| <b>2034 BAND C52 (37.5)</b> | \$39.0155                  | \$40.1883                  | \$41.4021                  | \$42.6360                  | \$43.9211                  | \$45.2373                  | \$46.5835                  |
| Period / Weekly             | <b><u>\$1,463.08</u></b>   | <b><u>\$1,507.06</u></b>   | <b><u>\$1,552.58</u></b>   | <b><u>\$1,598.85</u></b>   | <b><u>\$1,647.04</u></b>   | <b><u>\$1,696.40</u></b>   | <b><u>\$1,746.88</u></b>   |
| Annual (A)                  | <b><u>\$76,080.00</u></b>  | <b><u>\$78,367.00</u></b>  | <b><u>\$80,734.00</u></b>  | <b><u>\$83,140.00</u></b>  | <b><u>\$85,646.00</u></b>  | <b><u>\$88,213.00</u></b>  | <b><u>\$90,838.00</u></b>  |
| <b>2040 BAND D61 (37.5)</b> | \$41.3611                  | \$42.5955                  | \$43.8701                  | \$45.1861                  | \$46.5432                  | \$47.9501                  | \$49.3784                  |
| Period / Weekly             | <b><u>\$1,551.04</u></b>   | <b><u>\$1,597.33</u></b>   | <b><u>\$1,645.13</u></b>   | <b><u>\$1,694.48</u></b>   | <b><u>\$1,745.37</u></b>   | <b><u>\$1,798.13</u></b>   | <b><u>\$1,851.69</u></b>   |
| Annual (A)                  | <b><u>\$80,654.00</u></b>  | <b><u>\$83,061.00</u></b>  | <b><u>\$85,547.00</u></b>  | <b><u>\$88,113.00</u></b>  | <b><u>\$90,759.00</u></b>  | <b><u>\$93,503.00</u></b>  | <b><u>\$96,288.00</u></b>  |
| <b>2042 BAND D62 (37.5)</b> | \$43.4216                  | \$44.7272                  | \$46.0632                  | \$47.4405                  | \$48.8784                  | \$50.3373                  | \$51.8467                  |
| Period / Weekly             | <b><u>\$1,628.31</u></b>   | <b><u>\$1,677.27</u></b>   | <b><u>\$1,727.37</u></b>   | <b><u>\$1,779.02</u></b>   | <b><u>\$1,832.94</u></b>   | <b><u>\$1,887.65</u></b>   | <b><u>\$1,944.25</u></b>   |
| Annual (A)                  | <b><u>\$84,672.00</u></b>  | <b><u>\$87,218.00</u></b>  | <b><u>\$89,823.00</u></b>  | <b><u>\$92,509.00</u></b>  | <b><u>\$95,313.00</u></b>  | <b><u>\$98,158.00</u></b>  | <b><u>\$101,101.00</u></b> |
| <b>2044 BAND D63 (37.5)</b> | \$45.5939                  | \$46.9611                  | \$48.3789                  | \$49.8168                  | \$51.3165                  | \$52.8565                  | \$54.4373                  |
| Period / Weekly             | <b><u>\$1,709.77</u></b>   | <b><u>\$1,761.04</u></b>   | <b><u>\$1,814.21</u></b>   | <b><u>\$1,868.13</u></b>   | <b><u>\$1,924.37</u></b>   | <b><u>\$1,982.12</u></b>   | <b><u>\$2,041.40</u></b>   |
| Annual (A)                  | <b><u>\$88,908.00</u></b>  | <b><u>\$91,574.00</u></b>  | <b><u>\$94,339.00</u></b>  | <b><u>\$97,143.00</u></b>  | <b><u>\$100,067.00</u></b> | <b><u>\$103,070.00</u></b> | <b><u>\$106,153.00</u></b> |
| <b>2047 BAND D64 (37.5)</b> | \$49.7760                  | \$51.2651                  | \$52.8056                  | \$54.3968                  | \$56.0184                  | \$57.7016                  | \$59.4360                  |
| Period / Weekly             | <b><u>\$1,866.60</u></b>   | <b><u>\$1,922.44</u></b>   | <b><u>\$1,980.21</u></b>   | <b><u>\$2,039.88</u></b>   | <b><u>\$2,100.69</u></b>   | <b><u>\$2,163.81</u></b>   | <b><u>\$2,228.85</u></b>   |
| Annual (A)                  | <b><u>\$97,063.00</u></b>  | <b><u>\$99,967.00</u></b>  | <b><u>\$102,971.00</u></b> | <b><u>\$106,074.00</u></b> | <b><u>\$109,236.00</u></b> | <b><u>\$112,518.00</u></b> | <b><u>\$115,900.00</u></b> |
| <b>2045 BAND D65 (37.5)</b> | \$51.5611                  | \$53.1117                  | \$54.7032                  | \$56.3445                  | \$58.0379                  | \$59.7827                  | \$61.5672                  |
| Period / Weekly             | <b><u>\$1,933.54</u></b>   | <b><u>\$1,991.69</u></b>   | <b><u>\$2,051.37</u></b>   | <b><u>\$2,112.92</u></b>   | <b><u>\$2,176.42</u></b>   | <b><u>\$2,241.85</u></b>   | <b><u>\$2,308.77</u></b>   |
| Annual (A)                  | <b><u>\$100,544.00</u></b> | <b><u>\$103,568.00</u></b> | <b><u>\$106,671.00</u></b> | <b><u>\$109,872.00</u></b> | <b><u>\$113,174.00</u></b> | <b><u>\$116,576.00</u></b> | <b><u>\$120,056.00</u></b> |
| <b>2046 BAND D71 (37.5)</b> | \$48.0933                  | \$49.5312                  | \$51.0205                  | \$52.5611                  | \$54.1211                  | \$55.7533                  | \$57.4261                  |

**CITY OF PORTLAND, MAINE**  
**FY22 Proposed Non-Union Executive Pay Plan (2.0%)**

**Effective 07/04/21**

| <b>Grade / Step</b>            | <b>0</b>                   | <b>1</b>                   | <b>2</b>                   | <b>3</b>                   | <b>4</b>                   | <b>5</b>                   | <b>6</b>                   |
|--------------------------------|----------------------------|----------------------------|----------------------------|----------------------------|----------------------------|----------------------------|----------------------------|
| <b>BU #1100:<br/>EXECUTIVE</b> |                            |                            |                            |                            |                            |                            |                            |
| <b>1101 BAND E81 (37.5)</b>    | \$54.6517                  | \$56.2939                  | \$57.9872                  | \$59.7211                  | \$61.5061                  | \$63.3627                  | \$65.2595                  |
| Period / Weekly                | <b><i>\$2,049.44</i></b>   | <b><i>\$2,111.02</i></b>   | <b><i>\$2,174.52</i></b>   | <b><i>\$2,239.54</i></b>   | <b><i>\$2,306.48</i></b>   | <b><i>\$2,376.10</i></b>   | <b><i>\$2,447.23</i></b>   |
| Annual (A)                     | <b><u>\$106,571.00</u></b> | <b><u>\$109,773.00</u></b> | <b><u>\$113,075.00</u></b> | <b><u>\$116,456.00</u></b> | <b><u>\$119,937.00</u></b> | <b><u>\$123,557.00</u></b> | <b><u>\$127,256.00</u></b> |
| <b>1102 BAND E82 (37.5)</b>    | \$57.3851                  | \$59.0989                  | \$60.8840                  | \$62.7099                  | \$64.5765                  | \$66.5245                  | \$68.5235                  |
| Period / Weekly                | <b><i>\$2,151.94</i></b>   | <b><i>\$2,216.21</i></b>   | <b><i>\$2,283.15</i></b>   | <b><i>\$2,351.62</i></b>   | <b><i>\$2,421.62</i></b>   | <b><i>\$2,494.67</i></b>   | <b><i>\$2,569.63</i></b>   |
| Annual (A)                     | <b><u>\$111,901.00</u></b> | <b><u>\$115,243.00</u></b> | <b><u>\$118,724.00</u></b> | <b><u>\$122,284.00</u></b> | <b><u>\$125,924.00</u></b> | <b><u>\$129,723.00</u></b> | <b><u>\$133,621.00</u></b> |
| <b>1103 BAND E83 (37.5)</b>    | \$60.2517                  | \$62.0568                  | \$63.9235                  | \$65.8307                  | \$67.8099                  | \$69.8499                  | \$71.9411                  |
| Period / Weekly                | <b><i>\$2,259.44</i></b>   | <b><i>\$2,327.13</i></b>   | <b><i>\$2,397.13</i></b>   | <b><i>\$2,468.65</i></b>   | <b><i>\$2,542.87</i></b>   | <b><i>\$2,619.37</i></b>   | <b><i>\$2,697.79</i></b>   |
| Annual (A)                     | <b><u>\$117,491.00</u></b> | <b><u>\$121,011.00</u></b> | <b><u>\$124,651.00</u></b> | <b><u>\$128,370.00</u></b> | <b><u>\$132,229.00</u></b> | <b><u>\$136,207.00</u></b> | <b><u>\$140,285.00</u></b> |
| <b>1104 BAND E92 (37.5)</b>    | \$68.1467                  | \$70.1867                  | \$72.2973                  | \$74.4600                  | \$76.6939                  | \$78.9995                  | \$81.3656                  |
| Period / Weekly                | <b><i>\$2,555.50</i></b>   | <b><i>\$2,632.00</i></b>   | <b><i>\$2,711.15</i></b>   | <b><i>\$2,792.25</i></b>   | <b><i>\$2,876.02</i></b>   | <b><i>\$2,962.48</i></b>   | <b><i>\$3,051.21</i></b>   |
| Annual (A)                     | <b><u>\$132,886.00</u></b> | <b><u>\$136,864.00</u></b> | <b><u>\$140,980.00</u></b> | <b><u>\$145,197.00</u></b> | <b><u>\$149,553.00</u></b> | <b><u>\$154,049.00</u></b> | <b><u>\$158,663.00</u></b> |

**MEMORANDUM**  
**City Council Agenda Item**

**FROM:**

**DATE:** May 17, 2021

**SUBJECT:** Order 255--20/21 Designating Fiscal Year 2022 Funds for Specific Island Services -  
Sponsored by Jon P. Jennings, City Manager

**SPONSOR:**

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

**COUNCIL MEETING DATE ACTION IS REQUESTED:**

**1st Reading**

**Final Action**

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

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

**I. SUMMARY**

**II. AGENDA DESCRIPTION**

The municipal budget includes \$40,000 for use on Peaks Island in addition to the funds used to pay for direct and indirect city services. Pursuant to a request from the Peaks Island Council these funds will be used as follows in FY22:

Item A: Peaks Island Summer Bike Ticket Program \$500

Item B: PI Needs-Based Boat Tickets \$3,000

Item C: PI Portland Public Middle & High School Student Boat Passes \$4,500

Item D: PI Full Time College Students (Portland Area) 3 Monthly Stickers \$450

Item E: PI Children Attending Private Schools Vouchers \$400

Item F: PI ITS (Island "Taxi"): Island Transportation System \$20,984

Item G: PI PITEA (Heating): Peaks Island Tax & Energy Assistance \$5,300

Item H: PI PEAT: Peaks Island Environmental Team Visitor Education Materials \$860

Item I: PI Administrative Expenses \$2,006

Item J: Fifth Maine Museum - Window Replacement \$2,000

**TOTAL: \$40,000**

This item must be read on two separate days. It received its first reading on May 17, 2021. Five affirmative votes are required for passage after public comment.

**III. BACKGROUND**

**IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED**

**V. FINANCIAL IMPACT**

**VI. STAFF ANALYSIS AND BACKGROUND**

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

**VII. RECOMMENDATION**

**VIII. LIST ATTACHMENTS**

1. 9. FY22 Funds for Specific Island Services

Prepared by:

Date: 5/17/2021

KATE SNYDER (MAYOR)  
BELINDA S. RAY (1)  
SPENCER R. THIBODEAU (2)  
TAE Y. CHONG (3)  
ANDREW ZARRO (4)

**CITY OF PORTLAND**  
**IN THE CITY COUNCIL**

MARK DION (5)  
APRIL D. FOURNIER(A/L)  
PIOUS ALI (A/L)  
NICHOLAS M. MAVODONES, JR (A/L)

**ORDER DESIGNATING FISCAL YEAR 2022 FUNDS FOR  
SPECIFIC ISLAND SERVICES**

**ORDERED,** that \$40,000 from the Fiscal Year 2022 municipal budget is hereby designated to pay for the Peaks Island services specified in list attached hereto.

Peaks Island Council Fiscal Year 2022 Requests:

Item A: Peaks Island Summer Bike Ticket Program \$500

Item B: Peaks Island Needs-Based Boat Tickets \$3,000

Item C: Peaks Island Portland Public Middle & High School Student Boat Passes \$4,500

Item D: Peaks Island Full Time College Students (Portland Area) 3 Monthly Stickers \$450

Item E: Peaks Island Children Attending Private Schools Vouchers \$400

Item F: Peaks Island ITS (Island "Taxi"): Island Transportation System \$20,984

Item G: Peaks Island PITEA (Heating): Peaks Island Tax & Energy Assistance \$5,300

Item H: Peaks Island PEAT: Peaks Island Environmental Team Visitor Education Materials \$860

Item I: Peaks Island Administrative Expenses \$2,006

Item J: Fifth Maine Museum - Window Replacement \$2,000

TOTAL: \$40,000

**MEMORANDUM**  
**City Council Agenda Item**

**FROM:**

**DATE:** May 17, 2021

**SUBJECT:** Order 256-20/21 Amendment to Portland City Code RE: Various Fee Increases for Fiscal Year 2022 - Sponsored by Jon P. Jennings, City Manager

**SPONSOR:**

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

**COUNCIL MEETING DATE ACTION IS REQUESTED:**

**1st Reading**

**Final Action**

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

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

**I. SUMMARY**

**II. AGENDA DESCRIPTION**

Amends the following fees in Chapter 24 in §24-72 and §24-84:

(a) The proposed sewer rate for July 1, 2021 is \$11.80 per hundred cubic feet (hcf), up from the October 1, 2020 rate of \$11.15 hcf.

| Chapter 24  | Description                 | Current Fee  | Proposed Fee |
|-------------|-----------------------------|--------------|--------------|
| Sewers      |                             |              |              |
| Sec. 24--72 | Sanitary sewer user charges |              |              |
| 24--72 (c)  | Sewer user fees \$          | \$11.15/ hcf | \$11.80/ hcf |

(b) The proposed stormwater rate for July 1, 2021 is \$7.00 per 1,200 sf of impervious surface area, up from the October 1, 2020 rate of \$6.75.

| Chapter 24     | Description                  | Current Fee                                 | Proposed Fee                               |
|----------------|------------------------------|---------------------------------------------|--------------------------------------------|
| Stormwater     |                              |                                             |                                            |
| Sec. 24--84(a) | Stormwater Service Charge    |                                             |                                            |
|                | Stormwater Service Charge \$ | \$6.75 per 1,200 sf impervious surface area | \$7.00 per 1200 sf impervious surface area |

This item must be read on two separate days. It received its first reading on May 17, 2021. Five affirmative votes are required for passage after public comment.



**III. BACKGROUND**

**IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED**

**V. FINANCIAL IMPACT**

**VI. STAFF ANALYSIS AND BACKGROUND**

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

**VII. RECOMMENDATION**

**VIII. LIST ATTACHMENTS**

1. FY2022 Sewer and Stormwater Fee Increases 5.17.2021

Prepared by:

Date: 5/17/2021

KATE SNYDER (MAYOR)  
BELINDA S. RAY (1)  
SPENCER R. THIBODEAU (2)  
TAE Y. CHONG (3)  
ANDREW ZARRO (4)

**CITY OF PORTLAND  
IN THE CITY COUNCIL**

MARK DION (5)  
APRIL D. FOURNIER (A/L)  
PIOUS ALI (A/L)  
NICHOLAS M. MAVODONES, JR (A/L)

**AMENDMENT TO PORTLAND CITY CODE**

**Re: STORMWATER AND SEWER FOR FISCAL YEAR 2022 IN CHAPTERS 24**

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

*1. That Section 24-72 and 24-84 are hereby amended, which said section reads as follows:*

**Sec. 24-72. Sanitary sewer user charges.**

(a) *Applicability.* There are levied upon all parcels of land charges for cost of treatment of wastewater and stormwater and for the operation and maintenance of the wastewater system.

(b) *Billing.* Bills for all charges under this article may be sent to the record owner, or to the person requesting water service. Bills shall be sent to each such owner or person every month, except that persons billed quarterly or seasonally by the Portland Water District for water service may be billed quarterly or seasonally for all charges under this article. All payments shall be credited against the oldest outstanding bill sent to such owner or person. Any payments made to the Portland Water District or its agents, which do not indicate to which account they are to be applied, shall be applied as provided by contract between the city and the Portland Water District.

Bills shall contain an amount for sanitary sewer user charges, and if delinquent as provided in section 1-16 of this Code, shall include charges for interest to be computed in the same manner as provided for real estate taxes.

(c) *Computation.* The user charges shall be computed in accordance with the following schedule, as from time to time amended, which shall be sufficient to meet costs of the eligible purposes for which such charges may be used. Beginning ~~October 1, 2020~~ July 1, 2021, user charges under this section for both dwelling units and commercial units shall be eleven dollars and ~~fifteen~~ eighty cents (\$~~11.15~~ 11.80) per hundred cubic feet of volume for

connected parcels of land. The user charge for developed but unconnected parcels of land shall be one dollar and seventy-one cents (\$1.71) per hundred cubic feet of volume. Each metered billing unit shall have a minimum charge of at least one hundred (100) cubic feet per month.

...

#### **Sec. 24-84. Stormwater Service Charge.**

(a) There is levied upon all developed land stormwater service charges for the cost of providing stormwater services. All developed land shall be charged ~~six-seven~~ dollars ~~and seventy-five cents~~—(\$~~6.75~~7.00) per month per one thousand two hundred (1,200) square feet of impervious surface area, rounded to the nearest one thousand two hundred (1,200) square feet of impervious surface area.

(b) The basis for this charge is the measured amount of impervious surface area on the developed land as determined by the city. This measured area may be updated from time to time at the discretion of the Department of Public Works upon evidence of impervious surface area change or the availability of updated or more accurate information.

(c) Fees collected hereunder to fund stormwater services can also be supplemented by other revenues available to the city, including but not limited to state, federal, general and special city funds, and private grants and loans.

**MEMORANDUM**  
**City Council Agenda Item**

**FROM:**

**DATE:** May 17, 2021

**SUBJECT:** Order 257-20/21 Fiscal Year 2021--2022 Appropriation Resolve - Sponsored by Jon P. Jennings, City Manager

**SPONSOR:** Jon P. Jennings, City Manager

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

**COUNCIL MEETING DATE ACTION IS REQUESTED:**

**1st Reading**

**Final Action**

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

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

**I. SUMMARY**

**II. AGENDA DESCRIPTION**

The Appropriation Resolve contains the City Manager's recommended budget for Fiscal Year 2022 for general municipal purposes in the amount of \$268,216,301. In addition, it contains the Portland Board of Education's recommended budget for FY2022 for school purposes in the amount of \$125,154,700.

The Finance Committee voted unanimously (3-0) at its May 20, 2021 meeting to forward the FY22 City Manager's Recommended budget to the full City Council for approval.

The tax levy based upon the City Manager's recommended budget is \$91,014,931 and \$100,582,406 for the Portland Board of Education's recommended School Budget. The Portland Board of Education's recommended School Budget and the City Manager's budget recommendations for municipal purposes results in a combined tax levy of \$191,597,337 for Fiscal Year 2022.

The Appropriation Resolve also directs the Assessor of Taxes to assess a tax upon all real and personal property liable to be taxed as of April 1, 2021 and sets 30 Days after Tax Commitment 2021 as the tax due date, which may be paid in two installments due 30 Days after Tax Commitment 2021, and on March 18, 2022.

The delinquency rate of interest is set at 6.0% per year, and the abatement rate of interest is set at 2.0% per year.

This item must be read on two separate days. It received its first reading on May 17, 2021. Five affirmative votes are required for passage after public comment.

**III. BACKGROUND**

**IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED**

## **V. FINANCIAL IMPACT**

Please see attached fiscal note for the Ray-Zarro Amendment.

## **VI. STAFF ANALYSIS AND BACKGROUND**

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

## **VII. RECOMMENDATION**

The Finance Committee voted unanimously (3-0) at its May 20, 2021 meeting to forward the FY22 City Manager's Recommended budget to the full City Council for approval.

## **VIII. LIST ATTACHMENTS**

1. C. Approp Resolve - FY2022
2. Amendment to Order 257 Budget Resolve - PPL - Ray and Zarro (1)
3. \_FY22 Budget Order Backup Materials 05-17-21 Agenda (05-10-21)
4. FY22 City Council Workshop Presentation 5-10-21
5. FY22 City Manager Recommended Budget Blue Book with Summary Charts
6. FY22 City Manager's Recommended Budget (Digital Budget Binder)
7. May 17 2021 Budget Testimony
8. Memo Re\_ Treatment of Surplus Revenue in City & School Budgets (Updated 6-7-21)
9. FY22 Budget Frequently Asked Questions and Answers - Updated 6-3-21
10. Memo to accompany Ray-Zarro amendment to Order 257 6.7.2021
11. Fiscal Impact Note - PPL Ray-Zarro Amendment

Prepared by:

Date: 5/17/2021

KATE SNYDER (MAYOR)  
BELINDA S. RAY (1)  
SPENCER R. THIBODEAU (2)  
TAE Y. CHONG (3)  
ANDREW ZARRO (4)

**CITY OF PORTLAND**  
**IN THE CITY COUNCIL**

MARK DION (5)  
APRIL D. FOURNIER(A/L)  
PIOUS ALI (A/L)  
NICHOLAS M. MAVODONES, JR (A/L)

**FISCAL YEAR 2021-2022 APPROPRIATION RESOLVE**

**RESOLVED**, that the sum of **\$268,216,301** is hereby appropriated for Fiscal Year 2022 for General Municipal purposes; and

**BE IT FURTHER RESOLVED**, that the sum of **\$125,154,700** is hereby appropriated for Fiscal Year 2022 for School purposes; and

**BE IT FURTHER RESOLVED**, that the Assessor of Taxes of the City of Portland be and hereby is directed to assess a tax upon all real estate liable to be taxed therein and to assess the owner of, or such other persons as may be liable by law for, personal property liable to be taxed therein on the first day of April, 2021 and not exempt from taxation, to the aggregate amount of \$91,014,931 for municipal purposes and \$100,582,406 for school purposes for a total tax levy of \$191,597,337 for Fiscal Year 2022, in accordance with the provisions of the Statutes of Maine; and

**BE IT FURTHER RESOLVED**, all taxes assessed as above and committed to the Director of Finance shall be due 30 days after the City's Tax Commitment 2021, and payable in two equal installments, the first due 30 days after the City's Tax Commitment 2021, and the second installment due on the 18th day of March, 2022. The delinquency rate of interest shall be six percent (6%) per annum on all payments received after the respective due dates and the abatement rate of interest shall be two percent (2%) per annum.

**AMENDMENT TO ORDER 257-20/21 APPROPRIATION RESOLVE FOR  
THE FISCAL YEAR 2021-2022  
PREPARED BY CORPORATION COUNSEL  
FOR COUNCILOR RAY AND COUNCILOR ZARRO**

**RE: AMENDMENT TO ADD \$43,000 IN FUNDING TO THE PORTLAND PUBLIC  
LIBRARY**

**RESOLVED**, that the sum of ~~\$268,259,301~~~~268,216,301~~ is hereby appropriated for Fiscal Year 2022 for General Municipal purposes; and

**BE IT FURTHER RESOLVED**, that the sum of ~~\$125,154,700~~ is hereby appropriated for Fiscal Year 2022 for School purposes; and

**BE IT FURTHER RESOLVED**, that the Assessor of Taxes of the City of Portland be and hereby is directed to assess a tax upon all real estate liable to be taxed therein and to assess the owner of, or such other persons as may be liable by law for, personal property liable to be taxed therein on the first day of April, 2021 and not exempt from taxation, to the aggregate amount of \$91,057,931~~91,014,931~~ for municipal purposes and \$100,582,406 for school purposes for a total tax levy of \$191,640,337~~191,597,337~~ for Fiscal Year 2022, in accordance with the provisions of the Statutes of Maine; and

**BE IT FURTHER RESOLVED**, all taxes assessed as above and committed to the Director of Finance shall be due 30 days after the City's Tax Commitment 2021, and payable in two equal installments, the first due 30 days after the City's Tax Commitment 2021, and the second installment due on the 18th day of March, 2022. The delinquency rate of interest shall be six percent (6%) per annum on all payments received after the respective due dates and the abatement rate of interest shall be two percent (2%) per annum.



**CITY OF PORTLAND**  
**Permitting and Inspections Department**

To: Jon Jennings, City Manager

From: Jessica Hanscombe, Permitting and Inspections Director

Date: May 3, 2021

RE: FY22 Fee Change Summary

---

**Budget Summary**

Following is a summary of the proposed fee changes for the Permitting and Inspections Department for Fiscal Year 2022:

**Proposed:** Electrical Permit Fees.

**Background:** With the exception of the minimum fees; which were changed in 2006; the remaining Electrical permit fees have not been changed since prior to 2000. They are significantly lower than surrounding communities, and have not been updated to include emerging technologies and industry changes, such as photovoltaic panels and cellular towers.

**Proposed:** The department has conducted an analysis of surrounding communities and is submitting a new fee schedule (attached). This will not be a straight increase of existing fees, but a re-work of electrical permit fees to more closely match industry standards and surrounding communities. One of the most significant changes is that instead of our current minimum fee in lieu of the fee of individual items; the minimum fee of \$75 will be in addition to the individual fixtures. This will more accurately cover the administrative costs associated with processing permits, and at least one inspection.

**Impact:** The proposed budget represents an estimated increase of 100% over current year projections.



## FY22 REVENUE FEE SCHEDULE CHANGE

### Department: Permitting and Inspections

#### Electrical Permit Fees - Administrative

| Account #       | Revenue Description                                                                             | FY22        |                   |
|-----------------|-------------------------------------------------------------------------------------------------|-------------|-------------------|
|                 |                                                                                                 | Current Fee | Proposed Fee      |
| 10025200-326040 | Minimum Fee (in lieu of individual fees, where greater) Residential                             | 45.00       | ---               |
|                 | Minimum Fee (in lieu of individual fees, where greater) Commercial                              | 55.00       | ---               |
|                 | Administrative Fee/Minimum Fee (fee + line items)                                               | ---         | 75.00             |
|                 | After the Fact permit                                                                           | 100.00      | Double permit fee |
|                 | Air Conditioners - Central Unit (each)                                                          | 10.00       | ---               |
|                 | Air Conditioners - Window Units                                                                 | 3.00        | ---               |
|                 | Alterations to Existing Wiring                                                                  | 5.00        | ---               |
|                 | Circuses, Carnivals, Fairs Etc.                                                                 | 25.00       | ---               |
|                 | Mass Gathering (special events)                                                                 | ---         | 75.00             |
|                 | Emergency Lighting, Battery Units (each)                                                        | 1.00        | ---               |
|                 | Fire and Burglar Alarm Systems (residential)                                                    | 5.00        | ---               |
|                 | Fire and Burglar Alarm Systems (commercial and industrial)                                      | 15.00       | ---               |
|                 | Low Voltage (burglar alarms, fire alarms, fiber optics, data)/per system                        | ---         | 25.00             |
|                 | Generator                                                                                       | 20.00       | ---               |
|                 | Generator (up to 50KW)                                                                          | ---         | 40.00             |
|                 | Generator (51KW up to 200KW)                                                                    | ---         | 60.00             |
|                 | Generator (200KW and above)                                                                     | ---         | 200.00            |
|                 | Interior Transformers (0-25 kva) each                                                           | 5.00        | ---               |
|                 | Interior Transformers (25kva-200kva) each                                                       | 8.00        | ---               |
|                 | Interior Transformers (more than 200kva) each                                                   | 10.00       | ---               |
|                 | Transformers up to 15KVA                                                                        | ---         | 25.00             |
|                 | Transformers 16KVA up to 50KVA                                                                  | ---         | 40.00             |
|                 | Transformers 51KVA up to 250KVA                                                                 | ---         | 60.00             |
|                 | Motors (each)                                                                                   | 2.00        | ---               |
|                 | Motors (Fractional up to 5 HP)                                                                  | ---         | 10.00             |
|                 | Motors (6HP-15HP)                                                                               | ---         | 15.00             |
|                 | Motors (16HP-25HP)                                                                              | ---         | 20.00             |
|                 | Motors Above 25HP, each increment of 5HP                                                        | ---         | 4.00              |
|                 | Outside lighting and signs                                                                      | 10.00       | ---               |
|                 | Temporary Signs (electrical only)                                                               | ---         | 30.00             |
|                 | Permanent Signs (electrical only)                                                               | ---         | 30.00             |
|                 | Receptacles, Switches and Fixtures (each)                                                       | 0.20        | ---               |
|                 | Outlets (receptacles/lights/drops) 1-20                                                         | ---         | 12.00             |
|                 | Outlets (receptacles/lights/drops) 21-50                                                        | ---         | 25.00             |
|                 | Outlets (receptacles/lights/drops) 51-100                                                       | ---         | 40.00             |
|                 | Outlets (receptacles/lights/drops) greater than 101(each)                                       | ---         | 0.50              |
|                 | AFCI/GFCI Devices (each)                                                                        | ---         | 5.00              |
|                 | Exhaust Fans (each)                                                                             | ---         | 5.00              |
|                 | 120V, Dedicated Circuits (dishwasher, disposal, washer, refrigerators, sump pumps, etc.) (each) | ---         | 5.00              |

## FY22 REVENUE FEE SCHEDULE CHANGE

### Department: Permitting and Inspections

#### Electrical Permit Fees - Administrative (cont.)

|                            |                                                                                                    | FY22        |              |
|----------------------------|----------------------------------------------------------------------------------------------------|-------------|--------------|
| Account #                  | Revenue Description                                                                                | Current Fee | Proposed Fee |
| unit heaters, etc.) (each) | 240v (208), Dedicated Circuits up to 50amps (dryer, range, compressors, condensers, water heaters, | ---         | 10.00        |
|                            | 240v (208V) dedicated circuits 51A up to 200A (each)                                               | ---         | 20.00        |
|                            | Dedicated Circuits 50A up to 200A                                                                  | ---         | 30.00        |
|                            | Central fuel fired heating equipment (boilers, furnaces, wall hung units) (each) ---               | ---         | 20.00        |
|                            | Repair after fire                                                                                  | 15.00       | ---          |
|                            | Single Phase Service up to 200A                                                                    | ---         | 25.00        |
|                            | Single Phase Service 201A up to 600A                                                               | ---         | 45.00        |
|                            | Three Phase Service up to 200A                                                                     | ---         | 40.00        |
|                            | Three Phase Service 201A up to 600A                                                                | ---         | 60.00        |
|                            | Three Phase Service 601A up to 2,000A                                                              | ---         | 100.00       |
|                            | Three Phase Service 2,001A and Above                                                               | ---         | 150.00       |
|                            | Pools (above and underground)                                                                      | ---         | 50.00        |
|                            | Sauna Hot Tubs & Spas                                                                              | ---         | 40.00        |
|                            | Sub Panels (Remote from the Main)                                                                  | ---         | 15.00        |
|                            | Per Meter Charge                                                                                   | ---         | 7.50         |
|                            | Solar Array up to 25KW                                                                             | ---         | 50.00        |
|                            | Solar Array 26KW up to 50KW                                                                        | ---         | 100.00       |
|                            | Solar Array 51KW upto 200KW                                                                        | ---         | 150.00       |
|                            | Each additional KW above 200KW (each)                                                              | ---         | 10.00        |
|                            | Line Voltage Smoke/Heat/CO Detectors                                                               | ---         | 7.50         |
|                            | Manufactured/Modular units                                                                         | ---         | 30.00        |
|                            | Hazardous/Classified Wiring Systems                                                                | ---         | 40.00        |

--- Fee structure change proposal. Minimum fees last changed Order# 243 05/06; remaining fees last changed prior to 2000.



**CITY OF PORTLAND**  
Parks, Recreation & Facilities Department  
Ethan Hipple, Director

**CITY OF PORTLAND**  
Parks, Recreation & Facilities Department  
Amber Brooks, Principal Financial Officer

To: Brendan O'Connell, Finance Director  
Jennifer Lodge, Budget Analyst  
Anne Bilodeau, Deputy Finance Director  
Ethan Hipple, Director of Parks, Recreation & Facilities  
From: Amber Brooks, Principal Financial Officer  
Date: 5/3/2021  
RE: FY22 Athletic Facilities Fee Changes

The Athletic Facilities Division is proposing an increase to fees to keep up with operating costs of the fields. As we continue our transition to 100% organic practices on our grass fields, our labor, materials, and equipment expenses have continued to rise, and our rates are set to reflect that.

In FY22 we are proposing to increase fees for Resident Adult Groups and For Profit Youth Groups on all grass fields without lights effective July 1, 2021. The fee for Resident Adult groups will increase from \$40 per hour to \$45 per hour, and For Profit Youth Groups will increase from \$30 per hour to \$35 per hour. AAU & Travel Organizations will also be charged a fee of \$35 per hour. All of these organizations charge members to participate in their groups which is why we have decided to increase fees to them and not the Non-Profit Youth Groups. This increase will bring in an additional estimated \$8,000 in revenue.

Fees were last increased in FY21 for all grass fields for only Non-Resident Adult groups. At the same time fees were increased for all organizations on all of our artificial turf fields.

|                                                                                  | Current FY21 Fee   | Proposed FY22 Fee |
|----------------------------------------------------------------------------------|--------------------|-------------------|
| Resident Adult Groups - All Other Athletic Fields Without Lights (Per Hour)      | \$40 Per Hour      | \$45 Per Hour     |
| For Profit Youth Groups - All Other Athletic Fields Without Lights (Per Hour)    | \$30 Per Hour      | \$35 Per Hour     |
| AAU & Travel Organizations - All Other Athletic Fields Without Lights (Per Hour) | \$30-\$40 Per Hour | \$35 Per Hour     |

Amber Brooks  
Principal Financial Officer  
Parks, Recreation & Facilities

**FY22 Revenue Fee Schedule Change**

Department: Parks, Recreation & Facilities Division: Athletic Facilities

Effective: 7/1/2021

| <u>Account Number</u>                      | <u>Revenue Description</u>          | <u>Current Rates</u> | <u>FY22 Proposed Rates</u> |
|--------------------------------------------|-------------------------------------|----------------------|----------------------------|
| <b>Fitzpatrick &amp; Memorial Stadiums</b> |                                     |                      |                            |
| <b>Without Lights, Per Hour</b>            |                                     |                      |                            |
| 10033204 367000                            | Resident Youth Groups               | \$50                 | \$50                       |
| 10033204 367000                            | Resident Adult Groups               | \$95                 | \$95                       |
| 10033204 367000                            | Non-Resident Youth Groups           | \$90                 | \$90                       |
| 10033204 367000                            | Non-Resident Adult Groups           | \$170                | \$170                      |
| <b>Fitzpatrick &amp; Memorial Stadiums</b> |                                     |                      |                            |
| <b>With Lights, Per Hour</b>               |                                     |                      |                            |
| 10033204 367000                            | Resident Youth Groups               | \$125                | \$125                      |
| 10033204 367000                            | Resident Adult Groups               | \$170                | \$170                      |
| 10033204 367000                            | Non-Resident Youth Groups           | \$165                | \$165                      |
| 10033204 367000                            | Non-Resident Adult Groups           | \$265                | \$265                      |
| <b>All Other Athletic Fields</b>           |                                     |                      |                            |
| <b>Without Lights, Per Hour</b>            |                                     |                      |                            |
| 10033204 367000                            | Resident Adult Groups               | \$40                 | \$45                       |
| 10033204 367000                            | Non-Resident Adult Groups           | \$80                 | \$80                       |
| 10033204 367000                            | Baseball/Softball Weekend Surcharge | \$10                 | \$10                       |
| 10033204 367000                            | For Profit Youth Groups             | \$30                 | \$35                       |
| 10033204 367000                            | Non-Profit Youth Groups             | \$0                  | \$0                        |
| 10033204 367000                            | AAU/Travel Organizations            | \$30 - \$40          | \$35                       |
| <b>All Other Athletic Fields</b>           |                                     |                      |                            |
| <b>With Lights, Per Hour</b>               |                                     |                      |                            |
| 10033204 367000                            | Resident Groups                     | \$75                 | \$75                       |
| 10033204 367000                            | Non-Resident Groups                 | \$125                | \$125                      |
| 10033204 367000                            | Baseball/Softball Weekend Surcharge | \$10                 | \$10                       |
| <b>Tennis Court Rentals</b>                |                                     |                      |                            |
| <b>Tournaments, Camps, Clinics</b>         |                                     |                      |                            |
| 10033204 367000                            | Resident (If Reserved)              | \$10                 | \$10                       |
| 10033204 367000                            | Non-Resident (If Reserved)          | \$20                 | \$20                       |



**CITY OF PORTLAND**  
**Parks, Recreation & Facilities Department**  
**Ethan Hipple, Director**

**CITY OF PORTLAND**  
**Parks, Recreation & Facilities Department**  
**Amber Brooks, Principal Financial Officer**

To: Brendan O'Connell, Finance Director  
Jennifer Lodge, Budget Analyst  
Anne Bilodeau, Deputy Finance Director  
Ethan Hipple, Director of Parks, Recreation & Facilities  
From: Amber Brooks, Principal Financial Officer  
Date: 5/3/2021  
RE: FY22 Aquatic Fee Changes

The Aquatics division is proposing to increase fees in FY22 to keep up with the operating costs of running three pools. The cost of pool chemicals and general maintenance has increased greatly over the past year so these fee increases are set to reflect those changes. Since the swimming lesson market is very competitive, most of the fees could not be raised without pricing ourselves out of the market. These fees were last changed in FY20.

In FY22 we are proposing to increase rates for certain punch passes and swimming instructions.

|                                                   | Current Rates | Proposed FY22 Rates |
|---------------------------------------------------|---------------|---------------------|
| Senior Resident Adult - 40 Punch Pass             | \$120         | \$140               |
| Adult Resident Aerobics - 12 Punch Pass           | \$60          | \$66                |
| Adult Non-Resident Aerobics - 12 Punch Pass       | \$66          | \$72                |
| Infant/Toddler/Preschool Resident Swimming Lesson | \$7           | \$8                 |
| Infant/Toddler/Preschool Non-Resident Lesson      | \$7.50        | \$8.50              |
| Level 1 - Level 3 Lessons - Resident              | \$7.75        | \$8.75              |
| Level 1 - Level 3 Lessons - Non-Resident          | \$8.25        | \$9.25              |



**CITY OF PORTLAND**  
**Parks, Recreation & Facilities Department**  
**Ethan Hipple, Director**

**CITY OF PORTLAND**  
**Parks, Recreation & Facilities Department**  
**Amber Brooks, Principal Financial Officer**

|                                                           |        |        |
|-----------------------------------------------------------|--------|--------|
| Level 4 - Level 6 Lessons - Resident                      | \$8    | \$9    |
| Level 4 - Level 6 Lessons - Non-Resident                  | \$8.50 | \$9.50 |
| Adult Aerobics - Daily - Resident                         | \$4.50 | \$5.50 |
| Adult Aerobics - Daily - Non-Resident                     | \$5    | \$6    |
| Senior Adult Aerobics - Daily - Resident (62 & Older)     | \$3.50 | \$4    |
| Senior Adult Aerobics - Daily - Non-Resident (62 & Older) | \$4.25 | \$4.75 |

Amber Brooks  
Principal Financial Officer  
Parks, Recreation & Facilities

**FY22 Revenue Fee Schedule Change**  
Department: Parks, Recreation & Facilities Division: Aquatics

Effective: 7/1/2021

| <u>Account Number</u>              | <u>Revenue Description</u>                                  | <u>Current Rates</u> | <u>FY22 Proposed Rates</u> |
|------------------------------------|-------------------------------------------------------------|----------------------|----------------------------|
| <b>Swimming</b>                    |                                                             |                      |                            |
| 10033303 347080                    | Child - Resident                                            | \$1.00               | \$1.00                     |
| 10033303 347080                    | Child - Non Resident                                        | \$2.00               | \$2.00                     |
| 10033303 347080                    | Teen - Resident                                             | \$1.00               | \$1.00                     |
| 10033303 347080                    | Teen - Non Resident                                         | \$2.00               | \$2.00                     |
| <b>Swimming</b>                    |                                                             |                      |                            |
| <b>Kiwanis Pool</b>                |                                                             |                      |                            |
| 10033303 347080                    | Adult - Resident                                            | \$5.50               | \$5.50                     |
| 10033303 347080                    | Adult - Non Resident                                        | \$6.00               | \$6.00                     |
| <b>Swimming</b>                    |                                                             |                      |                            |
| <b>Reiche &amp; Riverton Pools</b> |                                                             |                      |                            |
| 10033303 347080                    | Adult - Resident                                            | \$5.00               | \$5.00                     |
| 10033303 347080                    | Adult - Non Resident                                        | \$5.50               | \$5.50                     |
| 10033303 347080                    | Senior - Resident (62 & Older)                              | \$3.50               | \$3.50                     |
| 10033303 347080                    | Senior - Non Resident (62 & Older)                          | \$4.00               | \$4.00                     |
| 10033303 347080                    | Masters - Resident                                          | \$6.75               | \$6.75                     |
| 10033303 347080                    | Master - Non Resident                                       | \$7.25               | \$7.25                     |
| <b>Swimming</b>                    |                                                             |                      |                            |
| <b>Punch Cards</b>                 |                                                             |                      |                            |
| 10033303 347080                    | Adult - Resident - 12 Punch Pass                            | \$60.00              | \$60.00                    |
| 10033303 347080                    | Adult - Non Resident - 12 Punch Pass                        | \$66.00              | \$66.00                    |
| 10033303 347080                    | Adult - Resident - 20 Punch Pass                            | \$100.00             | \$100.00                   |
| 10033303 347080                    | Adult - Non Resident - 20 Punch Pass                        | \$110.00             | \$110.00                   |
| 10033303 347080                    | Adult - Resident - 40 Punch Pass                            | \$200.00             | \$200.00                   |
| 10033303 347080                    | Adult - Non Resident - 40 Punch Pass                        | \$220.00             | \$220.00                   |
| 10033303 347080                    | Kiwanis - Adult - Resident - 12 Punch Pass                  | \$66.00              | \$66.00                    |
| 10033303 347080                    | Kiwanis - Adult - Non Resident - 12 Punch Pass              | \$72.00              | \$72.00                    |
| 10033303 347080                    | Kiwanis - Adult - Resident - 20 Punch Pass                  | \$110.00             | \$110.00                   |
| 10033303 347080                    | Kiwanis - Adult - Non Resident - 20 Punch Pass              | \$120.00             | \$120.00                   |
| 10033303 347080                    | Kiwanis - Adult - Resident - 40 Punch Pass                  | \$220.00             | \$220.00                   |
| 10033303 347080                    | Kiwanis - Adult - Non Resident - 40 Punch Pass              | \$240.00             | \$240.00                   |
| 10033303 347080                    | Senior Adult - Resident - 12 Punch Pass (62 & Older)        | \$42.00              | \$42.00                    |
| 10033303 347080                    | Senior Adult - Non Resident - 12 Punch Pass (62 & Older)    | \$48.00              | \$48.00                    |
| 10033303 347080                    | Senior Adult - Resident - 20 Punch Pass (62 & Older)        | \$70.00              | \$70.00                    |
| 10033303 347080                    | Senior Adult - Non Resident - 20 Punch Pass (62 & Older)    | \$80.00              | \$80.00                    |
| 10033303 347080                    | Senior Adult - Resident - 40 Punch Pass (62 & Older)        | \$120.00             | \$140.00                   |
| 10033303 347080                    | Senior Adult - Non Resident - 40 Punch Pass (62 & Older)    | \$160.00             | \$160.00                   |
| 10033303 347080                    | Senior Adult - Resident - 6 Month Pass (62 & Older)         | \$160.00             | \$160.00                   |
| 10033303 347080                    | Senior Adult - Resident - Yearly Pass (62 & Older)          | \$280.00             | \$280.00                   |
| 10033303 347080                    | Adult Aerobics - Resident - 12 Punch Pass                   | \$60.00              | \$66.00                    |
| 10033303 347080                    | Adult Aerobics - Non Resident - 12 Punch Pass               | \$66.00              | \$72.00                    |
| 10033303 347080                    | Adult Aerobics - Resident - 20 Punch Pass                   | \$110.00             | \$110.00                   |
| 10033303 347080                    | Adult Aerobics - Non Resident - 20 Punch Pass               | \$120.00             | \$120.00                   |
| 10033303 347080                    | Senior Aerobics - Resident - 12 Punch Pass (62 & Older)     | \$48.00              | \$48.00                    |
| 10033303 347080                    | Senior Aerobics - Non Resident - 12 Punch Pass (62 & Older) | \$57.00              | \$57.00                    |
| 10033303 347080                    | Senior Aerobics - Resident - 20 Punch Pass (62 & Older)     | \$80.00              | \$80.00                    |
| 10033303 347080                    | Senior Aerobics - Non Resident - 20 Punch Pass (62 & Older) | \$95.00              | \$95.00                    |
| 10033303 347080                    | Masters - Resident - 10 Punch Pass                          | \$67.50              | \$67.50                    |
| 10033303 347080                    | Masters - Non Resident - 10 Punch Pass                      | \$72.50              | \$72.50                    |
| <b>Swimming</b>                    |                                                             |                      |                            |
| <b>Swimming Instruction</b>        |                                                             |                      |                            |
| 10033303 347080                    | Infant/Toddler/Preschool - Resident                         | \$7.00               | \$8.00                     |
| 10033303 347080                    | Infant/Toddler/Preschool - Non Resident                     | \$7.50               | \$8.50                     |
| 10033303 347080                    | Level 1 - Level 3 - Resident                                | \$7.75               | \$8.75                     |
| 10033303 347080                    | Level 1 - Level 3 - Non Resident                            | \$8.25               | \$9.25                     |
| 10033303 347080                    | Level 4 - Level 6 - Resident                                | \$8.00               | \$9.00                     |
| 10033303 347080                    | Level 4 - Level 6 - Non Resident                            | \$8.50               | \$9.50                     |
| 10033303 347080                    | Adult Aerobics - Daily - Resident                           | \$4.50               | \$5.50                     |
| 10033303 347080                    | Adult Aerobics - Daily - Non Resident                       | \$5.00               | \$6.00                     |
| 10033303 347080                    | Senior Adult Aerobics - Daily - Resident (62 & Older)       | \$3.50               | \$4.00                     |
| 10033303 347080                    | Senior Adult Aerobics - Daily - Non Resident (62 & Older)   | \$4.25               | \$4.75                     |
| <b>Swimming</b>                    |                                                             |                      |                            |
| 10033303 347080                    | Water Safety Instruction Course - Resident                  | \$302.00             | \$302.00                   |
| 10033303 347080                    | Water Safety Instruction Course - Non Resident              | \$332.00             | \$302.00                   |
| 10033303 347080                    | Private Lessons - 1/2 Hour - Resident                       | \$30.00              | \$30.00                    |
| 10033303 347080                    | Private Lessons - 1/2 Hour - Non Resident                   | \$35.00              | \$35.00                    |
| 10033303 347080                    | Semi - Private Lessons - 1/2 Hour - Resident                | \$45.00              | \$45.00                    |

**FY22 Revenue Fee Schedule Change**  
 Department: Parks, Recreation & Facilities Division: Aquatics

Effective: 7/1/2021

| <u>Account Number</u> | <u>Revenue Description</u>                                          | <u>Current Rates</u> | <u>FY22 Proposed Rates</u> |
|-----------------------|---------------------------------------------------------------------|----------------------|----------------------------|
| 10033303 347080       | Semi - Private Lessons - 1/2 Hour - Non Resident                    | \$50.00              | \$50.00                    |
| 10033303 347080       | Private Lessons - 1 Hour - Resident                                 | \$50.00              | \$50.00                    |
| 10033303 347080       | Private Lessons - 1 Hour - Non Resident                             | \$60.00              | \$60.00                    |
| 10033303 347080       | Semi - Private Lessons - 1 Hour - Resident                          | \$70.00              | \$70.00                    |
| 10033303 347080       | Semi - Private Lessons - 1 Hour - Non Resident                      | \$85.00              | \$85.00                    |
| 10033303 347080       | Lifeguard Course - Resident                                         | \$200.00             | \$200.00                   |
| 10033303 347080       | Lifeguard Course - Non Resident                                     | \$215.00             | \$215.00                   |
| <b>Swimming</b>       | <b>Pool Rentals</b>                                                 |                      |                            |
| 10033303 347080       | Pool Rental - Portland Porpoise - Per Hour                          | \$20.00              | \$20.00                    |
| 10033303 347080       | Pool Rental - Portland Porpoise - Guard Per Hour                    | \$20.00              | \$20.00                    |
| 10033303 347080       | Pool Rental - Resident, Per Hour/Additional Guard \$25 Per Hour     | \$85.00              | \$85.00                    |
| 10033303 347080       | Pool Rental - Non Resident, Per Hour/Additional Guard \$25 Per Hour | \$95.00              | \$95.00                    |



**CITY OF PORTLAND, MAINE**

**Memorandum**

**TO:** Jon P. Jennings, City Manager

**FROM:** Gina Tapp,  Director of Human Resources

**DATE:** May 5, 2021

**RE:** FY22 Budget Order Re: Implementing Human Resources and Fringe Benefit Budgets

Please have the attached Council Order accompany the FY22 budget. This item should be given a first reading on May 17, 2021 and postponed to the June 7, 2021 meeting along with other budget related items.

**STATEMENT OF FACT:**

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

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

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

The Medical budget contains contracted services for claims administration.

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

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

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

**CITY OF PORTLAND, MAINE**

**Memorandum**

**TO:** Jon P. Jennings, City Manager  
**FROM:** Danielle West-Chuhta, Corporate Counsel *DW-C*  
**DATE:** May 5, 2021  
**RE:** ORDER RE: SELF-INSURED LIABILITY PROGRAM

**STATEMENT OF FACT:**

This item is requested upon the recommendation of the Office of the Corporation Counsel. The intent is to clearly indicate that the City's limit of liability is that imposed by the Maine Tort Claims Act, notwithstanding the fact that the annual appropriation or the cumulative reserve may exceed \$400,000. This item should be given a first reading on May 17, 2021 and then postponed to the June 7, 2021 meeting along with other budget related items.

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

**MEMORANDUM**  
**City Council Agenda Item**

**TO:** Mayor & Members of the City Council

**FROM:** Ethan Hipple, Deputy Director of Parks Recreation & Facilities

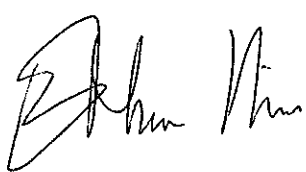
**DATE:** May 5, 2021

**DISTRIBUTION:** City Manager, Danielle West-Chuhta, Nancy English, Jennifer Lodge

**SUBJECT: Order Authorizing the Director of Parks, Recreation and Facilities to Set Fees and Enter into Rental Agreements for City Facilities**

Staff has historically set fees and signed rental agreements for City facilities such as Merrill Auditorium, the Portland Exposition Building and Ocean Gateway. These facilities host 100s of events on an annual basis and while many events are similar in nature, all are also somewhat unique and require different staffing levels and services, and are therefore priced accordingly. The City's legal department has created a standard rental agreement. Any changes to the terms of standard agreement, other than pricing are reviewed by legal prior to being changed. This order would authorize the Director or her/his designee to continue to sign such agreements and reaffirm this long-standing practice.

Also these venues and others, for such as the Riverside Golf Course, Riverside Grill, Cemeteries, and Troubh Ice Arena are run in a business-like manner and need the flexibility to be able to offer specials and adjust pricing based on market conditions. This order will further reaffirm the practice of these fees being set administratively.

 5/5/21

**FY22 Revenue Fee Schedule Change**  
Department: Parks, Recreation & Facilities Division: Golf Course

**Effective: 2022 Season**

| <u>Account Number</u>                               | <u>Revenue Description</u>                  | <u>Current 2021 Season Rates</u> | <u>Proposed 2022 Season Rates</u> |
|-----------------------------------------------------|---------------------------------------------|----------------------------------|-----------------------------------|
| <b>North Course</b>                                 |                                             |                                  |                                   |
| <b>Resident Seasonal Passes <sup>1, 2</sup></b>     |                                             |                                  |                                   |
| 10033304 346030                                     | Single                                      | \$820                            | \$845                             |
| 10033304 346030                                     | Mid Week (M - F)                            | \$590                            | \$610                             |
| 10033304 346030                                     | Under 35                                    | \$700                            | \$720                             |
| 10033304 346030                                     | Junior                                      | \$400                            | \$400                             |
| 10033304 346030                                     | College                                     | \$485                            | \$485                             |
| 10033304 346030                                     | Couple                                      | \$1,285                          | \$1,325                           |
| 10033304 346030                                     | Mid Week Couple (M - F)                     | \$1,025                          | \$1,055                           |
| 10033304 346030                                     | Single Combination (Both Courses)           | \$1,045                          | \$1,075                           |
| 10033304 346030                                     | Mid Week Combination (M - F)                | \$860                            | \$885                             |
| 10033304 346030                                     | Junior Combination (Both Courses)           | \$500                            | \$500                             |
| 10033304 346030                                     | Couple Combination (Both Courses)           | \$1,575                          | \$1,625                           |
| 10033304 346030                                     | Mid Week Couple Combination (M - F)         | \$1,300                          | \$1,340                           |
| 10033304 346030                                     | Junior Addition (To Couple)                 | \$200                            | \$200                             |
| 10033304 346030                                     | Corporate Pass                              | \$4,750                          | \$4,900                           |
| <b>North Course</b>                                 |                                             |                                  |                                   |
| <b>Non-Resident Seasonal Passes <sup>1, 2</sup></b> |                                             |                                  |                                   |
| 10033304 346030                                     | Single                                      | \$1,020                          | \$1,050                           |
| 10033304 346030                                     | Mid Week (M - F)                            | \$785                            | \$810                             |
| 10033304 346030                                     | Under 35                                    | \$900                            | \$925                             |
| 10033304 346030                                     | Junior                                      | \$450                            | \$450                             |
| 10033304 346030                                     | College                                     | \$485                            | \$485                             |
| 10033304 346030                                     | Couple                                      | \$1,565                          | \$1,615                           |
| 10033304 346030                                     | Mid Week Couple (M - F)                     | \$1,290                          | \$1,330                           |
| 10033304 346030                                     | Single Combination (Both Courses)           | \$1,245                          | \$1,285                           |
| 10033304 346030                                     | Mid Week Combination (M - F)                | \$1,045                          | \$1,075                           |
| 10033304 346030                                     | Junior Combination (Both Courses)           | \$550                            | \$550                             |
| 10033304 346030                                     | Couple Combination (Both Courses)           | \$1,835                          | \$1,890                           |
| 10033304 346030                                     | Mid Week Couple Combination (M - F)         | \$1,590                          | \$1,640                           |
| 10033304 346030                                     | Junior Addition (To Couple)                 | \$225                            | \$225                             |
| 10033304 346030                                     | Corporate Pass                              | \$4,750                          | \$4,900                           |
| <b>North &amp; South Course</b>                     |                                             |                                  |                                   |
| <b>Daily Play Fees <sup>1</sup></b>                 |                                             |                                  |                                   |
| 10033304 346010                                     | 18 Holes, Weekday                           | \$26                             | \$28                              |
| 10033304 346010                                     | 18 Holes, Weekday, JR/College               | \$18                             | \$20                              |
| 10033304 346010                                     | 18 Holes, Weekend                           | \$31                             | \$33                              |
| 10033304 346010                                     | 9 Holes, Weekday                            | \$16                             | \$18                              |
| 10033304 346010                                     | 9 Holes, Weekday, JR/College                | \$13                             | \$15                              |
| 10033304 346010                                     | 9 Holes, Weekend                            | \$21                             | \$23                              |
| 10033304 346010                                     | Additional 9 on 9 Holes Weekday             | \$10                             | \$10                              |
| 10033304 346010                                     | Additional 9 on 9 Holes Weekday, JR/College | \$5                              | \$5                               |
| 10033304 346010                                     | Additional 9 on 9 Holes Weekend             | \$10                             | \$10                              |
| <b>North &amp; South Course</b>                     |                                             |                                  |                                   |
| <b>League Fees <sup>1</sup></b>                     |                                             |                                  |                                   |
| 10033304 346010                                     | South Pass Holder                           | \$8                              | \$9                               |
| 10033304 346010                                     | Non-Pass Holder                             | \$13                             | \$15                              |
| 10033304 346010                                     | 18 Hole League Rate                         | \$19                             | \$21                              |
| <b>South Course</b>                                 |                                             |                                  |                                   |
| <b>Resident Seasonal Passes <sup>1, 2</sup></b>     |                                             |                                  |                                   |
| 10033304 346030                                     | Single                                      | \$530                            | \$545                             |
| 10033304 346030                                     | Mid Week (m - F)                            | \$450                            | \$465                             |
| 10033304 346030                                     | Junior                                      | \$200                            | \$200                             |
| 10033304 346030                                     | Couple                                      | \$805                            | \$830                             |
| 10033304 346030                                     | Mid Week Couple (M - F)                     | \$690                            | \$710                             |
| <b>South Course</b>                                 |                                             |                                  |                                   |
| <b>Non-Resident Seasonal Passes <sup>1, 2</sup></b> |                                             |                                  |                                   |
| 10033304 346030                                     | Single                                      | \$655                            | \$675                             |
| 10033304 346030                                     | Mid Week (m - F)                            | \$590                            | \$610                             |
| 10033304 346030                                     | Junior                                      | \$250                            | \$250                             |
| 10033304 346030                                     | Couple                                      | \$980                            | \$1,010                           |
| 10033304 346030                                     | Mid Week Couple (M - F)                     | \$900                            | \$930                             |
| <b>North &amp; South Course</b>                     |                                             |                                  |                                   |
| <b>Common Fees <sup>1</sup></b>                     |                                             |                                  |                                   |
| 10033304 346070                                     | Bag Storage                                 | \$85                             | \$85                              |
| 10033304 346070                                     | Bag & Pushcart Storage                      | \$110                            | \$110                             |
| 10033304 346080                                     | Club Rental - 9 Holes                       | \$13                             | \$15                              |
| 10033304 346080                                     | Club Rental - 18 Holes                      | \$18                             | \$20                              |
| 10033304 346080                                     | Pull Cart Rental - 9 Holes                  | \$4                              | \$5                               |

**FY22 Revenue Fee Schedule Change**  
 Department: Parks, Recreation & Facilities Division: Golf Course

**Effective: 2022 Season**

| <u>Account Number</u> | <u>Revenue Description</u>                             | <u>Current 2021 Season Rates</u> | <u>Proposed 2022 Season Rates</u> |
|-----------------------|--------------------------------------------------------|----------------------------------|-----------------------------------|
| 10033304 346080       | Pull Cart Rental - 18 Holes                            | \$8                              | \$10                              |
| 10033304 346070       | Seasonal Locker Rental - Members                       | \$35                             | \$35                              |
| 10033304 346070       | Seasonal Locker Rental - Non-Members                   | \$50                             | \$50                              |
| 10033304 346080       | Golf Cart Rental - 18 Holes Non-Members                | \$20                             | \$20                              |
| 10033304 346080       | Golf Cart Rental - 9 Holes Non-Members                 | \$14                             | \$14                              |
| 10033304 346080       | Golf Cart Rental - Additional 9 on 9 Holes Non-Members | \$6                              | \$6                               |
| 10033304 346080       | Golf Cart Rental - 18 Holes Members                    | \$18                             | \$18                              |
| 10033304 346080       | Golf Cart Rental - 9 Holes Members                     | \$12                             | \$12                              |
| 10033304 346080       | Golf Cart Rental - Additional 9 on 9 Holes Members     | \$6                              | \$6                               |
| 10033304 346010       | Practice Facility - Daily Fee - Under 17 Years of Age  | \$5                              | \$5                               |
| 10033304 346010       | Practice Facility - Daily Fee - Over 17 Years of Age   | \$20                             | \$20                              |
| 10033304 346010       | High School Fee Per School Per Season                  | \$1,500                          | \$1,500                           |
| 10033304 346010       | High School Fee Per Use for Practice Course            | \$15                             | \$15                              |

<sup>1</sup> Rates subject to change

<sup>2</sup> Memberships purchased for 2022 season starting in September 2021, can play the rest of the 2021 season at no additional cost under the "Buy now play the rest of the season" promotion

# City of Portland, Maine

## Memorandum

**To:** Jon P. Jennings, City Manager  
**From:** Brendan O'Connell, Finance Director  
**Date:** 05/05/21  
**Re:** FY22 Budget Council Order – HHS Agreements

870

---

Each year the City of Portland enters into agreements and amendments to those agreements, to receive reimbursement for services provided by the Health and Human Services department.

In addition, the City enters into agreements with service providers and landlords to provide services for department programs.

I have asked Corporation Counsel to prepare the necessary order for inclusion on the May 17th agenda.

## City of Portland

# Memo

To: Jon P. Jennings, City Manager

From: Brendan O'Connell, Finance Director

B70

Date: May 5, 2021

Re: FY22 Budget Council Order Agenda Item Request – Authorizing Collection Actions

---

Please place the attached order on the City Council agenda for first reading on May 17th and second reading and passage on June 7, 2021. I am recommending we present this to the City Council for action as it is related to the financial business of the upcoming fiscal year. We have passed this order annually with the budget approved since fiscal year 2003.

This order arises out of the staff proposal to maintain of our efficient personal property tax collections. Many times during the fiscal year our personal property tax standard billing and collection procedures prove to be inadequate, and we need to seek legal assistance from the Corporation Counsel's Office. This could involve a company refusal to pay, a bankruptcy declaration or title dispute or other similar matter that requires legal action.

Corporation Counsel advises that the City Council needs to grant specific authority to file legal actions in these kinds of tax cases. Many times we need to act quickly to ask for legal assistance when information comes to our attention, in order to protect the City's interest. We also want to avoid administrative delays by seeking this general authority from the City Council to collect delinquent personal property taxes when necessary. Delegating this authority greatly enhances our personal property collection efforts.

I have asked Corporation Counsel to prepare the necessary order for inclusion on the May 17<sup>th</sup> agenda.

**CITY OF PORTLAND,**  
**MAINE MEMORANDUM**

**TO:** Jon P. Jennings, City Manager

**FROM:** Gina Tapp, Director of Human Resources

**DATE:** May 5, 2021

**RE:** FY22 Budget Order Re: Implementing Non-Union Wage Adjustment

Please have the attached Council Order accompany the FY22 budget. This item should be given a first reading on May 7, 2021 and a second reading on the June 7, 2021 meeting along with other budget related items.

**ORDER APPROVING SALARY INCREASE FOR NON-UNION PERSONNEL**

This Order authorizes the City Manager to make a 2.0% pay adjustment for all non-union employees effective July 4, 2021.

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

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

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



**CITY OF PORTLAND, MAINE**  
**FY22 Proposed Non-Union Executive Pay Plan (2.0%)**

**Effective 07/04/21**

| <b>Grade / Step</b>            | <b>0</b>                   | <b>1</b>                   | <b>2</b>                   | <b>3</b>                   | <b>4</b>                   | <b>5</b>                   | <b>6</b>                   |
|--------------------------------|----------------------------|----------------------------|----------------------------|----------------------------|----------------------------|----------------------------|----------------------------|
| <b>BU #1100:<br/>EXECUTIVE</b> |                            |                            |                            |                            |                            |                            |                            |
| <b>1101 BAND E81 (37.5)</b>    | \$54.6517                  | \$56.2939                  | \$57.9872                  | \$59.7211                  | \$61.5061                  | \$63.3627                  | \$65.2595                  |
| Period / Weekly                | <b><i>\$2,049.44</i></b>   | <b><i>\$2,111.02</i></b>   | <b><i>\$2,174.52</i></b>   | <b><i>\$2,239.54</i></b>   | <b><i>\$2,306.48</i></b>   | <b><i>\$2,376.10</i></b>   | <b><i>\$2,447.23</i></b>   |
| Annual (A)                     | <b><u>\$106,571.00</u></b> | <b><u>\$109,773.00</u></b> | <b><u>\$113,075.00</u></b> | <b><u>\$116,456.00</u></b> | <b><u>\$119,937.00</u></b> | <b><u>\$123,557.00</u></b> | <b><u>\$127,256.00</u></b> |
| <b>1102 BAND E82 (37.5)</b>    | \$57.3851                  | \$59.0989                  | \$60.8840                  | \$62.7099                  | \$64.5765                  | \$66.5245                  | \$68.5235                  |
| Period / Weekly                | <b><i>\$2,151.94</i></b>   | <b><i>\$2,216.21</i></b>   | <b><i>\$2,283.15</i></b>   | <b><i>\$2,351.62</i></b>   | <b><i>\$2,421.62</i></b>   | <b><i>\$2,494.67</i></b>   | <b><i>\$2,569.63</i></b>   |
| Annual (A)                     | <b><u>\$111,901.00</u></b> | <b><u>\$115,243.00</u></b> | <b><u>\$118,724.00</u></b> | <b><u>\$122,284.00</u></b> | <b><u>\$125,924.00</u></b> | <b><u>\$129,723.00</u></b> | <b><u>\$133,621.00</u></b> |
| <b>1103 BAND E83 (37.5)</b>    | \$60.2517                  | \$62.0568                  | \$63.9235                  | \$65.8307                  | \$67.8099                  | \$69.8499                  | \$71.9411                  |
| Period / Weekly                | <b><i>\$2,259.44</i></b>   | <b><i>\$2,327.13</i></b>   | <b><i>\$2,397.13</i></b>   | <b><i>\$2,468.65</i></b>   | <b><i>\$2,542.87</i></b>   | <b><i>\$2,619.37</i></b>   | <b><i>\$2,697.79</i></b>   |
| Annual (A)                     | <b><u>\$117,491.00</u></b> | <b><u>\$121,011.00</u></b> | <b><u>\$124,651.00</u></b> | <b><u>\$128,370.00</u></b> | <b><u>\$132,229.00</u></b> | <b><u>\$136,207.00</u></b> | <b><u>\$140,285.00</u></b> |
| <b>1104 BAND E92 (37.5)</b>    | \$68.1467                  | \$70.1867                  | \$72.2973                  | \$74.4600                  | \$76.6939                  | \$78.9995                  | \$81.3656                  |
| Period / Weekly                | <b><i>\$2,555.50</i></b>   | <b><i>\$2,632.00</i></b>   | <b><i>\$2,711.15</i></b>   | <b><i>\$2,792.25</i></b>   | <b><i>\$2,876.02</i></b>   | <b><i>\$2,962.48</i></b>   | <b><i>\$3,051.21</i></b>   |
| Annual (A)                     | <b><u>\$132,886.00</u></b> | <b><u>\$136,864.00</u></b> | <b><u>\$140,980.00</u></b> | <b><u>\$145,197.00</u></b> | <b><u>\$149,553.00</u></b> | <b><u>\$154,049.00</u></b> | <b><u>\$158,663.00</u></b> |

**CITY OF PORTLAND, MAINE**  
**FY22 Proposed Non-Union Pay Plan (2.0%)**

Effective 07/04/21

| Grade / Step                    | 0                       | 1                        | 2                        | 3                        | 4                        | 5                        | 6                        | 7                        | 8                        | 9                        | 10                       |
|---------------------------------|-------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| <b>BU #2000:<br/>NON UNION</b>  |                         |                          |                          |                          |                          |                          |                          |                          |                          |                          |                          |
| <b>2002 BAND B21 (37.5) (H)</b> | <b><u>\$18.1800</u></b> | <b><u>\$18.7300</u></b>  | <b><u>\$19.2900</u></b>  | <b><u>\$19.8700</u></b>  | <b><u>\$20.4600</u></b>  | <b><u>\$21.0700</u></b>  | <b><u>\$21.7200</u></b>  | <b><u>\$22.3600</u></b>  | <b><u>\$23.0300</u></b>  | <b><u>\$23.7300</u></b>  | <b><u>\$24.4300</u></b>  |
| Period / Weekly                 | <b><u>\$681.75</u></b>  | <b><u>\$702.38</u></b>   | <b><u>\$723.38</u></b>   | <b><u>\$745.13</u></b>   | <b><u>\$767.25</u></b>   | <b><u>\$790.13</u></b>   | <b><u>\$814.50</u></b>   | <b><u>\$838.50</u></b>   | <b><u>\$863.63</u></b>   | <b><u>\$889.88</u></b>   | <b><u>\$916.13</u></b>   |
| Annual                          | \$35,451.00             | \$36,523.76              | \$37,615.76              | \$38,746.76              | \$39,897.00              | \$41,086.76              | \$42,354.00              | \$43,602.00              | \$44,908.76              | \$46,273.76              | \$47,638.76              |
| <b>2003 BAND B22 (37.5) (H)</b> | <b><u>\$19.8300</u></b> | <b><u>\$20.4300</u></b>  | <b><u>\$21.0400</u></b>  | <b><u>\$21.6800</u></b>  | <b><u>\$22.3200</u></b>  | <b><u>\$22.9900</u></b>  | <b><u>\$23.6800</u></b>  | <b><u>\$24.3900</u></b>  | <b><u>\$25.1200</u></b>  | <b><u>\$25.8800</u></b>  | <b><u>\$26.6600</u></b>  |
| Period / Weekly                 | <b><u>\$743.63</u></b>  | <b><u>\$766.13</u></b>   | <b><u>\$789.00</u></b>   | <b><u>\$813.00</u></b>   | <b><u>\$837.00</u></b>   | <b><u>\$862.13</u></b>   | <b><u>\$888.00</u></b>   | <b><u>\$914.63</u></b>   | <b><u>\$942.00</u></b>   | <b><u>\$970.50</u></b>   | <b><u>\$999.75</u></b>   |
| Annual                          | \$38,668.76             | \$39,838.76              | \$41,028.00              | \$42,276.00              | \$43,524.00              | \$44,830.76              | \$46,176.00              | \$47,560.76              | \$48,984.00              | \$50,466.00              | \$51,987.00              |
| <b>2004 BAND B23 (37.5) (H)</b> | <b><u>\$21.4800</u></b> | <b><u>\$22.1300</u></b>  | <b><u>\$22.8000</u></b>  | <b><u>\$23.4800</u></b>  | <b><u>\$24.1800</u></b>  | <b><u>\$24.9100</u></b>  | <b><u>\$25.6500</u></b>  | <b><u>\$26.4300</u></b>  | <b><u>\$27.2100</u></b>  | <b><u>\$28.0300</u></b>  | <b><u>\$28.8800</u></b>  |
| Period / Weekly                 | <b><u>\$805.50</u></b>  | <b><u>\$829.88</u></b>   | <b><u>\$855.00</u></b>   | <b><u>\$880.50</u></b>   | <b><u>\$906.75</u></b>   | <b><u>\$934.13</u></b>   | <b><u>\$961.88</u></b>   | <b><u>\$991.13</u></b>   | <b><u>\$1,020.38</u></b> | <b><u>\$1,051.13</u></b> | <b><u>\$1,083.00</u></b> |
| Annual                          | \$41,886.00             | \$43,153.76              | \$44,460.00              | \$45,786.00              | \$47,151.00              | \$48,574.76              | \$50,017.76              | \$51,538.76              | \$53,059.76              | \$54,658.76              | \$56,316.00              |
| <b>2006 BAND B24 (37.5) (H)</b> | <b><u>\$23.5500</u></b> | <b><u>\$24.2700</u></b>  | <b><u>\$24.9900</u></b>  | <b><u>\$25.7400</u></b>  | <b><u>\$26.5100</u></b>  | <b><u>\$27.3100</u></b>  | <b><u>\$28.1200</u></b>  | <b><u>\$28.9700</u></b>  | <b><u>\$29.8400</u></b>  | <b><u>\$30.7400</u></b>  | <b><u>\$31.6600</u></b>  |
| Period / Weekly                 | <b><u>\$883.13</u></b>  | <b><u>\$910.13</u></b>   | <b><u>\$937.13</u></b>   | <b><u>\$965.25</u></b>   | <b><u>\$994.13</u></b>   | <b><u>\$1,024.13</u></b> | <b><u>\$1,054.50</u></b> | <b><u>\$1,086.38</u></b> | <b><u>\$1,119.00</u></b> | <b><u>\$1,152.75</u></b> | <b><u>\$1,187.25</u></b> |
| Annual                          | \$45,922.76             | \$47,326.76              | \$48,730.76              | \$50,193.00              | \$51,694.76              | \$53,254.76              | \$54,834.00              | \$56,491.76              | \$58,188.00              | \$59,943.00              | \$61,737.00              |
| <b>2008 BAND B25 (37.5) (H)</b> | <b><u>\$26.0300</u></b> | <b><u>\$26.8200</u></b>  | <b><u>\$27.6200</u></b>  | <b><u>\$28.4500</u></b>  | <b><u>\$29.3000</u></b>  | <b><u>\$30.1800</u></b>  | <b><u>\$31.0800</u></b>  | <b><u>\$32.0300</u></b>  | <b><u>\$32.9800</u></b>  | <b><u>\$33.9700</u></b>  | <b><u>\$35.0000</u></b>  |
| Period / Weekly                 | <b><u>\$976.13</u></b>  | <b><u>\$1,005.75</u></b> | <b><u>\$1,035.75</u></b> | <b><u>\$1,066.88</u></b> | <b><u>\$1,098.75</u></b> | <b><u>\$1,131.75</u></b> | <b><u>\$1,165.50</u></b> | <b><u>\$1,201.13</u></b> | <b><u>\$1,236.75</u></b> | <b><u>\$1,273.88</u></b> | <b><u>\$1,312.50</u></b> |
| Annual                          | \$50,758.76             | \$52,299.00              | \$53,859.00              | \$55,477.76              | \$57,135.00              | \$58,851.00              | \$60,606.00              | \$62,458.76              | \$64,311.00              | \$66,241.76              | \$68,250.00              |
| <b>2010 BAND B32 (37.5) (H)</b> | <b><u>\$26.0300</u></b> | <b><u>\$26.8200</u></b>  | <b><u>\$27.6200</u></b>  | <b><u>\$28.4500</u></b>  | <b><u>\$29.3000</u></b>  | <b><u>\$30.1800</u></b>  | <b><u>\$31.0800</u></b>  | <b><u>\$32.0300</u></b>  | <b><u>\$32.9800</u></b>  | <b><u>\$33.9700</u></b>  | <b><u>\$35.0000</u></b>  |
| Period / Weekly                 | <b><u>\$976.13</u></b>  | <b><u>\$1,005.75</u></b> | <b><u>\$1,035.75</u></b> | <b><u>\$1,066.88</u></b> | <b><u>\$1,098.75</u></b> | <b><u>\$1,131.75</u></b> | <b><u>\$1,165.50</u></b> | <b><u>\$1,201.13</u></b> | <b><u>\$1,236.75</u></b> | <b><u>\$1,273.88</u></b> | <b><u>\$1,312.50</u></b> |
| Annual                          | \$50,758.76             | \$52,299.00              | \$53,859.00              | \$55,477.76              | \$57,135.00              | \$58,851.00              | \$60,606.00              | \$62,458.76              | \$64,311.00              | \$66,241.76              | \$68,250.00              |

**CITY OF PORTLAND, MAINE**  
**FY22 Proposed Non-Union Pay Plan (2.0%)**

**Effective 07/04/21**

| Grade / Step                | 0                          | 1                          | 2                          | 3                          | 4                          | 5                          | 6                          |
|-----------------------------|----------------------------|----------------------------|----------------------------|----------------------------|----------------------------|----------------------------|----------------------------|
| <b>BU #2000:</b>            |                            |                            |                            |                            |                            |                            |                            |
| <b>NON UNION</b>            |                            |                            |                            |                            |                            |                            |                            |
| <b>2020 BAND C41 (37.5)</b> | \$31.2939                  | \$32.2317                  | \$33.2011                  | \$34.2011                  | \$35.2211                  | \$36.2816                  | \$37.3632                  |
| Period / Weekly             | <b><u>\$1,173.52</u></b>   | <b><u>\$1,208.69</u></b>   | <b><u>\$1,245.04</u></b>   | <b><u>\$1,282.54</u></b>   | <b><u>\$1,320.79</u></b>   | <b><u>\$1,360.56</u></b>   | <b><u>\$1,401.12</u></b>   |
| Annual (A)                  | <b><u>\$61,023.00</u></b>  | <b><u>\$62,852.00</u></b>  | <b><u>\$64,742.00</u></b>  | <b><u>\$66,692.00</u></b>  | <b><u>\$68,681.00</u></b>  | <b><u>\$70,749.00</u></b>  | <b><u>\$72,858.00</u></b>  |
| <b>2022 BAND C42 (37.5)</b> | \$32.8645                  | \$33.8435                  | \$34.8539                  | \$35.9040                  | \$36.9755                  | \$38.0973                  | \$39.2395                  |
| Period / Weekly             | <b><u>\$1,232.42</u></b>   | <b><u>\$1,269.13</u></b>   | <b><u>\$1,307.02</u></b>   | <b><u>\$1,346.40</u></b>   | <b><u>\$1,386.58</u></b>   | <b><u>\$1,428.65</u></b>   | <b><u>\$1,471.48</u></b>   |
| Annual (A)                  | <b><u>\$64,086.00</u></b>  | <b><u>\$65,995.00</u></b>  | <b><u>\$67,965.00</u></b>  | <b><u>\$70,013.00</u></b>  | <b><u>\$72,102.00</u></b>  | <b><u>\$74,290.00</u></b>  | <b><u>\$76,517.00</u></b>  |
| <b>2024 BAND C43 (37.5)</b> | \$34.5067                  | \$35.5368                  | \$36.6083                  | \$37.6989                  | \$38.8317                  | \$40.0045                  | \$41.1979                  |
| Period / Weekly             | <b><u>\$1,294.00</u></b>   | <b><u>\$1,332.63</u></b>   | <b><u>\$1,372.81</u></b>   | <b><u>\$1,413.71</u></b>   | <b><u>\$1,456.19</u></b>   | <b><u>\$1,500.17</u></b>   | <b><u>\$1,544.92</u></b>   |
| Annual (A)                  | <b><u>\$67,288.00</u></b>  | <b><u>\$69,297.00</u></b>  | <b><u>\$71,386.00</u></b>  | <b><u>\$73,513.00</u></b>  | <b><u>\$75,722.00</u></b>  | <b><u>\$78,009.00</u></b>  | <b><u>\$80,336.00</u></b>  |
| <b>2026 BAND C44 (37.5)</b> | \$36.3939                  | \$37.4851                  | \$38.6072                  | \$39.7701                  | \$40.9632                  | \$42.1872                  | \$43.4517                  |
| Period / Weekly             | <b><u>\$1,364.77</u></b>   | <b><u>\$1,405.69</u></b>   | <b><u>\$1,447.77</u></b>   | <b><u>\$1,491.38</u></b>   | <b><u>\$1,536.12</u></b>   | <b><u>\$1,582.02</u></b>   | <b><u>\$1,629.44</u></b>   |
| Annual (A)                  | <b><u>\$70,968.00</u></b>  | <b><u>\$73,096.00</u></b>  | <b><u>\$75,284.00</u></b>  | <b><u>\$77,552.00</u></b>  | <b><u>\$79,878.00</u></b>  | <b><u>\$82,265.00</u></b>  | <b><u>\$84,731.00</u></b>  |
| <b>2030 BAND C45 (37.5)</b> | \$39.0155                  | \$40.1883                  | \$41.4021                  | \$42.6360                  | \$43.9211                  | \$45.2373                  | \$46.5835                  |
| Period / Weekly             | <b><u>\$1,463.08</u></b>   | <b><u>\$1,507.06</u></b>   | <b><u>\$1,552.58</u></b>   | <b><u>\$1,598.85</u></b>   | <b><u>\$1,647.04</u></b>   | <b><u>\$1,696.40</u></b>   | <b><u>\$1,746.88</u></b>   |
| Annual (A)                  | <b><u>\$76,080.00</u></b>  | <b><u>\$78,367.00</u></b>  | <b><u>\$80,734.00</u></b>  | <b><u>\$83,140.00</u></b>  | <b><u>\$85,646.00</u></b>  | <b><u>\$88,213.00</u></b>  | <b><u>\$90,838.00</u></b>  |
| <b>2032 BAND C51 (37.5)</b> | \$36.3939                  | \$37.4851                  | \$38.6072                  | \$39.7701                  | \$40.9632                  | \$42.1872                  | \$43.4517                  |
| Period / Weekly             | <b><u>\$1,364.77</u></b>   | <b><u>\$1,405.69</u></b>   | <b><u>\$1,447.77</u></b>   | <b><u>\$1,491.38</u></b>   | <b><u>\$1,536.12</u></b>   | <b><u>\$1,582.02</u></b>   | <b><u>\$1,629.44</u></b>   |
| Annual (A)                  | <b><u>\$70,968.00</u></b>  | <b><u>\$73,096.00</u></b>  | <b><u>\$75,284.00</u></b>  | <b><u>\$77,552.00</u></b>  | <b><u>\$79,878.00</u></b>  | <b><u>\$82,265.00</u></b>  | <b><u>\$84,731.00</u></b>  |
| <b>2034 BAND C52 (37.5)</b> | \$39.0155                  | \$40.1883                  | \$41.4021                  | \$42.6360                  | \$43.9211                  | \$45.2373                  | \$46.5835                  |
| Period / Weekly             | <b><u>\$1,463.08</u></b>   | <b><u>\$1,507.06</u></b>   | <b><u>\$1,552.58</u></b>   | <b><u>\$1,598.85</u></b>   | <b><u>\$1,647.04</u></b>   | <b><u>\$1,696.40</u></b>   | <b><u>\$1,746.88</u></b>   |
| Annual (A)                  | <b><u>\$76,080.00</u></b>  | <b><u>\$78,367.00</u></b>  | <b><u>\$80,734.00</u></b>  | <b><u>\$83,140.00</u></b>  | <b><u>\$85,646.00</u></b>  | <b><u>\$88,213.00</u></b>  | <b><u>\$90,838.00</u></b>  |
| <b>2040 BAND D61 (37.5)</b> | \$41.3611                  | \$42.5955                  | \$43.8701                  | \$45.1861                  | \$46.5432                  | \$47.9501                  | \$49.3784                  |
| Period / Weekly             | <b><u>\$1,551.04</u></b>   | <b><u>\$1,597.33</u></b>   | <b><u>\$1,645.13</u></b>   | <b><u>\$1,694.48</u></b>   | <b><u>\$1,745.37</u></b>   | <b><u>\$1,798.13</u></b>   | <b><u>\$1,851.69</u></b>   |
| Annual (A)                  | <b><u>\$80,654.00</u></b>  | <b><u>\$83,061.00</u></b>  | <b><u>\$85,547.00</u></b>  | <b><u>\$88,113.00</u></b>  | <b><u>\$90,759.00</u></b>  | <b><u>\$93,503.00</u></b>  | <b><u>\$96,288.00</u></b>  |
| <b>2042 BAND D62 (37.5)</b> | \$43.4216                  | \$44.7272                  | \$46.0632                  | \$47.4405                  | \$48.8784                  | \$50.3373                  | \$51.8467                  |
| Period / Weekly             | <b><u>\$1,628.31</u></b>   | <b><u>\$1,677.27</u></b>   | <b><u>\$1,727.37</u></b>   | <b><u>\$1,779.02</u></b>   | <b><u>\$1,832.94</u></b>   | <b><u>\$1,887.65</u></b>   | <b><u>\$1,944.25</u></b>   |
| Annual (A)                  | <b><u>\$84,672.00</u></b>  | <b><u>\$87,218.00</u></b>  | <b><u>\$89,823.00</u></b>  | <b><u>\$92,509.00</u></b>  | <b><u>\$95,313.00</u></b>  | <b><u>\$98,158.00</u></b>  | <b><u>\$101,101.00</u></b> |
| <b>2044 BAND D63 (37.5)</b> | \$45.5939                  | \$46.9611                  | \$48.3789                  | \$49.8168                  | \$51.3165                  | \$52.8565                  | \$54.4373                  |
| Period / Weekly             | <b><u>\$1,709.77</u></b>   | <b><u>\$1,761.04</u></b>   | <b><u>\$1,814.21</u></b>   | <b><u>\$1,868.13</u></b>   | <b><u>\$1,924.37</u></b>   | <b><u>\$1,982.12</u></b>   | <b><u>\$2,041.40</u></b>   |
| Annual (A)                  | <b><u>\$88,908.00</u></b>  | <b><u>\$91,574.00</u></b>  | <b><u>\$94,339.00</u></b>  | <b><u>\$97,143.00</u></b>  | <b><u>\$100,067.00</u></b> | <b><u>\$103,070.00</u></b> | <b><u>\$106,153.00</u></b> |
| <b>2047 BAND D64 (37.5)</b> | \$49.7760                  | \$51.2651                  | \$52.8056                  | \$54.3968                  | \$56.0184                  | \$57.7016                  | \$59.4360                  |
| Period / Weekly             | <b><u>\$1,866.60</u></b>   | <b><u>\$1,922.44</u></b>   | <b><u>\$1,980.21</u></b>   | <b><u>\$2,039.88</u></b>   | <b><u>\$2,100.69</u></b>   | <b><u>\$2,163.81</u></b>   | <b><u>\$2,228.85</u></b>   |
| Annual (A)                  | <b><u>\$97,063.00</u></b>  | <b><u>\$99,967.00</u></b>  | <b><u>\$102,971.00</u></b> | <b><u>\$106,074.00</u></b> | <b><u>\$109,236.00</u></b> | <b><u>\$112,518.00</u></b> | <b><u>\$115,900.00</u></b> |
| <b>2045 BAND D65 (37.5)</b> | \$51.5611                  | \$53.1117                  | \$54.7032                  | \$56.3445                  | \$58.0379                  | \$59.7827                  | \$61.5672                  |
| Period / Weekly             | <b><u>\$1,933.54</u></b>   | <b><u>\$1,991.69</u></b>   | <b><u>\$2,051.37</u></b>   | <b><u>\$2,112.92</u></b>   | <b><u>\$2,176.42</u></b>   | <b><u>\$2,241.85</u></b>   | <b><u>\$2,308.77</u></b>   |
| Annual (A)                  | <b><u>\$100,544.00</u></b> | <b><u>\$103,568.00</u></b> | <b><u>\$106,671.00</u></b> | <b><u>\$109,872.00</u></b> | <b><u>\$113,174.00</u></b> | <b><u>\$116,576.00</u></b> | <b><u>\$120,056.00</u></b> |
| <b>2046 BAND D71 (37.5)</b> | \$48.0933                  | \$49.5312                  | \$51.0205                  | \$52.5611                  | \$54.1211                  | \$55.7533                  | \$57.4261                  |

**CITY OF PORTLAND, MAINE**  
**FY22 Proposed Non-Union Pay Plan (2.0%)**

**Effective 07/04/21**

| <b>Grade / Step</b>         | <b>0</b>                   | <b>1</b>                   | <b>2</b>                   | <b>3</b>                   | <b>4</b>                   | <b>5</b>                   | <b>6</b>                   |
|-----------------------------|----------------------------|----------------------------|----------------------------|----------------------------|----------------------------|----------------------------|----------------------------|
| Period / Weekly             | <b><i>\$1,803.50</i></b>   | <b><i>\$1,857.42</i></b>   | <b><i>\$1,913.27</i></b>   | <b><i>\$1,971.04</i></b>   | <b><i>\$2,029.54</i></b>   | <b><i>\$2,090.75</i></b>   | <b><i>\$2,153.48</i></b>   |
| Annual (A)                  | <b><u>\$93,782.00</u></b>  | <b><u>\$96,586.00</u></b>  | <b><u>\$99,490.00</u></b>  | <b><u>\$102,494.00</u></b> | <b><u>\$105,536.00</u></b> | <b><u>\$108,719.00</u></b> | <b><u>\$111,981.00</u></b> |
| <b>2048 BAND D72 (37.5)</b> | \$51.5611                  | \$53.1117                  | \$54.7032                  | \$56.3445                  | \$58.0379                  | \$59.7827                  | \$61.5672                  |
| Period / Weekly             | <b><i>\$1,933.54</i></b>   | <b><i>\$1,991.69</i></b>   | <b><i>\$2,051.37</i></b>   | <b><i>\$2,112.92</i></b>   | <b><i>\$2,176.42</i></b>   | <b><i>\$2,241.85</i></b>   | <b><i>\$2,308.77</i></b>   |
| Annual (A)                  | <b><u>\$100,544.00</u></b> | <b><u>\$103,568.00</u></b> | <b><u>\$106,671.00</u></b> | <b><u>\$109,872.00</u></b> | <b><u>\$113,174.00</u></b> | <b><u>\$116,576.00</u></b> | <b><u>\$120,056.00</u></b> |



**Peaks Island Council**  
**FY2022 ~~FY 2021~~ Budget Request**  
**As Approved for Submission**  
**February 24, 2021**

As approved at its meeting on February 24, 2021, the Peaks Island Council requests the Portland City Council to allocate the following funds to the Peaks Island Council FY2021 Parking and Transportation Fund in the amount of \$40,000.00 in accordance with the following items:

**Item A:** The Peaks Island Council requests the City Manager or his designee to expend monies from the Parking and Transportation Fund payable to Casco Bay Lines to purchase bicycle tickets for a **summer bike ticket program** on Peaks Island. The total is not to exceed \$500.00.

\_\_\_\_\_  
Jon Jennings, Portland City Manager

\_\_\_\_\_  
Date

**Item B:** The Peaks Island Council requests the City Manager or his designee to expend monies from the Parking and Transportation Fund payable to Casco Bay Lines to purchase tickets for needs-based Peaks Island residents. To receive **Needs-Based tickets**, recipients must fit defined criteria developed by the Peaks Island Council. The total is not to exceed \$3,000.00

\_\_\_\_\_  
Jon Jennings, Portland City Manager

\_\_\_\_\_  
Date

**Item C:** The Peaks Island Council requests the City Manager or his designee to transfer to the Portland School Department \$4,500.00 to cover the cost of extending Portland School Department issued 10-month Casco Bay Lines **passes for Peaks Island public middle and high schools students** to 12-month passes.

\_\_\_\_\_  
Jon Jennings, Portland City Manager

\_\_\_\_\_  
Date

**Item D:** The Peaks Island Council requests the City Manager or his designee to expend monies from the Parking and Transportation Fund payable to Casco Bay Lines for Island resident **college students**: for up to 3 monthly stickers per student @ \$82.45/sticker, not to exceed \$450.00 . For the purposes of PIC transportation support, a college student shall be defined as a full-time island resident carrying a full-time course load (12 credits) at a Portland-area institution of higher education.

\_\_\_\_\_  
Jon Jennings, Portland City Manager

\_\_\_\_\_  
Date

**Item E:** The Peaks Island Council requests the City Manager or his designee to issue vouchers in the amount of \$84 per voucher per student to the parents of **children attending private schools** off-island. Criteria for determination of residency will be directed through the Island/Neighborhood Administrator's Office. Total cost allocated is \$400.00 .

\_\_\_\_\_  
Jon Jennings, Portland City Manager

\_\_\_\_\_  
Date

**Item F: ITS: a.k.a., Island "Taxi"** The Peaks Island Council requests the City Manager or his designee to provide an allocation of \$20,984.00 to the **Island Transportation System** for continued support of the only transportation service available to residents.

\_\_\_\_\_  
Jon Jennings, Portland City Manager

\_\_\_\_\_  
Date

**Item G:** The Peaks Island Council requests the City Manager or his designee to provide an allocation of \$5,300.00 to **Peaks Island Tax & Energy Assistance (PITEA)** for the express purposes of assisting eligible island residents with heating costs. Applications for eligibility approved by Peaks Island Clergy, and monies are paid by PITEA directly to the fuel company.

\_\_\_\_\_  
Jon Jennings, Portland City Manager

\_\_\_\_\_  
Date

**Item H:** The Peaks Island Council requests the City Manager or his designee to provide an allocation of \$860.00 to the **Peaks Island Environmental Team (PEAT)** for the purposes of printing visitor-education materials.

\_\_\_\_\_  
Jon Jennings, Portland City Manager

\_\_\_\_\_  
Date

**Item I:** The Peaks Island Council requests the City Manager, or his designee to provide an allocation of \$2006.00 to the Peaks Island Council for **Administrative Expenses**.

\_\_\_\_\_  
Jon Jennings, Portland City Manager

\_\_\_\_\_  
Date

**Item J:** The Peaks Island Council requests that the City Manager or his designee provide an allocation of \$2000.00 to the **Fifth Maine Museum** for the replacement of windows to prevent heat loss and further water damage to the nearly 200 year-old building.

\_\_\_\_\_  
Jon Jennings, Portland City Manager

\_\_\_\_\_  
Date



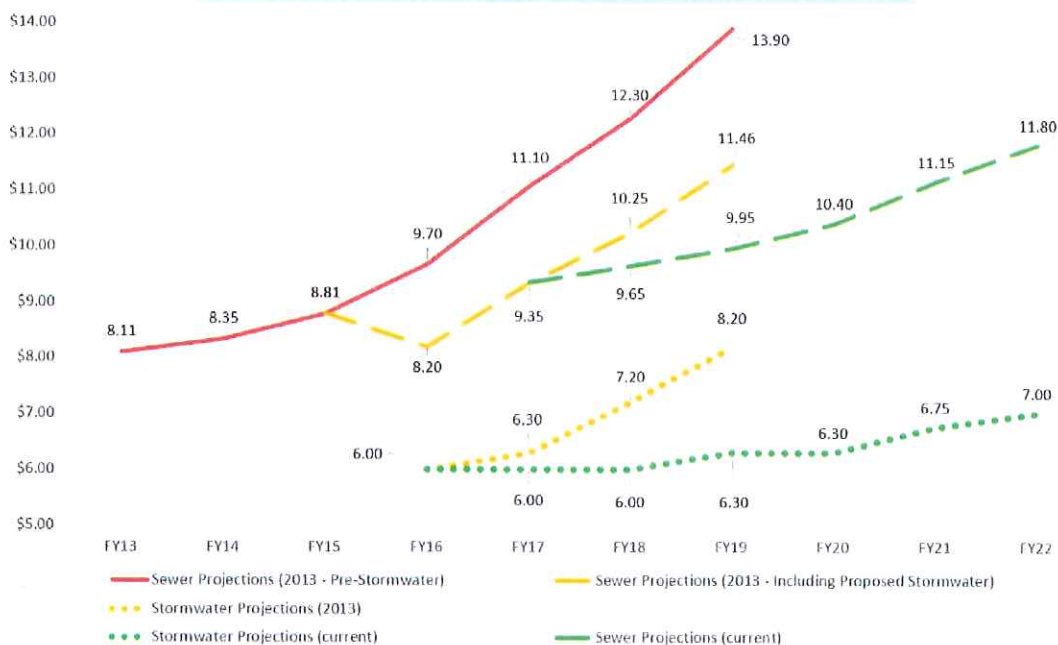
TO: Members of the City Council, Jon Jennings, City Manager;  
 FROM: Brendan T. O'Connell, Director of Finance  
 DATE: April 26, 2021  
 RE: Sewer Rate and Stormwater Service Charge Rate for FY22

BTO

The City continues to fund projects related to the Department of Environmental Protection ("DEP") and the Environmental Protection Agency ("EPA") mandated Combined Sewer Overflow ("CSO") requirements through first the Tier II and now the Tier III approved projects. After decades of limited activity the City has expended over \$100M dollars on Sewer/Stormwater projects in the last several fiscal years. The City continues to make progress on our [\\$42M Back Cove South storage conduit project](#). The City recently awarded the bid on our approximately [\\$30M Back Cove West storage conduit project](#) which will be constructed during FY22. The rates being proposed for FY22 are still lower than anticipated rates projected by Sustainable Storm Water Funding Task Force when the Stormwater Service Charge was originally contemplated. The lower rates are a result of lower than anticipated borrowings from 2015 through 2020. However, significant borrowings have occurred subsequently and rates must increase in FY22 as a result.

For FY22, beginning July 1, 2021 the Stormwater Service Charge will increase to \$7.00 per month for every 1,200 square feet of impervious area. The Sewer Rate will also be increased on 7/1/21 to \$11.80 per hcf. See chart for a comparison of originally projected vs actual rates.

Projected and Actual Sewer Rates and Stormwater Service Charges:





## FY22 REVENUE FEE SCHEDULE CHANGE

**Department: Sewer Fund (0570)**

Ordinance Chapter 24 § 72(c)

| <b><u>Account #</u></b> | <b><u>Revenue Description</u></b> | <b><u>Current Fee</u></b> | <b><u>FY22<br/>Proposed Fee</u></b> |
|-------------------------|-----------------------------------|---------------------------|-------------------------------------|
| 570-31-000 344xxx       | Sewer User Fees                   | \$11.15 hcf               | \$11.80 hcf                         |

## FY22 REVENUE FEE SCHEDULE CHANGE

**Department: Stormwater Fund (571)**

Ordinance Chapter 24 § 84(a)

| <b><u>Account #</u></b> | <b><u>Revenue Description</u></b>                                      | <b><u>Current Fee</u></b> | <b>FY22</b>                |
|-------------------------|------------------------------------------------------------------------|---------------------------|----------------------------|
|                         |                                                                        |                           | <b><u>Proposed Fee</u></b> |
| 571-31-000 344650       | Stormwater Service Charges<br>*per 1,200 sf of impervious surface area | \$6.75                    | \$7.00                     |

## **FISCAL YEAR 2021-2022 APPROPRIATION RESOLVE**

**RESOLVED**, that the sum of **\$268,216,301** is hereby appropriated for Fiscal Year 2022 for General Municipal purposes; and

**BE IT FURTHER RESOLVED**, that the sum of **\$125,154,700** is hereby appropriated for Fiscal Year 2022 for School purposes; and

**BE IT FURTHER RESOLVED**, that the Assessor of Taxes of the City of Portland be and hereby is directed to assess a tax upon all real estate liable to be taxed therein and to assess the owner of, or such other persons as may be liable by law for, personal property liable to be taxed therein on the first day of April, 2021 and not exempt from taxation, to the aggregate amount of **\$91,014,931** for municipal purposes and **\$100,582,406** for school purposes for a total tax levy of **\$191,597,337** for Fiscal Year 2022, resulting in a tax rate of **\$23.49** per \$1,000 of valuation (a **0.8%** increase) and in accordance with the provisions of the Statutes of Maine; and

**BE IT FURTHER RESOLVED**, all taxes assessed as above and committed to the Director of Finance shall be due 30 days after the City's Tax Commitment 2021, and payable in two equal installments, the first due 30 days after the City's Tax Commitment 2021, and the second installment due on the 18th day of March, 2022. The delinquency rate of interest shall be six percent (6%) per annum on all payments received after the respective due dates and the abatement rate of interest shall be two percent (2%) per annum.

# City of Portland FY22 City Manager Recommended Budget

**City Council Budget Workshop - 5/10/21**



**Brendan T. O'Connell –  
Finance Director**

# **AGENDA**



- **“Blue Book Summary” - What’s Included**
- **FY22 Department Org Net Report Explained**
- **Detailed Department Budget Reviews**
  - **Portland International Jetport**
  - **City Council**
  - **City Manager / Executive**
  - **Finance**
  - **Assessor**
  - **Parking**
  - **Public Works**
  - **Memberships / Contributions**
- **Questions & Answers (anytime)**



# FY22 City Manager Recommended Budget Blue Book Summary - What's Included

- Transmittal Letter from City Manager - (p. 1-9)
- 3 Year Comparative Budget FY20 - FY22 - (p. 10-13)
- Tax Rate Computation Page (aka the Resolve) - (p. 14)
- Non-Tax Revenue by Department (p. 15)
- Budget Summary by Category (p. 16)
- Tax Levy by Budget Category (p. 17)
- Staffing / FTE Changes FY17-FY22 (p. 18)
- Budget Calendar (p. 19-21)

**TAX RATE COMPUTATION--FY2022**  
**City Manager's Recommendation**

|                     | General Fund  | County Tax  | City General Fund | Enterprise Funds | TOTAL CITY    |
|---------------------|---------------|-------------|-------------------|------------------|---------------|
| Total Expenditures  | \$205,009,575 | \$7,147,309 | \$212,156,884     | \$56,059,417     | \$268,216,301 |
| Less: Revenues      | (121,141,953) | 0           | (121,141,953)     | (58,219,679)     | (179,361,632) |
| Surplus             | 0             | 0           | 0                 | 2,160,262        | 2,160,262     |
| Tax Levy            | \$83,867,622  | \$7,147,309 | \$91,014,931      | \$0              | \$91,014,931  |
| Valuation           | 8,155,000,000 |             |                   |                  |               |
| Tax Rate:           |               |             |                   |                  |               |
| FY22                | \$10.28       | \$0.88      | \$11.16           | \$0.00           | \$11.16       |
| FY21                | \$10.75       | \$0.87      | \$11.62           | \$0.00           | \$11.62       |
| \$ Increase         | (\$0.47)      | \$0.01      | (\$0.46)          | \$0.00           | (\$0.46)      |
| % of Total Increase | -4.0%         | 0.1%        | -4.0%             | 0.0%             | -4.0%         |

# **TAX RATE COMPUTATION--FY2022**

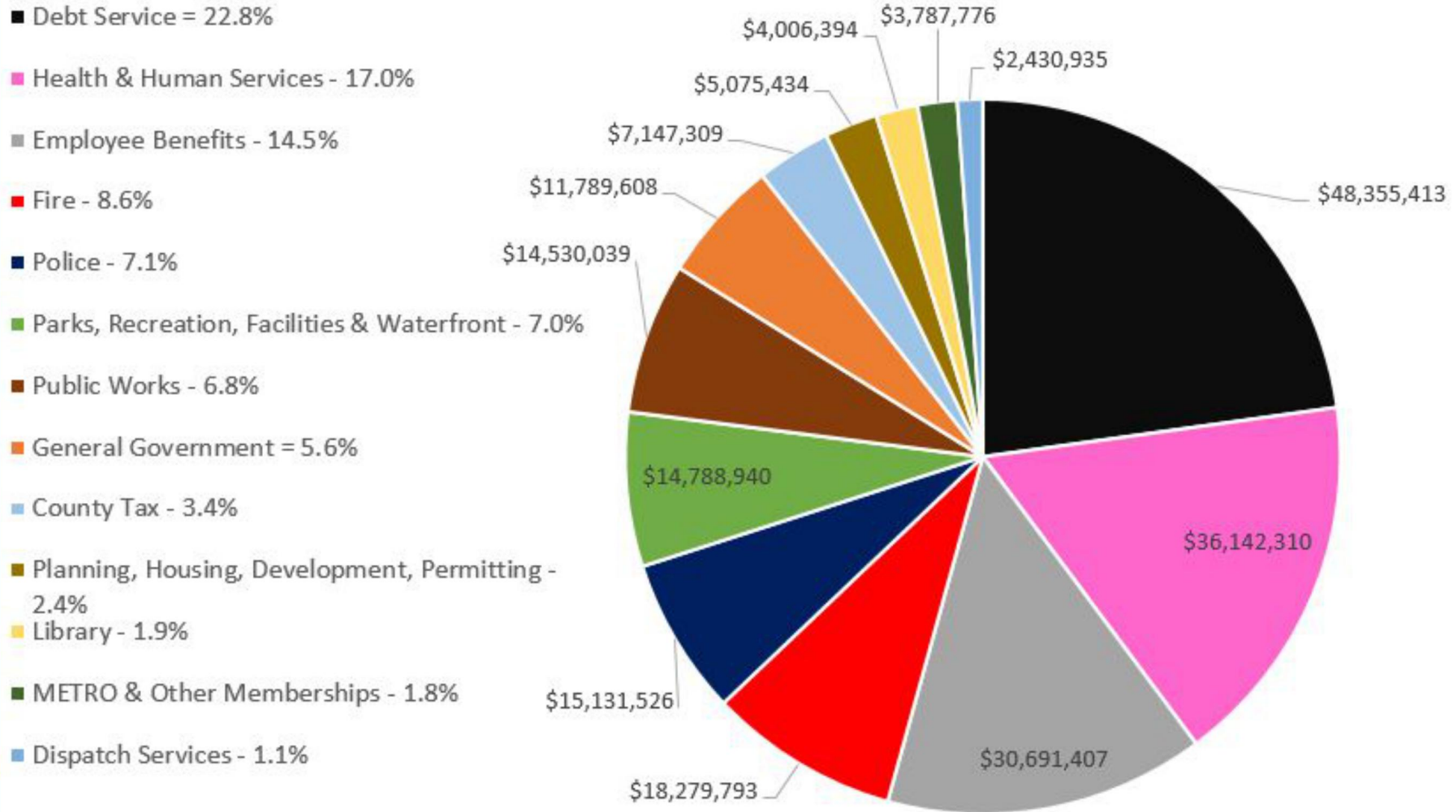
City Figures Represent City Manager's Recommendation

School Department Figures from Most Recent School Board Approved Budget

|                     | General Fund  | County Tax  | City General Fund | Enterprise Funds | TOTAL CITY    | School Dept   | GRAND TOTAL   |
|---------------------|---------------|-------------|-------------------|------------------|---------------|---------------|---------------|
| Total Expenditures  | \$205,009,575 | \$7,147,309 | \$212,156,884     | \$56,059,417     | \$268,216,301 | \$125,154,700 | \$393,371,001 |
| Less: Revenues      | (121,141,953) | 0           | (121,141,953)     | (58,219,679)     | (179,361,632) | (23,802,294)  | (203,163,926) |
| Surplus             | 0             | 0           | 0                 | 2,160,262        | 2,160,262     | (770,000)     | 1,390,262     |
| Tax Levy            | \$83,867,622  | \$7,147,309 | \$91,014,931      | \$0              | \$91,014,931  | \$100,582,406 | \$191,597,337 |
| Valuation           | 8,155,000,000 |             |                   |                  | 47.5%         | 52.5%         | 100.0%        |
| Tax Rate:           |               |             |                   |                  |               |               |               |
| FY22                | \$10.28       | \$0.88      | \$11.16           | \$0.00           | \$11.16       | \$12.33       | \$23.49       |
| FY21                | \$10.75       | \$0.87      | \$11.62           | \$0.00           | \$11.62       | \$11.69       | \$23.31       |
| \$ Increase         | (\$0.47)      | \$0.01      | (\$0.46)          | \$0.00           | (\$0.46)      | \$0.64        |               |
| % of Total Increase | -4.0%         | 0.1%        | -4.0%             | 0.0%             | -4.0%         | 5.5%          |               |

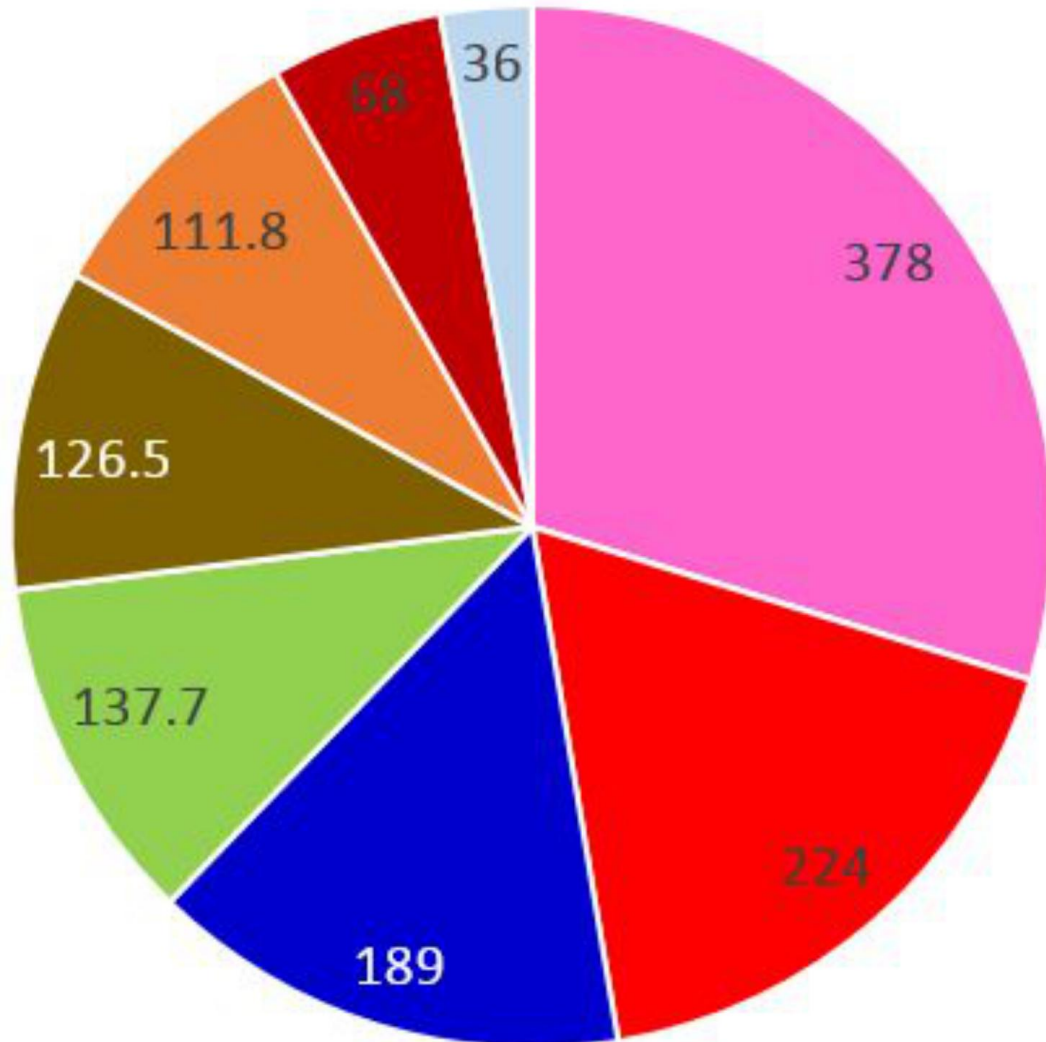


## FY22 General Fund Budget Breakdown



## General Fund FTE by Department - FY22 CM Recommended Budget

- Health & Human Services - 29.7%
- Fire - 17.6%
- Police - 14.9%
- Parks, Recreation, Facilities & Waterfront - 10.8%
- Public Works - 10%
- General Government - 8.8%
- Planning, Housing, Development, Permitting - 5.4%
- Dispatch Services - 2.8%



## FY16 - FY22 City of Portland Tax Rate History & Breakdown

|                      | MUNICIPAL PORTION |                 |                 |                   | SCHOOL PORTION  |                    | OVERALL                   |
|----------------------|-------------------|-----------------|-----------------|-------------------|-----------------|--------------------|---------------------------|
| Fiscal Year          | City Tax Rate     | City % of Total | County Tax Rate | County % of Total | School Tax Rate | Schools % of Total | City of Portland Tax Rate |
| <b>FY16</b>          | \$9.83            | 47.6%           | \$0.68          | 3.3%              | \$10.12         | 49.1%              | \$20.63                   |
| <b>FY17</b>          | \$10.08           | 47.8%           | \$0.70          | 3.3%              | \$10.33         | 48.9%              | \$21.11                   |
| <b>FY18</b>          | \$10.28           | 47.5%           | \$0.76          | 3.5%              | \$10.61         | 49.0%              | \$21.65                   |
| <b>FY19</b>          | \$10.55           | 46.9%           | \$0.79          | 3.5%              | \$11.14         | 49.6%              | \$22.48                   |
| <b>FY20</b>          | \$10.79           | 46.3%           | \$0.83          | 3.6%              | \$11.69         | 50.1%              | \$23.31                   |
| <b>FY21</b>          | \$10.75           | 46.1%           | \$0.87          | 3.7%              | \$11.69         | 50.2%              | \$23.31                   |
| <b>FY22 Proposed</b> | \$10.28           | 43.8%           | \$0.88          | 3.7%              | \$12.33         | 52.5%              | \$23.49                   |

**The City portion of the overall tax rate has increased by 45 cents or 4.65% since FY16**

**The County portion of the overall tax rate has increased by 20 cents or 28.99% since FY16**

**The School portion of the overall tax rate has increased by \$2.21 or 21.84% since FY16**



## FY16 - FY22 City of Portland Tax Levy History & Breakdown

|                      | MUNICIPAL PORTION |                 |                 |                   | SCHOOL PORTION  |                    | OVERALL                   |
|----------------------|-------------------|-----------------|-----------------|-------------------|-----------------|--------------------|---------------------------|
| Fiscal Year          | City Tax Levy     | City % of Total | County Tax Levy | County % of Total | School Tax Levy | Schools % of Total | City of Portland Tax Levy |
| <b>FY16</b>          | \$ 75,785,193     | 47.6%           | \$5,240,009     | 3.3%              | \$ 78,073,211   | 49.1%              | \$ 159,098,413            |
| <b>FY17</b>          | 78,445,570        | 47.8%           | 5,417,119       | 3.3%              | 80,331,376      | 48.9%              | 164,194,065               |
| <b>FY18</b>          | 80,187,454        | 47.5%           | 5,907,743       | 3.5%              | 82,787,921      | 49.0%              | 168,883,118               |
| <b>FY19</b>          | 83,323,749        | 46.9%           | 6,288,845       | 3.5%              | 88,003,431      | 49.5%              | 177,616,025               |
| <b>FY20</b>          | 86,173,337        | 46.3%           | 6,640,316       | 3.6%              | 93,345,139      | 50.1%              | 186,158,792               |
| <b>FY21</b>          | 86,743,535        | 46.1%           | 7,011,159       | 3.7%              | 94,338,744      | 50.2%              | 188,093,438               |
| <b>FY22 Proposed</b> | 83,867,622        | 43.8%           | 7,147,309       | 3.7%              | 100,582,406     | 52.5%              | 191,597,337               |

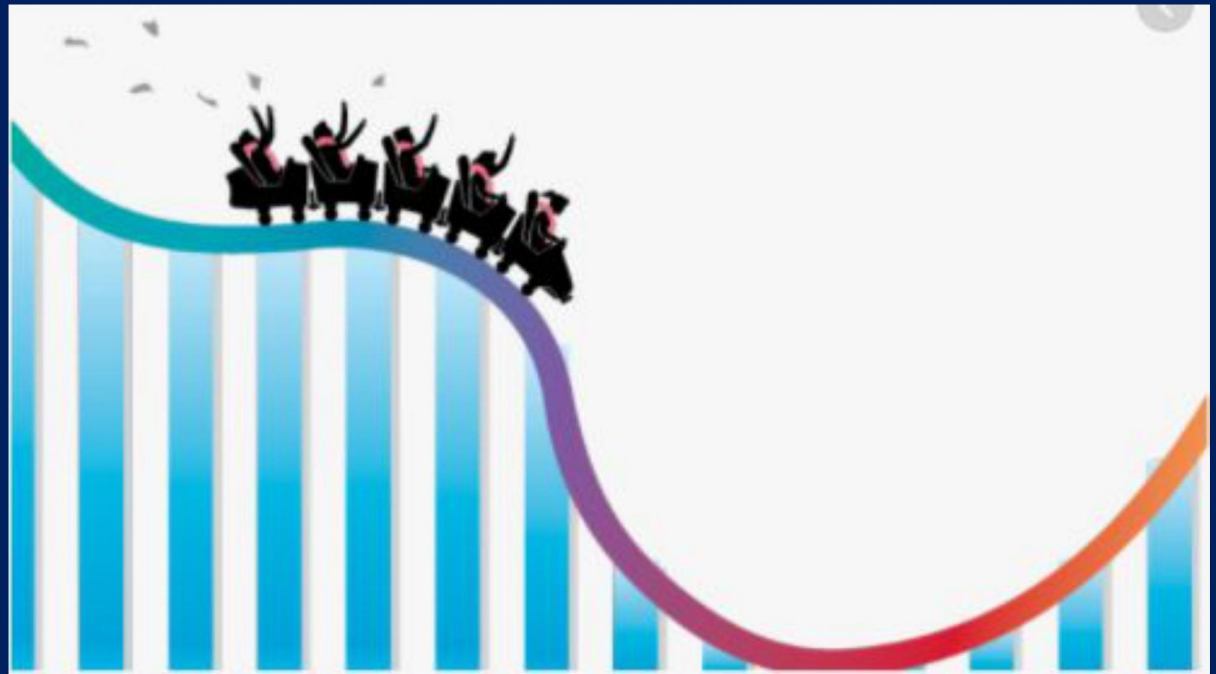
**The City portion of the overall tax levy has increased by \$8.1M or 10.66% since FY16**

**The County portion of the overall tax levy has increased by \$1.9M cents or 36.4% since FY16**

**The School portion of the overall tax levy has increased by \$22.5M or 28.8% since FY16**

# FY22 Budget Challenge Revisited: COVID Revenue Loss Estimates - Key Revenue Lines Compared to FY19

- FY20 vs FY19 - \$11.3M loss due to COVID
- FY21 vs FY19 - \$16.6M loss due to COVID (estimated on FY21 actuals)
- FY22 vs FY19 - \$11.3M in losses in Excise Tax, Parks & Rec, Facilities & Waterfront, Parking and Barron Center (figure does not include losses in other Departments)



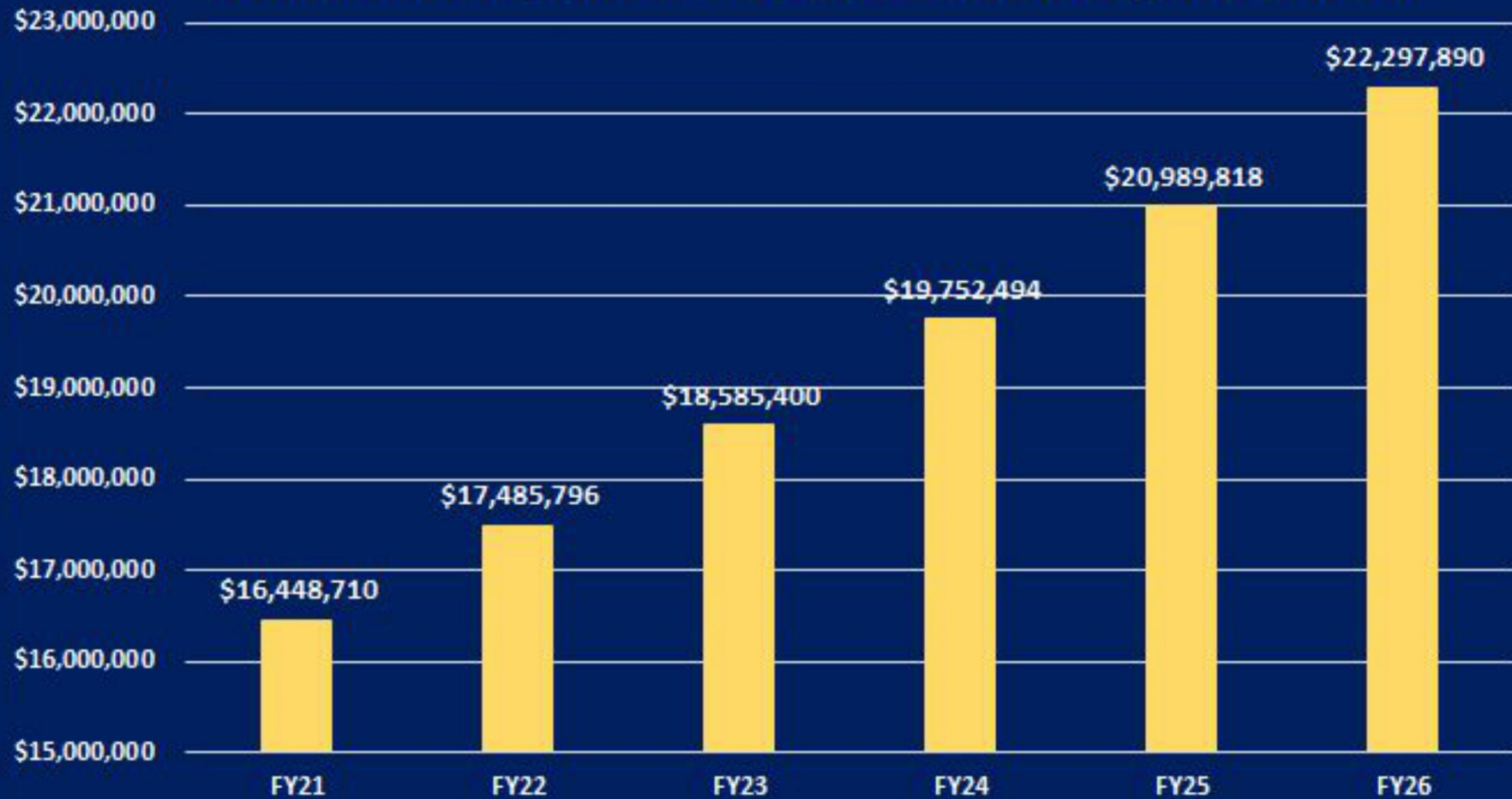


# FY22 Budget Challenge Addressed via City Advocacy: American Rescue Plan (ARP) Act Funding

- Prior to March 2021 there had been no direct aid to municipalities with populations under 500,000 to address revenue shortfalls due to COVID
- City lobbied extensively through Senator Collins, Congresswoman Chellie Pingree, the National League of Cities and a team of several others to ensure inclusion of direct local aid which could be used to cover revenue shortfalls.
- Several packages were brought forward in 2020 which included relief for revenue shortfalls but those packages failed.
- Finally the ARP was brought forward in FY21 and included this critical aid:

*“for the provision of government services to the extent of the reduction in revenue of such State, territory, or Tribal government due to the COVID–19 public health emergency relative to revenues collected in the most recent full fiscal year of the State, territory, or Tribal government prior to the emergency;”*

## Pension Obligation Bond Debt Service by Fiscal Year





# FY22 Budget Challenges - POB Debt Service

|             | Annual Pension<br>Obligation Bond<br>Debt Service | Increase<br>from Prior<br>Year | Addition to<br>the Mill Rate | Cumulative<br>Increase from<br>FY22 |
|-------------|---------------------------------------------------|--------------------------------|------------------------------|-------------------------------------|
| <b>FY21</b> | \$ 16,448,710                                     | \$ 976,312                     | Already Included             |                                     |
| <b>FY22</b> | \$ 17,485,796                                     | \$ 1,037,086                   | \$ 0.13                      |                                     |
| <b>FY23</b> | \$ 18,585,400                                     | \$ 1,099,604                   | \$ 0.14                      | \$ 1,099,604                        |
| <b>FY24</b> | \$ 19,752,494                                     | \$ 1,167,094                   | \$ 0.14                      | \$ 2,266,698                        |
| <b>FY25</b> | \$ 20,989,818                                     | \$ 1,237,324                   | \$ 0.15                      | \$ 3,504,022                        |
| <b>FY26</b> | \$ 22,297,890                                     | \$ 1,308,072                   | \$ 0.16                      | \$ 4,812,094                        |
|             | <b>\$ 99,111,398</b>                              |                                | <b>\$ 0.72</b>               | <b>\$11,682,418</b>                 |



# FY22 Budget Review - City Council

|                     |                   |
|---------------------|-------------------|
| FY22 Budget         | \$424,240         |
| FY21 Budget         | \$450,014         |
| FY21 to FY22 Change | (\$25,774), -5.7% |

## Significant Items & Changes:

- Restoration of travel/training budget to pre-pandemic level - \$25k
- Independent investigation of PD: \$50k paid in FY21, removed for FY22
- Continued funding for Charter Commission - \$75k in Legal Services

# FY22 Budget Review - City Clerk

|                                  |                  |
|----------------------------------|------------------|
| FY21 Budget                      | \$679,454        |
| FY22 Budget                      | \$632,235        |
| FY21 to FY22 Increase (Decrease) | -\$47,219, -6.9% |

## Significant Items & Changes:

- FY21 budget for Contractual Services include Charter Commission related expenditures for June 2021 election. Removed for FY22
- FY21 budget for Administrative Services included significant costs related to November 2021 Presidential election. Removed for FY22.

# FY22 Budget Review - Executive

|                                  |                |
|----------------------------------|----------------|
| FY20 Budget                      | \$929,877      |
| FY21 Budget                      | \$764,688      |
| FY22 Budget                      | \$830,736      |
| FY21 to FY22 Increase (Decrease) | \$66,048, 8.6% |

## Significant Items & Changes:

- +1.0 FTE - Communications Specialist (\$60k est)

# FY22 Budget Review - Assessor

|                                  |                |
|----------------------------------|----------------|
| FY20 Budget                      | \$435,159      |
| FY21 Budget                      | \$418,620      |
| FY22 Budget                      | \$446,739      |
| FY21 to FY22 Increase (Decrease) | \$28,119, 6.7% |

## Significant Items & Changes:

- See external 1 page summary sheet from Assessor Chris Huff



# FY22 Budget Review - Finance

|             |             |
|-------------|-------------|
| FY22 Budget | \$1,892,960 |
|-------------|-------------|

|             |             |
|-------------|-------------|
| FY21 Budget | \$1,865,502 |
|-------------|-------------|

|                                  |                |
|----------------------------------|----------------|
| FY21 to FY22 Increase (Decrease) | \$27,458, 1.5% |
|----------------------------------|----------------|

## Significant Items & Changes:

- Three FTE's being restored to 5 days per week from 4 days
- Overtime / late hours in Treasury will continue year round with appointments available until 6PM on Wednesdays

# FY22 Budget Review - Legal

|                                  |                  |
|----------------------------------|------------------|
| FY22 Budget                      | \$845,052        |
| FY21 Budget                      | \$728,821        |
| FY21 to FY22 Increase (Decrease) | \$116,231, 15.9% |

## Significant Items & Changes:

- Adding new Associate Corporation Counsel +\$110k

# FY22 Budget Review - Human Resources

|             |             |
|-------------|-------------|
| FY22 Budget | \$1,157,467 |
|-------------|-------------|

|             |             |
|-------------|-------------|
| FY21 Budget | \$1,072,530 |
|-------------|-------------|

|                                  |                |
|----------------------------------|----------------|
| FY21 to FY22 Increase (Decrease) | \$84,937, 7.9% |
|----------------------------------|----------------|

## Significant Items & Changes:

- Racial Equity and Leadership Training from the National League of Cities for all City staff - \$80,000

<https://www.nlc.org/program/race-equity-and-leadership-real/>

# FY22 Budget Review - Parking

|             |             |
|-------------|-------------|
| FY22 Budget | \$2,387,748 |
| FY21 Budget | \$2,244,853 |

|                                  |                 |
|----------------------------------|-----------------|
| FY21 to FY22 Increase (Decrease) | \$142,895, 6.4% |
|----------------------------------|-----------------|

## Significant Items & Changes:

- Restoration of maintenance and repairs in City owned garages to pre-COVID levels +\$110k



# FY22 Budget Review - Economic Development

|             |             |
|-------------|-------------|
| FY22 Budget | \$1,277,391 |
|-------------|-------------|

|             |             |
|-------------|-------------|
| FY21 Budget | \$1,220,230 |
|-------------|-------------|

|                                  |              |
|----------------------------------|--------------|
| FY21 to FY22 Increase (Decrease) | 57,161, 4.7% |
|----------------------------------|--------------|

## Significant Items & Changes:

- Office of Economic Opportunity Programs & Initiatives +\$23k
- Additional Interpreter / Translation Expenses +\$14k

# FY22 Budget Review - Police Department

|                                  |                     |
|----------------------------------|---------------------|
| FY22 Budget                      | \$17,195,829        |
| FY21 Budget                      | \$15,049,863        |
| FY21 to FY22 Increase (Decrease) | (2,145,966), -12.5% |

## Significant Items & Changes:

- Emergency Communications services provided by Portland Regional Communications Center (\$2.37M) moved to 100-23 Dispatch Services
- Increase to Police budget net of this change was +\$203k
- The \$203k is entirely payroll related, contractually obligated step increases + 1 new civilian FTE (Media/Communications Relations Liaison)

# FY22 Budget Review - Fire Department

|             |              |
|-------------|--------------|
| FY22 Budget | \$18,181,140 |
|-------------|--------------|

|             |              |
|-------------|--------------|
| FY21 Budget | \$17,804,366 |
|-------------|--------------|

|                                  |               |
|----------------------------------|---------------|
| FY21 to FY22 Increase (Decrease) | 376,774, 2.1% |
|----------------------------------|---------------|

## Significant Items & Changes:

- Replacement Ambulance +\$280k
- Heart Monitor Replacements +\$41k
- No FTE changes

# FY22 Budget Review - Dispatch Services

|                                  |             |
|----------------------------------|-------------|
| FY22 Department Budget           | \$2,417,816 |
| FY21 Department Budget           | \$0*        |
| FY21 to FY22 Increase (Decrease) | \$2,417,816 |

## Significant Items & Changes:

- \*Previously Emergency Communications services provided by Portland Regional Communications Center (\$2.37M) was a Division within PD.
- Year over year increase in Dispatch (FY21 Dispatch Services Division vs FY22 Dispatch Department) +\$42k



# FY22 Budget Review - Planning & Urban Development

|                                  |                  |
|----------------------------------|------------------|
| FY22 Budget                      | \$1,598,268      |
| FY21 Budget                      | \$1,425,522      |
| FY21 to FY22 Increase (Decrease) | \$172,746, 12.1% |

## Significant Items & Changes:

- Continued funding for ReCODE efforts +\$65,000
- Study on Impact of Historic Districts +\$65,000

## FY22 Budget Review - Permitting & Inspection

|                                  |                  |
|----------------------------------|------------------|
| FY22 Budget                      | \$2,172,384      |
| FY21 Budget                      | \$1,926,043      |
| FY21 to FY22 Increase (Decrease) | \$246,341, 12.8% |

### Significant Items & Changes:

- 4 FTE Increase related to citizen initiated referendums (2 for marijuana - \$122k and 2 for Rent Control - \$99,958)
- Entirely offset by increases in fee revenue required by these referendum

# FY22 Budget Review - Information Technology

|             |             |
|-------------|-------------|
| FY20 Budget | \$2,914,482 |
| FY21 Budget | \$2,589,248 |
| FY22 Budget | \$2,858,804 |

|                                  |                  |
|----------------------------------|------------------|
| FY21 to FY22 Increase (Decrease) | \$269,556, 10.4% |
|----------------------------------|------------------|

## Significant Items & Changes:

- Staff return from furloughs (10% furlough during early pandemic)
- Return to pre-pandemic levels of spending in number of areas

# FY22 Budget Review - Public Works

|             |              |
|-------------|--------------|
| FY20 Budget | \$14,636,202 |
| FY21 Budget | \$13,655,734 |
| FY22 Budget | \$14,451,623 |

|                                  |                 |
|----------------------------------|-----------------|
| FY21 to FY22 Increase (Decrease) | \$795,889, 5.8% |
|----------------------------------|-----------------|

## Significant Items & Changes:

- FTE restoration to pre-pandemic levels
- Increase in sidewalk painting expenses
- Increase in fuel prices in 2021

| FY20 - 131.5                                      | FY21 - 122.1 | FY22 - 126.5 |
|---------------------------------------------------|--------------|--------------|
| Added back 0.5 Program Coordinator in Admin       |              |              |
| Added back 1.0 Solid Waste Program Manager        |              |              |
| Added back 0.5 Solid Waste Maintenance Worker     |              |              |
| Added 1.0 Islands Maintenance Worker              |              |              |
| Added back 0.4 Traffic Signal Repair Worker       |              |              |
| Added back 0.5 Construction Inspection Specialist |              |              |
| Added back 0.5 Engineering Asset Mgt Tech         |              |              |



## FY22 Budget Review - Parks & Recreation

|                                  |                  |
|----------------------------------|------------------|
| FY22 Budget                      | \$9,190,984      |
| FY21 Budget                      | \$9,324,469      |
| FY21 to FY22 Increase (Decrease) | (133,485), -1.4% |

### Significant Items & Changes:

- Right sizing Department based on actual activity during pandemic
- Reductions in Public Assemblies where indoor activities not yet resumed
- Increases in Recreation & other areas with increased activity

# FY22 Budget Review - Facilities & Waterfront

|             |             |
|-------------|-------------|
| FY21 Budget | \$5,079,184 |
|-------------|-------------|

|             |             |
|-------------|-------------|
| FY22 Budget | \$5,518,142 |
|-------------|-------------|

|                                  |                 |
|----------------------------------|-----------------|
| FY21 to FY22 Increase (Decrease) | \$438,958, 8.6% |
|----------------------------------|-----------------|

## Significant Items & Changes:

- Merrill Auditorium emergency roof replacement - \$500k

# FY22 Budget Review - Health & Human Services

|             |              |
|-------------|--------------|
| FY21 Budget | \$33,281,924 |
|-------------|--------------|

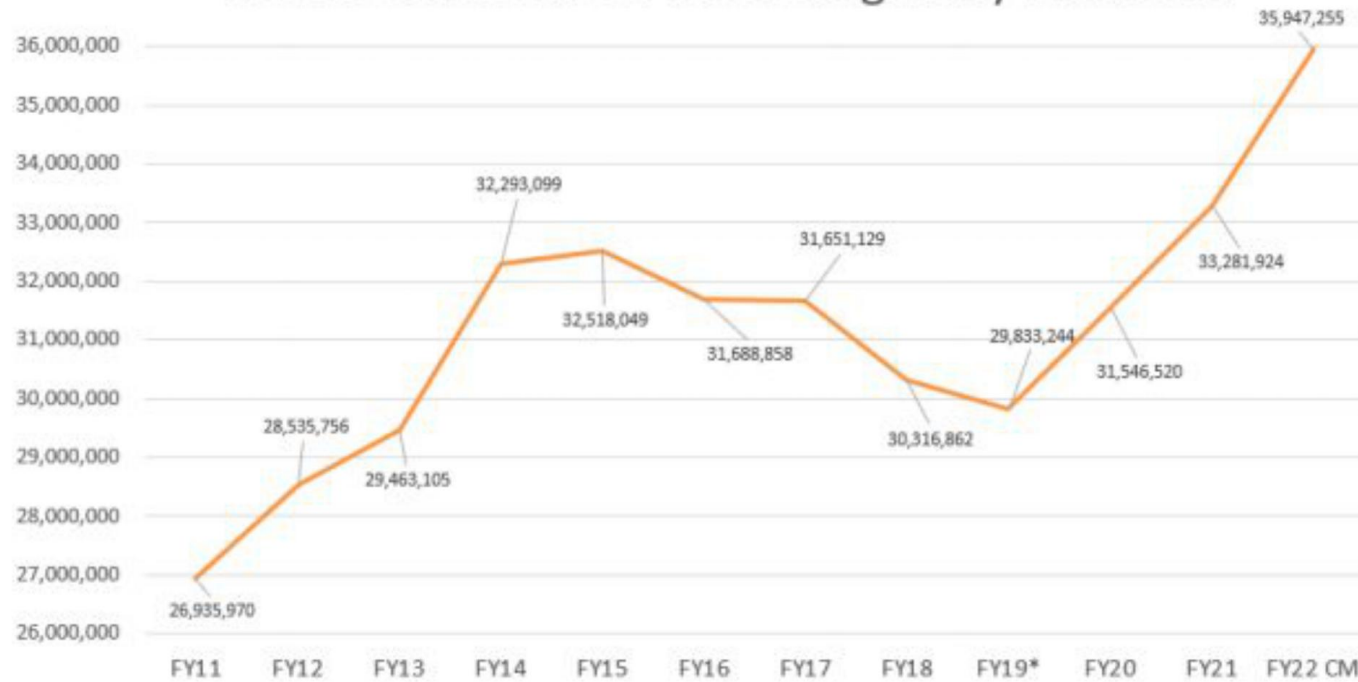
|             |              |
|-------------|--------------|
| FY22 Budget | \$35,947,255 |
|-------------|--------------|

|                                  |                   |
|----------------------------------|-------------------|
| FY21 to FY22 Increase (Decrease) | \$2,665,331, 8.0% |
|----------------------------------|-------------------|

## Significant Items & Changes:

- See summary charts on following pages for additional details
- Proposed HHS increase for FY22 is over 3x larger than increase in any other staffed Department
- Increase in HHS funding since FY11 has been over \$9M

## Health & Human Services Budgets by Fiscal Year



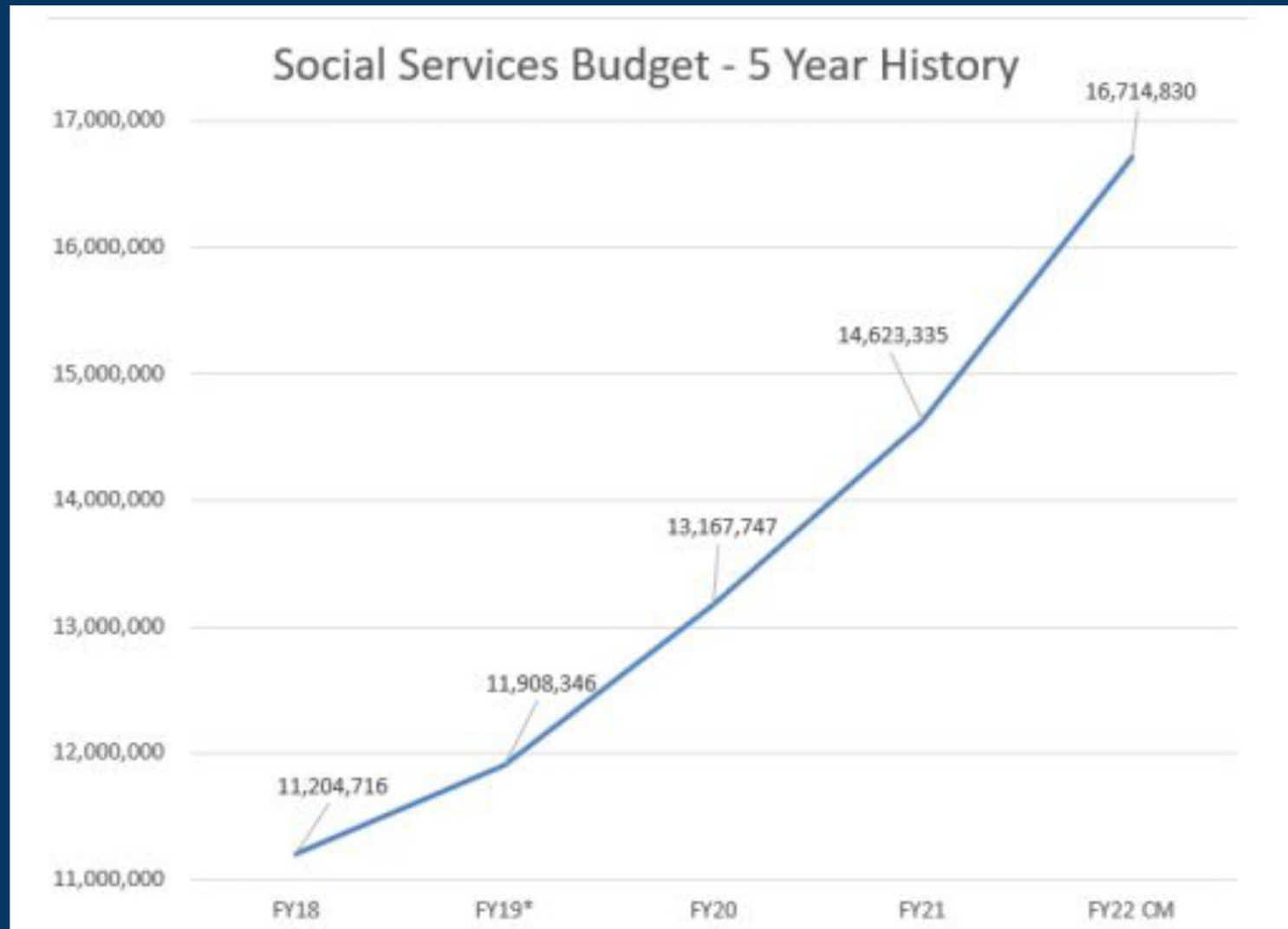
Note 1: Decreases in FY16 to FY18 were primarily related to grant losses during the LePage administration and transition of services to a 501(c)3 organization founded by the City.

\$ increase to HHS from FY11 Approved to FY22 City Manager Recommended budget – \$9,011,285

% increase to HHS from FY11 Approved to FY22 City Manager Recommended budget – 33.5%

45.6% increase in Public Health / Social Services budgeted expenditures since FY11 (\$5.975M of \$9.011M increase)

19.5% increase in Barron Center budgeted expenditures since FY11 (\$2.697M of \$9.011M increase)







# SOCIAL SERVICES

A division of the City of Portland's  
Health & Human Services Department

## OUR IMPACT IN PORTLAND DURING FY21

(7/1/20 - 3/31/21)

General Assistance

1,770

individual clients served at  
General Assistance



[WWW.PORTLANDMAINE.GOV](http://WWW.PORTLANDMAINE.GOV)



# SOCIAL SERVICES

A division of the City of Portland's  
Health & Human Services Department

## OUR IMPACT IN PORTLAND DURING FY21

(7/1/20 - 3/31/21)

### Family Shelter



# 20,120

bed nights provided to 279  
individuals at the Family Shelter.  
80 families were connected to  
stable housing.

[WWW.PORTLANDMAINE.GOV](http://WWW.PORTLANDMAINE.GOV)



# SOCIAL SERVICES

A division of the City of Portland's  
Health & Human Services Department

## OUR IMPACT IN PORTLAND DURING FY21

(7/1/20 - 3/31/21)

**Oxford Street  
Shelter**

# 30,250



bed nights provided for 568 clients  
at the Oxford Street Shelter. 71  
clients were connected to stable  
housing.

[WWW.PORTLANDMAINE.GOV](http://WWW.PORTLANDMAINE.GOV)



### Public Health Funding - 5 Year History



For the fifth consecutive year the City Manager has increased Public Health expenditures in his recommended budget. The increase for FY22 is approximately 6.3% or \$139,943. The City continues to aggressively pursue grant and other funding opportunities to enhance and expand our Public Health offerings here in the City and respond to the needs of the public.



# PUBLIC HEALTH

A division of the City of Portland's  
Health & Human Services Department

## OUR IMPACT IN PORTLAND DURING FY21

(7/1/20 - 3/31/21)

### Chronic Disease Prevention



# 5,210

Portland Public School  
students and 998 children  
in early childcare and  
education centers reached  
by Let's Go!

[WWW.PORTLANDMAINE.GOV](http://WWW.PORTLANDMAINE.GOV)



# PUBLIC HEALTH

A division of the City of Portland's  
Health & Human Services Department

## OUR IMPACT IN PORTLAND DURING FY21

(7/1/20 - 3/31/21)

### Minority Health



# 1,063

total outreach efforts by our  
Community Health Outreach  
Workers (CHOWs). 1,231  
clients were connected to  
needed care, education, and  
resources.

[WWW.PORTLANDMAINE.GOV](http://WWW.PORTLANDMAINE.GOV)



# PUBLIC HEALTH

A division of the City of Portland's  
Health & Human Services Department

## OUR IMPACT IN PORTLAND DURING FY21

(7/1/20 - 3/31/21)



### Needle Exchange Program

# 246,057

needles collected and safely disposed of  
in 4,316 total exchanges at the Needle  
Exchange Program.

14 organizations received 1,562 doses of naloxone.

[WWW.PORTLANDMAINE.GOV](http://WWW.PORTLANDMAINE.GOV)



# PUBLIC HEALTH

A division of the City of Portland's  
Health & Human Services Department

## OUR IMPACT IN PORTLAND DURING FY21

(7/1/20 - 3/31/21)

### Maternal Child Health



# 691

total home visits for  
residents who are  
pregnant or have a child  
up to age 5.

[WWW.PORTLANDMAINE.GOV](http://WWW.PORTLANDMAINE.GOV)





# PUBLIC HEALTH

A division of the City of Portland's  
Health & Human Services Department

## OUR IMPACT IN PORTLAND DURING FY21

(7/1/20 - 3/31/21)

### India Street Public Health Center



# 1,040

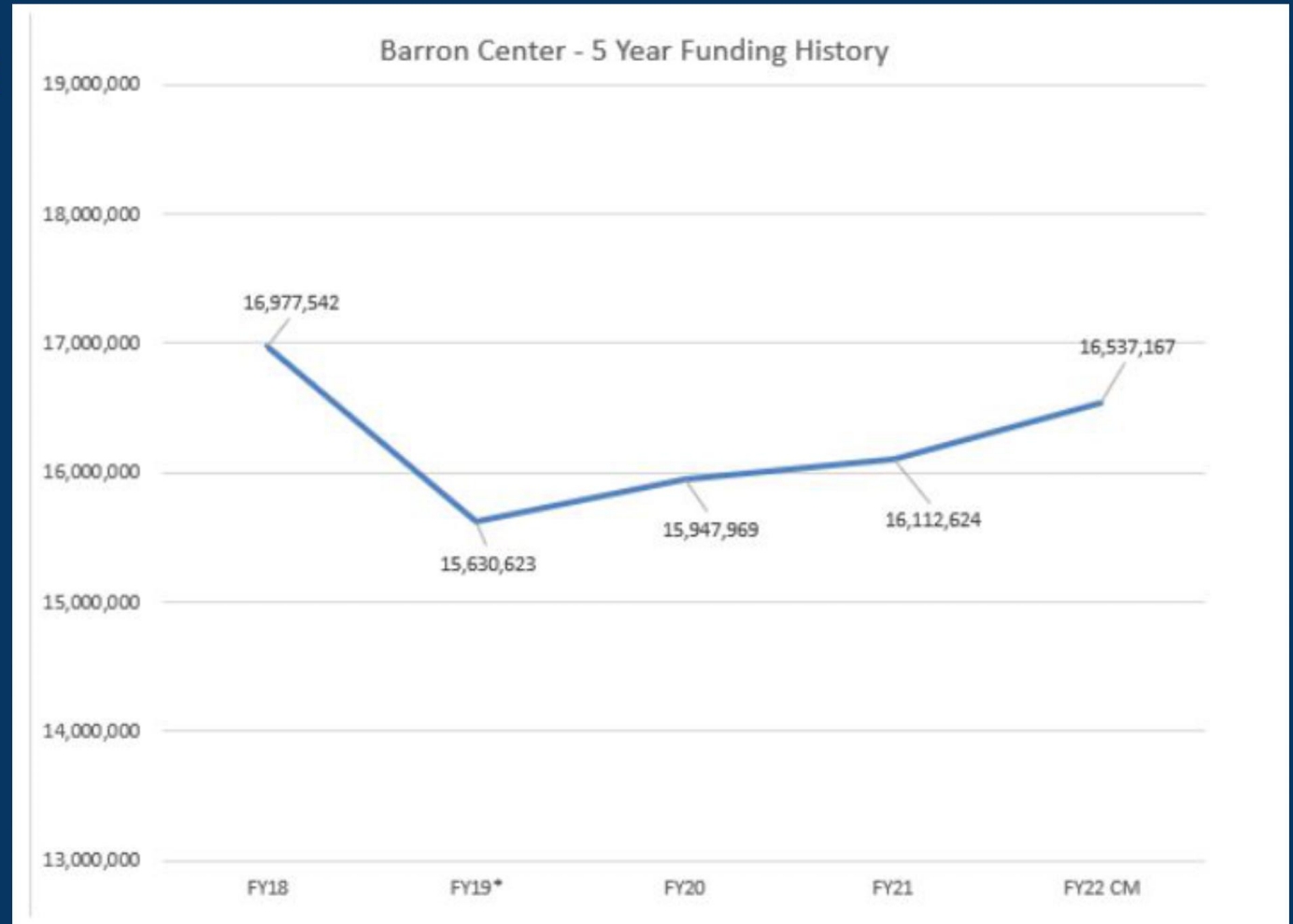
patients seen at our STD  
Clinic (523 patients) and  
Portland Community Free  
Clinic (517 patients).

[WWW.PORTLANDMAINE.GOV](http://WWW.PORTLANDMAINE.GOV)

# BARRON CENTER

FY21 Budget: \$16,112,624  
FY22 Budget: \$16,537,167  
Increase: \$424,543, 2.6%

Beginning to work back up  
to pre-pandemic level  
patient census levels.



# FY22 Budget Review - Debt Service

|             |              |
|-------------|--------------|
| FY21 Budget | \$45,700,279 |
|-------------|--------------|

|             |              |
|-------------|--------------|
| FY22 Budget | \$48,355,413 |
|-------------|--------------|

|                                  |                 |
|----------------------------------|-----------------|
| FY21 to FY22 Increase (Decrease) | 2,655,134, 5.8% |
|----------------------------------|-----------------|

## Significant Items & Changes:

- POB Debt Service increase +\$1M
- Lyseth School first principal payment (approx \$800k)
- Annual CIP debt service and new sewer/stormwater enterprise fund debt service makes up the remaining increase.



# FY22 Budget Review - Public Library

|                                  |              |
|----------------------------------|--------------|
| FY21 Budget                      | \$3,927,837  |
| FY22 Budget                      | \$4,006,394  |
| FY21 to FY22 Increase (Decrease) | 78,557, 2.0% |

## Significant Items & Changes:

- No major changes

# FY22 Budget Review - Pension

|             |             |
|-------------|-------------|
| FY21 Budget | \$7,764,619 |
| FY22 Budget | \$8,531,837 |

|                                  |               |
|----------------------------------|---------------|
| FY21 to FY22 Increase (Decrease) | 767,218, 9.9% |
|----------------------------------|---------------|

## Significant Items & Changes:

- Minor increases in pension contribution rates required for Plan 2C (Police/Fire) and Plan AC (all other employees in MainePERS).

# FY22 Budget Review - Employee Benefits

|             |              |
|-------------|--------------|
| FY21 Budget | \$22,257,159 |
|-------------|--------------|

|             |              |
|-------------|--------------|
| FY22 Budget | \$21,342,536 |
|-------------|--------------|

|                                  |                  |
|----------------------------------|------------------|
| FY21 to FY22 Increase (Decrease) | (914,623), -4.1% |
|----------------------------------|------------------|

## Significant Items & Changes:

- Health Insurance claims have remained low during pandemic - year over year reduction of in excess of \$500k.
- External benefits broker hired in early FY21 (Lockton). Seeing improvements in cost effectiveness and efficiency of City benefits.

# FY22 Budget Review - Contingent, Liability Insurance, Memberships/Contributions, County Tax, METRO

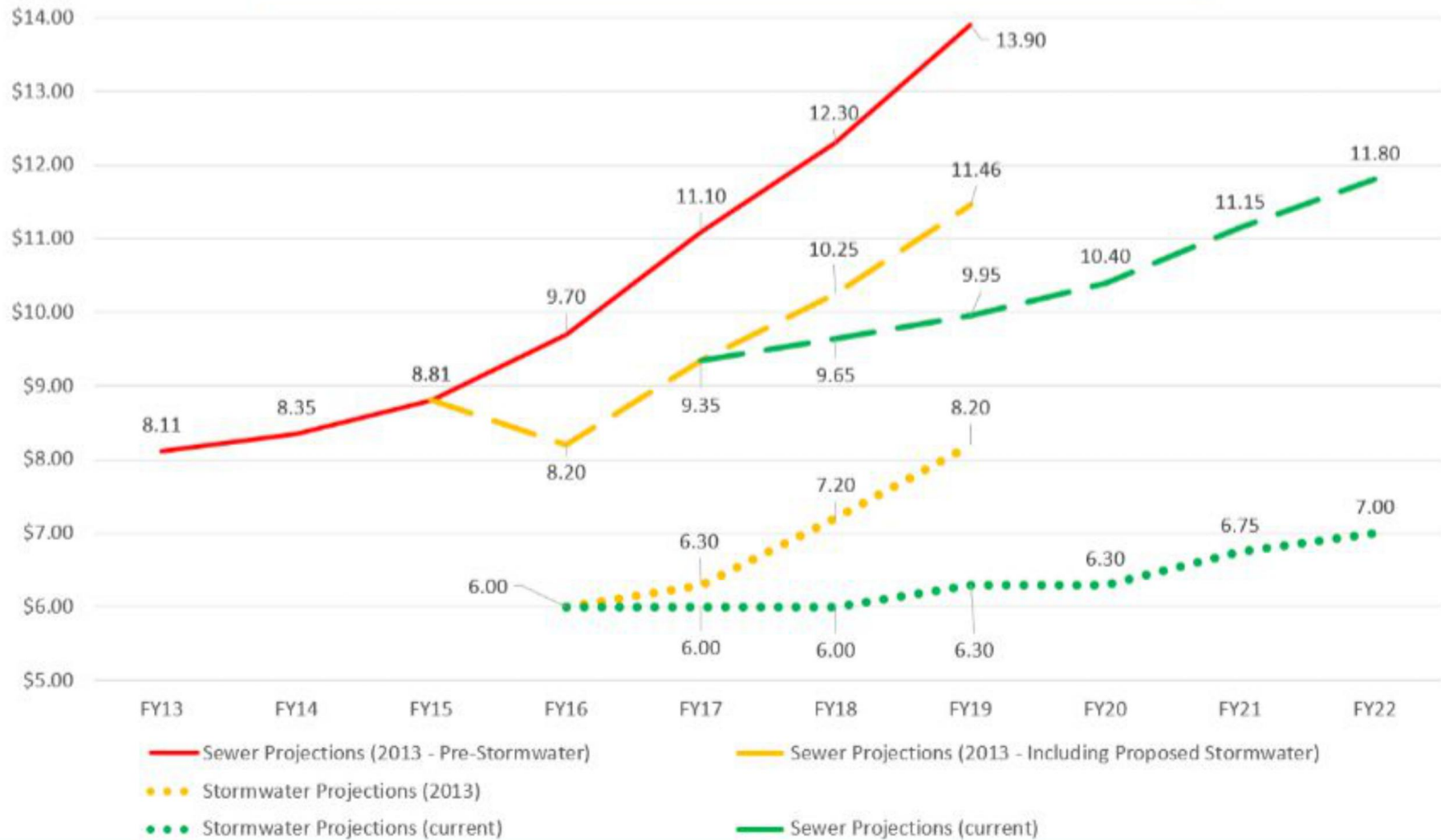
|        |                                        | FY20               | FY21               | FY22 City Mgr's<br>Recomm. | FY22-CM /<br>FY21 \$ | %            |
|--------|----------------------------------------|--------------------|--------------------|----------------------------|----------------------|--------------|
| 100-61 | Contingent                             | 250,000            | 250,000            | 250,000                    | -                    | 0.0%         |
| 100-62 | Liability Insurance                    | 839,325            | 793,128            | 817,034                    | 23,906               | 3.0%         |
| 100-65 | Regional Transportation Program        | 78,480             | 78,480             | 78,480                     | -                    | 0.0%         |
|        | Contributions                          | 437,388            | 419,910            | 689,149                    | 269,239              | 64.1%        |
|        | <b>Total Memberships/Contributions</b> | <b>515,868</b>     | <b>498,390</b>     | <b>767,629</b>             | <b>269,239</b>       | <b>54.0%</b> |
| 100-67 | Wage Adjustment                        | (165,000.00)       | -                  | 637,738                    | 637,738              | #DIV/0!      |
|        | <b>Total General Fund Expenditures</b> | <b>197,304,483</b> | <b>192,918,443</b> | <b>201,989,428</b>         | <b>9,070,985</b>     | <b>4.7%</b>  |
| 100-63 | County Tax                             | 6,640,316          | 7,011,159          | 7,147,309                  | 136,150              | 1.9%         |
| 100-65 | Metro Assessment                       | 2,787,772          | 2,877,058          | 3,020,147                  | 143,089              | 5.0%         |



# FY22 Budget Review - Enterprise Funds

|                                           | FY20                | FY21                | FY22 City Mgr's<br>Recomm. | FY22-CM /<br>FY21 \$ | %           |
|-------------------------------------------|---------------------|---------------------|----------------------------|----------------------|-------------|
| Fish Pier                                 | \$388,679           | \$423,216           | \$421,641                  | (\$1,575)            | -0.4%       |
| Total Sewer                               | 27,032,572          | 26,708,918          | 28,441,361                 | 1,732,443            | 6.5%        |
| Total Stormwater                          | 2,788,837           | 2,972,872           | 3,248,661                  | 275,789              | 9.3%        |
| Total Jetport                             | 26,578,275          | 24,074,754          | 23,947,754                 | (127,000)            | -0.5%       |
| <b>Total Enterprise Fund Expenditures</b> | <b>\$56,788,363</b> | <b>\$54,179,760</b> | <b>\$56,059,417</b>        | <b>\$1,879,657</b>   | <b>3.5%</b> |

## Projected and Actual Sewer Rates and Stormwater Service Charges:





**Q & A**

**Thank you!**

**Contact:**

**[finance@portlandmaine.gov](mailto:finance@portlandmaine.gov)**

# City of Portland, Maine

## City Manager's Recommended Budget



### **FY22 Budget**

July 1, 2021 – June 30, 2022





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

April 26, 2021

To Mayor Snyder and Members of the Portland City Council:

Pursuant to Article VI, Section 5(e) and Article VII, Sections 5 and 6 of the City of Portland Charter, I am hereby submitting the City Manager's Recommended \$268 million FY22 Municipal Operating Budget, which results in a 4% reduction to the municipal portion of the tax rate.

With more than a year now under our belts of working essentially in emergency-response mode to prevent the spread of COVID-19 while also providing municipal services in pandemic conditions, we are starting to feel hopeful there is light at the end of the tunnel. However, we continue to feel the effects the pandemic has had on our staff, resources, and revenues. We drastically reduced our budget last year in light of the impact COVID had on our revenue streams and the impact it had on our taxpayers. While it was not easy to make reductions in our staff and services, I felt it was particularly important to ensure there was no property tax rate increase as we all dealt with difficult economic times. In fact, I'm proud that we ended up being able to present a 4 cent property tax rate decrease on the City side of the overall budget last year. Making those tough decisions was the right thing to do given the circumstances, and has helped ensure this year is not as bleak. As we set about our budget work this year, our goal was to come up with a measured and moderate budget; one that would have as minimal of a tax rate increase as possible, but also one that would start the process of getting us back to where we were before the pandemic hit. We expect it will take a few budget cycles to get us back to FY19 levels as the economy recovers, but this budget does begin that rebuilding process.

Our FY22 revenue outlook continues to feel the effects of the pandemic. Recent estimates from our Finance Department indicate that the City had COVID related revenue losses of nearly \$28 million during FY21 and the tail end of FY20. Revenue estimates for FY22 have also dropped by millions of dollars in a number of key categories when compared to the most recently completed fiscal year prior to the pandemic. These losses are made up of many activities which will not operate or will operate at a significantly reduced level during life in a pandemic. These include a reduction of approximately \$1.9 million in key Parking Department revenues, \$1.7 million in key Parks & Recreation Department revenues from a lack of events, lessons, and programs, \$1.9 million in Facilities & Waterfront Department revenues from cruise lines and other vessels, a \$1.6 million reduction in estimated excise tax revenue, and many more. While some aspects of life have re-opened, several of these key revenue areas continue to not function or not function at the same level in which they existed previously. We expect it will take some time for our revenues to fully rebound. While our department directors took a hard look at where we could make reductions related to these revenue losses, we also continue to face many cost increases outside of our control, which exceed the regular rate of inflation, such as debt service costs (an approximately \$1 million increase in our pension obligation bond debt service alone), increases in the tax levied by Cumberland County, increases in our required METRO contribution, and contractually obligated union wage increases.

I'm proud that Portland is a city that is committed to being compassionate, one that goes above and beyond in taking care of its people. I'm also thankful for this commitment as it has been relied upon more than ever before due to the ripple effects of the pandemic. The budget I'm presenting continues to dedicate a significant amount of our money and staff resources to providing social services, emergency shelter, public health, and long-term care to our neediest populations. Our Health and Human Services Department continues to be our largest City department with more than 350 employees. Over this last year they have worked tirelessly to provide crucial services to their clients and the public at-large during the pandemic. For the third consecutive year this Department received the largest funding increase of any staffed Department. In FY22, the increase in HHS funding of nearly \$2.7 million is over three times larger than the increase in any other staffed Department. Since FY11 the Health & Human Services budget has risen by more than \$9 million, more than double the size of the increase in any other staffed Department over that same period.

I have made it a priority to run our municipal operations and implement Council policies in the most efficient and effective manner, and in a way that limits the burden on taxpayers. I have always been concerned about the affordability of our city and how government can be a driver of costs associated with this. This is why I once again asked Department Directors to take a hard look at their budgets. In light of the negative impacts from the pandemic, we strived to prepare a budget that balanced operational goals and needs with Council priorities and cost increases outside of our control. Our goal was to do this by strategically using grant and COVID-relief funds with as little of a tax rate increase as possible.

As a result, this recommended budget does include building back up some staff and resources in areas in which activity has resumed and in areas to meet Council goals. After the tough decisions we made last year, which included a reduction of 65 City positions, this budget includes the restoration of 20.5 full-time employees (FTE). This demonstrates how we're beginning to rebuild back to pre-COVID staffing levels where we averaged approximately 1290 FTEs in the General Fund from FY17-20. That number dropped off to 1250 last year and with the addition of 20.5 in this budget, we'd be back up to 1271 FTEs.

The American Rescue Plan (ARP) approved by the federal government does provide us with a backstop to recoup some of these revenue losses. It is expected that Portland will receive roughly \$48 million over the course of two fiscal years. As we continue to wait for the guidelines for how this money can be used by the December 2024 deadline, our Finance Director and I have crafted a three-year plan for how we can use a portion of the funds to cover some of our revenue losses in COVID impacted categories. This plan gradually reduces the need to cover key revenue loss areas over the course of the next three fiscal years as the expectation is that these revenues will slowly return. Preliminarily, this recommended FY22 budget does include the use of \$8.75 million in ARP funds. Doing so allows us to sustain municipal services while presenting a budget with a property tax rate decrease, something I continue to believe is the right thing for our taxpayers as we slowly rebuild. I am also recommending using \$5-6 million of ARP funds in FY23 and \$2-3 million in FY24 to recoup remaining losses as revenues in key categories climb back to pre-COVID totals. After addressing the COVID related revenue losses in City budgets, the use of remaining ARP funds should be decided by the City Council with staff recommendations made outside of the fiscal year budgeting process.

In light of all this, I'm proud to present you with a recommended budget that includes a **4% decrease in the tax rate** on the City side of the overall budget. It should be noted that if it weren't for the use of \$8.75 million in ARP funds in this budget, we'd be looking at a projected tax rate increase of in excess of 4% to maintain current levels of municipal services. We are very grateful to the Biden Administration and members of Congress who voted to support the American Rescue Plan. I

|               | City    | County | School  |
|---------------|---------|--------|---------|
| FY16          | \$9.83  | \$0.68 | \$10.12 |
| FY17          | \$10.08 | \$0.70 | \$10.33 |
| FY18          | \$10.28 | \$0.76 | \$10.61 |
| FY19          | \$10.54 | \$0.80 | \$11.14 |
| FY20          | \$10.79 | \$0.83 | \$11.69 |
| FY21          | \$10.75 | \$0.87 | \$11.69 |
| FY22 Proposed | \$10.28 | \$0.88 | \$12.33 |

believe it also important to bring forward a budget decrease due to the implementation of the city-wide revaluation process. Should there be any additional priorities the Council wants to address, I felt it most appropriate for those decisions to be made by the Council before being added to the final budget.

The total increase on the City portion of the tax levy during my six budgets as City Manager has only been 4.58% assuming approval of the budget as presented. This represents an average of less than 0.76% increase per year. To provide some context, over that same time period, the Schools portion of the tax rate has increased by 21.8% and the County Tax rate has increased by 29.4%.

Over my tenure as City Manager, I have challenged myself and staff to think of ways in which we can be innovative to improve the experience of our customers and streamline internal processes. Part of our commitment to innovation allowed us to more easily meet the needs of our residents during the pandemic. Our digital tools and services were accessed more than ever before as people sought real time information. We were able to unveil a new chat bot on our website, so people could more easily and quickly find the information and answers they were seeking, and we stood up a dedicated website for our COVID-19 public health campaign. We're in the process of further upgrading our website capabilities as we know the demand for people to access information and perform transactions and services digitally will continue to grow. And we recently launched a new civic engagement platform that will serve as a digital town hall in order to better foster two-way communication with our residents. As we continue to predominantly interact with people virtually, this will provide a key way for us to receive input on the work we're doing. We also pivoted quickly to conducting Council and Committee meetings online via Zoom. One benefit of this has been greater public participation and access for those who previously couldn't attend our in-person meetings. We look forward to continuing our efforts in communicating more effectively with our residents and customers.

I'm proud of what we've accomplished over my six years as City Manager -- the progress we've made in making municipal government more compassionate, innovative, inclusive, and transparent. As well as our efforts to address some of the long neglected critical infrastructure projects. We purchased our streetlights from Central Maine Power and used the cost savings to convert the lights to LED technology, and deployed intelligent traffic signals to improve congestion in some of our busiest intersections. I'm proud of what we have accomplished in our Capital Improvement Plan budgets as well. Since 2015, we've invested over \$50 million in transportation projects to upgrade our streets, signals and sidewalks. The City has also authorized over \$250 million since 2013 to invest in stormwater and sewer projects to update our aging infrastructure to prevent combined sewer overflow discharge into Back Cove and Portland Harbor, and become compliant with our consent agreement with the U.S. EPA and Maine DEP. We also expanded and improved our commitment to recycling with the addition of new recycling carts for residents. And thanks to the support of the City Council, we have invested over \$20 million in the rebuilding of our aging fleet of City and School vehicles since 2015, a category of assets which had not received adequate funding prior to my arrival. Through these investments we also incorporated hybrid and electric vehicles into our fleet and have added charging stations.

In addition to the policy changes that have been implemented to spur the creation of affordable housing, we've also made significant investments in the Jill C. Dusen Housing Trust Fund through our fiscal year budgets. Inclusive of the amounts being proposed for FY22, since 2015 we will have allocated over \$4 million into the housing trust fund. This year's budget also includes a \$250,000 direct allocation on top of the traditional mix of revenue streams which are earmarked for the fund.

We've made major internal investments in our technology infrastructure in order to achieve efficiencies with staff work time and improve our customer response times. This included an upgrade to the Google for Government platform as well as the implementation of Tyler Technologies' software. We're now in a place to be able to better manage our data and make sure we're using it strategically to inform our decision making processes. These decisions have led to greater efficiencies in our municipal operations, allowing us to achieve savings that we can reinvest toward our long-range goals.

Customer service has also been a top priority of mine during my tenure. This can be seen through the creation and realignment of city departments, like the creation of the Permitting & Inspections Department and realignment of the Parks, Recreation & Facilities Department in 2016, and the combination of the Housing & Economic Development Department in 2020. We also instituted customer service trainings for staff, extended the hours of operation in the Treasury Office to include one late night a week so customers have greater ability to conduct transactions, deployed new electronic multi-space parking meters with the ability to pay via a mobile app, increased our live-streaming capabilities of Council and Committee meetings, and unveiled a mass notifications system to send emergency alerts as well as routine city news.

We also made great strides in increasing our diversity and inclusion efforts as part of our commitment to being a welcoming city. We funded a workforce diversity and inclusion specialist position, implemented new diversity and inclusion workshops and training for staff, some of which included language access, cultural competency, and reducing bias. In this budget proposal, we've included funding for the National League of Cities Race, Equity, and Leadership (REAL) training for city and library staff. Since 2015, we've also increased the score Portland received from the Human Rights Campaign's Municipal Equality Index by 19 points, earning a 94 in 2020. I'm thankful of the time our Human Resources staff has spent making sure our policies, practices, training, and benefits are inclusive to the people we employ and serve.

## **FY21 RECAP**

Fiscal Year 2021 had us operating in emergency response mode as we operated within the new normal confines of the COVID-19 pandemic. Revenue losses and major changes in our service delivery were incorporated into the budget which was approved by Council just a few months ago in October 2020. When comparing FY21 projected final revenues to FY19 revenue levels, the City estimates a COVID related decrease in key revenue lines of approximately \$16.6 million.

As the social services center of the state, our commitment to providing key health and human services became even more necessary as our people felt the effects of the pandemic. Our emergency shelter services expanded as need increased, operating a second 24-hour shelter facility. The second facility became a contracted hotel with 144 individual rooms. This created appropriate social distancing allowing those who needed emergency shelter to safely access it during the pandemic. Additionally, individuals were provided non-congregate shelter options through emergency general assistance. The housing teams at both Oxford Street and Family Shelters did a tremendous job overcoming housing challenges due to the pandemic. Our staff worked extremely hard to find permanent housing solutions for our most vulnerable neighbors, as well as working with area landlords to keep formerly homeless individuals housed. The Oxford Street Shelter placed a total of 91 clients, 32 of whom were long-term stayers into permanent housing. The 91 housing placements represent 23,392 bed nights or 64 years. The 32 long term stayer placements represented 17,229 of those bed nights or 74%. The Family Shelter served 173 families totaling 586 individuals with 0% recidivism. They housed 115 families totaling 406 individuals. And at the India Street Health Center, we increased our outreach efforts to ensure continued access to needle exchange services and implemented a contact-free system, as well as pre-screening protocols for STD and Free Clinic patients to maximize how many we could accommodate during each clinic session. Needless to say, the emergence of COVID vaccines has been welcomed, and staff remain focused on providing essential services.

We also continue to make progress toward the creation of a fully modern homeless services center at 654 Riverside Street that will provide emergency shelter services with on-site access to food, health care, housing counseling, and all other related wrap-around services in order to provide a more humane experience for those who are in need of these critical and basic services. In light of COVID-19, we incorporated pandemic safety measures into how the facility will be constructed and operated. In February of this year, we issued a Request for Proposals from developers for the creation of this new building with the idea that once constructed, the City will lease the space to operate the new facility.

As of the beginning of 2021, the Planning and Urban Development Department has seen applications continue to flow in for review. While we can't say how many applications we would have received if not for COVID-19, we've seen no drop in what was already a tremendously busy year (and years) for new projects. These applications include residential and mixed-use development like 165 Lambert Street (in review), 52 Hanover Street in Bayside (approved), 200 Federal Street on Federal Street (in review), and the redevelopment of the Mercy Hospital campus on State Street (in review), in addition to commercial/industrial and institutional projects like the Cold Storage project on West Commercial Street (approved), Canal Landing Building F located at 100 West Commercial Street (in review), USM campus planning project (approved), and the Preble Street Emergency Shelter on Portland Street (approved). More than 200 site plan applications were reviewed this year, as well as more than 300 historic preservation reviews, and 10 map and/or text amendment applications, ranging in size and complexity.

Planning & Urban Development has also made significant progress on its long-range planning initiatives. In the transportation realm, this work has focused on completing several long-range planning projects (the Commercial Street Operations & Master Plan and the Peaks Island Landside Operations Study) and developing our multi-modal infrastructure (including our network of multi-use path, neighborhood byway, and bicycle lanes, and preparing for the launch of a bikeshare system). From a land use policy perspective, we have reviewed and made recommendations on privately-initiated land use code amendments, as well as conducted research, outreach, and analysis around public land use initiatives, such as the shelter zoning work, and disposition of City properties for new housing creation. Lastly, we have made significant strides in advancing ReCode, our effort to update the city's land use code. In November of 2020, the City Council voted to adopt Phase I of the ReCode, enacting a more consistent, succinct, and legible version of the land use code, which included several significant policy changes around Accessory Dwelling Units, parking policy, and sign standards. Building off the momentum of Phase I, we've recently commenced work on Phase II of ReCode, which will be focused on critical issues related reflected in the city's Comprehensive Plan, such as sea level rise, climate change mitigation, housing affordability, and zoning standards. We've also embarked on revising and restructuring our city's Design Manual in an effort to create a more accessible and user-friendly document to ensure design outcomes that align with city policies. The department has had a busy year with Public Art proposals, as well, including the Great Black Hawk sculpture in Deering Oaks, Brighton Ave Roundabout public art installation, Gathering Stones (TEMPOArts), and the Black is Beautiful Cove Street mural (Indigo Arts).

Beyond this, we continue to make great strides toward the Council's goal of creating more housing in our city. Approximately 400 units of housing were approved in 2020, with hundreds more in review for 2021. All are needed additions to the city's overall housing supply so we can diversify our housing types and affordability levels, many with implications for Portland's Jill C. Dusen Housing Trust Fund. A total of \$421,717 was contributed to the housing trust in 2020 from Inclusionary Zoning contributions, and \$30,448 from hotel inclusionary requirements. While the pandemic slowed down the schedule for low-income housing tax credit projects, staff expects that six projects will be under construction during fall 2021, creating 260 units and renovating 100 units of affordable housing. Our Housing & Economic Development Department facilitated the sale of City-owned properties to leverage the creation of new affordable housing, including: 43/91 Douglass Street and 21 Randall, which will be before the Council for approval in May; 622 Auburn Street/0 Gray Road in Falmouth, which is currently out to bid with responses due by May 4; and the approved Purchase and Sale Agreement for 165 Lambert Street, with an anticipated closing in early May.

Our small business community, which makes Portland so unique, continues to face extraordinary challenges as a result of the on-going pandemic. In response, the Housing and Economic Development Department provided over 360 small Portland businesses and nonprofits with free PPE, funded through the Maine Cares Act. Through COVID Community Development Block Grant (CDBG) funding, the Department provided Winter Business Sustainability Grants of up to \$9,000 each to 11 restaurants, and, through the Portland Development Corporation (PDC), provided Microenterprise Grants of up to \$5,000 to 81 businesses. Also, the PDC set aside City loan funds for pandemic-impacted small businesses

through its Rapid Response Micro Loans, providing 15 loans of up to \$10,000, with \$5,000 forgivable if the business retained or hired back at least 50% of its pre-COVID employees/jobs. Lastly, the PDC deferred loan payments for 24 businesses with City loans for up to three-to-five months.

To assist our arts and creative economy during the pandemic, Creative Portland (CP) raised \$90,000 for the Artist Relief Fund, which supported over 85 individual artists, awarding each a \$500 grant. An open and ongoing application process, the fund is now also open to small arts businesses and sole proprietors. CP also hired 18 artists to participate in the public health messaging program by creating unique art banners, murals, flagpoles and signs. In addition, CP hired four artists to create permanent public art on four existing bus shelters, with the support of an NEA Our Town grant, and in partnership with Metro and the Greater Portland Council of Governments. Finally, CP managed and mentored nine new fiscal sponsorship arrangements with organizations pivoting their practices and adapting to the pandemic.

The Portland International Jetport continued its record for customer service, winning Best Airport in North America in the 2-5 million passenger category (its fourth consecutive award); but like airports nationwide, FY21 saw Jetport passenger volumes down more than 65% from 2019 levels due to the pandemic. Thankfully, federal relief funding covered expense shortfalls caused by this significant reduction in passenger traffic and positioned the Jetport well for a more sustained and robust recovery in FY22. The Jetport is already seeing signs of this recovery with recent announcements of new air service to the Midwest. In fact the number of seats for sale out of the Jetport in June of this year is up 7.7% over June 2019. This is a positive sign for the Jetport and for the many businesses that rely on tourism in Portland and throughout the region.

## **BUDGET GOALS & REALITIES**

Given we're not over the effects of the pandemic yet, I asked every department head to prepare their budgets conservatively so we could meet the goal of an overall budget with as minimal of a tax rate increase as possible. I'm proud of the work they did to prioritize our needs given the situation we're in. Several departments came in with decreases or at roughly a flat rate. For the majority of departments with increases, it's important to note that their funding is still below pre-pandemic levels.

The reality is that we are facing significant erosion across many revenue categories due to COVID. Portland prides itself on having the most diverse revenue base in Northern New England with 54% of our FY21 general fund revenue coming from non-property tax sources (charges for services, licenses and permits, intergovernmental revenue and more).

As was stated before, balancing the budget with a tax rate decrease this year is only due to the use of ARP funds. Otherwise, we'd be facing a tax rate increase or a reduction in our levels of services.

## **DEPARTMENT HIGHLIGHTS**

### **Health & Human Services**

The recommended FY22 Health & Human Services budget, which includes Social Services, Public Health, and the Barron Center, is up 8% overall, an increase of almost \$2.7 million.

**Social Services:** We have continued our commitment to Social Services in FY22 with a \$2.1 million increase (14.3%) which expands our general assistance program and adds staffing and outreach in Social Services and our multiple City-run shelters. The \$16.7 million allocation recommended for Social Services is the highest in the City's history and our allocation of funding has almost doubled since FY11.

**Public Health:** Our Public Health Department budget has increased by 6.3%. We continue to aggressively pursue funding opportunities, including grants, for areas of public health need in Portland. This is the fifth consecutive year with increases to budgeted Public Health funding.

**Barron Center:** Although our patient census is down at the Barron Center, due to not being able to accept new patients during the pandemic, the facility has increased costs related to COVID-19. My recommendation for the Barron Center includes an approximately 2.6% increase.

**Public Works:** After a 6.7% overall reduction to the Public Works budget in FY21, the FY22 budget includes a 5.8% increase. This will allow the Department to fill several key engineering positions, an Island maintenance worker, and a project coordinator, bringing them back up to near pre-pandemic levels.

**Housing & Economic Development:** The Housing & Economic Development Department includes a 4.7% increase due to additional funds for the work in our Office of Economic Opportunity, which is doing great inclusion work with our new Mainer populations, as well as providing key connections between employers and job seekers. It also includes the upgrade of one administrative position.

**Parks, Recreation & Facilities:** This budget includes a 1.4% reduction due to revenues not fully rebounding as we had hoped. While we've been able to add back some positions in parks and recreation as revenues and programs have opened back up, our public assembly facilities have not rebounded yet in terms of public events.

**Planning & Urban Development:** This budget includes a 12.1% increase due to contractual services for ReCode Phase 2 and the Historic District Impact Study, which was a recent request by the Council.

**Police:** This budget includes a 12.5% reduction due to the separation of emergency dispatch services from the Police budget. Dispatch Services will now have its own budget line. This will allow for better comparability of our own Police Department to other agencies around the nation. It will also help us isolate costs related to our shared emergency dispatch center which also serves and receives revenue reimbursement from South Portland and Cape Elizabeth.

**Fire:** The Fire Department remains largely unchanged with an approximately 2.1% increase.

**Parking:** This budget includes a 6.4% increase after a 5.1% reduction last year. The increase this year includes money for necessary maintenance and repair projects in our parking garages that were not funded last year.

**Permitting & Inspections:** This budget includes a 12.8% increase due to new positions required by the November 2020 citizen initiated referendum. Two additional positions are necessary to manage work related to the new rent control ordinance as contemplated in the referendum language. Two additional new positions are also required to manage the volume of work related to marijuana retail licensing resulting from the removal of the cap on licenses. These additional positions will be offset almost entirely by additional revenue in these areas.

**Finance:** This budget includes a 1.5% increase due in part to the continued offering of extended / late hours of operation in the Treasury Office. Our implementation of offering customers appointments in light of COVID has been very well received by our customers. We plan to continue offering appointments even when City Hall is fully open to the public again, which will significantly reduce the time people spent waiting in lines.

**Assessors:** The City postponed the implementation of last year's citywide property revaluation to this year due to fiscal implications of the COVID-19 pandemic. The Assessor's Office is now ready to set new assessment values as of 4/1/2021 as part of the Fiscal Year 2022 tax billing cycle. In this budget, there is a slight increase in order to restore one position that still had furloughed hours. Having a fully staffed Assessor's Office will be critical during the Revaluation process.

**Information Technology:** This budget includes an 10.4% increase after a 12% reduction last year. This restores some remaining positions that still had furloughed hours and restores a couple of positions that were cut last year, which are critical to our overall human resources and financial systems work.

**City Clerk:** The 6.5% decrease in the City Clerk's budget is due to the reduction of one-time costs last year for the Presidential election and grant funding that was received to cover COVID-related election expenses.

**Executive Office:** After a 21.1% overall reduction last year, this year's budget includes an 8% increase due to the addition of a Communications Specialist position to assist our Communications Director. In addition to the communications efforts mentioned above, I know it's been a priority of the Council to increase our engagement and storytelling efforts.

## **POSITIVE BUDGET DRIVERS**

### **Excise Tax**

Excise taxes are still a significant source of revenue for the city's transportation needs. However, in light of the overall economy, we're projecting excise tax revenue to decrease to \$10.5M in FY22.

### **Property Valuation**

Property valuation is estimated to grow by \$85 million in the current year due to newly permitted and on-going construction projects and continues our upward trajectory in overall valuation. This \$85 million of new property valuation creates an additional approximately \$950,000 in new tax revenue for municipal use. While this may seem like a significant amount, it represents only approximately a 1% overall increase to our FY21 valuation of approximately \$8.04 billion, and can only fund a fraction of the cost increases and budget challenges we face in FY22, which are outside of my control.

As the 2021 Revaluation Project comes to a close in late summer/early fall, the City's overall taxable valuation will increase substantially and the millage rate will drop proportionately. As of the time of this publication, these numbers are not yet final. These new values and tax rate changes will be implemented and used for all FY22 tax bills.

**Health Insurance:** Our employee benefits are down 4.11% overall due to our contract with a benefits management company that has helped us reduce our benefits expenses. Additionally, lower health insurance claims have contributed to this decrease.

### **State Revenue Sharing**

State revenue sharing revenue is estimated at \$7.4 million for the current fiscal year based on the current law in place and updated March 2021 projections from the State of Maine.

## **BUDGET CHALLENGES**

In addition to the significant amount of revenue we have lost during the pandemic, and the fact that new property growth alone has not been able to keep up with the built in cost increases, we continue to face other budget challenges that are outside my control such as previously approved union contracts, debt services increases, Cumberland County tax, and METRO fees for public transportation.

**Contractual Salary Obligations:** The City Council approves contracts with all eight City bargaining units representing nearly 90% of the City workforce. The remaining 10% is non-union. After several unions and all non-union personnel did not receive salary increases in FY21, this budget does include a 2% cost of living increase for non-union personnel and other wage adjustments according to the various union contracts.



Debt Service: Our debt service is up roughly \$2.65 million or 5.8% overall. This includes a little more than a \$1 million increase in debt service related to our 2001 pension obligation bonds. Similarly sized annual increases are looming in the FY23 - FY26 budgets as well. Additional debt service is attributable to the first payment due on the Lyseth Elementary School renovation.

METRO: The FY22 budget includes a 5% increase in our METRO contribution or an additional \$143,089. When combined with anticipated revenue reductions from METRO (decreases in the level of Federal reimbursement passed along to the City by METRO) the net cost to taxpayers of METRO in FY22 will increase by over 6%.

County Tax: The FY22 budget includes a 1.94% or \$136,150 increase in Cumberland County tax assessment pushing it to more than \$7.1 million.

Overall Budget Tax Rate:

City general fund expenditures have increased 4.6% from FY21 to FY22. The overall municipal tax rate proposed for FY22 is a decrease of 4% with a new FY22 city-side mill rate of \$11.16 per \$1,000 of assessed property value, **46 cents lower than last year.**

## CONCLUSION

I would like to thank Finance Director Brendan T. O'Connell, Deputy Finance Director Anne Bilodeau, Budget Analyst Jennifer Lodge, Human Resources Director Gina Tapp, and Communications Director Jessica Grondin for their assistance in developing this budget recommendation and presentation, as well as the hard work and diligence of Department Heads in developing budget requests.

I'd also like to thank all City employees for the work they've done in helping us accomplish the many things we've achieved over the last several years, as well as the regular municipal services they provide each and every day. And I'd like to express my sincere gratitude for the way in which staff has continued to perform top-notch public service during the pandemic. It has been a long and ever-changing year in which we've faced many obstacles, and I'm proud of how we all worked together to keep our community strong.

Finally, I'd like to thank the members of the City Council for agreeing to give us this extra time to develop this budget. In light of all that is going on, we hope the public will have a greater understanding of what we face in the year ahead. We look forward to reviewing this proposed budget with the Finance Committee and full Council.

Sincerely,

Jon P. Jennings  
City Manager

**CITY OF PORTLAND, MAINE  
COMPARATIVE BUDGET PLAN FY2022**

**July 1, 2020 - June 30, 2021**

**July 1, 2021 - June 30, 2022**

**City Manager's Recommendation**

|                                   | <b>FY20</b>          | <b>FY21</b>          | <b>FY22 City Mgr's<br/>Recomm.</b> | <b>FY22-CM /<br/>FY21 \$</b> | <b>%</b>      |
|-----------------------------------|----------------------|----------------------|------------------------------------|------------------------------|---------------|
| <b>CITY GENERAL FUND REVENUES</b> |                      |                      |                                    |                              |               |
| 31 Property Taxes                 | \$92,813,653         | \$93,754,694         | \$91,014,931                       | (\$2,739,763)                | -2.9%         |
| 31 Other Local Taxes              | 8,416,388            | 6,848,477            | 6,087,977                          | (760,500)                    | -11.1%        |
| 32 Licenses & Permits             | 6,300,644            | 6,712,953            | 6,751,336                          | 38,383                       | 0.6%          |
| 33 Intergovernmental Revenue      | 12,312,490           | 12,936,276           | 25,406,110                         | 12,469,834                   | 96.4%         |
| 34 Charges for Services           | 36,750,588           | 34,492,550           | 35,487,998                         | 995,448                      | 2.9%          |
| 35 Fines, Forfeits and Penalties  | 1,996,710            | 1,310,550            | 1,761,050                          | 450,500                      | 34.4%         |
| 36 Use of Money and Property      | 12,279,430           | 9,159,375            | 8,870,217                          | (289,158)                    | -3.2%         |
| 39 Other Sources                  | 35,862,668           | 37,591,785           | 36,777,265                         | (814,520)                    | -2.2%         |
| Fund Balance Use (Restoration)    | -                    | -                    | -                                  | -                            |               |
| Total General Fund Revenues       | <u>\$206,732,571</u> | <u>\$202,806,660</u> | <u>\$212,156,884</u>               | <u>\$9,350,224</u>           | <u>4.6%</u>   |
| <b>GENERAL FUND EXPENDITURES</b>  |                      |                      |                                    |                              |               |
| 100-11 City Council               | \$344,046            | \$450,014            | \$424,240                          | (\$25,774)                   | -5.7%         |
| 100-12 City Clerk                 | 622,721              | 679,454              | 632,235                            | (47,219)                     | -6.9%         |
| 100-13 Executive                  | 929,877              | 764,688              | 830,736                            | 66,048                       | 8.6%          |
| 100-14 Assessor                   | 435,159              | 418,620              | 446,739                            | 28,119                       | 6.7%          |
| 100-15 Finance Administration     | 1,218,727            | 1,172,963            | 1,204,259                          | 31,296                       | 2.7%          |
| Treasury                          | 734,003              | 692,539              | 688,701                            | (3,838)                      | -0.6%         |
| Total Finance                     | <u>1,952,730</u>     | <u>1,865,502</u>     | <u>1,892,960</u>                   | <u>27,458</u>                | <u>1.5%</u>   |
| 100-16 Legal                      | 741,338              | 728,821              | 845,052                            | 116,231                      | 15.9%         |
| 100-17 Human Resources Admin      | 1,071,134            | 1,072,530            | 1,157,467                          | 84,937                       | 7.9%          |
| 100-18 Parking                    | 1,487,050            | 1,481,693            | 1,465,907                          | (15,786)                     | -1.1%         |
| Elm Street Garage                 | 300,164              | 250,713              | 301,367                            | 50,654                       | 20.2%         |
| Spring Street Garage              | 452,870              | 434,447              | 493,474                            | 59,027                       | 13.6%         |
| Temple Street Garage              | 126,130              | 78,000               | 127,000                            | 49,000                       | 62.8%         |
| Total Parking/Garages             | <u>2,366,214</u>     | <u>2,244,853</u>     | <u>2,387,748</u>                   | <u>142,895</u>               | <u>6.4%</u>   |
| 100-19 Economic Development Admin | 646,006              | 660,462              | 710,695                            | 50,233                       | 7.6%          |
| Portland Development Corp         | 28,522               | 28,522               | 28,522                             | 0                            | 0.0%          |
| Housing & Community Dev.          | -                    | 531,246              | 538,174                            | 6,928                        | 1.3%          |
| Total Housing & Economic Dev.     | <u>674,528</u>       | <u>1,220,230</u>     | <u>1,277,391</u>                   | <u>57,161</u>                | <u>4.7%</u>   |
| 100-21 Police Administration      | 1,274,264            | 1,218,444            | 1,302,585                          | 84,141                       | 6.9%          |
| Uniformed Operations Group        | 10,616,533           | 10,306,530           | 10,417,102                         | 110,572                      | 1.1%          |
| Bureau Investigative Services     | 2,017,675            | 1,843,314            | 1,872,765                          | 29,451                       | 1.6%          |
| Operations Support Services       | 907,441              | 876,435              | 893,343                            | 16,908                       | 1.9%          |
| Dispatch Services                 | 2,360,103            | 2,375,832            | 0                                  | (2,375,832)                  | -100.0%       |
| Jetport Security                  | 581,524              | 575,274              | 564,068                            | (11,206)                     | -1.9%         |
| Total Police                      | <u>17,757,540</u>    | <u>17,195,829</u>    | <u>15,049,863</u>                  | <u>(2,145,966)</u>           | <u>-12.5%</u> |

**CITY OF PORTLAND, MAINE  
COMPARATIVE BUDGET PLAN FY2022**

**July 1, 2020 - June 30, 2021**

**July 1, 2021 - June 30, 2022**

**City Manager's Recommendation**

|                                         | <b>FY20</b>       | <b>FY21</b>       | <b>FY22 City Mgr's<br/>Recomm.</b> | <b>FY22-CM /<br/>FY21 \$</b> | <b>%</b>     |
|-----------------------------------------|-------------------|-------------------|------------------------------------|------------------------------|--------------|
| 100-22 Fire Administration              | 598,617           | 625,811           | 647,798                            | 21,987                       | 3.5%         |
| Code Enforcement & Comm Svcs            | 288,508           | 238,082           | 177,995                            | (60,087)                     | -25.2%       |
| Field Operations                        | 15,517,194        | 14,963,356        | 15,352,104                         | 388,748                      | 2.6%         |
| Operations Support Services             | 803,148           | 872,768           | 896,043                            | 23,275                       | 2.7%         |
| Air Rescue                              | 1,027,681         | 1,104,349         | 1,107,200                          | 2,851                        | 0.3%         |
| <b>Total Fire</b>                       | <b>18,235,148</b> | <b>17,804,366</b> | <b>18,181,140</b>                  | <b>376,774</b>               | <b>2.1%</b>  |
| 100-23 Dispatch Services                | -                 | -                 | 2,417,816.00                       | 2,417,816                    | #DIV/0!      |
| 100-24 Planning & Urban Dev. Admin      | 560,269           | 211,863           | 229,214                            | 17,351                       | 8.2%         |
| Planning                                | 1,330,594         | 1,213,659         | 1,369,054                          | 155,395                      | 12.8%        |
| Housing & Community Development         | 189,169           | -                 | -                                  | -                            | #DIV/0!      |
| <b>Total Planning &amp; Urban Dev.</b>  | <b>2,080,032</b>  | <b>1,425,522</b>  | <b>1,598,268</b>                   | <b>172,746</b>               | <b>12.1%</b> |
| 100-25 Permitting & Inspections Admin   | 130,487           | 156,338           | 179,556                            | 23,218                       | 14.9%        |
| Inspections                             | 1,076,567         | 1,042,864         | 1,078,915                          | 36,051                       | 3.5%         |
| Housing Safety                          | 407,613           | 481,750           | 591,019                            | 109,269                      | 22.7%        |
| Business Licensing                      | 233,892           | 245,091           | 322,894                            | 77,803                       | 31.7%        |
| <b>Total Permitting &amp; Licensing</b> | <b>1,848,559</b>  | <b>1,926,043</b>  | <b>2,172,384</b>                   | <b>246,341</b>               | <b>12.8%</b> |
| 100-29 Information Technology           | 2,914,482         | 2,589,248         | 2,858,804                          | 269,556                      | 10.4%        |
| 100-31 Public Works Administration      | 725,708           | 671,793           | 705,111                            | 33,318                       | 5.0%         |
| Streets                                 | 1,741,974         | 1,678,340         | 1,773,724                          | 95,384                       | 5.7%         |
| Solid Waste                             | 2,141,502         | 2,241,470         | 2,413,927                          | 172,457                      | 7.7%         |
| Communications                          | 197,443           | 196,098           | 193,926                            | (2,172)                      | -1.1%        |
| Portland Downtown District              | 404,862           | 414,503           | 414,126                            | (377)                        | -0.1%        |
| Winter Operations                       | 1,329,439         | 1,329,517         | 1,383,835                          | 54,318                       | 4.1%         |
| Island Services                         | 687,836           | 689,311           | 757,211                            | 67,900                       | 9.9%         |
| Traffic & Transportation Ops            | -                 | 1,407,899         | 1,547,308                          | 139,409                      | 9.9%         |
| Transportation Engineering              | 2,333,681         | 438,778           | 441,885                            | 3,107                        | 0.7%         |
| Engineering                             | 1,266,603         | 1,206,876         | 1,268,444                          | 61,568                       | 5.1%         |
| Fleet Services                          | 3,807,154         | 3,381,149         | 3,552,126                          | 170,977                      | 5.1%         |
| <b>Total Public Works</b>               | <b>14,636,202</b> | <b>13,655,734</b> | <b>14,451,623</b>                  | <b>795,889</b>               | <b>5.8%</b>  |
| 100-33 Parks & Recreation Admin         | 639,408           | 483,407           | 418,208                            | (65,199)                     | -13.5%       |
| Parks                                   | 1,129,821         | 847,077           | 819,594                            | (27,483)                     | -3.2%        |
| Forestry                                | 710,847           | 727,060           | 771,079                            | 44,019                       | 6.1%         |
| Athletic Facilities                     | 811,667           | 912,822           | 919,875                            | 7,053                        | 0.8%         |
| Cemeteries                              | 827,545           | 784,163           | 823,303                            | 39,140                       | 5.0%         |
| Recreation                              | 1,901,439         | 1,425,500         | 1,510,842                          | 85,342                       | 6.0%         |
| Aquatics                                | 639,302           | 470,351           | 542,260                            | 71,909                       | 15.3%        |
| Golf Course                             | 1,100,519         | 991,379           | 1,008,813                          | 17,434                       | 1.8%         |
| Golf Course Restaurant                  | 540,787           | 227,699           | 19,660                             | (208,039)                    | -91.4%       |
| Ice Arena                               | 595,229           | 551,074           | 522,891                            | (28,183)                     | -5.1%        |
| Public Assembly Facilities              | 1,061,236         | 610,039           | 472,515                            | (137,524)                    | -22.5%       |
| Concessions                             | 418,426           | 369,979           | 389,405                            | 19,426                       | 5.3%         |
| Custodial Services                      | 958,378           | 814,505           | 878,807                            | 64,302                       | 7.9%         |
| Merrill Auditorium                      | 182,589           | 109,414           | 93,732                             | (15,682)                     | -14.3%       |
| <b>Total Parks Rec &amp; Facilities</b> | <b>11,517,193</b> | <b>9,324,469</b>  | <b>9,190,984</b>                   | <b>(133,485)</b>             | <b>-1.4%</b> |

**CITY OF PORTLAND, MAINE**  
**COMPARATIVE BUDGET PLAN FY2022**

**July 1, 2020 - June 30, 2021**

**July 1, 2021 - June 30, 2022**

**City Manager's Recommendation**

|        |                                            | <b>FY20</b>          | <b>FY21</b>          | <b>FY22 City Mgr's<br/>Recomm.</b> | <b>FY22-CM /<br/>FY21 \$</b> | <b>%</b>     |
|--------|--------------------------------------------|----------------------|----------------------|------------------------------------|------------------------------|--------------|
| 100-35 | Public Bldgs & Waterfront Admin            | 387,731              | 392,355              | 412,961                            | 20,606                       | 5.3%         |
|        | Trades                                     | 736,916              | 605,385              | 622,623                            | 17,238                       | 2.8%         |
|        | School HVAC                                | 518,442              | 545,883              | 558,036                            | 12,153                       | 2.2%         |
|        | Public Safety Bldg.                        | 317,700              | 298,405              | 299,905                            | 1,500                        | 0.5%         |
|        | City Hall                                  | 392,450              | 562,250              | 649,284                            | 87,034                       | 15.5%        |
|        | Merrill Auditorium (PB)                    | 173,550              | 170,555              | 673,655                            | 503,100                      | 295.0%       |
|        | Hadlock Stadium                            | 322,076              | 323,945              | 267,845                            | (56,100)                     | -17.3%       |
|        | Expo Building                              | 208,600              | 254,100              | 207,020                            | (47,080)                     | -18.5%       |
|        | Canco Road Buildings                       | 434,250              | 416,850              | 418,400                            | 1,550                        | 0.4%         |
|        | Other Public Buildings                     | 270,857              | 275,271              | 272,614                            | (2,657)                      | -1.0%        |
|        | Waterfront                                 | 1,317,769            | 1,234,185            | 1,135,799                          | (98,386)                     | -8.0%        |
|        | <b>Total Public Bldgs &amp; Waterfront</b> | <b>5,080,341</b>     | <b>5,079,184</b>     | <b>5,518,142</b>                   | <b>438,958</b>               | <b>8.6%</b>  |
| 100-44 | HHS - Administration                       | 337,276              | 329,165              | 338,515                            | 9,350                        | 2.8%         |
|        | Public Health                              | 2,093,528            | 2,216,800            | 2,356,743                          | 139,943                      | 6.3%         |
|        | Social Services                            | 13,167,747           | 14,623,335           | 16,714,830                         | 2,091,495                    | 14.3%        |
|        | Barron Center                              | 15,947,969           | 16,112,624           | 16,537,167                         | 424,543                      | 2.6%         |
|        | <b>Total HHS</b>                           | <b>31,546,520</b>    | <b>33,281,924</b>    | <b>35,947,255</b>                  | <b>2,665,331</b>             | <b>8.0%</b>  |
| 100-47 | Debt Service                               | 45,087,798           | 45,700,279           | 48,355,413                         | 2,655,134                    | 5.8%         |
| 100-48 | Public Library                             | 4,178,550            | 3,927,837            | 4,006,394                          | 78,557                       | 2.0%         |
| 100-51 | Pension                                    | 8,398,292            | 7,764,619            | 8,531,837                          | 767,218                      | 9.9%         |
| 100-52 | Health Insurance                           | 19,948,893           | 18,741,418           | 17,994,636                         | (746,782)                    | -4.0%        |
|        | Workers' Comp                              | 2,053,072            | 1,810,292            | 1,692,000                          | (118,292)                    | -6.5%        |
|        | FICA                                       | 1,138,099            | 1,393,538            | 1,325,660                          | (67,878)                     | -4.9%        |
|        | Group Life                                 | 205,822              | 211,911              | 230,240                            | 18,329                       | 8.6%         |
|        | Unemployment                               | 100,000              | 100,000              | 100,000                            | -                            | 0.0%         |
|        | <b>Total Employee Benefits</b>             | <b>23,445,886</b>    | <b>22,257,159</b>    | <b>21,342,536</b>                  | <b>(914,623)</b>             | <b>-4.1%</b> |
| 100-61 | Contingent                                 | 250,000              | 250,000              | 250,000                            | -                            | 0.0%         |
| 100-62 | Liability Insurance                        | 839,325              | 793,128              | 817,034                            | 23,906                       | 3.0%         |
| 100-65 | Regional Transportation Program            | 78,480               | 78,480               | 78,480                             | -                            | 0.0%         |
|        | Contributions                              | 437,388              | 419,910              | 689,149                            | 269,239                      | 64.1%        |
|        | <b>Total Memberships/Contributions</b>     | <b>515,868</b>       | <b>498,390</b>       | <b>767,629</b>                     | <b>269,239</b>               | <b>54.0%</b> |
| 100-67 | Wage Adjustment                            | (165,000.00)         | -                    | 637,738                            | 637,738                      | #DIV/0!      |
|        | <b>Total General Fund Expenditures</b>     | <b>197,304,483</b>   | <b>192,918,443</b>   | <b>201,989,428</b>                 | <b>9,070,985</b>             | <b>4.7%</b>  |
| 100-63 | County Tax                                 | 6,640,316            | 7,011,159            | 7,147,309                          | 136,150                      | 1.9%         |
| 100-65 | Metro Assessment                           | 2,787,772            | 2,877,058            | 3,020,147                          | 143,089                      | 5.0%         |
|        | <b>Total General Fund and Assessments</b>  | <b>\$206,732,571</b> | <b>\$202,806,660</b> | <b>\$212,156,884</b>               | <b>\$9,350,224</b>           | <b>4.6%</b>  |

**CITY OF PORTLAND, MAINE**  
**COMPARATIVE BUDGET PLAN FY2022**

July 1, 2020 - June 30, 2021

July 1, 2021 - June 30, 2022

**City Manager's Recommendation**

|                                     | FY20                 | FY21                 | FY22 City Mgr's<br>Recomm. | FY22-CM /<br>FY21 \$ | %           |
|-------------------------------------|----------------------|----------------------|----------------------------|----------------------|-------------|
| <b>ENTERPRISE FUND REVENUES</b>     |                      |                      |                            |                      |             |
| 31 Property Taxes, Current Year     | -                    | -                    | -                          | -                    | -           |
| 32 Licenses & Permits               | \$17,950             | \$17,950             | \$12,600                   | (5,350)              | -29.8%      |
| 33 Intergovernmental                | 117,968              | 116,660              | 1,951,053                  | 1,834,393            | 1572.4%     |
| 34 Charges for Services             | 34,701,607           | 33,498,951           | 36,602,681                 | 3,103,730            | 9.3%        |
| 36 Use of Money and Property        | 26,228,136           | 16,148,356           | 19,200,733                 | 3,052,377            | 18.9%       |
| 39 Other Sources                    | 405,874              | 442,964              | 452,612                    | 9,648                | 2.2%        |
| Fund Balance                        | (4,683,172)          | 3,954,879            | (2,160,262)                | (6,115,141)          | -154.6%     |
| Total Enterprise Fund Revenues      | \$56,788,363         | \$54,179,760         | \$56,059,417               | \$1,879,657          | 3.5%        |
| <b>ENTERPRISE FUND EXPENDITURES</b> |                      |                      |                            |                      |             |
| 530 Fish Pier                       | \$388,679            | \$423,216            | \$421,641                  | (\$1,575)            | -0.4%       |
| 570 Sewer - Finance Admin           | 141,938              | 104,356              | 98,104                     | (6,252)              | -6.0%       |
| Sewer Public Works Admin            | 838,548              | 741,301              | 747,715                    | 6,414                | 0.9%        |
| Sewer Operations (Districting)      | 2,637,279            | 2,555,803            | 2,725,639                  | 169,836              | 6.6%        |
| Sewer Communications                | 65,808               | 65,378               | 64,034                     | (1,344)              | -2.1%       |
| Sewer Engineering                   | 603,082              | 512,695              | 620,541                    | 107,846              | 21.0%       |
| Sewer Debt Service                  | 8,088,788            | 8,029,746            | 8,805,095                  | 775,349              | 9.7%        |
| Sewer Fringe Benefits               | 1,519,490            | 1,522,494            | 1,500,808                  | (21,686)             | -1.4%       |
| PWD Assessment                      | 13,137,639           | 13,177,145           | 13,879,425                 | 702,280              | 5.3%        |
| Total Sewer                         | 27,032,572           | 26,708,918           | 28,441,361                 | 1,732,443            | 6.5%        |
| 571 Stormwater - Finance Admin      | 275,145              | 266,228              | 253,389                    | (12,839)             | -4.8%       |
| Stormwater Management               | 1,543,268            | 1,548,607            | 1,685,091                  | 136,484              | 8.8%        |
| Debt Service                        | 685,421              | 754,949              | 954,037                    | 199,088              | 26.4%       |
| Fringe Benefits                     | 285,003              | 403,088              | 356,144                    | (46,944)             | -11.6%      |
| Total Stormwater                    | 2,788,837            | 2,972,872            | 3,248,661                  | 275,789              | 9.3%        |
| 583 Jetport Admin                   | 1,221,479            | 1,145,365            | 1,094,140                  | (51,225)             | -4.5%       |
| Marketing                           | 598,640              | 411,140              | 417,390                    | 6,250                | 1.5%        |
| Fringe, Indirects & Chargebacks     | 4,084,313            | 4,288,163            | 4,208,328                  | (79,835)             | -1.9%       |
| Field                               | 4,577,799            | 4,220,698            | 4,235,206                  | 14,508               | 0.3%        |
| General Aviation                    | 17,168               | 17,168               | 17,168                     | -                    | 0.0%        |
| Jetport Operations                  | 2,702,802            | 2,363,263            | 2,439,490                  | 76,227               | 3.2%        |
| Terminal                            | 6,992,649            | 6,396,682            | 6,385,111                  | (11,571)             | -0.2%       |
| Parking                             | 4,907,020            | 4,557,244            | 4,475,890                  | (81,354)             | -1.8%       |
| Airfield Deicing                    | 674,781              | 675,031              | 675,031                    | -                    | 0.0%        |
| Jetport Anticipated Surplus         | 801,624              | -                    | -                          | 0                    | #DIV/0!     |
| Total Jetport                       | 26,578,275           | 24,074,754           | 23,947,754                 | (127,000)            | -0.5%       |
| Total Enterprise Fund Expenditures  | \$56,788,363         | \$54,179,760         | \$56,059,417               | \$1,879,657          | 3.5%        |
| <b>TOTAL CITY EXPENDITURES</b>      | <b>\$263,520,934</b> | <b>\$256,986,420</b> | <b>\$268,216,301</b>       | <b>\$11,229,881</b>  | <b>4.4%</b> |

**TAX RATE COMPUTATION--FY2022**  
**City Manager's Recommendation**

|                     | General Fund  | County Tax  | City General Fund | Enterprise Funds | TOTAL CITY    |
|---------------------|---------------|-------------|-------------------|------------------|---------------|
| Total Expenditures  | \$205,009,575 | \$7,147,309 | \$212,156,884     | \$56,059,417     | \$268,216,301 |
| Less: Revenues      | (121,141,953) | 0           | (121,141,953)     | (58,219,679)     | (179,361,632) |
| Surplus             | 0             | 0           | 0                 | 2,160,262        | 2,160,262     |
| Tax Levy            | \$83,867,622  | \$7,147,309 | \$91,014,931      | \$0              | \$91,014,931  |
| Valuation           | 8,155,000,000 |             |                   |                  |               |
| Tax Rate:           |               |             |                   |                  |               |
| FY22                | \$10.28       | \$0.88      | \$11.16           | \$0.00           | \$11.16       |
| FY21                | \$10.75       | \$0.87      | \$11.62           | \$0.00           | \$11.62       |
| \$ Increase         | (\$0.47)      | \$0.01      | (\$0.46)          | \$0.00           | (\$0.46)      |
| % of Total Increase | -4.0%         | 0.1%        | -4.0%             | 0.0%             | -4.0%         |

**CITY OF PORTLAND, MAINE**

**FY2022 Non-Tax Revenue**

*Excludes Taxes & TIF*

**City Manager's Recommendation**

| Department                       | FY20<br>Collected    | FY21<br>Est<br>(budget) | FY21<br>Proj         | FY22<br>Est<br>(budget) | FY22 Est<br>vs<br>FY21 Est<br>(budget) | %            |
|----------------------------------|----------------------|-------------------------|----------------------|-------------------------|----------------------------------------|--------------|
| <b>General Fund Revenues:</b>    |                      |                         |                      |                         |                                        |              |
| City Council                     | \$5,000              | \$5,000                 | \$5,500              | \$5,000                 | \$0                                    | 0.0%         |
| City Clerk                       | 173,510              | 187,518                 | 157,308              | 178,540                 | (8,978)                                | -4.8%        |
| Executive                        | 990,393              | 968,776                 | 966,776              | 895,724                 | (73,052)                               | -7.5%        |
| Assessor                         | 2,216                | 1,500                   | 1,000                | 1,000                   | (500)                                  | -33.3%       |
| Finance                          | 19,808,748           | 17,575,609              | 20,047,466           | 20,372,904              | 2,797,295                              | 15.9%        |
| Legal                            | 684,535              | 151,525                 | 150,960              | 192,940                 | 41,415                                 | 27.3%        |
| Human Resources                  | 75,945               | 75,945                  | 75,945               | 53,692                  | (22,253)                               | -29.3%       |
| Parking                          | 8,674,604            | 7,489,635               | 7,337,087            | 10,281,259              | 2,791,624                              | 37.3%        |
| Housing & Economic Dev           | 634,249              | 1,219,867               | 1,219,860            | 1,277,391               | 57,524                                 | 4.7%         |
| Police                           | 2,957,473            | 3,215,674               | 2,743,206            | 2,106,238               | (1,109,436)                            | -34.5%       |
| Fire                             | 4,633,493            | 4,887,080               | 4,732,455            | 4,594,331               | (292,749)                              | -6.0%        |
| Dispatch Services                | -                    | -                       | -                    | 1,116,240               | 1,116,240                              | #DIV/0!      |
| Planning & Development           | 1,199,784            | 746,865                 | 666,865              | 739,313                 | (7,552)                                | -1.0%        |
| Permitting & Inspections         | 7,652,920            | 5,131,172               | 5,017,719            | 5,112,419               | (18,753)                               | -0.4%        |
| Information Technology           | 399,801              | 429,141                 | 429,868              | 313,180                 | (115,961)                              | -27.0%       |
| Public Works                     | 5,035,017            | 5,222,450               | 5,355,554            | 5,342,603               | 120,153                                | 2.3%         |
| Parks, Rec & Facilities          | 6,145,748            | 5,828,980               | 3,912,583            | 7,277,693               | 1,448,713                              | 24.9%        |
| Public Bldgs & Waterfront        | 3,166,917            | 1,620,873               | 1,450,613            | 3,595,351               | 1,974,478                              | 121.8%       |
| HHS--Public Health               | 1,131,310            | 1,818,088               | 1,715,349            | 1,496,154               | (321,934)                              | -17.7%       |
| HHS--Social Services             | 9,983,176            | 10,211,905              | 14,080,520           | 10,318,690              | 106,785                                | 1.0%         |
| HHS--Barron Center               | 19,899,036           | 19,243,369              | 17,009,341           | 22,458,574              | 3,215,205                              | 16.7%        |
| Employee Benefits                | 7,197,901            | 7,410,958               | 6,056,319            | 7,704,810               | 293,852                                | 4.0%         |
| Insurance                        | 369,601              | 189,275                 | 186,564              | 197,138                 | 7,863                                  | 4.2%         |
| Debt Service Reimb.              | 18,765,460           | 19,189,768              | 19,389,768           | 20,004,027              | 814,259                                | 4.2%         |
| Memberships / Other              | 302,717              | 654,516                 | 262,513              | 640,265                 | (14,251)                               | -2.2%        |
| <b>Total General Fund:</b>       | <b>\$119,889,554</b> | <b>\$113,475,489</b>    | <b>\$112,971,139</b> | <b>\$126,275,476</b>    | <b>\$12,799,987</b>                    | <b>11.3%</b> |
| <b>Enterprise Funds Revenue:</b> |                      |                         |                      |                         |                                        |              |
| Fish Pier Authority              | 627,739              | 581,304                 | 506,240              | 580,274                 | (1,030)                                | -0.2%        |
| Sewer                            | 26,055,427           | 26,715,241              | 26,897,182           | 28,957,451              | 2,242,210                              | 8.4%         |
| Stormwater                       | 6,434,178            | 6,761,428               | 7,388,790            | 7,417,771               | 656,343                                | 9.7%         |
| Jetport                          | 23,402,586           | 16,166,908              | 21,923,051           | 21,264,183              | 5,097,275                              | 31.5%        |
| <b>Total Enterprise Funds:</b>   | <b>\$56,519,930</b>  | <b>\$50,224,881</b>     | <b>\$56,715,263</b>  | <b>\$58,219,679</b>     | <b>\$7,994,798</b>                     | <b>15.9%</b> |
| <b>Total City Revenue</b>        | <b>\$176,409,484</b> | <b>\$163,700,370</b>    | <b>169,686,402</b>   | <b>\$184,495,155</b>    | <b>\$20,794,785</b>                    | <b>12.7%</b> |

# FY2022 CITY BUDGET SUMMARY

by category  
City Manager's Recommendation

|                               | FY21<br>Approp.      | FY22<br>Proposed     | \$ +/-              | % +/-       | % Of<br>Total |
|-------------------------------|----------------------|----------------------|---------------------|-------------|---------------|
| 01 Personnel--General Fund    | \$82,173,192         | 84,925,475           | \$2,752,283         | 3.3%        | 40.0%         |
| --Ent Funds                   | 7,046,162            | 7,297,822            | 251,660             | 3.6%        | 13.0%         |
| Total                         | 89,219,354           | 92,223,297           | 3,003,943           | 3.4%        | 34.4%         |
| 02+ Contractual--General Fund | 65,041,941           | 68,032,198           | 2,990,257           | 4.6%        | 32.1%         |
| --Ent Funds                   | 28,929,226           | 29,661,060           | 731,834             | 2.5%        | 52.9%         |
| Total                         | 93,971,167           | 97,693,258           | 3,722,091           | 4.0%        | 36.4%         |
| 55+ Supplies--General Fund    | 5,915,227            | 6,133,717            | 218,490             | 3.7%        | 2.9%          |
| --Ent Funds                   | 1,322,228            | 1,322,420            | 192                 | 0.0%        | 2.4%          |
| Total                         | 7,237,455            | 7,456,137            | 218,682             | 3.0%        | 2.8%          |
| 63 Utilities--General Fund    | 3,747,956            | 3,715,716            | (32,240)            | -0.9%       | 1.8%          |
| --Ent Funds                   | 1,406,741            | 1,376,332            | (30,409)            | -2.2%       | 2.5%          |
| Total                         | 5,154,697            | 5,092,048            | (62,649)            | -1.2%       | 1.9%          |
| 70 Capital--General Fund      | 228,065              | 994,365              | 766,300             | 336.0%      | 0.5%          |
| --Ent Funds                   | 2,713,514            | 2,712,550            | (964)               | 0.0%        | 4.8%          |
| Total                         | 2,941,579            | 3,706,915            | 765,336             | 26.0%       | 1.4%          |
| 75 Debt Svc--Total GF         | 45,700,279           | 48,355,413           | 2,655,134           | 5.8%        | 22.8%         |
| --Ent Funds                   | 8,637,394            | 9,566,838            | 929,444             | 10.8%       | 17.1%         |
| Total                         | 54,337,673           | 57,922,251           | 3,584,578           | 6.6%        | 21.6%         |
| 75 Jetport Rev Bond Debt Svc  | 4,124,495            | 4,122,395            | (2,100)             | -0.1%       | 7.4%          |
| Jetport Surplus               | 0                    | 0                    | 0                   | #DIV/0!     | 0.0%          |
| Total General Fund            | 202,806,660          | 212,156,884          | 9,350,224           | 4.6%        | 100.0%        |
| Total Enterprise Funds        | 54,179,760           | 56,059,417           | 1,879,657           | 3.5%        | 100.0%        |
| <b>Total</b>                  | <b>\$256,986,420</b> | <b>\$268,216,301</b> | <b>\$11,229,881</b> | <b>4.4%</b> | <b>100.0%</b> |



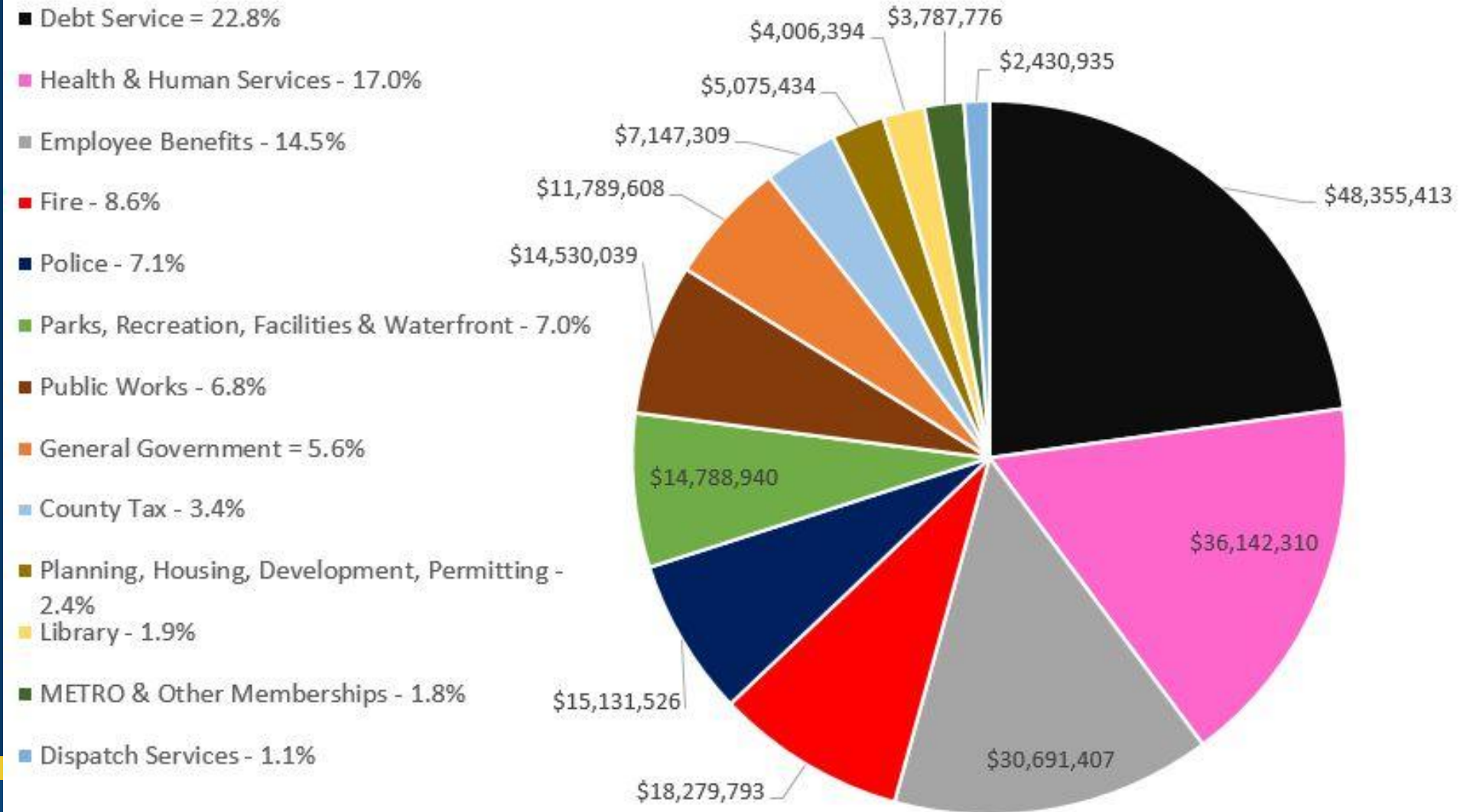
**City of Portland, Maine**  
**Tax Levy by Budget Category**  
**City Manager's Recommendation**

| <b>Department</b>       | <b>FY22<br/>Tax Levy</b> | <b>FY22<br/>Tax Rate</b> | <b>% of<br/>Taxes</b> |
|-------------------------|--------------------------|--------------------------|-----------------------|
| Debt Service            | 28,351,386               | \$3.48                   | 31.1%                 |
| Fire                    | 15,467,731               | \$1.90                   | 17.0%                 |
| Police                  | 14,790,710               | \$1.81                   | 16.2%                 |
| Public Works            | 9,598,016                | \$1.18                   | 10.5%                 |
| County Tax              | 7,147,309                | \$0.88                   | 7.9%                  |
| Library                 | 4,006,394                | \$0.49                   | 4.4%                  |
| Health & Human Services | 2,903,692                | \$0.35                   | 3.2%                  |
| Parks, Rec & Facilities | 2,595,700                | \$0.32                   | 2.9%                  |
| Metro                   | 2,458,362                | \$0.30                   | 2.7%                  |
| General Government      | 2,084,485                | \$0.25                   | 2.3%                  |
| Dispatch Services       | 1,611,146                | \$0.20                   | 1.8%                  |
| <b>Total:</b>           | <b>\$91,014,931</b>      | <b>\$11.16</b>           | <b>100.0%</b>         |

**City of Portland**  
**Staffing FTE Change**  
**FY22 City Manager's Recommendation**

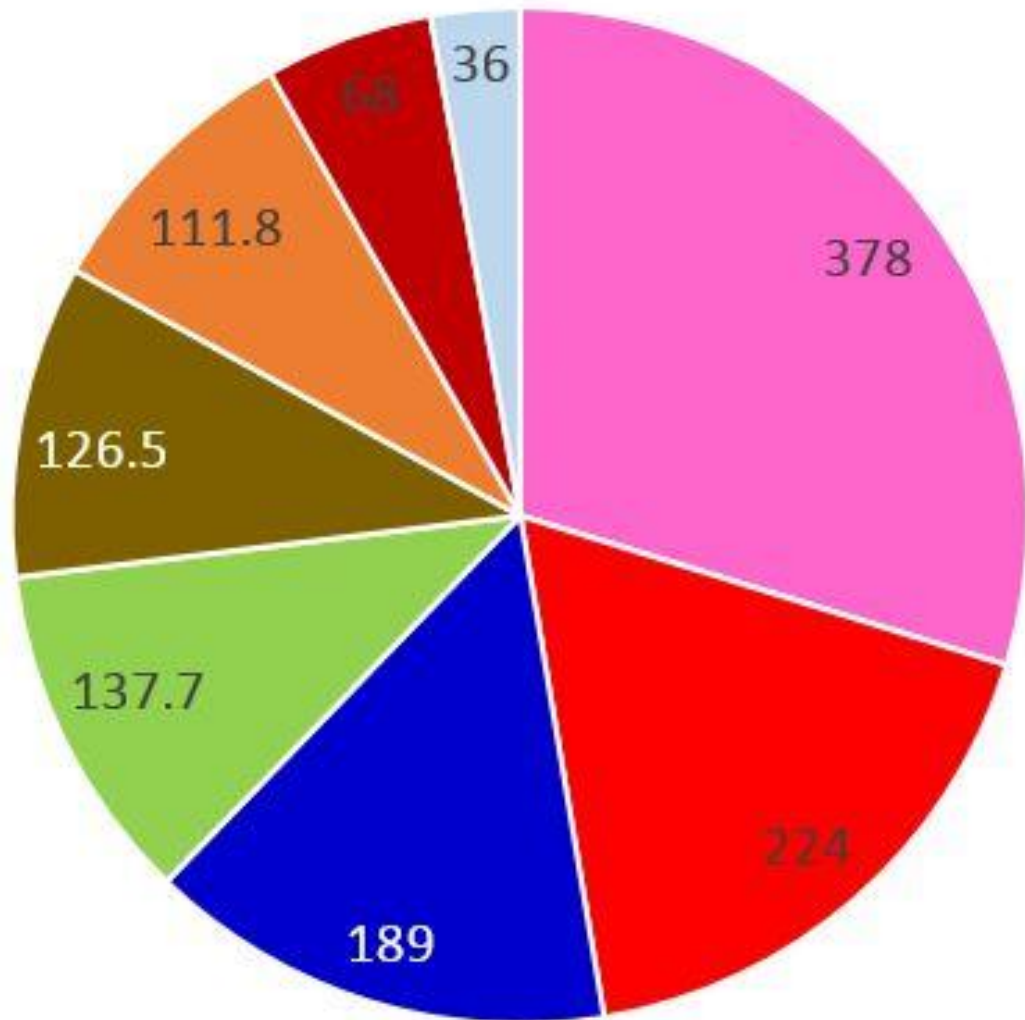
| <b>Department</b>             | <b>FY17</b>    | <b>FY18</b>    | <b>FY19</b>    | <b>FY20</b>    | <b>FY21</b>    | <b>FY22</b>    | <b>+/-<br/>Chg</b> |
|-------------------------------|----------------|----------------|----------------|----------------|----------------|----------------|--------------------|
| <b>General Fund:</b>          |                |                |                |                |                |                |                    |
| City Council                  | 1.0            | -              | -              | -              | -              | -              | -                  |
| City Clerk                    | 7.4            | 7.8            | 7.9            | 7.9            | 7.9            | 7.9            | -                  |
| Executive                     | 10.0           | 13.0           | 10.5           | 9.5            | 8.5            | 8.5            | -                  |
| Assessor                      | 5.9            | 5.9            | 5.9            | 5.9            | 5.7            | 5.9            | 0.2                |
| Finance                       | 24.0           | 25.0           | 25.0           | 25.0           | 24.4           | 25.0           | 0.6                |
| Legal                         | 6.0            | 6.0            | 7.0            | 7.0            | 7.0            | 8.0            | 1.0                |
| Human Resources               | 10.5           | 11.0           | 11.0           | 10.5           | 11.3           | 11.5           | 0.2                |
| Parking                       | 29.6           | 29.6           | 29.6           | 30.0           | 29.0           | 29.2           | 0.2                |
| Housing & Economic Dev.       | 5.8            | 5.8            | 7.1            | 7.0            | 16.0           | 16.0           | -                  |
| Police                        | 227.3          | 232.3          | 226.3          | 227.0          | 224.0          | 189.0          | (35.0)             |
| Fire                          | 229.6          | 229.2          | 226.0          | 226.0          | 224.0          | 224.0          | -                  |
| Dispatch Services             | -              | -              | -              | -              | -              | 36.0           | 36.0               |
| Planning & Urban Dev.         | 21.5           | 24.0           | 24.0           | 24.0           | 17.0           | 17.0           | -                  |
| Permitting & Inspections      | 25.0           | 28.0           | 28.0           | 28.5           | 30.8           | 35.0           | 4.2                |
| IT                            | 17.0           | 17.0           | 17.3           | 16.0           | 16.0           | 15.8           | (0.2)              |
| Public Works                  | 125.0          | 129.0          | 131.0          | 131.5          | 122.1          | 126.5          | 4.4                |
| Parks & Rec                   | 155.2          | 161.5          | 142.0          | 141.7          | 116.4          | 113.7          | (2.7)              |
| Public Bldgs & Waterfront     | -              | -              | 24.5           | 24.5           | 22.0           | 24.0           | 2.0                |
| HHS Administration            | 5.0            | 5.0            | 5.0            | 4.0            | 4.0            | 6.0            | 2.0                |
| Public Health                 | 38.2           | 25.0           | 27.1           | 28.3           | 32.3           | 31.8           | (0.5)              |
| Social Services               | 78.3           | 80.1           | 87.8           | 93.5           | 94.5           | 95.2           | 0.7                |
| Barron Center                 | 260.7          | 263.7          | 244.0          | 246.8          | 237.6          | 245.0          | 7.4                |
| <i>Total HHS:</i>             | <i>382.2</i>   | <i>373.8</i>   | <i>363.9</i>   | <i>372.6</i>   | <i>368.4</i>   | <i>378.0</i>   | <i>9.6</i>         |
| <b>General Fund Subtotal:</b> | <b>1,283.0</b> | <b>1,298.9</b> | <b>1,287.0</b> | <b>1,294.6</b> | <b>1,250.5</b> | <b>1,271.0</b> | <b>20.50</b>       |
| <b>Enterprise Funds:</b>      |                |                |                |                |                |                |                    |
| Sewer Fund                    | 31.0           | 30.0           | 33.0           | 33.0           | 34.0           | 34.0           | -                  |
| Stormwater Fund               | 11.0           | 13.0           | 10.0           | 10.0           | 9.0            | 10.0           | 1.0                |
| Jetport Fund                  | 50.5           | 52.5           | 56.0           | 59.0           | 57.0           | 57.0           | -                  |
| <b>Enterprise Subtotal:</b>   | <b>92.5</b>    | <b>95.5</b>    | <b>99.0</b>    | <b>102.0</b>   | <b>100.0</b>   | <b>101.0</b>   | <b>1.0</b>         |
| <b>Total City Employees:</b>  | <b>1,375.5</b> | <b>1,394.4</b> | <b>1,386.0</b> | <b>1,396.6</b> | <b>1,350.5</b> | <b>1,372.0</b> | <b>21.5</b>        |

## FY22 General Fund Budget Breakdown



## General Fund FTE by Department - FY22 CM Recommended Budget

- Health & Human Services - 29.7%
- Fire - 17.6%
- Police - 14.9%
- Parks, Recreation, Facilities & Waterfront - 10.8%
- Public Works - 10%
- General Government - 8.8%
- Planning, Housing, Development, Permitting - 5.4%
- Dispatch Services - 2.8%



# APR 2021

| SUN                                      | MON                                                                                   | TUE                                  | WED                  | THU                                                                                                                                               | FRI                  | SAT |
|------------------------------------------|---------------------------------------------------------------------------------------|--------------------------------------|----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|-----|
|                                          | 29                                                                                    | 30                                   | 31                   | 01                                                                                                                                                | 02                   | 03  |
| <b>Finance Committee Meetings Remote</b> |                                                                                       |                                      |                      |                                                                                                                                                   |                      |     |
| 04                                       | 05                                                                                    | 06                                   | 07                   | 08                                                                                                                                                | 09                   | 10  |
|                                          | City Council Meeting<br>5:00 PM                                                       |                                      |                      | Joint City/School<br>Finance Committee<br>Meeting 5:00 PM                                                                                         |                      |     |
| 11                                       | 12                                                                                    | 13                                   | 14                   | 15                                                                                                                                                | 16                   | 17  |
| 18                                       | 19                                                                                    | 20                                   | 21                   | 22                                                                                                                                                | 23                   | 24  |
|                                          | Patriot's Day Holiday<br>School Vacation Week                                         | School Vacation Week                 | School Vacation Week | School Vacation Week                                                                                                                              | School Vacation Week |     |
| 25                                       | 26                                                                                    | 27                                   | 28                   | 29                                                                                                                                                | 30                   |     |
|                                          | City Council Meeting<br>5:00 PM<br>City Manager<br>Recommended Budget<br>Presentation | Finance Committee<br>Meeting 5:00 PM |                      | Joint City/School<br>Finance Committee<br>Meeting 5:00 PM<br>Public Hearing & Vote on<br>PPS Budget<br>City Items: Parks &<br>Recreation, Library |                      |     |

# MAY 2021

| SUN                                                                  | MON                                                        | TUE | WED | THU                                                                                                                                    | FRI | SAT |
|----------------------------------------------------------------------|------------------------------------------------------------|-----|-----|----------------------------------------------------------------------------------------------------------------------------------------|-----|-----|
|                                                                      |                                                            |     |     |                                                                                                                                        |     | 01  |
| <b>Finance Committee Meetings held remotely until further notice</b> |                                                            |     |     |                                                                                                                                        |     |     |
| 02                                                                   | 03                                                         | 04  | 05  | 06                                                                                                                                     | 07  | 08  |
|                                                                      | City Council Meeting<br>5:00                               |     |     | Finance Committee Meeting 5:00 PM<br>City Clerk, Health & Human Services, Planning & Urban Development, Permitting & Inspections, Fire |     |     |
| 09                                                                   | 10                                                         | 11  | 12  | 13                                                                                                                                     | 14  | 15  |
|                                                                      | City Council Workshop                                      |     |     | Finance Committee Meeting 5:00 PM<br>Legal, Facilities & Waterfront, Housing & Economic Development, Police, Dispatch                  |     |     |
| 16                                                                   | 17                                                         | 18  | 19  | 20                                                                                                                                     | 21  | 22  |
|                                                                      | City Council Meeting 5:00 Budget 1st Read & Public Hearing |     |     | Finance Committee Meeting 5:00 PM<br>Public Hearing & Vote on City Budget                                                              |     |     |
| 23                                                                   | 24                                                         | 25  | 26  | 27                                                                                                                                     | 28  | 29  |
| 30                                                                   | 31                                                         |     |     |                                                                                                                                        |     |     |
|                                                                      | Memorial Day Holiday                                       |     |     |                                                                                                                                        |     |     |

# JUNE 2021

| SUN                                                                  | MON | TUE | WED | THU | FRI | SAT |
|----------------------------------------------------------------------|-----|-----|-----|-----|-----|-----|
|                                                                      |     | 01  | 02  | 03  | 04  | 05  |
| <b>Finance Committee Meetings held remotely until further notice</b> |     |     |     |     |     |     |
| 06                                                                   | 07  | 08  | 09  | 10  | 11  | 12  |
| <b>City Council Meeting 5:00<br/>Budget 2nd Read and Vote</b>        |     |     |     |     |     |     |
| 13                                                                   | 14  | 15  | 16  | 17  | 18  | 19  |
| 20                                                                   | 21  | 22  | 23  | 24  | 25  | 26  |
| <b>City Council Meeting 5:00</b>                                     |     |     |     |     |     |     |
| 27                                                                   | 28  | 29  | 30  |     |     |     |

# **City of Portland, Maine**

## **FY22 City Manager's Recommended Budget**

**July 1, 2021 – June 30, 2022**



# City of Portland, Maine

## FY22 City Manager's Recommended Budget

### Digital Budget Book Table of Contents

PDF  
Page #

#### **Budget Summary**

|                               |   |
|-------------------------------|---|
| -Summary Information Pamphlet | 3 |
|-------------------------------|---|

#### **GENERAL FUND**

|       |                                |     |
|-------|--------------------------------|-----|
| 11-00 | City Council                   | 26  |
| 12-00 | City Clerk                     | 28  |
| 13-00 | Executive                      | 30  |
| 14-00 | Assessor                       | 32  |
| 15-00 | Finance                        | 34  |
| 16-00 | Legal                          | 38  |
| 17-00 | Human Resources                | 40  |
| 18-00 | Parking                        | 42  |
| 19-00 | Housing & Economic Development | 48  |
| 21-00 | Police                         | 53  |
| 22-00 | Fire                           | 61  |
| 23-00 | Dispatch Services              | 68  |
| 24-00 | Planning & Development         | 70  |
| 25-00 | Permitting & Inspections       | 74  |
| 29-00 | Information Technology         | 80  |
| 31-00 | Public Works                   | 82  |
| 33-00 | Parks Recreation & Facilities  | 96  |
| 35-00 | Public Buildings & Waterfront  | 113 |
| 44-00 | HHS                            |     |
| 44-10 | HHS-Administration             | 127 |
| 44-20 | HHS-Public Health              | 129 |
| 44-30 | HHS-Social Services            | 137 |
| 44-40 | HHS-Barron Center              | 143 |
| 47-00 | Debt Service                   | 155 |
| 48-00 | Library                        | 157 |
| 51-00 | Pension                        | 161 |
| 52-00 | Employee Benefits              | 163 |
| 61-00 | Contingency                    | 170 |
| 62-00 | Liability Insurance            | 172 |
| 63-00 | County Tax                     | 174 |
| 65-00 | Memberships/Other              | 177 |
| 67-00 | Wage Adjustment                | 185 |

#### **ENTERPRISE FUNDS**

|        |                    |     |
|--------|--------------------|-----|
| 530-35 | Fish Pier Fund     | 187 |
| 570    | Sewer Utility Fund | 189 |
| 571    | Stormwater Fund    | 199 |
| 583-28 | Jetport Fund       | 205 |

# City of Portland, Maine

## City Manager's Recommended Budget



### **FY22 Budget**

July 1, 2021 – June 30, 2022



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

April 26, 2021

To Mayor Snyder and Members of the Portland City Council:

Pursuant to Article VI, Section 5(e) and Article VII, Sections 5 and 6 of the City of Portland Charter, I am hereby submitting the City Manager's Recommended \$268 million FY22 Municipal Operating Budget, which results in a 4% reduction to the municipal portion of the tax rate.

With more than a year now under our belts of working essentially in emergency-response mode to prevent the spread of COVID-19 while also providing municipal services in pandemic conditions, we are starting to feel hopeful there is light at the end of the tunnel. However, we continue to feel the effects the pandemic has had on our staff, resources, and revenues. We drastically reduced our budget last year in light of the impact COVID had on our revenue streams and the impact it had on our taxpayers. While it was not easy to make reductions in our staff and services, I felt it was particularly important to ensure there was no property tax rate increase as we all dealt with difficult economic times. In fact, I'm proud that we ended up being able to present a 4 cent property tax rate decrease on the City side of the overall budget last year. Making those tough decisions was the right thing to do given the circumstances, and has helped ensure this year is not as bleak. As we set about our budget work this year, our goal was to come up with a measured and moderate budget; one that would have as minimal of a tax rate increase as possible, but also one that would start the process of getting us back to where we were before the pandemic hit. We expect it will take a few budget cycles to get us back to FY19 levels as the economy recovers, but this budget does begin that rebuilding process.

Our FY22 revenue outlook continues to feel the effects of the pandemic. Recent estimates from our Finance Department indicate that the City had COVID related revenue losses of nearly \$28 million during FY21 and the tail end of FY20. Revenue estimates for FY22 have also dropped by millions of dollars in a number of key categories when compared to the most recently completed fiscal year prior to the pandemic. These losses are made up of many activities which will not operate or will operate at a significantly reduced level during life in a pandemic. These include a reduction of approximately \$1.9 million in key Parking Department revenues, \$1.7 million in key Parks & Recreation Department revenues from a lack of events, lessons, and programs, \$1.9 million in Facilities & Waterfront Department revenues from cruise lines and other vessels, a \$1.6 million reduction in estimated excise tax revenue, and many more. While some aspects of life have re-opened, several of these key revenue areas continue to not function or not function at the same level in which they existed previously. We expect it will take some time for our revenues to fully rebound. While our department directors took a hard look at where we could make reductions related to these revenue losses, we also continue to face many cost increases outside of our control, which exceed the regular rate of inflation, such as debt service costs (an approximately \$1 million increase in our pension obligation bond debt service alone), increases in the tax levied by Cumberland County, increases in our required METRO contribution, and contractually obligated union wage increases.

I'm proud that Portland is a city that is committed to being compassionate, one that goes above and beyond in taking care of its people. I'm also thankful for this commitment as it has been relied upon more than ever before due to the ripple effects of the pandemic. The budget I'm presenting continues to dedicate a significant amount of our money and staff resources to providing social services, emergency shelter, public health, and long-term care to our neediest populations. Our Health and Human Services Department continues to be our largest City department with more than 350 employees. Over this last year they have worked tirelessly to provide crucial services to their clients and the public at-large during the pandemic. For the third consecutive year this Department received the largest funding increase of any staffed Department. In FY22, the increase in HHS funding of nearly \$2.7 million is over three times larger than the increase in any other staffed Department. Since FY11 the Health & Human Services budget has risen by more than \$9 million, more than double the size of the increase in any other staffed Department over that same period.

I have made it a priority to run our municipal operations and implement Council policies in the most efficient and effective manner, and in a way that limits the burden on taxpayers. I have always been concerned about the affordability of our city and how government can be a driver of costs associated with this. This is why I once again asked Department Directors to take a hard look at their budgets. In light of the negative impacts from the pandemic, we strived to prepare a budget that balanced operational goals and needs with Council priorities and cost increases outside of our control. Our goal was to do this by strategically using grant and COVID-relief funds with as little of a tax rate increase as possible.

As a result, this recommended budget does include building back up some staff and resources in areas in which activity has resumed and in areas to meet Council goals. After the tough decisions we made last year, which included a reduction of 65 City positions, this budget includes the restoration of 20.5 full-time employees (FTE). This demonstrates how we're beginning to rebuild back to pre-COVID staffing levels where we averaged approximately 1290 FTEs in the General Fund from FY17-20. That number dropped off to 1250 last year and with the addition of 20.5 in this budget, we'd be back up to 1271 FTEs.

The American Rescue Plan (ARP) approved by the federal government does provide us with a backstop to recoup some of these revenue losses. It is expected that Portland will receive roughly \$48 million over the course of two fiscal years. As we continue to wait for the guidelines for how this money can be used by the December 2024 deadline, our Finance Director and I have crafted a three-year plan for how we can use a portion of the funds to cover some of our revenue losses in COVID impacted categories. This plan gradually reduces the need to cover key revenue loss areas over the course of the next three fiscal years as the expectation is that these revenues will slowly return. Preliminarily, this recommended FY22 budget does include the use of \$8.75 million in ARP funds. Doing so allows us to sustain municipal services while presenting a budget with a property tax rate decrease, something I continue to believe is the right thing for our taxpayers as we slowly rebuild. I am also recommending using \$5-6 million of ARP funds in FY23 and \$2-3 million in FY24 to recoup remaining losses as revenues in key categories climb back to pre-COVID totals. After addressing the COVID related revenue losses in City budgets, the use of remaining ARP funds should be decided by the City Council with staff recommendations made outside of the fiscal year budgeting process.

In light of all this, I'm proud to present you with a recommended budget that includes a **4% decrease in the tax rate** on the City side of the overall budget. It should be noted that if it weren't for the use of \$8.75 million in ARP funds in this budget, we'd be looking at a projected tax rate increase of in excess of 4% to maintain current levels of municipal services. We are very grateful to the Biden Administration and members of Congress who voted to support the American Rescue Plan. I

|               | City    | County | School  |
|---------------|---------|--------|---------|
| FY16          | \$9.83  | \$0.68 | \$10.12 |
| FY17          | \$10.08 | \$0.70 | \$10.33 |
| FY18          | \$10.28 | \$0.76 | \$10.61 |
| FY19          | \$10.54 | \$0.80 | \$11.14 |
| FY20          | \$10.79 | \$0.83 | \$11.69 |
| FY21          | \$10.75 | \$0.87 | \$11.69 |
| FY22 Proposed | \$10.28 | \$0.88 | \$12.33 |

believe it also important to bring forward a budget decrease due to the implementation of the city-wide revaluation process. Should there be any additional priorities the Council wants to address, I felt it most appropriate for those decisions to be made by the Council before being added to the final budget.

The total increase on the City portion of the tax levy during my six budgets as City Manager has only been 4.58% assuming approval of the budget as presented. This represents an average of less than 0.76% increase per year. To provide some context, over that same time period, the Schools portion of the tax rate has increased by 21.8% and the County Tax rate has increased by 29.4%.

Over my tenure as City Manager, I have challenged myself and staff to think of ways in which we can be innovative to improve the experience of our customers and streamline internal processes. Part of our commitment to innovation allowed us to more easily meet the needs of our residents during the pandemic. Our digital tools and services were accessed more than ever before as people sought real time information. We were able to unveil a new chat bot on our website, so people could more easily and quickly find the information and answers they were seeking, and we stood up a dedicated website for our COVID-19 public health campaign. We're in the process of further upgrading our website capabilities as we know the demand for people to access information and perform transactions and services digitally will continue to grow. And we recently launched a new civic engagement platform that will serve as a digital town hall in order to better foster two-way communication with our residents. As we continue to predominantly interact with people virtually, this will provide a key way for us to receive input on the work we're doing. We also pivoted quickly to conducting Council and Committee meetings online via Zoom. One benefit of this has been greater public participation and access for those who previously couldn't attend our in-person meetings. We look forward to continuing our efforts in communicating more effectively with our residents and customers.

I'm proud of what we've accomplished over my six years as City Manager -- the progress we've made in making municipal government more compassionate, innovative, inclusive, and transparent. As well as our efforts to address some of the long neglected critical infrastructure projects. We purchased our streetlights from Central Maine Power and used the cost savings to convert the lights to LED technology, and deployed intelligent traffic signals to improve congestion in some of our busiest intersections. I'm proud of what we have accomplished in our Capital Improvement Plan budgets as well. Since 2015, we've invested over \$50 million in transportation projects to upgrade our streets, signals and sidewalks. The City has also authorized over \$250 million since 2013 to invest in stormwater and sewer projects to update our aging infrastructure to prevent combined sewer overflow discharge into Back Cove and Portland Harbor, and become compliant with our consent agreement with the U.S. EPA and Maine DEP. We also expanded and improved our commitment to recycling with the addition of new recycling carts for residents. And thanks to the support of the City Council, we have invested over \$20 million in the rebuilding of our aging fleet of City and School vehicles since 2015, a category of assets which had not received adequate funding prior to my arrival. Through these investments we also incorporated hybrid and electric vehicles into our fleet and have added charging stations.

In addition to the policy changes that have been implemented to spur the creation of affordable housing, we've also made significant investments in the Jill C. Duson Housing Trust Fund through our fiscal year budgets. Inclusive of the amounts being proposed for FY22, since 2015 we will have allocated over \$4 million into the housing trust fund. This year's budget also includes a \$250,000 direct allocation on top of the traditional mix of revenue streams which are earmarked for the fund.

We've made major internal investments in our technology infrastructure in order to achieve efficiencies with staff work time and improve our customer response times. This included an upgrade to the Google for Government platform as well as the implementation of Tyler Technologies' software. We're now in a place to be able to better manage our data and make sure we're using it strategically to inform our decision making processes. These decisions have led to greater efficiencies in our municipal operations, allowing us to achieve savings that we can reinvest toward our long-range goals.

Customer service has also been a top priority of mine during my tenure. This can be seen through the creation and realignment of city departments, like the creation of the Permitting & Inspections Department and realignment of the Parks, Recreation & Facilities Department in 2016, and the combination of the Housing & Economic Development Department in 2020. We also instituted customer service trainings for staff, extended the hours of operation in the Treasury Office to include one late night a week so customers have greater ability to conduct transactions, deployed new electronic multi-space parking meters with the ability to pay via a mobile app, increased our live-streaming capabilities of Council and Committee meetings, and unveiled a mass notifications system to send emergency alerts as well as routine city news.

We also made great strides in increasing our diversity and inclusion efforts as part of our commitment to being a welcoming city. We funded a workforce diversity and inclusion specialist position, implemented new diversity and inclusion workshops and training for staff, some of which included language access, cultural competency, and reducing bias. In this budget proposal, we've included funding for the National League of Cities Race, Equity, and Leadership (REAL) training for city and library staff. Since 2015, we've also increased the score Portland received from the Human Rights Campaign's Municipal Equality Index by 19 points, earning a 94 in 2020. I'm thankful of the time our Human Resources staff has spent making sure our policies, practices, training, and benefits are inclusive to the people we employ and serve.

## **FY21 RECAP**

Fiscal Year 2021 had us operating in emergency response mode as we operated within the new normal confines of the COVID-19 pandemic. Revenue losses and major changes in our service delivery were incorporated into the budget which was approved by Council just a few months ago in October 2020. When comparing FY21 projected final revenues to FY19 revenue levels, the City estimates a COVID related decrease in key revenue lines of approximately \$16.6 million.

As the social services center of the state, our commitment to providing key health and human services became even more necessary as our people felt the effects of the pandemic. Our emergency shelter services expanded as need increased, operating a second 24-hour shelter facility. The second facility became a contracted hotel with 144 individual rooms. This created appropriate social distancing allowing those who needed emergency shelter to safely access it during the pandemic. Additionally, individuals were provided non-congregate shelter options through emergency general assistance. The housing teams at both Oxford Street and Family Shelters did a tremendous job overcoming housing challenges due to the pandemic. Our staff worked extremely hard to find permanent housing solutions for our most vulnerable neighbors, as well as working with area landlords to keep formerly homeless individuals housed. The Oxford Street Shelter placed a total of 91 clients, 32 of whom were long-term stayers into permanent housing. The 91 housing placements represent 23,392 bed nights or 64 years. The 32 long term stayer placements represented 17,229 of those bed nights or 74%. The Family Shelter served 173 families totaling 586 individuals with 0% recidivism. They housed 115 families totaling 406 individuals. And at the India Street Health Center, we increased our outreach efforts to ensure continued access to needle exchange services and implemented a contact-free system, as well as pre-screening protocols for STD and Free Clinic patients to maximize how many we could accommodate during each clinic session. Needless to say, the emergence of COVID vaccines has been welcomed, and staff remain focused on providing essential services.

We also continue to make progress toward the creation of a fully modern homeless services center at 654 Riverside Street that will provide emergency shelter services with on-site access to food, health care, housing counseling, and all other related wrap-around services in order to provide a more humane experience for those who are in need of these critical and basic services. In light of COVID-19, we incorporated pandemic safety measures into how the facility will be constructed and operated. In February of this year, we issued a Request for Proposals from developers for the creation of this new building with the idea that once constructed, the City will lease the space to operate the new facility.

As of the beginning of 2021, the Planning and Urban Development Department has seen applications continue to flow in for review. While we can't say how many applications we would have received if not for COVID-19, we've seen no drop in what was already a tremendously busy year (and years) for new projects. These applications include residential and mixed-use development like 165 Lambert Street (in review), 52 Hanover Street in Bayside (approved), 200 Federal Street on Federal Street (in review), and the redevelopment of the Mercy Hospital campus on State Street (in review), in addition to commercial/industrial and institutional projects like the Cold Storage project on West Commercial Street (approved), Canal Landing Building F located at 100 West Commercial Street (in review), USM campus planning project (approved), and the Preble Street Emergency Shelter on Portland Street (approved). More than 200 site plan applications were reviewed this year, as well as more than 300 historic preservation reviews, and 10 map and/or text amendment applications, ranging in size and complexity.

Planning & Urban Development has also made significant progress on its long-range planning initiatives. In the transportation realm, this work has focused on completing several long-range planning projects (the Commercial Street Operations & Master Plan and the Peaks Island Landside Operations Study) and developing our multi-modal infrastructure (including our network of multi-use path, neighborhood byway, and bicycle lanes, and preparing for the launch of a bikeshare system). From a land use policy perspective, we have reviewed and made recommendations on privately-initiated land use code amendments, as well as conducted research, outreach, and analysis around public land use initiatives, such as the shelter zoning work, and disposition of City properties for new housing creation. Lastly, we have made significant strides in advancing ReCode, our effort to update the city's land use code. In November of 2020, the City Council voted to adopt Phase I of the ReCode, enacting a more consistent, succinct, and legible version of the land use code, which included several significant policy changes around Accessory Dwelling Units, parking policy, and sign standards. Building off the momentum of Phase I, we've recently commenced work on Phase II of ReCode, which will be focused on critical issues related reflected in the city's Comprehensive Plan, such as sea level rise, climate change mitigation, housing affordability, and zoning standards. We've also embarked on revising and restructuring our city's Design Manual in an effort to create a more accessible and user-friendly document to ensure design outcomes that align with city policies. The department has had a busy year with Public Art proposals, as well, including the Great Black Hawk sculpture in Deering Oaks, Brighton Ave Roundabout public art installation, Gathering Stones (TEMPOArts), and the Black is Beautiful Cove Street mural (Indigo Arts).

Beyond this, we continue to make great strides toward the Council's goal of creating more housing in our city. Approximately 400 units of housing were approved in 2020, with hundreds more in review for 2021. All are needed additions to the city's overall housing supply so we can diversify our housing types and affordability levels, many with implications for Portland's Jill C. Duson Housing Trust Fund. A total of \$421,717 was contributed to the housing trust in 2020 from Inclusionary Zoning contributions, and \$30,448 from hotel inclusionary requirements. While the pandemic slowed down the schedule for low-income housing tax credit projects, staff expects that six projects will be under construction during fall 2021, creating 260 units and renovating 100 units of affordable housing. Our Housing & Economic Development Department facilitated the sale of City-owned properties to leverage the creation of new affordable housing, including: 43/91 Douglass Street and 21 Randall, which will be before the Council for approval in May; 622 Auburn Street/0 Gray Road in Falmouth, which is currently out to bid with responses due by May 4; and the approved Purchase and Sale Agreement for 165 Lambert Street, with an anticipated closing in early May.

Our small business community, which makes Portland so unique, continues to face extraordinary challenges as a result of the on-going pandemic. In response, the Housing and Economic Development Department provided over 360 small Portland businesses and nonprofits with free PPE, funded through the Maine Cares Act. Through COVID Community Development Block Grant (CDBG) funding, the Department provided Winter Business Sustainability Grants of up to \$9,000 each to 11 restaurants, and, through the Portland Development Corporation (PDC), provided Microenterprise Grants of up to \$5,000 to 81 businesses. Also, the PDC set aside City loan funds for pandemic-impacted small businesses

through its Rapid Response Micro Loans, providing 15 loans of up to \$10,000, with \$5,000 forgivable if the business retained or hired back at least 50% of its pre-COVID employees/jobs. Lastly, the PDC deferred loan payments for 24 businesses with City loans for up to three-to-five months.

To assist our arts and creative economy during the pandemic, Creative Portland (CP) raised \$90,000 for the Artist Relief Fund, which supported over 85 individual artists, awarding each a \$500 grant. An open and ongoing application process, the fund is now also open to small arts businesses and sole proprietors. CP also hired 18 artists to participate in the public health messaging program by creating unique art banners, murals, flagpoles and signs. In addition, CP hired four artists to create permanent public art on four existing bus shelters, with the support of an NEA Our Town grant, and in partnership with Metro and the Greater Portland Council of Governments. Finally, CP managed and mentored nine new fiscal sponsorship arrangements with organizations pivoting their practices and adapting to the pandemic.

The Portland International Jetport continued its record for customer service, winning Best Airport in North America in the 2-5 million passenger category (its fourth consecutive award); but like airports nationwide, FY21 saw Jetport passenger volumes down more than 65% from 2019 levels due to the pandemic. Thankfully, federal relief funding covered expense shortfalls caused by this significant reduction in passenger traffic and positioned the Jetport well for a more sustained and robust recovery in FY22. The Jetport is already seeing signs of this recovery with recent announcements of new air service to the Midwest. In fact the number of seats for sale out of the Jetport in June of this year is up 7.7% over June 2019. This is a positive sign for the Jetport and for the many businesses that rely on tourism in Portland and throughout the region.

## **BUDGET GOALS & REALITIES**

Given we're not over the effects of the pandemic yet, I asked every department head to prepare their budgets conservatively so we could meet the goal of an overall budget with as minimal of a tax rate increase as possible. I'm proud of the work they did to prioritize our needs given the situation we're in. Several departments came in with decreases or at roughly a flat rate. For the majority of departments with increases, it's important to note that their funding is still below pre-pandemic levels.

The reality is that we are facing significant erosion across many revenue categories due to COVID. Portland prides itself on having the most diverse revenue base in Northern New England with 54% of our FY21 general fund revenue coming from non-property tax sources (charges for services, licenses and permits, intergovernmental revenue and more).

As was stated before, balancing the budget with a tax rate decrease this year is only due to the use of ARP funds. Otherwise, we'd be facing a tax rate increase or a reduction in our levels of services.

## **DEPARTMENT HIGHLIGHTS**

### **Health & Human Services**

The recommended FY22 Health & Human Services budget, which includes Social Services, Public Health, and the Barron Center, is up 8% overall, an increase of almost \$2.7 million.

**Social Services:** We have continued our commitment to Social Services in FY22 with a \$2.1 million increase (14.3%) which expands our general assistance program and adds staffing and outreach in Social Services and our multiple City-run shelters. The \$16.7 million allocation recommended for Social Services is the highest in the City's history and our allocation of funding has almost doubled since FY11.



**Public Health:** Our Public Health Department budget has increased by 6.3%. We continue to aggressively pursue funding opportunities, including grants, for areas of public health need in Portland. This is the fifth consecutive year with increases to budgeted Public Health funding.

**Barron Center:** Although our patient census is down at the Barron Center, due to not being able to accept new patients during the pandemic, the facility has increased costs related to COVID-19. My recommendation for the Barron Center includes an approximately 2.6% increase.

**Public Works:** After a 6.7% overall reduction to the Public Works budget in FY21, the FY22 budget includes a 5.8% increase. This will allow the Department to fill several key engineering positions, an Island maintenance worker, and a project coordinator, bringing them back up to near pre-pandemic levels.

**Housing & Economic Development:** The Housing & Economic Development Department includes a 4.7% increase due to additional funds for the work in our Office of Economic Opportunity, which is doing great inclusion work with our new Mainer populations, as well as providing key connections between employers and job seekers. It also includes the upgrade of one administrative position.

**Parks, Recreation & Facilities:** This budget includes a 1.4% reduction due to revenues not fully rebounding as we had hoped. While we've been able to add back some positions in parks and recreation as revenues and programs have opened back up, our public assembly facilities have not rebounded yet in terms of public events.

**Planning & Urban Development:** This budget includes a 12.1% increase due to contractual services for ReCode Phase 2 and the Historic District Impact Study, which was a recent request by the Council.

**Police:** This budget includes a 12.5% reduction due to the separation of emergency dispatch services from the Police budget. Dispatch Services will now have its own budget line. This will allow for better comparability of our own Police Department to other agencies around the nation. It will also help us isolate costs related to our shared emergency dispatch center which also serves and receives revenue reimbursement from South Portland and Cape Elizabeth.

**Fire:** The Fire Department remains largely unchanged with an approximately 2.1% increase.

**Parking:** This budget includes a 6.4% increase after a 5.1% reduction last year. The increase this year includes money for necessary maintenance and repair projects in our parking garages that were not funded last year.

**Permitting & Inspections:** This budget includes a 12.8% increase due to new positions required by the November 2020 citizen initiated referendum. Two additional positions are necessary to manage work related to the new rent control ordinance as contemplated in the referendum language. Two additional new positions are also required to manage the volume of work related to marijuana retail licensing resulting from the removal of the cap on licenses. These additional positions will be offset almost entirely by additional revenue in these areas.

**Finance:** This budget includes a 1.5% increase due in part to the continued offering of extended / late hours of operation in the Treasury Office. Our implementation of offering customers appointments in light of COVID has been very well received by our customers. We plan to continue offering appointments even when City Hall is fully open to the public again, which will significantly reduce the time people spent waiting in lines.

**Assessors:** The City postponed the implementation of last year's citywide property revaluation to this year due to fiscal implications of the COVID-19 pandemic. The Assessor's Office is now ready to set new assessment values as of 4/1/2021 as part of the Fiscal Year 2022 tax billing cycle. In this budget, there is a slight increase in order to restore one position that still had furloughed hours. Having a fully staffed Assessor's Office will be critical during the Revaluation process.

**Information Technology:** This budget includes an 10.4% increase after a 12% reduction last year. This restores some remaining positions that still had furloughed hours and restores a couple of positions that were cut last year, which are critical to our overall human resources and financial systems work.

**City Clerk:** The 6.5% decrease in the City Clerk's budget is due to the reduction of one-time costs last year for the Presidential election and grant funding that was received to cover COVID-related election expenses.

**Executive Office:** After a 21.1% overall reduction last year, this year's budget includes an 8% increase due to the addition of a Communications Specialist position to assist our Communications Director. In addition to the communications efforts mentioned above, I know it's been a priority of the Council to increase our engagement and storytelling efforts.

## **POSITIVE BUDGET DRIVERS**

### **Excise Tax**

Excise taxes are still a significant source of revenue for the city's transportation needs. However, in light of the overall economy, we're projecting excise tax revenue to decrease to \$10.5M in FY22.

### **Property Valuation**

Property valuation is estimated to grow by \$85 million in the current year due to newly permitted and on-going construction projects and continues our upward trajectory in overall valuation. This \$85 million of new property valuation creates an additional approximately \$950,000 in new tax revenue for municipal use. While this may seem like a significant amount, it represents only approximately a 1% overall increase to our FY21 valuation of approximately \$8.04 billion, and can only fund a fraction of the cost increases and budget challenges we face in FY22, which are outside of my control.

As the 2021 Revaluation Project comes to a close in late summer/early fall, the City's overall taxable valuation will increase substantially and the millage rate will drop proportionately. As of the time of this publication, these numbers are not yet final. These new values and tax rate changes will be implemented and used for all FY22 tax bills.

**Health Insurance:** Our employee benefits are down 4.11% overall due to our contract with a benefits management company that has helped us reduce our benefits expenses. Additionally, lower health insurance claims have contributed to this decrease.

### **State Revenue Sharing**

State revenue sharing revenue is estimated at \$7.4 million for the current fiscal year based on the current law in place and updated March 2021 projections from the State of Maine.

## **BUDGET CHALLENGES**

In addition to the significant amount of revenue we have lost during the pandemic, and the fact that new property growth alone has not been able to keep up with the built in cost increases, we continue to face other budget challenges that are outside my control such as previously approved union contracts, debt services increases, Cumberland County tax, and METRO fees for public transportation.

**Contractual Salary Obligations:** The City Council approves contracts with all eight City bargaining units representing nearly 90% of the City workforce. The remaining 10% is non-union. After several unions and all non-union personnel did not receive salary increases in FY21, this budget does include a 2% cost of living increase for non-union personnel and other wage adjustments according to the various union contracts.

Debt Service: Our debt service is up roughly \$2.65 million or 5.8% overall. This includes a little more than a \$1 million increase in debt service related to our 2001 pension obligation bonds. Similarly sized annual increases are looming in the FY23 - FY26 budgets as well. Additional debt service is attributable to the first payment due on the Lyseth Elementary School renovation.

METRO: The FY22 budget includes a 5% increase in our METRO contribution or an additional \$143,089. When combined with anticipated revenue reductions from METRO (decreases in the level of Federal reimbursement passed along to the City by METRO) the net cost to taxpayers of METRO in FY22 will increase by over 6%.

County Tax: The FY22 budget includes a 1.94% or \$136,150 increase in Cumberland County tax assessment pushing it to more than \$7.1 million.

Overall Budget Tax Rate:

City general fund expenditures have increased 4.6% from FY21 to FY22. The overall municipal tax rate proposed for FY22 is a decrease of 4% with a new FY22 city-side mill rate of \$11.16 per \$1,000 of assessed property value, **46 cents lower than last year.**

## CONCLUSION

I would like to thank Finance Director Brendan T. O’Connell, Deputy Finance Director Anne Bilodeau, Budget Analyst Jennifer Lodge, Human Resources Director Gina Tapp, and Communications Director Jessica Grondin for their assistance in developing this budget recommendation and presentation, as well as the hard work and diligence of Department Heads in developing budget requests.

I’d also like to thank all City employees for the work they’ve done in helping us accomplish the many things we’ve achieved over the last several years, as well as the regular municipal services they provide each and every day. And I’d like to express my sincere gratitude for the way in which staff has continued to perform top-notch public service during the pandemic. It has been a long and ever-changing year in which we’ve faced many obstacles, and I’m proud of how we all worked together to keep our community strong.

Finally, I’d like to thank the members of the City Council for agreeing to give us this extra time to develop this budget. In light of all that is going on, we hope the public will have a greater understanding of what we face in the year ahead. We look forward to reviewing this proposed budget with the Finance Committee and full Council.

Sincerely,

Jon P. Jennings  
City Manager

**CITY OF PORTLAND, MAINE**  
**COMPARATIVE BUDGET PLAN FY2022**

July 1, 2020 - June 30, 2021

July 1, 2021 - June 30, 2022

**City Manager's Recommendation**

|                                   | FY20          | FY21          | FY22 City Mgr's<br>Recomm. | FY22-CM /<br>FY21 \$ | %       |
|-----------------------------------|---------------|---------------|----------------------------|----------------------|---------|
| <b>CITY GENERAL FUND REVENUES</b> |               |               |                            |                      |         |
| 31 Property Taxes                 | \$92,813,653  | \$93,754,694  | \$91,014,931               | (\$2,739,763)        | -2.9%   |
| 31 Other Local Taxes              | 8,416,388     | 6,848,477     | 6,087,977                  | (760,500)            | -11.1%  |
| 32 Licenses & Permits             | 6,300,644     | 6,712,953     | 6,751,336                  | 38,383               | 0.6%    |
| 33 Intergovernmental Revenue      | 12,312,490    | 12,936,276    | 25,406,110                 | 12,469,834           | 96.4%   |
| 34 Charges for Services           | 36,750,588    | 34,492,550    | 35,487,998                 | 995,448              | 2.9%    |
| 35 Fines, Forfeits and Penalties  | 1,996,710     | 1,310,550     | 1,761,050                  | 450,500              | 34.4%   |
| 36 Use of Money and Property      | 12,279,430    | 9,159,375     | 8,870,217                  | (289,158)            | -3.2%   |
| 39 Other Sources                  | 35,862,668    | 37,591,785    | 36,777,265                 | (814,520)            | -2.2%   |
| Fund Balance Use (Restoration)    | -             | -             | -                          | -                    |         |
| Total General Fund Revenues       | \$206,732,571 | \$202,806,660 | \$212,156,884              | \$9,350,224          | 4.6%    |
| <b>GENERAL FUND EXPENDITURES</b>  |               |               |                            |                      |         |
| 100-11 City Council               | \$344,046     | \$450,014     | \$424,240                  | (\$25,774)           | -5.7%   |
| 100-12 City Clerk                 | 622,721       | 679,454       | 632,235                    | (47,219)             | -6.9%   |
| 100-13 Executive                  | 929,877       | 764,688       | 830,736                    | 66,048               | 8.6%    |
| 100-14 Assessor                   | 435,159       | 418,620       | 446,739                    | 28,119               | 6.7%    |
| 100-15 Finance Administration     | 1,218,727     | 1,172,963     | 1,204,259                  | 31,296               | 2.7%    |
| Treasury                          | 734,003       | 692,539       | 688,701                    | (3,838)              | -0.6%   |
| Total Finance                     | 1,952,730     | 1,865,502     | 1,892,960                  | 27,458               | 1.5%    |
| 100-16 Legal                      | 741,338       | 728,821       | 845,052                    | 116,231              | 15.9%   |
| 100-17 Human Resources Admin      | 1,071,134     | 1,072,530     | 1,157,467                  | 84,937               | 7.9%    |
| 100-18 Parking                    | 1,487,050     | 1,481,693     | 1,465,907                  | (15,786)             | -1.1%   |
| Elm Street Garage                 | 300,164       | 250,713       | 301,367                    | 50,654               | 20.2%   |
| Spring Street Garage              | 452,870       | 434,447       | 493,474                    | 59,027               | 13.6%   |
| Temple Street Garage              | 126,130       | 78,000        | 127,000                    | 49,000               | 62.8%   |
| Total Parking/Garages             | 2,366,214     | 2,244,853     | 2,387,748                  | 142,895              | 6.4%    |
| 100-19 Economic Development Admin | 646,006       | 660,462       | 710,695                    | 50,233               | 7.6%    |
| Portland Development Corp         | 28,522        | 28,522        | 28,522                     | 0                    | 0.0%    |
| Housing & Community Dev.          | -             | 531,246       | 538,174                    | 6,928                | 1.3%    |
| Total Housing & Economic Dev.     | 674,528       | 1,220,230     | 1,277,391                  | 57,161               | 4.7%    |
| 100-21 Police Administration      | 1,274,264     | 1,218,444     | 1,302,585                  | 84,141               | 6.9%    |
| Uniformed Operations Group        | 10,616,533    | 10,306,530    | 10,417,102                 | 110,572              | 1.1%    |
| Bureau Investigative Services     | 2,017,675     | 1,843,314     | 1,872,765                  | 29,451               | 1.6%    |
| Operations Support Services       | 907,441       | 876,435       | 893,343                    | 16,908               | 1.9%    |
| Dispatch Services                 | 2,360,103     | 2,375,832     | 0                          | (2,375,832)          | -100.0% |
| Jetport Security                  | 581,524       | 575,274       | 564,068                    | (11,206)             | -1.9%   |
| Total Police                      | 17,757,540    | 17,195,829    | 15,049,863                 | (2,145,966)          | -12.5%  |

**CITY OF PORTLAND, MAINE  
COMPARATIVE BUDGET PLAN FY2022**

**July 1, 2020 - June 30, 2021**

**July 1, 2021 - June 30, 2022**

**City Manager's Recommendation**

|        |                                         | <b>FY20</b>       | <b>FY21</b>       | <b>FY22 City Mgr's<br/>Recomm.</b> | <b>FY22-CM /<br/>FY21 \$</b> | <b>%</b>     |
|--------|-----------------------------------------|-------------------|-------------------|------------------------------------|------------------------------|--------------|
| 100-22 | Fire Administration                     | 598,617           | 625,811           | 647,798                            | 21,987                       | 3.5%         |
|        | Code Enforcement & Comm Svcs            | 288,508           | 238,082           | 177,995                            | (60,087)                     | -25.2%       |
|        | Field Operations                        | 15,517,194        | 14,963,356        | 15,352,104                         | 388,748                      | 2.6%         |
|        | Operations Support Services             | 803,148           | 872,768           | 896,043                            | 23,275                       | 2.7%         |
|        | Air Rescue                              | 1,027,681         | 1,104,349         | 1,107,200                          | 2,851                        | 0.3%         |
|        | <b>Total Fire</b>                       | <b>18,235,148</b> | <b>17,804,366</b> | <b>18,181,140</b>                  | <b>376,774</b>               | <b>2.1%</b>  |
| 100-23 | Dispatch Services                       | -                 | -                 | 2,417,816.00                       | 2,417,816                    | #DIV/0!      |
| 100-24 | Planning & Urban Dev. Admin             | 560,269           | 211,863           | 229,214                            | 17,351                       | 8.2%         |
|        | Planning                                | 1,330,594         | 1,213,659         | 1,369,054                          | 155,395                      | 12.8%        |
|        | Housing & Community Development         | 189,169           | -                 | -                                  | -                            | #DIV/0!      |
|        | <b>Total Planning &amp; Urban Dev.</b>  | <b>2,080,032</b>  | <b>1,425,522</b>  | <b>1,598,268</b>                   | <b>172,746</b>               | <b>12.1%</b> |
| 100-25 | Permitting & Inspections Admin          | 130,487           | 156,338           | 179,556                            | 23,218                       | 14.9%        |
|        | Inspections                             | 1,076,567         | 1,042,864         | 1,078,915                          | 36,051                       | 3.5%         |
|        | Housing Safety                          | 407,613           | 481,750           | 591,019                            | 109,269                      | 22.7%        |
|        | Business Licensing                      | 233,892           | 245,091           | 322,894                            | 77,803                       | 31.7%        |
|        | <b>Total Permitting &amp; Licensing</b> | <b>1,848,559</b>  | <b>1,926,043</b>  | <b>2,172,384</b>                   | <b>246,341</b>               | <b>12.8%</b> |
| 100-29 | Information Technology                  | 2,914,482         | 2,589,248         | 2,858,804                          | 269,556                      | 10.4%        |
| 100-31 | Public Works Administration             | 725,708           | 671,793           | 705,111                            | 33,318                       | 5.0%         |
|        | Streets                                 | 1,741,974         | 1,678,340         | 1,773,724                          | 95,384                       | 5.7%         |
|        | Solid Waste                             | 2,141,502         | 2,241,470         | 2,413,927                          | 172,457                      | 7.7%         |
|        | Communications                          | 197,443           | 196,098           | 193,926                            | (2,172)                      | -1.1%        |
|        | Portland Downtown District              | 404,862           | 414,503           | 414,126                            | (377)                        | -0.1%        |
|        | Winter Operations                       | 1,329,439         | 1,329,517         | 1,383,835                          | 54,318                       | 4.1%         |
|        | Island Services                         | 687,836           | 689,311           | 757,211                            | 67,900                       | 9.9%         |
|        | Traffic & Transportation Ops            | -                 | 1,407,899         | 1,547,308                          | 139,409                      | 9.9%         |
|        | Transportation Engineering              | 2,333,681         | 438,778           | 441,885                            | 3,107                        | 0.7%         |
|        | Engineering                             | 1,266,603         | 1,206,876         | 1,268,444                          | 61,568                       | 5.1%         |
|        | Fleet Services                          | 3,807,154         | 3,381,149         | 3,552,126                          | 170,977                      | 5.1%         |
|        | <b>Total Public Works</b>               | <b>14,636,202</b> | <b>13,655,734</b> | <b>14,451,623</b>                  | <b>795,889</b>               | <b>5.8%</b>  |
| 100-33 | Parks & Recreation Admin                | 639,408           | 483,407           | 418,208                            | (65,199)                     | -13.5%       |
|        | Parks                                   | 1,129,821         | 847,077           | 819,594                            | (27,483)                     | -3.2%        |
|        | Forestry                                | 710,847           | 727,060           | 771,079                            | 44,019                       | 6.1%         |
|        | Athletic Facilities                     | 811,667           | 912,822           | 919,875                            | 7,053                        | 0.8%         |
|        | Cemeteries                              | 827,545           | 784,163           | 823,303                            | 39,140                       | 5.0%         |
|        | Recreation                              | 1,901,439         | 1,425,500         | 1,510,842                          | 85,342                       | 6.0%         |
|        | Aquatics                                | 639,302           | 470,351           | 542,260                            | 71,909                       | 15.3%        |
|        | Golf Course                             | 1,100,519         | 991,379           | 1,008,813                          | 17,434                       | 1.8%         |
|        | Golf Course Restaurant                  | 540,787           | 227,699           | 19,660                             | (208,039)                    | -91.4%       |
|        | Ice Arena                               | 595,229           | 551,074           | 522,891                            | (28,183)                     | -5.1%        |
|        | Public Assembly Facilities              | 1,061,236         | 610,039           | 472,515                            | (137,524)                    | -22.5%       |
|        | Concessions                             | 418,426           | 369,979           | 389,405                            | 19,426                       | 5.3%         |
|        | Custodial Services                      | 958,378           | 814,505           | 878,807                            | 64,302                       | 7.9%         |
|        | Merrill Auditorium                      | 182,589           | 109,414           | 93,732                             | (15,682)                     | -14.3%       |
|        | <b>Total Parks Rec &amp; Facilities</b> | <b>11,517,193</b> | <b>9,324,469</b>  | <b>9,190,984</b>                   | <b>(133,485)</b>             | <b>-1.4%</b> |

**CITY OF PORTLAND, MAINE**  
**COMPARATIVE BUDGET PLAN FY2022**

July 1, 2020 - June 30, 2021

July 1, 2021 - June 30, 2022

**City Manager's Recommendation**

|        |                                            | FY20                 | FY21                 | FY22 City Mgr's<br>Recomm. | FY22-CM /<br>FY21 \$ | %            |
|--------|--------------------------------------------|----------------------|----------------------|----------------------------|----------------------|--------------|
| 100-35 | Public Bldgs & Waterfront Admin            | 387,731              | 392,355              | 412,961                    | 20,606               | 5.3%         |
|        | Trades                                     | 736,916              | 605,385              | 622,623                    | 17,238               | 2.8%         |
|        | School HVAC                                | 518,442              | 545,883              | 558,036                    | 12,153               | 2.2%         |
|        | Public Safety Bldg.                        | 317,700              | 298,405              | 299,905                    | 1,500                | 0.5%         |
|        | City Hall                                  | 392,450              | 562,250              | 649,284                    | 87,034               | 15.5%        |
|        | Merrill Auditorium (PB)                    | 173,550              | 170,555              | 673,655                    | 503,100              | 295.0%       |
|        | Hadlock Stadium                            | 322,076              | 323,945              | 267,845                    | (56,100)             | -17.3%       |
|        | Expo Building                              | 208,600              | 254,100              | 207,020                    | (47,080)             | -18.5%       |
|        | Canco Road Buildings                       | 434,250              | 416,850              | 418,400                    | 1,550                | 0.4%         |
|        | Other Public Buildings                     | 270,857              | 275,271              | 272,614                    | (2,657)              | -1.0%        |
|        | Waterfront                                 | 1,317,769            | 1,234,185            | 1,135,799                  | (98,386)             | -8.0%        |
|        | <b>Total Public Bldgs &amp; Waterfront</b> | <b>5,080,341</b>     | <b>5,079,184</b>     | <b>5,518,142</b>           | <b>438,958</b>       | <b>8.6%</b>  |
| 100-44 | HHS - Administration                       | 337,276              | 329,165              | 338,515                    | 9,350                | 2.8%         |
|        | Public Health                              | 2,093,528            | 2,216,800            | 2,356,743                  | 139,943              | 6.3%         |
|        | Social Services                            | 13,167,747           | 14,623,335           | 16,714,830                 | 2,091,495            | 14.3%        |
|        | Barron Center                              | 15,947,969           | 16,112,624           | 16,537,167                 | 424,543              | 2.6%         |
|        | <b>Total HHS</b>                           | <b>31,546,520</b>    | <b>33,281,924</b>    | <b>35,947,255</b>          | <b>2,665,331</b>     | <b>8.0%</b>  |
| 100-47 | Debt Service                               | 45,087,798           | 45,700,279           | 48,355,413                 | 2,655,134            | 5.8%         |
| 100-48 | Public Library                             | 4,178,550            | 3,927,837            | 4,006,394                  | 78,557               | 2.0%         |
| 100-51 | Pension                                    | 8,398,292            | 7,764,619            | 8,531,837                  | 767,218              | 9.9%         |
| 100-52 | Health Insurance                           | 19,948,893           | 18,741,418           | 17,994,636                 | (746,782)            | -4.0%        |
|        | Workers' Comp                              | 2,053,072            | 1,810,292            | 1,692,000                  | (118,292)            | -6.5%        |
|        | FICA                                       | 1,138,099            | 1,393,538            | 1,325,660                  | (67,878)             | -4.9%        |
|        | Group Life                                 | 205,822              | 211,911              | 230,240                    | 18,329               | 8.6%         |
|        | Unemployment                               | 100,000              | 100,000              | 100,000                    | -                    | 0.0%         |
|        | <b>Total Employee Benefits</b>             | <b>23,445,886</b>    | <b>22,257,159</b>    | <b>21,342,536</b>          | <b>(914,623)</b>     | <b>-4.1%</b> |
| 100-61 | Contingent                                 | 250,000              | 250,000              | 250,000                    | -                    | 0.0%         |
| 100-62 | Liability Insurance                        | 839,325              | 793,128              | 817,034                    | 23,906               | 3.0%         |
| 100-65 | Regional Transportation Program            | 78,480               | 78,480               | 78,480                     | -                    | 0.0%         |
|        | Contributions                              | 437,388              | 419,910              | 689,149                    | 269,239              | 64.1%        |
|        | <b>Total Memberships/Contributions</b>     | <b>515,868</b>       | <b>498,390</b>       | <b>767,629</b>             | <b>269,239</b>       | <b>54.0%</b> |
| 100-67 | Wage Adjustment                            | (165,000.00)         | -                    | 637,738                    | 637,738              | #DIV/0!      |
|        | <b>Total General Fund Expenditures</b>     | <b>197,304,483</b>   | <b>192,918,443</b>   | <b>201,989,428</b>         | <b>9,070,985</b>     | <b>4.7%</b>  |
| 100-63 | County Tax                                 | 6,640,316            | 7,011,159            | 7,147,309                  | 136,150              | 1.9%         |
| 100-65 | Metro Assessment                           | 2,787,772            | 2,877,058            | 3,020,147                  | 143,089              | 5.0%         |
|        | <b>Total General Fund and Assessments</b>  | <b>\$206,732,571</b> | <b>\$202,806,660</b> | <b>\$212,156,884</b>       | <b>\$9,350,224</b>   | <b>4.6%</b>  |

**CITY OF PORTLAND, MAINE  
COMPARATIVE BUDGET PLAN FY2022**

**July 1, 2020 - June 30, 2021**

**July 1, 2021 - June 30, 2022**

**City Manager's Recommendation**

|                                     | <b>FY20</b>          | <b>FY21</b>          | <b>FY22 City Mgr's<br/>Recomm.</b> | <b>FY22-CM /<br/>FY21 \$</b> | <b>%</b>     |
|-------------------------------------|----------------------|----------------------|------------------------------------|------------------------------|--------------|
| <b>ENTERPRISE FUND REVENUES</b>     |                      |                      |                                    |                              |              |
| 31 Property Taxes, Current Year     | -                    | -                    | -                                  | -                            | -            |
| 32 Licenses & Permits               | \$17,950             | \$17,950             | \$12,600                           | (5,350)                      | -29.8%       |
| 33 Intergovernmental                | 117,968              | 116,660              | 1,951,053                          | 1,834,393                    | 1572.4%      |
| 34 Charges for Services             | 34,701,607           | 33,498,951           | 36,602,681                         | 3,103,730                    | 9.3%         |
| 36 Use of Money and Property        | 26,228,136           | 16,148,356           | 19,200,733                         | 3,052,377                    | 18.9%        |
| 39 Other Sources                    | 405,874              | 442,964              | 452,612                            | 9,648                        | 2.2%         |
| Fund Balance                        | (4,683,172)          | 3,954,879            | (2,160,262)                        | (6,115,141)                  | -154.6%      |
| Total Enterprise Fund Revenues      | <u>\$56,788,363</u>  | <u>\$54,179,760</u>  | <u>\$56,059,417</u>                | <u>\$1,879,657</u>           | <u>3.5%</u>  |
| <b>ENTERPRISE FUND EXPENDITURES</b> |                      |                      |                                    |                              |              |
| 530 Fish Pier                       | \$388,679            | \$423,216            | \$421,641                          | (\$1,575)                    | -0.4%        |
| 570 Sewer - Finance Admin           | 141,938              | 104,356              | 98,104                             | (6,252)                      | -6.0%        |
| Sewer Public Works Admin            | 838,548              | 741,301              | 747,715                            | 6,414                        | 0.9%         |
| Sewer Operations (Districting)      | 2,637,279            | 2,555,803            | 2,725,639                          | 169,836                      | 6.6%         |
| Sewer Communications                | 65,808               | 65,378               | 64,034                             | (1,344)                      | -2.1%        |
| Sewer Engineering                   | 603,082              | 512,695              | 620,541                            | 107,846                      | 21.0%        |
| Sewer Debt Service                  | 8,088,788            | 8,029,746            | 8,805,095                          | 775,349                      | 9.7%         |
| Sewer Fringe Benefits               | 1,519,490            | 1,522,494            | 1,500,808                          | (21,686)                     | -1.4%        |
| PWD Assessment                      | 13,137,639           | 13,177,145           | 13,879,425                         | 702,280                      | 5.3%         |
| Total Sewer                         | <u>27,032,572</u>    | <u>26,708,918</u>    | <u>28,441,361</u>                  | <u>1,732,443</u>             | <u>6.5%</u>  |
| 571 Stormwater - Finance Admin      | 275,145              | 266,228              | 253,389                            | (12,839)                     | -4.8%        |
| Stormwater Management               | 1,543,268            | 1,548,607            | 1,685,091                          | 136,484                      | 8.8%         |
| Debt Service                        | 685,421              | 754,949              | 954,037                            | 199,088                      | 26.4%        |
| Fringe Benefits                     | 285,003              | 403,088              | 356,144                            | (46,944)                     | -11.6%       |
| Total Stormwater                    | <u>2,788,837</u>     | <u>2,972,872</u>     | <u>3,248,661</u>                   | <u>275,789</u>               | <u>9.3%</u>  |
| 583 Jetport Admin                   | 1,221,479            | 1,145,365            | 1,094,140                          | (51,225)                     | -4.5%        |
| Marketing                           | 598,640              | 411,140              | 417,390                            | 6,250                        | 1.5%         |
| Fringe, Indirects & Chargebacks     | 4,084,313            | 4,288,163            | 4,208,328                          | (79,835)                     | -1.9%        |
| Field                               | 4,577,799            | 4,220,698            | 4,235,206                          | 14,508                       | 0.3%         |
| General Aviation                    | 17,168               | 17,168               | 17,168                             | -                            | 0.0%         |
| Jetport Operations                  | 2,702,802            | 2,363,263            | 2,439,490                          | 76,227                       | 3.2%         |
| Terminal                            | 6,992,649            | 6,396,682            | 6,385,111                          | (11,571)                     | -0.2%        |
| Parking                             | 4,907,020            | 4,557,244            | 4,475,890                          | (81,354)                     | -1.8%        |
| Airfield Deicing                    | 674,781              | 675,031              | 675,031                            | -                            | 0.0%         |
| Jetport Anticipated Surplus         | 801,624              | -                    | -                                  | 0                            | #DIV/0!      |
| Total Jetport                       | <u>26,578,275</u>    | <u>24,074,754</u>    | <u>23,947,754</u>                  | <u>(127,000)</u>             | <u>-0.5%</u> |
| Total Enterprise Fund Expenditures  | <u>\$56,788,363</u>  | <u>\$54,179,760</u>  | <u>\$56,059,417</u>                | <u>\$1,879,657</u>           | <u>3.5%</u>  |
| <b>TOTAL CITY EXPENDITURES</b>      | <u>\$263,520,934</u> | <u>\$256,986,420</u> | <u>\$268,216,301</u>               | <u>\$11,229,881</u>          | <u>4.4%</u>  |

**TAX RATE COMPUTATION--FY2022**  
**City Manager's Recommendation**

|                            | <b>General<br/>Fund</b> | <b>County<br/>Tax</b> | <b>City<br/>General Fund</b> | <b>Enterprise<br/>Funds</b> | <b>TOTAL<br/>CITY</b> |
|----------------------------|-------------------------|-----------------------|------------------------------|-----------------------------|-----------------------|
| Total Expenditures         | \$205,009,575           | \$7,147,309           | \$212,156,884                | \$56,059,417                | \$268,216,301         |
| Less: Revenues             | (121,141,953)           | 0                     | (121,141,953)                | (58,219,679)                | (179,361,632)         |
| Surplus                    | 0                       | 0                     | 0                            | 2,160,262                   | 2,160,262             |
| <b>Tax Levy</b>            | <b>\$83,867,622</b>     | <b>\$7,147,309</b>    | <b>\$91,014,931</b>          | <b>\$0</b>                  | <b>\$91,014,931</b>   |
| <b>Valuation</b>           | 8,155,000,000           |                       |                              |                             |                       |
| <b>Tax Rate:</b>           |                         |                       |                              |                             |                       |
| <b>FY22</b>                | \$10.28                 | \$0.88                | \$11.16                      | \$0.00                      | <b>\$11.16</b>        |
| <b>FY21</b>                | \$10.75                 | \$0.87                | \$11.62                      | \$0.00                      | \$11.62               |
| <b>\$ Increase</b>         | (\$0.47)                | \$0.01                | (\$0.46)                     | \$0.00                      | <b>(\$0.46)</b>       |
| <b>% of Total Increase</b> | -4.0%                   | 0.1%                  | -4.0%                        | 0.0%                        | <b>-4.0%</b>          |



**CITY OF PORTLAND, MAINE**

**FY2022 Non-Tax Revenue**

*Excludes Taxes & TIF*

**City Manager's Recommendation**

| Department                       | FY20<br>Collected    | FY21<br>Est<br>(budget) | FY21<br>Proj         | FY22<br>Est<br>(budget) | FY22 Est<br>vs<br>FY21 Est<br>(budget) | %            |
|----------------------------------|----------------------|-------------------------|----------------------|-------------------------|----------------------------------------|--------------|
| <b>General Fund Revenues:</b>    |                      |                         |                      |                         |                                        |              |
| City Council                     | \$5,000              | \$5,000                 | \$5,500              | \$5,000                 | \$0                                    | 0.0%         |
| City Clerk                       | 173,510              | 187,518                 | 157,308              | 178,540                 | (8,978)                                | -4.8%        |
| Executive                        | 990,393              | 968,776                 | 966,776              | 895,724                 | (73,052)                               | -7.5%        |
| Assessor                         | 2,216                | 1,500                   | 1,000                | 1,000                   | (500)                                  | -33.3%       |
| Finance                          | 19,808,748           | 17,575,609              | 20,047,466           | 20,372,904              | 2,797,295                              | 15.9%        |
| Legal                            | 684,535              | 151,525                 | 150,960              | 192,940                 | 41,415                                 | 27.3%        |
| Human Resources                  | 75,945               | 75,945                  | 75,945               | 53,692                  | (22,253)                               | -29.3%       |
| Parking                          | 8,674,604            | 7,489,635               | 7,337,087            | 10,281,259              | 2,791,624                              | 37.3%        |
| Housing & Economic Dev           | 634,249              | 1,219,867               | 1,219,860            | 1,277,391               | 57,524                                 | 4.7%         |
| Police                           | 2,957,473            | 3,215,674               | 2,743,206            | 2,106,238               | (1,109,436)                            | -34.5%       |
| Fire                             | 4,633,493            | 4,887,080               | 4,732,455            | 4,594,331               | (292,749)                              | -6.0%        |
| Dispatch Services                | -                    | -                       | -                    | 1,116,240               | 1,116,240                              | #DIV/0!      |
| Planning & Development           | 1,199,784            | 746,865                 | 666,865              | 739,313                 | (7,552)                                | -1.0%        |
| Permitting & Inspections         | 7,652,920            | 5,131,172               | 5,017,719            | 5,112,419               | (18,753)                               | -0.4%        |
| Information Technology           | 399,801              | 429,141                 | 429,868              | 313,180                 | (115,961)                              | -27.0%       |
| Public Works                     | 5,035,017            | 5,222,450               | 5,355,554            | 5,342,603               | 120,153                                | 2.3%         |
| Parks, Rec & Facilities          | 6,145,748            | 5,828,980               | 3,912,583            | 7,277,693               | 1,448,713                              | 24.9%        |
| Public Bldgs & Waterfront        | 3,166,917            | 1,620,873               | 1,450,613            | 3,595,351               | 1,974,478                              | 121.8%       |
| HHS--Public Health               | 1,131,310            | 1,818,088               | 1,715,349            | 1,496,154               | (321,934)                              | -17.7%       |
| HHS--Social Services             | 9,983,176            | 10,211,905              | 14,080,520           | 10,318,690              | 106,785                                | 1.0%         |
| HHS--Barron Center               | 19,899,036           | 19,243,369              | 17,009,341           | 22,458,574              | 3,215,205                              | 16.7%        |
| Employee Benefits                | 7,197,901            | 7,410,958               | 6,056,319            | 7,704,810               | 293,852                                | 4.0%         |
| Insurance                        | 369,601              | 189,275                 | 186,564              | 197,138                 | 7,863                                  | 4.2%         |
| Debt Service Reimb.              | 18,765,460           | 19,189,768              | 19,389,768           | 20,004,027              | 814,259                                | 4.2%         |
| Memberships / Other              | 302,717              | 654,516                 | 262,513              | 640,265                 | (14,251)                               | -2.2%        |
| <b>Total General Fund:</b>       | <b>\$119,889,554</b> | <b>\$113,475,489</b>    | <b>\$112,971,139</b> | <b>\$126,275,476</b>    | <b>\$12,799,987</b>                    | <b>11.3%</b> |
| <b>Enterprise Funds Revenue:</b> |                      |                         |                      |                         |                                        |              |
| Fish Pier Authority              | 627,739              | 581,304                 | 506,240              | 580,274                 | (1,030)                                | -0.2%        |
| Sewer                            | 26,055,427           | 26,715,241              | 26,897,182           | 28,957,451              | 2,242,210                              | 8.4%         |
| Stormwater                       | 6,434,178            | 6,761,428               | 7,388,790            | 7,417,771               | 656,343                                | 9.7%         |
| Jetport                          | 23,402,586           | 16,166,908              | 21,923,051           | 21,264,183              | 5,097,275                              | 31.5%        |
| <b>Total Enterprise Funds:</b>   | <b>\$56,519,930</b>  | <b>\$50,224,881</b>     | <b>\$56,715,263</b>  | <b>\$58,219,679</b>     | <b>\$7,994,798</b>                     | <b>15.9%</b> |
| <b>Total City Revenue</b>        | <b>\$176,409,484</b> | <b>\$163,700,370</b>    | <b>169,686,402</b>   | <b>\$184,495,155</b>    | <b>\$20,794,785</b>                    | <b>12.7%</b> |

# FY2022 CITY BUDGET SUMMARY

by category  
City Manager's Recommendation

|                               | FY21<br>Approp.      | FY22<br>Proposed     | \$ +/-              | % +/-       | % Of<br>Total |
|-------------------------------|----------------------|----------------------|---------------------|-------------|---------------|
| 01 Personnel--General Fund    | \$82,173,192         | 84,925,475           | \$2,752,283         | 3.3%        | 40.0%         |
| --Ent Funds                   | 7,046,162            | 7,297,822            | 251,660             | 3.6%        | 13.0%         |
| Total                         | 89,219,354           | 92,223,297           | 3,003,943           | 3.4%        | 34.4%         |
| 02+ Contractual--General Fund | 65,041,941           | 68,032,198           | 2,990,257           | 4.6%        | 32.1%         |
| --Ent Funds                   | 28,929,226           | 29,661,060           | 731,834             | 2.5%        | 52.9%         |
| Total                         | 93,971,167           | 97,693,258           | 3,722,091           | 4.0%        | 36.4%         |
| 55+ Supplies--General Fund    | 5,915,227            | 6,133,717            | 218,490             | 3.7%        | 2.9%          |
| --Ent Funds                   | 1,322,228            | 1,322,420            | 192                 | 0.0%        | 2.4%          |
| Total                         | 7,237,455            | 7,456,137            | 218,682             | 3.0%        | 2.8%          |
| 63 Utilities--General Fund    | 3,747,956            | 3,715,716            | (32,240)            | -0.9%       | 1.8%          |
| --Ent Funds                   | 1,406,741            | 1,376,332            | (30,409)            | -2.2%       | 2.5%          |
| Total                         | 5,154,697            | 5,092,048            | (62,649)            | -1.2%       | 1.9%          |
| 70 Capital--General Fund      | 228,065              | 994,365              | 766,300             | 336.0%      | 0.5%          |
| --Ent Funds                   | 2,713,514            | 2,712,550            | (964)               | 0.0%        | 4.8%          |
| Total                         | 2,941,579            | 3,706,915            | 765,336             | 26.0%       | 1.4%          |
| 75 Debt Svc--Total GF         | 45,700,279           | 48,355,413           | 2,655,134           | 5.8%        | 22.8%         |
| --Ent Funds                   | 8,637,394            | 9,566,838            | 929,444             | 10.8%       | 17.1%         |
| Total                         | 54,337,673           | 57,922,251           | 3,584,578           | 6.6%        | 21.6%         |
| 75 Jetport Rev Bond Debt Svc  | 4,124,495            | 4,122,395            | (2,100)             | -0.1%       | 7.4%          |
| Jetport Surplus               | 0                    | 0                    | 0                   | #DIV/0!     | 0.0%          |
| Total General Fund            | 202,806,660          | 212,156,884          | 9,350,224           | 4.6%        | 100.0%        |
| Total Enterprise Funds        | 54,179,760           | 56,059,417           | 1,879,657           | 3.5%        | 100.0%        |
| <b>Total</b>                  | <b>\$256,986,420</b> | <b>\$268,216,301</b> | <b>\$11,229,881</b> | <b>4.4%</b> | <b>100.0%</b> |

**City of Portland, Maine**  
**Tax Levy by Budget Category**  
**City Manager's Recommendation**

| <b>Department</b>       | <b>FY22<br/>Tax Levy</b> | <b>FY22<br/>Tax Rate</b> | <b>% of<br/>Taxes</b> |
|-------------------------|--------------------------|--------------------------|-----------------------|
| Debt Service            | 28,351,386               | \$3.48                   | 31.1%                 |
| Fire                    | 15,467,731               | \$1.90                   | 17.0%                 |
| Police                  | 14,790,710               | \$1.81                   | 16.2%                 |
| Public Works            | 9,598,016                | \$1.18                   | 10.5%                 |
| County Tax              | 7,147,309                | \$0.88                   | 7.9%                  |
| Library                 | 4,006,394                | \$0.49                   | 4.4%                  |
| Health & Human Services | 2,903,692                | \$0.35                   | 3.2%                  |
| Parks, Rec & Facilities | 2,595,700                | \$0.32                   | 2.9%                  |
| Metro                   | 2,458,362                | \$0.30                   | 2.7%                  |
| General Government      | 2,084,485                | \$0.25                   | 2.3%                  |
| Dispatch Services       | 1,611,146                | \$0.20                   | 1.8%                  |
| <b>Total:</b>           | <b>\$91,014,931</b>      | <b>\$11.16</b>           | <b>100.0%</b>         |

**City of Portland**  
**Staffing FTE Change**  
**FY22 City Manager's Recommendation**

| <b>Department</b>             | <b>FY17</b>    | <b>FY18</b>    | <b>FY19</b>    | <b>FY20</b>    | <b>FY21</b>    | <b>FY22</b>    | <b>+/-<br/>Chg</b> |
|-------------------------------|----------------|----------------|----------------|----------------|----------------|----------------|--------------------|
| <b>General Fund:</b>          |                |                |                |                |                |                |                    |
| City Council                  | 1.0            | -              | -              | -              | -              | -              | -                  |
| City Clerk                    | 7.4            | 7.8            | 7.9            | 7.9            | 7.9            | 7.9            | -                  |
| Executive                     | 10.0           | 13.0           | 10.5           | 9.5            | 8.5            | 8.5            | -                  |
| Assessor                      | 5.9            | 5.9            | 5.9            | 5.9            | 5.7            | 5.9            | 0.2                |
| Finance                       | 24.0           | 25.0           | 25.0           | 25.0           | 24.4           | 25.0           | 0.6                |
| Legal                         | 6.0            | 6.0            | 7.0            | 7.0            | 7.0            | 8.0            | 1.0                |
| Human Resources               | 10.5           | 11.0           | 11.0           | 10.5           | 11.3           | 11.5           | 0.2                |
| Parking                       | 29.6           | 29.6           | 29.6           | 30.0           | 29.0           | 29.2           | 0.2                |
| Housing & Economic Dev.       | 5.8            | 5.8            | 7.1            | 7.0            | 16.0           | 16.0           | -                  |
| Police                        | 227.3          | 232.3          | 226.3          | 227.0          | 224.0          | 189.0          | (35.0)             |
| Fire                          | 229.6          | 229.2          | 226.0          | 226.0          | 224.0          | 224.0          | -                  |
| Dispatch Services             | -              | -              | -              | -              | -              | 36.0           | 36.0               |
| Planning & Urban Dev.         | 21.5           | 24.0           | 24.0           | 24.0           | 17.0           | 17.0           | -                  |
| Permitting & Inspections      | 25.0           | 28.0           | 28.0           | 28.5           | 30.8           | 35.0           | 4.2                |
| IT                            | 17.0           | 17.0           | 17.3           | 16.0           | 16.0           | 15.8           | (0.2)              |
| Public Works                  | 125.0          | 129.0          | 131.0          | 131.5          | 122.1          | 126.5          | 4.4                |
| Parks & Rec                   | 155.2          | 161.5          | 142.0          | 141.7          | 116.4          | 113.7          | (2.7)              |
| Public Bldgs & Waterfront     | -              | -              | 24.5           | 24.5           | 22.0           | 24.0           | 2.0                |
| HHS Administration            | 5.0            | 5.0            | 5.0            | 4.0            | 4.0            | 6.0            | 2.0                |
| Public Health                 | 38.2           | 25.0           | 27.1           | 28.3           | 32.3           | 31.8           | (0.5)              |
| Social Services               | 78.3           | 80.1           | 87.8           | 93.5           | 94.5           | 95.2           | 0.7                |
| Barron Center                 | 260.7          | 263.7          | 244.0          | 246.8          | 237.6          | 245.0          | 7.4                |
| <i>Total HHS:</i>             | <i>382.2</i>   | <i>373.8</i>   | <i>363.9</i>   | <i>372.6</i>   | <i>368.4</i>   | <i>378.0</i>   | <i>9.6</i>         |
| <b>General Fund Subtotal:</b> | <b>1,283.0</b> | <b>1,298.9</b> | <b>1,287.0</b> | <b>1,294.6</b> | <b>1,250.5</b> | <b>1,271.0</b> | <b>20.50</b>       |
| <b>Enterprise Funds:</b>      |                |                |                |                |                |                |                    |
| Sewer Fund                    | 31.0           | 30.0           | 33.0           | 33.0           | 34.0           | 34.0           | -                  |
| Stormwater Fund               | 11.0           | 13.0           | 10.0           | 10.0           | 9.0            | 10.0           | 1.0                |
| Jetport Fund                  | 50.5           | 52.5           | 56.0           | 59.0           | 57.0           | 57.0           | -                  |
| <b>Enterprise Subtotal:</b>   | <b>92.5</b>    | <b>95.5</b>    | <b>99.0</b>    | <b>102.0</b>   | <b>100.0</b>   | <b>101.0</b>   | <b>1.0</b>         |
| <b>Total City Employees:</b>  | <b>1,375.5</b> | <b>1,394.4</b> | <b>1,386.0</b> | <b>1,396.6</b> | <b>1,350.5</b> | <b>1,372.0</b> | <b>21.5</b>        |

# APR 2021

| SUN                                        | MON                                                                                   | TUE                                  | WED                  | THU                                                                                                 | FRI                  | SAT |
|--------------------------------------------|---------------------------------------------------------------------------------------|--------------------------------------|----------------------|-----------------------------------------------------------------------------------------------------|----------------------|-----|
|                                            | 29                                                                                    | 30                                   | 31                   | 01                                                                                                  | 02                   | 03  |
| Finance<br>Committee<br>Meetings<br>Remote |                                                                                       |                                      |                      |                                                                                                     |                      |     |
| 04                                         | 05                                                                                    | 06                                   | 07                   | 08                                                                                                  | 09                   | 10  |
|                                            | City Council Meeting<br>5:00 PM                                                       |                                      |                      | Joint City/School<br>Finance Committee<br>Meeting 5:00 PM                                           |                      |     |
| 11                                         | 12                                                                                    | 13                                   | 14                   | 15                                                                                                  | 16                   | 17  |
|                                            |                                                                                       |                                      |                      |                                                                                                     |                      |     |
| 18                                         | 19                                                                                    | 20                                   | 21                   | 22                                                                                                  | 23                   | 24  |
|                                            | Patriot's Day Holiday<br>School Vacation Week                                         | School Vacation Week                 | School Vacation Week | School Vacation Week                                                                                | School Vacation Week |     |
| 25                                         | 26                                                                                    | 27                                   | 28                   | 29                                                                                                  | 30                   |     |
|                                            | City Council Meeting<br>5:00 PM<br>City Manager<br>Recommended Budget<br>Presentation | Finance Committee<br>Meeting 5:00 PM |                      | Joint City/School<br>Finance Committee<br>Meeting 5:00 PM Public<br>Hearing & Vote on PPS<br>Budget |                      |     |

# MAY 2021

SUN MON TUE WED THU FRI SAT

01

Finance  
Committee  
Meetings  
held  
remotely  
until further  
notice

02

03

04

05

06

07

08

City Council Meeting  
5:00

Finance Committee  
Meeting 5:00 PM

09

10

11

12

13

14

15

City Council Workshop

Finance Committee  
Meeting 5:00 PM

16

17

18

19

20

21

22

City Council Meeting  
5:00 Budget 1st Read  
& Public Hearing

Finance Committee  
Meeting 5:00 PM  
Public Hearing & Vote on  
City Budget

23

24

25

26

27

28

29

30

31

Memorial Day Holiday

# JUNE 2021

| SUN                                                                  | MON | TUE | WED | THU | FRI | SAT |
|----------------------------------------------------------------------|-----|-----|-----|-----|-----|-----|
|                                                                      |     | 01  | 02  | 03  | 04  | 05  |
| <b>Finance Committee Meetings held remotely until further notice</b> |     |     |     |     |     |     |
| 06                                                                   | 07  | 08  | 09  | 10  | 11  | 12  |
| <b>City Council Meeting 5:00<br/>Budget 2nd Read and Vote</b>        |     |     |     |     |     |     |
| 13                                                                   | 14  | 15  | 16  | 17  | 18  | 19  |
| 20                                                                   | 21  | 22  | 23  | 24  | 25  | 26  |
| <b>City Council Meeting 5:00</b>                                     |     |     |     |     |     |     |
| 27                                                                   | 28  | 29  | 30  |     |     |     |

## **DEFINITIONS OF FY22 ORG CATEGORY SUMMARY EXPENDITURE REPORT COLUMNS**

**FY21 APPRV'D APPRO** = Actual amount of the FY21 approved appropriation as approved by the City Council.

**FY21 TOTAL PROJECTION** = Projected total amount of expenditure in the current budget year as submitted by Departments in January 2021.

**FY22 MGR RECOMM** – The amount of FY22 budget request recommended by the City Manager to the City Council in April 2021 after performing detailed budget reviews with each Department.

**INCR / (DECR) FY22 / FY21** – A comparison of the FY21 Apprv'd Appro Column with the FY22 Mgr Recomm column showing the budget year to budget year increase that would result (in dollars) if the FY22 City Manager's Recommended budget was approved.

**APPRO % CHG FY22 / FY21** - A comparison of the FY21 Apprv'd Appro Column with the FY22 Mgr Recomm column showing the budget year to budget year percentage increase that would result if the FY22 City Manager's Recommended budget was approved.



**CITY OF PORTLAND, ME  
FY22 DEPARTMENT ORG NET REPORT**

| ACCOUNT DESCRIPTION                     | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY221 / FY21 |
|-----------------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|--------------------------------|
| <b>General Fund (100 &amp; 107):</b>    |                                        |                             |                       |                                 |                                |
| <b>General Fund<br/>City Council 11</b> |                                        |                             |                       |                                 |                                |
| 10011000 Total EXPENDITURE              | \$450,014                              | \$371,152                   | \$424,240             | (\$25,774)                      | -5.73%                         |
| 10011000 Total REVENUE                  | (\$5,000)                              | (\$5,500)                   | (\$5,000)             | \$0                             | 0.00%                          |
| <b>** City Council NET</b>              | <b>\$445,014</b>                       | <b>\$365,652</b>            | <b>\$419,240</b>      | <b>(\$25,774)</b>               | <b>-5.79%</b>                  |
| <b>**** City Council Net</b>            | <b>\$445,014</b>                       | <b>\$365,652</b>            | <b>\$419,240</b>      | <b>(\$25,774)</b>               | <b>-5.79%</b>                  |

**CITY OF PORTLAND, ME**  
**FY22 DEPARTMENT CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                     |                      | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|-----------------------------------------|----------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>General Fund (100 &amp; 107):</b>    |                      |                                        |                             |                       |                                 |                               |
| <b>General Fund<br/>City Council 11</b> |                      |                                        |                             |                       |                                 |                               |
| *                                       | Payroll              | \$131,109                              | \$132,109                   | \$145,197             | \$14,088                        | 10.75%                        |
| *                                       | Benefits             | \$1,200                                | \$1,138                     | \$1,138               | (\$62)                          | -5.17%                        |
| *                                       | Administrative Svcs  | \$38,210                               | \$33,410                    | \$51,410              | \$13,200                        | 34.55%                        |
| *                                       | Contractual Services | \$275,245                              | \$200,245                   | \$222,245             | (\$53,000)                      | -19.26%                       |
| *                                       | Supplies             | \$4,250                                | \$4,250                     | \$4,250               | \$0                             | 0.00%                         |
| ****                                    | City Council         | \$450,014                              | \$371,152                   | \$424,240             | (\$25,774)                      | -5.73%                        |

**CITY OF PORTLAND, ME  
FY22 DEPARTMENT ORG NET REPORT**

| ACCOUNT DESCRIPTION        | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY221 / FY21 |
|----------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|--------------------------------|
| <b>General Fund</b>        |                                        |                             |                       |                                 |                                |
| <b>City Clerk 12</b>       |                                        |                             |                       |                                 |                                |
| 10012000 Total EXPENDITURE | \$679,454                              | \$666,838                   | \$632,235             | (\$47,219)                      | -6.95%                         |
| 10012000 Total REVENUE     | (\$187,518)                            | (\$157,308)                 | (\$178,540)           | \$8,978                         | -4.79%                         |
| <b>** City Clerk NET</b>   | <b>\$491,936</b>                       | <b>\$509,530</b>            | <b>\$453,695</b>      | <b>(\$38,241)</b>               | <b>-7.77%</b>                  |
| <b>**** City Clerk Net</b> | <b>\$491,936</b>                       | <b>\$509,530</b>            | <b>\$453,695</b>      | <b>(\$38,241)</b>               | <b>-7.77%</b>                  |

**CITY OF PORTLAND, ME**  
**FY22 DEPARTMENT CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION  |                                 | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|----------------------|---------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>General Fund</b>  |                                 |                                        |                             |                       |                                 |                               |
| <b>City Clerk 12</b> |                                 |                                        |                             |                       |                                 |                               |
| *                    | <b>Payroll</b>                  | \$507,161                              | \$539,775                   | \$512,275             | \$5,114                         | 1.01%                         |
| *                    | <b>Benefits</b>                 | \$600                                  | \$600                       | \$600                 | \$0                             | 0.00%                         |
| *                    | <b>Administrative Svcs</b>      | \$5,426                                | \$6,399                     | \$8,176               | \$2,750                         | 50.68%                        |
| *                    | <b>Contractual Services</b>     | \$104,147                              | \$76,050                    | \$82,864              | (\$21,283)                      | -20.44%                       |
| *                    | <b>Maintenance &amp; Repair</b> | \$5,660                                | \$5,660                     | \$5,660               | \$0                             | 0.00%                         |
| *                    | <b>Rentals</b>                  | \$50,560                               | \$32,337                    | \$16,960              | (\$33,600)                      | -66.46%                       |
| *                    | <b>Supplies</b>                 | \$5,900                                | \$6,017                     | \$5,700               | (\$200)                         | -3.39%                        |
| ****                 | <b>City Clerk</b>               | <b>\$679,454</b>                       | <b>\$666,838</b>            | <b>\$632,235</b>      | <b>(\$47,219)</b>               | <b>-6.95%</b>                 |

**CITY OF PORTLAND, ME  
FY22 DEPARTMENT ORG NET REPORT**

| ACCOUNT DESCRIPTION                       | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY221 / FY21 |
|-------------------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|--------------------------------|
| <b>General Fund</b>                       |                                        |                             |                       |                                 |                                |
| <b>City Manager 13</b>                    |                                        |                             |                       |                                 |                                |
| 10013100 Total EXPENDITURE                | \$764,688                              | \$758,038                   | \$830,736             | \$66,048                        | 8.64%                          |
| 10013100 Total REVENUE                    | (\$968,776)                            | (\$966,776)                 | (\$895,724)           | \$73,052                        | -7.54%                         |
| <b>** City Manager Administration NET</b> | <b>(\$204,088)</b>                     | <b>(\$208,738)</b>          | <b>(\$64,988)</b>     | <b>\$139,100</b>                | <b>68.16%</b>                  |
| <b>**** City Manager Net</b>              | <b>(\$204,088)</b>                     | <b>(\$208,738)</b>          | <b>(\$64,988)</b>     | <b>\$139,100</b>                | <b>68.16%</b>                  |

**CITY OF PORTLAND, ME  
FY22 DEPARTMENT CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION    |                      | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|------------------------|----------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>General Fund</b>    |                      |                                        |                             |                       |                                 |                               |
| <b>City Manager 13</b> |                      |                                        |                             |                       |                                 |                               |
| *                      | Payroll              | \$714,501                              | \$714,001                   | \$790,566             | \$76,065                        | 10.65%                        |
| *                      | Benefits             | \$10,600                               | \$10,600                    | \$11,200              | \$600                           | 5.66%                         |
| *                      | Administrative Svcs  | \$17,650                               | \$14,500                    | \$11,870              | (\$5,780)                       | -32.75%                       |
| *                      | Contractual Services | \$7,537                                | \$7,537                     | \$8,600               | \$1,063                         | 14.10%                        |
| *                      | Rentals              | \$6,500                                | \$6,500                     | \$6,500               | \$0                             | 0.00%                         |
| *                      | Supplies             | \$7,900                                | \$4,900                     | \$2,000               | (\$5,900)                       | -74.68%                       |
| ****                   | City Manager         | \$764,688                              | \$758,038                   | \$830,736             | \$66,048                        | 8.64%                         |

**CITY OF PORTLAND, ME  
FY22 DEPARTMENT ORG NET REPORT**

| ACCOUNT DESCRIPTION        | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY221 / FY21 |
|----------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|--------------------------------|
| <b>General Fund</b>        |                                        |                             |                       |                                 |                                |
| <b>Assessor 14</b>         |                                        |                             |                       |                                 |                                |
| 10014000 Total EXPENDITURE | \$418,620                              | \$414,620                   | \$446,739             | \$28,119                        | 6.72%                          |
| 10014000 Total REVENUE     | (\$1,500)                              | (\$1,000)                   | (\$1,000)             | \$500                           | -33.33%                        |
| <b>** Assessor NET</b>     | <b>\$417,120</b>                       | <b>\$413,620</b>            | <b>\$445,739</b>      | <b>\$28,619</b>                 | <b>6.86%</b>                   |
| <b>**** Assessor Net</b>   | <b>\$417,120</b>                       | <b>\$413,620</b>            | <b>\$445,739</b>      | <b>\$28,619</b>                 | <b>6.86%</b>                   |

**CITY OF PORTLAND, ME  
FY22 DEPARTMENT CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION |                                 | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|---------------------|---------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>General Fund</b> |                                 |                                        |                             |                       |                                 |                               |
| <b>Assessor 14</b>  |                                 |                                        |                             |                       |                                 |                               |
| *                   | <b>Payroll</b>                  | \$391,475                              | \$391,475                   | \$401,879             | \$10,404                        | 2.66%                         |
| *                   | <b>Benefits</b>                 | \$360                                  | \$360                       | \$360                 | \$0                             | 0.00%                         |
| *                   | <b>Administrative Svcs</b>      | \$8,920                                | \$5,920                     | \$5,920               | (\$3,000)                       | -33.63%                       |
| *                   | <b>Contractual Services</b>     | \$7,765                                | \$6,765                     | \$28,620              | \$20,855                        | 268.58%                       |
| *                   | <b>Maintenance &amp; Repair</b> | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| *                   | <b>Rentals</b>                  | \$2,100                                | \$2,100                     | \$2,160               | \$60                            | 2.86%                         |
| *                   | <b>Supplies</b>                 | \$8,000                                | \$8,000                     | \$7,800               | (\$200)                         | -2.50%                        |
| ****                | <b>Assessor</b>                 | <b>\$418,620</b>                       | <b>\$414,620</b>            | <b>\$446,739</b>      | <b>\$28,119</b>                 | <b>6.72%</b>                  |



**CITY OF PORTLAND, ME  
FY22 DEPARTMENT ORG NET REPORT**

| ACCOUNT DESCRIPTION                  | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY221 / FY21 |
|--------------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|--------------------------------|
| <b>General Fund</b>                  |                                        |                             |                       |                                 |                                |
| <b>Finance 15</b>                    |                                        |                             |                       |                                 |                                |
| 10015000 Total REVENUE               | \$0                                    | \$0                         | (\$750,000)           | (\$750,000)                     | ---                            |
| <b>** Finance Dept NET</b>           | <b>\$0</b>                             | <b>\$0</b>                  | <b>(\$750,000)</b>    | <b>(\$750,000)</b>              | <b>---</b>                     |
| <b>*** Finance</b>                   | <b>\$0</b>                             | <b>\$0</b>                  | <b>(\$750,000)</b>    | <b>(\$750,000)</b>              | <b>---</b>                     |
| 10015100 Total EXPENDITURE           | \$1,172,963                            | \$1,091,650                 | \$1,204,259           | \$31,296                        | 2.67%                          |
| 10015100 Total REVENUE               | (\$512,584)                            | (\$720,115)                 | (\$473,525)           | \$39,059                        | -7.62%                         |
| <b>** Finance Administration NET</b> | <b>\$660,379</b>                       | <b>\$371,535</b>            | <b>\$730,734</b>      | <b>\$70,355</b>                 | <b>10.65%</b>                  |
| 10015200 Total EXPENDITURE           | \$692,539                              | \$637,450                   | \$688,701             | (\$3,838)                       | -0.55%                         |
| 10015200 Total REVENUE               | (\$5,961,025)                          | (\$7,775,601)               | (\$8,097,879)         | (\$2,136,854)                   | 35.85%                         |
| <b>** Treasury NET</b>               | <b>(\$5,268,486)</b>                   | <b>(\$7,138,151)</b>        | <b>(\$7,409,178)</b>  | <b>(\$2,140,692)</b>            | <b>-40.63%</b>                 |
| <b>**** Finance Net</b>              | <b>(\$4,608,107)</b>                   | <b>(\$6,766,616)</b>        | <b>(\$7,428,444)</b>  | <b>(\$2,820,337)</b>            | <b>-61.20%</b>                 |

**CITY OF PORTLAND, ME**  
**FY22 DEPARTMENT CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION |                      | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|---------------------|----------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>General Fund</b> |                      |                                        |                             |                       |                                 |                               |
| <b>Finance 15</b>   |                      |                                        |                             |                       |                                 |                               |
| *                   | Payroll              | \$1,562,490                            | \$1,536,750                 | \$1,589,948           | \$27,458                        | 1.76%                         |
| *                   | Benefits             | \$2,016                                | \$2,000                     | \$2,016               | \$0                             | 0.00%                         |
| *                   | Administrative Svcs  | \$161,620                              | \$82,850                    | \$161,620             | \$0                             | 0.00%                         |
| *                   | Contractual Services | \$103,306                              | \$74,200                    | \$103,306             | \$0                             | 0.00%                         |
| *                   | Maintenance & Repair | \$500                                  | \$500                       | \$500                 | \$0                             | 0.00%                         |
| *                   | Rentals              | \$7,720                                | \$7,250                     | \$7,720               | \$0                             | 0.00%                         |
| *                   | Supplies             | \$27,850                               | \$25,550                    | \$27,850              | \$0                             | 0.00%                         |
| *                   | Capital Outlay       | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| ****                | Finance              | \$1,865,502                            | \$1,729,100                 | \$1,892,960           | \$27,458                        | 1.47%                         |

**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                    |                        | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|----------------------------------------|------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Finance 15</b>                      |                        |                                        |                             |                       |                                 |                               |
| <b>Finance Administration 10015100</b> |                        |                                        |                             |                       |                                 |                               |
| *                                      | Payroll                | \$1,061,032                            | \$1,041,750                 | \$1,092,328           | \$31,296                        | 2.95%                         |
| *                                      | Benefits               | \$2,016                                | \$2,000                     | \$2,016               | \$0                             | 0.00%                         |
| *                                      | Administrative Svcs    | \$85,095                               | \$26,650                    | \$85,095              | \$0                             | 0.00%                         |
| *                                      | Contractual Services   | \$5,000                                | \$4,200                     | \$5,000               | \$0                             | 0.00%                         |
| *                                      | Rentals                | \$5,220                                | \$4,750                     | \$5,220               | \$0                             | 0.00%                         |
| *                                      | Supplies               | \$14,600                               | \$12,300                    | \$14,600              | \$0                             | 0.00%                         |
| *                                      | Capital Outlay         | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| **                                     | Finance Administration | \$1,172,963                            | \$1,091,650                 | \$1,204,259           | \$31,296                        | 2.67%                         |

**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION      |                                 | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|--------------------------|---------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Treasury 10015200</b> |                                 |                                        |                             |                       |                                 |                               |
| *                        | <b>Payroll</b>                  | \$501,458                              | \$495,000                   | \$497,620             | (\$3,838)                       | -0.77%                        |
| *                        | <b>Administrative Svcs</b>      | \$76,525                               | \$56,200                    | \$76,525              | \$0                             | 0.00%                         |
| *                        | <b>Contractual Services</b>     | \$98,306                               | \$70,000                    | \$98,306              | \$0                             | 0.00%                         |
| *                        | <b>Maintenance &amp; Repair</b> | \$500                                  | \$500                       | \$500                 | \$0                             | 0.00%                         |
| *                        | <b>Rentals</b>                  | \$2,500                                | \$2,500                     | \$2,500               | \$0                             | 0.00%                         |
| *                        | <b>Supplies</b>                 | \$13,250                               | \$13,250                    | \$13,250              | \$0                             | 0.00%                         |
| *                        | <b>Capital Outlay</b>           | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| **                       | <b>Treasury</b>                 | <b>\$692,539</b>                       | <b>\$637,450</b>            | <b>\$688,701</b>      | <b>(\$3,838)</b>                | <b>-0.55%</b>                 |
| ****                     | <b>Finance</b>                  | <b>\$1,865,502</b>                     | <b>\$1,729,100</b>          | <b>\$1,892,960</b>    | <b>\$27,458</b>                 | <b>1.47%</b>                  |

**CITY OF PORTLAND, ME  
FY22 DEPARTMENT ORG NET REPORT**

| ACCOUNT DESCRIPTION        | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY221 / FY21 |
|----------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|--------------------------------|
| <b>General Fund</b>        |                                        |                             |                       |                                 |                                |
| <b>Legal 16</b>            |                                        |                             |                       |                                 |                                |
| 10016000 Total EXPENDITURE | \$728,821                              | \$772,582                   | \$845,052             | \$116,231                       | 15.95%                         |
| 10016000 Total REVENUE     | (\$151,525)                            | (\$150,960)                 | (\$192,940)           | (\$41,415)                      | 27.33%                         |
| <b>** Legal NET</b>        | <b>\$577,296</b>                       | <b>\$621,622</b>            | <b>\$652,112</b>      | <b>\$74,816</b>                 | <b>12.96%</b>                  |
| <b>**** Legal Net</b>      | <b>\$577,296</b>                       | <b>\$621,622</b>            | <b>\$652,112</b>      | <b>\$74,816</b>                 | <b>12.96%</b>                  |

**CITY OF PORTLAND, ME**  
**FY22 DEPARTMENT CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION |                      | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|---------------------|----------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>General Fund</b> |                      |                                        |                             |                       |                                 |                               |
| <b>Legal 16</b>     |                      |                                        |                             |                       |                                 |                               |
| *                   | Payroll              | \$672,108                              | \$672,108                   | \$788,347             | \$116,239                       | 17.29%                        |
| *                   | Benefits             | \$840                                  | \$200                       | \$840                 | \$0                             | 0.00%                         |
| *                   | Administrative Svcs  | \$22,641                               | \$22,641                    | \$22,641              | \$0                             | 0.00%                         |
| *                   | Contractual Services | \$30,732                               | \$75,200                    | \$30,724              | (\$8)                           | -0.03%                        |
| *                   | Maintenance & Repair | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| *                   | Supplies             | \$2,500                                | \$2,433                     | \$2,500               | \$0                             | 0.00%                         |
| ****                | Legal                | \$728,821                              | \$772,582                   | \$845,052             | \$116,231                       | 15.95%                        |

**CITY OF PORTLAND, ME  
FY22 DEPARTMENT ORG NET REPORT**

| ACCOUNT DESCRIPTION             | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY221 / FY21 |
|---------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|--------------------------------|
| <b>General Fund</b>             |                                        |                             |                       |                                 |                                |
| <b>Human Resources 17</b>       |                                        |                             |                       |                                 |                                |
| 10017100 Total EXPENDITURE      | \$1,072,530                            | \$939,201                   | \$1,157,467           | \$84,937                        | 7.92%                          |
| 10017100 Total REVENUE          | (\$75,945)                             | (\$75,945)                  | (\$53,692)            | \$22,253                        | -29.30%                        |
| <b>** Human Resources NET</b>   | <b>\$996,585</b>                       | <b>\$863,256</b>            | <b>\$1,103,775</b>    | <b>\$107,190</b>                | <b>10.76%</b>                  |
| <b>**** Human Resources Net</b> | <b>\$996,585</b>                       | <b>\$863,256</b>            | <b>\$1,103,775</b>    | <b>\$107,190</b>                | <b>10.76%</b>                  |

**CITY OF PORTLAND, ME**  
**FY22 DEPARTMENT CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION       |                        | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|---------------------------|------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>General Fund</b>       |                        |                                        |                             |                       |                                 |                               |
| <b>Human Resources 17</b> |                        |                                        |                             |                       |                                 |                               |
| *                         | Payroll                | \$903,725                              | \$811,556                   | \$922,317             | \$18,592                        | 2.06%                         |
| *                         | Benefits               | \$3,790                                | \$4,140                     | \$3,640               | (\$150)                         | -3.96%                        |
| *                         | Administrative Svcs    | \$46,795                               | \$9,905                     | \$26,825              | (\$19,970)                      | -42.68%                       |
| *                         | Contractual Services   | \$83,770                               | \$84,100                    | \$170,735             | \$86,965                        | 103.81%                       |
| *                         | Maintenance & Repair   | \$1,000                                | \$200                       | \$500                 | (\$500)                         | -50.00%                       |
| *                         | Rentals                | \$16,800                               | \$16,800                    | \$16,800              | \$0                             | 0.00%                         |
| *                         | Supplies               | \$16,650                               | \$12,500                    | \$16,650              | \$0                             | 0.00%                         |
| ****                      | <b>Human Resources</b> | <b>\$1,072,530</b>                     | <b>\$939,201</b>            | <b>\$1,157,467</b>    | <b>\$84,937</b>                 | <b>7.92%</b>                  |



**CITY OF PORTLAND, ME  
FY22 DEPARTMENT ORG NET REPORT**

| ACCOUNT DESCRIPTION                  | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY221 / FY21 |
|--------------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|--------------------------------|
| <b>General Fund</b>                  |                                        |                             |                       |                                 |                                |
| <b>Parking 18</b>                    |                                        |                             |                       |                                 |                                |
| 10018000 Total REVENUE               | \$0                                    | \$0                         | (\$2,000,000)         | (\$2,000,000)                   | ---                            |
| <b>** Parking Department NET</b>     | <b>\$0</b>                             | <b>\$0</b>                  | <b>(\$2,000,000)</b>  | <b>(\$2,000,000)</b>            | <b>---</b>                     |
| <b>*** Parking</b>                   | <b>\$0</b>                             | <b>\$0</b>                  | <b>(\$2,000,000)</b>  | <b>(\$2,000,000)</b>            | <b>---</b>                     |
| 10018100 Total EXPENDITURE           | \$1,481,693                            | \$1,285,390                 | \$1,465,907           | (\$15,786)                      | -1.07%                         |
| 10018100 Total REVENUE               | (\$4,892,700)                          | (\$5,177,100)               | (\$5,891,750)         | (\$999,050)                     | 20.42%                         |
| <b>** Parking Administration NET</b> | <b>(\$3,411,007)</b>                   | <b>(\$3,891,710)</b>        | <b>(\$4,425,843)</b>  | <b>(\$1,014,836)</b>            | <b>-29.75%</b>                 |
| 10018200 Total EXPENDITURE           | \$250,713                              | \$281,837                   | \$301,367             | \$50,654                        | 20.20%                         |
| 10018200 Total REVENUE               | (\$515,940)                            | (\$433,700)                 | (\$462,500)           | \$53,440                        | -10.36%                        |
| <b>** Elm Street Garage NET</b>      | <b>(\$265,227)</b>                     | <b>(\$151,863)</b>          | <b>(\$161,133)</b>    | <b>\$104,094</b>                | <b>39.25%</b>                  |
| 10018300 Total EXPENDITURE           | \$434,447                              | \$403,776                   | \$493,474             | \$59,027                        | 13.59%                         |
| 10018300 Total REVENUE               | (\$1,205,995)                          | (\$976,287)                 | (\$1,052,009)         | \$153,986                       | -12.77%                        |
| <b>** Spring Street Garage NET</b>   | <b>(\$771,548)</b>                     | <b>(\$572,511)</b>          | <b>(\$558,535)</b>    | <b>\$213,013</b>                | <b>27.61%</b>                  |
| 10018400 Total EXPENDITURE           | \$78,000                               | \$76,267                    | \$127,000             | \$49,000                        | 62.82%                         |
| 10018400 Total REVENUE               | (\$875,000)                            | (\$750,000)                 | (\$875,000)           | \$0                             | 0.00%                          |
| <b>** Temple Street Garage NET</b>   | <b>(\$797,000)</b>                     | <b>(\$673,733)</b>          | <b>(\$748,000)</b>    | <b>\$49,000</b>                 | <b>6.15%</b>                   |
| <b>**** Parking Net</b>              | <b>(\$5,244,782)</b>                   | <b>(\$5,289,817)</b>        | <b>(\$7,893,511)</b>  | <b>(\$2,648,729)</b>            | <b>-50.50%</b>                 |

**CITY OF PORTLAND, ME**  
**FY22 DEPARTMENT CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION |                                 | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|---------------------|---------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>General Fund</b> |                                 |                                        |                             |                       |                                 |                               |
| <b>Parking 18</b>   |                                 |                                        |                             |                       |                                 |                               |
| *                   | <b>Payroll</b>                  | \$1,429,371                            | \$1,301,263                 | \$1,456,328           | \$26,957                        | 1.89%                         |
| *                   | <b>Benefits</b>                 | \$16,384                               | \$17,297                    | \$17,185              | \$801                           | 4.89%                         |
| *                   | <b>Administrative Svcs</b>      | \$37,740                               | \$32,582                    | \$45,400              | \$7,660                         | 20.30%                        |
| *                   | <b>Contractual Services</b>     | \$378,825                              | \$315,445                   | \$377,915             | (\$910)                         | -0.24%                        |
| *                   | <b>Maintenance &amp; Repair</b> | \$132,450                              | \$132,100                   | \$240,325             | \$107,875                       | 81.45%                        |
| *                   | <b>Rentals</b>                  | \$138,293                              | \$138,233                   | \$140,647             | \$2,354                         | 1.70%                         |
| *                   | <b>Supplies</b>                 | \$54,445                               | \$54,125                    | \$52,445              | (\$2,000)                       | -3.67%                        |
| *                   | <b>Utilities</b>                | \$55,905                               | \$54,785                    | \$56,063              | \$158                           | 0.28%                         |
| *                   | <b>Contributions</b>            | \$1,440                                | \$1,440                     | \$1,440               | \$0                             | 0.00%                         |
| ****                | <b>Parking</b>                  | <b>\$2,244,853</b>                     | <b>\$2,047,270</b>          | <b>\$2,387,748</b>    | <b>\$142,895</b>                | <b>6.37%</b>                  |

**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                    | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|----------------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Parking 18</b>                      |                                        |                             |                       |                                 |                               |
| <b>Parking Administration 10018100</b> |                                        |                             |                       |                                 |                               |
| * Payroll                              | \$985,526                              | \$829,662                   | \$959,580             | (\$25,946)                      | -2.63%                        |
| * Benefits                             | \$14,184                               | \$14,485                    | \$14,360              | \$176                           | 1.24%                         |
| * Administrative Svcs                  | \$9,740                                | \$6,315                     | \$18,400              | \$8,660                         | 88.91%                        |
| * Contractual Services                 | \$282,650                              | \$245,850                   | \$283,670             | \$1,020                         | 0.36%                         |
| * Maintenance & Repair                 | \$3,700                                | \$3,500                     | \$3,700               | \$0                             | 0.00%                         |
| * Rentals                              | \$138,293                              | \$138,233                   | \$140,647             | \$2,354                         | 1.70%                         |
| * Supplies                             | \$45,020                               | \$44,800                    | \$42,970              | (\$2,050)                       | -4.55%                        |
| * Utilities                            | \$1,140                                | \$1,105                     | \$1,140               | \$0                             | 0.00%                         |
| * Contributions                        | \$1,440                                | \$1,440                     | \$1,440               | \$0                             | 0.00%                         |
| ** Parking Administration              | \$1,481,693                            | \$1,285,390                 | \$1,465,907           | (\$15,786)                      | -1.07%                        |

**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION               |                                 | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|-----------------------------------|---------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Elm Street Garage 10018200</b> |                                 |                                        |                             |                       |                                 |                               |
| *                                 | <b>Payroll</b>                  | \$171,403                              | \$204,855                   | \$206,185             | \$34,782                        | 20.29%                        |
| *                                 | <b>Benefits</b>                 | \$1,100                                | \$1,712                     | \$1,725               | \$625                           | 56.82%                        |
| *                                 | <b>Contractual Services</b>     | \$31,655                               | \$28,970                    | \$31,060              | (\$595)                         | -1.88%                        |
| *                                 | <b>Maintenance &amp; Repair</b> | \$29,280                               | \$29,200                    | \$45,125              | \$15,845                        | 54.12%                        |
| *                                 | <b>Supplies</b>                 | \$3,975                                | \$3,875                     | \$3,925               | (\$50)                          | -1.26%                        |
| *                                 | <b>Utilities</b>                | \$13,300                               | \$13,225                    | \$13,347              | \$47                            | 0.35%                         |
| **                                | <b>Elm Street Garage</b>        | <b>\$250,713</b>                       | <b>\$281,837</b>            | <b>\$301,367</b>      | <b>\$50,654</b>                 | <b>20.20%</b>                 |

**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                  |                      | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|--------------------------------------|----------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Spring Street Garage 10018300</b> |                      |                                        |                             |                       |                                 |                               |
| *                                    | Payroll              | \$272,442                              | \$266,746                   | \$290,563             | \$18,121                        | 6.65%                         |
| *                                    | Benefits             | \$1,100                                | \$1,100                     | \$1,100               | \$0                             | 0.00%                         |
| *                                    | Contractual Services | \$64,520                               | \$40,625                    | \$63,185              | (\$1,335)                       | -2.07%                        |
| *                                    | Maintenance & Repair | \$49,470                               | \$49,400                    | \$91,500              | \$42,030                        | 84.96%                        |
| *                                    | Rentals              | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| *                                    | Supplies             | \$5,450                                | \$5,450                     | \$5,550               | \$100                           | 1.83%                         |
| *                                    | Utilities            | \$41,465                               | \$40,455                    | \$41,576              | \$111                           | 0.27%                         |
| **                                   | Spring Street Garage | \$434,447                              | \$403,776                   | \$493,474             | \$59,027                        | 13.59%                        |

**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                  |                      | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|--------------------------------------|----------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Temple Street Garage 10018400</b> |                      |                                        |                             |                       |                                 |                               |
| *                                    | Administrative Svcs  | \$28,000                               | \$26,267                    | \$27,000              | (\$1,000)                       | -3.57%                        |
| *                                    | Maintenance & Repair | \$50,000                               | \$50,000                    | \$100,000             | \$50,000                        | 100.00%                       |
| **                                   | Temple Street Garage | \$78,000                               | \$76,267                    | \$127,000             | \$49,000                        | 62.82%                        |
| ****                                 | Parking              | \$2,244,853                            | \$2,047,270                 | \$2,387,748           | \$142,895                       | 6.37%                         |

**CITY OF PORTLAND, ME  
FY22 DEPARTMENT ORG NET REPORT**

| ACCOUNT DESCRIPTION                                | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY221 / FY21 |
|----------------------------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|--------------------------------|
| <b>General Fund</b>                                |                                        |                             |                       |                                 |                                |
| <b>Housing &amp; Economic Development 19</b>       |                                        |                             |                       |                                 |                                |
| 10019100 Total EXPENDITURE                         | \$660,462                              | \$660,092                   | \$710,695             | \$50,233                        | 7.61%                          |
| 10019100 Total REVENUE                             | (\$660,099)                            | (\$660,092)                 | (\$710,695)           | (\$50,596)                      | 7.66%                          |
| <b>** Economic Development Admin NET</b>           | <b>\$363</b>                           | <b>\$0</b>                  | <b>\$0</b>            | <b>(\$363)</b>                  | <b>-100.00%</b>                |
| 10019200 Total EXPENDITURE                         | \$28,522                               | \$28,522                    | \$28,522              | \$0                             | 0.00%                          |
| 10019200 Total REVENUE                             | (\$28,522)                             | (\$28,522)                  | (\$28,522)            | \$0                             | 0.00%                          |
| <b>** Portland Development Corp NET</b>            | <b>\$0</b>                             | <b>\$0</b>                  | <b>\$0</b>            | <b>\$0</b>                      | <b>---</b>                     |
| 10019300 Total EXPENDITURE                         | \$531,246                              | \$531,246                   | \$538,174             | \$6,928                         | 1.30%                          |
| 10019300 Total REVENUE                             | (\$531,246)                            | (\$531,246)                 | (\$538,174)           | (\$6,928)                       | 1.30%                          |
| <b>** Housing &amp; Community Dev NET</b>          | <b>\$0</b>                             | <b>\$0</b>                  | <b>\$0</b>            | <b>\$0</b>                      | <b>---</b>                     |
| <b>**** Housing &amp; Economic Development Net</b> | <b>\$363</b>                           | <b>\$0</b>                  | <b>\$0</b>            | <b>(\$363)</b>                  | <b>-100.00%</b>                |

**CITY OF PORTLAND, ME**  
**FY22 DEPARTMENT CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                          |                                           | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|----------------------------------------------|-------------------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>General Fund</b>                          |                                           |                                        |                             |                       |                                 |                               |
| <b>Housing &amp; Economic Development 19</b> |                                           |                                        |                             |                       |                                 |                               |
| *                                            | Payroll                                   | \$1,148,527                            | \$1,148,527                 | \$1,160,654           | \$12,127                        | 1.06%                         |
| *                                            | Benefits                                  | \$1,620                                | \$1,300                     | \$1,620               | \$0                             | 0.00%                         |
| *                                            | Operating Transfers                       | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| *                                            | Administrative Svcs                       | \$11,886                               | \$11,886                    | \$15,790              | \$3,904                         | 32.85%                        |
| *                                            | Contractual Services                      | \$50,697                               | \$50,697                    | \$90,927              | \$40,230                        | 79.35%                        |
| *                                            | Rentals                                   | \$2,000                                | \$2,000                     | \$2,400               | \$400                           | 20.00%                        |
| *                                            | Supplies                                  | \$5,500                                | \$5,450                     | \$6,000               | \$500                           | 9.09%                         |
| *                                            | Utilities                                 | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| ****                                         | <b>Housing &amp; Economic Development</b> | <b>\$1,220,230</b>                     | <b>\$1,219,860</b>          | <b>\$1,277,391</b>    | <b>\$57,161</b>                 | <b>4.68%</b>                  |



**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                          |                                   | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|----------------------------------------------|-----------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Housing &amp; Economic Development 19</b> |                                   |                                        |                             |                       |                                 |                               |
| <b>Economic Development Admin 10019100</b>   |                                   |                                        |                             |                       |                                 |                               |
| *                                            | Payroll                           | \$617,281                              | \$617,281                   | \$622,480             | \$5,199                         | 0.84%                         |
| *                                            | Benefits                          | \$1,620                                | \$1,300                     | \$1,620               | \$0                             | 0.00%                         |
| *                                            | Operating Transfers               | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| *                                            | Administrative Svcs               | \$7,011                                | \$7,011                     | \$10,915              | \$3,904                         | 55.68%                        |
| *                                            | Contractual Services              | \$27,800                               | \$27,800                    | \$68,030              | \$40,230                        | 144.71%                       |
| *                                            | Rentals                           | \$2,000                                | \$2,000                     | \$2,400               | \$400                           | 20.00%                        |
| *                                            | Supplies                          | \$4,750                                | \$4,700                     | \$5,250               | \$500                           | 10.53%                        |
| *                                            | Utilities                         | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| **                                           | <b>Economic Development Admin</b> | <b>\$660,462</b>                       | <b>\$660,092</b>            | <b>\$710,695</b>      | <b>\$50,233</b>                 | <b>7.61%</b>                  |

**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                       |                                  | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|-------------------------------------------|----------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Portland Development Corp 10019200</b> |                                  |                                        |                             |                       |                                 |                               |
| *                                         | Administrative Svcs              | \$4,875                                | \$4,875                     | \$4,875               | \$0                             | 0.00%                         |
| *                                         | Contractual Services             | \$22,897                               | \$22,897                    | \$22,897              | \$0                             | 0.00%                         |
| *                                         | Supplies                         | \$750                                  | \$750                       | \$750                 | \$0                             | 0.00%                         |
| **                                        | <b>Portland Development Corp</b> | <b>\$28,522</b>                        | <b>\$28,522</b>             | <b>\$28,522</b>       | <b>\$0</b>                      | <b>0.00%</b>                  |

**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                         |                                | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|---------------------------------------------|--------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Housing &amp; Community Dev 10019300</b> |                                |                                        |                             |                       |                                 |                               |
| *                                           | Payroll                        | \$531,246                              | \$531,246                   | \$538,174             | \$6,928                         | 1.30%                         |
| *                                           | Contractual Services           | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| **                                          | Housing & Community Dev        | \$531,246                              | \$531,246                   | \$538,174             | \$6,928                         | 1.30%                         |
| ****                                        | Housing & Economic Development | \$1,220,230                            | \$1,219,860                 | \$1,277,391           | \$57,161                        | 4.68%                         |

**CITY OF PORTLAND, ME  
FY22 DEPARTMENT ORG NET REPORT**

| ACCOUNT DESCRIPTION                         | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY221 / FY21 |
|---------------------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|--------------------------------|
| <b>General Fund</b>                         |                                        |                             |                       |                                 |                                |
| <b>Police Department 21</b>                 |                                        |                             |                       |                                 |                                |
| 10021100 Total EXPENDITURE                  | \$1,218,444                            | \$1,177,790                 | \$1,302,585           | \$84,141                        | 6.91%                          |
| 10021100 Total REVENUE                      | (\$147,351)                            | (\$252,321)                 | (\$147,741)           | (\$390)                         | 0.26%                          |
| <b>** Police Administration NET</b>         | <b>\$1,071,093</b>                     | <b>\$925,469</b>            | <b>\$1,154,844</b>    | <b>\$83,751</b>                 | <b>7.82%</b>                   |
| 10021200 Total EXPENDITURE                  | \$10,306,530                           | \$9,685,247                 | \$10,417,102          | \$110,572                       | 1.07%                          |
| 10021200 Total REVENUE                      | (\$963,393)                            | (\$540,902)                 | (\$966,139)           | (\$2,746)                       | 0.29%                          |
| <b>** Uniformed Operations Group NET</b>    | <b>\$9,343,137</b>                     | <b>\$9,144,345</b>          | <b>\$9,450,963</b>    | <b>\$107,826</b>                | <b>1.15%</b>                   |
| 10021300 Total EXPENDITURE                  | \$1,843,314                            | \$1,746,440                 | \$1,872,765           | \$29,451                        | 1.60%                          |
| 10021300 Total REVENUE                      | (\$344,720)                            | (\$334,069)                 | (\$349,402)           | (\$4,682)                       | 1.36%                          |
| <b>** Bureau Investigative Services NET</b> | <b>\$1,498,594</b>                     | <b>\$1,412,371</b>          | <b>\$1,523,363</b>    | <b>\$24,769</b>                 | <b>1.65%</b>                   |
| 10021400 Total EXPENDITURE                  | \$876,435                              | \$795,285                   | \$893,343             | \$16,908                        | 1.93%                          |
| 10021400 Total REVENUE                      | (\$78,888)                             | (\$39,600)                  | (\$78,888)            | \$0                             | 0.00%                          |
| <b>** Police Operation Support Svcs NET</b> | <b>\$797,547</b>                       | <b>\$755,685</b>            | <b>\$814,455</b>      | <b>\$16,908</b>                 | <b>2.12%</b>                   |
| 10021500 Total EXPENDITURE                  | \$2,375,832                            | \$2,084,533                 | \$0                   | (\$2,375,832)                   | -100.00%                       |
| 10021500 Total REVENUE                      | (\$1,106,048)                          | (\$1,106,048)               | \$0                   | \$1,106,048                     | -100.00%                       |
| <b>** Dispatch Services NET</b>             | <b>\$1,269,784</b>                     | <b>\$978,485</b>            | <b>\$0</b>            | <b>(\$1,269,784)</b>            | <b>-100.00%</b>                |
| 10021800 Total EXPENDITURE                  | \$575,274                              | \$470,266                   | \$564,068             | (\$11,206)                      | -1.95%                         |
| 10021800 Total REVENUE                      | (\$575,274)                            | (\$470,266)                 | (\$564,068)           | \$11,206                        | -1.95%                         |
| <b>** Jetport Security NET</b>              | <b>\$0</b>                             | <b>\$0</b>                  | <b>\$0</b>            | <b>\$0</b>                      | <b>---</b>                     |
| <b>**** Police Department Net</b>           | <b>\$13,980,155</b>                    | <b>\$13,216,355</b>         | <b>\$12,943,625</b>   | <b>(\$1,036,530)</b>            | <b>-7.41%</b>                  |

**CITY OF PORTLAND, ME**  
**FY22 DEPARTMENT CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION         |                      | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|-----------------------------|----------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>General Fund</b>         |                      |                                        |                             |                       |                                 |                               |
| <b>Police Department 21</b> |                      |                                        |                             |                       |                                 |                               |
| *                           | Payroll              | \$16,185,772                           | \$15,077,139                | \$14,102,511          | (\$2,083,261)                   | -12.87%                       |
| *                           | Benefits             | \$225,240                              | \$222,181                   | \$213,798             | (\$11,442)                      | -5.08%                        |
| *                           | Administrative Svcs  | \$172,455                              | \$74,053                    | \$178,550             | \$6,095                         | 3.53%                         |
| *                           | Contractual Services | \$237,552                              | \$229,911                   | \$212,306             | (\$25,246)                      | -10.63%                       |
| *                           | Maintenance & Repair | \$126,838                              | \$111,929                   | \$95,692              | (\$31,146)                      | -24.56%                       |
| *                           | Rentals              | \$17,050                               | \$23,326                    | \$16,409              | (\$641)                         | -3.76%                        |
| *                           | Supplies             | \$202,338                              | \$192,446                   | \$230,093             | \$27,755                        | 13.72%                        |
| *                           | Minor Capital Items  | \$15,000                               | \$15,000                    | \$0                   | (\$15,000)                      | -100.00%                      |
| *                           | Utilities            | \$13,584                               | \$13,576                    | \$504                 | (\$13,080)                      | -96.29%                       |
| *                           | Capital Outlay       | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| ****                        | Police Department    | \$17,195,829                           | \$15,959,561                | \$15,049,863          | (\$2,145,966)                   | -12.48%                       |

**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                   |                              | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|---------------------------------------|------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Police Department 21</b>           |                              |                                        |                             |                       |                                 |                               |
| <b>Police Administration 10021100</b> |                              |                                        |                             |                       |                                 |                               |
| *                                     | Payroll                      | \$1,199,746                            | \$1,160,306                 | \$1,282,507           | \$82,761                        | 6.90%                         |
| *                                     | Benefits                     | \$5,740                                | \$5,476                     | \$7,060               | \$1,320                         | 23.00%                        |
| *                                     | Administrative Svcs          | \$8,450                                | \$7,850                     | \$8,510               | \$60                            | 0.71%                         |
| *                                     | Contractual Services         | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| *                                     | Maintenance & Repair         | \$200                                  | \$200                       | \$200                 | \$0                             | 0.00%                         |
| *                                     | Rentals                      | \$2,508                                | \$2,508                     | \$2,508               | \$0                             | 0.00%                         |
| *                                     | Supplies                     | \$1,800                                | \$1,450                     | \$1,800               | \$0                             | 0.00%                         |
| **                                    | <b>Police Administration</b> | <b>\$1,218,444</b>                     | <b>\$1,177,790</b>          | <b>\$1,302,585</b>    | <b>\$84,141</b>                 | <b>6.91%</b>                  |

**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                        |                                   | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|--------------------------------------------|-----------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Uniformed Operations Group 10021200</b> |                                   |                                        |                             |                       |                                 |                               |
| *                                          | Payroll                           | \$9,690,716                            | \$9,106,504                 | \$9,789,676           | \$98,960                        | 1.02%                         |
| *                                          | Benefits                          | \$152,755                              | \$155,707                   | \$158,053             | \$5,298                         | 3.47%                         |
| *                                          | Administrative Svcs               | \$40,690                               | \$16,185                    | \$43,360              | \$2,670                         | 6.56%                         |
| *                                          | Contractual Services              | \$208,602                              | \$200,110                   | \$196,911             | (\$11,691)                      | -5.60%                        |
| *                                          | Maintenance & Repair              | \$85,993                               | \$74,875                    | \$65,073              | (\$20,920)                      | -24.33%                       |
| *                                          | Rentals                           | \$2,975                                | \$10,125                    | \$2,975               | \$0                             | 0.00%                         |
| *                                          | Supplies                          | \$124,295                              | \$121,241                   | \$160,550             | \$36,255                        | 29.17%                        |
| *                                          | Minor Capital Items               | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| *                                          | Utilities                         | \$504                                  | \$500                       | \$504                 | \$0                             | 0.00%                         |
| *                                          | Capital Outlay                    | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| **                                         | <b>Uniformed Operations Group</b> | <b>\$10,306,530</b>                    | <b>\$9,685,247</b>          | <b>\$10,417,102</b>   | <b>\$110,572</b>                | <b>1.07%</b>                  |

**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                           |                                      | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|-----------------------------------------------|--------------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Bureau Investigative Services 10021300</b> |                                      |                                        |                             |                       |                                 |                               |
| *                                             | <b>Payroll</b>                       | \$1,795,600                            | \$1,704,868                 | \$1,827,511           | \$31,911                        | 1.78%                         |
| *                                             | <b>Benefits</b>                      | \$27,230                               | \$21,457                    | \$25,870              | (\$1,360)                       | -4.99%                        |
| *                                             | <b>Administrative Svcs</b>           | \$1,280                                | \$1,280                     | \$1,280               | \$0                             | 0.00%                         |
| *                                             | <b>Contractual Services</b>          | \$4,100                                | \$6,381                     | \$3,000               | (\$1,100)                       | -26.83%                       |
| *                                             | <b>Maintenance &amp; Repair</b>      | \$2,000                                | \$1,750                     | \$2,000               | \$0                             | 0.00%                         |
| *                                             | <b>Rentals</b>                       | \$2,704                                | \$2,704                     | \$2,704               | \$0                             | 0.00%                         |
| *                                             | <b>Supplies</b>                      | \$10,400                               | \$8,000                     | \$10,400              | \$0                             | 0.00%                         |
| *                                             | <b>Capital Outlay</b>                | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| **                                            | <b>Bureau Investigative Services</b> | <b>\$1,843,314</b>                     | <b>\$1,746,440</b>          | <b>\$1,872,765</b>    | <b>\$29,451</b>                 | <b>1.60%</b>                  |



**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                           |                                      | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|-----------------------------------------------|--------------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Police Operation Support Svcs 10021400</b> |                                      |                                        |                             |                       |                                 |                               |
| *                                             | Payroll                              | \$657,433                              | \$649,576                   | \$660,212             | \$2,779                         | 0.42%                         |
| *                                             | Benefits                             | \$6,000                                | \$6,000                     | \$6,000               | \$0                             | 0.00%                         |
| *                                             | Administrative Svcs                  | \$110,410                              | \$43,199                    | \$123,950             | \$13,540                        | 12.26%                        |
| *                                             | Contractual Services                 | \$11,720                               | \$10,451                    | \$12,395              | \$675                           | 5.76%                         |
| *                                             | Maintenance & Repair                 | \$30,255                               | \$29,604                    | \$28,169              | (\$2,086)                       | -6.89%                        |
| *                                             | Rentals                              | \$7,574                                | \$6,700                     | \$7,574               | \$0                             | 0.00%                         |
| *                                             | Supplies                             | \$53,043                               | \$49,755                    | \$55,043              | \$2,000                         | 3.77%                         |
| **                                            | <b>Police Operation Support Svcs</b> | <b>\$876,435</b>                       | <b>\$795,285</b>            | <b>\$893,343</b>      | <b>\$16,908</b>                 | <b>1.93%</b>                  |

**CITY OF PORTLAND, ME**  
**FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION               |                      | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|-----------------------------------|----------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Dispatch Services 10021500</b> |                      |                                        |                             |                       |                                 |                               |
| *                                 | Payroll              | \$2,288,466                            | \$2,006,082                 | \$0                   | (\$2,288,466)                   | -100.00%                      |
| *                                 | Benefits             | \$16,700                               | \$16,726                    | \$0                   | (\$16,700)                      | -100.00%                      |
| *                                 | Administrative Svcs  | \$10,175                               | \$4,289                     | \$0                   | (\$10,175)                      | -100.00%                      |
| *                                 | Contractual Services | \$13,130                               | \$12,969                    | \$0                   | (\$13,130)                      | -100.00%                      |
| *                                 | Maintenance & Repair | \$8,140                                | \$5,250                     | \$0                   | (\$8,140)                       | -100.00%                      |
| *                                 | Rentals              | \$641                                  | \$641                       | \$0                   | (\$641)                         | -100.00%                      |
| *                                 | Supplies             | \$10,500                               | \$10,500                    | \$0                   | (\$10,500)                      | -100.00%                      |
| *                                 | Minor Capital Items  | \$15,000                               | \$15,000                    | \$0                   | (\$15,000)                      | -100.00%                      |
| *                                 | Utilities            | \$13,080                               | \$13,076                    | \$0                   | (\$13,080)                      | -100.00%                      |
| **                                | Dispatch Services    | \$2,375,832                            | \$2,084,533                 | \$0                   | (\$2,375,832)                   | -100.00%                      |

**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION              |                                 | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|----------------------------------|---------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Jetport Security 10021800</b> |                                 |                                        |                             |                       |                                 |                               |
| *                                | <b>Payroll</b>                  | \$553,811                              | \$449,803                   | \$542,605             | (\$11,206)                      | -2.02%                        |
| *                                | <b>Benefits</b>                 | \$16,815                               | \$16,815                    | \$16,815              | \$0                             | 0.00%                         |
| *                                | <b>Administrative Svcs</b>      | \$1,450                                | \$1,250                     | \$1,450               | \$0                             | 0.00%                         |
| *                                | <b>Maintenance &amp; Repair</b> | \$250                                  | \$250                       | \$250                 | \$0                             | 0.00%                         |
| *                                | <b>Rentals</b>                  | \$648                                  | \$648                       | \$648                 | \$0                             | 0.00%                         |
| *                                | <b>Supplies</b>                 | \$2,300                                | \$1,500                     | \$2,300               | \$0                             | 0.00%                         |
| **                               | <b>Jetport Security</b>         | <b>\$575,274</b>                       | <b>\$470,266</b>            | <b>\$564,068</b>      | <b>(\$11,206)</b>               | <b>-1.95%</b>                 |
| ****                             | <b>Police Department</b>        | <b>\$17,195,829</b>                    | <b>\$15,959,561</b>         | <b>\$15,049,863</b>   | <b>(\$2,145,966)</b>            | <b>-12.48%</b>                |

**CITY OF PORTLAND, ME  
FY22 DEPARTMENT ORG NET REPORT**

| ACCOUNT DESCRIPTION                             | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY221 / FY21 |
|-------------------------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|--------------------------------|
| <b>General Fund</b>                             |                                        |                             |                       |                                 |                                |
| <b>Fire Department 22</b>                       |                                        |                             |                       |                                 |                                |
| 10022000 Total REVENUE                          | \$0                                    | (\$400,000)                 | \$0                   | \$0                             | ---                            |
| <b>** Fire Department NET</b>                   | <b>\$0</b>                             | <b>(\$400,000)</b>          | <b>\$0</b>            | <b>\$0</b>                      | <b>---</b>                     |
| <b>*** Fire</b>                                 | <b>\$0</b>                             | <b>(\$400,000)</b>          | <b>\$0</b>            | <b>\$0</b>                      | <b>---</b>                     |
| 10022100 Total EXPENDITURE                      | \$625,811                              | \$640,777                   | \$647,798             | \$21,987                        | 3.51%                          |
| 10022100 Total REVENUE                          | (\$99,785)                             | (\$99,785)                  | (\$99,785)            | \$0                             | 0.00%                          |
| <b>** Fire Administration NET</b>               | <b>\$526,026</b>                       | <b>\$540,992</b>            | <b>\$548,013</b>      | <b>\$21,987</b>                 | <b>4.18%</b>                   |
| 10022200 Total EXPENDITURE                      | \$238,082                              | \$149,139                   | \$177,995             | (\$60,087)                      | -25.24%                        |
| 10022200 Total REVENUE                          | (\$34,921)                             | (\$34,921)                  | (\$34,921)            | \$0                             | 0.00%                          |
| <b>** Fire Code Enforce &amp; Comm Svcs NET</b> | <b>\$203,161</b>                       | <b>\$114,218</b>            | <b>\$143,074</b>      | <b>(\$60,087)</b>               | <b>-29.58%</b>                 |
| 10022300 Total EXPENDITURE                      | \$14,963,356                           | \$15,034,194                | \$15,352,104          | \$388,748                       | 2.60%                          |
| 10022300 Total REVENUE                          | (\$3,527,800)                          | (\$2,967,300)               | (\$3,227,800)         | \$300,000                       | -8.50%                         |
| <b>** Fire Field Operations NET</b>             | <b>\$11,435,556</b>                    | <b>\$12,066,894</b>         | <b>\$12,124,304</b>   | <b>\$688,748</b>                | <b>6.02%</b>                   |
| 10022400 Total EXPENDITURE                      | \$872,768                              | \$890,095                   | \$896,043             | \$23,275                        | 2.67%                          |
| 10022400 Total REVENUE                          | (\$120,225)                            | (\$120,225)                 | (\$124,625)           | (\$4,400)                       | 3.66%                          |
| <b>** Fire Operation Support Svcs NET</b>       | <b>\$752,543</b>                       | <b>\$769,870</b>            | <b>\$771,418</b>      | <b>\$18,875</b>                 | <b>2.51%</b>                   |
| 10022800 Total EXPENDITURE                      | \$1,104,349                            | \$1,110,224                 | \$1,107,200           | \$2,851                         | 0.26%                          |
| 10022800 Total REVENUE                          | (\$1,104,349)                          | (\$1,110,224)               | (\$1,107,200)         | (\$2,851)                       | 0.26%                          |
| <b>** Air Rescue Station NET</b>                | <b>\$0</b>                             | <b>\$0</b>                  | <b>\$0</b>            | <b>\$0</b>                      | <b>---</b>                     |
| <b>**** Fire Department Net</b>                 | <b>\$12,917,286</b>                    | <b>\$13,091,974</b>         | <b>\$13,586,809</b>   | <b>\$669,523</b>                | <b>5.18%</b>                   |

**CITY OF PORTLAND, ME**  
**FY22 DEPARTMENT CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION       |                        | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|---------------------------|------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>General Fund</b>       |                        |                                        |                             |                       |                                 |                               |
| <b>Fire Department 22</b> |                        |                                        |                             |                       |                                 |                               |
| *                         | Payroll                | \$15,563,604                           | \$15,452,196                | \$15,598,344          | \$34,740                        | 0.22%                         |
| *                         | Benefits               | \$199,132                              | \$258,553                   | \$198,472             | (\$660)                         | -0.33%                        |
| *                         | Administrative Svcs    | \$272,688                              | \$272,038                   | \$388,853             | \$116,165                       | 42.60%                        |
| *                         | Contractual Services   | \$166,084                              | \$166,144                   | \$196,634             | \$30,550                        | 18.39%                        |
| *                         | Maintenance & Repair   | \$444,705                              | \$459,430                   | \$404,730             | (\$39,975)                      | -8.99%                        |
| *                         | Rentals                | \$416,120                              | \$416,120                   | \$412,520             | (\$3,600)                       | -0.87%                        |
| *                         | Supplies               | \$499,485                              | \$541,569                   | \$458,485             | (\$41,000)                      | -8.21%                        |
| *                         | Minor Capital Items    | \$0                                    | \$15,000                    | \$0                   | \$0                             | ---                           |
| *                         | Utilities              | \$242,548                              | \$243,379                   | \$243,102             | \$554                           | 0.23%                         |
| *                         | Capital Outlay         | \$0                                    | \$0                         | \$280,000             | \$280,000                       | ---                           |
| ****                      | <b>Fire Department</b> | <b>\$17,804,366</b>                    | <b>\$17,824,429</b>         | <b>\$18,181,140</b>   | <b>\$376,774</b>                | <b>2.12%</b>                  |

**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                 |                            | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|-------------------------------------|----------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Fire Department 22</b>           |                            |                                        |                             |                       |                                 |                               |
| <b>Fire Administration 10022100</b> |                            |                                        |                             |                       |                                 |                               |
| *                                   | Payroll                    | \$572,709                              | \$585,999                   | \$594,096             | \$21,387                        | 3.73%                         |
| *                                   | Benefits                   | \$2,884                                | \$3,000                     | \$2,884               | \$0                             | 0.00%                         |
| *                                   | Administrative Svcs        | \$18,858                               | \$18,858                    | \$18,858              | \$0                             | 0.00%                         |
| *                                   | Contractual Services       | \$1,600                                | \$1,660                     | \$1,600               | \$0                             | 0.00%                         |
| *                                   | Rentals                    | \$2,160                                | \$2,160                     | \$2,160               | \$0                             | 0.00%                         |
| *                                   | Supplies                   | \$27,600                               | \$29,100                    | \$28,200              | \$600                           | 2.17%                         |
| **                                  | <b>Fire Administration</b> | <b>\$625,811</b>                       | <b>\$640,777</b>            | <b>\$647,798</b>      | <b>\$21,987</b>                 | <b>3.51%</b>                  |

**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                               |                               | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|---------------------------------------------------|-------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Fire Code Enforce &amp; Comm Svcs 10022200</b> |                               |                                        |                             |                       |                                 |                               |
| *                                                 | Payroll                       | \$224,061                              | \$135,000                   | \$159,629             | (\$64,432)                      | -28.76%                       |
| *                                                 | Benefits                      | \$2,976                                | \$3,051                     | \$2,976               | \$0                             | 0.00%                         |
| *                                                 | Administrative Svcs           | \$6,275                                | \$6,275                     | \$8,300               | \$2,025                         | 32.27%                        |
| *                                                 | Contractual Services          | \$770                                  | \$770                       | \$1,490               | \$720                           | 93.51%                        |
| *                                                 | Supplies                      | \$4,000                                | \$4,043                     | \$5,600               | \$1,600                         | 40.00%                        |
| **                                                | Fire Code Enforce & Comm Svcs | \$238,082                              | \$149,139                   | \$177,995             | (\$60,087)                      | -25.24%                       |

**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                   |                              | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|---------------------------------------|------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Fire Field Operations 10022300</b> |                              |                                        |                             |                       |                                 |                               |
| *                                     | Payroll                      | \$13,935,637                           | \$13,900,000                | \$14,014,236          | \$78,599                        | 0.56%                         |
| *                                     | Benefits                     | \$176,832                              | \$236,007                   | \$176,832             | \$0                             | 0.00%                         |
| *                                     | Administrative Svcs          | \$225,400                              | \$224,750                   | \$252,040             | \$26,640                        | 11.82%                        |
| *                                     | Contractual Services         | \$138,446                              | \$138,446                   | \$165,761             | \$27,315                        | 19.73%                        |
| *                                     | Maintenance & Repair         | \$119,350                              | \$128,800                   | \$118,350             | (\$1,000)                       | -0.84%                        |
| *                                     | Rentals                      | \$3,960                                | \$3,960                     | \$0                   | (\$3,960)                       | -100.00%                      |
| *                                     | Supplies                     | \$344,775                              | \$368,275                   | \$325,375             | (\$19,400)                      | -5.63%                        |
| *                                     | Minor Capital Items          | \$0                                    | \$15,000                    | \$0                   | \$0                             | ---                           |
| *                                     | Utilities                    | \$18,956                               | \$18,956                    | \$19,510              | \$554                           | 2.92%                         |
| *                                     | Capital Outlay               | \$0                                    | \$0                         | \$280,000             | \$280,000                       | ---                           |
| **                                    | <b>Fire Field Operations</b> | <b>\$14,963,356</b>                    | <b>\$15,034,194</b>         | <b>\$15,352,104</b>   | <b>\$388,748</b>                | <b>2.60%</b>                  |



**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                         |                                    | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|---------------------------------------------|------------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Fire Operation Support Svcs 10022400</b> |                                    |                                        |                             |                       |                                 |                               |
| *                                           | Payroll                            | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| *                                           | Benefits                           | \$0                                    | \$55                        | \$0                   | \$0                             | ---                           |
| *                                           | Administrative Svcs                | \$1,075                                | \$1,075                     | \$1,075               | \$0                             | 0.00%                         |
| *                                           | Contractual Services               | \$21,815                               | \$21,815                    | \$23,705              | \$1,890                         | 8.66%                         |
| *                                           | Maintenance & Repair               | \$173,630                              | \$173,630                   | \$194,655             | \$21,025                        | 12.11%                        |
| *                                           | Rentals                            | \$410,000                              | \$410,000                   | \$410,360             | \$360                           | 0.09%                         |
| *                                           | Supplies                           | \$58,900                               | \$75,341                    | \$58,900              | \$0                             | 0.00%                         |
| *                                           | Utilities                          | \$207,348                              | \$208,179                   | \$207,348             | \$0                             | 0.00%                         |
| *                                           | Capital Outlay                     | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| **                                          | <b>Fire Operation Support Svcs</b> | <b>\$872,768</b>                       | <b>\$890,095</b>            | <b>\$896,043</b>      | <b>\$23,275</b>                 | <b>2.67%</b>                  |

**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                |                      | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|------------------------------------|----------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Air Rescue Station 10022800</b> |                      |                                        |                             |                       |                                 |                               |
| *                                  | Payroll              | \$831,197                              | \$831,197                   | \$830,383             | (\$814)                         | -0.10%                        |
| *                                  | Benefits             | \$16,440                               | \$16,440                    | \$15,780              | (\$660)                         | -4.01%                        |
| *                                  | Administrative Svcs  | \$21,080                               | \$21,080                    | \$108,580             | \$87,500                        | 415.09%                       |
| *                                  | Contractual Services | \$3,453                                | \$3,453                     | \$4,078               | \$625                           | 18.10%                        |
| *                                  | Maintenance & Repair | \$151,725                              | \$157,000                   | \$91,725              | (\$60,000)                      | -39.55%                       |
| *                                  | Supplies             | \$64,210                               | \$64,810                    | \$40,410              | (\$23,800)                      | -37.07%                       |
| *                                  | Utilities            | \$16,244                               | \$16,244                    | \$16,244              | \$0                             | 0.00%                         |
| **                                 | Air Rescue Station   | \$1,104,349                            | \$1,110,224                 | \$1,107,200           | \$2,851                         | 0.26%                         |
| ****                               | Fire Department      | \$17,804,366                           | \$17,824,429                | \$18,181,140          | \$376,774                       | 2.12%                         |

**CITY OF PORTLAND, ME  
FY22 DEPARTMENT ORG NET REPORT**

| ACCOUNT DESCRIPTION               | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY221 / FY21 |
|-----------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|--------------------------------|
| <b>General Fund</b>               |                                        |                             |                       |                                 |                                |
| <b>Dispatch Services 23</b>       |                                        |                             |                       |                                 |                                |
| 10023500 Total EXPENDITURE        | \$0                                    | \$0                         | \$2,417,816           | \$2,417,816                     | ---                            |
| 10023500 Total REVENUE            | \$0                                    | \$0                         | (\$1,116,240)         | (\$1,116,240)                   | ---                            |
| <b>** Dispatch Services NET</b>   | <b>\$0</b>                             | <b>\$0</b>                  | <b>\$1,301,576</b>    | <b>\$1,301,576</b>              | <b>---</b>                     |
| <b>**** Dispatch Services Net</b> | <b>\$0</b>                             | <b>\$0</b>                  | <b>\$1,301,576</b>    | <b>\$1,301,576</b>              | <b>---</b>                     |

**CITY OF PORTLAND, ME**  
**FY22 DEPARTMENT CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION         |                      | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|-----------------------------|----------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>General Fund</b>         |                      |                                        |                             |                       |                                 |                               |
| <b>Dispatch Services 23</b> |                      |                                        |                             |                       |                                 |                               |
| *                           | Payroll              | \$0                                    | \$0                         | \$2,318,270           | \$2,318,270                     | ---                           |
| *                           | Benefits             | \$0                                    | \$0                         | \$16,700              | \$16,700                        | ---                           |
| *                           | Administrative Svcs  | \$0                                    | \$0                         | \$11,675              | \$11,675                        | ---                           |
| *                           | Contractual Services | \$0                                    | \$0                         | \$17,680              | \$17,680                        | ---                           |
| *                           | Maintenance & Repair | \$0                                    | \$0                         | \$14,270              | \$14,270                        | ---                           |
| *                           | Rentals              | \$0                                    | \$0                         | \$641                 | \$641                           | ---                           |
| *                           | Supplies             | \$0                                    | \$0                         | \$10,500              | \$10,500                        | ---                           |
| *                           | Minor Capital Items  | \$0                                    | \$0                         | \$15,000              | \$15,000                        | ---                           |
| *                           | Utilities            | \$0                                    | \$0                         | \$13,080              | \$13,080                        | ---                           |
| ****                        | Dispatch Services    | \$0                                    | \$0                         | \$2,417,816           | \$2,417,816                     | ---                           |

**CITY OF PORTLAND, ME  
FY22 DEPARTMENT ORG NET REPORT**

| ACCOUNT DESCRIPTION                                | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY221 / FY21 |
|----------------------------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|--------------------------------|
| <b>General Fund</b>                                |                                        |                             |                       |                                 |                                |
| <b>Dept of Planning &amp; Development 24</b>       |                                        |                             |                       |                                 |                                |
| 10024100 Total EXPENDITURE                         | \$211,863                              | \$203,386                   | \$229,214             | \$17,351                        | 8.19%                          |
| 10024100 Total REVENUE                             | (\$30,000)                             | (\$30,000)                  | (\$30,000)            | \$0                             | 0.00%                          |
| <b>** Planning &amp; Development Admin NET</b>     | <b>\$181,863</b>                       | <b>\$173,386</b>            | <b>\$199,214</b>      | <b>\$17,351</b>                 | <b>9.54%</b>                   |
| 10024200 Total EXPENDITURE                         | \$1,213,659                            | \$1,242,312                 | \$1,369,054           | \$155,395                       | 12.80%                         |
| 10024200 Total REVENUE                             | (\$716,865)                            | (\$636,865)                 | (\$709,313)           | \$7,552                         | -1.05%                         |
| <b>** Planning NET</b>                             | <b>\$496,794</b>                       | <b>\$605,447</b>            | <b>\$659,741</b>      | <b>\$162,947</b>                | <b>32.80%</b>                  |
| <b>**** Dept of Planning &amp; Development Net</b> | <b>\$678,657</b>                       | <b>\$778,833</b>            | <b>\$858,955</b>      | <b>\$180,298</b>                | <b>26.57%</b>                  |

**CITY OF PORTLAND, ME**  
**FY22 DEPARTMENT CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                          |                                | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|----------------------------------------------|--------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>General Fund</b>                          |                                |                                        |                             |                       |                                 |                               |
| <b>Dept of Planning &amp; Development 24</b> |                                |                                        |                             |                       |                                 |                               |
| *                                            | Payroll                        | \$1,148,582                            | \$1,135,451                 | \$1,213,428           | \$64,846                        | 5.65%                         |
| *                                            | Benefits                       | \$2,550                                | \$1,940                     | \$2,550               | \$0                             | 0.00%                         |
| *                                            | Administrative Svcs            | \$33,320                               | \$11,920                    | \$20,320              | (\$13,000)                      | -39.02%                       |
| *                                            | Contractual Services           | \$194,850                              | \$257,400                   | \$323,850             | \$129,000                       | 66.20%                        |
| *                                            | Maintenance & Repair           | \$7,820                                | \$7,820                     | \$7,820               | \$0                             | 0.00%                         |
| *                                            | Rentals                        | \$15,600                               | \$10,000                    | \$15,600              | \$0                             | 0.00%                         |
| *                                            | Supplies                       | \$22,800                               | \$21,167                    | \$14,700              | (\$8,100)                       | -35.53%                       |
| ****                                         | Dept of Planning & Development | \$1,425,522                            | \$1,445,698                 | \$1,598,268           | \$172,746                       | 12.12%                        |

**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                              |                              | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|--------------------------------------------------|------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Dept of Planning &amp; Development 24</b>     |                              |                                        |                             |                       |                                 |                               |
| <b>Planning &amp; Development Admin 10024100</b> |                              |                                        |                             |                       |                                 |                               |
| *                                                | Payroll                      | \$202,313                              | \$198,182                   | \$221,164             | \$18,851                        | 9.32%                         |
| *                                                | Benefits                     | \$1,100                                | \$980                       | \$1,100               | \$0                             | 0.00%                         |
| *                                                | Administrative Svcs          | \$5,700                                | \$1,900                     | \$4,200               | (\$1,500)                       | -26.32%                       |
| *                                                | Contractual Services         | \$250                                  | \$0                         | \$250                 | \$0                             | 0.00%                         |
| *                                                | Maintenance & Repair         | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| *                                                | Supplies                     | \$2,500                                | \$2,324                     | \$2,500               | \$0                             | 0.00%                         |
| **                                               | Planning & Development Admin | \$211,863                              | \$203,386                   | \$229,214             | \$17,351                        | 8.19%                         |

**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION      |                                           | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|--------------------------|-------------------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Planning 10024200</b> |                                           |                                        |                             |                       |                                 |                               |
| *                        | <b>Payroll</b>                            | \$946,269                              | \$937,269                   | \$992,264             | \$45,995                        | 4.86%                         |
| *                        | <b>Benefits</b>                           | \$1,450                                | \$960                       | \$1,450               | \$0                             | 0.00%                         |
| *                        | <b>Administrative Svcs</b>                | \$27,620                               | \$10,020                    | \$16,120              | (\$11,500)                      | -41.64%                       |
| *                        | <b>Contractual Services</b>               | \$194,600                              | \$257,400                   | \$323,600             | \$129,000                       | 66.29%                        |
| *                        | <b>Maintenance &amp; Repair</b>           | \$7,820                                | \$7,820                     | \$7,820               | \$0                             | 0.00%                         |
| *                        | <b>Rentals</b>                            | \$15,600                               | \$10,000                    | \$15,600              | \$0                             | 0.00%                         |
| *                        | <b>Supplies</b>                           | \$20,300                               | \$18,843                    | \$12,200              | (\$8,100)                       | -39.90%                       |
| **                       | <b>Planning</b>                           | <b>\$1,213,659</b>                     | <b>\$1,242,312</b>          | <b>\$1,369,054</b>    | <b>\$155,395</b>                | <b>12.80%</b>                 |
| ****                     | <b>Dept of Planning &amp; Development</b> | <b>\$1,425,522</b>                     | <b>\$1,445,698</b>          | <b>\$1,598,268</b>    | <b>\$172,746</b>                | <b>12.12%</b>                 |



**CITY OF PORTLAND, ME  
FY22 DEPARTMENT ORG NET REPORT**

| ACCOUNT DESCRIPTION                              | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY221 / FY21 |
|--------------------------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|--------------------------------|
| <b>General Fund</b>                              |                                        |                             |                       |                                 |                                |
| <b>Permitting &amp; Inspections 25</b>           |                                        |                             |                       |                                 |                                |
| 10025100 Total EXPENDITURE                       | \$156,338                              | \$102,329                   | \$179,556             | \$23,218                        | 14.85%                         |
| <b>** Permitting &amp; Inspections Admin NET</b> | <b>\$156,338</b>                       | <b>\$102,329</b>            | <b>\$179,556</b>      | <b>\$23,218</b>                 | <b>14.85%</b>                  |
| 10025200 Total EXPENDITURE                       | \$1,042,864                            | \$1,020,846                 | \$1,078,915           | \$36,051                        | 3.46%                          |
| 10025200 Total REVENUE                           | (\$3,053,500)                          | (\$2,595,500)               | (\$2,670,500)         | \$383,000                       | -12.54%                        |
| <b>** Inspections NET</b>                        | <b>(\$2,010,636)</b>                   | <b>(\$1,574,654)</b>        | <b>(\$1,591,585)</b>  | <b>\$419,051</b>                | <b>20.84%</b>                  |
| 10025300 Total EXPENDITURE                       | \$481,750                              | \$533,715                   | \$591,019             | \$109,269                       | 22.68%                         |
| 10025300 Total REVENUE                           | (\$638,557)                            | (\$1,007,450)               | (\$1,011,450)         | (\$372,893)                     | 58.40%                         |
| <b>** Housing Safety NET</b>                     | <b>(\$156,807)</b>                     | <b>(\$473,735)</b>          | <b>(\$420,431)</b>    | <b>(\$263,624)</b>              | <b>-168.12%</b>                |
| 10025400 Total EXPENDITURE                       | \$245,091                              | \$274,676                   | \$322,894             | \$77,803                        | 31.74%                         |
| 10025400 Total REVENUE                           | (\$1,439,115)                          | (\$1,414,769)               | (\$1,430,469)         | \$8,646                         | -0.60%                         |
| <b>** Business Licensing NET</b>                 | <b>(\$1,194,024)</b>                   | <b>(\$1,140,093)</b>        | <b>(\$1,107,575)</b>  | <b>\$86,449</b>                 | <b>7.24%</b>                   |
| <b>**** Permitting &amp; Inspections Net</b>     | <b>(\$3,205,129)</b>                   | <b>(\$3,086,154)</b>        | <b>(\$2,940,035)</b>  | <b>\$265,094</b>                | <b>8.27%</b>                   |

**CITY OF PORTLAND, ME**  
**FY22 DEPARTMENT CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                    |                          | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|----------------------------------------|--------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>General Fund</b>                    |                          |                                        |                             |                       |                                 |                               |
| <b>Permitting &amp; Inspections 25</b> |                          |                                        |                             |                       |                                 |                               |
| *                                      | Payroll                  | \$1,785,706                            | \$1,794,516                 | \$2,027,907           | \$242,201                       | 13.56%                        |
| *                                      | Benefits                 | \$18,384                               | \$18,134                    | \$18,884              | \$500                           | 2.72%                         |
| *                                      | Administrative Svcs      | \$23,145                               | \$13,030                    | \$23,505              | \$360                           | 1.56%                         |
| *                                      | Contractual Services     | \$74,615                               | \$75,977                    | \$79,115              | \$4,500                         | 6.03%                         |
| *                                      | Rentals                  | \$4,368                                | \$4,368                     | \$4,368               | \$0                             | 0.00%                         |
| *                                      | Supplies                 | \$19,825                               | \$25,541                    | \$18,605              | (\$1,220)                       | -6.15%                        |
| *                                      | Minor Capital Items      | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| *                                      | Capital Outlay           | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| ****                                   | Permitting & Inspections | \$1,926,043                            | \$1,931,566                 | \$2,172,384           | \$246,341                       | 12.79%                        |

**CITY OF PORTLAND, ME**  
**FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                                |                                | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|----------------------------------------------------|--------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Permitting &amp; Inspections 25</b>             |                                |                                        |                             |                       |                                 |                               |
| <b>Permitting &amp; Inspections Admin 10025100</b> |                                |                                        |                             |                       |                                 |                               |
| *                                                  | Payroll                        | \$153,388                              | \$100,041                   | \$176,456             | \$23,068                        | 15.04%                        |
| *                                                  | Benefits                       | \$450                                  | \$200                       | \$600                 | \$150                           | 33.33%                        |
| *                                                  | Administrative Svcs            | \$1,500                                | \$1,000                     | \$1,500               | \$0                             | 0.00%                         |
| *                                                  | Contractual Services           | \$200                                  | \$100                       | \$200                 | \$0                             | 0.00%                         |
| *                                                  | Rentals                        | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| *                                                  | Supplies                       | \$800                                  | \$988                       | \$800                 | \$0                             | 0.00%                         |
| **                                                 | Permitting & Inspections Admin | \$156,338                              | \$102,329                   | \$179,556             | \$23,218                        | 14.85%                        |

**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION         |                             | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|-----------------------------|-----------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Inspections 10025200</b> |                             |                                        |                             |                       |                                 |                               |
| *                           | <b>Payroll</b>              | \$999,269                              | \$989,227                   | \$1,031,210           | \$31,941                        | 3.20%                         |
| *                           | <b>Benefits</b>             | \$9,130                                | \$9,130                     | \$9,480               | \$350                           | 3.83%                         |
| *                           | <b>Administrative Svcs</b>  | \$17,165                               | \$4,825                     | \$17,525              | \$360                           | 2.10%                         |
| *                           | <b>Contractual Services</b> | \$7,000                                | \$10,982                    | \$10,000              | \$3,000                         | 42.86%                        |
| *                           | <b>Rentals</b>              | \$1,800                                | \$1,800                     | \$1,800               | \$0                             | 0.00%                         |
| *                           | <b>Supplies</b>             | \$8,500                                | \$4,882                     | \$8,900               | \$400                           | 4.71%                         |
| *                           | <b>Minor Capital Items</b>  | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| *                           | <b>Capital Outlay</b>       | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| **                          | <b>Inspections</b>          | <b>\$1,042,864</b>                     | <b>\$1,020,846</b>          | <b>\$1,078,915</b>    | <b>\$36,051</b>                 | <b>3.46%</b>                  |

**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION            |                             | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|--------------------------------|-----------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Housing Safety 10025300</b> |                             |                                        |                             |                       |                                 |                               |
| *                              | <b>Payroll</b>              | \$432,696                              | \$469,970                   | \$540,065             | \$107,369                       | 24.81%                        |
| *                              | <b>Benefits</b>             | \$5,880                                | \$5,880                     | \$5,880               | \$0                             | 0.00%                         |
| *                              | <b>Administrative Svcs</b>  | \$3,725                                | \$5,750                     | \$3,725               | \$0                             | 0.00%                         |
| *                              | <b>Contractual Services</b> | \$35,495                               | \$36,995                    | \$36,995              | \$1,500                         | 4.23%                         |
| *                              | <b>Rentals</b>              | \$504                                  | \$504                       | \$504                 | \$0                             | 0.00%                         |
| *                              | <b>Supplies</b>             | \$3,450                                | \$14,616                    | \$3,850               | \$400                           | 11.59%                        |
| **                             | <b>Housing Safety</b>       | <b>\$481,750</b>                       | <b>\$533,715</b>            | <b>\$591,019</b>      | <b>\$109,269</b>                | <b>22.68%</b>                 |

**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                |                          | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|------------------------------------|--------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Business Licensing 10025400</b> |                          |                                        |                             |                       |                                 |                               |
| *                                  | Payroll                  | \$200,353                              | \$235,278                   | \$280,176             | \$79,823                        | 39.84%                        |
| *                                  | Benefits                 | \$2,924                                | \$2,924                     | \$2,924               | \$0                             | 0.00%                         |
| *                                  | Administrative Svcs      | \$755                                  | \$1,455                     | \$755                 | \$0                             | 0.00%                         |
| *                                  | Contractual Services     | \$31,920                               | \$27,900                    | \$31,920              | \$0                             | 0.00%                         |
| *                                  | Rentals                  | \$2,064                                | \$2,064                     | \$2,064               | \$0                             | 0.00%                         |
| *                                  | Supplies                 | \$7,075                                | \$5,055                     | \$5,055               | (\$2,020)                       | -28.55%                       |
| **                                 | Business Licensing       | \$245,091                              | \$274,676                   | \$322,894             | \$77,803                        | 31.74%                        |
| ****                               | Permitting & Inspections | \$1,926,043                            | \$1,931,566                 | \$2,172,384           | \$246,341                       | 12.79%                        |

**CITY OF PORTLAND, ME  
FY22 DEPARTMENT ORG NET REPORT**

| ACCOUNT DESCRIPTION                    | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY221 / FY21 |
|----------------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|--------------------------------|
| <b>General Fund</b>                    |                                        |                             |                       |                                 |                                |
| <b>Information Technology 29</b>       |                                        |                             |                       |                                 |                                |
| 10029100 Total EXPENDITURE             | \$2,589,248                            | \$2,587,962                 | \$2,858,804           | \$269,556                       | 10.41%                         |
| 10029100 Total REVENUE                 | (\$429,141)                            | (\$429,868)                 | (\$313,180)           | \$115,961                       | -27.02%                        |
| <b>** Information Technology NET</b>   | <b>\$2,160,107</b>                     | <b>\$2,158,094</b>          | <b>\$2,545,624</b>    | <b>\$385,517</b>                | <b>17.85%</b>                  |
| <b>**** Information Technology Net</b> | <b>\$2,160,107</b>                     | <b>\$2,158,094</b>          | <b>\$2,545,624</b>    | <b>\$385,517</b>                | <b>17.85%</b>                  |

**CITY OF PORTLAND, ME**  
**FY22 DEPARTMENT CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION              |                        | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|----------------------------------|------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>General Fund</b>              |                        |                                        |                             |                       |                                 |                               |
| <b>Information Technology 29</b> |                        |                                        |                             |                       |                                 |                               |
| *                                | Payroll                | \$1,164,282                            | \$1,132,920                 | \$1,223,715           | \$59,433                        | 5.10%                         |
| *                                | Benefits               | \$5,136                                | \$5,232                     | \$5,280               | \$144                           | 2.80%                         |
| *                                | Administrative Svcs    | \$3,950                                | \$3,950                     | \$3,950               | \$0                             | 0.00%                         |
| *                                | Contractual Services   | \$440,837                              | \$478,058                   | \$499,317             | \$58,480                        | 13.27%                        |
| *                                | Maintenance & Repair   | \$613,603                              | \$605,551                   | \$768,902             | \$155,299                       | 25.31%                        |
| *                                | Rentals                | \$12,000                               | \$12,000                    | \$12,000              | \$0                             | 0.00%                         |
| *                                | Supplies               | \$31,000                               | \$31,000                    | \$31,000              | \$0                             | 0.00%                         |
| *                                | Utilities              | \$318,440                              | \$319,251                   | \$314,640             | (\$3,800)                       | -1.19%                        |
| *                                | Capital Outlay         | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| ****                             | Information Technology | \$2,589,248                            | \$2,587,962                 | \$2,858,804           | \$269,556                       | 10.41%                        |



**CITY OF PORTLAND, ME  
FY22 DEPARTMENT ORG NET REPORT**

| ACCOUNT DESCRIPTION                            | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY221 / FY21 |
|------------------------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|--------------------------------|
| <b>General Fund</b>                            |                                        |                             |                       |                                 |                                |
| <b>Public Works 31</b>                         |                                        |                             |                       |                                 |                                |
| 10031100 Total EXPENDITURE                     | \$671,793                              | \$644,567                   | \$705,111             | \$33,318                        | 4.96%                          |
| 10031100 Total REVENUE                         | (\$273,335)                            | (\$275,835)                 | (\$273,895)           | (\$560)                         | 0.20%                          |
| <b>** Public Works Administration NET</b>      | <b>\$398,458</b>                       | <b>\$368,732</b>            | <b>\$431,216</b>      | <b>\$32,758</b>                 | <b>8.22%</b>                   |
| 10031202 Total EXPENDITURE                     | \$1,678,340                            | \$1,574,940                 | \$1,773,724           | \$95,384                        | 5.68%                          |
| 10031202 Total REVENUE                         | (\$2,300)                              | (\$2,000)                   | (\$2,300)             | \$0                             | 0.00%                          |
| <b>** Districting NET</b>                      | <b>\$1,676,040</b>                     | <b>\$1,572,940</b>          | <b>\$1,771,424</b>    | <b>\$95,384</b>                 | <b>5.69%</b>                   |
| 10031203 Total EXPENDITURE                     | \$2,241,470                            | \$2,421,148                 | \$2,413,927           | \$172,457                       | 7.69%                          |
| 10031203 Total REVENUE                         | (\$2,168,891)                          | (\$2,070,456)               | (\$2,161,810)         | \$7,081                         | -0.33%                         |
| <b>** Solid Waste NET</b>                      | <b>\$72,579</b>                        | <b>\$350,692</b>            | <b>\$252,117</b>      | <b>\$179,538</b>                | <b>247.37%</b>                 |
| 10031204 Total EXPENDITURE                     | \$196,098                              | \$186,475                   | \$193,926             | (\$2,172)                       | -1.11%                         |
| 10031204 Total REVENUE                         | (\$71,262)                             | (\$67,788)                  | (\$69,814)            | \$1,448                         | -2.03%                         |
| <b>** Communications NET</b>                   | <b>\$124,836</b>                       | <b>\$118,687</b>            | <b>\$124,112</b>      | <b>(\$724)</b>                  | <b>-0.58%</b>                  |
| 10031205 Total EXPENDITURE                     | \$414,503                              | \$414,503                   | \$414,126             | (\$377)                         | -0.09%                         |
| 10031205 Total REVENUE                         | (\$414,503)                            | (\$414,503)                 | (\$414,126)           | \$377                           | -0.09%                         |
| <b>** Portland Downtown District NET</b>       | <b>\$0</b>                             | <b>\$0</b>                  | <b>\$0</b>            | <b>\$0</b>                      | <b>---</b>                     |
| 10031206 Total EXPENDITURE                     | \$1,329,517                            | \$1,291,550                 | \$1,383,835           | \$54,318                        | 4.09%                          |
| 10031206 Total REVENUE                         | (\$106,450)                            | (\$95,800)                  | (\$106,450)           | \$0                             | 0.00%                          |
| <b>** Winter Operations NET</b>                | <b>\$1,223,067</b>                     | <b>\$1,195,750</b>          | <b>\$1,277,385</b>    | <b>\$54,318</b>                 | <b>4.44%</b>                   |
| 10031207 Total EXPENDITURE                     | \$689,311                              | \$784,806                   | \$757,211             | \$67,900                        | 9.85%                          |
| 10031207 Total REVENUE                         | (\$4,500)                              | (\$3,500)                   | (\$3,454)             | \$1,046                         | -23.24%                        |
| <b>** Island Services NET</b>                  | <b>\$684,811</b>                       | <b>\$781,306</b>            | <b>\$753,757</b>      | <b>\$68,946</b>                 | <b>10.07%</b>                  |
| 10031208 Total EXPENDITURE                     | \$1,407,899                            | \$1,330,455                 | \$1,547,308           | \$139,409                       | 9.90%                          |
| 10031208 Total REVENUE                         | (\$10,450)                             | (\$11,750)                  | (\$10,450)            | \$0                             | 0.00%                          |
| <b>** Traffic &amp; Transportation Ops NET</b> | <b>\$1,397,449</b>                     | <b>\$1,318,705</b>          | <b>\$1,536,858</b>    | <b>\$139,409</b>                | <b>9.98%</b>                   |
| <b>*** PW Operations</b>                       | <b>\$5,178,782</b>                     | <b>\$5,338,080</b>          | <b>\$5,715,653</b>    | <b>\$536,871</b>                | <b>10.37%</b>                  |
| 10031302 Total EXPENDITURE                     | \$438,778                              | \$461,613                   | \$441,885             | \$3,107                         | 0.71%                          |
| 10031302 Total REVENUE                         | (\$1,040,447)                          | (\$1,116,250)               | (\$1,131,330)         | (\$90,883)                      | 8.73%                          |
| <b>** Transportation Engineering NET</b>       | <b>(\$601,669)</b>                     | <b>(\$654,638)</b>          | <b>(\$689,445)</b>    | <b>(\$87,776)</b>               | <b>-14.59%</b>                 |
| 10031303 Total EXPENDITURE                     | \$1,206,876                            | \$1,150,110                 | \$1,268,444           | \$61,568                        | 5.10%                          |
| 10031303 Total REVENUE                         | (\$925,967)                            | (\$944,517)                 | (\$948,923)           | (\$22,956)                      | 2.48%                          |

**CITY OF PORTLAND, ME  
FY22 DEPARTMENT ORG NET REPORT**

| ACCOUNT DESCRIPTION |                                | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY221 / FY21 |
|---------------------|--------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|--------------------------------|
| <b>**</b>           | <b>Engineering NET</b>         | <b>\$280,909</b>                       | <b>\$205,593</b>            | <b>\$319,521</b>      | <b>\$38,612</b>                 | <b>13.75%</b>                  |
| <b>***</b>          | <b>PW Engineering Division</b> | <b>(\$320,760)</b>                     | <b>(\$449,044)</b>          | <b>(\$369,924)</b>    | <b>(\$49,164)</b>               | <b>-15.33%</b>                 |
| 10031400            | Total EXPENDITURE              | \$3,381,149                            | \$3,429,356                 | \$3,552,126           | \$170,977                       | 5.06%                          |
| 10031400            | Total REVENUE                  | (\$204,345)                            | (\$353,155)                 | (\$220,051)           | (\$15,706)                      | 7.69%                          |
| <b>**</b>           | <b>Fleet Services NET</b>      | <b>\$3,176,804</b>                     | <b>\$3,076,201</b>          | <b>\$3,332,075</b>    | <b>\$155,271</b>                | <b>4.89%</b>                   |
| <b>****</b>         | <b>Public Works Net</b>        | <b>\$8,433,284</b>                     | <b>\$8,333,968</b>          | <b>\$9,109,020</b>    | <b>\$675,736</b>                | <b>8.01%</b>                   |

**CITY OF PORTLAND, ME**  
**FY22 DEPARTMENT CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION    |                      | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|------------------------|----------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>General Fund</b>    |                      |                                        |                             |                       |                                 |                               |
| <b>Public Works 31</b> |                      |                                        |                             |                       |                                 |                               |
| *                      | Payroll              | \$7,918,501                            | \$7,472,263                 | \$8,269,596           | \$351,095                       | 4.43%                         |
| *                      | Benefits             | \$85,842                               | \$120,322                   | \$85,982              | \$140                           | 0.16%                         |
| *                      | Administrative Svcs  | \$60,954                               | \$46,700                    | \$68,590              | \$7,636                         | 12.53%                        |
| *                      | Contractual Services | \$1,983,348                            | \$2,122,110                 | \$2,159,017           | \$175,669                       | 8.86%                         |
| *                      | Maintenance & Repair | \$1,394,996                            | \$1,523,699                 | \$1,408,829           | \$13,833                        | 0.99%                         |
| *                      | Rentals              | \$406,199                              | \$406,000                   | \$432,380             | \$26,181                        | 6.45%                         |
| *                      | Supplies             | \$1,345,598                            | \$1,349,104                 | \$1,527,088           | \$181,490                       | 13.49%                        |
| *                      | Minor Capital Items  | \$0                                    | \$0                         | \$39,985              | \$39,985                        | ---                           |
| *                      | Utilities            | \$460,296                              | \$475,324                   | \$460,156             | (\$140)                         | -0.03%                        |
| *                      | Capital Outlay       | \$0                                    | \$174,000                   | \$0                   | \$0                             | ---                           |
| ****                   | <b>Public Works</b>  | <b>\$13,655,734</b>                    | <b>\$13,689,522</b>         | <b>\$14,451,623</b>   | <b>\$795,889</b>                | <b>5.83%</b>                  |

**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                         |                                    | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|---------------------------------------------|------------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Public Works 31</b>                      |                                    |                                        |                             |                       |                                 |                               |
| <b>Public Works Administration 10031100</b> |                                    |                                        |                             |                       |                                 |                               |
| *                                           | Payroll                            | \$617,833                              | \$598,000                   | \$648,849             | \$31,016                        | 5.02%                         |
| *                                           | Benefits                           | \$2,052                                | \$1,852                     | \$2,052               | \$0                             | 0.00%                         |
| *                                           | Administrative Svcs                | \$8,087                                | \$5,485                     | \$9,230               | \$1,143                         | 14.14%                        |
| *                                           | Contractual Services               | \$6,280                                | \$4,530                     | \$6,280               | \$0                             | 0.00%                         |
| *                                           | Maintenance & Repair               | \$24,791                               | \$23,000                    | \$27,950              | \$3,159                         | 12.74%                        |
| *                                           | Rentals                            | \$3,000                                | \$2,750                     | \$3,000               | \$0                             | 0.00%                         |
| *                                           | Supplies                           | \$9,750                                | \$8,950                     | \$7,750               | (\$2,000)                       | -20.51%                       |
| **                                          | <b>Public Works Administration</b> | <b>\$671,793</b>                       | <b>\$644,567</b>            | <b>\$705,111</b>      | <b>\$33,318</b>                 | <b>4.96%</b>                  |

**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION         |                                 | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|-----------------------------|---------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Districting 10031202</b> |                                 |                                        |                             |                       |                                 |                               |
| *                           | <b>Payroll</b>                  | \$1,483,747                            | \$1,387,500                 | \$1,537,949           | \$54,202                        | 3.65%                         |
| *                           | <b>Benefits</b>                 | \$15,630                               | \$15,130                    | \$15,630              | \$0                             | 0.00%                         |
| *                           | <b>Administrative Svcs</b>      | \$1,880                                | \$1,450                     | \$2,070               | \$190                           | 10.11%                        |
| *                           | <b>Contractual Services</b>     | \$23,200                               | \$23,100                    | \$59,200              | \$36,000                        | 155.17%                       |
| *                           | <b>Maintenance &amp; Repair</b> | \$2,000                                | \$2,000                     | \$2,000               | \$0                             | 0.00%                         |
| *                           | <b>Rentals</b>                  | \$14,500                               | \$14,500                    | \$14,500              | \$0                             | 0.00%                         |
| *                           | <b>Supplies</b>                 | \$137,383                              | \$130,760                   | \$142,375             | \$4,992                         | 3.63%                         |
| *                           | <b>Minor Capital Items</b>      | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| *                           | <b>Utilities</b>                | \$0                                    | \$500                       | \$0                   | \$0                             | ---                           |
| *                           | <b>Capital Outlay</b>           | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| **                          | <b>Districting</b>              | <b>\$1,678,340</b>                     | <b>\$1,574,940</b>          | <b>\$1,773,724</b>    | <b>\$95,384</b>                 | <b>5.68%</b>                  |

**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION         |                      | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|-----------------------------|----------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Solid Waste 10031203</b> |                      |                                        |                             |                       |                                 |                               |
| *                           | Payroll              | \$795,475                              | \$790,000                   | \$931,717             | \$136,242                       | 17.13%                        |
| *                           | Benefits             | \$10,740                               | \$49,000                    | \$10,740              | \$0                             | 0.00%                         |
| *                           | Administrative Svcs  | \$9,330                                | \$8,578                     | \$9,630               | \$300                           | 3.22%                         |
| *                           | Contractual Services | \$1,407,295                            | \$1,554,940                 | \$1,440,110           | \$32,815                        | 2.33%                         |
| *                           | Maintenance & Repair | \$4,680                                | \$4,680                     | \$4,680               | \$0                             | 0.00%                         |
| *                           | Rentals              | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| *                           | Supplies             | \$10,770                               | \$10,770                    | \$13,570              | \$2,800                         | 26.00%                        |
| *                           | Utilities            | \$3,180                                | \$3,180                     | \$3,480               | \$300                           | 9.43%                         |
| *                           | Capital Outlay       | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| **                          | <b>Solid Waste</b>   | <b>\$2,241,470</b>                     | <b>\$2,421,148</b>          | <b>\$2,413,927</b>    | <b>\$172,457</b>                | <b>7.69%</b>                  |

**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION            |                      | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|--------------------------------|----------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Communications 10031204</b> |                      |                                        |                             |                       |                                 |                               |
| *                              | Payroll              | \$175,523                              | \$172,000                   | \$181,351             | \$5,828                         | 3.32%                         |
| *                              | Benefits             | \$1,125                                | \$1,125                     | \$1,125               | \$0                             | 0.00%                         |
| *                              | Administrative Svcs  | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| *                              | Contractual Services | \$5,700                                | \$5,700                     | \$5,700               | \$0                             | 0.00%                         |
| *                              | Maintenance & Repair | \$8,500                                | \$2,500                     | \$500                 | (\$8,000)                       | -94.12%                       |
| *                              | Rentals              | \$1,700                                | \$1,700                     | \$1,700               | \$0                             | 0.00%                         |
| *                              | Supplies             | \$3,550                                | \$3,450                     | \$3,550               | \$0                             | 0.00%                         |
| **                             | Communications       | \$196,098                              | \$186,475                   | \$193,926             | (\$2,172)                       | -1.11%                        |

**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                        |                            | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|--------------------------------------------|----------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Portland Downtown District 10031205</b> |                            |                                        |                             |                       |                                 |                               |
| *                                          | Payroll                    | \$379,573                              | \$371,883                   | \$379,196             | (\$377)                         | -0.10%                        |
| *                                          | Benefits                   | \$3,450                                | \$3,450                     | \$3,450               | \$0                             | 0.00%                         |
| *                                          | Administrative Svcs        | \$0                                    | \$0                         | \$190                 | \$190                           | ---                           |
| *                                          | Contractual Services       | \$50                                   | \$50                        | \$50                  | \$0                             | 0.00%                         |
| *                                          | Maintenance & Repair       | \$500                                  | \$850                       | \$500                 | \$0                             | 0.00%                         |
| *                                          | Rentals                    | \$360                                  | \$360                       | \$360                 | \$0                             | 0.00%                         |
| *                                          | Supplies                   | \$25,410                               | \$33,850                    | \$16,010              | (\$9,400)                       | -36.99%                       |
| *                                          | Minor Capital Items        | \$0                                    | \$0                         | \$9,710               | \$9,710                         | ---                           |
| *                                          | Utilities                  | \$5,160                                | \$4,060                     | \$4,660               | (\$500)                         | -9.69%                        |
| **                                         | Portland Downtown District | \$414,503                              | \$414,503                   | \$414,126             | (\$377)                         | -0.09%                        |



**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION               |                      | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|-----------------------------------|----------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Winter Operations 10031206</b> |                      |                                        |                             |                       |                                 |                               |
| *                                 | Payroll              | \$422,677                              | \$385,000                   | \$409,835             | (\$12,842)                      | -3.04%                        |
| *                                 | Benefits             | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| *                                 | Administrative Svcs  | \$10,900                               | \$8,600                     | \$10,900              | \$0                             | 0.00%                         |
| *                                 | Contractual Services | \$115,305                              | \$113,500                   | \$140,305             | \$25,000                        | 21.68%                        |
| *                                 | Maintenance & Repair | \$5,000                                | \$2,500                     | \$5,000               | \$0                             | 0.00%                         |
| *                                 | Rentals              | \$360,220                              | \$360,000                   | \$389,780             | \$29,560                        | 8.21%                         |
| *                                 | Supplies             | \$414,635                              | \$421,000                   | \$427,235             | \$12,600                        | 3.04%                         |
| *                                 | Minor Capital Items  | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| *                                 | Utilities            | \$780                                  | \$950                       | \$780                 | \$0                             | 0.00%                         |
| **                                | Winter Operations    | \$1,329,517                            | \$1,291,550                 | \$1,383,835           | \$54,318                        | 4.09%                         |

**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION             |                                 | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|---------------------------------|---------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Island Services 10031207</b> |                                 |                                        |                             |                       |                                 |                               |
| *                               | <b>Payroll</b>                  | \$480,106                              | \$468,080                   | \$530,846             | \$50,740                        | 10.57%                        |
| *                               | <b>Benefits</b>                 | \$4,795                                | \$4,795                     | \$5,295               | \$500                           | 10.43%                        |
| *                               | <b>Administrative Svcs</b>      | \$1,600                                | \$1,600                     | \$2,650               | \$1,050                         | 65.63%                        |
| *                               | <b>Contractual Services</b>     | \$138,900                              | \$150,000                   | \$152,020             | \$13,120                        | 9.45%                         |
| *                               | <b>Maintenance &amp; Repair</b> | \$5,500                                | \$5,500                     | \$6,500               | \$1,000                         | 18.18%                        |
| *                               | <b>Rentals</b>                  | \$14,379                               | \$14,400                    | \$11,000              | (\$3,379)                       | -23.50%                       |
| *                               | <b>Supplies</b>                 | \$31,891                               | \$32,291                    | \$36,700              | \$4,809                         | 15.08%                        |
| *                               | <b>Minor Capital Items</b>      | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| *                               | <b>Utilities</b>                | \$12,140                               | \$12,140                    | \$12,200              | \$60                            | 0.49%                         |
| *                               | <b>Capital Outlay</b>           | \$0                                    | \$96,000                    | \$0                   | \$0                             | ---                           |
| **                              | <b>Island Services</b>          | <b>\$689,311</b>                       | <b>\$784,806</b>            | <b>\$757,211</b>      | <b>\$67,900</b>                 | <b>9.85%</b>                  |

**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                              |                                         | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|--------------------------------------------------|-----------------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Traffic &amp; Transportation Ops 10031208</b> |                                         |                                        |                             |                       |                                 |                               |
| *                                                | Payroll                                 | \$517,354                              | \$425,000                   | \$537,099             | \$19,745                        | 3.82%                         |
| *                                                | Benefits                                | \$8,350                                | \$7,810                     | \$8,350               | \$0                             | 0.00%                         |
| *                                                | Administrative Svcs                     | \$3,765                                | \$4,215                     | \$4,215               | \$450                           | 11.95%                        |
| *                                                | Contractual Services                    | \$239,265                              | \$239,265                   | \$311,330             | \$72,065                        | 30.12%                        |
| *                                                | Maintenance & Repair                    | \$67,375                               | \$67,375                    | \$81,549              | \$14,174                        | 21.04%                        |
| *                                                | Supplies                                | \$132,946                              | \$132,946                   | \$135,646             | \$2,700                         | 2.03%                         |
| *                                                | Minor Capital Items                     | \$0                                    | \$0                         | \$30,275              | \$30,275                        | ---                           |
| *                                                | Utilities                               | \$438,844                              | \$453,844                   | \$438,844             | \$0                             | 0.00%                         |
| *                                                | Capital Outlay                          | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| **                                               | <b>Traffic &amp; Transportation Ops</b> | <b>\$1,407,899</b>                     | <b>\$1,330,455</b>          | <b>\$1,547,308</b>    | <b>\$139,409</b>                | <b>9.90%</b>                  |

**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                        |                                   | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|--------------------------------------------|-----------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Transportation Engineering 10031302</b> |                                   |                                        |                             |                       |                                 |                               |
| *                                          | Payroll                           | \$400,318                              | \$392,000                   | \$401,680             | \$1,362                         | 0.34%                         |
| *                                          | Benefits                          | \$3,640                                | \$3,000                     | \$3,640               | \$0                             | 0.00%                         |
| *                                          | Administrative Svcs               | \$11,070                               | \$6,000                     | \$12,265              | \$1,195                         | 10.79%                        |
| *                                          | Contractual Services              | \$12,750                               | \$10,675                    | \$12,750              | \$0                             | 0.00%                         |
| *                                          | Maintenance & Repair              | \$5,000                                | \$26,588                    | \$5,000               | \$0                             | 0.00%                         |
| *                                          | Rentals                           | \$0                                    | \$250                       | \$0                   | \$0                             | ---                           |
| *                                          | Supplies                          | \$6,000                                | \$23,100                    | \$6,550               | \$550                           | 9.17%                         |
| *                                          | Minor Capital Items               | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| *                                          | Utilities                         | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| **                                         | <b>Transportation Engineering</b> | <b>\$438,778</b>                       | <b>\$461,613</b>            | <b>\$441,885</b>      | <b>\$3,107</b>                  | <b>0.71%</b>                  |

**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION         |                      | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|-----------------------------|----------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Engineering 10031303</b> |                      |                                        |                             |                       |                                 |                               |
| *                           | Payroll              | \$1,149,176                            | \$1,112,800                 | \$1,208,102           | \$58,926                        | 5.13%                         |
| *                           | Benefits             | \$3,300                                | \$3,300                     | \$3,300               | \$0                             | 0.00%                         |
| *                           | Administrative Svcs  | \$7,550                                | \$4,000                     | \$10,190              | \$2,640                         | 34.97%                        |
| *                           | Contractual Services | \$29,748                               | \$13,850                    | \$29,750              | \$2                             | 0.01%                         |
| *                           | Maintenance & Repair | \$2,150                                | \$2,000                     | \$2,150               | \$0                             | 0.00%                         |
| *                           | Rentals              | \$1,560                                | \$1,560                     | \$1,560               | \$0                             | 0.00%                         |
| *                           | Supplies             | \$13,200                               | \$12,250                    | \$13,200              | \$0                             | 0.00%                         |
| *                           | Utilities            | \$192                                  | \$350                       | \$192                 | \$0                             | 0.00%                         |
| *                           | Capital Outlay       | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| **                          | <b>Engineering</b>   | <b>\$1,206,876</b>                     | <b>\$1,150,110</b>          | <b>\$1,268,444</b>    | <b>\$61,568</b>                 | <b>5.10%</b>                  |

**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION            |                      | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|--------------------------------|----------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Fleet Services 10031400</b> |                      |                                        |                             |                       |                                 |                               |
| *                              | Payroll              | \$1,496,719                            | \$1,370,000                 | \$1,502,972           | \$6,253                         | 0.42%                         |
| *                              | Benefits             | \$32,760                               | \$30,860                    | \$32,400              | (\$360)                         | -1.10%                        |
| *                              | Administrative Svcs  | \$6,772                                | \$6,772                     | \$7,250               | \$478                           | 7.06%                         |
| *                              | Contractual Services | \$4,855                                | \$6,500                     | \$1,522               | (\$3,333)                       | -68.65%                       |
| *                              | Maintenance & Repair | \$1,269,500                            | \$1,386,707                 | \$1,273,000           | \$3,500                         | 0.28%                         |
| *                              | Rentals              | \$10,480                               | \$10,480                    | \$10,480              | \$0                             | 0.00%                         |
| *                              | Supplies             | \$560,063                              | \$539,737                   | \$724,502             | \$164,439                       | 29.36%                        |
| *                              | Minor Capital Items  | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| *                              | Utilities            | \$0                                    | \$300                       | \$0                   | \$0                             | ---                           |
| *                              | Capital Outlay       | \$0                                    | \$78,000                    | \$0                   | \$0                             | ---                           |
| **                             | Fleet Services       | \$3,381,149                            | \$3,429,356                 | \$3,552,126           | \$170,977                       | 5.06%                         |
| ****                           | Public Works         | \$13,655,734                           | \$13,689,522                | \$14,451,623          | \$795,889                       | 5.83%                         |

**CITY OF PORTLAND, ME  
FY22 DEPARTMENT ORG NET REPORT**

| ACCOUNT DESCRIPTION                              | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY221 / FY21 |
|--------------------------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|--------------------------------|
| <b>General Fund</b>                              |                                        |                             |                       |                                 |                                |
| <b>Parks, Rec &amp; Facilities 33</b>            |                                        |                             |                       |                                 |                                |
| 10033000 Total REVENUE                           | \$0                                    | \$0                         | (\$1,500,000)         | (\$1,500,000)                   | ---                            |
| <b>** Parks &amp; Recreation Department NET</b>  | <b>\$0</b>                             | <b>\$0</b>                  | <b>(\$1,500,000)</b>  | <b>(\$1,500,000)</b>            | <b>---</b>                     |
| <b>*** Parks &amp; Recreation</b>                | <b>\$0</b>                             | <b>\$0</b>                  | <b>(\$1,500,000)</b>  | <b>(\$1,500,000)</b>            | <b>---</b>                     |
| 10033100 Total EXPENDITURE                       | \$483,407                              | \$453,723                   | \$418,208             | (\$65,199)                      | -13.49%                        |
| <b>** Parks Rec &amp; Fac Administration NET</b> | <b>\$483,407</b>                       | <b>\$453,723</b>            | <b>\$418,208</b>      | <b>(\$65,199)</b>               | <b>-13.49%</b>                 |
| 10033202 Total EXPENDITURE                       | \$847,077                              | \$755,328                   | \$819,594             | (\$27,483)                      | -3.24%                         |
| 10033202 Total REVENUE                           | (\$161,680)                            | (\$106,083)                 | (\$109,180)           | \$52,500                        | -32.47%                        |
| <b>** Parks NET</b>                              | <b>\$685,397</b>                       | <b>\$649,245</b>            | <b>\$710,414</b>      | <b>\$25,017</b>                 | <b>3.65%</b>                   |
| 10033203 Total EXPENDITURE                       | \$727,060                              | \$657,271                   | \$771,079             | \$44,019                        | 6.05%                          |
| 10033203 Total REVENUE                           | (\$34,900)                             | (\$10,000)                  | (\$9,900)             | \$25,000                        | -71.63%                        |
| <b>** Forestry NET</b>                           | <b>\$692,160</b>                       | <b>\$647,271</b>            | <b>\$761,179</b>      | <b>\$69,019</b>                 | <b>9.97%</b>                   |
| 10033204 Total EXPENDITURE                       | \$912,822                              | \$778,586                   | \$919,875             | \$7,053                         | 0.77%                          |
| 10033204 Total REVENUE                           | (\$245,882)                            | (\$264,577)                 | (\$327,698)           | (\$81,816)                      | 33.27%                         |
| <b>** Athletic Facilities NET</b>                | <b>\$666,940</b>                       | <b>\$514,009</b>            | <b>\$592,177</b>      | <b>(\$74,763)</b>               | <b>-11.21%</b>                 |
| 10033205 Total EXPENDITURE                       | \$784,163                              | \$733,975                   | \$823,303             | \$39,140                        | 4.99%                          |
| 10033205 Total REVENUE                           | (\$691,234)                            | (\$641,877)                 | (\$742,154)           | (\$50,920)                      | 7.37%                          |
| <b>** Cemeteries NET</b>                         | <b>\$92,929</b>                        | <b>\$92,098</b>             | <b>\$81,149</b>       | <b>(\$11,780)</b>               | <b>-12.68%</b>                 |
| <b>*** Parks Division</b>                        | <b>\$2,137,426</b>                     | <b>\$1,902,623</b>          | <b>\$2,144,919</b>    | <b>\$7,493</b>                  | <b>0.35%</b>                   |
| 10033302 Total EXPENDITURE                       | \$1,425,500                            | \$1,099,712                 | \$1,510,842           | \$85,342                        | 5.99%                          |
| 10033302 Total REVENUE                           | (\$1,155,517)                          | (\$784,224)                 | (\$1,199,355)         | (\$43,838)                      | 3.79%                          |
| <b>** Recreation NET</b>                         | <b>\$269,983</b>                       | <b>\$315,488</b>            | <b>\$311,487</b>      | <b>\$41,504</b>                 | <b>15.37%</b>                  |
| 10033303 Total EXPENDITURE                       | \$470,351                              | \$437,885                   | \$542,260             | \$71,909                        | 15.29%                         |
| 10033303 Total REVENUE                           | (\$262,064)                            | (\$166,113)                 | (\$233,420)           | \$28,644                        | -10.93%                        |
| <b>** Aquatics NET</b>                           | <b>\$208,287</b>                       | <b>\$271,772</b>            | <b>\$308,840</b>      | <b>\$100,553</b>                | <b>48.28%</b>                  |
| 10033304 Total EXPENDITURE                       | \$991,379                              | \$1,042,366                 | \$1,008,813           | \$17,434                        | 1.76%                          |
| 10033304 Total REVENUE                           | (\$1,074,725)                          | (\$1,365,532)               | (\$1,217,064)         | (\$142,339)                     | 13.24%                         |
| <b>** Riverside Golf Course NET</b>              | <b>(\$83,346)</b>                      | <b>(\$323,166)</b>          | <b>(\$208,251)</b>    | <b>(\$124,905)</b>              | <b>-149.86%</b>                |
| 10033305 Total EXPENDITURE                       | \$227,699                              | \$167,080                   | \$19,660              | (\$208,039)                     | -91.37%                        |
| 10033305 Total REVENUE                           | (\$192,500)                            | (\$133,274)                 | (\$24,160)            | \$168,340                       | -87.45%                        |
| <b>** Golf Course Restaurant NET</b>             | <b>\$35,199</b>                        | <b>\$33,806</b>             | <b>(\$4,500)</b>      | <b>(\$39,699)</b>               | <b>-112.78%</b>                |
| 10033306 Total EXPENDITURE                       | \$551,074                              | \$393,478                   | \$522,891             | (\$28,183)                      | -5.11%                         |

**CITY OF PORTLAND, ME  
FY22 DEPARTMENT ORG NET REPORT**

| ACCOUNT DESCRIPTION                         | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY221 / FY21 |
|---------------------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|--------------------------------|
| 10033306 Total REVENUE                      | (\$574,095)                            | (\$217,002)                 | (\$532,375)           | \$41,720                        | -7.27%                         |
| <b>** Ice Arena NET</b>                     | <b>(\$23,021)</b>                      | <b>\$176,476</b>            | <b>(\$9,484)</b>      | <b>\$13,537</b>                 | <b>58.80%</b>                  |
| <b>*** Recreation Division</b>              | <b>\$407,102</b>                       | <b>\$474,376</b>            | <b>\$398,092</b>      | <b>(\$9,010)</b>                | <b>-2.21%</b>                  |
| 10033401 Total EXPENDITURE                  | \$610,039                              | \$411,911                   | \$472,515             | (\$137,524)                     | -22.54%                        |
| 10033401 Total REVENUE                      | (\$698,670)                            | (\$129,483)                 | (\$610,370)           | \$88,300                        | -12.64%                        |
| <b>** Public Assemblies Admin NET</b>       | <b>(\$88,631)</b>                      | <b>\$282,428</b>            | <b>(\$137,855)</b>    | <b>(\$49,224)</b>               | <b>-55.54%</b>                 |
| 10033402 Total EXPENDITURE                  | \$369,979                              | \$122,947                   | \$389,405             | \$19,426                        | 5.25%                          |
| 10033402 Total REVENUE                      | (\$441,633)                            | (\$10,000)                  | (\$389,750)           | \$51,883                        | -11.75%                        |
| <b>** Concessions NET</b>                   | <b>(\$71,654)</b>                      | <b>\$112,947</b>            | <b>(\$345)</b>        | <b>\$71,309</b>                 | <b>99.52%</b>                  |
| 10033404 Total EXPENDITURE                  | \$814,505                              | \$743,062                   | \$878,807             | \$64,302                        | 7.89%                          |
| <b>** Custodial Services NET</b>            | <b>\$814,505</b>                       | <b>\$743,062</b>            | <b>\$878,807</b>      | <b>\$64,302</b>                 | <b>7.89%</b>                   |
| 10033405 Total EXPENDITURE                  | \$109,414                              | \$87,874                    | \$93,732              | (\$15,682)                      | -14.33%                        |
| 10033405 Total REVENUE                      | (\$296,080)                            | (\$84,418)                  | (\$382,267)           | (\$86,187)                      | 29.11%                         |
| <b>** Merrill Auditorium NET</b>            | <b>(\$186,666)</b>                     | <b>\$3,456</b>              | <b>(\$288,535)</b>    | <b>(\$101,869)</b>              | <b>-54.57%</b>                 |
| <b>*** Public Assemblies</b>                | <b>\$467,554</b>                       | <b>\$1,141,893</b>          | <b>\$452,072</b>      | <b>(\$15,482)</b>               | <b>-3.31%</b>                  |
| <b>**** Parks, Rec &amp; Facilities Net</b> | <b>\$3,495,489</b>                     | <b>\$3,972,615</b>          | <b>\$1,913,291</b>    | <b>(\$1,582,198)</b>            | <b>-45.26%</b>                 |



**CITY OF PORTLAND, ME**  
**FY22 DEPARTMENT CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                   |                                    | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|---------------------------------------|------------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>General Fund</b>                   |                                    |                                        |                             |                       |                                 |                               |
| <b>Parks, Rec &amp; Facilities 33</b> |                                    |                                        |                             |                       |                                 |                               |
| *                                     | Payroll                            | \$6,796,251                            | \$5,959,085                 | \$6,783,631           | (\$12,620)                      | -0.19%                        |
| *                                     | Benefits                           | \$74,489                               | \$74,338                    | \$68,729              | (\$5,760)                       | -7.73%                        |
| *                                     | Administrative Svcs                | \$51,409                               | \$45,195                    | \$64,266              | \$12,857                        | 25.01%                        |
| *                                     | Contractual Services               | \$459,685                              | \$371,278                   | \$488,439             | \$28,754                        | 6.26%                         |
| *                                     | Maintenance & Repair               | \$144,089                              | \$131,776                   | \$183,345             | \$39,256                        | 27.24%                        |
| *                                     | Rentals                            | \$272,502                              | \$267,889                   | \$238,793             | (\$33,709)                      | -12.37%                       |
| *                                     | Supplies                           | \$1,001,124                            | \$648,773                   | \$891,247             | (\$109,877)                     | -10.98%                       |
| *                                     | Minor Capital Items                | \$90,480                               | \$10,221                    | \$24,800              | (\$65,680)                      | -72.59%                       |
| *                                     | Utilities                          | \$424,440                              | \$367,205                   | \$434,734             | \$10,294                        | 2.43%                         |
| *                                     | Capital Outlay                     | \$10,000                               | \$9,438                     | \$13,000              | \$3,000                         | 30.00%                        |
| ****                                  | <b>Parks, Rec &amp; Facilities</b> | <b>\$9,324,469</b>                     | <b>\$7,885,198</b>          | <b>\$9,190,984</b>    | <b>(\$133,485)</b>              | <b>-1.43%</b>                 |

**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                                |                                           | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|----------------------------------------------------|-------------------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Parks, Rec &amp; Facilities 33</b>              |                                           |                                        |                             |                       |                                 |                               |
| <b>Parks Rec &amp; Fac Administration 10033100</b> |                                           |                                        |                             |                       |                                 |                               |
| *                                                  | Payroll                                   | \$454,796                              | \$424,040                   | \$373,270             | (\$81,526)                      | -17.93%                       |
| *                                                  | Benefits                                  | \$600                                  | \$600                       | \$600                 | \$0                             | 0.00%                         |
| *                                                  | Administrative Svcs                       | \$12,118                               | \$13,034                    | \$15,750              | \$3,632                         | 29.97%                        |
| *                                                  | Contractual Services                      | \$9,673                                | \$10,080                    | \$15,868              | \$6,195                         | 64.04%                        |
| *                                                  | Rentals                                   | \$2,520                                | \$2,328                     | \$2,520               | \$0                             | 0.00%                         |
| *                                                  | Supplies                                  | \$3,700                                | \$3,641                     | \$10,200              | \$6,500                         | 175.68%                       |
| **                                                 | <b>Parks Rec &amp; Fac Administration</b> | <b>\$483,407</b>                       | <b>\$453,723</b>            | <b>\$418,208</b>      | <b>(\$65,199)</b>               | <b>-13.49%</b>                |

**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION   |                                 | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|-----------------------|---------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Parks 10033202</b> |                                 |                                        |                             |                       |                                 |                               |
| *                     | <b>Payroll</b>                  | \$613,096                              | \$547,489                   | \$589,169             | (\$23,927)                      | -3.90%                        |
| *                     | <b>Benefits</b>                 | \$13,180                               | \$15,700                    | \$9,900               | (\$3,280)                       | -24.89%                       |
| *                     | <b>Administrative Svcs</b>      | \$2,025                                | \$1,560                     | \$2,025               | \$0                             | 0.00%                         |
| *                     | <b>Contractual Services</b>     | \$46,700                               | \$46,752                    | \$46,700              | \$0                             | 0.00%                         |
| *                     | <b>Maintenance &amp; Repair</b> | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| *                     | <b>Rentals</b>                  | \$24,000                               | \$24,000                    | \$24,000              | \$0                             | 0.00%                         |
| *                     | <b>Supplies</b>                 | \$70,000                               | \$68,491                    | \$72,500              | \$2,500                         | 3.57%                         |
| *                     | <b>Minor Capital Items</b>      | \$7,500                                | \$7,501                     | \$7,500               | \$0                             | 0.00%                         |
| *                     | <b>Utilities</b>                | \$70,576                               | \$43,835                    | \$67,800              | (\$2,776)                       | -3.93%                        |
| *                     | <b>Capital Outlay</b>           | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| **                    | <b>Parks</b>                    | <b>\$847,077</b>                       | <b>\$755,328</b>            | <b>\$819,594</b>      | <b>(\$27,483)</b>               | <b>-3.24%</b>                 |

**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION      |                                 | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|--------------------------|---------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Forestry 10033203</b> |                                 |                                        |                             |                       |                                 |                               |
| *                        | <b>Payroll</b>                  | \$582,615                              | \$532,080                   | \$629,349             | \$46,734                        | 8.02%                         |
| *                        | <b>Benefits</b>                 | \$9,375                                | \$6,678                     | \$10,335              | \$960                           | 10.24%                        |
| *                        | <b>Administrative Svcs</b>      | \$5,505                                | \$2,394                     | \$5,505               | \$0                             | 0.00%                         |
| *                        | <b>Contractual Services</b>     | \$68,300                               | \$68,684                    | \$74,300              | \$6,000                         | 8.78%                         |
| *                        | <b>Maintenance &amp; Repair</b> | \$1,700                                | \$1,700                     | \$1,700               | \$0                             | 0.00%                         |
| *                        | <b>Supplies</b>                 | \$59,565                               | \$45,735                    | \$44,690              | (\$14,875)                      | -24.97%                       |
| *                        | <b>Minor Capital Items</b>      | \$0                                    | \$0                         | \$5,200               | \$5,200                         | ---                           |
| **                       | <b>Forestry</b>                 | <b>\$727,060</b>                       | <b>\$657,271</b>            | <b>\$771,079</b>      | <b>\$44,019</b>                 | <b>6.05%</b>                  |

**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                 |                            | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|-------------------------------------|----------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Athletic Facilities 10033204</b> |                            |                                        |                             |                       |                                 |                               |
| *                                   | Payroll                    | \$617,150                              | \$493,216                   | \$614,602             | (\$2,548)                       | -0.41%                        |
| *                                   | Benefits                   | \$8,520                                | \$18,897                    | \$8,640               | \$120                           | 1.41%                         |
| *                                   | Administrative Svcs        | \$3,700                                | \$1,757                     | \$3,700               | \$0                             | 0.00%                         |
| *                                   | Contractual Services       | \$25,550                               | \$21,220                    | \$17,750              | (\$7,800)                       | -30.53%                       |
| *                                   | Maintenance & Repair       | \$13,750                               | \$13,551                    | \$18,000              | \$4,250                         | 30.91%                        |
| *                                   | Rentals                    | \$89,952                               | \$85,293                    | \$44,484              | (\$45,468)                      | -50.55%                       |
| *                                   | Supplies                   | \$95,200                               | \$90,721                    | \$144,299             | \$49,099                        | 51.57%                        |
| *                                   | Minor Capital Items        | \$0                                    | \$0                         | \$9,400               | \$9,400                         | ---                           |
| *                                   | Utilities                  | \$59,000                               | \$53,931                    | \$59,000              | \$0                             | 0.00%                         |
| *                                   | Capital Outlay             | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| **                                  | <b>Athletic Facilities</b> | <b>\$912,822</b>                       | <b>\$778,586</b>            | <b>\$919,875</b>      | <b>\$7,053</b>                  | <b>0.77%</b>                  |

**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION        |                      | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|----------------------------|----------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Cemeteries 10033205</b> |                      |                                        |                             |                       |                                 |                               |
| *                          | Payroll              | \$643,704                              | \$602,110                   | \$647,143             | \$3,439                         | 0.53%                         |
| *                          | Benefits             | \$5,974                                | \$4,084                     | \$5,974               | \$0                             | 0.00%                         |
| *                          | Administrative Svcs  | \$1,230                                | \$1,272                     | \$1,380               | \$150                           | 12.20%                        |
| *                          | Contractual Services | \$26,622                               | \$25,506                    | \$29,172              | \$2,550                         | 9.58%                         |
| *                          | Maintenance & Repair | \$26,269                               | \$24,261                    | \$54,070              | \$27,801                        | 105.83%                       |
| *                          | Rentals              | \$7,350                                | \$7,448                     | \$7,350               | \$0                             | 0.00%                         |
| *                          | Supplies             | \$53,350                               | \$52,344                    | \$55,550              | \$2,200                         | 4.12%                         |
| *                          | Minor Capital Items  | \$2,700                                | \$2,700                     | \$2,700               | \$0                             | 0.00%                         |
| *                          | Utilities            | \$6,964                                | \$4,812                     | \$6,964               | \$0                             | 0.00%                         |
| *                          | Capital Outlay       | \$10,000                               | \$9,438                     | \$13,000              | \$3,000                         | 30.00%                        |
| **                         | <b>Cemeteries</b>    | <b>\$784,163</b>                       | <b>\$733,975</b>            | <b>\$823,303</b>      | <b>\$39,140</b>                 | <b>4.99%</b>                  |

**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION        |                             | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|----------------------------|-----------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Recreation 10033302</b> |                             |                                        |                             |                       |                                 |                               |
| *                          | <b>Payroll</b>              | \$1,239,898                            | \$1,013,159                 | \$1,277,696           | \$37,798                        | 3.05%                         |
| *                          | <b>Benefits</b>             | \$12,830                               | \$10,830                    | \$12,830              | \$0                             | 0.00%                         |
| *                          | <b>Administrative Svcs</b>  | \$11,460                               | \$10,186                    | \$19,910              | \$8,450                         | 73.73%                        |
| *                          | <b>Contractual Services</b> | \$110,420                              | \$40,387                    | \$119,800             | \$9,380                         | 8.49%                         |
| *                          | <b>Rentals</b>              | \$4,160                                | \$3,638                     | \$34,660              | \$30,500                        | 733.17%                       |
| *                          | <b>Supplies</b>             | \$42,892                               | \$17,672                    | \$42,106              | (\$786)                         | -1.83%                        |
| *                          | <b>Minor Capital Items</b>  | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| *                          | <b>Utilities</b>            | \$3,840                                | \$3,840                     | \$3,840               | \$0                             | 0.00%                         |
| **                         | <b>Recreation</b>           | <b>\$1,425,500</b>                     | <b>\$1,099,712</b>          | <b>\$1,510,842</b>    | <b>\$85,342</b>                 | <b>5.99%</b>                  |

**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION      |                                 | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|--------------------------|---------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Aquatics 10033303</b> |                                 |                                        |                             |                       |                                 |                               |
| *                        | <b>Payroll</b>                  | \$388,910                              | \$357,498                   | \$454,849             | \$65,939                        | 16.95%                        |
| *                        | <b>Benefits</b>                 | \$2,200                                | \$1,925                     | \$2,960               | \$760                           | 34.55%                        |
| *                        | <b>Administrative Svcs</b>      | \$2,191                                | \$2,017                     | \$2,691               | \$500                           | 22.82%                        |
| *                        | <b>Contractual Services</b>     | \$31,600                               | \$31,297                    | \$27,110              | (\$4,490)                       | -14.21%                       |
| *                        | <b>Maintenance &amp; Repair</b> | \$1,700                                | \$1,698                     | \$2,100               | \$400                           | 23.53%                        |
| *                        | <b>Rentals</b>                  | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| *                        | <b>Supplies</b>                 | \$27,900                               | \$27,901                    | \$35,700              | \$7,800                         | 27.96%                        |
| *                        | <b>Utilities</b>                | \$15,850                               | \$15,549                    | \$16,850              | \$1,000                         | 6.31%                         |
| **                       | <b>Aquatics</b>                 | <b>\$470,351</b>                       | <b>\$437,885</b>            | <b>\$542,260</b>      | <b>\$71,909</b>                 | <b>15.29%</b>                 |



**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                   |                                 | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|---------------------------------------|---------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Riverside Golf Course 10033304</b> |                                 |                                        |                             |                       |                                 |                               |
| *                                     | <b>Payroll</b>                  | \$488,511                              | \$527,001                   | \$519,631             | \$31,120                        | 6.37%                         |
| *                                     | <b>Benefits</b>                 | \$5,060                                | \$5,060                     | \$4,880               | (\$180)                         | -3.56%                        |
| *                                     | <b>Administrative Svcs</b>      | \$3,145                                | \$3,145                     | \$3,145               | \$0                             | 0.00%                         |
| *                                     | <b>Contractual Services</b>     | \$48,580                               | \$53,580                    | \$50,080              | \$1,500                         | 3.09%                         |
| *                                     | <b>Maintenance &amp; Repair</b> | \$42,500                               | \$40,000                    | \$42,500              | \$0                             | 0.00%                         |
| *                                     | <b>Rentals</b>                  | \$134,345                              | \$134,345                   | \$122,519             | (\$11,826)                      | -8.80%                        |
| *                                     | <b>Supplies</b>                 | \$192,378                              | \$200,772                   | \$190,128             | (\$2,250)                       | -1.17%                        |
| *                                     | <b>Minor Capital Items</b>      | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| *                                     | <b>Utilities</b>                | \$76,860                               | \$78,463                    | \$75,930              | (\$930)                         | -1.21%                        |
| **                                    | <b>Riverside Golf Course</b>    | <b>\$991,379</b>                       | <b>\$1,042,366</b>          | <b>\$1,008,813</b>    | <b>\$17,434</b>                 | <b>1.76%</b>                  |

**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                    |                               | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|----------------------------------------|-------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Golf Course Restaurant 10033305</b> |                               |                                        |                             |                       |                                 |                               |
| *                                      | Payroll                       | \$110,118                              | \$82,308                    | \$0                   | (\$110,118)                     | -100.00%                      |
| *                                      | Benefits                      | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| *                                      | Administrative Svcs           | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| *                                      | Contractual Services          | \$7,826                                | \$2,880                     | \$0                   | (\$7,826)                       | -100.00%                      |
| *                                      | Maintenance & Repair          | \$2,770                                | \$4,995                     | \$7,500               | \$4,730                         | 170.76%                       |
| *                                      | Rentals                       | \$7,935                                | \$8,597                     | \$2,160               | (\$5,775)                       | -72.78%                       |
| *                                      | Supplies                      | \$90,050                               | \$59,300                    | \$1,000               | (\$89,050)                      | -98.89%                       |
| *                                      | Utilities                     | \$9,000                                | \$9,000                     | \$9,000               | \$0                             | 0.00%                         |
| **                                     | <b>Golf Course Restaurant</b> | <b>\$227,699</b>                       | <b>\$167,080</b>            | <b>\$19,660</b>       | <b>(\$208,039)</b>              | <b>-91.37%</b>                |

**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION       |                      | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|---------------------------|----------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Ice Arena 10033306</b> |                      |                                        |                             |                       |                                 |                               |
| *                         | Payroll              | \$287,889                              | \$191,794                   | \$262,737             | (\$25,152)                      | -8.74%                        |
| *                         | Benefits             | \$4,560                                | \$510                       | \$1,400               | (\$3,160)                       | -69.30%                       |
| *                         | Administrative Svcs  | \$895                                  | \$695                       | \$895                 | \$0                             | 0.00%                         |
| *                         | Contractual Services | \$14,240                               | \$13,080                    | \$15,190              | \$950                           | 6.67%                         |
| *                         | Maintenance & Repair | \$28,200                               | \$18,973                    | \$25,275              | (\$2,925)                       | -10.37%                       |
| *                         | Rentals              | \$2,240                                | \$2,240                     | \$1,100               | (\$1,140)                       | -50.89%                       |
| *                         | Supplies             | \$32,300                               | \$9,263                     | \$22,544              | (\$9,756)                       | -30.20%                       |
| *                         | Minor Capital Items  | \$0                                    | \$20                        | \$0                   | \$0                             | ---                           |
| *                         | Utilities            | \$180,750                              | \$156,903                   | \$193,750             | \$13,000                        | 7.19%                         |
| **                        | <b>Ice Arena</b>     | <b>\$551,074</b>                       | <b>\$393,478</b>            | <b>\$522,891</b>      | <b>(\$28,183)</b>               | <b>-5.11%</b>                 |

**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                     |                         | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|-----------------------------------------|-------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Public Assemblies Admin 10033401</b> |                         |                                        |                             |                       |                                 |                               |
| *                                       | Payroll                 | \$440,084                              | \$367,056                   | \$409,665             | (\$30,419)                      | -6.91%                        |
| *                                       | Benefits                | \$2,790                                | \$1,530                     | \$1,560               | (\$1,230)                       | -44.09%                       |
| *                                       | Administrative Svcs     | \$6,025                                | \$6,205                     | \$6,150               | \$125                           | 2.07%                         |
| *                                       | Contractual Services    | \$33,820                               | \$33,820                    | \$44,740              | \$10,920                        | 32.29%                        |
| *                                       | Maintenance & Repair    | \$600                                  | \$0                         | \$600                 | \$0                             | 0.00%                         |
| *                                       | Rentals                 | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| *                                       | Supplies                | \$45,640                               | \$2,500                     | \$9,000               | (\$36,640)                      | -80.28%                       |
| *                                       | Minor Capital Items     | \$80,280                               | \$0                         | \$0                   | (\$80,280)                      | -100.00%                      |
| *                                       | Utilities               | \$800                                  | \$800                       | \$800                 | \$0                             | 0.00%                         |
| **                                      | Public Assemblies Admin | \$610,039                              | \$411,911                   | \$472,515             | (\$137,524)                     | -22.54%                       |

**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION         |                      | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|-----------------------------|----------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Concessions 10033402</b> |                      |                                        |                             |                       |                                 |                               |
| *                           | Payroll              | \$146,684                              | \$97,667                    | \$193,110             | \$46,426                        | 31.65%                        |
| *                           | Benefits             | \$1,580                                | \$1,100                     | \$1,800               | \$220                           | 13.92%                        |
| *                           | Administrative Svcs  | \$3,115                                | \$2,815                     | \$3,115               | \$0                             | 0.00%                         |
| *                           | Contractual Services | \$15,280                               | \$9,043                     | \$15,680              | \$400                           | 2.62%                         |
| *                           | Maintenance & Repair | \$7,600                                | \$7,600                     | \$9,100               | \$1,500                         | 19.74%                        |
| *                           | Supplies             | \$194,920                              | \$4,650                     | \$165,800             | (\$29,120)                      | -14.94%                       |
| *                           | Minor Capital Items  | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| *                           | Utilities            | \$800                                  | \$72                        | \$800                 | \$0                             | 0.00%                         |
| **                          | Concessions          | \$369,979                              | \$122,947                   | \$389,405             | \$19,426                        | 5.25%                         |

**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                |                                 | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|------------------------------------|---------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Custodial Services 10033404</b> |                                 |                                        |                             |                       |                                 |                               |
| *                                  | <b>Payroll</b>                  | \$708,552                              | \$659,378                   | \$748,903             | \$40,351                        | 5.69%                         |
| *                                  | <b>Benefits</b>                 | \$7,340                                | \$6,944                     | \$7,690               | \$350                           | 4.77%                         |
| *                                  | <b>Administrative Svcs</b>      | \$0                                    | \$115                       | \$0                   | \$0                             | ---                           |
| *                                  | <b>Contractual Services</b>     | \$12,384                               | \$13,383                    | \$27,984              | \$15,600                        | 125.97%                       |
| *                                  | <b>Maintenance &amp; Repair</b> | \$2,000                                | \$1,998                     | \$5,500               | \$3,500                         | 175.00%                       |
| *                                  | <b>Supplies</b>                 | \$84,229                               | \$61,244                    | \$88,730              | \$4,501                         | 5.34%                         |
| *                                  | <b>Capital Outlay</b>           | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| **                                 | <b>Custodial Services</b>       | <b>\$814,505</b>                       | <b>\$743,062</b>            | <b>\$878,807</b>      | <b>\$64,302</b>                 | <b>7.89%</b>                  |

**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                |                         | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|------------------------------------|-------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Merrill Auditorium 10033405</b> |                         |                                        |                             |                       |                                 |                               |
| *                                  | Payroll                 | \$74,244                               | \$64,289                    | \$63,507              | (\$10,737)                      | -14.46%                       |
| *                                  | Benefits                | \$480                                  | \$480                       | \$160                 | (\$320)                         | -66.67%                       |
| *                                  | Contractual Services    | \$8,690                                | \$1,566                     | \$4,065               | (\$4,625)                       | -53.22%                       |
| *                                  | Maintenance & Repair    | \$17,000                               | \$17,000                    | \$17,000              | \$0                             | 0.00%                         |
| *                                  | Rentals                 | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| *                                  | Supplies                | \$9,000                                | \$4,539                     | \$9,000               | \$0                             | 0.00%                         |
| *                                  | Minor Capital Items     | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| *                                  | Utilities               | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| **                                 | Merrill Auditorium      | \$109,414                              | \$87,874                    | \$93,732              | (\$15,682)                      | -14.33%                       |
| ****                               | Parks, Rec & Facilities | \$9,324,469                            | \$7,885,198                 | \$9,190,984           | (\$133,485)                     | -1.43%                        |

**CITY OF PORTLAND, ME  
FY22 DEPARTMENT ORG NET REPORT**

| ACCOUNT DESCRIPTION                              | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY221 / FY21 |
|--------------------------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|--------------------------------|
| <b>General Fund</b>                              |                                        |                             |                       |                                 |                                |
| <b>Public Buildings &amp; Waterfront 35</b>      |                                        |                             |                       |                                 |                                |
| 10035000 Total REVENUE                           | \$0                                    | \$0                         | (\$2,000,000)         | (\$2,000,000)                   | ---                            |
| <b>** Public Bldgs &amp; Waterfront Dept NET</b> | <b>\$0</b>                             | <b>\$0</b>                  | <b>(\$2,000,000)</b>  | <b>(\$2,000,000)</b>            | <b>---</b>                     |
| <b>*** Public Bldgs &amp; Waterfront</b>         | <b>\$0</b>                             | <b>\$0</b>                  | <b>(\$2,000,000)</b>  | <b>(\$2,000,000)</b>            | <b>---</b>                     |
| 10035100 Total EXPENDITURE                       | \$392,355                              | \$390,105                   | \$412,961             | \$20,606                        | 5.25%                          |
| <b>** PB &amp; Wtrfnt - Administration NET</b>   | <b>\$392,355</b>                       | <b>\$390,105</b>            | <b>\$412,961</b>      | <b>\$20,606</b>                 | <b>5.25%</b>                   |
| 10035101 Total EXPENDITURE                       | \$605,385                              | \$438,498                   | \$622,623             | \$17,238                        | 2.85%                          |
| 10035101 Total REVENUE                           | (\$25,000)                             | (\$25,000)                  | (\$25,000)            | \$0                             | 0.00%                          |
| <b>** PB &amp; Wtrfnt - Trades NET</b>           | <b>\$580,385</b>                       | <b>\$413,498</b>            | <b>\$597,623</b>      | <b>\$17,238</b>                 | <b>2.97%</b>                   |
| 10035102 Total EXPENDITURE                       | \$545,883                              | \$533,399                   | \$558,036             | \$12,153                        | 2.23%                          |
| 10035102 Total REVENUE                           | (\$560,847)                            | (\$533,399)                 | (\$558,036)           | \$2,811                         | -0.50%                         |
| <b>** PB &amp; Wtrfnt - School HVAC NET</b>      | <b>(\$14,964)</b>                      | <b>\$0</b>                  | <b>\$0</b>            | <b>\$14,964</b>                 | <b>100.00%</b>                 |
| <b>*** PB &amp; Wtrfnt - Admin</b>               | <b>\$957,776</b>                       | <b>\$803,603</b>            | <b>\$1,010,584</b>    | <b>\$52,808</b>                 | <b>5.51%</b>                   |
| 10035201 Total EXPENDITURE                       | \$298,405                              | \$243,005                   | \$299,905             | \$1,500                         | 0.50%                          |
| <b>** PB &amp; Wtrfnt - Public Safety NET</b>    | <b>\$298,405</b>                       | <b>\$243,005</b>            | <b>\$299,905</b>      | <b>\$1,500</b>                  | <b>0.50%</b>                   |
| 10035202 Total EXPENDITURE                       | \$562,250                              | \$536,500                   | \$649,284             | \$87,034                        | 15.48%                         |
| <b>** PB &amp; Wtrfnt - City Hall NET</b>        | <b>\$562,250</b>                       | <b>\$536,500</b>            | <b>\$649,284</b>      | <b>\$87,034</b>                 | <b>15.48%</b>                  |
| 10035203 Total EXPENDITURE                       | \$170,555                              | \$151,505                   | \$673,655             | \$503,100                       | 294.98%                        |
| <b>** PB &amp; Wtrfnt - Merrill (PB) NET</b>     | <b>\$170,555</b>                       | <b>\$151,505</b>            | <b>\$673,655</b>      | <b>\$503,100</b>                | <b>294.98%</b>                 |
| 10035204 Total EXPENDITURE                       | \$323,945                              | \$198,790                   | \$267,845             | (\$56,100)                      | -17.32%                        |
| 10035204 Total REVENUE                           | (\$348,000)                            | (\$210,000)                 | (\$338,000)           | \$10,000                        | -2.87%                         |
| <b>** PB &amp; Wtrfnt - Hadlock NET</b>          | <b>(\$24,055)</b>                      | <b>(\$11,210)</b>           | <b>(\$70,155)</b>     | <b>(\$46,100)</b>               | <b>-191.64%</b>                |
| 10035205 Total EXPENDITURE                       | \$254,100                              | \$205,580                   | \$207,020             | (\$47,080)                      | -18.53%                        |
| <b>** PB &amp; Wtrfnt - Expo NET</b>             | <b>\$254,100</b>                       | <b>\$205,580</b>            | <b>\$207,020</b>      | <b>(\$47,080)</b>               | <b>-18.53%</b>                 |
| 10035206 Total EXPENDITURE                       | \$416,850                              | \$385,600                   | \$418,400             | \$1,550                         | 0.37%                          |
| 10035206 Total REVENUE                           | \$0                                    | \$0                         | \$0                   | \$0                             | ---                            |
| <b>** PB &amp; Wtrfnt - Canco Rd NET</b>         | <b>\$416,850</b>                       | <b>\$385,600</b>            | <b>\$418,400</b>      | <b>\$1,550</b>                  | <b>0.37%</b>                   |
| 10035210 Total EXPENDITURE                       | \$275,271                              | \$225,855                   | \$272,614             | (\$2,657)                       | -0.97%                         |
| <b>** PB &amp; Wtrfnt - Other Bldgs NET</b>      | <b>\$275,271</b>                       | <b>\$225,855</b>            | <b>\$272,614</b>      | <b>(\$2,657)</b>                | <b>-0.97%</b>                  |
| <b>*** PB &amp; Wtrfnt - Buildings</b>           | <b>\$1,953,376</b>                     | <b>\$1,736,835</b>          | <b>\$2,450,723</b>    | <b>\$497,347</b>                | <b>25.46%</b>                  |
| 10035300 Total EXPENDITURE                       | \$1,234,185                            | \$1,046,585                 | \$1,135,799           | (\$98,386)                      | -7.97%                         |



**CITY OF PORTLAND, ME  
FY22 DEPARTMENT ORG NET REPORT**

| ACCOUNT DESCRIPTION    |                                              | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY221 / FY21 |
|------------------------|----------------------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|--------------------------------|
| 10035300 Total REVENUE |                                              | (\$687,026)                            | (\$682,214)                 | (\$674,315)           | \$12,711                        | -1.85%                         |
| <b>**</b>              | <b>PB &amp; Wtrfnt - Waterfront NET</b>      | <b>\$547,159</b>                       | <b>\$364,371</b>            | <b>\$461,484</b>      | <b>(\$85,675)</b>               | <b>-15.66%</b>                 |
| <b>****</b>            | <b>Public Buildings &amp; Waterfront Net</b> | <b>\$3,458,311</b>                     | <b>\$2,904,809</b>          | <b>\$1,922,791</b>    | <b>(\$1,535,520)</b>            | <b>-44.40%</b>                 |

**CITY OF PORTLAND, ME**  
**FY22 DEPARTMENT CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                         |                                          | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|---------------------------------------------|------------------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>General Fund</b>                         |                                          |                                        |                             |                       |                                 |                               |
| <b>Public Buildings &amp; Waterfront 35</b> |                                          |                                        |                             |                       |                                 |                               |
| *                                           | Payroll                                  | \$1,358,581                            | \$1,095,277                 | \$1,447,242           | \$88,661                        | 6.53%                         |
| *                                           | Benefits                                 | \$17,624                               | \$43,177                    | \$18,014              | \$390                           | 2.21%                         |
| *                                           | Administrative Svcs                      | \$31,090                               | \$16,890                    | \$20,290              | (\$10,800)                      | -34.74%                       |
| *                                           | Contractual Services                     | \$238,797                              | \$235,470                   | \$218,391             | (\$20,406)                      | -8.55%                        |
| *                                           | Maintenance & Repair                     | \$1,197,504                            | \$1,172,504                 | \$1,158,569           | (\$38,935)                      | -3.25%                        |
| *                                           | Rentals                                  | \$10,404                               | \$8,304                     | \$8,304               | (\$2,100)                       | -20.18%                       |
| *                                           | Supplies                                 | \$428,300                              | \$416,300                   | \$426,200             | (\$2,100)                       | -0.49%                        |
| *                                           | Minor Capital Items                      | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| *                                           | Utilities                                | \$1,651,884                            | \$1,247,500                 | \$1,606,132           | (\$45,752)                      | -2.77%                        |
| *                                           | Capital Outlay                           | \$145,000                              | \$120,000                   | \$615,000             | \$470,000                       | 324.14%                       |
| ****                                        | <b>Public Buildings &amp; Waterfront</b> | <b>\$5,079,184</b>                     | <b>\$4,355,422</b>          | <b>\$5,518,142</b>    | <b>\$438,958</b>                | <b>8.64%</b>                  |

**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                              |                                         | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|--------------------------------------------------|-----------------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Public Buildings &amp; Waterfront 35</b>      |                                         |                                        |                             |                       |                                 |                               |
| <b>PB &amp; Wtrfnt - Administration 10035100</b> |                                         |                                        |                             |                       |                                 |                               |
| *                                                | Payroll                                 | \$379,681                              | \$378,931                   | \$391,947             | \$12,266                        | 3.23%                         |
| *                                                | Benefits                                | \$3,320                                | \$3,320                     | \$3,160               | (\$160)                         | -4.82%                        |
| *                                                | Administrative Svcs                     | \$2,850                                | \$2,850                     | \$2,850               | \$0                             | 0.00%                         |
| *                                                | Contractual Services                    | \$500                                  | \$500                       | \$500                 | \$0                             | 0.00%                         |
| *                                                | Rentals                                 | \$3,504                                | \$3,504                     | \$3,504               | \$0                             | 0.00%                         |
| *                                                | Supplies                                | \$2,500                                | \$1,000                     | \$11,000              | \$8,500                         | 340.00%                       |
| **                                               | <b>PB &amp; Wtrfnt - Administration</b> | <b>\$392,355</b>                       | <b>\$390,105</b>            | <b>\$412,961</b>      | <b>\$20,606</b>                 | <b>5.25%</b>                  |

**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                      |                                 | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|------------------------------------------|---------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>PB &amp; Wtrfnt - Trades 10035101</b> |                                 |                                        |                             |                       |                                 |                               |
| *                                        | Payroll                         | \$580,995                              | \$389,305                   | \$598,883             | \$17,888                        | 3.08%                         |
| *                                        | Benefits                        | \$8,200                                | \$33,403                    | \$8,550               | \$350                           | 4.27%                         |
| *                                        | Administrative Svcs             | \$6,690                                | \$5,790                     | \$5,690               | (\$1,000)                       | -14.95%                       |
| *                                        | Contractual Services            | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| *                                        | Rentals                         | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| *                                        | Supplies                        | \$9,500                                | \$10,000                    | \$9,500               | \$0                             | 0.00%                         |
| **                                       | <b>PB &amp; Wtrfnt - Trades</b> | <b>\$605,385</b>                       | <b>\$438,498</b>            | <b>\$622,623</b>      | <b>\$17,238</b>                 | <b>2.85%</b>                  |

**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                           |                                      | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|-----------------------------------------------|--------------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>PB &amp; Wtrfnt - School HVAC 10035102</b> |                                      |                                        |                             |                       |                                 |                               |
| *                                             | Payroll                              | \$128,664                              | \$116,680                   | \$141,817             | \$13,153                        | 10.22%                        |
| *                                             | Benefits                             | \$2,030                                | \$2,030                     | \$2,030               | \$0                             | 0.00%                         |
| *                                             | Administrative Svcs                  | \$3,250                                | \$2,750                     | \$2,250               | (\$1,000)                       | -30.77%                       |
| *                                             | Contractual Services                 | \$12,600                               | \$12,600                    | \$12,600              | \$0                             | 0.00%                         |
| *                                             | Maintenance & Repair                 | \$214,339                              | \$214,339                   | \$214,339             | \$0                             | 0.00%                         |
| *                                             | Supplies                             | \$160,000                              | \$160,000                   | \$160,000             | \$0                             | 0.00%                         |
| *                                             | Minor Capital Items                  | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| *                                             | Capital Outlay                       | \$25,000                               | \$25,000                    | \$25,000              | \$0                             | 0.00%                         |
| **                                            | <b>PB &amp; Wtrfnt - School HVAC</b> | <b>\$545,883</b>                       | <b>\$533,399</b>            | <b>\$558,036</b>      | <b>\$12,153</b>                 | <b>2.23%</b>                  |

**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                             |                                        | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|-------------------------------------------------|----------------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>PB &amp; Wtrfnt - Public Safety 10035201</b> |                                        |                                        |                             |                       |                                 |                               |
| *                                               | Payroll                                | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| *                                               | Benefits                               | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| *                                               | Contractual Services                   | \$5,900                                | \$19,000                    | \$7,600               | \$1,700                         | 28.81%                        |
| *                                               | Maintenance & Repair                   | \$64,505                               | \$64,505                    | \$79,505              | \$15,000                        | 23.25%                        |
| *                                               | Supplies                               | \$24,500                               | \$24,500                    | \$24,500              | \$0                             | 0.00%                         |
| *                                               | Utilities                              | \$203,500                              | \$135,000                   | \$188,300             | (\$15,200)                      | -7.47%                        |
| *                                               | Capital Outlay                         | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| **                                              | <b>PB &amp; Wtrfnt - Public Safety</b> | <b>\$298,405</b>                       | <b>\$243,005</b>            | <b>\$299,905</b>      | <b>\$1,500</b>                  | <b>0.50%</b>                  |

**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                         |                                    | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|---------------------------------------------|------------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>PB &amp; Wtrfnt - City Hall 10035202</b> |                                    |                                        |                             |                       |                                 |                               |
| *                                           | Payroll                            | \$0                                    | \$0                         | \$83,034              | \$83,034                        | ---                           |
| *                                           | Benefits                           | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| *                                           | Contractual Services               | \$8,750                                | \$25,000                    | \$12,750              | \$4,000                         | 45.71%                        |
| *                                           | Maintenance & Repair               | \$137,500                              | \$137,500                   | \$137,500             | \$0                             | 0.00%                         |
| *                                           | Rentals                            | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| *                                           | Supplies                           | \$48,000                               | \$48,000                    | \$48,000              | \$0                             | 0.00%                         |
| *                                           | Minor Capital Items                | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| *                                           | Utilities                          | \$368,000                              | \$326,000                   | \$368,000             | \$0                             | 0.00%                         |
| **                                          | <b>PB &amp; Wtrfnt - City Hall</b> | <b>\$562,250</b>                       | <b>\$536,500</b>            | <b>\$649,284</b>      | <b>\$87,034</b>                 | <b>15.48%</b>                 |

**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                            |                                       | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|------------------------------------------------|---------------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>PB &amp; Wtrfnt - Merrill (PB) 10035203</b> |                                       |                                        |                             |                       |                                 |                               |
| *                                              | Contractual Services                  | \$2,050                                | \$1,000                     | \$5,150               | \$3,100                         | 151.22%                       |
| *                                              | Maintenance & Repair                  | \$74,505                               | \$74,505                    | \$74,505              | \$0                             | 0.00%                         |
| *                                              | Supplies                              | \$14,000                               | \$6,000                     | \$14,000              | \$0                             | 0.00%                         |
| *                                              | Utilities                             | \$80,000                               | \$70,000                    | \$80,000              | \$0                             | 0.00%                         |
| *                                              | Capital Outlay                        | \$0                                    | \$0                         | \$500,000             | \$500,000                       | ---                           |
| **                                             | <b>PB &amp; Wtrfnt - Merrill (PB)</b> | <b>\$170,555</b>                       | <b>\$151,505</b>            | <b>\$673,655</b>      | <b>\$503,100</b>                | <b>294.98%</b>                |



**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                       |                                  | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|-------------------------------------------|----------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>PB &amp; Wtrfnt - Hadlock 10035204</b> |                                  |                                        |                             |                       |                                 |                               |
| *                                         | Contractual Services             | \$4,325                                | \$4,170                     | \$6,725               | \$2,400                         | 55.49%                        |
| *                                         | Maintenance & Repair             | \$70,120                               | \$70,120                    | \$50,120              | (\$20,000)                      | -28.52%                       |
| *                                         | Rentals                          | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| *                                         | Supplies                         | \$31,500                               | \$31,500                    | \$23,000              | (\$8,500)                       | -26.98%                       |
| *                                         | Utilities                        | \$198,000                              | \$73,000                    | \$188,000             | (\$10,000)                      | -5.05%                        |
| *                                         | Capital Outlay                   | \$20,000                               | \$20,000                    | \$0                   | (\$20,000)                      | -100.00%                      |
| **                                        | <b>PB &amp; Wtrfnt - Hadlock</b> | <b>\$323,945</b>                       | <b>\$198,790</b>            | <b>\$267,845</b>      | <b>(\$56,100)</b>               | <b>-17.32%</b>                |

**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                    |                               | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|----------------------------------------|-------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>PB &amp; Wtrfnt - Expo 10035205</b> |                               |                                        |                             |                       |                                 |                               |
| *                                      | Contractual Services          | \$4,920                                | \$24,500                    | \$4,920               | \$0                             | 0.00%                         |
| *                                      | Maintenance & Repair          | \$60,080                               | \$60,080                    | \$46,000              | (\$14,080)                      | -23.44%                       |
| *                                      | Rentals                       | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| *                                      | Supplies                      | \$21,000                               | \$18,000                    | \$21,000              | \$0                             | 0.00%                         |
| *                                      | Utilities                     | \$143,100                              | \$103,000                   | \$135,100             | (\$8,000)                       | -5.59%                        |
| *                                      | Capital Outlay                | \$25,000                               | \$0                         | \$0                   | (\$25,000)                      | -100.00%                      |
| **                                     | <b>PB &amp; Wtrfnt - Expo</b> | <b>\$254,100</b>                       | <b>\$205,580</b>            | <b>\$207,020</b>      | <b>(\$47,080)</b>               | <b>-18.53%</b>                |

**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                        |                                   | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|--------------------------------------------|-----------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>PB &amp; Wtrfnt - Canco Rd 10035206</b> |                                   |                                        |                             |                       |                                 |                               |
| *                                          | Payroll                           | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| *                                          | Contractual Services              | \$9,450                                | \$9,200                     | \$12,950              | \$3,500                         | 37.04%                        |
| *                                          | Maintenance & Repair              | \$207,000                              | \$207,000                   | \$207,000             | \$0                             | 0.00%                         |
| *                                          | Supplies                          | \$30,000                               | \$30,000                    | \$30,000              | \$0                             | 0.00%                         |
| *                                          | Minor Capital Items               | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| *                                          | Utilities                         | \$170,400                              | \$139,400                   | \$168,450             | (\$1,950)                       | -1.14%                        |
| **                                         | <b>PB &amp; Wtrfnt - Canco Rd</b> | <b>\$416,850</b>                       | <b>\$385,600</b>            | <b>\$418,400</b>      | <b>\$1,550</b>                  | <b>0.37%</b>                  |

**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                           |                                      | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|-----------------------------------------------|--------------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>PB &amp; Wtrfnt - Other Bldgs 10035210</b> |                                      |                                        |                             |                       |                                 |                               |
| *                                             | Payroll                              | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| *                                             | Benefits                             | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| *                                             | Contractual Services                 | \$11,532                               | \$9,500                     | \$15,732              | \$4,200                         | 36.42%                        |
| *                                             | Maintenance & Repair                 | \$59,855                               | \$59,855                    | \$55,000              | (\$4,855)                       | -8.11%                        |
| *                                             | Supplies                             | \$40,500                               | \$40,500                    | \$40,500              | \$0                             | 0.00%                         |
| *                                             | Minor Capital Items                  | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| *                                             | Utilities                            | \$113,384                              | \$66,000                    | \$111,382             | (\$2,002)                       | -1.77%                        |
| *                                             | Capital Outlay                       | \$50,000                               | \$50,000                    | \$50,000              | \$0                             | 0.00%                         |
| **                                            | <b>PB &amp; Wtrfnt - Other Bldgs</b> | <b>\$275,271</b>                       | <b>\$225,855</b>            | <b>\$272,614</b>      | <b>(\$2,657)</b>                | <b>-0.97%</b>                 |

**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                          |                                          | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|----------------------------------------------|------------------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>PB &amp; Wtrfnt - Waterfront 10035300</b> |                                          |                                        |                             |                       |                                 |                               |
| *                                            | Payroll                                  | \$269,241                              | \$210,361                   | \$231,561             | (\$37,680)                      | -13.99%                       |
| *                                            | Benefits                                 | \$4,074                                | \$4,424                     | \$4,274               | \$200                           | 4.91%                         |
| *                                            | Administrative Svcs                      | \$18,300                               | \$5,500                     | \$9,500               | (\$8,800)                       | -48.09%                       |
| *                                            | Contractual Services                     | \$178,770                              | \$130,000                   | \$139,464             | (\$39,306)                      | -21.99%                       |
| *                                            | Maintenance & Repair                     | \$309,600                              | \$284,600                   | \$294,600             | (\$15,000)                      | -4.84%                        |
| *                                            | Rentals                                  | \$6,900                                | \$4,800                     | \$4,800               | (\$2,100)                       | -30.43%                       |
| *                                            | Supplies                                 | \$46,800                               | \$46,800                    | \$44,700              | (\$2,100)                       | -4.49%                        |
| *                                            | Minor Capital Items                      | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| *                                            | Utilities                                | \$375,500                              | \$335,100                   | \$366,900             | (\$8,600)                       | -2.29%                        |
| *                                            | Capital Outlay                           | \$25,000                               | \$25,000                    | \$40,000              | \$15,000                        | 60.00%                        |
| **                                           | <b>PB &amp; Wtrfnt - Waterfront</b>      | <b>\$1,234,185</b>                     | <b>\$1,046,585</b>          | <b>\$1,135,799</b>    | <b>(\$98,386)</b>               | <b>-7.97%</b>                 |
| ****                                         | <b>Public Buildings &amp; Waterfront</b> | <b>\$5,079,184</b>                     | <b>\$4,355,422</b>          | <b>\$5,518,142</b>    | <b>\$438,958</b>                | <b>8.64%</b>                  |

**CITY OF PORTLAND, ME**  
**FY22 HEALTH & HUMAN SERVICES DIVISION ORG NET REPORT**

| ACCOUNT DESCRIPTION                   | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|---------------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>General Fund</b>                   |                                        |                             |                       |                                 |                               |
| <b>Health &amp; Human Services 44</b> |                                        |                             |                       |                                 |                               |
| <b>HHS Administration 4410</b>        |                                        |                             |                       |                                 |                               |
| 10044100 Total EXPENDITURE            | \$329,165                              | \$329,165                   | \$338,515             | \$9,350                         | 2.84%                         |
| 10044100 Total REVENUE                | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| <b>** HHS Administration NET</b>      | <b>\$329,165</b>                       | <b>\$329,165</b>            | <b>\$338,515</b>      | <b>\$9,350</b>                  | <b>2.84%</b>                  |
| <b>*** HHS Administration</b>         | <b>\$329,165</b>                       | <b>\$329,165</b>            | <b>\$338,515</b>      | <b>\$9,350</b>                  | <b>2.84%</b>                  |

**CITY OF PORTLAND, ME**  
**FY22 HEALTH & HUMAN SERVICES DIVISION CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                   | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|---------------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Health &amp; Human Services 44</b> |                                        |                             |                       |                                 |                               |
| <b>HHS Administration 4410</b>        |                                        |                             |                       |                                 |                               |
| * Payroll                             | \$322,335                              | \$322,335                   | \$322,335             | \$0                             | 0.00%                         |
| * Benefits                            | \$1,980                                | \$1,980                     | \$3,180               | \$1,200                         | 60.61%                        |
| * Administrative Svcs                 | \$600                                  | \$600                       | \$3,000               | \$2,400                         | 400.00%                       |
| * Contractual Services                | \$750                                  | \$750                       | \$3,000               | \$2,250                         | 300.00%                       |
| * Maintenance & Repair                | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| * Supplies                            | \$3,500                                | \$3,500                     | \$7,000               | \$3,500                         | 100.00%                       |
| <b>** HHS Administration</b>          | <b>\$329,165</b>                       | <b>\$329,165</b>            | <b>\$338,515</b>      | <b>\$9,350</b>                  | <b>2.84%</b>                  |

**CITY OF PORTLAND, ME**  
**FY22 HEALTH & HUMAN SERVICES DIVISION ORG NET REPORT**

| ACCOUNT DESCRIPTION                        | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|--------------------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>General Fund</b>                        |                                        |                             |                       |                                 |                               |
| <b>Health &amp; Human Services 44</b>      |                                        |                             |                       |                                 |                               |
| <b>Public Health 4420</b>                  |                                        |                             |                       |                                 |                               |
| 10044201 Total EXPENDITURE                 | \$294,166                              | \$278,917                   | \$408,649             | \$114,483                       | 38.92%                        |
| 10044201 Total REVENUE                     | (\$334,726)                            | (\$334,726)                 | (\$206,298)           | \$128,428                       | -38.37%                       |
| <b>** Public Health Administration NET</b> | <b>(\$40,560)</b>                      | <b>(\$55,809)</b>           | <b>\$202,351</b>      | <b>\$242,911</b>                | <b>-598.89%</b>               |
| 10044202 Total EXPENDITURE                 | \$135,440                              | \$132,625                   | \$135,883             | \$443                           | 0.33%                         |
| 10044202 Total REVENUE                     | (\$91,427)                             | (\$91,427)                  | (\$84,136)            | \$7,291                         | -7.97%                        |
| <b>** Family Health NET</b>                | <b>\$44,013</b>                        | <b>\$41,198</b>             | <b>\$51,747</b>       | <b>\$7,734</b>                  | <b>17.57%</b>                 |
| 10044203 Total EXPENDITURE                 | \$821,110                              | \$707,127                   | \$800,065             | (\$21,045)                      | -2.56%                        |
| 10044203 Total REVENUE                     | (\$777,487)                            | (\$670,849)                 | (\$704,577)           | \$72,910                        | -9.38%                        |
| <b>** Chronic Disease Prevention NET</b>   | <b>\$43,623</b>                        | <b>\$36,278</b>             | <b>\$95,488</b>       | <b>\$51,865</b>                 | <b>118.89%</b>                |
| 10044204 Total EXPENDITURE                 | \$208,917                              | \$161,723                   | \$189,018             | (\$19,899)                      | -9.52%                        |
| 10044204 Total REVENUE                     | (\$75,560)                             | (\$67,307)                  | (\$58,180)            | \$17,380                        | -23.00%                       |
| <b>** Health Equity NET</b>                | <b>\$133,357</b>                       | <b>\$94,416</b>             | <b>\$130,838</b>      | <b>(\$2,519)</b>                | <b>-1.89%</b>                 |
| 10044205 Total EXPENDITURE                 | \$702,018                              | \$665,809                   | \$751,245             | \$49,227                        | 7.01%                         |
| 10044205 Total REVENUE                     | (\$520,402)                            | (\$504,825)                 | (\$417,574)           | \$102,828                       | -19.76%                       |
| <b>** India Street Clinic NET</b>          | <b>\$181,616</b>                       | <b>\$160,984</b>            | <b>\$333,671</b>      | <b>\$152,055</b>                | <b>83.72%</b>                 |
| 10044206 Total EXPENDITURE                 | \$55,149                               | \$47,189                    | \$71,883              | \$16,734                        | 30.34%                        |
| 10044206 Total REVENUE                     | (\$18,486)                             | (\$46,215)                  | (\$25,389)            | (\$6,903)                       | 37.34%                        |
| <b>** Research &amp; Evaluation NET</b>    | <b>\$36,663</b>                        | <b>\$974</b>                | <b>\$46,494</b>       | <b>\$9,831</b>                  | <b>26.81%</b>                 |
| <b>*** Public Health</b>                   | <b>\$398,712</b>                       | <b>\$278,041</b>            | <b>\$860,589</b>      | <b>\$461,877</b>                | <b>115.84%</b>                |



**CITY OF PORTLAND, ME**  
**FY22 HEALTH & HUMAN SERVICES DIVISION CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                   | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|---------------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Health &amp; Human Services 44</b> |                                        |                             |                       |                                 |                               |
| <b>Public Health 4420</b>             |                                        |                             |                       |                                 |                               |
| * Payroll                             | \$1,956,944                            | \$1,750,688                 | \$2,037,395           | \$80,451                        | 4.11%                         |
| * Benefits                            | \$3,484                                | \$2,924                     | \$2,520               | (\$964)                         | -27.67%                       |
| * Administrative Svcs                 | \$17,817                               | \$5,635                     | \$28,962              | \$11,145                        | 62.55%                        |
| * Client Expenses                     | \$1,000                                | \$1,000                     | \$1,000               | \$0                             | 0.00%                         |
| * Contractual Services                | \$94,496                               | \$116,821                   | \$136,956             | \$42,460                        | 44.93%                        |
| * Maintenance & Repair                | \$2,700                                | \$1,200                     | \$2,700               | \$0                             | 0.00%                         |
| * Rentals                             | \$72,839                               | \$72,674                    | \$74,690              | \$1,851                         | 2.54%                         |
| * Supplies                            | \$53,600                               | \$31,524                    | \$58,600              | \$5,000                         | 9.33%                         |
| * Utilities                           | \$13,920                               | \$10,924                    | \$13,920              | \$0                             | 0.00%                         |
| <b>** Public Health</b>               | <b>\$2,216,800</b>                     | <b>\$1,993,390</b>          | <b>\$2,356,743</b>    | <b>\$139,943</b>                | <b>6.31%</b>                  |

**CITY OF PORTLAND, ME**  
**FY22 HEALTH & HUMAN SERVICES ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                          | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|----------------------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Health &amp; Human Services</b>           |                                        |                             |                       |                                 |                               |
| <b>Public Health 4420</b>                    |                                        |                             |                       |                                 |                               |
| <b>Public Health Administration 10044201</b> |                                        |                             |                       |                                 |                               |
| * Payroll                                    | \$279,321                              | \$270,237                   | \$380,174             | \$100,853                       | 36.11%                        |
| * Benefits                                   | \$600                                  | \$500                       | \$600                 | \$0                             | 0.00%                         |
| * Administrative Svcs                        | \$5,550                                | \$2,100                     | \$16,845              | \$11,295                        | 203.51%                       |
| * Contractual Services                       | \$2,850                                | \$400                       | \$3,350               | \$500                           | 17.54%                        |
| * Rentals                                    | \$2,345                                | \$2,180                     | \$2,180               | (\$165)                         | -7.04%                        |
| * Supplies                                   | \$3,500                                | \$3,500                     | \$5,500               | \$2,000                         | 57.14%                        |
| ** Public Health Administration              | \$294,166                              | \$278,917                   | \$408,649             | \$114,483                       | 38.92%                        |

**CITY OF PORTLAND, ME**  
**FY22 HEALTH & HUMAN SERVICES ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION           |                      | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|-------------------------------|----------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Public Health 4420</b>     |                      |                                        |                             |                       |                                 |                               |
| <b>Family Health 10044202</b> |                      |                                        |                             |                       |                                 |                               |
| *                             | Payroll              | \$125,245                              | \$125,245                   | \$125,688             | \$443                           | 0.35%                         |
| *                             | Benefits             | \$600                                  | \$600                       | \$600                 | \$0                             | 0.00%                         |
| *                             | Administrative Svcs  | \$2,917                                | \$1,084                     | \$2,917               | \$0                             | 0.00%                         |
| *                             | Client Expenses      | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| *                             | Contractual Services | \$2,400                                | \$1,907                     | \$2,400               | \$0                             | 0.00%                         |
| *                             | Rentals              | \$808                                  | \$808                       | \$808                 | \$0                             | 0.00%                         |
| *                             | Supplies             | \$2,750                                | \$2,400                     | \$2,750               | \$0                             | 0.00%                         |
| *                             | Utilities            | \$720                                  | \$581                       | \$720                 | \$0                             | 0.00%                         |
| **                            | <b>Family Health</b> | <b>\$135,440</b>                       | <b>\$132,625</b>            | <b>\$135,883</b>      | <b>\$443</b>                    | <b>0.33%</b>                  |

**CITY OF PORTLAND, ME**  
**FY22 HEALTH & HUMAN SERVICES ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                        |                            | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|--------------------------------------------|----------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Public Health 4420</b>                  |                            |                                        |                             |                       |                                 |                               |
| <b>Chronic Disease Prevention 10044203</b> |                            |                                        |                             |                       |                                 |                               |
| *                                          | Payroll                    | \$800,501                              | \$690,707                   | \$779,098             | (\$21,403)                      | -2.67%                        |
| *                                          | Benefits                   | \$600                                  | \$600                       | \$600                 | \$0                             | 0.00%                         |
| *                                          | Administrative Svcs        | \$2,000                                | \$25                        | \$2,000               | \$0                             | 0.00%                         |
| *                                          | Client Expenses            | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| *                                          | Contractual Services       | \$2,250                                | \$550                       | \$2,250               | \$0                             | 0.00%                         |
| *                                          | Rentals                    | \$12,383                               | \$12,383                    | \$12,741              | \$358                           | 2.89%                         |
| *                                          | Supplies                   | \$1,000                                | \$1,000                     | \$1,000               | \$0                             | 0.00%                         |
| *                                          | Utilities                  | \$2,376                                | \$1,862                     | \$2,376               | \$0                             | 0.00%                         |
| **                                         | Chronic Disease Prevention | \$821,110                              | \$707,127                   | \$800,065             | (\$21,045)                      | -2.56%                        |

**CITY OF PORTLAND, ME**  
**FY22 HEALTH & HUMAN SERVICES ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION           |                      | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|-------------------------------|----------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Public Health 4420</b>     |                      |                                        |                             |                       |                                 |                               |
| <b>Health Equity 10044204</b> |                      |                                        |                             |                       |                                 |                               |
| *                             | Payroll              | \$203,517                              | \$157,665                   | \$183,658             | (\$19,859)                      | -9.76%                        |
| *                             | Benefits             | \$900                                  | \$900                       | \$360                 | (\$540)                         | -60.00%                       |
| *                             | Administrative Svcs  | \$1,200                                | \$1,435                     | \$1,200               | \$0                             | 0.00%                         |
| *                             | Client Expenses      | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| *                             | Contractual Services | \$2,500                                | \$1,423                     | \$3,000               | \$500                           | 20.00%                        |
| *                             | Rentals              | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| *                             | Supplies             | \$800                                  | \$300                       | \$800                 | \$0                             | 0.00%                         |
| **                            | Health Equity        | <b>\$208,917</b>                       | <b>\$161,723</b>            | <b>\$189,018</b>      | <b>(\$19,899)</b>               | <b>-9.52%</b>                 |

**CITY OF PORTLAND, ME**  
**FY22 HEALTH & HUMAN SERVICES ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                 |                      | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|-------------------------------------|----------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Public Health 4420</b>           |                      |                                        |                             |                       |                                 |                               |
| <b>India Street Clinic 10044205</b> |                      |                                        |                             |                       |                                 |                               |
| *                                   | Payroll              | \$502,145                              | \$460,619                   | \$505,304             | \$3,159                         | 0.63%                         |
| *                                   | Benefits             | \$100                                  | \$0                         | \$0                   | (\$100)                         | -100.00%                      |
| *                                   | Administrative Svcs  | \$3,650                                | \$541                       | \$3,700               | \$50                            | 1.37%                         |
| *                                   | Client Expenses      | \$1,000                                | \$1,000                     | \$1,000               | \$0                             | 0.00%                         |
| *                                   | Contractual Services | \$80,646                               | \$112,541                   | \$122,106             | \$41,460                        | 51.41%                        |
| *                                   | Maintenance & Repair | \$1,200                                | \$1,200                     | \$1,200               | \$0                             | 0.00%                         |
| *                                   | Rentals              | \$57,303                               | \$57,303                    | \$58,961              | \$1,658                         | 2.89%                         |
| *                                   | Supplies             | \$45,150                               | \$24,124                    | \$48,150              | \$3,000                         | 6.64%                         |
| *                                   | Utilities            | \$10,824                               | \$8,481                     | \$10,824              | \$0                             | 0.00%                         |
| **                                  | India Street Clinic  | <b>\$702,018</b>                       | <b>\$665,809</b>            | <b>\$751,245</b>      | <b>\$49,227</b>                 | <b>7.01%</b>                  |

**CITY OF PORTLAND, ME**  
**FY22 HEALTH & HUMAN SERVICES ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                       |                       | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|-------------------------------------------|-----------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Public Health 4420</b>                 |                       |                                        |                             |                       |                                 |                               |
| <b>Research &amp; Evaluation 10044206</b> |                       |                                        |                             |                       |                                 |                               |
| *                                         | Payroll               | \$46,215                               | \$46,215                    | \$63,473              | \$17,258                        | 37.34%                        |
| *                                         | Benefits              | \$684                                  | \$324                       | \$360                 | (\$324)                         | -47.37%                       |
| *                                         | Administrative Svcs   | \$2,500                                | \$450                       | \$2,300               | (\$200)                         | -8.00%                        |
| *                                         | Contractual Services  | \$3,850                                | \$0                         | \$3,850               | \$0                             | 0.00%                         |
| *                                         | Maintenance & Repair  | \$1,500                                | \$0                         | \$1,500               | \$0                             | 0.00%                         |
| *                                         | Supplies              | \$400                                  | \$200                       | \$400                 | \$0                             | 0.00%                         |
| **                                        | Research & Evaluation | \$55,149                               | \$47,189                    | \$71,883              | \$16,734                        | 30.34%                        |
| ***                                       | Public Health         | \$2,216,800                            | \$1,993,390                 | \$2,356,743           | \$139,943                       | 6.31%                         |

**CITY OF PORTLAND, ME**  
**FY22 HEALTH & HUMAN SERVICES DIVISION ORG NET REPORT**

| ACCOUNT DESCRIPTION                          | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|----------------------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>General Fund</b>                          |                                        |                             |                       |                                 |                               |
| <b>Health &amp; Human Services 44</b>        |                                        |                             |                       |                                 |                               |
| <b>Social Services 4430</b>                  |                                        |                             |                       |                                 |                               |
| 10044301 Total EXPENDITURE                   | \$629,070                              | \$619,771                   | \$726,091             | \$97,021                        | 15.42%                        |
| 10044301 Total REVENUE                       | (\$300,056)                            | (\$929,801)                 | (\$283,551)           | \$16,505                        | -5.50%                        |
| <b>** Social Services Administration NET</b> | <b>\$329,014</b>                       | <b>(\$310,030)</b>          | <b>\$442,540</b>      | <b>\$113,526</b>                | <b>34.50%</b>                 |
| 10044302 Total EXPENDITURE                   | \$8,457,261                            | \$13,585,427                | \$10,084,466          | \$1,627,205                     | 19.24%                        |
| 10044302 Total REVENUE                       | (\$5,751,801)                          | (\$9,694,768)               | (\$6,439,394)         | (\$687,593)                     | 11.95%                        |
| <b>** General Assistance NET</b>             | <b>\$2,705,460</b>                     | <b>\$3,890,659</b>          | <b>\$3,645,072</b>    | <b>\$939,612</b>                | <b>34.73%</b>                 |
| 10044303 Total EXPENDITURE                   | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| 10044303 Total REVENUE                       | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| <b>** Portland Community Support NET</b>     | <b>\$0</b>                             | <b>\$0</b>                  | <b>\$0</b>            | <b>\$0</b>                      | <b>---</b>                    |
| 10044304 Total EXPENDITURE                   | \$3,811,847                            | \$3,936,832                 | \$4,106,984           | \$295,137                       | 7.74%                         |
| 10044304 Total REVENUE                       | (\$2,793,623)                          | (\$2,318,060)               | (\$2,365,256)         | \$428,367                       | -15.33%                       |
| <b>** Oxford Street Shelter NET</b>          | <b>\$1,018,224</b>                     | <b>\$1,618,772</b>          | <b>\$1,741,728</b>    | <b>\$723,504</b>                | <b>71.06%</b>                 |
| 10044305 Total EXPENDITURE                   | \$1,725,157                            | \$1,471,731                 | \$1,797,289           | \$72,132                        | 4.18%                         |
| 10044305 Total REVENUE                       | (\$1,366,425)                          | (\$1,137,891)               | (\$1,230,489)         | \$135,936                       | -9.95%                        |
| <b>** Family Shelter NET</b>                 | <b>\$358,732</b>                       | <b>\$333,840</b>            | <b>\$566,800</b>      | <b>\$208,068</b>                | <b>58.00%</b>                 |
| <b>*** Social Services</b>                   | <b>\$4,411,430</b>                     | <b>\$5,533,241</b>          | <b>\$6,396,140</b>    | <b>\$1,984,710</b>              | <b>44.99%</b>                 |



**CITY OF PORTLAND, ME**  
**FY22 HEALTH & HUMAN SERVICES DIVISION CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                   | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|---------------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Health &amp; Human Services 44</b> |                                        |                             |                       |                                 |                               |
| <b>Social Services 4430</b>           |                                        |                             |                       |                                 |                               |
| * Payroll                             | \$5,469,969                            | \$5,465,462                 | \$5,917,874           | \$447,905                       | 8.19%                         |
| * Benefits                            | \$10,400                               | \$18,783                    | \$11,600              | \$1,200                         | 11.54%                        |
| * Administrative Svcs                 | \$1,075                                | \$1,165                     | \$14,575              | \$13,500                        | 1255.81%                      |
| * Client Expenses                     | \$7,685,653                            | \$12,873,509                | \$9,290,443           | \$1,604,790                     | 20.88%                        |
| * Contractual Services                | \$259,084                              | \$324,982                   | \$256,068             | (\$3,016)                       | -1.16%                        |
| * Maintenance & Repair                | \$112,446                              | \$83,295                    | \$117,350             | \$4,904                         | 4.36%                         |
| * Rentals                             | \$629,502                              | \$628,198                   | \$641,315             | \$11,813                        | 1.88%                         |
| * Insurance                           | \$0                                    | \$0                         | \$10,000              | \$10,000                        | ---                           |
| * Supplies                            | \$308,599                              | \$99,564                    | \$305,599             | (\$3,000)                       | -0.97%                        |
| * Minor Capital Items                 | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| * Utilities                           | \$146,607                              | \$118,803                   | \$150,006             | \$3,399                         | 2.32%                         |
| * Capital Outlay                      | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| <b>** Social Services</b>             | <b>\$14,623,335</b>                    | <b>\$19,613,761</b>         | <b>\$16,714,830</b>   | <b>\$2,091,495</b>              | <b>14.30%</b>                 |

**CITY OF PORTLAND, ME**  
**FY22 HEALTH & HUMAN SERVICES ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                            | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|------------------------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Health &amp; Human Services</b>             |                                        |                             |                       |                                 |                               |
| <b>Social Services 4430</b>                    |                                        |                             |                       |                                 |                               |
| <b>Social Services Administration 10044301</b> |                                        |                             |                       |                                 |                               |
| * Payroll                                      | \$538,117                              | \$533,379                   | \$630,568             | \$92,451                        | 17.18%                        |
| * Benefits                                     | \$5,000                                | \$5,000                     | \$5,000               | \$0                             | 0.00%                         |
| * Administrative Svcs                          | \$1,075                                | \$1,155                     | \$5,575               | \$4,500                         | 418.60%                       |
| * Contractual Services                         | \$6,326                                | \$5,594                     | \$6,326               | \$0                             | 0.00%                         |
| * Maintenance & Repair                         | \$1,000                                | \$1,000                     | \$1,000               | \$0                             | 0.00%                         |
| * Rentals                                      | \$62,048                               | \$61,637                    | \$63,126              | \$1,078                         | 1.74%                         |
| * Supplies                                     | \$8,806                                | \$7,454                     | \$8,806               | \$0                             | 0.00%                         |
| * Utilities                                    | \$6,698                                | \$4,552                     | \$5,690               | (\$1,008)                       | -15.05%                       |
| ** Social Services Administration              | \$629,070                              | \$619,771                   | \$726,091             | \$97,021                        | 15.42%                        |

**CITY OF PORTLAND, ME**  
**FY22 HEALTH & HUMAN SERVICES ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                |                      | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|------------------------------------|----------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Social Services 4430</b>        |                      |                                        |                             |                       |                                 |                               |
| <b>General Assistance 10044302</b> |                      |                                        |                             |                       |                                 |                               |
| *                                  | Payroll              | \$622,969                              | \$517,993                   | \$642,993             | \$20,024                        | 3.21%                         |
| *                                  | Benefits             | \$600                                  | \$0                         | \$600                 | \$0                             | 0.00%                         |
| *                                  | Administrative Svcs  | \$0                                    | \$0                         | \$2,000               | \$2,000                         | ---                           |
| *                                  | Client Expenses      | \$7,589,403                            | \$12,799,264                | \$9,191,993           | \$1,602,590                     | 21.12%                        |
| *                                  | Contractual Services | \$97,806                               | \$128,956                   | \$98,006              | \$200                           | 0.20%                         |
| *                                  | Maintenance & Repair | \$2,500                                | \$2,500                     | \$2,500               | \$0                             | 0.00%                         |
| *                                  | Rentals              | \$113,103                              | \$113,103                   | \$115,868             | \$2,765                         | 2.44%                         |
| *                                  | Supplies             | \$18,000                               | \$10,655                    | \$18,000              | \$0                             | 0.00%                         |
| *                                  | Utilities            | \$12,880                               | \$12,956                    | \$12,506              | (\$374)                         | -2.90%                        |
| **                                 | General Assistance   | \$8,457,261                            | \$13,585,427                | \$10,084,466          | \$1,627,205                     | 19.24%                        |

**CITY OF PORTLAND, ME**  
**FY22 HEALTH & HUMAN SERVICES ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                   |                              | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|---------------------------------------|------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Social Services 4430</b>           |                              |                                        |                             |                       |                                 |                               |
| <b>Oxford Street Shelter 10044304</b> |                              |                                        |                             |                       |                                 |                               |
| *                                     | Payroll                      | \$3,115,212                            | \$3,473,446                 | \$3,439,384           | \$324,172                       | 10.41%                        |
| *                                     | Benefits                     | \$1,800                                | \$1,959                     | \$1,800               | \$0                             | 0.00%                         |
| *                                     | Administrative Svcs          | \$0                                    | \$0                         | \$4,000               | \$4,000                         | ---                           |
| *                                     | Client Expenses              | \$79,450                               | \$51,774                    | \$64,950              | (\$14,500)                      | -18.25%                       |
| *                                     | Contractual Services         | \$87,028                               | \$107,967                   | \$55,485              | (\$31,543)                      | -36.24%                       |
| *                                     | Maintenance & Repair         | \$68,946                               | \$34,891                    | \$68,946              | \$0                             | 0.00%                         |
| *                                     | Rentals                      | \$167,077                              | \$166,846                   | \$166,851             | (\$226)                         | -0.14%                        |
| *                                     | Insurance                    | \$0                                    | \$0                         | \$10,000              | \$10,000                        | ---                           |
| *                                     | Supplies                     | \$239,833                              | \$68,241                    | \$236,833             | (\$3,000)                       | -1.25%                        |
| *                                     | Minor Capital Items          | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| *                                     | Utilities                    | \$52,501                               | \$31,708                    | \$58,735              | \$6,234                         | 11.87%                        |
| *                                     | Capital Outlay               | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| **                                    | <b>Oxford Street Shelter</b> | <b>\$3,811,847</b>                     | <b>\$3,936,832</b>          | <b>\$4,106,984</b>    | <b>\$295,137</b>                | <b>7.74%</b>                  |

**CITY OF PORTLAND, ME**  
**FY22 HEALTH & HUMAN SERVICES ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION            |                      | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|--------------------------------|----------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Social Services 4430</b>    |                      |                                        |                             |                       |                                 |                               |
| <b>Family Shelter 10044305</b> |                      |                                        |                             |                       |                                 |                               |
| *                              | Payroll              | \$1,193,671                            | \$940,644                   | \$1,204,929           | \$11,258                        | 0.94%                         |
| *                              | Benefits             | \$3,000                                | \$11,824                    | \$4,200               | \$1,200                         | 40.00%                        |
| *                              | Administrative Svcs  | \$0                                    | \$10                        | \$3,000               | \$3,000                         | ---                           |
| *                              | Client Expenses      | \$16,800                               | \$22,471                    | \$33,500              | \$16,700                        | 99.40%                        |
| *                              | Contractual Services | \$67,924                               | \$82,465                    | \$96,251              | \$28,327                        | 41.70%                        |
| *                              | Maintenance & Repair | \$40,000                               | \$44,904                    | \$44,904              | \$4,904                         | 12.26%                        |
| *                              | Rentals              | \$287,274                              | \$286,612                   | \$295,470             | \$8,196                         | 2.85%                         |
| *                              | Supplies             | \$41,960                               | \$13,214                    | \$41,960              | \$0                             | 0.00%                         |
| *                              | Utilities            | \$74,528                               | \$69,587                    | \$73,075              | (\$1,453)                       | -1.95%                        |
| **                             | Family Shelter       | \$1,725,157                            | \$1,471,731                 | \$1,797,289           | \$72,132                        | 4.18%                         |
| ***                            | Social Services      | \$14,623,335                           | \$19,613,761                | \$16,714,830          | \$2,091,495                     | 14.30%                        |

**CITY OF PORTLAND, ME**  
**FY22 HEALTH & HUMAN SERVICES DIVISION ORG NET REPORT**

| ACCOUNT DESCRIPTION                        | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|--------------------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>General Fund</b>                        |                                        |                             |                       |                                 |                               |
| <b>Health &amp; Human Services 44</b>      |                                        |                             |                       |                                 |                               |
| <b>Barron Center 4440</b>                  |                                        |                             |                       |                                 |                               |
| 10744400 Total REVENUE                     | (\$18,994,969)                         | (\$16,910,651)              | (\$22,199,374)        | (\$3,204,405)                   | 16.87%                        |
| <b>** Barron Center NET</b>                | <b>(\$18,994,969)</b>                  | <b>(\$16,910,651)</b>       | <b>(\$22,199,374)</b> | <b>(\$3,204,405)</b>            | <b>16.87%</b>                 |
| 10744401 Total EXPENDITURE                 | \$1,902,022                            | \$1,578,480                 | \$1,944,986           | \$42,964                        | 2.26%                         |
| <b>** Barron Center Administration NET</b> | <b>\$1,902,022</b>                     | <b>\$1,578,480</b>          | <b>\$1,944,986</b>    | <b>\$42,964</b>                 | <b>2.26%</b>                  |
| 10044402 Total EXPENDITURE                 | \$359,717                              | \$251,492                   | \$377,954             | \$18,237                        | 5.07%                         |
| 10044402 Total REVENUE                     | (\$248,400)                            | (\$98,690)                  | (\$259,200)           | (\$10,800)                      | 4.35%                         |
| <b>** Office of Elder Affairs NET</b>      | <b>\$111,317</b>                       | <b>\$152,802</b>            | <b>\$118,754</b>      | <b>\$7,437</b>                  | <b>6.68%</b>                  |
| 10744403 Total EXPENDITURE                 | \$289,243                              | \$289,767                   | \$295,543             | \$6,300                         | 2.18%                         |
| <b>** Therapeutic Recreation NET</b>       | <b>\$289,243</b>                       | <b>\$289,767</b>            | <b>\$295,543</b>      | <b>\$6,300</b>                  | <b>2.18%</b>                  |
| 10744404 Total EXPENDITURE                 | \$1,649,295                            | \$1,520,820                 | \$1,676,188           | \$26,893                        | 1.63%                         |
| <b>** Nursing Administration NET</b>       | <b>\$1,649,295</b>                     | <b>\$1,520,820</b>          | <b>\$1,676,188</b>    | <b>\$26,893</b>                 | <b>1.63%</b>                  |
| 10744405 Total EXPENDITURE                 | \$6,783,782                            | \$6,089,490                 | \$6,889,311           | \$105,529                       | 1.56%                         |
| <b>** Nursing Direct Care NET</b>          | <b>\$6,783,782</b>                     | <b>\$6,089,490</b>          | <b>\$6,889,311</b>    | <b>\$105,529</b>                | <b>1.56%</b>                  |
| 10744406 Total EXPENDITURE                 | \$2,793,634                            | \$2,658,408                 | \$2,130,399           | (\$663,235)                     | -23.74%                       |
| <b>** Nutrition &amp; Supply NET</b>       | <b>\$2,793,634</b>                     | <b>\$2,658,408</b>          | <b>\$2,130,399</b>    | <b>(\$663,235)</b>              | <b>-23.74%</b>                |
| 10744407 Total EXPENDITURE                 | \$1,123,211                            | \$1,083,266                 | \$1,156,201           | \$32,990                        | 2.94%                         |
| <b>** Environmental Services NET</b>       | <b>\$1,123,211</b>                     | <b>\$1,083,266</b>          | <b>\$1,156,201</b>    | <b>\$32,990</b>                 | <b>2.94%</b>                  |
| 10744408 Total EXPENDITURE                 | \$655,465                              | \$652,968                   | \$657,959             | \$2,494                         | 0.38%                         |
| <b>** Housekeeping NET</b>                 | <b>\$655,465</b>                       | <b>\$652,968</b>            | <b>\$657,959</b>      | <b>\$2,494</b>                  | <b>0.38%</b>                  |
| 10744409 Total EXPENDITURE                 | \$556,255                              | \$477,562                   | \$528,297             | (\$27,958)                      | -5.03%                        |
| <b>** Laundry Services NET</b>             | <b>\$556,255</b>                       | <b>\$477,562</b>            | <b>\$528,297</b>      | <b>(\$27,958)</b>               | <b>-5.03%</b>                 |
| 10744410 Total EXPENDITURE                 | \$0                                    | \$0                         | \$880,329             | \$880,329                       | ---                           |
| <b>** Central Supply NET</b>               | <b>\$0</b>                             | <b>\$0</b>                  | <b>\$880,329</b>      | <b>\$880,329</b>                | <b>---</b>                    |
| <b>*** Barron Center</b>                   | <b>(\$3,130,745)</b>                   | <b>(\$2,407,088)</b>        | <b>(\$5,921,407)</b>  | <b>(\$2,790,662)</b>            | <b>89.14%</b>                 |

**CITY OF PORTLAND, ME**  
**FY22 HEALTH & HUMAN SERVICES DIVISION CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                   |                      | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|---------------------------------------|----------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Health &amp; Human Services 44</b> |                      |                                        |                             |                       |                                 |                               |
| <b>Barron Center 4440</b>             |                      |                                        |                             |                       |                                 |                               |
| *                                     | Payroll              | \$12,238,044                           | \$11,176,965                | \$12,347,828          | \$109,784                       | 0.90%                         |
| *                                     | Benefits             | \$33,880                               | \$36,753                    | \$35,405              | \$1,525                         | 4.50%                         |
| *                                     | Administrative Svcs  | \$294,500                              | \$226,776                   | \$303,240             | \$8,740                         | 2.97%                         |
| *                                     | Client Expenses      | \$7,500                                | \$15,000                    | \$9,250               | \$1,750                         | 23.33%                        |
| *                                     | Contractual Services | \$1,099,189                            | \$907,458                   | \$1,147,859           | \$48,670                        | 4.43%                         |
| *                                     | Maintenance & Repair | \$155,875                              | \$131,265                   | \$207,195             | \$51,320                        | 32.92%                        |
| *                                     | Rentals              | \$31,120                               | \$17,544                    | \$28,490              | (\$2,630)                       | -8.45%                        |
| *                                     | Supplies             | \$1,736,083                            | \$1,609,232                 | \$1,921,620           | \$185,537                       | 10.69%                        |
| *                                     | Minor Capital Items  | \$24,500                               | \$17,814                    | \$28,000              | \$3,500                         | 14.29%                        |
| *                                     | Utilities            | \$418,868                              | \$374,366                   | \$421,915             | \$3,047                         | 0.73%                         |
| *                                     | Capital Outlay       | \$73,065                               | \$89,080                    | \$86,365              | \$13,300                        | 18.20%                        |
| **                                    | <b>Barron Center</b> | <b>\$16,112,624</b>                    | <b>\$14,602,253</b>         | <b>\$16,537,167</b>   | <b>\$424,543</b>                | <b>2.63%</b>                  |

**CITY OF PORTLAND, ME**  
**FY22 HEALTH & HUMAN SERVICES ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                          | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|----------------------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Health &amp; Human Services</b>           |                                        |                             |                       |                                 |                               |
| <b>Barron Center 4440</b>                    |                                        |                             |                       |                                 |                               |
| <b>Barron Center Administration 10744401</b> |                                        |                             |                       |                                 |                               |
| * Payroll                                    | \$693,718                              | \$700,248                   | \$699,907             | \$6,189                         | 0.89%                         |
| * Benefits                                   | \$4,920                                | \$4,920                     | \$4,920               | \$0                             | 0.00%                         |
| * Administrative Svcs                        | \$259,670                              | \$216,001                   | \$264,835             | \$5,165                         | 1.99%                         |
| * Contractual Services                       | \$882,284                              | \$603,007                   | \$885,164             | \$2,880                         | 0.33%                         |
| * Maintenance & Repair                       | \$12,940                               | \$12,282                    | \$36,760              | \$23,820                        | 184.08%                       |
| * Rentals                                    | \$5,340                                | \$3,764                     | \$4,500               | (\$840)                         | -15.73%                       |
| * Supplies                                   | \$42,250                               | \$37,415                    | \$48,000              | \$5,750                         | 13.61%                        |
| * Minor Capital Items                        | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| * Utilities                                  | \$900                                  | \$843                       | \$900                 | \$0                             | 0.00%                         |
| * Capital Outlay                             | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| ** Barron Center Administration              | \$1,902,022                            | \$1,578,480                 | \$1,944,986           | \$42,964                        | 2.26%                         |



**CITY OF PORTLAND, ME**  
**FY22 HEALTH & HUMAN SERVICES ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                     |                         | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|-----------------------------------------|-------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Barron Center 4440</b>               |                         |                                        |                             |                       |                                 |                               |
| <b>Office of Elder Affairs 10044402</b> |                         |                                        |                             |                       |                                 |                               |
| *                                       | Payroll                 | \$330,632                              | \$240,165                   | \$341,759             | \$11,127                        | 3.37%                         |
| *                                       | Benefits                | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| *                                       | Administrative Svcs     | \$3,010                                | \$445                       | \$3,010               | \$0                             | 0.00%                         |
| *                                       | Contractual Services    | \$900                                  | \$1,331                     | \$2,970               | \$2,070                         | 230.00%                       |
| *                                       | Supplies                | \$24,875                               | \$9,551                     | \$29,915              | \$5,040                         | 20.26%                        |
| *                                       | Utilities               | \$300                                  | \$0                         | \$300                 | \$0                             | 0.00%                         |
| **                                      | Office of Elder Affairs | \$359,717                              | \$251,492                   | \$377,954             | \$18,237                        | 5.07%                         |

**CITY OF PORTLAND, ME**  
**FY22 HEALTH & HUMAN SERVICES ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                    | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|----------------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Barron Center 4440</b>              |                                        |                             |                       |                                 |                               |
| <b>Therapeutic Recreation 10744403</b> |                                        |                             |                       |                                 |                               |
| * Payroll                              | \$268,068                              | \$273,701                   | \$270,493             | \$2,425                         | 0.90%                         |
| * Administrative Svcs                  | \$325                                  | \$405                       | \$950                 | \$625                           | 192.31%                       |
| * Contractual Services                 | \$11,600                               | \$7,006                     | \$11,600              | \$0                             | 0.00%                         |
| * Supplies                             | \$9,250                                | \$8,655                     | \$12,500              | \$3,250                         | 35.14%                        |
| ** Therapeutic Recreation              | \$289,243                              | \$289,767                   | \$295,543             | \$6,300                         | 2.18%                         |

**CITY OF PORTLAND, ME**  
**FY22 HEALTH & HUMAN SERVICES ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                    |                               | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|----------------------------------------|-------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Barron Center 4440</b>              |                               |                                        |                             |                       |                                 |                               |
| <b>Nursing Administration 10744404</b> |                               |                                        |                             |                       |                                 |                               |
| *                                      | Payroll                       | \$1,458,239                            | \$1,291,506                 | \$1,484,138           | \$25,899                        | 1.78%                         |
| *                                      | Benefits                      | \$11,000                               | \$5,883                     | \$0                   | (\$11,000)                      | -100.00%                      |
| *                                      | Administrative Svcs           | \$27,770                               | \$7,500                     | \$26,870              | (\$900)                         | -3.24%                        |
| *                                      | Contractual Services          | \$79,640                               | \$175,251                   | \$117,680             | \$38,040                        | 47.76%                        |
| *                                      | Rentals                       | \$1,680                                | \$1,680                     | \$0                   | (\$1,680)                       | -100.00%                      |
| *                                      | Supplies                      | \$45,966                               | \$39,000                    | \$37,500              | (\$8,466)                       | -18.42%                       |
| *                                      | Minor Capital Items           | \$0                                    | \$0                         | \$10,000              | \$10,000                        | ---                           |
| *                                      | Capital Outlay                | \$25,000                               | \$0                         | \$0                   | (\$25,000)                      | -100.00%                      |
| **                                     | <b>Nursing Administration</b> | <b>\$1,649,295</b>                     | <b>\$1,520,820</b>          | <b>\$1,676,188</b>    | <b>\$26,893</b>                 | <b>1.63%</b>                  |

**CITY OF PORTLAND, ME**  
**FY22 HEALTH & HUMAN SERVICES ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                 |                     | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|-------------------------------------|---------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Barron Center 4440</b>           |                     |                                        |                             |                       |                                 |                               |
| <b>Nursing Direct Care 10744405</b> |                     |                                        |                             |                       |                                 |                               |
| *                                   | Payroll             | \$6,783,782                            | \$6,079,376                 | \$6,889,311           | \$105,529                       | 1.56%                         |
| *                                   | Benefits            | \$0                                    | \$10,114                    | \$0                   | \$0                             | ---                           |
| **                                  | Nursing Direct Care | \$6,783,782                            | \$6,089,490                 | \$6,889,311           | \$105,529                       | 1.56%                         |

**CITY OF PORTLAND, ME**  
**FY22 HEALTH & HUMAN SERVICES ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                    |                               | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|----------------------------------------|-------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Barron Center 4440</b>              |                               |                                        |                             |                       |                                 |                               |
| <b>Nutrition &amp; Supply 10744406</b> |                               |                                        |                             |                       |                                 |                               |
| *                                      | Payroll                       | \$1,290,327                            | \$1,247,229                 | \$1,238,634           | (\$51,693)                      | -4.01%                        |
| *                                      | Benefits                      | \$11,120                               | \$11,084                    | \$12,545              | \$1,425                         | 12.81%                        |
| *                                      | Administrative Svcs           | \$2,225                                | \$1,975                     | \$2,575               | \$350                           | 15.73%                        |
| *                                      | Client Expenses               | \$7,500                                | \$15,000                    | \$0                   | (\$7,500)                       | -100.00%                      |
| *                                      | Contractual Services          | \$45,470                               | \$41,210                    | \$48,150              | \$2,680                         | 5.89%                         |
| *                                      | Maintenance & Repair          | \$12,595                               | \$10,000                    | \$16,595              | \$4,000                         | 31.76%                        |
| *                                      | Rentals                       | \$24,100                               | \$12,100                    | \$0                   | (\$24,100)                      | -100.00%                      |
| *                                      | Supplies                      | \$1,376,797                            | \$1,302,996                 | \$781,600             | (\$595,197)                     | -43.23%                       |
| *                                      | Minor Capital Items           | \$23,500                               | \$16,814                    | \$5,000               | (\$18,500)                      | -78.72%                       |
| *                                      | Capital Outlay                | \$0                                    | \$0                         | \$25,300              | \$25,300                        | ---                           |
| **                                     | <b>Nutrition &amp; Supply</b> | <b>\$2,793,634</b>                     | <b>\$2,658,408</b>          | <b>\$2,130,399</b>    | <b>(\$663,235)</b>              | <b>-23.74%</b>                |

**CITY OF PORTLAND, ME**  
**FY22 HEALTH & HUMAN SERVICES ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                    |                               | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|----------------------------------------|-------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Barron Center 4440</b>              |                               |                                        |                             |                       |                                 |                               |
| <b>Environmental Services 10744407</b> |                               |                                        |                             |                       |                                 |                               |
| *                                      | Payroll                       | \$387,568                              | \$382,890                   | \$391,051             | \$3,483                         | 0.90%                         |
| *                                      | Benefits                      | \$4,440                                | \$1,000                     | \$3,040               | (\$1,400)                       | -31.53%                       |
| *                                      | Administrative Svcs           | \$1,250                                | \$450                       | \$1,250               | \$0                             | 0.00%                         |
| *                                      | Contractual Services          | \$75,935                               | \$75,935                    | \$78,595              | \$2,660                         | 3.50%                         |
| *                                      | Maintenance & Repair          | \$117,930                              | \$99,333                    | \$141,430             | \$23,500                        | 19.93%                        |
| *                                      | Rentals                       | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| *                                      | Supplies                      | \$70,355                               | \$61,055                    | \$72,055              | \$1,700                         | 2.42%                         |
| *                                      | Minor Capital Items           | \$0                                    | \$0                         | \$12,000              | \$12,000                        | ---                           |
| *                                      | Utilities                     | \$417,668                              | \$373,523                   | \$420,715             | \$3,047                         | 0.73%                         |
| *                                      | Capital Outlay                | \$48,065                               | \$89,080                    | \$36,065              | (\$12,000)                      | -24.97%                       |
| **                                     | <b>Environmental Services</b> | <b>\$1,123,211</b>                     | <b>\$1,083,266</b>          | <b>\$1,156,201</b>    | <b>\$32,990</b>                 | <b>2.94%</b>                  |

**CITY OF PORTLAND, ME**  
**FY22 HEALTH & HUMAN SERVICES ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION          |                      | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|------------------------------|----------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Barron Center 4440</b>    |                      |                                        |                             |                       |                                 |                               |
| <b>Housekeeping 10744408</b> |                      |                                        |                             |                       |                                 |                               |
| *                            | Payroll              | \$538,910                              | \$546,334                   | \$526,189             | (\$12,721)                      | -2.36%                        |
| *                            | Benefits             | \$1,200                                | \$2,000                     | \$2,175               | \$975                           | 81.25%                        |
| *                            | Contractual Services | \$3,360                                | \$3,718                     | \$3,700               | \$340                           | 10.12%                        |
| *                            | Maintenance & Repair | \$2,360                                | \$2,000                     | \$2,360               | \$0                             | 0.00%                         |
| *                            | Supplies             | \$108,635                              | \$97,916                    | \$122,535             | \$13,900                        | 12.80%                        |
| *                            | Minor Capital Items  | \$1,000                                | \$1,000                     | \$1,000               | \$0                             | 0.00%                         |
| **                           | Housekeeping         | \$655,465                              | \$652,968                   | \$657,959             | \$2,494                         | 0.38%                         |

**CITY OF PORTLAND, ME**  
**FY22 HEALTH & HUMAN SERVICES ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION              |                      | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|----------------------------------|----------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Barron Center 4440</b>        |                      |                                        |                             |                       |                                 |                               |
| <b>Laundry Services 10744409</b> |                      |                                        |                             |                       |                                 |                               |
| *                                | Payroll              | \$486,800                              | \$415,516                   | \$458,317             | (\$28,483)                      | -5.85%                        |
| *                                | Benefits             | \$1,200                                | \$1,752                     | \$1,725               | \$525                           | 43.75%                        |
| *                                | Administrative Svcs  | \$250                                  | \$0                         | \$250                 | \$0                             | 0.00%                         |
| *                                | Contractual Services | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| *                                | Maintenance & Repair | \$10,050                               | \$7,650                     | \$10,050              | \$0                             | 0.00%                         |
| *                                | Supplies             | \$57,955                               | \$52,644                    | \$57,955              | \$0                             | 0.00%                         |
| *                                | Capital Outlay       | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| **                               | Laundry Services     | \$556,255                              | \$477,562                   | \$528,297             | (\$27,958)                      | -5.03%                        |



**CITY OF PORTLAND, ME**  
**FY22 HEALTH & HUMAN SERVICES ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION            |                     | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|--------------------------------|---------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Barron Center 4440</b>      |                     |                                        |                             |                       |                                 |                               |
| <b>Central Supply 10744410</b> |                     |                                        |                             |                       |                                 |                               |
| *                              | Payroll             | \$0                                    | \$0                         | \$48,029              | \$48,029                        | ---                           |
| *                              | Benefits            | \$0                                    | \$0                         | \$11,000              | \$11,000                        | ---                           |
| *                              | Administrative Svcs | \$0                                    | \$0                         | \$3,500               | \$3,500                         | ---                           |
| *                              | Client Expenses     | \$0                                    | \$0                         | \$9,250               | \$9,250                         | ---                           |
| *                              | Rentals             | \$0                                    | \$0                         | \$23,990              | \$23,990                        | ---                           |
| *                              | Supplies            | \$0                                    | \$0                         | \$759,560             | \$759,560                       | ---                           |
| *                              | Capital Outlay      | \$0                                    | \$0                         | \$25,000              | \$25,000                        | ---                           |
| **                             | Central Supply      | \$0                                    | \$0                         | \$880,329             | \$880,329                       | ---                           |
| ***                            | Barron Center       | \$16,112,624                           | \$14,602,253                | \$16,537,167          | \$424,543                       | 2.63%                         |

**CITY OF PORTLAND, ME  
FY22 DEPARTMENT ORG NET REPORT**

| ACCOUNT DESCRIPTION          | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY221 / FY21 |
|------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|--------------------------------|
| <b>General Fund</b>          |                                        |                             |                       |                                 |                                |
| <b>Debt Service 47</b>       |                                        |                             |                       |                                 |                                |
| 10047000 Total EXPENDITURE   | \$45,700,279                           | \$39,947,696                | \$48,355,413          | \$2,655,134                     | 5.81%                          |
| 10047000 Total REVENUE       | (\$19,189,768)                         | (\$19,389,768)              | (\$20,004,027)        | (\$814,259)                     | 4.24%                          |
| <b>** Debt Service NET</b>   | <b>\$26,510,511</b>                    | <b>\$20,557,928</b>         | <b>\$28,351,386</b>   | <b>\$1,840,875</b>              | <b>6.94%</b>                   |
| <b>**** Debt Service Net</b> | <b>\$26,510,511</b>                    | <b>\$20,557,928</b>         | <b>\$28,351,386</b>   | <b>\$1,840,875</b>              | <b>6.94%</b>                   |

**CITY OF PORTLAND, ME**  
**FY22 DEPARTMENT CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION    |                      | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|------------------------|----------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>General Fund</b>    |                      |                                        |                             |                       |                                 |                               |
| <b>Debt Service 47</b> |                      |                                        |                             |                       |                                 |                               |
| *                      | Contractual Services | \$760,000                              | \$550,000                   | \$615,000             | (\$145,000)                     | -19.08%                       |
| *                      | Debt Service         | \$44,940,279                           | \$39,397,696                | \$47,740,413          | \$2,800,134                     | 6.23%                         |
| ****                   | Debt Service         | \$45,700,279                           | \$39,947,696                | \$48,355,413          | \$2,655,134                     | 5.81%                         |

**CITY OF PORTLAND, ME  
FY22 DEPARTMENT ORG NET REPORT**

| ACCOUNT DESCRIPTION        | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY221 / FY21 |
|----------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|--------------------------------|
| <b>General Fund</b>        |                                        |                             |                       |                                 |                                |
| <b>Library 48</b>          |                                        |                             |                       |                                 |                                |
| 10048000 Total EXPENDITURE | \$3,927,837                            | \$3,927,837                 | \$4,006,394           | \$78,557                        | 2.00%                          |
| <b>** Library NET</b>      | <b>\$3,927,837</b>                     | <b>\$3,927,837</b>          | <b>\$4,006,394</b>    | <b>\$78,557</b>                 | <b>2.00%</b>                   |
| <b>**** Library Net</b>    | <b>\$3,927,837</b>                     | <b>\$3,927,837</b>          | <b>\$4,006,394</b>    | <b>\$78,557</b>                 | <b>2.00%</b>                   |

**CITY OF PORTLAND, ME**  
**FY22 DEPARTMENT CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION |                      | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|---------------------|----------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>General Fund</b> |                      |                                        |                             |                       |                                 |                               |
| <b>Library 48</b>   |                      |                                        |                             |                       |                                 |                               |
| *                   | <b>Payroll</b>       | \$2,804,154                            | \$2,804,154                 | \$2,910,150           | \$105,996                       | 3.78%                         |
| *                   | <b>Benefits</b>      | \$537,000                              | \$537,000                   | \$540,000             | \$3,000                         | 0.56%                         |
| *                   | <b>Supplies</b>      | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| *                   | <b>Utilities</b>     | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| *                   | <b>Contributions</b> | \$586,683                              | \$586,683                   | \$556,244             | (\$30,439)                      | -5.19%                        |
| ****                | <b>Library</b>       | <b>\$3,927,837</b>                     | <b>\$3,927,837</b>          | <b>\$4,006,394</b>    | <b>\$78,557</b>                 | <b>2.00%</b>                  |

| Portland Public Library | FY 20<br>Actual  | FY 21<br>Approved | FY 22<br>Submission | DOLLAR<br>INCREASE | 2/8/2021            |
|-------------------------|------------------|-------------------|---------------------|--------------------|---------------------|
|                         |                  |                   |                     |                    | PERCENT<br>INCREASE |
| <b>BUDGET ITEMS</b>     |                  |                   |                     |                    |                     |
| <b>Personnel</b>        |                  |                   |                     |                    |                     |
| salaries-regular        | 2,735,162        | 2,695,304         | 2,801,300           | 105,996            | 3.93%               |
| salaries-temp/sub       | 121,849          | 100,100           | 100,100             | 0                  | 0.00%               |
| salaries-over schedule  | 15,226           | 8,750             | 8,750               | 0                  | 0.00%               |
|                         | 2,872,237        | 2,804,154         | 2,910,150           | 105,996            | 3.78%               |
| <b>Contractual</b>      |                  |                   |                     |                    |                     |
| medical insurance       | 537,204          | 537,000           | 537,000             | 0                  | 0.00%               |
| other benefits          | 18,370           | 18,224            | 18,224              | 0                  | 0.00%               |
| parking                 | 48,386           | 57,416            | 57,416              | 0                  | 0.00%               |
| professional services   | 116,671          | 74,750            | 74,750              | 0                  | 0.00%               |
| technology              | 215,813          | 224,733           | 215,000             | -9,733             | -4.33%              |
| utilities               | 140,524          | 144,672           | 144,672             | 0                  | 0.00%               |
| maintenance & security  | 114,037          | 106,400           | 106,400             | 0                  | 0.00%               |
| branch occupancy        | 48,400           | 40,300            | 40,300              | 0                  | 0.00%               |
| staff development       | 34,607           | 65,000            | 65,000              | 0                  | 0.00%               |
| supplies                | 42,574           | 54,050            | 54,050              | 0                  | 0.00%               |
| printing/duplicating    | 26,768           | 32,600            | 32,600              | 0                  | 0.00%               |
| postage                 | 19,991           | 11,000            | 11,000              | 0                  | 0.00%               |
| insurance               | 29,370           | 30,000            | 30,000              | 0                  | 0.00%               |
| miscellaneous           | 18,589           | 3,750             | 3,750               | 0                  | 0.00%               |
|                         | 1,411,304        | 1,399,895         | 1,390,162           | -9,733             | -0.70%              |
| <b>Commodities</b>      |                  |                   |                     |                    |                     |
| books-digital-AV        | 319,594          | 334,231           | 334,231             | 0                  | 0.00%               |
| periodicals             | 25,874           | 10,000            | 10,000              | 0                  | 0.00%               |
| periodicals-microfilm   | 8,543            | 8,200             | 8,200               | 0                  | 0.00%               |
| preservation            |                  | 700               | 700                 | 0                  | 0.00%               |
| materials processing    | 24,175           | 20,500            | 20,500              | 0                  | 0.00%               |
| shipping & handling     | 173              | 818               | 818                 | 0                  | 0.00%               |
|                         | 378,359          | 374,449           | 374,449             | 0                  | 0.00%               |
| <b>Capital</b>          |                  |                   |                     |                    |                     |
| Equipment/Improvements  | 25,706           | 35,000            | 39,477              | 4,477              | 12.79%              |
| <b>TOTAL</b>            | <b>4,687,605</b> | <b>4,613,498</b>  | <b>4,714,238</b>    | <b>100,740</b>     | <b>2.18%</b>        |

| Portland Public Library     | FY 20            | FY 21<br>Submission | FY 22<br>Submission | DOLLAR<br>INCREASE | 2/8/2021            |
|-----------------------------|------------------|---------------------|---------------------|--------------------|---------------------|
|                             |                  |                     |                     |                    | PERCENT<br>INCREASE |
| <b>REVENUE TITLE</b>        |                  |                     |                     |                    |                     |
| <b>Government</b>           |                  |                     |                     |                    |                     |
| Maine State Library         | 184,550          | 184,550             | 184,550             | 0                  | 0.00%               |
| Cumberland County           | 9,884            | 10,000              | 10,000              | 0                  | 0.00%               |
|                             | 194,434          | 194,550             | 194,550             | 0                  | 0.00%               |
| <b>Investments</b>          |                  |                     |                     |                    |                     |
| Endowment-restricted        | 214,000          | 228,000             | 235,000             | 7,000              | 3.07%               |
| Other Investments           | 1,035            | 1,500               | 1,500               | 0                  | 0.00%               |
|                             | 215,035          | 229,500             | 236,500             | 7,000              | 3.05%               |
| <b>Operations</b>           |                  |                     |                     |                    |                     |
| fees                        | 51,132           | 11,500              | 11,500              | 0                  | 0.00%               |
| conference rooms            | 13,381           | 14,000              | 14,000              | 0                  | 0.00%               |
| retail                      | 12,714           | 10,000              | 10,000              | 0                  | 0.00%               |
| photocopies/printing        | 13,171           | 13,111              | 13,194              | 83                 | 0.63%               |
| miscellaneous               | 2,789            | 500                 | 500                 | 0                  | 0.00%               |
|                             | 93,188           | 49,111              | 49,194              | 83                 | 0.17%               |
| <b>Development</b>          |                  |                     |                     |                    |                     |
| annual fund                 | 212,246          | 200,000             | 215,100             | 15,100             | 7.55%               |
| special events/sponsorships |                  | 12,500              | 12,500              | 0                  | 0.00%               |
|                             | 212,246          | 212,500             | 227,600             | 15,100             | 7.11%               |
| <b>City Contribution</b>    | 4,013,769        | 3,927,837           | 4,006,394           | 78,557             | 2.00%               |
| <b>Total Revenue</b>        | <b>4,728,672</b> | <b>4,613,498</b>    | <b>4,714,238</b>    | <b>100,740</b>     | <b>2.18%</b>        |
|                             |                  |                     |                     |                    |                     |
| <b>Total Expenses</b>       | <b>4,687,605</b> | <b>4,613,498</b>    | <b>4,714,238</b>    | <b>100,740</b>     | <b>2.18%</b>        |

| POSITION                        | FY 21 Approved |                 | FY 22 Prosposed |                 | FTE    |    | \$           |  |
|---------------------------------|----------------|-----------------|-----------------|-----------------|--------|----|--------------|--|
|                                 | FTE            | Classification  | FTE             | Classification  | Change |    | Change       |  |
| Executive Director              | 1.00           | \$ 102,404.51   | 1.00            | \$ 106,838.40   | 0      | \$ | 4,433.89     |  |
| Associate Director              | 1.00           | \$ 82,717.70    | 1.00            | \$ 86,307.20    | 0      | \$ | 3,589.50     |  |
| HR Director                     | 1.00           | \$ 72,003.17    | 1.00            | \$ 76,050.00    | 0      | \$ | 4,046.83     |  |
| Finance Director                | 1.00           | \$ 75,731.84    | 1.00            | \$ 78,328.50    | 0      | \$ | 2,596.66     |  |
| Development Director            | 1.00           | \$ 77,448.42    | 1.00            | \$ 76,050.00    | 0      | \$ | (1,398.42)   |  |
| Finance Assistant               | 0.50           | \$ 22,101.16    |                 |                 | -0.5   | \$ | (22,101.16)  |  |
| Admin Assistant                 | 0.00           | \$ -            |                 |                 | 0      | \$ | -            |  |
| Assistant to the Director       | 1.00           | \$ 44,590.01    | 1.00            | \$ 47,029.50    | 0      | \$ | 2,439.49     |  |
| Finance/HR Specialist           | 1.00           | \$ 40,092.23    | 1.00            | \$ 42,654.00    | 0      | \$ | 2,561.77     |  |
| Librarian Directors             | 3.00           | \$ 203,708.69   | 3.00            | \$ 214,866.00   | 0      | \$ | 11,157.31    |  |
| Librarian Technical Specialists | 3.00           | \$ 167,226.46   | 3.00            | \$ 175,671.00   | 0      | \$ | 8,444.54     |  |
| Branch Managers & Assistants    | 4.73           | \$ 239,122.93   | 3.13            | \$ 171,940.00   | -1.60  | \$ | (67,182.93)  |  |
| Librarians                      | 11.53          | \$ 565,547.90   | 11.50           | \$ 593,083.60   | -0.03  | \$ | 27,535.70    |  |
| Library Associates              | 5.70           | \$ 239,165.56   | 2.53            | \$ 122,490.30   | -3.17  | \$ | (116,675.26) |  |
| Senior Library Assistant        | 11.03          | \$ 419,547.37   | 14.23           | \$ 586,356.20   | 3.20   | \$ | 166,808.83   |  |
| Facilities Manager              | 1.00           | \$ 52,711.20    | 1.00            | \$ 55,524.00    | 0.00   | \$ | 2,812.80     |  |
| Security                        | 2.50           | \$ 92,423.24    | 2.50            | \$ 102,997.80   | 0.00   | \$ | 10,574.56    |  |
| Social Worker In Residence      | 0.50           | \$ 25,679.90    | 0.50            | \$ 18,582.50    | 0.00   | \$ | (7,097.40)   |  |
| Maintenance                     | 3.60           | \$ 124,583.31   | 3.66            | \$ 133,098.00   | 0.06   | \$ | 8,514.69     |  |
| Library Assistant               | 1.56           | \$ 48,498.55    | 2.20            | \$ 76,543.50    | 0.64   | \$ | 28,044.95    |  |
| Marketing Associate             |                |                 | 1.00            | \$ 36,890.40    | 1.00   | \$ | 36,890.40    |  |
| salaries-regular                | 55.66          | \$ 2,695,304.15 | 55.25           | \$ 2,801,300.90 | -0.41  | \$ | 105,996.75   |  |
| salaries-temporary              |                | \$ 100,100.00   |                 | \$ 100,100.00   |        | \$ | -            |  |
| salaries-over schedule          |                | \$ 8,750.00     |                 | \$ 8,750.00     |        | \$ | -            |  |
| Total Personnel                 |                | \$ 2,804,154.15 |                 | \$ 2,910,150.90 |        | \$ | 105,996.75   |  |

**CITY OF PORTLAND, ME  
FY22 DEPARTMENT ORG NET REPORT**

| ACCOUNT DESCRIPTION                | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY221 / FY21 |
|------------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|--------------------------------|
| <b>General Fund<br/>Pension 51</b> |                                        |                             |                       |                                 |                                |
| 10051200 Total EXPENDITURE         | \$7,764,619                            | \$7,745,000                 | \$8,531,837           | \$767,218                       | 9.88%                          |
| 10051200 Total REVENUE             | (\$1,159,691)                          | (\$1,116,868)               | (\$1,041,086)         | \$118,605                       | -10.23%                        |
| <b>** Pension NET</b>              | <b>\$6,604,928</b>                     | <b>\$6,628,132</b>          | <b>\$7,490,751</b>    | <b>\$885,823</b>                | <b>13.41%</b>                  |
| <b>**** Pension Net</b>            | <b>\$6,604,928</b>                     | <b>\$6,628,132</b>          | <b>\$7,490,751</b>    | <b>\$885,823</b>                | <b>13.41%</b>                  |



**CITY OF PORTLAND, ME**  
**FY22 DEPARTMENT CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                |          | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|------------------------------------|----------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>General Fund<br/>Pension 51</b> |          |                                        |                             |                       |                                 |                               |
| *                                  | Benefits | \$7,764,619                            | \$7,745,000                 | \$8,531,837           | \$767,218                       | 9.88%                         |
| ****                               | Pension  | \$7,764,619                            | \$7,745,000                 | \$8,531,837           | \$767,218                       | 9.88%                         |

**CITY OF PORTLAND, ME  
FY22 DEPARTMENT ORG NET REPORT**

| ACCOUNT DESCRIPTION                    | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY221 / FY21 |
|----------------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|--------------------------------|
| <b>General Fund</b>                    |                                        |                             |                       |                                 |                                |
| <b>Employee Benefits 52</b>            |                                        |                             |                       |                                 |                                |
| 10052200 Total EXPENDITURE             | \$18,741,418                           | \$18,216,059                | \$17,994,636          | (\$746,782)                     | -3.98%                         |
| 10052200 Total REVENUE                 | (\$5,883,684)                          | (\$4,655,129)               | (\$6,363,545)         | (\$479,861)                     | 8.16%                          |
| <b>** Health Insurance Program NET</b> | <b>\$12,857,734</b>                    | <b>\$13,560,930</b>         | <b>\$11,631,091</b>   | <b>(\$1,226,643)</b>            | <b>-9.54%</b>                  |
| 10052300 Total EXPENDITURE             | \$1,810,292                            | \$2,368,250                 | \$1,692,000           | (\$118,292)                     | -6.53%                         |
| 10052300 Total REVENUE                 | (\$225,000)                            | (\$165,000)                 | (\$165,000)           | \$60,000                        | -26.67%                        |
| <b>** Workers' Compensation NET</b>    | <b>\$1,585,292</b>                     | <b>\$2,203,250</b>          | <b>\$1,527,000</b>    | <b>(\$58,292)</b>               | <b>-3.68%</b>                  |
| 10052400 Total EXPENDITURE             | \$1,393,538                            | \$1,164,518                 | \$1,325,660           | (\$67,878)                      | -4.87%                         |
| 10052400 Total REVENUE                 | (\$135,495)                            | (\$112,522)                 | (\$127,253)           | \$8,242                         | -6.08%                         |
| <b>** FICA NET</b>                     | <b>\$1,258,043</b>                     | <b>\$1,051,996</b>          | <b>\$1,198,407</b>    | <b>(\$59,636)</b>               | <b>-4.74%</b>                  |
| 10052500 Total EXPENDITURE             | \$211,911                              | \$230,000                   | \$230,240             | \$18,329                        | 8.65%                          |
| 10052500 Total REVENUE                 | (\$7,088)                              | (\$6,800)                   | (\$7,926)             | (\$838)                         | 11.82%                         |
| <b>** Group Life Insurance NET</b>     | <b>\$204,823</b>                       | <b>\$223,200</b>            | <b>\$222,314</b>      | <b>\$17,491</b>                 | <b>8.54%</b>                   |
| 10052600 Total EXPENDITURE             | \$100,000                              | \$500,000                   | \$100,000             | \$0                             | 0.00%                          |
| 10052600 Total REVENUE                 | \$0                                    | \$0                         | \$0                   | \$0                             | ---                            |
| <b>** Unemployment NET</b>             | <b>\$100,000</b>                       | <b>\$500,000</b>            | <b>\$100,000</b>      | <b>\$0</b>                      | <b>0.00%</b>                   |
| <b>**** Employee Benefits Net</b>      | <b>\$16,005,892</b>                    | <b>\$17,539,376</b>         | <b>\$14,678,812</b>   | <b>(\$1,327,080)</b>            | <b>-8.29%</b>                  |

**CITY OF PORTLAND, ME**  
**FY22 DEPARTMENT CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION         |                      | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|-----------------------------|----------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>General Fund</b>         |                      |                                        |                             |                       |                                 |                               |
| <b>Employee Benefits 52</b> |                      |                                        |                             |                       |                                 |                               |
| *                           | Benefits             | \$19,566,577                           | \$19,274,674                | \$18,943,580          | (\$622,997)                     | -3.18%                        |
| *                           | Administrative Svcs  | \$682,826                              | \$695,903                   | \$568,132             | (\$114,694)                     | -16.80%                       |
| *                           | Contractual Services | \$959,900                              | \$1,325,250                 | \$784,000             | (\$175,900)                     | -18.32%                       |
| *                           | Rentals              | \$12,000                               | \$0                         | \$12,360              | \$360                           | 3.00%                         |
| *                           | Insurance            | \$907,400                              | \$1,056,000                 | \$906,000             | (\$1,400)                       | -0.15%                        |
| *                           | Utilities            | \$1,464                                | \$0                         | \$1,464               | \$0                             | 0.00%                         |
| *                           | Contributions        | \$126,992                              | \$127,000                   | \$127,000             | \$8                             | 0.01%                         |
| ****                        | Employee Benefits    | \$22,257,159                           | \$22,478,827                | \$21,342,536          | (\$914,623)                     | -4.11%                        |

**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                      | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|------------------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Employee Benefits 52</b>              |                                        |                             |                       |                                 |                               |
| <b>Health Insurance Program 10052200</b> |                                        |                             |                       |                                 |                               |
| * <b>Benefits</b>                        | \$17,861,128                           | \$17,380,156                | \$17,287,680          | (\$573,448)                     | -3.21%                        |
| * <b>Administrative Svcs</b>             | \$866,826                              | \$835,903                   | \$693,132             | (\$173,694)                     | -20.04%                       |
| * <b>Rentals</b>                         | \$12,000                               | \$0                         | \$12,360              | \$360                           | 3.00%                         |
| * <b>Utilities</b>                       | \$1,464                                | \$0                         | \$1,464               | \$0                             | 0.00%                         |
| <b>**      Health Insurance Program</b>  | <b>\$18,741,418</b>                    | <b>\$18,216,059</b>         | <b>\$17,994,636</b>   | <b>(\$746,782)</b>              | <b>-3.98%</b>                 |

**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                   |                              | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|---------------------------------------|------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Workers' Compensation 10052300</b> |                              |                                        |                             |                       |                                 |                               |
| *                                     | Administrative Svcs          | (\$184,000)                            | (\$140,000)                 | (\$125,000)           | \$59,000                        | -32.07%                       |
| *                                     | Contractual Services         | \$959,900                              | \$1,325,250                 | \$784,000             | (\$175,900)                     | -18.32%                       |
| *                                     | Insurance                    | \$907,400                              | \$1,056,000                 | \$906,000             | (\$1,400)                       | -0.15%                        |
| *                                     | Contributions                | \$126,992                              | \$127,000                   | \$127,000             | \$8                             | 0.01%                         |
| **                                    | <b>Workers' Compensation</b> | <b>\$1,810,292</b>                     | <b>\$2,368,250</b>          | <b>\$1,692,000</b>    | <b>(\$118,292)</b>              | <b>-6.53%</b>                 |

**CITY OF PORTLAND, ME**  
**FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION  |                 | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|----------------------|-----------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>FICA 10052400</b> |                 |                                        |                             |                       |                                 |                               |
| *                    | <b>Benefits</b> | \$1,393,538                            | \$1,164,518                 | \$1,325,660           | (\$67,878)                      | -4.87%                        |
| **                   | <b>FICA</b>     | <b>\$1,393,538</b>                     | <b>\$1,164,518</b>          | <b>\$1,325,660</b>    | <b>(\$67,878)</b>               | <b>-4.87%</b>                 |

**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                  |                      | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|--------------------------------------|----------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Group Life Insurance 10052500</b> |                      |                                        |                             |                       |                                 |                               |
| *                                    | Benefits             | \$211,911                              | \$230,000                   | \$230,240             | \$18,329                        | 8.65%                         |
| **                                   | Group Life Insurance | \$211,911                              | \$230,000                   | \$230,240             | \$18,329                        | 8.65%                         |

**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION          |                   | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|------------------------------|-------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Unemployment 10052600</b> |                   |                                        |                             |                       |                                 |                               |
| *                            | Benefits          | \$100,000                              | \$500,000                   | \$100,000             | \$0                             | 0.00%                         |
| **                           | Unemployment      | \$100,000                              | \$500,000                   | \$100,000             | \$0                             | 0.00%                         |
| ****                         | Employee Benefits | \$22,257,159                           | \$22,478,827                | \$21,342,536          | (\$914,623)                     | -4.11%                        |



**CITY OF PORTLAND, ME  
FY22 DEPARTMENT ORG NET REPORT**

| ACCOUNT DESCRIPTION                    | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY221 / FY21 |
|----------------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|--------------------------------|
| <b>General Fund<br/>Contingency 61</b> |                                        |                             |                       |                                 |                                |
| 10061000 Total EXPENDITURE             | \$250,000                              | \$250,000                   | \$250,000             | \$0                             | 0.00%                          |
| <b>** Contingency NET</b>              | <b>\$250,000</b>                       | <b>\$250,000</b>            | <b>\$250,000</b>      | <b>\$0</b>                      | <b>0.00%</b>                   |
| <b>**** Contingency Net</b>            | <b>\$250,000</b>                       | <b>\$250,000</b>            | <b>\$250,000</b>      | <b>\$0</b>                      | <b>0.00%</b>                   |

**CITY OF PORTLAND, ME**  
**FY22 DEPARTMENT CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION   |                      | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|-----------------------|----------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>General Fund</b>   |                      |                                        |                             |                       |                                 |                               |
| <b>Contingency 61</b> |                      |                                        |                             |                       |                                 |                               |
| *                     | Payroll              | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| *                     | Administrative Svcs  | \$925                                  | \$925                       | \$925                 | \$0                             | 0.00%                         |
| *                     | Contractual Services | \$249,075                              | \$249,075                   | \$249,075             | \$0                             | 0.00%                         |
| *                     | Supplies             | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| *                     | Utilities            | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| *                     | Capital Outlay       | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| ****                  | Contingency          | \$250,000                              | \$250,000                   | \$250,000             | \$0                             | 0.00%                         |

**CITY OF PORTLAND, ME  
FY22 DEPARTMENT ORG NET REPORT**

| ACCOUNT DESCRIPTION                 | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY221 / FY21 |
|-------------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|--------------------------------|
| <b>General Fund</b>                 |                                        |                             |                       |                                 |                                |
| <b>Liability Insurance 62</b>       |                                        |                             |                       |                                 |                                |
| 10062000 Total EXPENDITURE          | \$793,128                              | \$778,260                   | \$817,034             | \$23,906                        | 3.01%                          |
| 10062000 Total REVENUE              | (\$189,275)                            | (\$186,564)                 | (\$197,138)           | (\$7,863)                       | 4.15%                          |
| <b>** Liability Insurance NET</b>   | <b>\$603,853</b>                       | <b>\$591,696</b>            | <b>\$619,896</b>      | <b>\$16,043</b>                 | <b>2.66%</b>                   |
| <b>**** Liability Insurance Net</b> | <b>\$603,853</b>                       | <b>\$591,696</b>            | <b>\$619,896</b>      | <b>\$16,043</b>                 | <b>2.66%</b>                   |

**CITY OF PORTLAND, ME**  
**FY22 DEPARTMENT CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION           |                      | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|-------------------------------|----------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>General Fund</b>           |                      |                                        |                             |                       |                                 |                               |
| <b>Liability Insurance 62</b> |                      |                                        |                             |                       |                                 |                               |
| *                             | Administrative Svcs  | \$5,700                                | \$3,000                     | \$5,700               | \$0                             | 0.00%                         |
| *                             | Contractual Services | \$5,000                                | \$2,500                     | \$5,000               | \$0                             | 0.00%                         |
| *                             | Insurance            | \$782,428                              | \$772,760                   | \$806,334             | \$23,906                        | 3.06%                         |
| ****                          | Liability Insurance  | \$793,128                              | \$778,260                   | \$817,034             | \$23,906                        | 3.01%                         |

**CITY OF PORTLAND, ME  
FY22 DEPARTMENT ORG NET REPORT**

| ACCOUNT DESCRIPTION        | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY221 / FY21 |
|----------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|--------------------------------|
| <b>General Fund</b>        |                                        |                             |                       |                                 |                                |
| <b>County Tax 63</b>       |                                        |                             |                       |                                 |                                |
| 10063000 Total EXPENDITURE | \$7,011,159                            | \$7,011,159                 | \$7,147,309           | \$136,150                       | 1.94%                          |
| <b>** County Tax NET</b>   | <b>\$7,011,159</b>                     | <b>\$7,011,159</b>          | <b>\$7,147,309</b>    | <b>\$136,150</b>                | <b>1.94%</b>                   |
| <b>**** County Tax Net</b> | <b>\$7,011,159</b>                     | <b>\$7,011,159</b>          | <b>\$7,147,309</b>    | <b>\$136,150</b>                | <b>1.94%</b>                   |

**CITY OF PORTLAND, ME**  
**FY22 DEPARTMENT CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION  |               | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|----------------------|---------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>General Fund</b>  |               |                                        |                             |                       |                                 |                               |
| <b>County Tax 63</b> |               |                                        |                             |                       |                                 |                               |
| *                    | Contributions | \$7,011,159                            | \$7,011,159                 | \$7,147,309           | \$136,150                       | 1.94%                         |
| ****                 | County Tax    | \$7,011,159                            | \$7,011,159                 | \$7,147,309           | \$136,150                       | 1.94%                         |

**FY2021 COUNTY OF CUMBERLAND-****Using 2021 Final Valuation**

The tax distribution schedule describes the amount of tax required from each municipality based on their equalized valuation to provide the revenue necessary for county operations. Previous year information is provided for comparison purposes. The tax calculation table at the bottom of the schedule shows the factors of expenditures revenues, and surplus used to calculate the amount of county property tax assessed on the real and personal property in each municipality.

**The State of Maine Valuation for 2021 shows overall County increase of Valuation Growth**

| Tax Distribution Schedule |                      |              |                      |              |              |                    |
|---------------------------|----------------------|--------------|----------------------|--------------|--------------|--------------------|
|                           | 7.52%                |              | 5.40%                |              |              |                    |
| Town                      | State 2020 Valuation | 2020 Tax     | State 2021 Valuation | Val Change % | 2021 Tax     | Percent Tax Change |
| Baldwin                   | 181,600,000          | 121,180      | 194,350,000          | 7.0%         | 124,590      | 2.81%              |
| Bridgton                  | 1,106,700,000        | 738,484      | 1,205,750,000        | 9.0%         | 772,951      | 4.67%              |
| Brunswick                 | 2,509,500,000        | 1,674,551    | 2,595,900,000        | 3.4%         | 1,664,113    | -0.62%             |
| Cape Elizabeth            | 2,275,600,000        | 1,518,473    | 2,427,750,000        | 6.7%         | 1,556,320    | 2.49%              |
| Casco                     | 707,700,000          | 472,237      | 757,400,000          | 7.0%         | 485,535      | 2.82%              |
| Chebeague Island          | 237,100,000          | 158,213      | 253,150,000          | 6.8%         | 162,283      | 2.57%              |
| Cumberland                | 1,406,550,000        | 938,569      | 1,503,000,000        | 6.9%         | 963,505      | 2.66%              |
| Falmouth                  | 2,726,900,000        | 1,819,618    | 2,887,550,000        | 5.9%         | 1,851,077    | 1.73%              |
| Freeport                  | 1,863,700,000        | 1,243,618    | 2,006,100,000        | 7.6%         | 1,286,019    | 3.41%              |
| Frye Island               | 175,100,000          | 116,842      | 185,950,000          | 6.2%         | 119,204      | 2.02%              |
| Gorham                    | 1,992,000,000        | 1,329,231    | 2,152,750,000        | 8.1%         | 1,380,030    | 3.82%              |
| Gray                      | 1,133,450,000        | 756,334      | 1,173,400,000        | 3.5%         | 752,213      | -0.54%             |
| Harpswell                 | 1,992,700,000        | 1,329,698    | 2,101,500,000        | 5.5%         | 1,347,176    | 1.31%              |
| Harrison                  | 545,700,000          | 364,137      | 602,950,000          | 10.5%        | 386,524      | 6.15%              |
| Long Island               | 179,800,000          | 119,978      | 188,900,000          | 5.1%         | 121,095      | 0.93%              |
| Naples                    | 850,150,000          | 567,292      | 859,900,000          | 1.1%         | 551,243      | -2.83%             |
| New Gloucester            | 588,450,000          | 392,664      | 611,050,000          | 3.8%         | 391,716      | -0.24%             |
| North Yarmouth            | 570,400,000          | 380,617      | 617,650,000          | 8.3%         | 395,947      | 4.03%              |
| Portland                  | 10,507,000,000       | 7,011,159    | 11,149,300,000       | 6.1%         | 7,147,309    | 1.94%              |
| Pownal                    | 267,550,000          | 178,532      | 284,200,000          | 6.2%         | 182,188      | 2.05%              |
| Raymond                   | 1,175,550,000        | 784,426      | 1,206,850,000        | 2.7%         | 773,657      | -1.37%             |
| Scarborough               | 4,778,350,000        | 3,188,519    | 4,807,600,000        | 0.6%         | 3,081,933    | -3.34%             |
| Sebang                    | 420,650,000          | 280,693      | 463,600,000          | 10.2%        | 297,193      | 5.88%              |
| South Portland            | 4,622,350,000        | 3,084,423    | 4,866,700,000        | 5.3%         | 3,119,820    | 1.15%              |
| Standish                  | 1,198,800,000        | 799,941      | 1,215,150,000        | 1.4%         | 778,977      | -2.62%             |
| Westbrook                 | 2,268,700,000        | 1,513,868    | 2,420,050,000        | 6.7%         | 1,551,384    | 2.48%              |
| Windham                   | 2,272,500,000        | 1,516,404    | 2,441,900,000        | 7.5%         | 1,565,391    | 3.23%              |
| Yarmouth                  | 1,863,100,000        | 1,243,218    | 1,958,950,000        | 5.1%         | 1,255,794    | 1.01%              |
|                           | 50,417,650,000       | 33,642,919   | 53,139,300,000       | 5.40%        | 34,065,186   | 1.26%              |
| Tax Calculation           | 2018                 | 2019         | 2020                 |              | 2021         |                    |
| Total Estimated Expend    | 43,098,407           | 44,787,515   | 46,571,931           |              | 47,151,594   |                    |
| Total Estimated Revenue   | (12,485,782)         | (12,646,220) | (12,929,012)         |              | (12,886,408) |                    |
| Tax Stabilization         | -                    | -            | -                    |              | (200,000)    | Net Increase       |
| Tax Revenue Required      | 30,612,625           | 32,141,295   | 33,642,919           |              | 34,065,186   | 1.26%              |
|                           | 2018                 | 2019         | 2020                 |              | 2021         |                    |
| Mil Rate                  | 0.000694902          | 0.000685427  | 0.0006672846         |              | 0.0006410545 |                    |
| Per \$1,000               | 0.6949019            | 0.6854273    | 0.667284552          |              | 0.641054475  |                    |
| Amount for \$200,000 ↑ \$ | 138.98               | \$ 137.09    | \$ 133.46            |              | \$ 128.21    |                    |
| Increase \$               | (0.49)               | \$ (1.89)    | \$ (3.63)            |              | \$ (5.25)    |                    |

**CITY OF PORTLAND, ME  
FY22 DEPARTMENT ORG NET REPORT**

| ACCOUNT DESCRIPTION                    | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY221 / FY21 |
|----------------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|--------------------------------|
| <b>General Fund</b>                    |                                        |                             |                       |                                 |                                |
| <b>Memberships / Other 65</b>          |                                        |                             |                       |                                 |                                |
| 10065200 Total EXPENDITURE             | \$2,877,058                            | \$2,877,058                 | \$3,020,147           | \$143,089                       | 4.97%                          |
| 10065200 Total REVENUE                 | (\$654,516)                            | (\$262,513)                 | (\$640,265)           | \$14,251                        | -2.18%                         |
| <b>** Transit District (Metro) NET</b> | <b>\$2,222,542</b>                     | <b>\$2,614,545</b>          | <b>\$2,379,882</b>    | <b>\$157,340</b>                | <b>7.08%</b>                   |
| 10065300 Total EXPENDITURE             | \$78,480                               | \$78,480                    | \$78,480              | \$0                             | 0.00%                          |
| <b>** Regional Transportation NET</b>  | <b>\$78,480</b>                        | <b>\$78,480</b>             | <b>\$78,480</b>       | <b>\$0</b>                      | <b>0.00%</b>                   |
| 10065400 Total EXPENDITURE             | \$419,910                              | \$419,910                   | \$689,149             | \$269,239                       | 64.12%                         |
| <b>** Memberships - Misc NET</b>       | <b>\$419,910</b>                       | <b>\$419,910</b>            | <b>\$689,149</b>      | <b>\$269,239</b>                | <b>64.12%</b>                  |
| <b>**** Memberships / Other Net</b>    | <b>\$2,720,932</b>                     | <b>\$3,112,935</b>          | <b>\$3,147,511</b>    | <b>\$426,579</b>                | <b>15.68%</b>                  |



**CITY OF PORTLAND, ME**  
**FY22 DEPARTMENT CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION           |                            | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|-------------------------------|----------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>General Fund</b>           |                            |                                        |                             |                       |                                 |                               |
| <b>Memberships / Other 65</b> |                            |                                        |                             |                       |                                 |                               |
| *                             | Contractual Services       | \$50,000                               | \$50,000                    | \$50,000              | \$0                             | 0.00%                         |
| *                             | Contributions              | \$3,325,448                            | \$3,325,448                 | \$3,737,776           | \$412,328                       | 12.40%                        |
| ****                          | <b>Memberships / Other</b> | <b>\$3,375,448</b>                     | <b>\$3,375,448</b>          | <b>\$3,787,776</b>    | <b>\$412,328</b>                | <b>12.22%</b>                 |

**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                      |                          | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|------------------------------------------|--------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Memberships / Other 65</b>            |                          |                                        |                             |                       |                                 |                               |
| <b>Transit District (Metro) 10065200</b> |                          |                                        |                             |                       |                                 |                               |
| *                                        | Contributions            | \$2,877,058                            | \$2,877,058                 | \$3,020,147           | \$143,089                       | 4.97%                         |
| **                                       | Transit District (Metro) | \$2,877,058                            | \$2,877,058                 | \$3,020,147           | \$143,089                       | 4.97%                         |

**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                     |                         | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|-----------------------------------------|-------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Regional Transportation 10065300</b> |                         |                                        |                             |                       |                                 |                               |
| *                                       | Contributions           | \$78,480                               | \$78,480                    | \$78,480              | \$0                             | 0.00%                         |
| **                                      | Regional Transportation | \$78,480                               | \$78,480                    | \$78,480              | \$0                             | 0.00%                         |

**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                |                      | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|------------------------------------|----------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Memberships - Misc 10065400</b> |                      |                                        |                             |                       |                                 |                               |
| *                                  | Contractual Services | \$50,000                               | \$50,000                    | \$50,000              | \$0                             | 0.00%                         |
| *                                  | Contributions        | \$369,910                              | \$369,910                   | \$639,149             | \$269,239                       | 72.79%                        |
| **                                 | Memberships - Misc   | \$419,910                              | \$419,910                   | \$689,149             | \$269,239                       | 64.12%                        |
| ****                               | Memberships / Other  | \$3,375,448                            | \$3,375,448                 | \$3,787,776           | \$412,328                       | 12.22%                        |



**Peaks Island Council  
FY 2022 Budget Request  
As Approved for Submission  
February 24, 2021**

As approved at its meeting on February 24, 2021, the Peaks Island Council requests the Portland City Council to allocate the following funds to the Peaks Island Council FY2021 Parking and Transportation Fund in the amount of \$40,000.00 in accordance with the following items:

**Item A:** The Peaks Island Council requests the City Manager or his designee to expend monies from the Parking and Transportation Fund payable to Casco Bay Lines to purchase bicycle tickets for a **summer bike ticket program** on Peaks Island. The total is not to exceed \$500.00.

\_\_\_\_\_  
Jon Jennings, Portland City Manager

\_\_\_\_\_  
Date

**Item B:** The Peaks Island Council requests the City Manager or his designee to expend monies from the Parking and Transportation Fund payable to Casco Bay Lines to purchase tickets for needs-based Peaks Island residents. To receive **Needs-Based tickets**, recipients must fit defined criteria developed by the Peaks Island Council. The total is not to exceed \$3,000.00

\_\_\_\_\_  
Jon Jennings, Portland City Manager

\_\_\_\_\_  
Date

**Item C:** The Peaks Island Council requests the City Manager or his designee to transfer to the Portland School Department \$4,500.00 to cover the cost of extending Portland School Department issued 10-month Casco Bay Lines **passes for Peaks Island public middle and high schools students** to 12-month passes.

\_\_\_\_\_  
Jon Jennings, Portland City Manager

\_\_\_\_\_  
Date

**Item D:** The Peaks Island Council requests the City Manager or his designee to expend monies from the Parking and Transportation Fund payable to Casco Bay Lines for Island resident **college students**: for up to 3 monthly stickers per student @ \$82.45/sticker, not to exceed \$450.00 . For the purposes of PIC transportation support, a college student shall be defined as a full-time island resident carrying a full-time course load (12 credits) at a Portland-area institution of higher education.

\_\_\_\_\_  
Jon Jennings, Portland City Manager

\_\_\_\_\_  
Date

**Item E:** The Peaks Island Council requests the City Manager or his designee to issue vouchers in the amount of \$84 per voucher per student to the parents of **children attending private schools** off-island. Criteria for determination of residency will be directed through the Island/Neighborhood Administrator's Office. Total cost allocated is \$400.00 .

\_\_\_\_\_  
Jon Jennings, Portland City Manager

\_\_\_\_\_  
Date

**Item F: ITS: a.k.a., Island "Taxi"** The Peaks Island Council requests the City Manager or his designee to provide an allocation of \$20,984.00 to the **Island Transportation System** for continued support of the only transportation service available to residents.

\_\_\_\_\_  
Jon Jennings, Portland City Manager

\_\_\_\_\_  
Date

**Item G:** The Peaks Island Council requests the City Manager or his designee to provide an allocation of \$5,300.00 to **Peaks Island Tax & Energy Assistance (PITEA)** for the express purposes of assisting eligible island residents with heating costs. Applications for eligibility approved by Peaks Island Clergy, and monies are paid by PITEA directly to the fuel company.

\_\_\_\_\_  
Jon Jennings, Portland City Manager

\_\_\_\_\_  
Date

**Item H:** The Peaks Island Council requests the City Manager or his designee to provide an allocation of \$860.00 to the **Peaks Island Environmental Team (PEAT)** for the purposes of printing visitor-education materials.

\_\_\_\_\_  
Jon Jennings, Portland City Manager

\_\_\_\_\_  
Date

**Item I:** The Peaks Island Council requests the City Manager, or his designee to provide an allocation of \$2006.00 to the Peaks Island Council for **Administrative Expenses**.

\_\_\_\_\_  
Jon Jennings, Portland City Manager

\_\_\_\_\_  
Date

**Item J:** The Peaks Island Council requests that the City Manager or his designee provide an allocation of \$2000.00 to the **Fifth Maine Museum** for the replacement of windows to prevent heat loss and further water damage to the nearly 200 year-old building.

\_\_\_\_\_  
Jon Jennings, Portland City Manager

\_\_\_\_\_  
Date

**CITY OF PORTLAND, ME  
FY22 DEPARTMENT ORG NET REPORT**

| ACCOUNT DESCRIPTION             | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY221 / FY21 |
|---------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|--------------------------------|
| <b>General Fund</b>             |                                        |                             |                       |                                 |                                |
| <b>Wage Adjustment 67</b>       |                                        |                             |                       |                                 |                                |
| 10067000 Total EXPENDITURE      | \$0                                    | \$0                         | \$637,738             | \$637,738                       | ---                            |
| <b>** Wage Adjustment NET</b>   | <b>\$0</b>                             | <b>\$0</b>                  | <b>\$637,738</b>      | <b>\$637,738</b>                | <b>---</b>                     |
| <b>**** Wage Adjustment Net</b> | <b>\$0</b>                             | <b>\$0</b>                  | <b>\$637,738</b>      | <b>\$637,738</b>                | <b>---</b>                     |



**CITY OF PORTLAND, ME**  
**FY22 DEPARTMENT CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION       |                 | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|---------------------------|-----------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>General Fund</b>       |                 |                                        |                             |                       |                                 |                               |
| <b>Wage Adjustment 67</b> |                 |                                        |                             |                       |                                 |                               |
| *                         | Payroll         | \$0                                    | \$0                         | \$637,738             | \$637,738                       | ---                           |
| ****                      | Wage Adjustment | \$0                                    | \$0                         | \$637,738             | \$637,738                       | ---                           |

**CITY OF PORTLAND, ME**  
**FY22 ENTERPRISE FUND NET ORG REPORT**

| ACCOUNT DESCRIPTION                             | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|-------------------------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Fish Pier Authority Fund</b>                 |                                        |                             |                       |                                 |                               |
| <b>Public Buildings &amp; Waterfront 35</b>     |                                        |                             |                       |                                 |                               |
| 53035301 Total EXPENDITURE                      | \$423,216                              | \$391,624                   | \$421,641             | (\$1,575)                       | -0.37%                        |
| 53035301 Total REVENUE                          | (\$423,216)                            | (\$391,624)                 | (\$421,641)           | \$1,575                         | -0.37%                        |
| <b>** Pub Bldg &amp; Wtrfnt - Fish Pier NET</b> | <b>\$0</b>                             | <b>\$0</b>                  | <b>\$0</b>            | <b>\$0</b>                      | <b>---</b>                    |
| <b>***** Fish Pier Authority Fund NET</b>       | <b>\$0</b>                             | <b>\$0</b>                  | <b>\$0</b>            | <b>\$0</b>                      | <b>---</b>                    |

**CITY OF PORTLAND, ME**  
**FY22 ENTERPRISE FUND CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                   |                                 | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|---------------------------------------|---------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Fish Pier Authority Fund 0530:</b> |                                 |                                        |                             |                       |                                 |                               |
| *                                     | Payroll                         | \$74,647                               | \$49,000                    | \$70,646              | (\$4,001)                       | -5.36%                        |
| *                                     | Benefits                        | \$11,805                               | \$11,805                    | \$13,446              | \$1,641                         | 13.90%                        |
| *                                     | Operating Transfers             | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| *                                     | Administrative Svcs             | \$14,594                               | \$14,594                    | \$11,468              | (\$3,126)                       | -21.42%                       |
| *                                     | Contractual Services            | \$42,476                               | \$39,476                    | \$46,600              | \$4,124                         | 9.71%                         |
| *                                     | Maintenance & Repair            | \$225,000                              | \$225,000                   | \$225,000             | \$0                             | 0.00%                         |
| *                                     | Insurance                       | \$14,195                               | \$11,250                    | \$14,369              | \$174                           | 1.23%                         |
| *                                     | Supplies                        | \$13,500                               | \$13,500                    | \$13,500              | \$0                             | 0.00%                         |
| *                                     | Utilities                       | \$15,000                               | \$15,000                    | \$15,000              | \$0                             | 0.00%                         |
| *                                     | Contributions                   | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| *                                     | Capital Outlay                  | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| *                                     | Debt Service                    | \$11,999                               | \$11,999                    | \$11,612              | (\$387)                         | -3.23%                        |
| **                                    | <b>Fish Pier Authority Fund</b> | <b>\$423,216</b>                       | <b>\$391,624</b>            | <b>\$421,641</b>      | <b>(\$1,575)</b>                | <b>-0.37%</b>                 |

**CITY OF PORTLAND, ME  
FY22 ENTERPRISE FUND NET ORG REPORT**

| ACCOUNT DESCRIPTION                         | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|---------------------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Sewer Utility Fund</b>                   |                                        |                             |                       |                                 |                               |
| <b>Finance 15</b>                           |                                        |                             |                       |                                 |                               |
| 57015300 Total EXPENDITURE                  | \$104,356                              | \$8,450                     | \$98,104              | (\$6,252)                       | -5.99%                        |
| <b>** Sewer Utility Finance NET</b>         | <b>\$104,356</b>                       | <b>\$8,450</b>              | <b>\$98,104</b>       | <b>(\$6,252)</b>                | <b>-5.99%</b>                 |
| <b>**** Finance NET</b>                     | <b>\$104,356</b>                       | <b>\$8,450</b>              | <b>\$98,104</b>       | <b>(\$6,252)</b>                | <b>-5.99%</b>                 |
| <b>Sewer Utility Fund</b>                   |                                        |                             |                       |                                 |                               |
| <b>Public Works 31</b>                      |                                        |                             |                       |                                 |                               |
| 57031000 Total REVENUE                      | (\$26,708,918)                         | (\$26,237,076)              | (\$28,441,361)        | (\$1,732,443)                   | 6.49%                         |
| <b>** Sewer Utility Public Works NET</b>    | <b>(\$26,708,918)</b>                  | <b>(\$26,237,076)</b>       | <b>(\$28,441,361)</b> | <b>(\$1,732,443)</b>            | <b>-6.49%</b>                 |
| 57031100 Total EXPENDITURE                  | \$741,301                              | \$707,547                   | \$747,715             | \$6,414                         | 0.87%                         |
| <b>** Sewer Utility PW Admin NET</b>        | <b>\$741,301</b>                       | <b>\$707,547</b>            | <b>\$747,715</b>      | <b>\$6,414</b>                  | <b>0.87%</b>                  |
| 57031202 Total EXPENDITURE                  | \$2,555,803                            | \$2,839,543                 | \$2,725,639           | \$169,836                       | 6.65%                         |
| <b>** Sewer Utility Districting NET</b>     | <b>\$2,555,803</b>                     | <b>\$2,839,543</b>          | <b>\$2,725,639</b>    | <b>\$169,836</b>                | <b>6.65%</b>                  |
| 57031204 Total EXPENDITURE                  | \$65,378                               | \$62,197                    | \$64,034              | (\$1,344)                       | -2.06%                        |
| <b>** Sewer Communications NET</b>          | <b>\$65,378</b>                        | <b>\$62,197</b>             | <b>\$64,034</b>       | <b>(\$1,344)</b>                | <b>-2.06%</b>                 |
| 57031303 Total EXPENDITURE                  | \$512,695                              | \$496,619                   | \$620,541             | \$107,846                       | 21.04%                        |
| <b>** Sewer Engineering NET</b>             | <b>\$512,695</b>                       | <b>\$496,619</b>            | <b>\$620,541</b>      | <b>\$107,846</b>                | <b>21.04%</b>                 |
| 57031600 Total EXPENDITURE                  | \$8,029,746                            | \$8,029,746                 | \$8,805,095           | \$775,349                       | 9.66%                         |
| <b>** Sewer Utility Debt Service NET</b>    | <b>\$8,029,746</b>                     | <b>\$8,029,746</b>          | <b>\$8,805,095</b>    | <b>\$775,349</b>                | <b>9.66%</b>                  |
| 57031700 Total EXPENDITURE                  | \$1,522,494                            | \$1,436,179                 | \$1,500,808           | (\$21,686)                      | -1.42%                        |
| <b>** Sewer Utility Fringe Benefits NET</b> | <b>\$1,522,494</b>                     | <b>\$1,436,179</b>          | <b>\$1,500,808</b>    | <b>(\$21,686)</b>               | <b>-1.42%</b>                 |
| 57031800 Total EXPENDITURE                  | \$13,177,145                           | \$12,656,796                | \$13,879,425          | \$702,280                       | 5.33%                         |
| <b>** Sewer Utility PWD Assessment NET</b>  | <b>\$13,177,145</b>                    | <b>\$12,656,796</b>         | <b>\$13,879,425</b>   | <b>\$702,280</b>                | <b>5.33%</b>                  |
| <b>**** Public Works NET</b>                | <b>(\$104,356)</b>                     | <b>(\$8,450)</b>            | <b>(\$98,104)</b>     | <b>\$6,252</b>                  | <b>5.99%</b>                  |
| <b>***** Sewer Utility Fund NET</b>         | <b>\$0</b>                             | <b>\$0</b>                  | <b>\$0</b>            | <b>\$0</b>                      | <b>---</b>                    |

**CITY OF PORTLAND, ME**  
**FY22 ENTERPRISE FUND CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION             |                           | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|---------------------------------|---------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Sewer Utility Fund 0570:</b> |                           |                                        |                             |                       |                                 |                               |
| *                               | Payroll                   | \$2,326,110                            | \$2,097,634                 | \$2,455,398           | \$129,288                       | 5.56%                         |
| *                               | Benefits                  | \$1,034,894                            | \$926,627                   | \$1,037,354           | \$2,460                         | 0.24%                         |
| *                               | Administrative Svcs       | \$13,766,194                           | \$13,269,030                | \$14,448,206          | \$682,012                       | 4.95%                         |
| *                               | Contractual Services      | \$912,045                              | \$1,108,450                 | \$1,121,948           | \$209,903                       | 23.01%                        |
| *                               | Maintenance & Repair      | \$278,460                              | \$363,446                   | \$283,990             | \$5,530                         | 1.99%                         |
| *                               | Rentals                   | \$98,154                               | \$100,104                   | \$98,365              | \$211                           | 0.21%                         |
| *                               | Insurance                 | \$790                                  | \$20,783                    | \$24,540              | \$23,750                        | 3006.33%                      |
| *                               | Supplies                  | \$256,860                              | \$248,692                   | \$258,533             | \$1,673                         | 0.65%                         |
| *                               | Minor Capital Items       | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| *                               | Utilities                 | \$92,910                               | \$104,065                   | \$92,910              | \$0                             | 0.00%                         |
| *                               | Contributions             | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| *                               | Capital Outlay            | \$64,255                               | \$120,000                   | \$0                   | (\$64,255)                      | -100.00%                      |
| *                               | Debt Service              | \$7,878,246                            | \$7,878,246                 | \$8,620,117           | \$741,871                       | 9.42%                         |
| **                              | <b>Sewer Utility Fund</b> | <b>\$26,708,918</b>                    | <b>\$26,237,076</b>         | <b>\$28,441,361</b>   | <b>\$1,732,443</b>              | <b>6.49%</b>                  |

**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                   |                       | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|---------------------------------------|-----------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Finance 15</b>                     |                       |                                        |                             |                       |                                 |                               |
| <b>Sewer Utility Finance 57015300</b> |                       |                                        |                             |                       |                                 |                               |
| *                                     | Payroll               | \$81,246                               | \$0                         | \$82,089              | \$843                           | 1.04%                         |
| *                                     | Administrative Svcs   | \$5,135                                | \$2,100                     | \$3,765               | (\$1,370)                       | -26.68%                       |
| *                                     | Contractual Services  | \$15,125                               | \$4,500                     | \$9,400               | (\$5,725)                       | -37.85%                       |
| *                                     | Supplies              | \$2,850                                | \$1,850                     | \$2,850               | \$0                             | 0.00%                         |
| **                                    | Sewer Utility Finance | \$104,356                              | \$8,450                     | \$98,104              | (\$6,252)                       | -5.99%                        |
| ****                                  | Finance               | \$104,356                              | \$8,450                     | \$98,104              | (\$6,252)                       | -5.99%                        |

**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                    |                        | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|----------------------------------------|------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Public Works 31</b>                 |                        |                                        |                             |                       |                                 |                               |
| <b>Sewer Utility PW Admin 57031100</b> |                        |                                        |                             |                       |                                 |                               |
| *                                      | Payroll                | \$606,495                              | \$576,000                   | \$604,309             | (\$2,186)                       | -0.36%                        |
| *                                      | Benefits               | \$3,192                                | \$2,700                     | \$3,192               | \$0                             | 0.00%                         |
| *                                      | Administrative Svcs    | \$19,570                               | \$17,950                    | \$23,921              | \$4,351                         | 22.23%                        |
| *                                      | Contractual Services   | \$26,720                               | \$24,700                    | \$19,220              | (\$7,500)                       | -28.07%                       |
| *                                      | Maintenance & Repair   | \$57,897                               | \$57,150                    | \$66,096              | \$8,199                         | 14.16%                        |
| *                                      | Rentals                | \$19,677                               | \$19,677                    | \$19,677              | \$0                             | 0.00%                         |
| *                                      | Supplies               | \$7,750                                | \$9,370                     | \$11,300              | \$3,550                         | 45.81%                        |
| *                                      | Minor Capital Items    | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| *                                      | Capital Outlay         | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| **                                     | Sewer Utility PW Admin | \$741,301                              | \$707,547                   | \$747,715             | \$6,414                         | 0.87%                         |

**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                       |                                  | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|-------------------------------------------|----------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Sewer Utility Districting 57031202</b> |                                  |                                        |                             |                       |                                 |                               |
| *                                         | <b>Payroll</b>                   | \$1,212,558                            | \$1,109,655                 | \$1,330,508           | \$117,950                       | 9.73%                         |
| *                                         | <b>Benefits</b>                  | \$25,407                               | \$24,000                    | \$27,847              | \$2,440                         | 9.60%                         |
| *                                         | <b>Administrative Svcs</b>       | \$37,250                               | \$66,750                    | \$78,095              | \$40,845                        | 109.65%                       |
| *                                         | <b>Contractual Services</b>      | \$591,552                              | \$802,300                   | \$661,200             | \$69,648                        | 11.77%                        |
| *                                         | <b>Maintenance &amp; Repair</b>  | \$216,834                              | \$304,500                   | \$216,834             | \$0                             | 0.00%                         |
| *                                         | <b>Rentals</b>                   | \$77,160                               | \$79,160                    | \$77,372              | \$212                           | 0.27%                         |
| *                                         | <b>Supplies</b>                  | \$237,877                              | \$229,113                   | \$240,873             | \$2,996                         | 1.26%                         |
| *                                         | <b>Utilities</b>                 | \$92,910                               | \$104,065                   | \$92,910              | \$0                             | 0.00%                         |
| *                                         | <b>Capital Outlay</b>            | \$64,255                               | \$120,000                   | \$0                   | (\$64,255)                      | -100.00%                      |
| **                                        | <b>Sewer Utility Districting</b> | <b>\$2,555,803</b>                     | <b>\$2,839,543</b>          | <b>\$2,725,639</b>    | <b>\$169,836</b>                | <b>6.65%</b>                  |



**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                  |                                 | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|--------------------------------------|---------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Sewer Communications 57031204</b> |                                 |                                        |                             |                       |                                 |                               |
| *                                    | <b>Payroll</b>                  | \$58,519                               | \$57,345                    | \$59,845              | \$1,326                         | 2.27%                         |
| *                                    | <b>Benefits</b>                 | \$375                                  | \$375                       | \$375                 | \$0                             | 0.00%                         |
| *                                    | <b>Administrative Svcs</b>      | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| *                                    | <b>Contractual Services</b>     | \$1,900                                | \$1,900                     | \$1,900               | \$0                             | 0.00%                         |
| *                                    | <b>Maintenance &amp; Repair</b> | \$2,834                                | \$801                       | \$165                 | (\$2,669)                       | -94.18%                       |
| *                                    | <b>Rentals</b>                  | \$567                                  | \$567                       | \$566                 | (\$1)                           | -0.18%                        |
| *                                    | <b>Supplies</b>                 | \$1,183                                | \$1,209                     | \$1,183               | \$0                             | 0.00%                         |
| **                                   | <b>Sewer Communications</b>     | <b>\$65,378</b>                        | <b>\$62,197</b>             | <b>\$64,034</b>       | <b>(\$1,344)</b>                | <b>-2.06%</b>                 |

**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION               |                                 | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|-----------------------------------|---------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Sewer Engineering 57031303</b> |                                 |                                        |                             |                       |                                 |                               |
| *                                 | <b>Payroll</b>                  | \$367,292                              | \$354,634                   | \$356,909             | (\$10,383)                      | -2.83%                        |
| *                                 | <b>Benefits</b>                 | \$2,600                                | \$2,540                     | \$2,600               | \$0                             | 0.00%                         |
| *                                 | <b>Administrative Svcs</b>      | \$8,710                                | \$7,050                     | \$11,810              | \$3,100                         | 35.59%                        |
| *                                 | <b>Contractual Services</b>     | \$125,248                              | \$123,550                   | \$245,250             | \$120,002                       | 95.81%                        |
| *                                 | <b>Maintenance &amp; Repair</b> | \$895                                  | \$995                       | \$895                 | \$0                             | 0.00%                         |
| *                                 | <b>Rentals</b>                  | \$750                                  | \$700                       | \$750                 | \$0                             | 0.00%                         |
| *                                 | <b>Supplies</b>                 | \$7,200                                | \$7,150                     | \$2,327               | (\$4,873)                       | -67.68%                       |
| *                                 | <b>Contributions</b>            | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| *                                 | <b>Capital Outlay</b>           | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| **                                | <b>Sewer Engineering</b>        | <b>\$512,695</b>                       | <b>\$496,619</b>            | <b>\$620,541</b>      | <b>\$107,846</b>                | <b>21.04%</b>                 |

**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                        |                            | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|--------------------------------------------|----------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Sewer Utility Debt Service 57031600</b> |                            |                                        |                             |                       |                                 |                               |
| *                                          | Contractual Services       | \$151,500                              | \$151,500                   | \$184,978             | \$33,478                        | 22.10%                        |
| *                                          | Debt Service               | \$7,878,246                            | \$7,878,246                 | \$8,620,117           | \$741,871                       | 9.42%                         |
| **                                         | Sewer Utility Debt Service | \$8,029,746                            | \$8,029,746                 | \$8,805,095           | \$775,349                       | 9.66%                         |

**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                           |                                      | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|-----------------------------------------------|--------------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Sewer Utility Fringe Benefits 57031700</b> |                                      |                                        |                             |                       |                                 |                               |
| *                                             | Payroll                              | \$0                                    | \$0                         | \$21,738              | \$21,738                        | ---                           |
| *                                             | Benefits                             | \$1,003,320                            | \$897,012                   | \$1,003,340           | \$20                            | 0.00%                         |
| *                                             | Administrative Svcs                  | \$518,384                              | \$518,384                   | \$451,190             | (\$67,194)                      | -12.96%                       |
| *                                             | Insurance                            | \$790                                  | \$20,783                    | \$24,540              | \$23,750                        | 3006.33%                      |
| **                                            | <b>Sewer Utility Fringe Benefits</b> | <b>\$1,522,494</b>                     | <b>\$1,436,179</b>          | <b>\$1,500,808</b>    | <b>(\$21,686)</b>               | <b>-1.42%</b>                 |

**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                          |                              | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|----------------------------------------------|------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Sewer Utility PWD Assessment 57031800</b> |                              |                                        |                             |                       |                                 |                               |
| *                                            | Administrative Svcs          | \$13,177,145                           | \$12,656,796                | \$13,879,425          | \$702,280                       | 5.33%                         |
| **                                           | Sewer Utility PWD Assessment | \$13,177,145                           | \$12,656,796                | \$13,879,425          | \$702,280                       | 5.33%                         |
| ****                                         | Public Works                 | \$26,604,562                           | \$26,228,626                | \$28,343,257          | \$1,738,695                     | 6.54%                         |
| *****                                        | Sewer Utility Fund           | \$26,708,918                           | \$26,237,076                | \$28,441,361          | \$1,732,443                     | 6.49%                         |

**CITY OF PORTLAND, ME**  
**FY22 ENTERPRISE FUND NET ORG REPORT**

| ACCOUNT DESCRIPTION                      | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|------------------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Stormwater Fund</b>                   |                                        |                             |                       |                                 |                               |
| <b>Finance 15</b>                        |                                        |                             |                       |                                 |                               |
| 57115100 Total EXPENDITURE               | \$266,228                              | \$214,730                   | \$253,389             | (\$12,839)                      | -4.82%                        |
| <b>** Stormwater Finance NET</b>         | <b>\$266,228</b>                       | <b>\$214,730</b>            | <b>\$253,389</b>      | <b>(\$12,839)</b>               | <b>-4.82%</b>                 |
| <b>**** Finance NET</b>                  | <b>\$266,228</b>                       | <b>\$214,730</b>            | <b>\$253,389</b>      | <b>(\$12,839)</b>               | <b>-4.82%</b>                 |
| <b>Stormwater Fund</b>                   |                                        |                             |                       |                                 |                               |
| <b>Public Works 31</b>                   |                                        |                             |                       |                                 |                               |
| 57131000 Total REVENUE                   | (\$2,972,872)                          | (\$2,867,565)               | (\$3,248,661)         | (\$275,789)                     | 9.28%                         |
| <b>** Stormwater Public Works NET</b>    | <b>(\$2,972,872)</b>                   | <b>(\$2,867,565)</b>        | <b>(\$3,248,661)</b>  | <b>(\$275,789)</b>              | <b>-9.28%</b>                 |
| 57131500 Total EXPENDITURE               | \$1,548,607                            | \$1,568,257                 | \$1,685,091           | \$136,484                       | 8.81%                         |
| <b>** Stormwater Management NET</b>      | <b>\$1,548,607</b>                     | <b>\$1,568,257</b>          | <b>\$1,685,091</b>    | <b>\$136,484</b>                | <b>8.81%</b>                  |
| 57131600 Total EXPENDITURE               | \$754,949                              | \$754,999                   | \$954,037             | \$199,088                       | 26.37%                        |
| <b>** Stormwater Debt Service NET</b>    | <b>\$754,949</b>                       | <b>\$754,999</b>            | <b>\$954,037</b>      | <b>\$199,088</b>                | <b>26.37%</b>                 |
| 57131700 Total EXPENDITURE               | \$403,088                              | \$329,579                   | \$356,144             | (\$46,944)                      | -11.65%                       |
| <b>** Stormwater Fringe Benefits NET</b> | <b>\$403,088</b>                       | <b>\$329,579</b>            | <b>\$356,144</b>      | <b>(\$46,944)</b>               | <b>-11.65%</b>                |
| <b>**** Public Works NET</b>             | <b>(\$266,228)</b>                     | <b>(\$214,730)</b>          | <b>(\$253,389)</b>    | <b>\$12,839</b>                 | <b>4.82%</b>                  |
| <b>***** Stormwater Fund NET</b>         | <b>\$0</b>                             | <b>\$0</b>                  | <b>\$0</b>            | <b>\$0</b>                      | <b>---</b>                    |

**CITY OF PORTLAND, ME**  
**FY22 ENTERPRISE FUND CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION          |                        | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|------------------------------|------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Stormwater Fund 0571:</b> |                        |                                        |                             |                       |                                 |                               |
| *                            | Payroll                | \$1,007,615                            | \$958,690                   | \$1,090,090           | \$82,475                        | 8.19%                         |
| *                            | Benefits               | \$335,296                              | \$260,587                   | \$293,629             | (\$41,667)                      | -12.43%                       |
| *                            | Administrative Svcs    | \$153,915                              | \$139,472                   | \$134,915             | (\$19,000)                      | -12.34%                       |
| *                            | Contractual Services   | \$484,440                              | \$532,400                   | \$515,000             | \$30,560                        | 6.31%                         |
| *                            | Maintenance & Repair   | \$61,500                               | \$61,500                    | \$87,001              | \$25,501                        | 41.47%                        |
| *                            | Rentals                | \$50,617                               | \$45,617                    | \$45,617              | (\$5,000)                       | -9.88%                        |
| *                            | Insurance              | \$2,000                                | \$2,000                     | \$2,000               | \$0                             | 0.00%                         |
| *                            | Supplies               | \$130,340                              | \$120,150                   | \$145,300             | \$14,960                        | 11.48%                        |
| *                            | Capital Outlay         | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| *                            | Debt Service           | \$747,149                              | \$747,149                   | \$935,109             | \$187,960                       | 25.16%                        |
| **                           | <b>Stormwater Fund</b> | <b>\$2,972,872</b>                     | <b>\$2,867,565</b>          | <b>\$3,248,661</b>    | <b>\$275,789</b>                | <b>9.28%</b>                  |

**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                |                      | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|------------------------------------|----------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Finance 15</b>                  |                      |                                        |                             |                       |                                 |                               |
| <b>Stormwater Finance 57115100</b> |                      |                                        |                             |                       |                                 |                               |
| *                                  | Payroll              | \$171,005                              | \$160,000                   | \$173,966             | \$2,961                         | 1.73%                         |
| *                                  | Administrative Svcs  | \$44,953                               | \$31,580                    | \$37,453              | (\$7,500)                       | -16.68%                       |
| *                                  | Contractual Services | \$45,120                               | \$20,500                    | \$36,820              | (\$8,300)                       | -18.40%                       |
| *                                  | Supplies             | \$5,150                                | \$2,650                     | \$5,150               | \$0                             | 0.00%                         |
| **                                 | Stormwater Finance   | \$266,228                              | \$214,730                   | \$253,389             | (\$12,839)                      | -4.82%                        |
| ****                               | Finance              | \$266,228                              | \$214,730                   | \$253,389             | (\$12,839)                      | -4.82%                        |



**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                   |                              | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|---------------------------------------|------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Public Works 31</b>                |                              |                                        |                             |                       |                                 |                               |
| <b>Stormwater Management 57131500</b> |                              |                                        |                             |                       |                                 |                               |
| *                                     | Payroll                      | \$836,610                              | \$798,690                   | \$909,136             | \$72,526                        | 8.67%                         |
| *                                     | Benefits                     | \$3,060                                | \$1,860                     | \$3,060               | \$0                             | 0.00%                         |
| *                                     | Administrative Svcs          | \$40,110                               | \$39,040                    | \$40,875              | \$765                           | 1.91%                         |
| *                                     | Contractual Services         | \$431,520                              | \$504,050                   | \$459,252             | \$27,732                        | 6.43%                         |
| *                                     | Maintenance & Repair         | \$61,500                               | \$61,500                    | \$87,001              | \$25,501                        | 41.47%                        |
| *                                     | Rentals                      | \$50,617                               | \$45,617                    | \$45,617              | (\$5,000)                       | -9.88%                        |
| *                                     | Supplies                     | \$125,190                              | \$117,500                   | \$140,150             | \$14,960                        | 11.95%                        |
| *                                     | Capital Outlay               | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| **                                    | <b>Stormwater Management</b> | <b>\$1,548,607</b>                     | <b>\$1,568,257</b>          | <b>\$1,685,091</b>    | <b>\$136,484</b>                | <b>8.81%</b>                  |

**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                     |                         | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|-----------------------------------------|-------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Stormwater Debt Service 57131600</b> |                         |                                        |                             |                       |                                 |                               |
| *                                       | Contractual Services    | \$7,800                                | \$7,850                     | \$18,928              | \$11,128                        | 142.67%                       |
| *                                       | Debt Service            | \$747,149                              | \$747,149                   | \$935,109             | \$187,960                       | 25.16%                        |
| **                                      | Stormwater Debt Service | \$754,949                              | \$754,999                   | \$954,037             | \$199,088                       | 26.37%                        |

**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                        |                            | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|--------------------------------------------|----------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Stormwater Fringe Benefits 57131700</b> |                            |                                        |                             |                       |                                 |                               |
| *                                          | Payroll                    | \$0                                    | \$0                         | \$6,988               | \$6,988                         | ---                           |
| *                                          | Benefits                   | \$332,236                              | \$258,727                   | \$290,569             | (\$41,667)                      | -12.54%                       |
| *                                          | Administrative Svcs        | \$68,852                               | \$68,852                    | \$56,587              | (\$12,265)                      | -17.81%                       |
| *                                          | Insurance                  | \$2,000                                | \$2,000                     | \$2,000               | \$0                             | 0.00%                         |
| **                                         | Stormwater Fringe Benefits | \$403,088                              | \$329,579                   | \$356,144             | (\$46,944)                      | -11.65%                       |
| ****                                       | Public Works               | \$2,706,644                            | \$2,652,835                 | \$2,995,272           | \$288,628                       | 10.66%                        |
| *****                                      | Stormwater Fund            | \$2,972,872                            | \$2,867,565                 | \$3,248,661           | \$275,789                       | 9.28%                         |

**CITY OF PORTLAND, ME  
FY22 ENTERPRISE FUND NET ORG REPORT**

| ACCOUNT DESCRIPTION                         | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|---------------------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Jetport Fund</b>                         |                                        |                             |                       |                                 |                               |
| <b>Jetport 28</b>                           |                                        |                             |                       |                                 |                               |
| 58328000 Total REVENUE                      | (\$10,568,721)                         | (\$18,114,998)              | (\$15,040,336)        | (\$4,471,615)                   | 42.31%                        |
| <b>** Jetport NET</b>                       | <b>(\$10,568,721)</b>                  | <b>(\$18,114,998)</b>       | <b>(\$15,040,336)</b> | <b>(\$4,471,615)</b>            | <b>-42.31%</b>                |
| 58328101 Total EXPENDITURE                  | \$1,145,365                            | \$864,009                   | \$1,094,140           | (\$51,225)                      | -4.47%                        |
| <b>** Jetport Administration NET</b>        | <b>\$1,145,365</b>                     | <b>\$864,009</b>            | <b>\$1,094,140</b>    | <b>(\$51,225)</b>               | <b>-4.47%</b>                 |
| 58328102 Total EXPENDITURE                  | \$411,140                              | \$316,591                   | \$417,390             | \$6,250                         | 1.52%                         |
| <b>** Jetport Marketing NET</b>             | <b>\$411,140</b>                       | <b>\$316,591</b>            | <b>\$417,390</b>      | <b>\$6,250</b>                  | <b>1.52%</b>                  |
| 58328103 Total EXPENDITURE                  | \$4,288,163                            | \$3,954,345                 | \$4,208,328           | (\$79,835)                      | -1.86%                        |
| <b>** Jetport Fringe/Indirect Costs NET</b> | <b>\$4,288,163</b>                     | <b>\$3,954,345</b>          | <b>\$4,208,328</b>    | <b>(\$79,835)</b>               | <b>-1.86%</b>                 |
| 58328200 Total EXPENDITURE                  | \$4,220,698                            | \$3,600,942                 | \$4,235,206           | \$14,508                        | 0.34%                         |
| <b>** Jetport Field NET</b>                 | <b>\$4,220,698</b>                     | <b>\$3,600,942</b>          | <b>\$4,235,206</b>    | <b>\$14,508</b>                 | <b>0.34%</b>                  |
| 58328300 Total EXPENDITURE                  | \$17,168                               | \$15,623                    | \$17,168              | \$0                             | 0.00%                         |
| 58328300 Total REVENUE                      | (\$212,680)                            | \$0                         | (\$223,750)           | (\$11,070)                      | 5.21%                         |
| <b>** Jetport General Aviation NET</b>      | <b>(\$195,512)</b>                     | <b>\$15,623</b>             | <b>(\$206,582)</b>    | <b>(\$11,070)</b>               | <b>-5.66%</b>                 |
| 58328400 Total EXPENDITURE                  | \$2,363,263                            | \$2,139,812                 | \$2,439,490           | \$76,227                        | 3.23%                         |
| 58328400 Total REVENUE                      | (\$37,500)                             | (\$9,925)                   | (\$18,750)            | \$18,750                        | -50.00%                       |
| <b>** Jetport Operations NET</b>            | <b>\$2,325,763</b>                     | <b>\$2,129,887</b>          | <b>\$2,420,740</b>    | <b>\$94,977</b>                 | <b>4.08%</b>                  |
| 58328500 Total EXPENDITURE                  | \$6,396,682                            | \$5,940,222                 | \$6,385,111           | (\$11,571)                      | -0.18%                        |
| <b>** Jetport Terminal Division NET</b>     | <b>\$6,396,682</b>                     | <b>\$5,940,222</b>          | <b>\$6,385,111</b>    | <b>(\$11,571)</b>               | <b>-0.18%</b>                 |
| 58328600 Total EXPENDITURE                  | \$4,557,244                            | \$4,551,317                 | \$4,475,890           | (\$81,354)                      | -1.79%                        |
| 58328600 Total REVENUE                      | (\$4,616,007)                          | (\$3,158,472)               | (\$5,249,347)         | (\$633,340)                     | 13.72%                        |
| <b>** Jetport Parking Division NET</b>      | <b>(\$58,763)</b>                      | <b>\$1,392,845</b>          | <b>(\$773,457)</b>    | <b>(\$714,694)</b>              | <b>-1216.23%</b>              |
| 58328700 Total EXPENDITURE                  | \$675,031                              | \$667,232                   | \$675,031             | \$0                             | 0.00%                         |
| 58328700 Total REVENUE                      | (\$732,000)                            | (\$639,656)                 | (\$732,000)           | \$0                             | 0.00%                         |
| <b>** Jetport Airfield Deicing Fac. NET</b> | <b>(\$56,969)</b>                      | <b>\$27,576</b>             | <b>(\$56,969)</b>     | <b>\$0</b>                      | <b>0.00%</b>                  |
| 58328900 Total EXPENDITURE                  | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| 58328900 Total REVENUE                      | (\$7,907,846)                          | (\$127,042)                 | (\$2,683,571)         | \$5,224,275                     | -66.06%                       |
| <b>** Jetport Surplus NET</b>               | <b>(\$7,907,846)</b>                   | <b>(\$127,042)</b>          | <b>(\$2,683,571)</b>  | <b>\$5,224,275</b>              | <b>66.06%</b>                 |
| <b>***** Jetport Fund NET</b>               | <b>\$0</b>                             | <b>\$0</b>                  | <b>\$0</b>            | <b>\$0</b>                      | <b>---</b>                    |

**CITY OF PORTLAND, ME**  
**FY22 ENTERPRISE FUND CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION       |                      | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|---------------------------|----------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Jetport Fund 0583:</b> |                      |                                        |                             |                       |                                 |                               |
| *                         | Payroll              | \$3,637,790                            | \$3,199,071                 | \$3,681,688           | \$43,898                        | 1.21%                         |
| *                         | Benefits             | \$2,416,394                            | \$2,134,094                 | \$2,404,488           | (\$11,906)                      | -0.49%                        |
| *                         | Administrative Svcs  | \$866,611                              | \$706,254                   | \$764,466             | (\$102,145)                     | -11.79%                       |
| *                         | Contractual Services | \$4,810,423                            | \$4,085,424                 | \$4,665,771           | (\$144,652)                     | -3.01%                        |
| *                         | Maintenance & Repair | \$1,285,775                            | \$1,259,565                 | \$1,334,540           | \$48,765                        | 3.79%                         |
| *                         | Rentals              | \$19,208                               | \$19,776                    | \$31,008              | \$11,800                        | 61.43%                        |
| *                         | Insurance            | \$182,485                              | \$165,910                   | \$163,706             | (\$18,779)                      | -10.29%                       |
| *                         | Supplies             | \$921,528                              | \$725,849                   | \$905,087             | (\$16,441)                      | -1.78%                        |
| *                         | Minor Capital Items  | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| *                         | Utilities            | \$1,298,831                            | \$1,241,210                 | \$1,268,422           | (\$30,409)                      | -2.34%                        |
| *                         | Contributions        | \$1,861,955                            | \$1,813,539                 | \$1,893,633           | \$31,678                        | 1.70%                         |
| *                         | Capital Outlay       | \$2,649,259                            | \$2,574,906                 | \$2,712,550           | \$63,291                        | 2.39%                         |
| *                         | Debt Service         | \$4,124,495                            | \$4,124,495                 | \$4,122,395           | (\$2,100)                       | -0.05%                        |
| **                        | <b>Jetport Fund</b>  | <b>\$24,074,754</b>                    | <b>\$22,050,093</b>         | <b>\$23,947,754</b>   | <b>(\$127,000)</b>              | <b>-0.53%</b>                 |

**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                    |                               | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|----------------------------------------|-------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Jetport 28</b>                      |                               |                                        |                             |                       |                                 |                               |
| <b>Jetport Administration 58328101</b> |                               |                                        |                             |                       |                                 |                               |
| *                                      | Payroll                       | \$798,880                              | \$721,183                   | \$806,082             | \$7,202                         | 0.90%                         |
| *                                      | Benefits                      | \$3,688                                | \$3,119                     | \$3,016               | (\$672)                         | -18.22%                       |
| *                                      | Administrative Svcs           | \$90,378                               | \$22,628                    | \$86,823              | (\$3,555)                       | -3.93%                        |
| *                                      | Contractual Services          | \$162,450                              | \$87,262                    | \$96,450              | (\$66,000)                      | -40.63%                       |
| *                                      | Maintenance & Repair          | \$8,646                                | \$7,421                     | \$8,646               | \$0                             | 0.00%                         |
| *                                      | Rentals                       | \$4,200                                | \$3,323                     | \$6,000               | \$1,800                         | 42.86%                        |
| *                                      | Supplies                      | \$61,463                               | \$12,586                    | \$31,463              | (\$30,000)                      | -48.81%                       |
| *                                      | Minor Capital Items           | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| *                                      | Utilities                     | \$15,660                               | \$6,487                     | \$15,660              | \$0                             | 0.00%                         |
| *                                      | Capital Outlay                | \$0                                    | \$0                         | \$40,000              | \$40,000                        | ---                           |
| **                                     | <b>Jetport Administration</b> | <b>\$1,145,365</b>                     | <b>\$864,009</b>            | <b>\$1,094,140</b>    | <b>(\$51,225)</b>               | <b>-4.47%</b>                 |

**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION               |                          | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|-----------------------------------|--------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Jetport Marketing 58328102</b> |                          |                                        |                             |                       |                                 |                               |
| *                                 | Payroll                  | \$6,750                                | \$0                         | \$0                   | (\$6,750)                       | -100.00%                      |
| *                                 | Administrative Svcs      | \$119,890                              | \$83,648                    | \$138,390             | \$18,500                        | 15.43%                        |
| *                                 | Contractual Services     | \$277,000                              | \$232,760                   | \$267,000             | (\$10,000)                      | -3.61%                        |
| *                                 | Supplies                 | \$7,500                                | \$183                       | \$12,000              | \$4,500                         | 60.00%                        |
| **                                | <b>Jetport Marketing</b> | <b>\$411,140</b>                       | <b>\$316,591</b>            | <b>\$417,390</b>      | <b>\$6,250</b>                  | <b>1.52%</b>                  |

**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                           |                                      | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|-----------------------------------------------|--------------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Jetport Fringe/Indirect Costs 58328103</b> |                                      |                                        |                             |                       |                                 |                               |
| *                                             | <b>Payroll</b>                       | \$0                                    | \$0                         | \$53,182              | \$53,182                        | ---                           |
| *                                             | <b>Benefits</b>                      | \$2,347,918                            | \$2,096,205                 | \$2,336,684           | (\$11,234)                      | -0.48%                        |
| *                                             | <b>Administrative Svcs</b>           | \$570,411                              | \$552,452                   | \$449,221             | (\$121,190)                     | -21.25%                       |
| *                                             | <b>Insurance</b>                     | \$182,485                              | \$165,910                   | \$163,706             | (\$18,779)                      | -10.29%                       |
| *                                             | <b>Contributions</b>                 | \$1,187,349                            | \$1,139,778                 | \$1,205,535           | \$18,186                        | 1.53%                         |
| **                                            | <b>Jetport Fringe/Indirect Costs</b> | <b>\$4,288,163</b>                     | <b>\$3,954,345</b>          | <b>\$4,208,328</b>    | <b>(\$79,835)</b>               | <b>-1.86%</b>                 |



**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION           |                      | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|-------------------------------|----------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Jetport Field 58328200</b> |                      |                                        |                             |                       |                                 |                               |
| *                             | Payroll              | \$1,019,284                            | \$873,929                   | \$1,034,722           | \$15,438                        | 1.51%                         |
| *                             | Benefits             | \$41,748                               | \$18,640                    | \$41,748              | \$0                             | 0.00%                         |
| *                             | Administrative Svcs  | \$10,115                               | \$15,999                    | \$24,215              | \$14,100                        | 139.40%                       |
| *                             | Contractual Services | \$957,678                              | \$845,421                   | \$977,236             | \$19,558                        | 2.04%                         |
| *                             | Maintenance & Repair | \$544,647                              | \$480,299                   | \$544,647             | \$0                             | 0.00%                         |
| *                             | Rentals              | \$7,008                                | \$5,130                     | \$17,008              | \$10,000                        | 142.69%                       |
| *                             | Supplies             | \$635,541                              | \$547,219                   | \$665,350             | \$29,809                        | 4.69%                         |
| *                             | Minor Capital Items  | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| *                             | Utilities            | \$132,677                              | \$129,430                   | \$149,730             | \$17,053                        | 12.85%                        |
| *                             | Capital Outlay       | \$872,000                              | \$684,875                   | \$780,550             | (\$91,450)                      | -10.49%                       |
| **                            | <b>Jetport Field</b> | <b>\$4,220,698</b>                     | <b>\$3,600,942</b>          | <b>\$4,235,206</b>    | <b>\$14,508</b>                 | <b>0.34%</b>                  |

**CITY OF PORTLAND, ME**  
**FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                      |                          | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|------------------------------------------|--------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Jetport General Aviation 58328300</b> |                          |                                        |                             |                       |                                 |                               |
| *                                        | Payroll                  | \$500                                  | \$0                         | \$500                 | \$0                             | 0.00%                         |
| *                                        | Contractual Services     | \$15,168                               | \$15,623                    | \$15,168              | \$0                             | 0.00%                         |
| *                                        | Maintenance & Repair     | \$1,500                                | \$0                         | \$1,500               | \$0                             | 0.00%                         |
| *                                        | Supplies                 | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| *                                        | Capital Outlay           | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| **                                       | Jetport General Aviation | \$17,168                               | \$15,623                    | \$17,168              | \$0                             | 0.00%                         |

**CITY OF PORTLAND, ME**  
**FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                |                           | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|------------------------------------|---------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Jetport Operations 58328400</b> |                           |                                        |                             |                       |                                 |                               |
| *                                  | Payroll                   | \$921,948                              | \$792,633                   | \$922,002             | \$54                            | 0.01%                         |
| *                                  | Benefits                  | \$14,680                               | \$10,908                    | \$14,680              | \$0                             | 0.00%                         |
| *                                  | Administrative Svcs       | \$46,305                               | \$12,704                    | \$39,305              | (\$7,000)                       | -15.12%                       |
| *                                  | Contractual Services      | \$511,617                              | \$437,609                   | \$512,617             | \$1,000                         | 0.20%                         |
| *                                  | Maintenance & Repair      | \$62,000                               | \$63,682                    | \$65,000              | \$3,000                         | 4.84%                         |
| *                                  | Supplies                  | \$44,088                               | \$26,606                    | \$33,588              | (\$10,500)                      | -23.82%                       |
| *                                  | Utilities                 | \$8,760                                | \$8,547                     | \$4,200               | (\$4,560)                       | -52.05%                       |
| *                                  | Contributions             | \$674,606                              | \$673,761                   | \$688,098             | \$13,492                        | 2.00%                         |
| *                                  | Capital Outlay            | \$79,259                               | \$113,362                   | \$160,000             | \$80,741                        | 101.87%                       |
| **                                 | <b>Jetport Operations</b> | <b>\$2,363,263</b>                     | <b>\$2,139,812</b>          | <b>\$2,439,490</b>    | <b>\$76,227</b>                 | <b>3.23%</b>                  |

**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                       |                                  | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|-------------------------------------------|----------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Jetport Terminal Division 58328500</b> |                                  |                                        |                             |                       |                                 |                               |
| *                                         | Payroll                          | \$873,928                              | \$800,159                   | \$848,700             | (\$25,228)                      | -2.89%                        |
| *                                         | Benefits                         | \$8,360                                | \$5,222                     | \$8,360               | \$0                             | 0.00%                         |
| *                                         | Administrative Svcs              | \$28,352                               | \$18,423                    | \$25,352              | (\$3,000)                       | -10.58%                       |
| *                                         | Contractual Services             | \$2,126,784                            | \$1,742,755                 | \$2,036,574           | (\$90,210)                      | -4.24%                        |
| *                                         | Maintenance & Repair             | \$558,303                              | \$604,163                   | \$601,428             | \$43,125                        | 7.72%                         |
| *                                         | Rentals                          | \$7,500                                | \$11,073                    | \$7,500               | \$0                             | 0.00%                         |
| *                                         | Supplies                         | \$152,572                              | \$133,062                   | \$142,322             | (\$10,250)                      | -6.72%                        |
| *                                         | Minor Capital Items              | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| *                                         | Utilities                        | \$1,136,538                            | \$1,091,550                 | \$1,088,530           | (\$48,008)                      | -4.22%                        |
| *                                         | Capital Outlay                   | \$1,005,000                            | \$1,034,470                 | \$1,127,000           | \$122,000                       | 12.14%                        |
| *                                         | Debt Service                     | \$499,345                              | \$499,345                   | \$499,345             | \$0                             | 0.00%                         |
| **                                        | <b>Jetport Terminal Division</b> | <b>\$6,396,682</b>                     | <b>\$5,940,222</b>          | <b>\$6,385,111</b>    | <b>(\$11,571)</b>               | <b>-0.18%</b>                 |

**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                      |                                 | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|------------------------------------------|---------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Jetport Parking Division 58328600</b> |                                 |                                        |                             |                       |                                 |                               |
| *                                        | Payroll                         | \$14,500                               | \$11,167                    | \$14,500              | \$0                             | 0.00%                         |
| *                                        | Administrative Svcs             | \$1,160                                | \$400                       | \$1,160               | \$0                             | 0.00%                         |
| *                                        | Contractual Services            | \$97,020                               | \$61,288                    | \$98,020              | \$1,000                         | 1.03%                         |
| *                                        | Maintenance & Repair            | \$101,729                              | \$100,849                   | \$104,369             | \$2,640                         | 2.60%                         |
| *                                        | Rentals                         | \$500                                  | \$250                       | \$500                 | \$0                             | 0.00%                         |
| *                                        | Supplies                        | \$18,989                               | \$4,818                     | \$18,989              | \$0                             | 0.00%                         |
| *                                        | Utilities                       | \$5,196                                | \$5,196                     | \$10,302              | \$5,106                         | 98.27%                        |
| *                                        | Capital Outlay                  | \$693,000                              | \$742,199                   | \$605,000             | (\$88,000)                      | -12.70%                       |
| *                                        | Debt Service                    | \$3,625,150                            | \$3,625,150                 | \$3,623,050           | (\$2,100)                       | -0.06%                        |
| **                                       | <b>Jetport Parking Division</b> | <b>\$4,557,244</b>                     | <b>\$4,551,317</b>          | <b>\$4,475,890</b>    | <b>(\$81,354)</b>               | <b>-1.79%</b>                 |

**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION                           |                               | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|-----------------------------------------------|-------------------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Jetport Airfield Deicing Fac. 58328700</b> |                               |                                        |                             |                       |                                 |                               |
| *                                             | Payroll                       | \$2,000                                | \$0                         | \$2,000               | \$0                             | 0.00%                         |
| *                                             | Contractual Services          | \$662,706                              | \$662,706                   | \$662,706             | \$0                             | 0.00%                         |
| *                                             | Maintenance & Repair          | \$8,950                                | \$3,151                     | \$8,950               | \$0                             | 0.00%                         |
| *                                             | Rentals                       | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| *                                             | Supplies                      | \$1,375                                | \$1,375                     | \$1,375               | \$0                             | 0.00%                         |
| *                                             | Utilities                     | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| **                                            | Jetport Airfield Deicing Fac. | \$675,031                              | \$667,232                   | \$675,031             | \$0                             | 0.00%                         |

**CITY OF PORTLAND, ME  
FY22 ORG CATEGORY EXPENDITURE REPORT**

| ACCOUNT DESCRIPTION             |                     | FY21<br>REVISED<br>APPRO<br>(12/31/20) | FY21<br>TOTAL<br>PROJECTION | FY22<br>MGR<br>RECOMM | INCR /<br>(DECR)<br>FY22 / FY21 | APPRO<br>% CHG<br>FY22 / FY21 |
|---------------------------------|---------------------|----------------------------------------|-----------------------------|-----------------------|---------------------------------|-------------------------------|
| <b>Jetport Surplus 58328900</b> |                     |                                        |                             |                       |                                 |                               |
| *                               | Administrative Svcs | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| **                              | Jetport Surplus     | \$0                                    | \$0                         | \$0                   | \$0                             | ---                           |
| ****                            | Jetport             | \$24,074,754                           | \$22,050,093                | \$23,947,754          | (\$127,000)                     | -0.53%                        |
| *****                           | Jetport Fund        | \$24,074,754                           | \$22,050,093                | \$23,947,754          | (\$127,000)                     | -0.53%                        |

To: Members of the Portland City Council and the Portland City Manager  
From: Amelia Hundt, 350 Maine Volunteer, One Climate Future Working Group with Maine Youth for Climate Justice  
Date: May 16, 2021  
Re: Increasing Funding for Sustainability Staff Positions in Portland

Greetings members of the Portland City Council and the Portland City Manager,

Thank you for your continued dedication to improving Portland's sustainability and addressing the climate emergency. My name is Amelia Hundt and I am a South Portland resident who works in Portland. I am also a mother with two small children, who, like many people, is deeply concerned about the world we are leaving to them.

Through my role as a volunteer-member of the OCF Working Group with MYCJ, I have been meeting with Portland and South Portland's sustainability officers over the last few months. It has been exciting to learn about the flexible and creative ways that these offices are making progress on the OCF plan despite a financially difficult year with the pandemic.

In terms of the budget, it is possible to see how big changes can pay for themselves in the long run because of the intrinsic value in switching to more energy efficient practices and renewable energies. However, the human power required to identify areas for change, monitor existing practices in order to make them more energy efficient, and implement new systems is vast. We are pleased to learn that the Portland Sustainability Office will be taking on a new half-time employee, but think this could be expanded to an even larger full-time staff.

We understand that the implementation of the OCF plan is an interdepartmental task, but given the need for immediate action in light of the climate emergency, we would like to see a dedicated, centralized sustainability staff. The climate emergency looms large for many Portland residents and many would like to help however they can. A full-time volunteer organizer in the Sustainability Office is one way in which the city could utilize the passion and expertise of its residents and potentially save money.

It has been an extremely difficult year and we are aware of the many setbacks the city has suffered financially. We are hopeful that the ARP money will support the city to rebound and thrive. In the meantime, we hope that the Portland City Council and Portland City Manager keep the climate emergency front and center in their planning, as a healthy planet is foundational to all other aspects of governance. We do not have any time to waste. We hope you will consider increasing funding for Sustainability Office positions either in this year's budget or as ARP funding becomes available in order to meet the 2025 goals of the OCF plan.

Thank you for your time!

Amelia Hundt, 350 Maine Volunteer, One Climate Future Working Group with Maine  
66 Cumberland Rd. South Portland, ME 04106  
[adotgdashp@gmail.com](mailto:adotgdashp@gmail.com); 615-668-7455





## CITY OF PORTLAND

**To: Members of the City Council**  
**CC: City Manager Jon P. Jennings**  
**From: Finance Director Brendan T. O'Connell, Assessor Christopher Huff**  
**Date: June 7th, 2021**  
**Title: Responses to Council Questions on Surplus Revenue in City & School Budgets**

The City Council has asked three critical questions during recent Finance Committee meetings around anticipated additional revenues in the State budget. [In her Part Two Budget Proposal Governor Mills has proposed raising the revenue sharing percentage to 4.5% for FY22 and proposed fully fund State Education Programs and Services \(EPS\) at statutorily required levels.](#) It is critical to understand that this is just a *proposal* from the Governor and requires approval from the State of Maine Legislature in late June.

Three key questions asked by City Council are addressed in this memo:

- 1. How much do the City and Schools stand to receive if the Governor Mills proposals are approved by the State of Maine Legislature?**
- 2. What typically happens when surplus revenues are received during any given fiscal year?**
- 3. Is there any way to reduce property taxes if these proposals are approved AFTER the City Council has approved a City budget and the voters have approved the Portland Public Schools budget?**

### **Question 1: How much do the City and Schools stand to receive if these proposals are approved by the State of Maine Legislature?**

Answer 1: Governor Mills has proposed to increase revenue sharing to 4.5% for FY22. If this proposal is approved by the State of Maine Legislature in late June this would represent an increase of 0.75% from our current budget estimate of 3.75% in revenue sharing. In dollars, if approved by the State of Maine Legislature this would represent an increase of between \$1.25M to \$1.5M in FY22 revenue sharing received from the State.

Governor Mills has also proposed to fully fund State Education Programs and Services (EPS) at statutorily required levels. Preliminary calculations show that Portland Public Schools stand to gain \$6,238,795 (\$6.2M) in State Subsidy if the State of Maine legislature were to approve this proposal. However it is important to note that the EPS formula is incredibly complex and the actual amount of additional funding allocated to Portland may differ significantly from this estimate based on a variety of factors. Final EPS figures by district will be published by the State of Maine once a total amount is approved in the State budget.

## Question 2: What typically happens when surplus revenues are received during any given fiscal year?

Answer 2: It is not unusual for the City to collect surplus revenues in a variety of budget categories during any given fiscal year (examples: significantly more building permits being pulled than expected, higher excise tax revenues / vehicle registrations than expected). The amounts of revenues included in the City budget are simply *estimates* and the actual amount in each budget category is normally higher or lower each fiscal year. The overall budget is designed to be balanced and any surplus or shortfall ends up either increasing or decreasing the City's fund balance. The City has a formal fund balance policy which states "it is the goal of the City to achieve and maintain an unassigned General Fund Balance equal to 12.5% of expenditures." In recent history any amount surplus fund balance above and beyond the 12.5% has been recommended for a mix of shorter and longer property tax relief (covering expenditures which would have otherwise been funded via the operating budget or covering expenditures which otherwise would have been bonded - thereby saving the City expense over a period of 10 or 20 years). Any spending of fund balance requires City Council approval.

On the School side it is also not unusual for State Educational Subsidy amounts to differ from what was budgeted / initially projected. In 2017 a significant surplus of funds above and beyond what was included in the School budget was approved by the State Legislature. Because the City Council and voters will have already approved the Portland Public Schools budget, any use of surplus funds would require further action from the City Council as outlined in [Order 239-20/21](#). However, if no approval was provided for additional spending the \$6.2M of surplus funding would flow into fund balance and could provide future tax relief.

## Question 3: Is there any way to reduce property taxes if these proposals are approved AFTER the City Council has approved a City budget and the voters have approved the Portland Public Schools budget?

Answer 3: This is an incredibly complex question which is heavily dependent on the timing of the passage of the State of Maine budget, the timing of the City tax commitment (see excerpt from the tax commitment below) and the City/State spending rules. The answer is slightly different for extra State revenue sharing dollars vs extra State educational subsidy as explained below.

### **SAMPLE TAX COMMITMENT PAGE (EXAMPLE FROM PRIOR YEAR)**

#### **ASSESSMENTS**

|                                                                                                                    |    |                                                                          |
|--------------------------------------------------------------------------------------------------------------------|----|--------------------------------------------------------------------------|
| 7. County tax                                                                                                      | 7  | \$7,011,159.00                                                           |
| 8. Municipal appropriation                                                                                         | 8  | \$88,454,950.00                                                          |
| 9. TIF financing plan amount                                                                                       | 9  | \$5,172,141.00<br><small>(must match MVR Page 2, line 16c + 16d)</small> |
| 10. Local education appropriation (Local share/contribution)<br><small>(Adjusted to municipal fiscal year)</small> | 10 | \$94,338,744.00                                                          |
| 11. Total appropriations (Add lines 7 through 10)                                                                  | 11 | \$194,976,994.00                                                         |

#### **ALLOWABLE DEDUCTIONS**

|                                                                                                                                                                                                                                                                                                          |    |                  |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|------------------|
| 12. Anticipated state municipal revenue sharing                                                                                                                                                                                                                                                          | 12 | \$6,883,556.00   |
| 13. Other revenues: All other revenues that have been formally<br>appropriated to be used to reduce the commitment such as excise tax revenue, tree growth reimbursement, trust fund or bank<br>interest income, appropriated surplus revenue, etc. (Do Not Include any Homestead or BETE Reimbursement) | 13 |                  |
| 14. Total deductions (Line 12 plus line 13)                                                                                                                                                                                                                                                              | 14 | \$6,883,556.00   |
| 15. Net to be raised by local property tax rate (Line 11 minus line 14)                                                                                                                                                                                                                                  | 15 | \$188,093,438.00 |

**Potential Increase in State of Maine Revenue Sharing - WILL DECREASE FY22 PROPERTY TAX**

On the municipal side of the tax levy, the City budget (which incorporates the County tax, Municipal appropriation and TIF financing plan amount on the above sample tax commitment) is set to receive a 2nd read and public hearing at the Monday, June 7th City Council meeting. The City Council could vote to reduce the property tax levy by the estimated \$1.25M to \$1.5M of additional revenue sharing proposed by Governor Mills. However, this action is not recommended by staff as the additional revenue sharing dollars WILL be factored into the City Assessor's tax commitment and WILL result in a decrease in FY22 property taxes assuming it is approved in June or early July 2021.

The Assessor is required to include "Anticipated State Municipal Revenue Sharing" in his Tax Commitment document (see highlighted portions of excerpt above). The tax commitment would normally be completed shortly after the budget is approved (June or July). In FY22 due to the delayed revaluation, the timing of the tax commitment is also being delayed. This delay will allow for the additional State Revenue Sharing into the City Assessor's calculation of "Net to be raised by property taxes" which in turn would REDUCE the mill rate for FY22 (calculated based on the City's final valuation and the amount required to be raised by local property taxes). Any further reduction of the FY22 mill rate would provide immediate additional tax relief to Portland property taxpayers. An estimated \$1.25M increase in State Revenue sharing would further decrease the City mill rate by approximately 15 cents using current City valuation (prior to revaluation).

**Potential Increase in State of Maine Educational Subsidy - UNLIKELY TO BE AVAILABLE TO DECREASE FY22 PROPERTY TAXES BUT WILL LIKELY DECREASE FUTURE PROPERTY TAXES**

In regards to additional educational subsidy the process will be slightly different and tax relief may not be available until FY23 (or may never be available if City Council permits the School Department to immediately expend their surplus funding). The Line 10 "Local education appropriation" amount per the tax commitment will have already been set by the City Council and City voters in June 2021. Previous fiscal year plans to address surplus school revenues have taken months to complete. Approvals from the School Finance Committee, the School Board and City Council were not finalized until after taxes were committed. In previous fiscal years where surplus revenue has been received action did not take place until the early fall, too late for a decrease in the school portion of the property tax levy.

Although increases in the appropriation could be approved by City Council (paid for with surplus educational subsidy) this is unlikely given the fact that the majority of City Council have already expressed their desire for further property tax relief and only a minority of the Council supported the existing \$5.3M increase in FY22 spending within the Portland Public Schools budget. A majority of the City Council would be required to approve any additional spending out of the estimated \$6.2M in additional education subsidy. If no action is taken to permit an increased level of appropriation the entire amount would flow into fund balance and would then be fully available for future property tax relief. Such a large infusion of funding into the balance would require the Portland Public Schools to develop a plan for future use of their surplus balance. The most likely and most cost effective use of the surplus fund balance would be as a "Capital Improvement Reserve" to help eliminate or reduce debt service costs. Similar action was taken by the City Council in 2015-2016 when the School Department had significant surplus funds (see Exhibit A - ORDER ESTABLISHING \$2,084,960 OF SCHOOL CAPITAL IMPROVEMENT RESERVE which also explains the applicable State law which explains the maximum allowable unallocated balance). Such a reserve would maximize operating budget / property tax savings in FY23 and beyond by eliminating operating budget expenses related to debt service and capital. The impact of a Capital Improvement Reserve could be larger than the \$6.2M if used in this manner as it may eliminate potential borrowing costs including both principal (the cost of the item being purchased) and interest

(additional expense added on top of the purchase price when general obligation bonds are used to make a purchase).

Some Councilors have asked whether the City could mail out property tax rebates if additional funding was received. This would be incredibly challenging for a number of reasons. The new funding would likely be approved/finalized well outside of the existing tax commitment and tax billing process which has already been delayed due to the revaluation. A number of complex new determinations would need to be made and several key questions would need to be answered / researched. Would every property owner be eligible for receipt? Would distribution be based on the tax bill amount, assessed value or evenly distributed across all properties? How would the Downtown Improvement District, Personal Property tax bills, and accounts in arrears be treated? And most importantly, would a new program outside of any currently statutorily allowable tax relief programs be permitted under current Maine law? The time and expense that would be required would likely not justify the effort, particularly because it is staff's intent to recommend any significant budget surplus to be utilized for future tax relief in FY23 and beyond, likely in the form of a capital reserve used to offset future debt service costs that would otherwise significantly increase the property tax levy.

The bottom line is that additional State revenue sharing or State educational subsidy funding received in the FY22 budget beyond what is currently budgeted will provide tax relief in both the short and longer term. Any additional spending would require City Council approval before it could be spent (both within the municipal and the school budget). If the City Council desires the funding to be used towards property tax relief the next step would be for the Finance Committee to formally discuss the additional funding (at such time when it is approved by the State Legislature) and make a formal recommendation to the full City Council. City staff will be available to answer questions at the Monday, June 7th meeting of the City Council on these questions and also at the June 24th Finance Committee Workshop when we may have a better idea of what is included in the final State of Maine budget.

## Exhibit A - "ORDER ESTABLISHING \$2,084,960 OF SCHOOL CAPITAL IMPROVEMENT RESERVE"

Order 206-15/16

Passage: 9-0 on 4/25/2016

ETHAN K. STRIMLING (MAYOR)  
BELINDA S. RAY (1)  
SPENCER R. THIBODEAU (2)  
EDWARD J. SUSLOVIC (3)  
JUSTIN COSTA (4)

### CITY OF PORTLAND IN THE CITY COUNCIL

Effective 5/5/2016

DAVID H. BRENERMAN (5)  
JILL C. DUSON (A/L)  
JON HINCK (A/L)  
NICHOLAS M. MAVODONES, JR. (A/L)

### ORDER ESTABLISHING \$2,084,960 OF SCHOOL CAPITAL IMPROVEMENT RESERVE

**WHEREAS**, Maine State Law, Title 20-A, MRS section 15689-B (6) states:

"Notwithstanding any other law, general operating fund balances at the end of a school administrative unit's fiscal year must be carried forward to meet the unit's needs in the next year or over a period not to exceed 3 years. Unallocated balances in excess of 3% of the previous fiscal year's school budget must be used to reduce the state and local share of the total allocation for the purpose of computing state subsidy. School boards may carry forward unallocated balances in excess of 3% of the previous year's school budget and disburse these funds in the next year or over a period not to exceed 3 years. For fiscal years 2008-09, 2009-10, 2010-11, 2011-12, 2012-13, 2013-14 and 2014-15 only, the carry-forward of a school administrative unit's unallocated balances is not limited to 3% of the previous fiscal year's school budget."

In FY16 the Portland Public Schools had a surplus in excess of 3%. This order establishes a plan to spend these funds over the next three fiscal years via establishment of a capital reserve.

### **BE IT HEREBY ORDERED BY THE CITY COUNCIL:**

1. That the City establishes a capital improvement reserve of \$2,084,960. This amount is already included within unassigned fund balance as of June 30, 2015. It is the intent of the City to responsibly spend this capital reserve over the course of the next three fiscal years to help offset borrowing costs related to Portland Public School projects approved in the annual Capital Improvement Plan process.

2. The capital improvement reserve balance may not be spent without recommendation of the Director of Finance and subsequent City Council approval.

3. The capital improvement reserve balance will continue to be classified as part of unassigned fund balance for financial reporting purposes as the amount remains spendable on any category of item (subject to recommendations and approvals as required in 2 above).

**MEMORANDUM****City of Portland Budget - Frequently Asked Questions**

**DISTRIBUTE TO:** Members of the Finance Committee, City Manager

**FROM:** Brendan T. O'Connell - Finance Director

**DATE:** Last updated June 3, 2021

**SUBJECT:** **FY22 Budget Frequently Asked Questions and Answers**

During the past several months and budget cycles the Finance Department as well as the Assessors Office have fielded many questions from residents of the City in regards to the budget and valuation. Many of these questions have come up repeatedly via phone, email and in person and we expect they may come up again in FY22. This memo is intended to summarize responses to many of the frequently asked questions ("FAQ").

Additionally, this memo will be updated as the FY22 budget process continues to move forward with answers to questions asked during Finance Committee meetings which are not answered elsewhere in other backup materials.

**List of questions and answers included in this memo:**

1. I noticed the FY22 budget included \$85M of new estimated valuation. How does this growth benefit City revenues?
2. What is the breakdown of the tax levy between City and School operations? Is it 50/50? How has the tax levy and mill rate broken down in the last several budget years?
3. The State of Maine equalized valuation for Portland is over \$11B but the local assessed value is only \$8B. What is the difference between these values and how do they impact my taxes?
4. Will the upcoming revaluation help alleviate budget pressure and provide more tax dollars for the budget?
5. When will the revaluation be complete and reflected on my property tax bill?

6. How does the City of Portland's mill rate compare to those of surrounding towns? (added 9/3/20)
7. Can staff provide details on how fundraising works in relation to the City's operating budget? Are there limitations on what items can be supplemented by fundraising? (added 9/9/2020)
8. During a recent Sustainability & Transportation Committee meeting the Sustainability Coordinator mentioned fines and penalties for violations of various City ordinances related to sustainability and climate action. Are there any budgeted revenues within the City Budget for these fines and penalties? (added 2/1/21)
9. In the FY22 City Manager's Recommended Budget a Dispatch Services Department was created to house the Fire / EMS / 9-1-1 emergency dispatch operations previously included in the Police Department Communications Division Budget. Who has the administrative authority over the Dispatch Services Department? (added 5/17/21)
10. What is Department 100-65 and why was the Housing Trust Fund contribution included here? Why do we see separate lines related to 100-65 on the Appropriation Resolve? (added 5/17/21)
11. What is the relationship between the City of Portland and the Portland Media Center? (added 6/3/21)

**Question 1: I noticed the FY22 budget included \$85M of new estimated valuation. How does this growth benefit City revenues?**

Property valuation has grown by \$85 million in the current fiscal year due to significant new projects breaking ground and continues our upward trajectory in overall valuation. This \$85 million of new property value created an additional approximately \$950k in tax revenue for municipal use. While this may seem like a significant amount, it represented only a 0.104% overall increase to our FY21 valuation of approximately \$8.07 billion, and can only fund a fraction of the cost increases and budget challenges we faced in FY22, many of which are outside of City control. These included the increases in Cumberland County tax and METRO assessment, increases in pension obligation bond debt service (approximately \$1M and increasing by around \$1M+ annually through 2026), contractually obligated union compensation increases, new COVID19 related expenses and more. The increase in valuation only funded a fraction of the cost increases that are outside of City control and it is also worth noting our valuation increase was lower than the rate of inflation.

**Question 2: What is the breakdown of the tax levy between City and School operations? Is it 50/50? How has the tax levy and mill rate broken down in the last several budget years? (updated 5/4/21)**

The overall City of Portland approved tax rate for FY21 is currently \$23.31 and the breakdown is not



50/50. The mil rate and tax levy is further broken down in the charts below. Assuming FY22 proposals are approved, the City portion of the tax rate will have only increased by 45 cents since FY16 and in contrast the School Department portion of the tax rate will have increased by \$2.21 since FY16. The breakdown for FY22 as currently proposed would be City \$10.28 (43.8% of total), County \$0.88 (3.7% of total) and Schools \$12.33 (52.5% of total).

| <b>FY16 - FY22 City of Portland Tax Rate History &amp; Breakdown</b>                             |                          |                        |                        |                          |                        |                           |                                  |
|--------------------------------------------------------------------------------------------------|--------------------------|------------------------|------------------------|--------------------------|------------------------|---------------------------|----------------------------------|
|                                                                                                  | <b>MUNICIPAL PORTION</b> |                        |                        |                          | <b>SCHOOL PORTION</b>  |                           | <b>OVERALL</b>                   |
| <b>Fiscal Year</b>                                                                               | <b>City Tax Rate</b>     | <b>City % of Total</b> | <b>County Tax Rate</b> | <b>County % of Total</b> | <b>School Tax Rate</b> | <b>Schools % of Total</b> | <b>City of Portland Tax Rate</b> |
| <b>FY16</b>                                                                                      | \$9.83                   | 47.6%                  | \$0.68                 | 3.3%                     | \$10.12                | 49.1%                     | \$20.63                          |
| <b>FY17</b>                                                                                      | \$10.08                  | 47.8%                  | \$0.70                 | 3.3%                     | \$10.33                | 48.9%                     | \$21.11                          |
| <b>FY18</b>                                                                                      | \$10.28                  | 47.5%                  | \$0.76                 | 3.5%                     | \$10.61                | 49.0%                     | \$21.65                          |
| <b>FY19</b>                                                                                      | \$10.55                  | 46.9%                  | \$0.79                 | 3.5%                     | \$11.14                | 49.6%                     | \$22.48                          |
| <b>FY20</b>                                                                                      | \$10.79                  | 46.3%                  | \$0.83                 | 3.6%                     | \$11.69                | 50.1%                     | \$23.31                          |
| <b>FY21</b>                                                                                      | \$10.75                  | 46.1%                  | \$0.87                 | 3.7%                     | \$11.69                | 50.2%                     | \$23.31                          |
| <b>FY22 Proposed</b>                                                                             | \$10.28                  | 43.8%                  | \$0.88                 | 3.7%                     | \$12.33                | 52.5%                     | \$23.49                          |
| <b>The City portion of the overall tax rate has increased by 45 cents or 4.65% since FY16</b>    |                          |                        |                        |                          |                        |                           |                                  |
| <b>The County portion of the overall tax rate has increased by 20 cents or 28.99% since FY16</b> |                          |                        |                        |                          |                        |                           |                                  |
| <b>The School portion of the overall tax rate has increased by \$2.21 or 21.84% since FY16</b>   |                          |                        |                        |                          |                        |                           |                                  |

A similar breakdown of the tax levy from FY16 to FY22 can be found in the chart below. The City's tax levy (assuming FY22 levies are approved as currently proposed) has increased by \$8.1M since FY16 (approximately 10.66%). In contrast the School tax levy has increased by \$22.5M or 28.8% since FY16 and the County tax levy has increased by \$1.9M or 36.4% since FY16.

| <b>FY16 - FY22 City of Portland Tax Levy History &amp; Breakdown</b>                                |                          |                        |                        |                          |                        |                           |                                  |
|-----------------------------------------------------------------------------------------------------|--------------------------|------------------------|------------------------|--------------------------|------------------------|---------------------------|----------------------------------|
|                                                                                                     | <b>MUNICIPAL PORTION</b> |                        |                        |                          | <b>SCHOOL PORTION</b>  |                           | <b>OVERALL</b>                   |
| <b>Fiscal Year</b>                                                                                  | <b>City Tax Levy</b>     | <b>City % of Total</b> | <b>County Tax Levy</b> | <b>County % of Total</b> | <b>School Tax Levy</b> | <b>Schools % of Total</b> | <b>City of Portland Tax Levy</b> |
| <b>FY16</b>                                                                                         | \$ 75,785,193            | 47.6%                  | \$5,240,009            | 3.3%                     | \$ 78,073,211          | 49.1%                     | \$ 159,098,413                   |
| <b>FY17</b>                                                                                         | 78,445,570               | 47.8%                  | 5,417,119              | 3.3%                     | 80,331,376             | 48.9%                     | 164,194,065                      |
| <b>FY18</b>                                                                                         | 80,187,454               | 47.5%                  | 5,907,743              | 3.5%                     | 82,787,921             | 49.0%                     | 168,883,118                      |
| <b>FY19</b>                                                                                         | 83,323,749               | 46.9%                  | 6,288,845              | 3.5%                     | 88,003,431             | 49.5%                     | 177,616,025                      |
| <b>FY20</b>                                                                                         | 86,173,337               | 46.3%                  | 6,640,316              | 3.6%                     | 93,345,139             | 50.1%                     | 186,158,792                      |
| <b>FY21</b>                                                                                         | 86,743,535               | 46.1%                  | 7,011,159              | 3.7%                     | 94,338,744             | 50.2%                     | 188,093,438                      |
| <b>FY22 Proposed</b>                                                                                | 83,867,622               | 43.8%                  | 7,147,309              | 3.7%                     | 100,582,406            | 52.5%                     | 191,597,337                      |
| <b>The City portion of the overall tax levy has increased by \$8.1M or 10.66% since FY16</b>        |                          |                        |                        |                          |                        |                           |                                  |
| <b>The County portion of the overall tax levy has increased by \$1.9M cents or 36.4% since FY16</b> |                          |                        |                        |                          |                        |                           |                                  |
| <b>The School portion of the overall tax levy has increased by \$22.5M or 28.8% since FY16</b>      |                          |                        |                        |                          |                        |                           |                                  |



**Question 3: The State of Maine equalized valuation for Portland is over \$11B but the local assessed value is \$8.15B. What is the difference between these values and how do they impact my taxes?**

Answer from our Assessor: The State Equalized Valuation (SEV) is used as the basis to apportion the county tax, state-municipal revenue sharing, road assistance (highway block grants), general assistance grants and, the largest piece, state aid for education. It is also used by some utilities, such as the Portland Water District in its assessment of wastewater fees to municipalities.

State aid is vital to our municipal finances. The formula used to calculate the various municipal shares of state aid employ a variety of variables, including valuation of taxable property. For the state aid to be distributed equitably, the variables used in the formulas must be consistent; that is, the valuation figures must reflect the same percentage of market value for every municipality. Municipalities are required to assess at no less than 70% of true and just market value for property tax purposes, but within that constraint there is great variability. Through the process known as State Equalized Valuation, Maine Revenue Services develops annually an equalized value of every organized municipality and the unorganized territory. The finished product reflects the 100% taxable value for the municipality but does not represent the actual valuation used within the municipality which can vary widely between different municipalities.

- The City has not appealed or challenged the State Equalized Valuation. We agree with their analysis and their final value and would have a difficult time proving they are incorrect.
- The current State Equalized Valuation is based on actual property sales on an approximately 1-2 year lag. Sales prices have risen continuously over the last several years so we know our SEV will continue to rise.
- The reason the City uses the \$8.05 bn in its estimated projections is because this is the actual valuation that local taxes are levied against. The State's Equalized Value is not used to levy local property taxes, it is an indicator of what the actual 100% valuation should be. There is a wide difference between the two and this is one reason why we are undertaking a revaluation.
- While the State "certifies" their equalized value, this is only an aggregate total based on a sales ratio study of market data from the preceding 18-24 months. The State does not apportion or allocate individual uniform values to the 24,000+ parcels that make up the City of Portland.

Further information on SEV can be found:

[Maine Revenue Services Property Tax Bulletin No. 1 - Maine State Valuation](#)

[Rule 201 - Rules of Procedures Used to Develop State Valuation](#)

**Question 4: Will the upcoming revaluation help alleviate budget pressure and provide more tax dollars for the budget?**

(updated 2/1/21)

Staff Response: No – the revaluation has no impact on total funds collected for the budget. Each year the City Manager will recommend a budget, calling for the required amount of tax dollars to be levied on property owners. The revaluation will have no impact on the dollar amount levied – the total amount of tax dollars required for City / School operations will be the same both before and after the revaluation. The revaluation will only impact how the dollars levied are split between City taxpayers. In general about 1/3 of the residents will pay more after the revaluation, 1/3 of the residents will pay the same amount, and 1/3 of the residents will pay less, but in total the amount of tax dollars collected will remain the same. When property values rise overall as a result of the revaluation, the mil rate will see a corresponding drop. For example, if total City property value increased 25% during the revaluation from \$8B to \$10B as a result of the revaluation (i.e. adjusting property values to their just values) the mil rate would then see a corresponding 25% percentage decrease.

**EXAMPLE:**

*Pre-City Revaluation:*

*Total City Valuation: \$8,000,000,000*

*Mil Rate: \$20.00*

*Total Tax Levy Needed for City/School Operations: \$160,000,000 ( $\$8,000,000,000 / 1000 * \$20.00$ )*

*Post-City Revaluation:*

*Total City Valuation: \$10,000,000,000*

*Mil Rate: \$16.00 (drops because we still only need a tax levy of \$160,000,000)*

*Total Tax Levy Needed for City/School Operations: \$160,000,000 ( $\$10,000,000,000 / 1000 * \$16.00$ )*

**Question 5: When will the revaluation be complete and be reflected on my property tax bill?**

New assessed value from the revaluation project will be finalized in 2021. All property owners will be notified by mail in late May of their new value. There will be an informal appeal process throughout June, July and August where property owners can discuss their new valuation with a representative of Tyler Technologies and any necessary corrections can be made. Final assessed values for each property will be reflected on the Fiscal Year 2022 tax bills, expected to be mailed in late September or early October 2021.

**Question 6: How does the City of Portland's mill rate compare to those of surrounding towns?**

There are several things to consider when comparing Portland's mill rate to the mill rates of surrounding towns. Portland's mill rate is the highest of any surrounding municipality, which is representative of the fact that the City budget contains many services that most other local towns do not provide. However, the mill rate is not the only factor in calculation of a tax bill and the tax burden overall. A City's local tax

assessment (and each individual property's local assessed value) is the other critical component to consider when comparing property taxes between communities. In Portland, our local property assessments are the most undervalued of any surrounding community. The local taxable assessment as a percentage of State Equalized Values (which are more representative of market prices) were only 76% for FY20 and this percentage is dropping to 70% for FY21. When doing a calculation adjusting Portland's total taxable assessment up to 100% and doing this same calculation for other municipalities around Portland, there would be changes to the local mil rate and for Portland there would be a significant decrease. This is reflected in the "Mill Rate Adjusted to 100% Assessment Ratio" column which serves a better comparison of Portland's tax burden vs other surrounding communities. Although Portland's mill rate is still the highest, the disparity is significantly lower when considering the undervaluation of our local properties. Actual results of revaluation will vary from this basic calculation but we generally expect in excess of a 40% decrease in the overall mill rate and a 40% increase in the overall total taxable assessment. It is likely Portland's mill rate will be the lowest among all surrounding municipalities after our revaluation is completed.

**Greater Portland Area Tax Rate, Assessment Value and SEV Comparison**

|                | 2020     | 2020             | 2020              | Local Taxable | 2020 Mill Rate   | 2020           | 2020       |
|----------------|----------|------------------|-------------------|---------------|------------------|----------------|------------|
|                | Mill     | Total Taxable    | State Equalized   | Assessment as | Adjusted to 100% | Total Tax      | Assessment |
| MUNICIPALITY   | Rate     | Assessment       | Valuation (SEV)   | a % of SEV    | Assessment Ratio | Commitment     | Ratio      |
| PORTLAND       | \$ 23.31 | \$ 7,936,154,610 | \$ 10,507,000,000 | 76%           | \$ 17.61         | \$ 184,991,764 | 84%        |
| CAPE ELIZABETH | \$ 19.68 | \$ 1,752,416,576 | \$ 2,275,600,000  | 77%           | \$ 15.16         | \$ 34,487,558  | 85%        |
| SOUTH PORTLAND | \$ 19.10 | \$ 3,686,331,560 | \$ 4,622,350,000  | 80%           | \$ 15.23         | \$ 70,408,933  | 87%        |
| GORHAM         | \$ 18.95 | \$ 1,635,516,700 | \$ 1,992,700,000  | 82%           | \$ 15.55         | \$ 30,993,041  | 90%        |
| YARMOUTH       | \$ 18.86 | \$ 1,689,921,400 | \$ 1,863,100,000  | 91%           | \$ 17.11         | \$ 31,871,918  | 100%       |
| WESTBROOK      | \$ 17.86 | \$ 2,205,762,600 | \$ 2,268,700,000  | 97%           | \$ 17.36         | \$ 39,394,920  | 100%       |
| FALMOUTH       | \$ 16.87 | \$ 2,488,608,583 | \$ 2,726,900,000  | 91%           | \$ 15.40         | \$ 41,982,827  | 99%        |
| WINDHAM        | \$ 15.00 | \$ 2,336,553,500 | \$ 2,272,500,000  | 103%          | \$ 15.42         | \$ 35,048,303  | 100%       |
| SCARBOROUGH    | \$ 14.70 | \$ 4,577,104,776 | \$ 4,778,350,000  | 96%           | \$ 14.08         | \$ 67,283,440  | 100%       |
| FREEPORT       | \$ 14.30 | \$ 1,897,219,580 | \$ 1,863,700,000  | 102%          | \$ 14.56         | \$ 27,130,240  | 100%       |

2020 Mill Rate = Actual Mill rates for FY20

2020 Mill Rate = Actual local taxable assessment for FY20

2020 State Equalized Valuation (SEV) represent the State's calculation of local property values based on actual sale prices from 12-18 months prior

Local Taxable Assessment as a % of SEV = Indicator of whether local assessment is undervalued/overvalued as a percentage of actual SEV

2020 Mill Rate Adjusted to 100% Assessment Ratio = 2020 Mill Rate \* Local Taxable Assessment as a % of SEV

2020 Total Tax Commitment = Actual local tax commitments for FY20

2020 Assessment Ratio = State law allows Assessors to declare their final 2020 Assessment ratio at +/- 10% of local assessment as a % of SEV

**Question 7: Can staff provide details on how fundraising works in relation to the City's operating budget? Are there limitations on what items can be supplemented by fundraising? (added 9/9/2020)**

The City Charter contains guidance on required appropriation of funds. Article II, Section 11 reads "No ordinance and no appropriation order or resolve shall be passed until it has been read on two separate days, except when the requirement of a second reading on a separate day has been dispensed with by the vote of at least seven (7) members of the city council." The City's spending of operating budget

funds is authorized by an overall appropriation resolve passed during the City budget process. For programs supported either fully or partially via donations, the City budgets for the full amount of program expenditures within the appropriation resolve and also includes an estimate of the offsetting revenues in the resolve. City staff would be required to come back to City Council with an additional appropriation order if additional expenditures were required above and beyond what was already approved in the appropriation resolve. For example, if the City's overall operating budget was \$1M, and the City needed to launch a new \$50,000 program (supported by donations) midway through FY21 pushing total spending to \$1.05M the City Manager would bring a new appropriation order to City Council asking the Council to appropriate the additional \$50,000 in donations, raising the overall appropriation to \$1,050,000. None of the programs currently being suggested for fundraising (in general HHS, Parks & Recreation) have any restrictions that staff is currently aware of but we would do further research before launching any specific new campaigns for any specific program or item.

**Question 8: During a recent Sustainability & Transportation Committee meeting the Sustainability Coordinator mentioned fines and penalties for violations of various City ordinances related to sustainability and climate action. Are there any budgeted revenues within the City Budget for these fines and penalties? (added 2/1/2021)**

See follow up response from Sustainability Director Troy Moon:

*Ordinances such as the pesticide ban, the polystyrene foam ban, the anti-idling ordinance, and the straw ban have enforcement provisions that allow the City to issue citations for violations that can include financial penalties. We haven't budgeted any revenue for this. When the Council passed these ordinances we let them know that enforcement would focus on education with citations only for people or businesses that weren't willing to comply. With our current resources we're only able to follow up on complaints from residents about non-compliance -- whether that be reports of a pesticide application or a store/restaurant using a non-compliant item. Most of the complaints have been about pesticide applications. The lawn care companies and residents we've spoken to have been responsive to education when contacted. Same with stores and packaging. No one we've interacted with so far has been unwilling to comply. We'll see how it goes with the straw ordinance. We have educational material going out to stores and restaurants shortly.*

**Question 9: In the FY22 City Manager's Recommended Budget a Dispatch Services Department was created to house the Fire / EMS / 9-1-1 emergency dispatch operations previously included in the Police Department Communications Division Budget. Who has the administrative authority over the Dispatch Services Department? (added 5/17/21)**

This move will allow for better fiscal comparability of our own Police Department to other agencies around the nation, and acknowledges that the Portland Regional Communications Center (PRCC) does not just provide services to the Portland Police Department, but provides police, fire and EMS services to three municipalities. In 2007, the cities of Portland and South Portland entered into an agreement ("the agreement") for interlocal cooperation and the creation of the PRCC to provide consolidated call

taking, dispatching and enhanced 9-1-1 services for both cities through Portland's status as an approved Public Safety Answering Point (PSAP). Costs are split between the two cities based on census population data. Cape Elizabeth contributes an annual flat rate payment to the PSAP for the same services provided to their community. Under the terms of the agreement a PSAP Board was established consisting of:

The City Manager of Portland (or his/her designee)  
The City Manager of South Portland (or his/her designee)  
The Fire Chief of Portland (or his/her designee)  
The Fire Chief of South Portland (or his/her designee)  
The Police Chief of Portland (or his/her designee)  
The Police Chief of South Portland (or his/her designee)

The City Manager, the Portland Chief of Police and the Portland Fire Chief have input into the administration of the PSAP, with a civilian Director of Emergency Communications having a shared reporting role to the Chief of Police and the PSAP Board. For unity of command, the Police Chief is ultimately responsible for the day to day operational activities of the center, while the PSAP Board administers the PSAP and establishes policies and procedures for the operation of police, fire and EMS dispatching for each City and town. The Board also votes on an annual budget recommendation to each City Manager, votes on capital expenditures to be recommended to each City Manager, makes recommendations on the terms and conditions of employment to cover dispatch employees (including union contract negotiations), and makes recommendations to the City Councils of each City for terms of any additional interlocal agreements.

**Question 10: What is Department 100-65 and why was the Housing Trust Fund contribution included here? Why do we see separate lines related to 100-65 on the Appropriation Resolve? (added 5/17/21)**

Department 65 (100-65) is the Memberships and Contributions budget and there are around 10 memberships and contributions in this budget. The budget includes things like the City's membership in METRO, the Regional Transportation Program, the Maine Municipal Association, GPCOG, the Harbor Commission and also includes contributions including the City's contribution to the Peaks Island Council, the City Manager's FY22 recommended contribution into the Jill C. Dusen Housing Trust Fund among others. This is the first time there has been a direct and separate operating budget contribution to the Housing Trust Fund (last year's amount was made from surplus fund balance, not in the context of the operating budget).

Some have noticed that Department 100-65 appears twice on the appropriation resolve. This is not an error. There is a separate division for the Regional Transportation Program (FY22 recommended expenditure of \$74,800) which was one of the first organizations added into Department 65. RTP's purpose is to provide transportation for the disabled, elderly and low-income individuals and people with special needs throughout Cumberland County, Maine, which includes rides to essential medical services such as, kidney dialysis, cardiac care, day surgery, cancer therapy, chemotherapy and

radiation treatments. The Department also includes the Contributions line (FY22 recommended expenditure of \$689,149) where GPCOG, Maine Municipal Association, the Harbor Commission, the \$250,000 contribution to the Housing Trust Fund and several other memberships and contributions are included. The subtotal of these two divisions within 100-65 is an FY22 recommended expenditure of \$767,620. The Memberships / Contributions budget ALSO includes the City's METRO Assessment. Because the METRO expenditure (FY22 \$3,020,147) is a separate assessment for which the City has no discretion (similar to County Tax) it is shown within its own line on the appropriation resolve beneath general fund expenditures. In total Department 100-65 includes \$3,787,776M of recommended expenditures.

|        |                                           |                      |                      |                      |                    |              |
|--------|-------------------------------------------|----------------------|----------------------|----------------------|--------------------|--------------|
| 100-65 | Regional Transportation Program           | 78,480               | 78,480               | 78,480               | -                  | 0.0%         |
|        | Contributions                             | 437,388              | 419,910              | 689,149              | 269,239            | 64.1%        |
|        | <b>Total Memberships/Contributions</b>    | <b>515,868</b>       | <b>498,390</b>       | <b>767,629</b>       | <b>269,239</b>     | <b>54.0%</b> |
| 100-67 | Wage Adjustment                           | (165,000.00)         | -                    | 637,738              | 637,738            | #DIV/0!      |
|        | <b>Total General Fund Expenditures</b>    | <b>197,304,483</b>   | <b>192,918,443</b>   | <b>201,989,428</b>   | <b>9,070,985</b>   | <b>4.7%</b>  |
| 100-63 | County Tax                                | 6,640,316            | 7,011,159            | 7,147,309            | 136,150            | 1.9%         |
| 100-65 | Metro Assessment                          | 2,787,772            | 2,877,058            | 3,020,147            | 143,089            | 5.0%         |
|        | <b>Total General Fund and Assessments</b> | <b>\$206,732,571</b> | <b>\$202,806,660</b> | <b>\$212,156,884</b> | <b>\$9,350,224</b> | <b>4.6%</b>  |

### Question 11: What is the relationship between the City of Portland and the Portland Media Center?

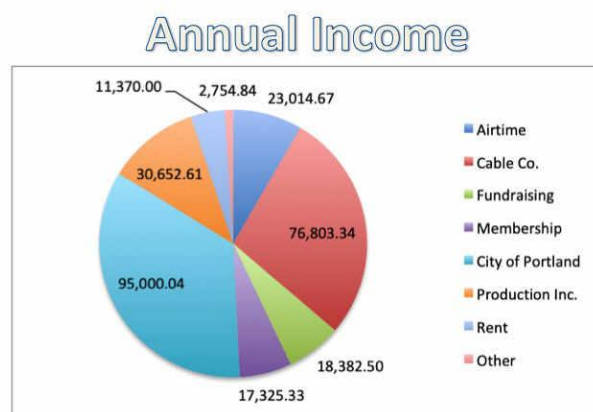
Response from Jessica Grondin, Director of Communications & Digital Services:

#### About Portland Media Center

Portland Media Center (PMC) is Portland's community access TV station. They offer community-access programming, have 42 non-profit members they produce videos for, provide educational classes for students and college interns, and assist the City with archival of Council meetings and live-streaming of Council and Committee meetings.

They operate with a staff of 3 part-time employees and 1 full-time employee and contract for bookkeeping and IT services.

Forty-two percent of PMC's budget comes from what it receives (\$115,000) from the City of



from

Portland annually, plus roughly \$76,000 from Charter Communications as part of the franchise fee agreement, which is deducted from the total franchise fee the City receives.

Of the \$115,000 from the City, \$95,000 has been straight support, \$15,000 for video/airtime production and \$5,000 for membership.

Learn more about PMC's outputs and outcomes for FY19 & FY20 [here](#).

### **About our Franchise Fee Agreement with Charter Communications**

Historically, under our franchise fee agreement, Charter has to pay the City both a franchise fee (5% of their Portland customer base) and a monthly fee toward the cost of community-access TV. The City in turn, pays that to the non-profit operating the public-educational-government (PEG) channel, Portland Media Center (PMC). Charter, however, is responsible for the cost of maintenance and repair, etc. of equipment.

In 2017 and 2019, the Federal Communications Commission changed/clarified what constitutes a "franchise fee" under the Federal Cable Act. In doing so, the FCC concluded that "franchise fees," collected by franchising authorities (like the City) include the value of "noncash" or "in kind" exactions like PEG Channels. As a result, since that change, Charter has included its contribution toward the PEG channel in the calculation of its franchise fee. Because franchise fees are capped at 5%, the result has been an overall reduction in the monthly fee payment received by the City and available to put toward the cost of the community-access TV station. This means that the City is now funding its annual allocation to PMC from what it receives for a franchise fee. Now the City is likely paying most, if not all, of the costs of the channel.

Although the City did join in a lawsuit (along with several other municipalities around the country) aimed at challenging the change in the federal interpretation of "franchise fees" and argued that PEG and other "in kind fees" should not be subject to the 5% cap, the 6th Circuit Court of Appeals ruled in favor of the FCC in an opinion received on May 27, 2021.

### **Franchise Fee Payments Over last Five Years**

Below is the amount we've received from Charter Communications for our franchise fee over the last five years. This money goes into the General Fund.

2021 - \$702,820.35  
2020 - \$713,305.38  
2019 - \$750,080.84  
2018 - \$718,322.80  
2017 - \$805,006.04

**MEMORANDUM**  
**City Council Agenda Item**

**DISTRIBUTE TO:** City Manager, Mayor, Sonia Bean, Nancy English, Danielle West-Chuhta,  
City Council

**FROM:** Councilors Ray and Zarro

**DATE:** June 4, 2021

**SUBJECT:** Background Information for Ray-Zarro Amendment to Order 257-20/21

**SPONSOR:**

Co-sponsored by Councilor Ray and Councilor Zarro

**I. ONE SENTENCE SUMMARY**

This amendment to the budget resolve would add \$43,000 to the Fiscal Year 2022 Budget for the Portland Public Library.

**II. BRIEF DESCRIPTION**

Given the very recent changes in pandemic protocols and restrictions, the PPL will be re-opening many of its services sooner than anticipated when the FY22 budget was crafted—as early as June 22, 2021. With that in mind, this amendment will provide funding to restore the two most crucial and front facing of five part-time positions that were cut during the pandemic: one 20-hour per week position at the lending desk; and one 20-hour per week position in public computing.

**III. BACKGROUND**

Councilor Ray served as the Council’s Library Trustee from 2017-2020, and Councilor Zarro currently serves as the Council’s Library Trustee. In this capacity, Councilors Ray and Zarro are familiar with the library’s budget as well as the measures that have been taken to address operational shifts and revenue shortages due to the COVID-19 pandemic.

In 2020, among other COVID related changes, the Portland Public Library eliminated five part-time, 20-hour per week positions from the FY 21 budget. These reductions were carried over into FY22 as cost-cutting measures due to the fact that library in-person services have been slimmer during COVID.

Given the very recent changes in pandemic protocols and restrictions, the PPL will be re-opening many of its services sooner than anticipated when the FY22 budget was crafted—as early as June 22, 2021.



With that in mind, this amendment will provide funding to cover the two most crucial and front facing of the five previously cut part-time positions:

- one 20-hour per week position at the lending desk; and
- one 20-hour per week position in public computing.

These positions have been identified by the Executive Director and the Board of Trustees as “crucial frontline public services” which will be necessary to have in place as the library opens up more fully.

The annualized expense of each of these positions is \$21,500, bringing the total cost to \$43,000, the amount that would be added to the PPL budget by this amendment.

This amendment will increase the mill rate by one-cent.

#### **IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED**

Council Goal #1) Continue effort to reduce homelessness and assist people experiencing homelessness through city, regional, and state efforts.

The library, its staff, its collections, and its facilities--including public computing--all provide vast resources and connectivity for Portland residents experiencing homelessness.

#### **V. FINANCIAL IMPACT**

\$43,000 added to the municipal budget with an impact of one-cent to the mill rate.

#### **VI. STAFF ANALYSIS AND BACKGROUND THAT WILL NOT APPEAR IN THE AGENDA DESCRIPTION**

#### **VII. RECOMMENDATION**

#### **VIII. LIST ATTACHMENTS**

Prepared by: Belinda S. Ray  
Date: 6/4/2021

| IMPACT NOTE: Add \$43k of PPL Funding<br>Program Cost Data: | Year 1    |                                | Year 2    |                                | Year 3    |                                |
|-------------------------------------------------------------|-----------|--------------------------------|-----------|--------------------------------|-----------|--------------------------------|
|                                                             | City Rate | City / Sch<br>Combined<br>Rate | City Rate | City / Sch<br>Combined<br>Rate | City Rate | City / Sch<br>Combined<br>Rate |
| NEW ITEM ANNUAL EXPENDITURES                                |           | \$43,000                       |           | \$43,000                       |           | \$43,000                       |
| TOTAL NEW ITEM ANNUAL REVENUES                              |           | \$0                            |           | \$0                            |           | \$0                            |
| NET TAX RATE IMPACT PROJECTION                              | \$43,000  | \$43,000                       | \$43,000  | \$43,000                       | \$43,000  | \$43,000                       |
| Program Impact to the Mil Rate                              | \$0.01    | \$0.01                         | \$0.01    | \$0.01                         | \$0.01    | \$0.01                         |
| Program % Impact on Mil Rate                                | 0.047%    | 0.022%                         | 0.047%    | 0.022%                         | 0.047%    | 0.022%                         |
| Including New Program                                       | \$11.17   | \$23.50                        | \$11.17   | \$23.50                        | \$11.17   | \$23.50                        |

See attached memo

KATE SNYDER (MAYOR)  
BELINDA S. RAY (1)  
SPENCER R. THIBODEAU (2)  
TAE Y. CHONG (3)  
ANDREW ZARRO (4)

**CITY OF PORTLAND  
IN THE CITY COUNCIL**

MARK DION (5)  
APRIL D. FOURNIER(A/L)  
PIOUS ALI (A/L)  
NICHOLAS M. MAVODONES, JR (A/L)

**RESOLUTION RECOMMENDING INCREASED FREQUENCY OF PROPERTY  
REVALUATIONS FOR THE CITY OF PORTLAND**

**WHEREAS**, the City Council of Portland, Maine, uses assessed property values in order to appropriately levy and collect property taxes; and

**WHEREAS**, the Mayor and the City Council recognize and appreciate the fact that an important and primary role of the City of Portland Tax Assessor is to determine the just value for all residential and commercial real property in Portland, which helps to ensure that it is able to appropriately levy and collect those property taxes and that the burden of those taxes is shared fairly and equally among all property owners within the City; and

**WHEREAS**, Maine’s Constitution requires that “[a]ll taxes upon real and personal estate, assessed by authority of this State, shall be apportioned and assessed equally according to the just value thereof.” Me. Const. art. IX, § 8; and

**WHEREAS**, Maine state law similarly provides that “all property shall be assessed at the just value thereof in compliance with the laws of the State.” 36 M.R.S. § 201; and

**WHEREAS**, Maine Constitution’s Constitution further requires that “[w]hile the public expenses shall be assessed on estates, a general valuation shall be taken at least once in 10 years,” Me. Const. art. IX, § 7; and

**WHEREAS**, prior to the current revaluation, the City of Portland’s two most recent revaluations occurred in 1991 and 2006, respectively, thereby establishing a fifteen (15) year interval between each such general valuation; and

**WHEREAS**, Maine law additionally requires that “[a]ll municipalities . . . shall achieve the following minimum assessing standards . . . a 70% minimum assessment ratio . . .”; and

**WHEREAS**, the Maine Revenue Services determined Portland’s 2021 assessment ratio to be 66 percent; and

**WHEREAS**, when the real value of properties are either undervalued or overvalued as a result of infrequent or delayed evaluation, one of the results is that owners of more

valuable properties experience the equivalent of a tax break, while owners of less valuable properties pay a relatively higher price for the same public services; and

**WHEREAS**, by failing to frequently assess property, government is exacerbating the large and growing inequalities in the distribution of wealth and income; and

**WHEREAS**, the value of real property is constantly changing due to factors including, but not limited to, location, market demand, the age and physical condition of a neighborhood, and the state of the economy, and as a result, non-uniformity in values occur may over time within tax jurisdictions whether or not property values increase or decrease; and

**WHEREAS**, in agreement with the City's Assessor, a longer revaluation cycle, for a growing city like Portland, creates more opportunity for inequities to grow and usually leads to much larger and unpredictable changes to property values, and a shorter cycle will reduce the chances of this happening and help make property taxes more equitable, predictable and manageable; and

**WHEREAS**, it should be noted, that all City of Portland revaluation notices sent in 2021 will contain information on appeal procedures, and if, after an appeal, a property owner still disagrees with the findings and assessed value of his/her property, they may file a written Application for Abatement with the City of Portland Board of Assessment Review, or look into one of the many tax relief programs available;

**NOW, THEREFORE, BE IT RESOLVED**, that the Portland City Council and Mayor strongly recommend that the City Tax Assessor and the City Manager, as necessary, conduct ongoing work to support City wide revaluations every five (5) years; and

**BE IT FURTHER RESOLVED**, that this Portland City Council and Mayor strongly further recommend allocation of sufficient funds to support such city wide revaluations every five (5) years.

**MEMORANDUM**  
**City Council Agenda Item**

**FROM:** Greg Mitchell, Director

**DATE:** May 17, 2021

**SUBJECT:** Order 259-20/21 Authorizing 6th Amendment to the Downtown Transit Oriented Development and Omnibus Tax Increment Financing District to Increase Funding to Creative Portland - Sponsored by Spencer Thibodeau, Chair, Housing & Economic Development Committee

**SPONSOR:** Housing and Economic Development Committee, Councilor Spencer Thibodeau/Chair; meeting held on March 16, 2021, and the vote was 4-0 in favor of forwarding this to the City Council for approval.

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

**COUNCIL MEETING DATE ACTION IS REQUESTED:**

**1st Reading**

**Final Action**

**Can action be taken at a later date: No (If no why not?) This was advertised in the *Portland Press Herald* as a public hearing on the item to be held on June 7, 2021.**

**PRESENTATION:** Greg Mitchell/5 Minutes

**I. SUMMARY**

The Housing and Economic Development Committee (HEDC) reviewed the Creative Portland Board's request for additional Downtown Transit Oriented Development (TOD) TIF District funding in the amount of \$155,000 and recommended, on a vote of 4-0 on March 16, 2021, to forward this to the City Council for approval.

**II. AGENDA DESCRIPTION**

The Housing and Economic Development Committee (HEDC) reviewed Creative Portland Board's request for additional Downtown TOD TIF funding and recommended, on a vote of 4-0 on March 16, 2021, to forward this to the City Council for approval.

Creative Portland (CP) Board President Kate Anker presented the Board's request to the HEDC at their March 2nd and 16th meetings for increased funding for CP programs and services. It is noted that the Housing and Economic Development Department includes two full-time positions which provide staff support to the CP Board. The CP Board's request is for the City of Portland to fund the entire costs for the two full-time staff positions assigned to the Board and for the City to redirect the historic level of funding of \$100,000 along with a \$55,000 increase to support programs and services outlined in the attached CP Board request.

The Downtown TOD TIF currently has a cap of \$100,000 annually to support CP. Historically, TIF funding only supported staff costs. The Proposed TIF District Amendment would establish a minimum annual level of funding for CP in the amount of \$155,000 to support CP programs and services. See below funding table:

| <b>CP Funding Table</b>                                               |                                                 |              |
|-----------------------------------------------------------------------|-------------------------------------------------|--------------|
| <b>Timeframe and Use</b>                                              | <b>Source</b>                                   | <b>Total</b> |
| Existing – City Staff Costs                                           | \$100,000 – DT TOD TIF<br>\$40,000 – DT TOD TIF | \$140,000    |
| CP Board Request:<br>- City Staff Costs<br>- CP Programs and Services | \$140,000 – TIF<br>\$155,000 – DT TOD TIF       | \$295,000    |

This item must be read on two separate days. It received its first reading on May 17, 2021. Five affirmative votes are required for passage after public comment.

Staff recommends that this item be postponed to September 8, 2021 (the first meeting in September) so that a City Council workshop can be scheduled in order to discuss the implications of the proposed TIF amendment and potential one-time use of FY22 fund balance in more detail.

### **III. BACKGROUND**

From FY2010 through mid-FY2020, the City had been funding Creative Portland \$100,000 annually (to support staff costs) from the Downtown TOD TIF District. Beginning January 2020, Creative Portland's Executive Director and Program Assistant became employees of the City of Portland in the Housing and Economic Development Department. The total annual costs for these two full-time positions, including salary and fringe benefits, is \$140,000 and are included in the Housing and Economic Development Department Budget for FY 2022.

### **IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED**

The intended result would be for CP to have a minimum commitment of \$155,000 annually in municipal funding from the Downtown TOD TIF District to support CP programs and services, with the City covering the costs of staff assigned to the CP Board.

### **V. FINANCIAL IMPACT**

The financial impact would be an annual minimum allocation of \$155,000 from the Downtown TOD TIF District to support CP's program and services with the City covering the entire costs of the two full-time positions assigned to the CP Board. In the future, the City Council would annually determine, through the municipal budget process, the appropriate level of funding above the \$155,000 annual allocation. It is noted that the total annual costs for the two full-time City positions, including salary and fringe benefits, is \$140,000 and is included in the Housing and Economic Development Department FY 2022 City Budget.

### **VI. STAFF ANALYSIS AND BACKGROUND**

The City Manager's FY2022 City Budget does not include funding the CP Board financial request for increased funding.

### **VII. RECOMMENDATION**

The Housing and Economic Development Committee (HEDC) reviewed Creative Portland Board's request for additional Downtown TOD TIF District funding at their March 2nd and 16, 2021 meetings. After review and discussion, the Committee voted unanimously to recommend approval to amend the Downtown TOD TIF District to have a floor of \$155,000 annually to support CP programs and services, exclusive of salaries and fringe benefits for the two City full-time positions assigned to the CP Board.

### **VIII. LIST ATTACHMENTS**

1. Amendment of Downtown Transit Oriented Dev and Omnibus TIF re Creative Portland 5.17.2021
2. CP Funding Request 3-12-2021 Draft
3. Narrative Redlines 5-7-2021 for CP Funding
4. Narrative Cln 5-7-2021 for CP Funding
5. Bylaws Attested by Secretary of CPC 2-5-2015
6. Creative Portland Memo - Final

Prepared by:

Greg Mitchell, Director

Date: 5/17/2021

KATE SNYDER (MAYOR)  
BELINDA S. RAY (1)  
SPENCER R. THIBODEAU (2)  
TAE Y. CHONG (3)  
ANDREW ZARRO (4)

**CITY OF PORTLAND  
IN THE CITY COUNCIL**

MARK DION (5)  
APRIL D. FOURNIER(A/L)  
PIOUS ALI (A/L)  
NICHOLAS M. MAVODONES, JR (A/L)

**ORDER AMENDING  
THE DOWNTOWN TRANSIT ORIENTED DEVELOPMENT AND OMNIBUS  
TAX INCREMENT FINANCING DISTRICT TO INCREASE FUNDING FOR  
CREATIVE PORTLAND**

**ORDERED,** that the Downtown Transit Oriented Development and Omnibus Tax Increment Financing (TIF) District, as adopted by Order 139-14/15 and amended by Order 99-17/18, Order 78-18/19, Order 279-18/19, Order 13-20/21, and 242-20/21 is hereby amended to increase the Tax Increment Financing funding from this district for Creative Portland in substantially the form attached hereto; and

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



# CREATIVE PORTLAND<sup>ME</sup>

84 Free Street | Portland, ME 04101 | 207-370-4784

---

## **Recommendation for proposed CITY TIF budget increase, on a phased basis:**

### **FY22: 155K** (proposed City TIF increase)

- 35K - Marketing services & materials
- 45K - cultural app prototype, augmented reality features, training & outreach
- 54K - outdoor performance pop-up venues - tech, crew, street block closures (6 performances)
- 16K - First Friday Art Walk- city staff & tech support - management, safety, COVID watch, projections, stage
- 5K - Arts & Culture Summit Webinar

### **FY23: 250K** (proposed City TIF increase)

- 40K - Marketing services & materials
- 30K - cultural app marketing campaign and launch
- 56K - outdoor performance pop-up venues
- 70K - arts, music & innovation festival
- 8K - mural initiative (mental health/social safety campaign)
- 14K - First Friday Art Walk - city staff & tech equipment
- 25K - Hear Here Merrill Auditorium (sound/lights rental and union crews)
- 7K - Arts & Culture Summit (in-kind venue waiver)

### **FY24: 372K** (proposed TIF including grant & private support)

- 45K - Marketing services & materials
- 25K - cultural app content mgr & IT support
- 56K - outdoor performance pop-up venues
- 75K - arts, music & innovation festival
- 14K - First Friday Art Walk - city staff & tech equipment
- 50K - Exterior Jetport Wall Mural\*
- 100K - Hear Here Merrill Auditorium (permanent sound/lights)\*
- 7K - Arts & Culture Summit (in-kind venue waiver)

### **FY25: 496K** (proposed Arts Budget including private funding)

- 150K - Marketing services & materials
- 75K - arts, music & innovation festival
- 14K - First Friday Art Walk - city staff & tech equipment
- 250K - Hear Here Merrill Auditorium (complete tech renovation)\*
- 7K - Arts & Culture Summit (in-kind venue waiver)

# CREATIVE PORTLAND<sup>ME</sup>

84 Free Street | Portland, ME 04101 | 207-370-4784

---

March 12, 2021

**To:** The HEDC Committee

**Re:** Clarification on Creative Portland TIF Increase Request - Original Attached

Thank you once again for hearing our request on March 2nd regarding the TIF allocation to Creative Portland (CP). This memo will clarify questions raised at the preliminary review.

Attached is a slightly modified version of our Phased Request for TIF Allocation. Marketing services (line #1) have replaced the previous term, "personnel," which will cover part-time contractor requirements and marketing materials to fulfill the proposed programs. The funds for personnel, to be referred to as full-time staff in the Housing and Economic Development Department (HEDD), are not presented here in the TIF increase proposed budget.

The previously allocated TIF funds, capped at 100K for the last eleven years, have been primarily allocated to cover the cost of the CP Executive Director and Program Assistant. In January 2020, those two staff became city employees in the HEDD with the city covering position fringe benefit costs of approximately \$40,000 above the \$100,000 cap. Although staff implements the annual Board-recommended Work Plan, approved by the City, they also participate in HEDD meetings and other City programs.

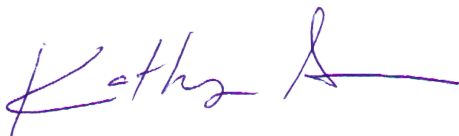
Our nonprofit organization leverages the City's investment and raises private and grant funds to support our programs, including the creative bus shelter initiative, arts banners for public health, and fiscal sponsorships. Creative Portland's role has been established as the arts community convener, for programs like the Artist Relief Fund (\$90K raised in 9 months), the Annual Arts & Culture Summit and Monday Morning Drop By, Cultural App Development, and a monthly open house coffee hour. Likewise, we are hosting an Arts Community Check-In on March 22nd for over 100 stakeholders.

Greg Mitchell will provide a memo under separate cover outlining the TIF funding "cap" of 100K that has not moved in the last eleven years. Rather than propose a new cap, we propose a "floor" versus ceiling approach, with our first-year TIF **increase** request, as a floor of \$155,000 to support CP programs and services with the City covering one hundred percent of the cost of two full-time staff positions. As we create sustainable programs, the investment will grow in increments each year, with an impactful return investment. The funds we are requesting in our phased approach have been thoughtfully crafted to revive and sustain the City's investment in the arts, as a workforce initiative.

We have highlighted the **green** projects that will attract sponsorship and private investments. Note: we have removed the 750K ask for the permanent performance shell build in FY25.

We hope this memo and phased budget will solidify your confidence in supporting our request. Thank you again for your consideration.

Sincerely,



Kate Anker  
Board President

# CREATIVE PORTLAND<sup>ME</sup>

84 Free Street | Portland, ME 04101 | 207-370-4784

**To:** HEDC Committee

**From:** Kate Anker, President, Creative Portland

February 26, 2021

**Subject:** Creative Portland Request for TIF District Funds Increase

On behalf of the Creative Portland Board of Directors, we present to you for consideration an impactful policy change and phased approach to increase TIF District fund allocation to support the arts beginning in Fiscal Year 2022.

Attached are three documents to support our ask:

- 1) [Creative Portland Overview presentation](#)
- 2) City Comparison Research Survey
- 3) Recommendation for TIF increase, on a phased basis.

[The Creative Portland Overview Presentation](#) clearly documents the value of the City's TIF investment, which is capped at 100K fund allocation to support two full-time employees in HEDD. The growing capacity of the nonprofit organization attracts a robust board of directors and five separate community committees who oversee grant-generated programs that are also supported by the private sector. Creative Portland has become a respected arts community convener, maintaining a database of artists and curatorial teams to produce performing arts showcases, curate public art installations, and manage juried arts exhibitions. Creative Portland successfully established the [Portland Artist Relief Fund](#) in April 2020, dispersing grants to artists, one month after COVID-19 shutdowns. CP's appropriate integration and public engagement keeps artists relevant and working during the pandemic and is at the forefront of our mission to nurture and sustain the local arts ecosystem.

**The city comparison research survey** was conducted this past February by staff and CP Board volunteers. Economic impact numbers are supported in the most recent [AEP5](#) economic impact study by Americans for the Arts (AFTA). Our research, outreach, and engagement informs the headlines: a) Portland is one of the only cities without a separate Arts Department, b) is the only city without a community-based arts center, and c) receives 75% less in municipal arts investments than the other cities, who reveal high return for investment in the arts, not only as a major economic driver, but integral to the city's overall health.

**Our recommendation, on a phased basis**, is accompanied by deep support of the board and staff who have worked tirelessly to implement strategic priorities identified in the [Cultural Plan Update of 2018](#). The budget for FY22 includes increased funding to the existing capped \$100K, absorbed by HEDD to cover staff salaries, for the hosting of an annual arts & culture summit, the revival of First Friday Art Walk, outdoor performances & showcases, and the development of a cultural app. FY22-FY25 budget proposal attached. We understand that we're presenting a lot of information and data to absorb all at once. Thank you for your careful consideration.



# CREATIVE PORTLAND<sup>ME</sup>









# Board of Directors

CREATIVEPORTLAND<sup>ME</sup>

Kate Anker (President), **Running With Scissors**

Kirstie Archambault, **Visit Portland**

Nicole Barna, **Portland Magazine**

Lisa Bloss, **UKG**

David Brenerman (Secretary), **Past President, former Mayor & retired Portland City Councilor**

Tae Chong (ex officio), **City Councilor**

Gib Foltz (Treasurer), **Baker Newman Noyes**

Eliza Ginn, **Center for the Common Good**

Lindsay Hancock, **Artist & Grant Writer**

Leah Igo Brooks, **Roux Institute**

Herb Ivy, **Townsquare Media**

Dinah Minot (Assistant Secretary), **Creative Portland**

Daniel Minter, **Indigo Arts Alliance**

Greg Mitchell (ex officio), **City of Portland Economic Development Director**

Zoe Sahloul, **New England Arab American Organization**

Gerard Salvo, **Human Resources Consultant**

# CREATIVE PORTLAND<sup>ME</sup>

Creative Portland's mission is to support the creative economy through the arts by providing essential resources, by fostering partnerships, and by promoting Portland's artistic talents and cultural assets. As the official nonprofit arts agency, we support economic development efforts by strengthening and stimulating our workforce, creative industries, and enterprises.



**Executive Director Dinah Minot & Program Assistant Katie Page, City employees**



# Signature programs on hold during the pandemic

- First Friday Art Walk
- Hear Here
- Monday Morning Drop By
- CP Art Gallery (online only)







# First Friday Art Walk

[Click here for more information](#)

CREATIVEPORTLAND<sup>ME</sup>





CREATIVEPORTLAND<sup>ME</sup>

[Click here for more information](#)







Transformit

CREWE  
THE CREWE FOUNDATION



David E. Shaw



KNACK  
FACTORY



Beyond Words.



NEWS CENTER  
MAINE



INFINITY  
FEDERAL CREDIT UNION



JASON SPOONER DESIGN

GHOST OF  
PAUL REVERE



PSO



SPACE



MECA  
MAINE COLLEGE OF ART



MAINE  
ACADEMY  
OF MODERN  
MUSIC



RUNNING WITH SCISSORS  
@ BAYSIDE CLAY CENTER



Black Artists Forum

hopsie



PORTLAND  
BALLET

PORTLANDSTAGE  
The Theater of Maine



MAINE  
IMMIGRANTS'  
RIGHTS  
COALITION



CREATIVE  
PORTLAND ME

SPEEDWELL  
projects



EQME  
EQUALITYMAINE





# Monday Morning Drop By

[Click here to learn more](#)



# CP Art Gallery

*Online only during the pandemic*

[Click here to learn more](#)





# Ongoing Programs During the Pandemic

- Portland Artist Relief Fund
- Public Art Initiatives
  - Creative Bus Shelters
  - Art Banners for Public Health
- Cultural Events Calendar
- Cultural App Development
- Fiscal Sponsorships
- Curatorial Teams & Partnerships







### **A Photographer:**

**"We live in a place of great compassion, resilience and innovation so I know that we will rise up above this. The support of folks like yourselves allows someone like me to continue to put art out into the world and just even pay for my gas and means to do it! "**

### **A Printmaker:**

**"Many artists like myself operate with little or no financial back-up for our practice. This Emergency fund is very helpful to enable us to stay afloat and get through to a time when we can get back on our feet. I love living and working in Portland and will continue to be part of our vibrant arts community."**

**[Click here to learn more](#)**



# Public Art Initiatives

## Creative Bus Shelters

[Click here for more information](#)

CREATIVEPORTLAND<sup>ME</sup>









# Public Art Initiatives

Art Banners for Public Health

[Click here for more information](#)

CREATIVEPORTLAND<sup>ME</sup>





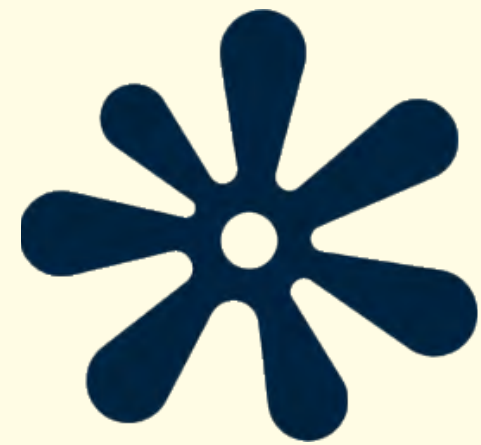


# Cultural Events Calendar

[Click here to view the calendar](#)

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>ART EXHIBITIONS</b><br>12/1 - 5: <a href="#">Flight</a> , Cove Street Arts<br>12/1 - 11: <a href="#">Acoustic Resonance</a> , MECA<br>12/1/ - 12/12: <a href="#">Faculty Photography</a> , Cove Street Arts<br>12/1 - 19: <a href="#">The Party's Over</a> , Grant Wahlquist Gallery<br>12/1 - 24: <a href="#">New Holiday Season Exhibitions</a> , Maine Jewish Museum POP-UP<br>12/1 - 24: <a href="#">Rolling in the Yule Tide</a> , Casco Bay Artisans<br>12/1 - 12/31: <a href="#">Project 20/20</a> , Portland Art Gallery<br>12/1 - 12/31: <a href="#">STEAM</a> , Cove Street Arts<br>12/1 - 1/3: <a href="#">20/20 Visionary</a> , Bob Crewe Gallery at MECA<br>12/1 - 1/3: <a href="#">1968: L'Historique d'une histoire faite de symboles</a> , SPACE<br>12/3: <a href="#">A Convenient Soldier: The Black Guards of Maine -- A Talk with Asata Radcliffe</a> , Maine Historical Society<br>12/3 - 1/30: <a href="#">(Annual) Holiday Show</a> , Greenhut Galleries<br>12/4 - 12/27: <a href="#">Holiday Offerings</a> , Richard Boyd Art Gallery<br>12/8: <a href="#">"Vida Americana" with Whitney Museum Curator Barbara Haskell</a> , Portland Museum of Art<br>12/9: <a href="#">A Victorian Christmas: A Talk with Kimberly Smith</a> , Maine Historical Society<br>12/14 & 15: <a href="#">Virtual Gallery Talk with Victoria Wyeth: Winter Light</a> , Portland Museum of Art<br><b>MONTH-LONG EXHIBITS</b><br>- <a href="#">2020 Vision: Past Present and Future</a> , Creative Portland<br>- <a href="#">I Am an American</a> , Cove Street Arts<br>- <a href="#">Stories of Maine an Incomplete History</a> , Portland Museum of Art<br>- <a href="#">Freedom. A Fable</a> , Portland Museum of Art<br>- <a href="#">Member's Exhibit</a> , UMVA | <b>PERFORMING ARTS</b><br>12/1 - 12: <a href="#">Nutcracker: Behind the Mask Short Film</a> , Maine State Ballet<br>12/1 - 22: <a href="#">Living Voices: "Hear My Voice" Virtual Family Performance</a> , Portland Ovations<br>12/1 - 31: <a href="#">Magic of Christmas at Home</a> , Portland Symphony Orchestra<br>12/1 - 31, <a href="#">Out of the Blue Livestreams</a> , Blue<br>12/3: <a href="#">Palaver Solo Session: Matt Palaver Strings</a><br>12/3: <a href="#">Virtual Concert: Jazz Ensemble</a> , USM School of Music<br>12/3 - 16: <a href="#">Noonday Concert Series Online with Ben Noyes</a> , Portland Conservatory of Music<br>12/3 - 24: <a href="#">A Christmas Carol In-Person &amp; Virtual</a> , Portland Stage<br>12/4: <a href="#">Solo Livestream with Tracey Jasas-Hardel</a> , 240 Strings<br>12/5: <a href="#">The USM Composers Ensemble Showcase Virtual</a> , USM School of Music<br>12/6: <a href="#">A Virtual ChoralArt Christmas</a> , ChoralArt<br>12/6: <a href="#">Dead Gowns Livestream</a> , State Theater<br>12/6: <a href="#">Virtual Vocal Jazz Ensemble</a> , USM School of Music<br>12/9: <a href="#">Catherine Begin Virtual Recital</a> , USM School of Music<br>12/10: <a href="#">Beehive Chamber Series: Coming Together</a> , Palaver Strings<br>12/11: <a href="#">Spencer Albee Livestream</a> , State Theater<br>12/12: <a href="#">A Victorian Nutcracker - At Home!</a> , Portland Ballet<br>12/12: <a href="#">VOCES8 "Winter Tales" Virtual Performance</a> , Portland Ovations<br>12/12: <a href="#">Martin Sexton</a> , Aura Maine<br>12/17 - 30: <a href="#">Noonday Concert Series Online with John Bennett</a><br>12/21: <a href="#">Palaver Music Center Winter Recital Celebration</a> , Palaver Strings | <b>ART AUCTIONS &amp; CRAFT SALES</b><br>12/1 - 8: <a href="#">Photo A Go-Go To Go</a> , Bakery Photo Collective<br>12/1 -11: <a href="#">Holiday Sale</a> , Maine College of Art<br>12/1 - 18: <a href="#">SPEEDWELL Auction 2020</a> , SPEEDWELL Projects<br>12/1 - 24: <a href="#">Vena's Holiday Parlor</a> , Vena's Fizz House<br>12/6 & 22: <a href="#">Makers Market at the Point</a> , Thompson's Point<br><b>MONTH-LONG CRAFT SALES</b><br>- <a href="#">Gift Guide 2020</a> , Portland Buy Local<br>- <a href="#">Holiday Gift Guide</a> , Maine Craft Portland<br>- <a href="#">Merch Booth</a> , Maine Music Alliance<br>- <a href="#">MHS Holiday Gift Guide</a> , Maine Historical Society<br>- <a href="#">MSA Store</a> , Mayo Street Arts<br>- <a href="#">PMA Store</a> , Portland Museum of Art<br><br><b>CLASSES, FILMS, &amp; TOURS</b><br>12/1: <a href="#">Fierce and Fabulous Short Story Writers</a> , MWPA & Print: A Bookstore.<br>12/1 - 31: <a href="#">Virtual Video Store</a> , SPACE x Aphodian Theater<br>12/5 - 17: <a href="#">Intro To Welding with Genna Worthley</a> , Factory 3<br>12/5, 12, 19: <a href="#">Old Port Holiday Historic Walking Tour</a> , Portland Downtown<br>12/5 - 17: <a href="#">Intro To Woodshop with Holden Roberts</a> , Factory 3<br>12/5, 12, & 19: <a href="#">Old Port Holiday Historic Walking Tours</a> , Portland Downtown<br>12/7: <a href="#">Maine Bicentennial Community Cookbook</a> , Maine Historical Society<br>12/9: <a href="#">Wrap Party</a> , Maine Jewish Film Festival<br>12/18: <a href="#">Maine Skeins Crafters</a> , Mechanics Hall<br>- <a href="#">PMA Films</a> , Portland Museum of Art |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|





# Cultural App Development

[Click here to learn more](#)

CREATIVE**PORTLAND**<sup>ME</sup>



# Fiscal Sponsorships & Volunteers



# Curatorial Teams & Partnerships

[Click here for more information](#)



## Black Owned Maine

An online directory for independent, Black-owned businesses in Maine, including visual artists, performing artists, makers and artisans.



## Maine Music Alliance

Aims to increase awareness and support the sustainability of the extraordinary live music venues of Portland Maine while highlighting the tremendous impact they have on our local economy



## SPEEDWELL Projects

An artist-run studio and gallery dedicated to launching thought provoking exhibitions in all media, including site-specific installations, public art, spoken word, and performance.



# ARTS & MUSIC FESTIVALS



- **Art Outta the Park**
- **Burundian Drum & Dance Festival**

**CREATIVEPORTLAND<sup>ME</sup>**



# THE WORKSHOP

(proposed initiative)

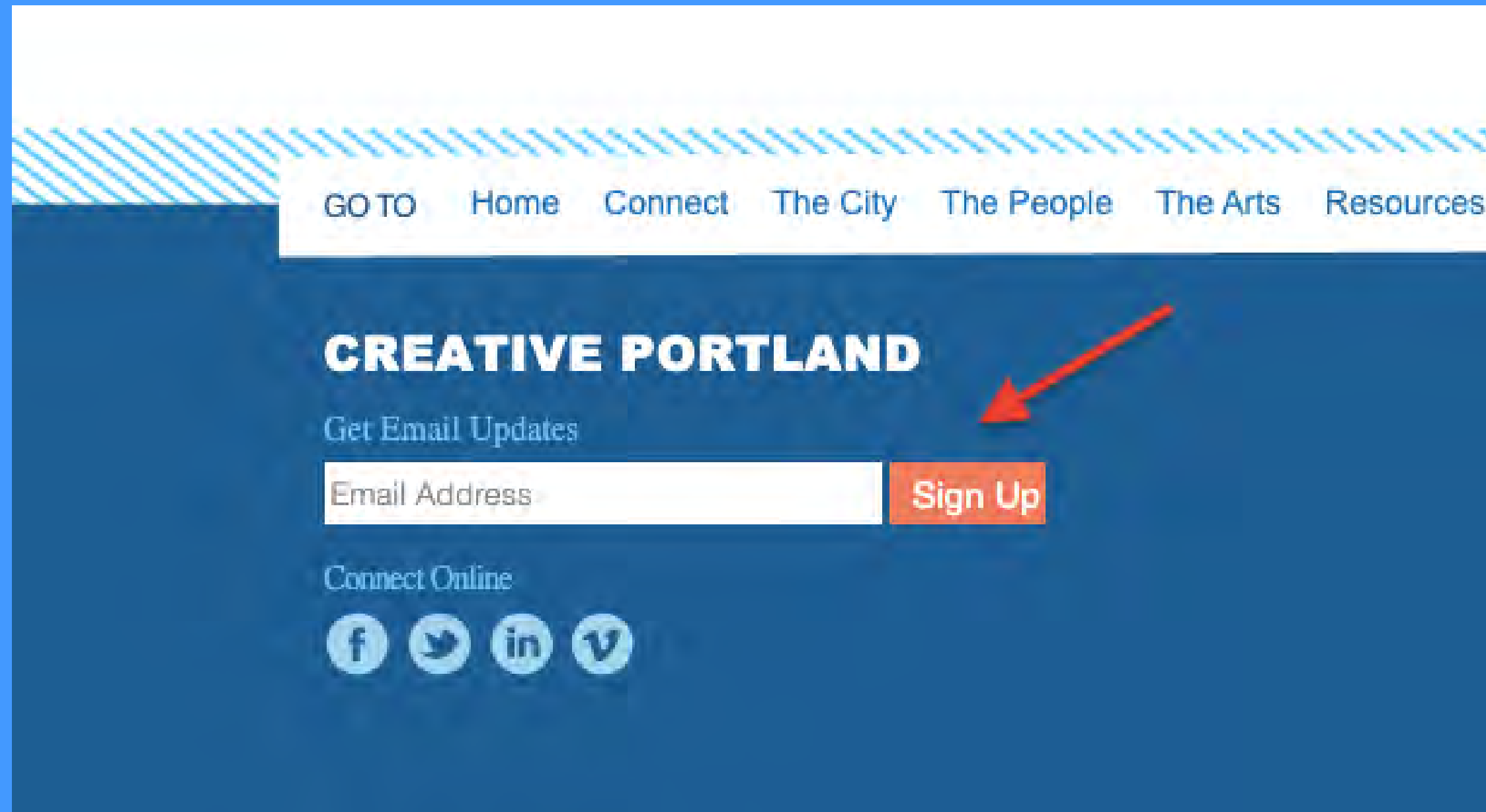


**An online calendar of professional development workshops in the Greater Portland area, curated by Creative Portland.**

**CREATIVEPORTLAND<sup>ME</sup>**



# Monthly Arts Update

A screenshot of the Creative Portland homepage. The page has a dark blue background. At the top, there is a white navigation bar with the text "GO TO" followed by links: "Home", "Connect", "The City", "The People", "The Arts", and "Resources". Below the navigation bar, the text "CREATIVE PORTLAND" is displayed in white. Underneath, the text "Get Email Updates" is shown. There is a white input field labeled "Email Address" and a red "Sign Up" button. A red arrow points to the "Sign Up" button. Below the input field, the text "Connect Online" is displayed, followed by four circular social media icons: Facebook, Twitter, LinkedIn, and YouTube.

GO TO Home Connect The City The People The Arts Resources

**CREATIVE PORTLAND**

Get Email Updates

Email Address

Sign Up

Connect Online

f t in v

Sign up on for our newsletter on our homepage!

# Questions? Ideas?

Get in touch with us at  
[info@creativeportland.com](mailto:info@creativeportland.com)

CREATIVEPORTLAND<sup>ME</sup>

# CREATIVE PORTLAND RESEARCH PROJECT

## ECONOMIC IMPACT OF COMPARABLE ARTS AGENCIES/ COUNCILS

(PRE-COVID 2019 DATA)

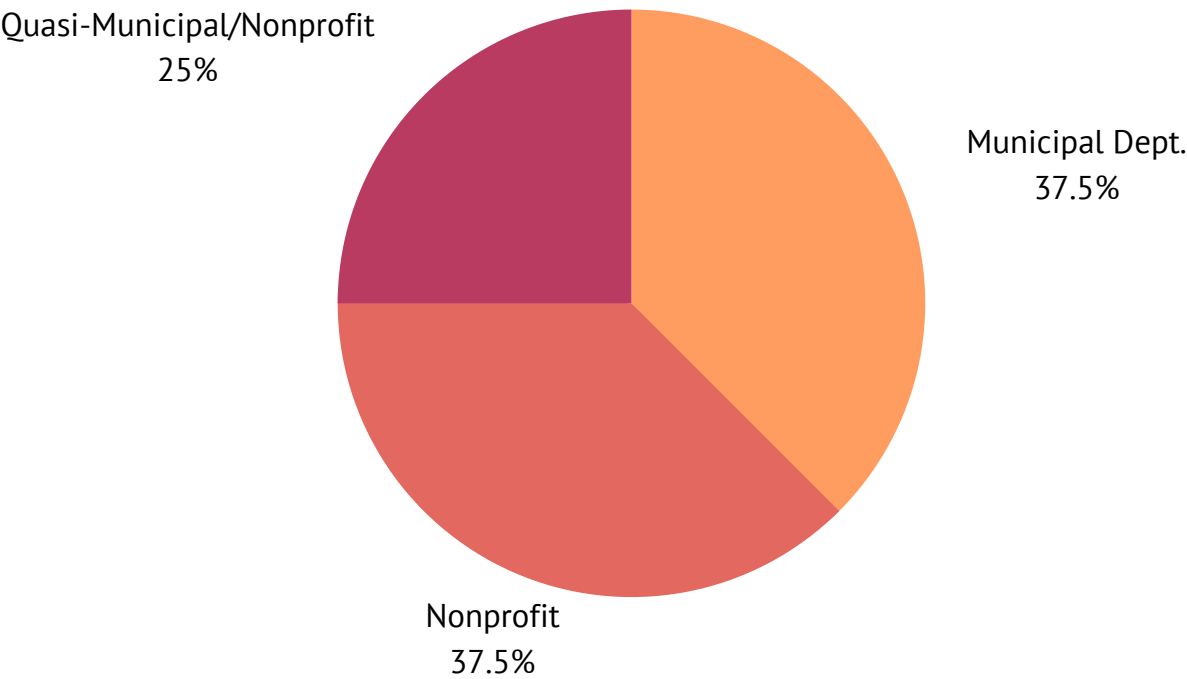
## 02

| ORGANIZATION                      | LOCATION          | POP.         |
|-----------------------------------|-------------------|--------------|
| PUBLIC ARTS COMMISSION            | ASHLAND, OR       | 21,281       |
| BURLINGTON CITY ARTS              | BURLINGTON, VT    | 42,550       |
| COMMUNITY ARTS & CULTURE          | CHAPEL HILL, NC   | 60,000       |
| GREATER HARTFORD ARTS COUNCIL     | HARTFORD, CT      | 125,000      |
| NOHO ARTS                         | NORTHAMPTON, MA   | 28,516       |
| KIMBALL ARTS CENTER               | PARK CITY, UT     | 8,526        |
| CREATIVE PORTLAND                 | PORTLAND, ME      | 66,000       |
| OFFICE OF ART, CULTURE, & TOURISM | PROVIDENCE, RI    | 180,000      |
| PAAM (ART ASSOCIATION & MUSEUM)   | PROVINCETOWN, MA  | 2,994-60,000 |
| MONMOUTH ARTS                     | RED BANK, NJ      | 12,072       |
| CULTURAL ARTS DIVISION            | REDONDO BEACH, CA | 67,423       |
| ARTS COUNCIL SANTA CRUZ COUNTY    | SANTA CRUZ, CA    | 64,000       |
| SANTA FE ARTS & CULTURE DEPT.     | SANTA FE, NM      | 83,922       |
| SAVANNAH CULTURAL ARTS COMMISSION | SAVANNAH GA       | 140,000      |
| WAAM (ART ASSOCIATION & MUSEUM)   | WOODSTOCK, NY     | 5,800        |
| WORCESTER CULTURAL COALITION      | WORCESTER, MA     | 190,000      |

03

ORGANIZATION TYPES

Organizations defined themselves as nonprofit, quasi-municipal/nonprofit, or as a municipal department.

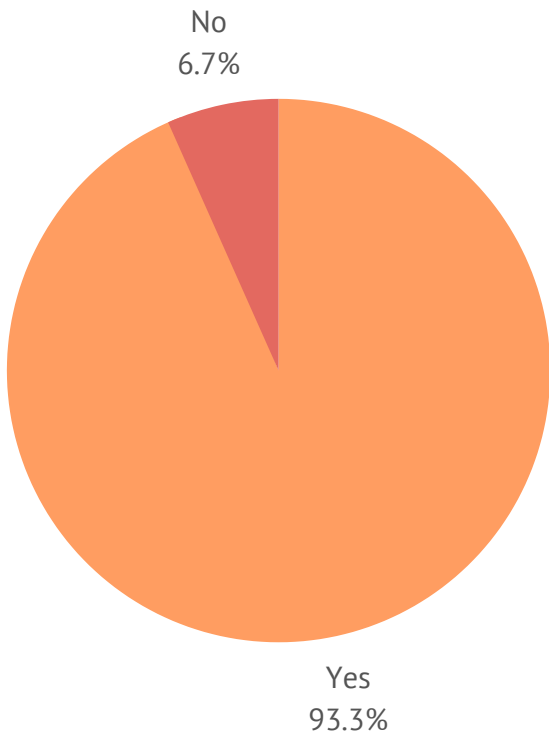


|                   |                           |
|-------------------|---------------------------|
| Ashland, OR       | Municipal Department      |
| Burlington, VT    | Quasi-Municipal/Nonprofit |
| Chapel Hill, NC   | Municipal Department      |
| Hartford, CT      | Nonprofit                 |
| Northampton, MA   | Quasi-Municipal/Nonprofit |
| Park City, UT     | Nonprofit                 |
| Portland, ME      | Quasi-Municipal/Nonprofit |
| Providence, RI    | Municipal Department      |
| Provincetown, MA  | Nonprofit                 |
| Red Bank, NJ      | Nonprofit                 |
| Redondo Beach, CA | Municipal Department      |
| Santa Cruz, CA    | Nonprofit                 |
| Santa Fe, NM      | Municipal Department      |
| Savannah GA       | Municipal Department      |
| Woodstock, NY     | Nonprofit                 |
| Worcester, MA     | Quasi-Municipal/Nonprofit |

04

# ARTS CENTERS

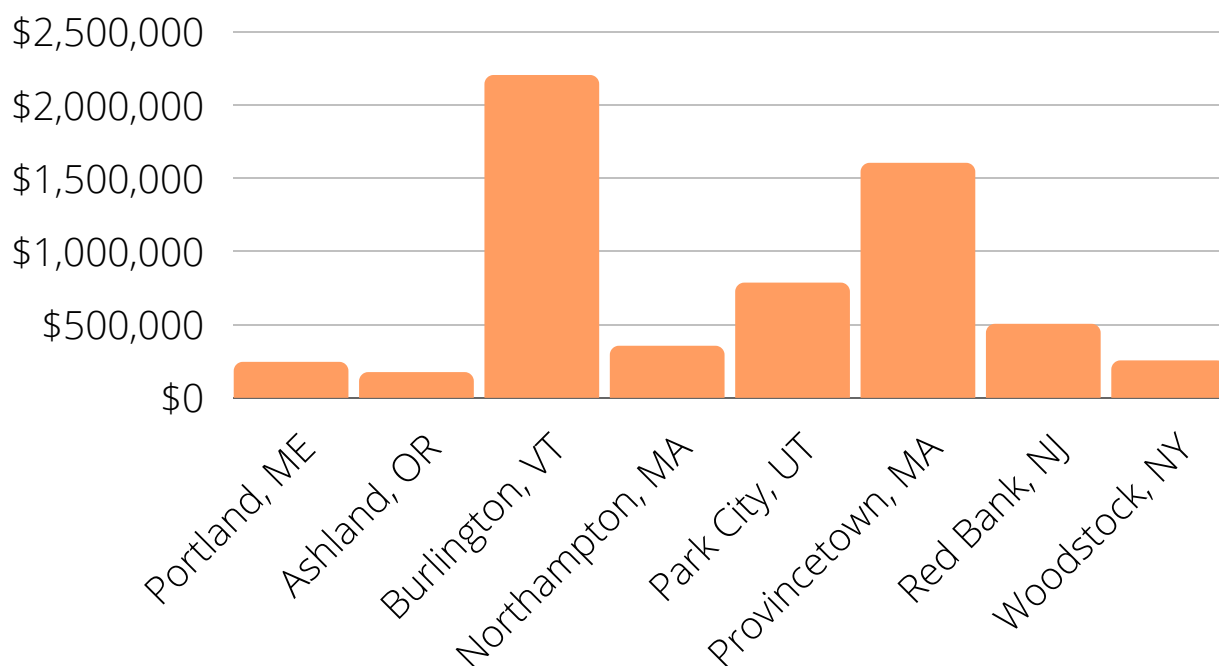
We asked organizations whether they have a community-based arts center. These spaces often include studios, performance space, exhibition halls, offices, and gift shops.



|                   |     |
|-------------------|-----|
| Ashland, OR       | Yes |
| Burlington, VT    | Yes |
| Chapel Hill, NC   | Yes |
| Hartford, CT      | Yes |
| Northampton, MA   | Yes |
| Park City, UT     | Yes |
| Portland, ME      | No  |
| Providence, RI    | Yes |
| Provincetown, MA  | Yes |
| Red Bank, NJ      | Yes |
| Redondo Beach, CA | Yes |
| Santa Cruz, CA    | Yes |
| Santa Fe, NM      | Yes |
| Savannah GA       | Yes |
| Woodstock, NY     | Yes |
| Worcester, MA     | Yes |

## 05

## ANNUAL BUDGET PRE-COVID: UNDER 50K POPULATION

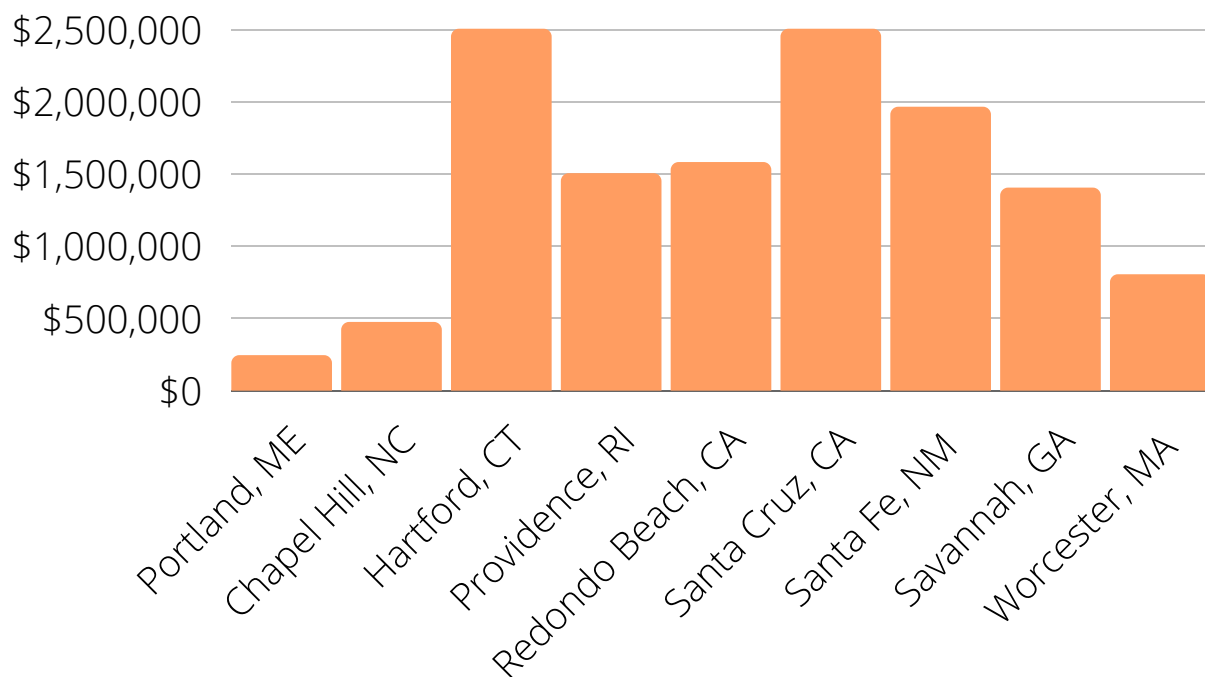


| LOCATION         | BUDGET      | POPULATION   |
|------------------|-------------|--------------|
| Portland, ME     | \$240,000   | 66,000       |
| Ashland, OR      | \$170,000   | 21,281       |
| Burlington, VT   | \$2,200,000 | 42,550       |
| Northampton, MA  | \$350,000   | 28,516       |
| Park City, UT    | \$781,500   | 8,526        |
| Provincetown, MA | \$1,500,000 | 2,994-60,000 |
| Red Bank, NJ     | \$500,000   | 12,072       |
| Woodstock, NY    | \$250,000   | 5,800        |



06

## ANNUAL BUDGET OVER 50K POPULATION



| LOCATION          | BUDGET      | POPULATION |
|-------------------|-------------|------------|
| Portland, ME      | \$240,000   | 66,000     |
| Chapel Hill, NC   | \$470,000   | 60,000     |
| Hartford, CT      | \$2,500,000 | 125,000    |
| Providence, RI    | \$1,500,000 | 180,000    |
| Redondo Beach, CA | \$1,577,000 | 67,423     |
| Santa Cruz, CA    | \$2,500,000 | 64,000     |
| Santa Fe, NM      | \$1,960,000 | 83,922     |
| Savannah GA       | \$1,400,000 | 140,000    |
| Worcester, MA     | \$800,000   | 190,000    |

## 07

# FUNDING SOURCES & BREAKDOWN:

|                                                                           |                                                                                                                                                                                            |
|---------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Ashland, OR</b><br><b>Public Arts Commission</b>                       | \$170,000: Grant received from City<br>Transient Occupant Tax (TOT/Tourism)                                                                                                                |
| <b>BURLINGTON, VT</b><br><b>Burlington City Arts</b>                      | \$1,000,000 in municipal investments -<br>\$1,000,000 from private sources                                                                                                                 |
| <b>CHAPEL HILL</b><br><b>Community Arts<br/>&amp; Culture</b>             | 1% of municipal CIP funds through 1%<br>percent for art ordinance, and grants.                                                                                                             |
| <b>HARTFORD, CT</b><br><b>Greater Hartford<br/>Arts Center</b>            | \$2,500,000: Incomplete data<br>breakdown.                                                                                                                                                 |
| <b>NORTHAMPTON, MA</b><br><b>NOHO Arts</b>                                | \$100,000 City of Northampton/CIP.<br>\$250,000 from Mass Cultural Council,<br>grants and sponsorships.                                                                                    |
| <b>PARK CITY, UTAH</b><br><b>Kimball Arts Center</b>                      | \$781,000: \$185,000 in government<br>grants, \$619,000 in gifts and other<br>contributions, \$201,000 in-kind<br>donations, \$45,000 in nonprofit<br>membership. (\$6 million endowment). |
| <b>PORTLAND, ME</b><br><b>Creative Portland</b>                           | \$100,00 TIF, \$55,000 to Portland<br>Public Art Committee from CIP. and<br>grants. Programs are funded by<br>nonprofit.                                                                   |
| <b>PROVIDENCE, RI</b><br><b>Office of Art, Culture,<br/>&amp; Tourism</b> | \$1.4 Million: Funding comes from the<br>City of Providence, which is .007% of<br>the total city budget, including<br>\$118,000 from hotel tax.                                            |

## 08

## FUNDING SOURCES & BREAKDOWN CONTINUED:

### PROVINCETOWN, MA Provincetown Art Association & Museum

\$1.5 million budget: 50% of funding is from grants, including government grants, 25% is earned, 25% is fundraised.

### RED BANK, NJ Monmouth Arts

\$500,000: 40% is government funding, 30% is from corporate foundations & grants. 30% from nonprofit fundraising.

### REDONDO BEACH, CA Cultural Arts Division

\$1.57 Million: Funding is from the general municipal budget. A percent for art from development funds the Public Art Commission.

### SANTA CRUZ, CA Arts Council Santa Cruz County

\$2.5 Million: 40% from foundations, 30% from the government, 10% from individual giving, 20% is earned revenue.

### SAVANNAH, GA Savannah Cultural Arts Commission

\$1.4 million: funded by the City and revenue from the Cultural Arts Center.

### SANTA FE, NM Santa Fe Arts & Cultural Department

\$1.96 Million: 1% of Santa Fe Hotel taxes go to the Arts, along with 2% of CIP/Revenue Bond Proceeds.

### WOODSTOCK, NY Woodstock Arts Association & Museum

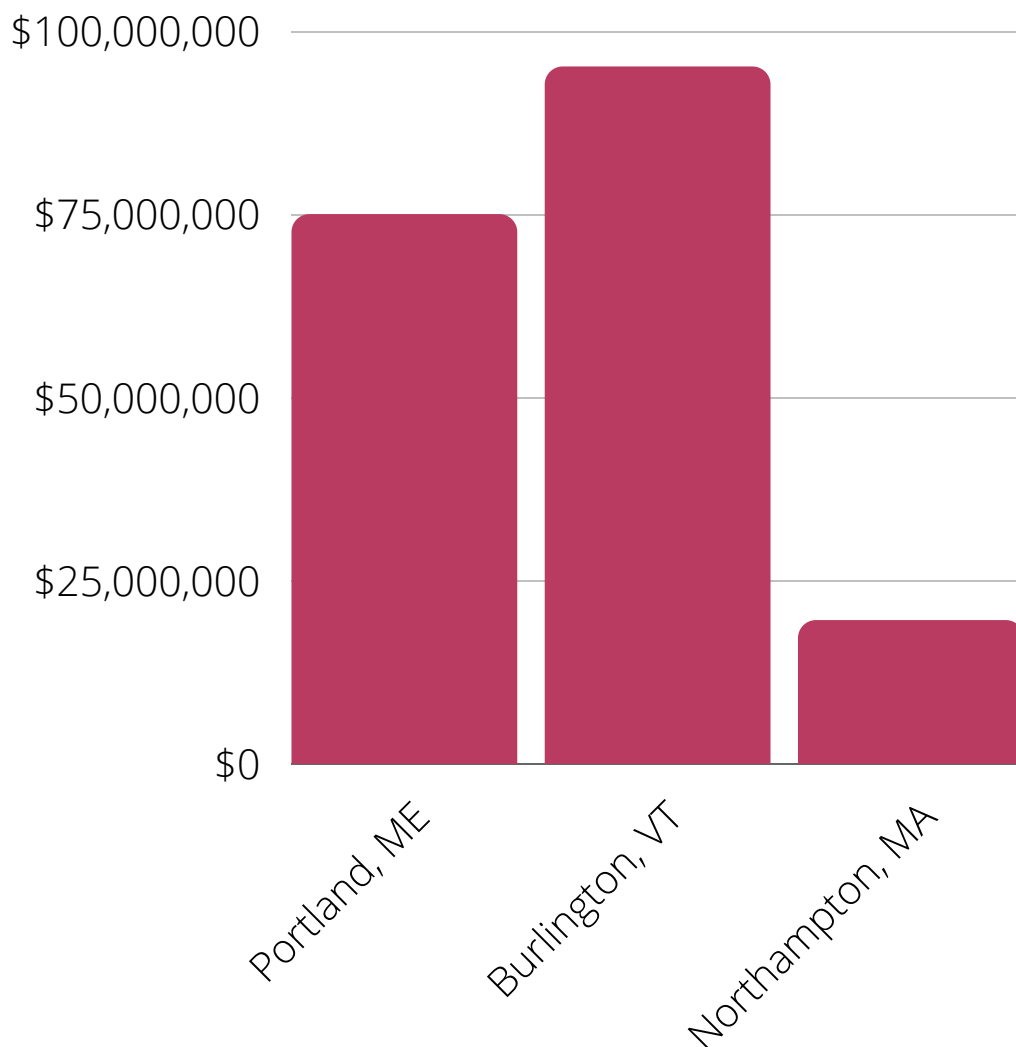
Funding is from the NY Council on the Arts, Arts Mid-Hudson, foundations, sponsors & membership dues.

### WORCESTER, MA Cultural Coalition

\$450,000 (City) + \$350,000 (Cultural Coalition).

09

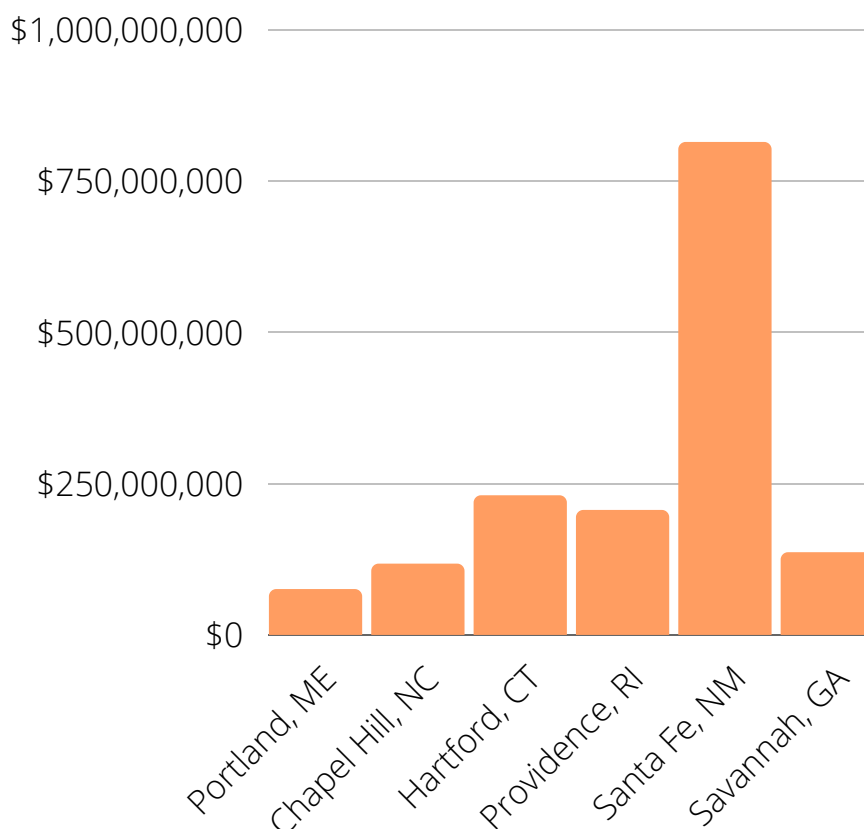
## ECONOMIC IMPACT OF ART ORGANIZATION NONPROFITS. UNDER 50K POPULATION



| LOCATION         | ECON. IMPACT | POPULATION   |
|------------------|--------------|--------------|
| Portland, ME     | \$75,000,000 | 66,000       |
| Ashland, OR      | No data      | 21,281       |
| Burlington, VT   | \$95,159,453 | 42,550       |
| Northampton, MA  | \$19,560,000 | 28,516       |
| Park City, UT    | No data      | 8,526        |
| Provincetown, MA | No data      | 2,994-60,000 |
| Red Bank, NJ     | No Data      | 12,072       |
| Woodstock, NY    | No data      | 5,800        |

10

# ECONOMIC IMPACT OF ART ORGANIZATION NONPROFITS. OVER 50K POPULATION



| LOCATION          | ECON. IMPACT  | POPULATION |
|-------------------|---------------|------------|
| Portland, ME      | \$75,000,000  | 66,000     |
| Chapel Hill, NC   | \$117,021,210 | 60,000     |
| Hartford, CT      | \$230,000,000 | 125,000    |
| Providence, RI    | \$205,780,766 | 180,000    |
| Redondo Beach, CA | No Data       | 67,423     |
| Santa Cruz, CA    | No Data       | 64,000     |
| Santa Fe, NM      | \$814,000,000 | 83,922     |
| Savannah, GA      | \$135,900,000 | 140,000    |
| Worcester, MA     | \$125,690,494 | 190,000    |

## 11

# SUMMARY:

**SIZE OF CITIES:**

17 cities were surveyed ranging in population size: 5,800 (Woodstock, NY) to 190,000 (Worcester, MA). Smaller cities were surveyed because they demonstrate outstanding economic impact and arts investment, and are considered by Americans for the Arts (AFTA) to be the best small art towns in America. One-third of the cities surveyed have similar size populations to Portland (66,000). Of these similar-sized cities, all have municipal departments.

**MUNICIPAL ARTS DEPT & BUDGETS:**

All of the cities with populations over 50,000 have municipal art departments, with the exception of Portland, Maine (quasi-municipal). All of the city arts departments/arts councils/agencies operate within a budget of between \$470K - \$2.5 million (Chapel Hill, NC and Santa Cruz, CA), with the exception of Portland, ME (\$240K, including CP & PPAC).

**CITY SPOTLIGHTS:**

In Worcester, the arts budget from the city and cultural coalition is \$800,000, which includes the management and operations of the CC but not the capital budget for the arts center, funded by membership, grants, and revenue from the center. Burlington, VT, has the largest municipal investment of \$1 million, inspired by Bernie Sanders in his initial acquisition of an arts center (former firehouse). The nonprofit arm leverages that investment for a total of \$2.2 million overall budget.

**FUNDING SOURCES:**

City budget, percentage of CIP, TIF allocation, Hotel Tax, State Arts Council, Office on Aging, and 1% for Arts (from Revenue Bond Proceeds and/or Developers).

**ARTS CENTERS:**

Every city, except for Portland, has a robust community arts center/performing arts space, often generated by artists. Although Portland operates and leases Merrill Auditorium to PSO, FOKO, and Portland Ovations, infrastructure improvements are necessary to broaden its reach as an arts center and to attract local performance groups. SPACE offers an incubator, exhibition, and performance space for artists on a small scale, limiting an audience to less than 200.

## Creative Portland

### Recommendation for proposed CITY TIF budget increase, on a phased basis:

#### **FY22: 155K** (proposed City TIF increase)

- 35K - personnel
- 45K - cultural app prototype, augmented reality features, training & outreach
- 54K - outdoor performance pop-up venues - tech, crew, street block closures (6 performances)
- 16K - First Friday Art Walk- city staff & tech support - management, safety, COVID watch, projections, stage
- 5K - Arts & Culture Summit Webinar

#### **FY23 : 250K** (proposed City TIF increase)

- 40K - personnel
- 30K - cultural app marketing campaign and launch
- 56K - outdoor performance pop-up venues
- 70K - arts, music & innovation festival
- 15K - mural initiative (mental health/social safety campaign)
- 14K - First Friday Art Walk - city staff & tech equipment
- 25K - Hear Here Merrill Auditorium (sound/lights rental and union crews)
- 7K - Arts & Culture Summit (in-kind venue waiver)

#### **FY24: 412K** (proposed TIF including grant & private support)

- 45K - personnel
- 25K - cultural app content mgr & IT support
- 56K - outdoor performance pop-up venues
- 75K - arts, music & innovation festival
- 14K - First Friday Art Walk - city staff & tech equipment
- 50K - Exterior Jetport Wall Mural\*
- 100K - Hear Here Merrill Auditorium (permanent sound/lights)\*
- 7K - Arts & Culture Summit (in-kind venue waiver)

#### **FY25: 1.246 million** (proposed Arts Budget including private funding)

- 150K - personnel
- 75K - arts, music & innovation festival
- 14K - First Friday Art Walk - city staff & tech equipment
- 750 - 900K (needs sponsor support) permanent performance shell (one-time)\*
- 100K - Hear Here Merrill Auditorium (complete tech renovation)\*
- 7K - Arts & Culture Summit (in-kind venue)

**CREATIVEPORTLAND<sup>ME</sup>**

84 Free Street | Portland, ME 04101 | 207-370-4784

**2021 PROPOSED DOWNTOWN/TRANSIT TIF AMENDMENT #~~645~~- REGARDING INCREASED FUNDING FOR CREATIVE PORTLAND~~45 BROWN STREET AND FUNDING PUBLIC RESTROOMS~~**

**I. Introduction – Portland Downtown Transit Oriented Municipal Development and Omnibus Tax Increment Financing District Amendment #5**

On February 9, 2015, the City of Portland (the “City”) designated the Portland Downtown Transit Oriented Municipal Development and Omnibus Tax Increment Financing District (the “District”) and adopted this Development Program (the “Development Program”) for the District in an effort to fully realize the visions and goals of the City of Portland Downtown Revitalization Investment Plan (“Downtown Plan”); the Downtown Plan is attached as Exhibit A. The duration of this District will be 30 years beginning July 1, 2015 (Tax Year 4/1/2015; FY2015-16) ending June 30, 2045 (Tax Year 4/1/2044; FY2044-45).

- a. District Amendment #1 Approved by MDECD February 27, 2018: The purpose of this District amendment was to remove the parcel designated by the City Assessor as 22-F-1 at 54 Lancaster – a tax exempt parcel (so no value attributed to the Original Assessed Value) with approximately .48 acres, which will be turned into a free-standing Affordable Housing TIF District. Portland’s amended District remained the same at approximately 422 acres and bounded by Washington Avenue to the east, State Street to the west, following the edges of the adjacent Bayside and Waterfront Capital Improvement TIF Districts to the north and south. The District encompasses the central business district of Portland and the abutting east and west ends of the District. In creating the District, the outlying residential areas of the Eastern and Western Promenades have been purposely excluded.
- b. District Amendment #2 approved by MDECD February 11, 2019: The purpose of this District Amendment was to increase the allowable uses for Municipal TIF Revenue and increase the percentage capture from up to 22% to up to 100%, all as more detailed in Section II below.
- c. District Amendment #3 approved by MDECD September 18, 2019: The purpose of District Amendment #3 is to remove the parcel designated by the City Assessor as 44-H-1 at 66 State Street – a tax exempt parcel (so no value attributed to the Original Assessed Value), with approximately .5087 acres, which will be turned into a free-standing Affordable Housing TIF District. Portland’s amended District, with Amendment #3, reduced it from approximately 422 to 421.01 acres. The boundaries remain the same, i.e., bounded by Washington Avenue to the east, State Street to the west, following the edges of the adjacent Bayside and Waterfront Capital Improvement TIF Districts to the north and south. The District encompasses the central business district of Portland and the abutting east and west ends of the District. In creating the District, the outlying residential areas of the Eastern and Western Promenades have been purposely excluded. The Downtown Plan includes a listing of current projects and categories of future investment. It is recognized that meeting the infrastructure needs of Portland’s downtown will be a dynamic process that will be updated locally on an annual



**2021 PROPOSED DOWNTOWN/TRANSIT TIF AMENDMENT #~~645~~ REGARDING INCREASED FUNDING FOR CREATIVE PORTLAND~~45 BROWN STREET AND FUNDING PUBLIC RESTROOMS~~**

basis or as needed. Though the specific public projects prioritized and undertaken from year to year will change, with the exception of this District funding up to \$100,000 annually for the Creative Portland Corporation, categories of investment for the purpose of eligible uses of the TIF Revenues will remain consistent.

Actual project selections and prioritization for funding will continue to be made on an annual basis during the City budget and Capital Improvements Plan (CIP) process, based on categories contained in Table 1 hereinbelow. The CIP is the document that presents the City's capital needs in the current year and plans for capital needs in future years. As a five year plan that is annually updated, the CIP is a dynamic planning document; the FY2015 to 2019 CIP document is included in the Downtown Plan as an appendix.

- d. District Amendment #4 approved by MDECD September 16, 2020: The purpose of District Amendment #4 is to remove the parcels designated by the City Assessor as 28-O-17 at 83 Middle Street – a tax exempt parcel (so no value attributed to the Original Assessed Value), with approximately .2183 acres, and 28-O-3 at 160 Newbury Street with an OAV of \$281,100 with approximately .0665 acres, which parcels will be turned into a free-standing Affordable Housing TIF District.

Proposed District Amendment #4 also includes technical amendments as follows:

- CBL 37-B-14, 17 Shepley Street, a tax exempt parcel, was on the original map but needs to be added to original CBL listing attached to the Assessor's Certificate – increasing acreage by .1512, with no change in OAV as tax exempt;
- CBL 39-A-38, 612 Congress Street, was on original map but needs to be added to original CBL listing attached to the Assessor's Certificate, - increasing acreage by .0449, and increasing the OAV by \$282,400;
- CBL 38-G-1, 486 Fore Street, not on original map and needs to be deleted from listing attached to the Assessor's Certificate – decreasing acreage by 1.8419, and decreasing the OAV by \$3,130,830, and it is now in the Waterfront TIF District as approved by MDECD on August 26, 2019; and,
- CBL 43-C-6, 431 Commercial Street, a tax exempt parcel, was on original map and listing attached to the Assessor's Certificate but was transferred to the Waterfront TIF District as approved by MDECD on April 5, 2019 – decreasing acreage by 1.2912, with no change in OAV as tax exempt.

With the above removal of 83 Middle Street and 160 Newbury Street, and the technical amendments, the net change to the District's OAV is reduced from

**2021 PROPOSED DOWNTOWN/TRANSIT TIF AMENDMENT #~~645~~ REGARDING INCREASED FUNDING FOR CREATIVE PORTLAND~~45 BROWN STREET AND FUNDING PUBLIC RESTROOMS~~**

\$968,136,850 to \$965,007,320, and the District's acreage is reduced from 421.010 to 417.7882.

e. Proposed District Amendment #5:

(1) **45 Brown Street:** 45 Brown Street is a single property in the Downtown TOD TIF District, Assessor Chart, Block, and Lot Number 037 F002001. The developer of this property proposes an affordable housing project on that property with two condominium units. Unit 1 would be the at grade multi-level parking garage with public restrooms in the Downtown TOD TIF District, and Unit 2 (air rights above Unit 1) is proposed to be the affordable housing project included in an Affordable Housing TIF District.

This Amendment will exclude all floors above Unit 1 in a multi-story building to be constructed on the site, presently owned by Brown Tower LLC, c/o Presidium. It is the intention of the Developer to declare this specified area as Unit 2 in the Condominium.

This Amendment provides that the following specified area will remain in the Downtown TOD TIF District as Unit 1 of the Condominium: the multi-level parking garage with public restrooms on the property. It is the intention of the Developer to declare this specified area as Unit 1 in the Condominium.

(2) **Public Restroom Facilities in Unit 1:** The City of Portland proposes to use Downtown TOD TIF revenue to support the public restroom facilities investment in Unit 1.

f. Proposed Amendment #6: The City of Portland proposes an amendment to remove the maximum annual cap of TIF Funding for Creative Portland (CP) now at \$100,000 and instead have an annual floor for funding at \$155,000 for its programs and services, with the City Council then determining on an annual basis whether to increase that level of funding.

**II. Development Program Narrative**

**A. The Development Program as Amended with Amendment #5**

The Amended Development Program for the Downtown Transit Oriented Municipal Development and Omnibus TIF District is structured and proposed pursuant to Chapter 206 of Title 30-A of the Maine Revised TIF Statutes, as amended (the "TIF Statute"). The City's designation of the District, combined with the adoption of this Amended Development Program, creates a single municipal TIF district in order to capture the value of the real property improvements made within the District and enable the use of TIF revenues for various municipal and other development projects.

Under this Amended Development Program, the City captured 12% in year one (City Fiscal Year 2015/2016), 22% in years 2 through 4, 25% in year 5, and 30% in year 6. This

**2021 PROPOSED DOWNTOWN/TRANSIT TIF AMENDMENT #~~645~~ REGARDING INCREASED FUNDING FOR CREATIVE PORTLAND~~45 BROWN STREET AND FUNDING PUBLIC RESTROOMS~~**

Amended Development Program now allows for the City to capture up to 100% of the new real property value located in the District for remainder of the term of the District, or through Tax Year April 1, 2044/City Fiscal Year 2044/2045. The City may retain those tax revenues generated by the captured assessed value (the “TIF Revenues”) to fund infrastructure improvements and other administrative costs, all as further described in Table 1 hereinbelow. The City reserves the right to capture less than the full 100% in years 7 through 30, depending on the then-current needs of the City with respect to the approved project costs. Any reduction in the captured value percentage shall adjust the amount of assessed value eligible for sheltering with respect to the tax shift benefit correspondingly. Although all TIF Revenues will be retained by the City at this time, the City reserves the right in the future to negotiate and execute commercial credit enhancement agreements pursuant to City Council approved TIF Policy as may be amended from time to time. CEAs would be limited, however, to the balance of District term at that time. Such future credit enhancement agreements would require a public hearing and City Council approval. Should the City enter into a credit enhancement agreement, it will provide the Maine Department of Economic and Community Development a description of the terms and conditions of any agreements, contracts, or other obligations related to the development program per City TIF Policy (see Table 1 last item and Exhibit B).

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

- Maintain existing tax revenues;
- Invest in the Downtown public infrastructure, including public restrooms;
- Invest in the Creative Portland Corporation annually;
- Invest in new and enhanced transit services;
- Enjoy enhanced future tax revenues generated by new development within the District; and
- Create long-term, stable employment opportunities for area residents because of these TIF investments.

In addition, by creating the District, the City will “shelter” the increase in municipal valuation that development in the District will bring about. This tax shift benefit mitigates the adverse effect that the District’s increased assessed property value has upon the City’s share of state aid to education, municipal revenue sharing, and its county tax assessment. An estimate of the tax shift benefits is shown in Revised Exhibit D-2 attached hereto.

The City’s designation of the District and pursuit of this Amended Development Program constitute a good and valid public purpose pursuant to Chapter 206 of Title 30-A because it represents a substantial contribution to the economic well-being of both the City and the region by providing jobs, contributing to property taxes, and diversifying the region’s economic base.

**B. The Projects**

Development within the District will provide a revenue source for the City’s economic development projects. The City intends to use TIF Revenues to further its overall plan to attract and retain businesses that want to take advantage of Portland’s business-friendly location, while

**2021 PROPOSED DOWNTOWN/TRANSIT TIF AMENDMENT #~~645~~ REGARDING INCREASED FUNDING FOR CREATIVE PORTLAND~~45 BROWN STREET AND FUNDING PUBLIC RESTROOMS~~**

offering their employees a rich, dynamic, and high quality of life. This includes ~~funding for CP of Creative Portland Corporation~~, of which the City of Portland is the Corporator, with an annual floor for funding at \$155,000 for its programs and services, with the City Council then determining on an annual basis whether to increase that level of funding of up to \$100,000 annually, as well as City plans to invest in its public infrastructure in these investment focus areas:

- Sidewalk and Other Pedestrian Enhancements, including Public Restrooms
- Streetscape
- Lighting
- Street Alignment
- Utilities
- Bicycle Improvements
- Public Transit
- Wayfinding
- Multi-modal surface and structured parking
- Work force training
- Professional service costs
- Housing and Economic Development Department administrative costs and staff salaries, and prorated salaries of the City Manager, Finance Director, Planning and Urban Development Director, and Planning staff.

The District projects at this time are highlighted in Table 1 below:

**TABLE 1**

**NOTE 1:** All Citations refer to Title 30-A, Chapter 206, Section 5225

**NOTE 2:** While this Amended Development Program lists particular projects, the Amended Development Program shall not serve as an appropriation of TIF Revenues for any of these specific purposes, nor shall it commit the City to completing any particular project. The projects will only be undertaken following proper appropriation through the annual budget process and any other applicable required approvals.

| Project                                                                                                                                                    | Downtown Revitalization Plan Reference by page no. | Statutory Citation                                | Estimated Cost                                                                      |
|------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------|---------------------------------------------------|-------------------------------------------------------------------------------------|
| <b>In District: Capital Infrastructure Design and Investments, including Financing Costs, for example:</b><br>- Multi-modal surface and structured parking | 19, 47<br>19, 20, 34,35, 48                        | (1)(A)(1)(2)(3)(6)(7)<br>(1)(A)(1)(2)(3)(4)(6)(7) | \$150 Million over the life of the District for these Capital Infrastructure Items. |

**2021 PROPOSED DOWNTOWN/TRANSIT TIF AMENDMENT #645- REGARDING INCREASED FUNDING  
FOR CREATIVE PORTLAND45 BROWN STREET AND FUNDING PUBLIC RESTROOMS**

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                         |                                                                                                                                                                                                                            |                                                   |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------|
| <ul style="list-style-type: none"> <li>- Sidewalk and Other Pedestrian Enhancements, including Public Restrooms</li> <li>- Roadway Realignments/Paving</li> <li>- Crosswalks</li> <li>- Traffic Signals</li> <li>- Intersection Redesigns</li> <li>- Bicycle lanes, racks, and stations Infrastructure</li> <li>- Stormwater Management, including water and sewer upgrades</li> <li>- Telecommunications, lighting, and electrical distribution upgrades; Infrastructure improvements/enhancements</li> <li>- Wayfinding (signage)</li> <li>- Public plaza intersection improvements</li> </ul>                                                                                                                  | <p>19,20,34,35<br/>19, 46<br/>34, 46<br/>19,20,34,35<br/>19, 34,47<br/>19, 33<br/><br/>19, 36<br/><br/>19,23, 35,47<br/><br/>22, 46</p> | <p>(1)(A)(1)(2)(3)(6)(7)<br/>(1)(A)(1)(a)(i)<br/>(1)(A)(1)(2)(3)<br/>(1)(A)(1)(2)(3)(6)(7)<br/>(1)(A)(1)(a)(i)<br/>(1)(A)(1)(2)(3)(6)(7)<br/><br/>(1)(A)(1)(2)(3)(7)<br/><br/>(1)(A)(1)<br/><br/>(1)(A)(1)(2)(3)(6)(7)</p> |                                                   |
| <p><b>In and out of District: New and Enhanced Transit Services, including operational costs, for example (see Exhibit K – Transit Map):</b></p> <ul style="list-style-type: none"> <li>- Creation of high frequency bus service on Congress Street at 15-minute intervals between the Portland Transportation Center (PTC) and Washington Avenue;</li> <li>- Enhancing Stevens Avenue- Allen Avenue- Congress Street bus service areas;</li> <li>- Corresponding costs for these enhancements, including transit operator salaries; transit vehicle fuel, and transit vehicle parts replacements.</li> <li>- Transit capital costs including transit vehicles and related equipment; bus shelters and</li> </ul> | <p>17, 20, 21,<br/><br/>20<br/>20<br/>20<br/><br/>17, 20</p>                                                                            | <p>(1)(A) and (1)(C)(7)<br/><br/>(1)(A)(1)(a) and (1)(C)(7)<br/>(1)(A)(1)(a) and (1)(C)(7)<br/>(1)(A)(1)(a) and (1)(C)(7)<br/><br/>(1)(A)(1)(a) and (1)(C)(7)</p>                                                          | <p>\$15 Million for Transit in this category.</p> |

**2021 PROPOSED DOWNTOWN/TRANSIT TIF AMENDMENT #645- REGARDING INCREASED FUNDING FOR CREATIVE PORTLAND**  
~~45- BROWN STREET AND FUNDING PUBLIC RESTROOMS~~

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                         |                                                                     |                                                                                                                                 |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------|---------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------|
| other related structures; benches; signs, and other transit-related infrastructure.<br>- Shuttle service to downtown businesses.                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                         |                                                                     |                                                                                                                                 |
| <b>In and out of District: City Marketing and Promotion through Creative Portland Corporation (CPC), for example (see Exhibit M Arts District Map within Downtown TOD TIF District):</b><br>- In District: Center for the Arts, including rental residential space;<br>- In District: capital, financing, real property assembly and professional service costs;<br>- <b>In and out of District:</b> CPC staffing, administrative and marketing expenses; revolving loan or investment fund.                                                                      | 20, 21,47<br><br>20, 21,47<br><br>20, 21, 47                            | (1)(C)(1)(2)<br><br>(1)(C)(1)(2)<br><br>(1)(C)(1)(2)                | A floor of <del>Up to</del><br><del>\$155K00K</del><br>annually<br>beginning<br>FY2022; \$4.33<br>Million over life of District |
| <b>In and out of District:</b><br>- <b>Housing and Economic Dev.</b> Dept. administrative costs and staff salaries at 100%, and prorated salaries of City Manager, Finance Director, and Planning Urban Development Director, and Planning staff*;<br>- Professional services costs;<br>- Workforce training funds. Costs of services and equipment to provide skills development and training, including scholarships to in-state educational institutions or to online learning entities when in-state options are not available, for jobs created or retained. | 21, Also TIF App. P. 3<br><br><br>See TIF App. P.3<br>See TIF App. P. 3 | (1)(A)(5) and (1)(C)(1)<br><br><br>(1)(A)(4);(1)(C)(1)<br>(1)(C)(4) | \$15 Million over life of the District.                                                                                         |
| <b>In District: Small Public Capital Infrastructure and</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                         |                                                                     |                                                                                                                                 |

**2021 PROPOSED DOWNTOWN/TRANSIT TIF AMENDMENT #~~645~~- REGARDING INCREASED FUNDING FOR CREATIVE PORTLAND~~45 BROWN STREET AND FUNDING PUBLIC RESTROOMS~~**

|                                                                                                                                                                                                                                                |                             |                              |                                                         |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|------------------------------|---------------------------------------------------------|
| <b>Equipment, for example (Downtown Plan pp. 6 and 7)</b><br>- Parking meters<br>- Vehicles for Public Works Dept., and Fire Dept., including ambulances                                                                                       | 19<br>21, 36 to 44          | (1)(A)(1)(a)<br>(1)(A)(1)(a) | \$10 Million over life of the District                  |
| <b>In District: Relocation of Displaced Persons (TIF Application, p. 6)</b>                                                                                                                                                                    | (see TIF application, p. 6) | 1(A)(6)                      | Not budgeted/not anticipated at time of TIF application |
| <b>In District: CEAs as Approved by City Council (TIF application p. 2)</b> with a maximum average percentage of 65% capture and up to a 20-year term, or the remaining term of this District, pursuant to City TIF Policy (Exhibit B hereto). | (see TIF application p. 2)  | (1)(A)(1)(2)(3)(6)(7)        | Unknown at time of TIF application                      |
| <b>Total Estimate of TIF Revenue Expenditure over 30 year term:</b>                                                                                                                                                                            |                             |                              | <b>\$194,33,000,000</b>                                 |

\*This item is not unique to this TIF District, it is also included in the Bayside TIF District and Waterfront TIF District.

### C. Strategic Growth and Development

This Amended Development Program and the Downtown Plan meld various studies and plans for the District into one document, thereby promoting those studies and plans and making investments at the appropriate time. The studies and plans noted in the Downtown Plan represent a series of community initiatives, both completed and underway, or in planning process. The Amended Development Program and Project List ([Table 1](#)) noted hereinabove represents the best thinking of City staff about current opportunities for realizing the City's longstanding, evolving vision for its Downtown.

### D. Improvements to the Public Infrastructure

As further set forth in [Table 1 hereinabove](#), the City may use certain TIF Revenues for sidewalk and other pedestrian improvements including crosswalks, roadway realignments/paving, intersection redesigns, traffic signals, bicycle infrastructure, stormwater management improvements (including water and sewer maintenance), communications infrastructure improvements/enhancements, wayfinding, multi-modal surface and structured parking, and public plaza intersection improvements that are directly related and made necessary by development in the District.

**2021 PROPOSED DOWNTOWN/TRANSIT TIF AMENDMENT #~~645~~ REGARDING INCREASED FUNDING FOR CREATIVE PORTLAND 45 BROWN STREET AND FUNDING PUBLIC RESTROOMS**

**E. Operational Components**

**1. Public Facilities**

The City may use a portion of the TIF Revenues to fund certain projects approved within the District, outlined in Table 1 hereinabove.

**2. Commercial Improvements Financed through the Development Program**

At this time, no commercial improvements will be financed through the Development Program. The City may, in the future, reimburse a percentage of the TIF Revenues from any particular lot within the District to future developers through a credit enhancement agreement. Future credit enhancement agreements are authorized only if the City Council meets and holds a public hearing and votes to authorize, negotiate, and execute the credit enhancement agreement pursuant to City Council approved TIF Policy. Such credit enhancement agreements would be approved under the City's TIF Policy, as may be amended from time to time, but limited to the balance of the term of this District. Should the City enter into a credit enhancement agreement, it will provide the Maine Department of Economic and Community Development a description of the terms and conditions of any agreements, contracts, or other obligations related to the development program (see Table 1 last item and Exhibit B).

**3. Relocation of Displaced Persons**

It is not anticipated that any persons will be relocated; however, the City has provided that if, in the future, relocation of persons is necessary to accommodate future redevelopment within the District, the one-time relocation costs of such displaced persons can be paid for with TIF Revenues, exclusive of rent.

**4. Transportation Improvements**

The City may fund road/transportation improvements made necessary by the increased traffic to the District. Please see Table 1 hereinabove for more details.

**5. Environmental Controls**

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

**6. Plan of Operation**

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

**III. Amended Physical Description**

Proposed Amendments #5 and #6 does not change the acreage numbers for the Downtown TOD TIF District because Unit 1 at 45 Brown Street (multi-level parking garage with public restrooms) will remain in the TIF District, and Unit 2 (affordable residential units located in the upper floors) is proposed to be an Affordable Housing TIF District. Amendment #6 does not change the acreage.



**2021 PROPOSED DOWNTOWN/TRANSIT TIF AMENDMENT #~~645~~ REGARDING INCREASED FUNDING FOR CREATIVE PORTLAND~~45 BROWN STREET AND FUNDING PUBLIC RESTROOMS~~**

The 417.7882-acre District is bounded by Washington Avenue to the east, State Street to the west, following the edges of the adjacent Bayside and Waterfront Capital Improvement TIF Districts to the north and south. The District encompasses the central business district of Portland and the abutting east and west ends of the District. In creating the District, the outlying residential areas of the Eastern and Western Promenades have been purposely excluded. The District is shown on revised Exhibit C. The statutory threshold limits addressing the conditions for approval mandated by 30-A M.R.S.A. Section 5223(3) are set forth in revised Exhibit E.

**IV. Financial Plan**

**A. Amended Financial Characteristics**

With Amendments #5 and #6, the collective original assessed value of the real property in the District remains at \$965,007,320 as set forth in Exhibit F, Revised Assessor's Certificate. The backup for the Certificate includes revisions from Amendment #3 and #4. It is noted that Downtown TOD/TIF acreage and value calculations are exempt from State TIF law limits.

The City captured 12% in year 1 (City Fiscal Year 2015/2016), 22% in years 2 through 4, 25% in year 5, and 30% in year 6 of the increased assessed value of the real property located within the District. Amendment 2 provided for the City to capture up to 100% for the duration of the 30-year term of the District. Personal property tax value will not be captured within the District. The TIF Revenues so collected will fund and/or contribute to the funding of the approved projects, including each of the projects described on Table 1 hereinabove, including entering into Credit Enhancement Agreements (see Table 1 last item and Exhibit B), which collectively increase the City's ability to stand out in a competitive marketplace as a dynamic municipality in which to grow a business. All assessed real property value captured in the District will be added to the general tax rolls at the end of the District's term. Please note that at any time during the term of the District, the municipality can vote to reduce the captured value percentage and instead deposit the tax revenues into the General Fund so long as the municipality does not receive the tax shift benefit associated with the tax revenues so deposited.

Upon each payment of real property taxes for property located inside the District, the City will deposit into a development program fund (the "Development Program Fund") the entirety of the property tax payments constituting TIF Revenues. The percentage of increased assessed value of real property within the District that will be captured shall be determined annually during the municipal budget process; however, the City may capture up to 100% in Years 5 through 30 of the increased assessed value of real property as captured assessed value. The Development Program Fund is pledged to and charged with the payment of the project costs in the manner and in the order provided in 30-A M.R.S.A. Section 5227(3). The Development Program Fund will consist of a development sinking fund account (the "Sinking Fund Account") to the extent municipal bonded indebtedness is used to pay for projects costs, and a project cost account (the "Project Cost Account"). From the Development Program Fund, the City will deposit the TIF Revenues into the City's Sinking Fund Account and/or the Project Cost Account to be used to fund projects listed in Table 1 hereinabove. If future credit enhancement agreements are approved by the City Council, then a subaccount within the Project Cost Account

**2021 PROPOSED DOWNTOWN/TRANSIT TIF AMENDMENT #~~645~~ REGARDING ~~INCREASED FUNDING FOR CREATIVE PORTLAND~~~~45 BROWN STREET AND FUNDING PUBLIC RESTROOMS~~**

shall be created for any payments required to be made by the City pursuant to such credit enhancement agreement, dedicated to each credit enhancement agreement.

Estimates of the increased assessed property values of the Amended District, the anticipated TIF Revenues generated by the District, and the estimated tax shifts are shown in Revised Exhibit D-1 and Revised Exhibit D-2.

**B. Costs and Sources of Revenues**

The current and future developers owning or leasing properties located within the Districted are intended to pay for and/or finance all private improvements located in the District through private sources. Table 1 hereinabove provides estimated costs of the municipal projects costs to be undertaken with TIF Revenues.

**C. Indebtedness**

The City reserves the option to fund the project costs through public indebtedness.

**V. Statutory Requirements and Thresholds**

The statutory requirements and thresholds for approval required by Section 5223(3) of the TIF Statute are set forth in revised Exhibit E.

**VI. Municipal Approvals**

**A. Notice of Public Hearing**

Attached as Exhibit G hereto is a copy of the Notice of Public Hearing regarding amending the Development Program for the District, published in the *Portland Press Herald*, a newspaper of general circulation in the City, on May ~~5~~, 2021, a date at least ten (10) days prior to the public hearing. The public hearing on the amended District was held on June 7~~May 17~~, 2021, in accordance with the requirements of 30-A M.R.S.A. Section 5226(1).

**B. Minutes of Public Hearing Held by City Council**

Attached as Exhibit H hereto is a certified copy of the minutes of the public hearing held on June 7~~May 17~~, 2021, at which time this amended District was discussed by the public.

**C. Authorizing Votes**

Attached as Exhibit I hereto is an attested copy of the City of Portland Order approving this amended District with the results of the vote noted on this Order duly called and held on June 7~~May 17~~, 2021.

**2021 PROPOSED DOWNTOWN/TRANSIT TIF AMENDMENT #6 REGARDING INCREASED FUNDING FOR CREATIVE PORTLAND**

**I. Introduction – Portland Downtown Transit Oriented Municipal Development and Omnibus Tax Increment Financing District Amendment #5**

On February 9, 2015, the City of Portland (the “City”) designated the Portland Downtown Transit Oriented Municipal Development and Omnibus Tax Increment Financing District (the “District”) and adopted this Development Program (the “Development Program”) for the District in an effort to fully realize the visions and goals of the City of Portland Downtown Revitalization Investment Plan (“Downtown Plan”); the Downtown Plan is attached as Exhibit A. The duration of this District will be 30 years beginning July 1, 2015 (Tax Year 4/1/2015; FY2015-16) ending June 30, 2045 (Tax Year 4/1/2044; FY2044-45).

- a. District Amendment #1 Approved by MDECD February 27, 2018: The purpose of this District amendment was to remove the parcel designated by the City Assessor as 22-F-1 at 54 Lancaster – a tax exempt parcel (so no value attributed to the Original Assessed Value) with approximately .48 acres, which will be turned into a free-standing Affordable Housing TIF District. Portland’s amended District remained the same at approximately 422 acres and bounded by Washington Avenue to the east, State Street to the west, following the edges of the adjacent Bayside and Waterfront Capital Improvement TIF Districts to the north and south. The District encompasses the central business district of Portland and the abutting east and west ends of the District. In creating the District, the outlying residential areas of the Eastern and Western Promenades have been purposely excluded.
- b. District Amendment #2 approved by MDECD February 11, 2019: The purpose of this District Amendment was to increase the allowable uses for Municipal TIF Revenue and increase the percentage capture from up to 22% to up to 100%, all as more detailed in Section II below.
- c. District Amendment #3 approved by MDECD September 18, 2019: The purpose of District Amendment #3 is to remove the parcel designated by the City Assessor as 44-H-1 at 66 State Street – a tax exempt parcel (so no value attributed to the Original Assessed Value), with approximately .5087 acres, which will be turned into a free-standing Affordable Housing TIF District. Portland’s amended District, with Amendment #3, reduced it from approximately 422 to 421.01 acres. The boundaries remain the same, i.e., bounded by Washington Avenue to the east, State Street to the west, following the edges of the adjacent Bayside and Waterfront Capital Improvement TIF Districts to the north and south. The District encompasses the central business district of Portland and the abutting east and west ends of the District. In creating the District, the outlying residential areas of the Eastern and Western Promenades have been purposely excluded. The Downtown Plan includes a listing of current projects and categories of future investment. It is recognized that meeting the infrastructure needs of Portland’s downtown will be a dynamic process that will be updated locally on an annual

**2021 PROPOSED DOWNTOWN/TRANSIT TIF AMENDMENT #6 REGARDING INCREASED FUNDING FOR CREATIVE PORTLAND**

basis or as needed. Though the specific public projects prioritized and undertaken from year to year will change, with the exception of this District funding up to \$100,000 annually for the Creative Portland Corporation, categories of investment for the purpose of eligible uses of the TIF Revenues will remain consistent. Actual project selections and prioritization for funding will continue to be made on an annual basis during the City budget and Capital Improvements Plan (CIP) process, based on categories contained in Table 1 hereinbelow. The CIP is the document that presents the City's capital needs in the current year and plans for capital needs in future years. As a five year plan that is annually updated, the CIP is a dynamic planning document; the FY2015 to 2019 CIP document is included in the Downtown Plan as an appendix.

- d. District Amendment #4 approved by MDECD September 16, 2020: The purpose of District Amendment #4 is to remove the parcels designated by the City Assessor as 28-O-17 at 83 Middle Street – a tax exempt parcel (so no value attributed to the Original Assessed Value), with approximately .2183 acres, and 28-O-3 at 160 Newbury Street with an OAV of \$281,100 with approximately .0665 acres, which parcels will be turned into a free-standing Affordable Housing TIF District.

Proposed District Amendment #4 also includes technical amendments as follows:

- CBL 37-B-14, 17 Shepley Street, a tax exempt parcel, was on the original map but needs to be added to original CBL listing attached to the Assessor's Certificate – increasing acreage by .1512, with no change in OAV as tax exempt;
- CBL 39-A-38, 612 Congress Street, was on original map but needs to be added to original CBL listing attached to the Assessor's Certificate, - increasing acreage by .0449, and increasing the OAV by \$282,400;
- CBL 38-G-1, 486 Fore Street, not on original map and needs to be deleted from listing attached to the Assessor's Certificate – decreasing acreage by 1.8419, and decreasing the OAV by \$3,130,830, and it is now in the Waterfront TIF District as approved by MDECD on August 26, 2019; and,
- CBL 43-C-6, 431 Commercial Street, a tax exempt parcel, was on original map and listing attached to the Assessor's Certificate but was transferred to the Waterfront TIF District as approved by MDECD on April 5, 2019 – decreasing acreage by 1.2912, with no change in OAV as tax exempt.

With the above removal of 83 Middle Street and 160 Newbury Street, and the technical amendments, the net change to the District's OAV is reduced from

## 2021 PROPOSED DOWNTOWN/TRANSIT TIF AMENDMENT #6 REGARDING INCREASED FUNDING FOR CREATIVE PORTLAND

\$968,136,850 to \$965,007,320, and the District's acreage is reduced from 421.010 to 417.7882.

e. Proposed District Amendment #5:

(1) **45 Brown Street:** 45 Brown Street is a single property in the Downtown TOD TIF District, Assessor Chart, Block, and Lot Number 037 F002001. The developer of this property proposes an affordable housing project on that property with two condominium units. Unit 1 would be the at grade multi-level parking garage with public restrooms in the Downtown TOD TIF District, and Unit 2 (air rights above Unit 1) is proposed to be the affordable housing project included in an Affordable Housing TIF District.

This Amendment will exclude all floors above Unit 1 in a multi-story building to be constructed on the site, presently owned by Brown Tower LLC, c/o Presidium. It is the intention of the Developer to declare this specified area as Unit 2 in the Condominium.

This Amendment provides that the following specified area will remain in the Downtown TOD TIF District as Unit 1 of the Condominium: the multi-level parking garage with public restrooms on the property. It is the intention of the Developer to declare this specified area as Unit 1 in the Condominium.

(2) **Public Restroom Facilities in Unit 1:** The City of Portland proposes to use Downtown TOD TIF revenue to support the public restroom facilities investment in Unit 1.

f. Proposed Amendment #6: The City of Portland proposes an amendment to remove the maximum annual cap of TIF Funding for Creative Portland (CP) now at \$100,000 and instead have an annual floor for funding at \$155,000 for its programs and services, with the City Council then determining on an annual basis whether to increase that level of funding.

## II. Development Program Narrative

### A. The Development Program as Amended with Amendment #5

The Amended Development Program for the Downtown Transit Oriented Municipal Development and Omnibus TIF District is structured and proposed pursuant to Chapter 206 of Title 30-A of the Maine Revised TIF Statutes, as amended (the "TIF Statute"). The City's designation of the District, combined with the adoption of this Amended Development Program, creates a single municipal TIF district in order to capture the value of the real property improvements made within the District and enable the use of TIF revenues for various municipal and other development projects.

Under this Amended Development Program, the City captured 12% in year one (City Fiscal Year 2015/2016), 22% in years 2 through 4, 25% in year 5, and 30% in year 6. This

## **2021 PROPOSED DOWNTOWN/TRANSIT TIF AMENDMENT #6 REGARDING INCREASED FUNDING FOR CREATIVE PORTLAND**

Amended Development Program now allows for the City to capture up to 100% of the new real property value located in the District for remainder of the term of the District, or through Tax Year April 1, 2044/City Fiscal Year 2044/2045. The City may retain those tax revenues generated by the captured assessed value (the “TIF Revenues”) to fund infrastructure improvements and other administrative costs, all as further described in Table 1 hereinbelow. The City reserves the right to capture less than the full 100% in years 7 through 30, depending on the then-current needs of the City with respect to the approved project costs. Any reduction in the captured value percentage shall adjust the amount of assessed value eligible for sheltering with respect to the tax shift benefit correspondingly. Although all TIF Revenues will be retained by the City at this time, the City reserves the right in the future to negotiate and execute commercial credit enhancement agreements pursuant to City Council approved TIF Policy as may be amended from time to time. CEAs would be limited, however, to the balance of District term at that time. Such future credit enhancement agreements would require a public hearing and City Council approval. Should the City enter into a credit enhancement agreement, it will provide the Maine Department of Economic and Community Development a description of the terms and conditions of any agreements, contracts, or other obligations related to the development program per City TIF Policy (see Table 1 last item and Exhibit B).

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

- Maintain existing tax revenues;
- Invest in the Downtown public infrastructure, including public restrooms;
- Invest in the Creative Portland Corporation annually;
- Invest in new and enhanced transit services;
- Enjoy enhanced future tax revenues generated by new development within the District; and
- Create long-term, stable employment opportunities for area residents because of these TIF investments.

In addition, by creating the District, the City will “shelter” the increase in municipal valuation that development in the District will bring about. This tax shift benefit mitigates the adverse effect that the District’s increased assessed property value has upon the City’s share of state aid to education, municipal revenue sharing, and its county tax assessment. An estimate of the tax shift benefits is shown in Revised Exhibit D-2 attached hereto.

The City’s designation of the District and pursuit of this Amended Development Program constitute a good and valid public purpose pursuant to Chapter 206 of Title 30-A because it represents a substantial contribution to the economic well-being of both the City and the region by providing jobs, contributing to property taxes, and diversifying the region’s economic base.

### **B. The Projects**

Development within the District will provide a revenue source for the City’s economic development projects. The City intends to use TIF Revenues to further its overall plan to attract and retain businesses that want to take advantage of Portland’s business-friendly location, while

**2021 PROPOSED DOWNTOWN/TRANSIT TIF AMENDMENT #6 REGARDING INCREASED FUNDING FOR CREATIVE PORTLAND**

offering their employees a rich, dynamic, and high quality of life. This includes funding for CP, of which the City of Portland is the Corporator, with an annual floor for funding at \$155,000 for its programs and services, with the City Council then determining on an annual basis whether to increase that level of funding, as well as City plans to invest in its public infrastructure in these investment focus areas:

- Sidewalk and Other Pedestrian Enhancements, including Public Restrooms
- Streetscape
- Lighting
- Street Alignment
- Utilities
- Bicycle Improvements
- Public Transit
- Wayfinding
- Multi-modal surface and structured parking
- Work force training
- Professional service costs
- Housing and Economic Development Department administrative costs and staff salaries, and prorated salaries of the City Manager, Finance Director, Planning and Urban Development Director, and Planning staff.

The District projects at this time are highlighted in Table 1 below:

**TABLE 1**

**NOTE 1:** All Citations refer to Title 30-A, Chapter 206, Section 5225

**NOTE 2:** While this Amended Development Program lists particular projects, the Amended Development Program shall not serve as an appropriation of TIF Revenues for any of these specific purposes, nor shall it commit the City to completing any particular project. The projects will only be undertaken following proper appropriation through the annual budget process and any other applicable required approvals.

| <b>Project</b>                                                                                                                                                                                                                         | <b>Downtown Revitalization Plan Reference by page no.</b> | <b>Statutory Citation</b>                             | <b>Estimated Cost</b>                                                               |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------|-------------------------------------------------------|-------------------------------------------------------------------------------------|
| <b>In District: Capital Infrastructure Design and Investments, including Financing Costs, for example:</b><br>- Multi-modal surface and structured parking<br>- Sidewalk and Other Pedestrian Enhancements, including Public Restrooms | 19, 47<br><br>19, 20, 34,35, 48                           | (1)(A)(1)(2)(3)(6)(7)<br><br>(1)(A)(1)(2)(3)(4)(6)(7) | \$150 Million over the life of the District for these Capital Infrastructure Items. |

**2021 PROPOSED DOWNTOWN/TRANSIT TIF AMENDMENT #6 REGARDING INCREASED FUNDING FOR CREATIVE PORTLAND**

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                   |                                                                                                                                                                                                                      |                                                   |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------|
| <ul style="list-style-type: none"> <li>- Roadway Realignments/Paving</li> <li>- Crosswalks</li> <li>- Traffic Signals</li> <li>- Intersection Redesigns</li> <li>- Bicycle lanes, racks, and stations Infrastructure</li> <li>- Stormwater Management, including water and sewer upgrades</li> <li>- Telecommunications, lighting, and electrical distribution upgrades; Infrastructure improvements/enhancements</li> <li>- Wayfinding (signage)</li> <li>- Public plaza intersection improvements</li> </ul>                                                                                                                                                                                                                                                                                                                                          | <p>19,20,34,35<br/>19, 46<br/>34, 46<br/>19,20,34,35<br/>19, 34,47<br/>19, 33</p> <p>19, 36</p> <p>19,23, 35,47</p> <p>22, 46</p> | <p>(1)(A)(1)(2)(3)(6)(7)<br/>(1)(A)(1)(a)(i)<br/>(1)(A)(1)(2)(3)<br/>(1)(A)(1)(2)(3)(6)(7)<br/>(1)(A)(1)(a)(i)<br/>(1)(A)(1)(2)(3)(6)(7)</p> <p>(1)(A)(1)(2)(3)(7)</p> <p>(1)(A)(1)</p> <p>(1)(A)(1)(2)(3)(6)(7)</p> |                                                   |
| <p><b>In and out of District: New and Enhanced Transit Services, including operational costs, for example (see Exhibit K – Transit Map):</b></p> <ul style="list-style-type: none"> <li>- Creation of high frequency bus service on Congress Street at 15-minute intervals between the Portland Transportation Center (PTC) and Washington Avenue;</li> <li>- Enhancing Stevens Avenue-Allen Avenue- Congress Street bus service areas;</li> <li>- Corresponding costs for these enhancements, including transit operator salaries; transit vehicle fuel, and transit vehicle parts replacements.</li> <li>- Transit capital costs including transit vehicles and related equipment; bus shelters and other related structures; benches; signs, and other transit-related infrastructure.</li> <li>- Shuttle service to downtown businesses.</li> </ul> | <p>17, 20, 21,</p> <p>20</p> <p>20</p> <p>20</p> <p>17, 20</p>                                                                    | <p>(1)(A) and (1)(C)(7)</p> <p>(1)(A)(1)(a) and (1)(C)(7)</p> <p>(1)(A)(1)(a) and (1)(C)(7)</p> <p>(1)(A)(1)(a) and (1)(C)(7)</p> <p>(1)(A)(1)(a) and (1)(C)(7)</p>                                                  | <p>\$15 Million for Transit in this category.</p> |



**2021 PROPOSED DOWNTOWN/TRANSIT TIF AMENDMENT #6 REGARDING INCREASED FUNDING FOR CREATIVE PORTLAND**

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                |                                                                            |                                                                                         |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------|----------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| <p><b>In and out of District: City Marketing and Promotion through Creative Portland Corporation (CPC), for example (see Exhibit M Arts District Map within Downtown TOD TIF District):</b></p> <ul style="list-style-type: none"> <li>- In District: Center for the Arts, including rental residential space;</li> <li>- In District: capital, financing, real property assembly and professional service costs;</li> <li>- <b>In and out of District:</b> CPC staffing, administrative and marketing expenses; revolving loan or investment fund.</li> </ul>                                                                      | <p>20, 21,47</p> <p>20, 21,47</p> <p>20, 21, 47</p>                            | <p>(1)(C)(1)(2)</p> <p>(1)(C)(1)(2)</p> <p>(1)(C)(1)(2)</p>                | <p>A floor of \$155K annually beginning FY2022; \$4.3 Million over life of District</p> |
| <p><b>In and out of District:</b></p> <ul style="list-style-type: none"> <li>- <b>Housing and Economic Dev.</b> Dept. administrative costs and staff salaries at 100%, and prorated salaries of City Manager, Finance Director, and Planning Urban Development Director, and Planning staff*;</li> <li>- Professional services costs;</li> <li>- Workforce training funds. Costs of services and equipment to provide skills development and training, including scholarships to in-state educational institutions or to online learning entities when in-state options are not available, for jobs created or retained.</li> </ul> | <p>21, Also TIF App. P. 3</p> <p>See TIF App. P.3</p> <p>See TIF App. P. 3</p> | <p>(1)(A)(5) and (1)(C)(1)</p> <p>(1)(A)(4);(1)(C)(1)</p> <p>(1)(C)(4)</p> | <p>\$15 Million over life of the District.</p>                                          |
| <p><b>In District: Small Public Capital Infrastructure and Equipment, for example (Downtown Plan pp. 6 and 7)</b></p> <ul style="list-style-type: none"> <li>- Parking meters</li> <li>- Vehicles for Public Works Dept., and Fire Dept., including ambulances</li> </ul>                                                                                                                                                                                                                                                                                                                                                           | <p>19</p> <p>21, 36 to 44</p>                                                  | <p>(1)(A)(1)(a)</p> <p>(1)(A)(1)(a)</p>                                    | <p>\$10 Million over life of the District</p>                                           |

**2021 PROPOSED DOWNTOWN/TRANSIT TIF AMENDMENT #6 REGARDING INCREASED FUNDING FOR CREATIVE PORTLAND**

|                                                                                                                                                                                                                                                |                             |                       |                                                         |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|-----------------------|---------------------------------------------------------|
| <b>In District: Relocation of Displaced Persons (TIF Application, p. 6)</b>                                                                                                                                                                    | (see TIF application, p. 6) | 1(A)(6)               | Not budgeted/not anticipated at time of TIF application |
| <b>In District: CEAs as Approved by City Council (TIF application p. 2)</b> with a maximum average percentage of 65% capture and up to a 20-year term, or the remaining term of this District, pursuant to City TIF Policy (Exhibit B hereto). | (see TIF application p. 2)  | (1)(A)(1)(2)(3)(6)(7) | Unknown at time of TIF application                      |
|                                                                                                                                                                                                                                                |                             |                       |                                                         |
| <b>Total Estimate of TIF Revenue Expenditure over 30 year term:</b>                                                                                                                                                                            |                             |                       | <b>\$194,300,000</b>                                    |

\*This item is not unique to this TIF District, it is also included in the Bayside TIF District and Waterfront TIF District.

### **C. Strategic Growth and Development**

This Amended Development Program and the Downtown Plan meld various studies and plans for the District into one document, thereby promoting those studies and plans and making investments at the appropriate time. The studies and plans noted in the Downtown Plan represent a series of community initiatives, both completed and underway, or in planning process. The Amended Development Program and Project List ([Table 1](#)) noted hereinabove represents the best thinking of City staff about current opportunities for realizing the City's longstanding, evolving vision for its Downtown.

### **D. Improvements to the Public Infrastructure**

As further set forth in [Table 1 hereinabove](#), the City may use certain TIF Revenues for sidewalk and other pedestrian improvements including crosswalks, roadway realignments/paving, intersection redesigns, traffic signals, bicycle infrastructure, stormwater management improvements (including water and sewer maintenance), communications infrastructure improvements/enhancements, wayfinding, multi-modal surface and structured parking, and public plaza intersection improvements that are directly related and made necessary by development in the District.

### **E. Operational Components**

#### **1. Public Facilities**

The City may use a portion of the TIF Revenues to fund certain projects approved within the District, outlined in [Table 1](#) hereinabove.

**2. Commercial Improvements Financed through the Development Program**

At this time, no commercial improvements will be financed through the Development Program. The City may, in the future, reimburse a percentage of the TIF Revenues from any particular lot within the District to future developers through a credit enhancement agreement. Future credit enhancement agreements are authorized only if the City Council meets and holds a public hearing and votes to authorize, negotiate, and execute the credit enhancement agreement pursuant to City Council approved TIF Policy. Such credit enhancement agreements would be approved under the City's TIF Policy, as may be amended from time to time, but limited to the balance of the term of this District. Should the City enter into a credit enhancement agreement, it will provide the Maine Department of Economic and Community Development a description of the terms and conditions of any agreements, contracts, or other obligations related to the development program (see Table 1 last item and Exhibit B).

**3. Relocation of Displaced Persons**

It is not anticipated that any persons will be relocated; however, the City has provided that if, in the future, relocation of persons is necessary to accommodate future redevelopment within the District, the one-time relocation costs of such displaced persons can be paid for with TIF Revenues, exclusive of rent.

**4. Transportation Improvements**

The City may fund road/transportation improvements made necessary by the increased traffic to the District. Please see Table 1 hereinabove for more details.

**5. Environmental Controls**

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

**6. Plan of Operation**

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

**III. Amended Physical Description**

Proposed Amendments #5 and #6 do not change the acreage numbers for the Downtown TOD TIF District because Unit 1 at 45 Brown Street (multi-level parking garage with public restrooms) will remain in the TIF District, and Unit 2 (affordable residential units located in the upper floors) is proposed to be an Affordable Housing TIF District. Amendment #6 does not change the acreage.

The 417.7882-acre District is bounded by Washington Avenue to the east, State Street to the west, following the edges of the adjacent Bayside and Waterfront Capital Improvement TIF Districts to the north and south. The District encompasses the central business district of Portland and the abutting east and west ends of the District. In creating the District, the outlying

## **2021 PROPOSED DOWNTOWN/TRANSIT TIF AMENDMENT #6 REGARDING INCREASED FUNDING FOR CREATIVE PORTLAND**

residential areas of the Eastern and Western Promenades have been purposely excluded. The District is shown on revised Exhibit C. The statutory threshold limits addressing the conditions for approval mandated by 30-A M.R.S.A. Section 5223(3) are set forth in revised Exhibit E.

### **IV. Financial Plan**

#### **A. Amended Financial Characteristics**

With Amendments #5 and #6, the collective original assessed value of the real property in the District remains at \$965,007,320 as set forth in Exhibit F, Revised Assessor's Certificate. The backup for the Certificate includes revisions from Amendment #3 and #4. It is noted that Downtown TOD/TIF acreage and value calculations are exempt from State TIF law limits.

The City captured 12% in year 1 (City Fiscal Year 2015/2016), 22% in years 2 through 4, 25% in year 5, and 30% in year 6 of the increased assessed value of the real property located within the District. Amendment 2 provided for the City to capture up to 100% for the duration of the 30-year term of the District. Personal property tax value will not be captured within the District. The TIF Revenues so collected will fund and/or contribute to the funding of the approved projects, including each of the projects described on Table 1 hereinabove, including entering into Credit Enhancement Agreements (see Table 1 last item and Exhibit B), which collectively increase the City's ability to stand out in a competitive marketplace as a dynamic municipality in which to grow a business. All assessed real property value captured in the District will be added to the general tax rolls at the end of the District's term. Please note that at any time during the term of the District, the municipality can vote to reduce the captured value percentage and instead deposit the tax revenues into the General Fund so long as the municipality does not receive the tax shift benefit associated with the tax revenues so deposited.

Upon each payment of real property taxes for property located inside the District, the City will deposit into a development program fund (the "Development Program Fund") the entirety of the property tax payments constituting TIF Revenues. The percentage of increased assessed value of real property within the District that will be captured shall be determined annually during the municipal budget process; however, the City may capture up to 100% in Years 5 through 30 of the increased assessed value of real property as captured assessed value. The Development Program Fund is pledged to and charged with the payment of the project costs in the manner and in the order provided in 30-A M.R.S.A. Section 5227(3). The Development Program Fund will consist of a development sinking fund account (the "Sinking Fund Account") to the extent municipal bonded indebtedness is used to pay for projects costs, and a project cost account (the "Project Cost Account"). From the Development Program Fund, the City will deposit the TIF Revenues into the City's Sinking Fund Account and/or the Project Cost Account to be used to fund projects listed in Table 1 hereinabove. If future credit enhancement agreements are approved by the City Council, then a subaccount within the Project Cost Account shall be created for any payments required to be made by the City pursuant to such credit enhancement agreement, dedicated to each credit enhancement agreement.

## **2021 PROPOSED DOWNTOWN/TRANSIT TIF AMENDMENT #6 REGARDING INCREASED FUNDING FOR CREATIVE PORTLAND**

Estimates of the increased assessed property values of the Amended District, the anticipated TIF Revenues generated by the District, and the estimated tax shifts are shown in Revised Exhibit D-1 and Revised Exhibit D-2.

### **B. Costs and Sources of Revenues**

The current and future developers owning or leasing properties located within the Districted are intended to pay for and/or finance all private improvements located in the District through private sources. Table 1 hereinabove provides estimated costs of the municipal projects costs to be undertaken with TIF Revenues.

### **C. Indebtedness**

The City reserves the option to fund the project costs through public indebtedness.

### **V. Statutory Requirements and Thresholds**

The statutory requirements and thresholds for approval required by Section 5223(3) of the TIF Statute are set forth in revised Exhibit E.

### **VI. Municipal Approvals**

#### **A. Notice of Public Hearing**

Attached as Exhibit G hereto is a copy of the Notice of Public Hearing regarding amending the Development Program for the District, published in the *Portland Press Herald*, a newspaper of general circulation in the City, on May , 2021, a date at least ten (10) days prior to the public hearing. The public hearing on the amended District was held on June 7, 2021, in accordance with the requirements of 30-A M.R.S.A. Section 5226(1).

#### **B. Minutes of Public Hearing Held by City Council**

Attached as Exhibit H hereto is a certified copy of the minutes of the public hearing held on June 7, 2021, at which time this amended District was discussed by the public.

#### **C. Authorizing Votes**

Attached as Exhibit I hereto is an attested copy of the City of Portland Order approving this amended District with the results of the vote noted on this Order duly called and held on June 7, 2021.

**As amended and passed by the City Council/Corporator at its December 15, 2014 Meeting:**

**BYLAWS OF THE  
CREATIVE PORTLAND CORPORATION  
(commonly known as “Creative Portland”)**

**ARTICLE 1  
NAME, PRINCIPAL OFFICE, CORPORATE SEAL**

Section 1.1. Name. The name of this corporation shall be the Creative Portland Corporation, commonly known as “Creative Portland”.

Section 1.2. Principal Office. The principal office for the conduct of the activities of the corporation shall be located in Portland, Maine.

Section 1.3. Registered Office. The Registered Office of the Corporation is at 389 Congress Street, Portland, Maine. The address of the Registered Office may be changed from time to time by the Board of Directors or by the Registered Agent.

Section 1.4. Registered Agent. The Registered Agent of the Corporation is the person designated in the Articles of Incorporation, as amended from time to time by the Board of Directors.

**ARTICLE II  
PURPOSES**

Section 2.1. General Purposes. The Corporation is organized and shall be operated on a non-profit basis to receive donations, grants and contributions in support of the City of Portland’s economic development efforts by strengthening, stimulating and supporting Portland’s creative industries, enterprises, and workforce, with specific regard for artists and cultural institutions who are critical assets to the city’s identity, economy, and community. In furtherance of its mission, the Corporation shall endeavor to:

- A. Act as the official Local Arts Agency for the City of Portland.
- B. Supports and, at times, sponsors activities and programs, like the First Friday Art Walk, that encourage greater access to, and participation in, arts and culture.
- C. Supports programs that assist artists, creative workers, and creative entrepreneurs with the development of their professional skills and expertise, and help catalyze the creative community with up-to-date information and constructive discussion.

- D. Partner with key institutions to pursue a larger, collective vision based on the success of Portland's creative community with a particular emphasis on the arts and culture.
- E. Consider new (or updated) public policies that affect artists, arts organizations, and creative industries in Portland and makes recommendations to the appropriate governmental bodies.
- F. Pursue strategies that keep Portland's identity as a vibrant, creative place at the forefront nationally, and increase awareness among those with the potential to add to the consumer/audience/donor base for the arts and cultural community.
- G. Develop and implement strategies in conjunction with the City's Economic Development Division to stimulate creative enterprise development, job growth, and attraction of consumers and audiences who frequent and support artists, cultural institutions, and creative enterprises.
- H. Pursue strategies that support the continued development of Portland's Arts District and increase opportunities for artists and arts organizations to thrive.
- I. Conduct and/or fund research to support Corporation objectives as well as the key interests/needs of artists, arts and cultural organizations and creative entrepreneurs.

Section 2.2. Powers. This Corporation shall have all such powers as are authorized to non-profit corporations by the Maine Nonprofit Corporations Act. The corporation shall neither have nor exercise any power, nor shall it engage directly or indirectly in any activity that would invalidate its status (i) as a corporation which is exempt from federal income taxation as described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, or (ii) as a corporation, contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code of 1986, as amended.

Section 2.3. Prohibition of the Inurement of Assets and Income to Private Persons. The corporation is not organized for pecuniary profit and shall not have any capital stock. No part of its net earnings or of its principal shall inure to the benefit of any officer or director of the corporation, or any other individual, partnership or corporation, but reimbursements for expenditures or the payment of reasonable compensation for services rendered shall not be deemed to be a distribution of earnings or principal.

Section 2.4. Dissolution. If this Corporation is dissolved or its legal existence terminated, either voluntarily or involuntarily, or upon final liquidation of the Corporation, none of its assets shall inure to the benefit of any private individual, and all

of its assets remaining after payment of all of its liabilities shall be distributed to one or more organizations which the Board of Directors then determines is qualified both as an exempt organization under Section 501(c)(3) of the Internal Revenue Code, and as an organization engaged in activities substantially similar to those of this Corporation (within the meaning of 13-B M.R.S.A. §407).

Section 2.5 Tax exempt Status. It is intended that the Corporation shall have and continue to have the status of a corporation which is exempt from federal income tax under Section 501(a) of the Internal Revenue Code of 1986, as amended, or successor provisions of federal tax law (the "Internal Revenue Code") as an organization described in Section 501(c)(3) of such Code, and to which contributions are deductible under Section 170(c)(2) and 2055(a)(2) of the Internal Revenue Code, which is other than a private foundation as defined in Section 509(A) of the Internal Revenue Code. The Articles of Incorporation and these Bylaws shall be construed accordingly, and all powers and activities shall be limited accordingly.

No substantial part of the activities of the Corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislation; provided that the Corporation shall have the power to make an election under Section 501(h) of the Internal Revenue Code. Likewise, the Corporation shall not participate or intervene in any manner or to any extent in any political campaign on behalf of any candidate for public office. Furthermore, the Corporation shall not engage in any activities that are unlawful under applicable federal, state or local laws, including, but not limited to, activities prohibited for an exempt organization under Section 501(c)(3) of the Internal Revenue Code and regulations thereunder as they now exist or as they may hereafter be amended.

### **ARTICLE III** **MEMBERSHIP**

Section 3.1. Member. The sole member of the Corporation shall be the City of Portland, Maine. The sole member of the Corporation shall be referred to as the "Corporator" for the purposes of the Articles of Incorporation and these Bylaws.

Section 3.2 General. The rights and responsibilities of the Corporator, may be changed from time to time by an amendment to the Articles of Incorporation (to the extent required by law) and these Bylaws.

Section 3.3. Powers. The Corporator shall have only those rights set forth in the Articles of Incorporation, as restated in these Bylaws. Such rights are as follows:

- A. The establishment of the size of the Board of Directors within the limits described in Section 4.2 hereof;
- B. The appointment of up to 10 Directors pursuant to Article IV hereof, with the exception of filling of a vacant Board seat as provided in Section 4.5 hereof;



C. The removal of Directors it has appointed from the Board of Directors;

D. The amendment, restatement, or modification of the Articles of Incorporation or of the Bylaws of this Corporation;

E. The approval of the sale, lease, or other disposition (excluding by mortgage or pledge for purposes of security) of all, or substantially all, of the assets and property of the Corporation;

F. The dissolution of the Corporation or its merger with or consolidation with another corporation; and

G. Any other matter which a majority of the Board of Directors voting on the matter votes to submit to the Member.

Section 3.4 Annual Meetings. The Annual Meeting of the Corporator shall be held at a regular meeting of the City Council in the month of November of each year at such place and time as shall be fixed by the Board of Directors. In the event of a failure for any reason to hold an Annual Meeting as aforesaid, any business which may properly be transacted at an Annual Meeting, including the election of Directors, may be transacted at a Special Meeting.

Section 3.5 Special Meetings. Special Meetings of the Corporator may be called at any time by the President or a majority of the Directors.

Section 3.6. Notice of Meetings. Notice of all meetings of the Corporator shall be given by the Secretary or in his or her absence or disability by the President, by mailing or emailing to the Corporator a written notice specifying the time and place of the meeting, such notice to be addressed to the Corporator and emailed or mailed (postage prepaid) at least five (5) but not more than fifty (50) days before the meeting.

Section 3.7. Action by Unanimous Consent. Any action required or permitted to be taken at a meeting of the Corporator may be taken without a meeting as long as consent in writing, setting forth the action so taken shall be signed by the Corporator, and filed with the minutes of the meetings of the Corporator.

Section 3.8. Manner of Acting. The act of the Corporator, present in person or by proxy at a meeting, shall be the valid act of the Corporator.

## **ARTICLE IV** **BOARD OF DIRECTORS**

Section 4.1. Management by Board. The affairs of the Corporation shall be managed by its Board of Directors, which may exercise all powers of the Corporation and

do all lawful acts and things necessary or appropriate to carry out the purposes of the Corporation. The Board of Directors may hire an Executive Director to whom it may delegate such duties as it deems appropriate.

Section 4.2. Number of Directors; Eligibility. The Board of Directors shall consist of up to twenty-one (21) individuals – eight (8) of whom shall be Directors appointed by the Corporator through the Portland City Council, two (2) of whom shall be ex officio members of the Board pursuant to Section 4.4 of this Article, and eleven of whom will be elected by the Board of Directors pursuant to Section 4.4 of this Article. Two-thirds of the Directors, with the exception of the ex officio members, must be either residents of, own a business located in, or work in the City of Portland.

Section 4.3. Nomination. The Corporator shall receive nominations from the Portland City Council Nominating Committee.

Section 4.4. Ex Officio Members of the Board of Directors. There shall be two (2) individuals who shall each be deemed an ex officio members of the Board of Directors by virtue of his or her holding the position of (1) Mayor or City Council member of the City of Portland as appointed by the Corporator; and (2) City Manager or designee of the City Manager associated with the Economic Development Division as appointed by the Corporator.

The provisions of these Bylaws contained in Section 4.5 regarding term of office, Sections 3.2 and 3.3 regarding appointment of directors and Section 4.7 regarding vacancies shall not apply to said ex officio members. The City Manager or designee shall be a member of the Board of Directors so long as he or she continues to serve in the office by virtue of his or her employment in the said capacity by the City; and the Mayor or City Council member shall be appointed annually; and said members shall enjoy all the rights, privileges and responsibilities of all other member of the Board of Directors, including, without limitation, voting privileges, except, however that no ex officio member may serve as President of the Board of Directors. The Board of Directors may take action by unanimous consent only with the consent of said ex officio member. Ex officio members shall be counted as Directors for purposes of determination of the residency/business requirements in Section 4.2 of this Article. Ex officio members shall be entitled to the same indemnification rights available to all Directors under the law, these Bylaws or otherwise.

Section 4.5. Terms of Office. The Corporator shall specify the term of office for which each of its up to ten (10) Directors is initially appointed. The Board of Directors shall specify the term of office for which each of its up to eleven (11) Directors is initially appointed. Thereafter, Directors shall be appointed by either the Corporator or the Board of Directors at Annual Meetings of the Corporation to serve as such for a term of three (3) years. Each Director shall serve until his or her successor shall be duly qualified and appointed. Directors shall be nominated prior to the Annual Meeting of the Corporation. No Director shall succeed himself or herself after his or her initial term for more than two (2) full consecutive terms, and no Director shall serve for more than nine

years. However, if the President is serving the last year of his or her term, and would not otherwise be able to continue on the Board, he or she may in this case (to serve as Immediate Past President) serve for one additional year.

Section 4.6. Voting. Each Director shall be entitled to one (1) vote.

Section 4.7. Vacancies. Any vacancy occurring on the Board of Directors among the Corporator's appointees may be filled by the Corporator.. A person appointed to fill a vacancy which occurs other than by reason of an increase in the number of Directors shall serve the remainder of the term of the individual he/she is replacing unless otherwise ordered by the Corporator.

Any vacancy occurring on the Board of Directors among Board appointees may be filled by the Board of Directors. A person appointed to fill a vacancy which occurs other than by reason of an increase in the number of Directors shall serve the remainder of the term of the individual he/she is replacing unless otherwise ordered by the Board.

Section 4.8. Resignation. Any Director may resign at any time by giving written notice to the President of the Corporation. Such resignation shall take effect on the date of receipt or at any later time specified therein.

## **ARTICLE V** **MEETINGS**

Section 5.1. Annual Meeting. The Annual Meeting of the Board of Directors shall be held without call at the Board's Regular Meeting in the month of November, at the principal office of the Corporation or at some other place fixed by the President.

Section 5.2. Regular Meeting. Other Regular Meetings of the Board of Directors may be held, without call, at such place, date and time as shall be fixed from time to time by resolution of the Board of Directors.

Section 5.3. Special Meetings. Special Meetings of the Board of Directors may be called by such persons as are authorized by law to call Special Meetings. The place, date and time of the Special Meeting shall be fixed in the call therefor.

Section 5.4. Notice of Meetings. Notice of each Annual, Regular or Special Meeting of the Board of Directors shall be given by the person or persons calling the same or by the President or Secretary at least three (3) days in advance thereof. Notice may be given in writing, by email, by telephone, by oral statement or by any other means to the Directors in person or by delivery of a writing to his residence or business address. Notice given in writing by mail shall be deemed given on the day that the same is deposited in the U.S. mails as first class mail, postage prepaid. Neither the business to be transacted there at, nor the purposes of any Annual, Regular or Special Meeting of the Board of Directors need to be specified in the notice of such meeting, except when otherwise provided by law.

Section 5.5. Conduct of Meetings. The final actions of the Board of Directors shall be taken openly, and subject to provisions of the Maine Freedom of Access Law, deliberations of the Board shall be conducted openly, and the records of their actions shall be open to public inspection. The Board may go into executive session from time to time as allowed by the Maine Freedom of Access Law.

Section 5.6. Quorum. A simple majority (over 50%) of the Directors shall constitute a quorum for the transaction of business. The act of the majority of the directors present at a meeting of the Board of Directors at which a quorum is present shall be the act of the Board of Directors.

Section 5.7. Informal Action by Directors. Action of the Directors may be taken in accordance with the provisions of Section 708 of the Maine Nonprofit Corporations Act, Title 13-B M.R.S.A. as it may be amended from time to time. In amplification of, and not in limitation of the foregoing, action taken by agreement of a majority of Directors shall be deemed action of the Board of Directors if all Directors know of the action taken and no Director makes prompt objection to such action. Objection by a Director shall be effective if written objection to any specific action so taken is filed with the Secretary of this Corporation within thirty (30) days of such specific action.

Section 5.8. Notice. Whenever under the provisions of the statutes, Articles of Incorporation or these Bylaws notice is required to be given to any Director, such notice must be given in writing by personal delivery, by email, mail, or by telephone, addressed to such Director at his or her address as it appears on the records of the Corporation, with postage or other delivery fees prepaid, or at his or her telephone number as it appears on the records of the Corporation. Notice by mail shall be deemed to be given at the time it is deposited in the United States mail.

Section 5.9. Indemnification. This corporation shall in all cases indemnify any person who was or is a party or is threatened to be made a party to any threatened, pending or completed action, suit or proceeding, whether civil, criminal, administrative or investigative, by reason of the fact that he or she is or was a Director, officer, employee or agent of this corporation, against expenses, including attorney's fees, judgments, fines and amounts paid in settlement actually and reasonably incurred by him or her in connection with such action, suit or proceeding to the maximum extent permitted by law, including, without limitation, 13-B M.R.S.A. §714 as it may be amended from time to time, and acts additional thereto and supplementary thereof, to which reference is made.

## **ARTICLE VI** **OFFICERS AND AGENTS**

Section 6.1. Officers. The officers of the corporation shall be chosen annually at the Annual Meeting of the Board of Directors, and shall be a President, Vice President, a Treasurer, a Secretary, and an Immediate Past President. One individual may serve in

more than one such office. The Board of Directors may also appoint one or more Assistant Secretaries and Assistant Treasurers.

Section 6.2. Term. Officers shall be elected for a term of one (1) year to serve until the next Annual Meeting of the Board of Directors or until their successors are duly chosen and qualified. Officers may succeed themselves for any period of years. The initial officers shall be appointed by the Board of Directors at their first meeting following incorporation to serve as such until the first Annual Meeting of the Board of Directors.

Section 6.3. Removal. Any officer of the corporation may be removed by the Board of Directors whenever in their judgment the best interests of the corporation will be served thereby.

Section 6.4. Vacancies. Any vacancy in any office (except the office of Director) may be filled by the Board of Directors.

Section 6.5. President. The President of the Corporation shall be elected from among the members of the Board of Directors, provided however that no ex officio member may be permitted to serve as President.

Section 6.6. Vice-President. The Vice President shall perform such duties as are assigned to him or her by the President and the Board of Directors. In the absence of the President, he or she shall perform the duties of that office.

Section 6.7. Treasurer. The Treasurer shall be the chief financial officer of the corporation and, together with the Assistant Treasurer, shall have the responsibility for all corporate funds and securities and shall maintain full and accurate accounts of receipts and disbursements in a book or books kept for that purpose. The Treasurer shall perform such other duties as may be prescribed by the Board of Directors or the President, under whose supervision the Treasurer shall be.

Section 6.8. Secretary. The Secretary shall attend all meetings of Corporation and the Board of Directors and keep minutes of all meetings of the Corporation and the Board of Directors in a book or books kept for that purpose. The Secretary shall perform such other duties as may be prescribed by the Board of Directors or the President, under whose supervision the Secretary shall be. The Secretary, and any Assistant Secretaries, shall have authority to affix the corporate seal to any instrument which requires it, and when so affixed, it may be attested by the Secretary or by any Assistant Secretary.

Section 6.9 Immediate Past President. The Immediate Past President shall perform such duties as are assigned to him or her by the President and the Board of Directors.

Section 6.9.1. The Assistant Treasurer and Assistant Secretary. One (1) Assistant Secretary shall be appointed by the Board of Directors. The individual appointed Assistant Secretary shall be the Director of Economic Development Division of the City

of Portland and shall be the principal staff person for the Corporation. One (1) Assistant Treasurer shall be appointed by the Board of Directors. The individual appointed as the Assistant Treasurer shall be that individual who holds the position of Treasurer for the City of Portland. The Assistant Treasurer shall, together with the Treasurer, have the responsibility for all corporate funds and securities and shall maintain full and accurate accounts of receipts and disbursements in a book or books kept for that purpose. The Assistant Treasurer shall have such other powers and duties as may be prescribed from time to time by the Board of Directors. Assistant Secretaries and Assistant Treasurers shall not be members of the Board of Directors.

Section 6.9.2. Other Employees. Other employees of the Corporation may be appointed by the Board of Directors, and if so appointed, shall be supervised by, and shall serve under the direction of the Board of Directors.

## **ARTICLE VII** **COMMITTEES**

### **Section 7.1: Executive Committee**

The Executive Committee of the Corporation shall consist of President, Vice President, Treasurer, and Immediate Past President. Except for the power to amend the Articles of Incorporation and Bylaws, the Executive Committee shall have all of the powers and authority of the Board of Directors in the intervals between meetings of the Board of Directors, subject to the direction and control of the Board of Directors. This includes supervision of the staff of the Corporation.

### **Section 7.2: Finance Committee**

The Finance Committee of the Corporation shall consist of three members of the Board. The incumbent Treasurer of the Board will serve as a member and chair of the Finance Committee. The Finance Committee is responsible for developing and reviewing fiscal procedures, a fundraising plan, and annual budget. The Board must approve the budget, and all expenditures must be within the budget. Any major change in the budget must be approved by the Board or the Executive Committee. The fiscal year shall be July 1 to June 30. Annual reports are required to be submitted to the Board showing income, expenditures, and pending income. The financial records of the organization are public information and shall be made available to the membership, Board members, and the public.

### **Section 7.1: Subcommittees of the Board**

The Board may create subcommittees, such as fundraising, marketing, events, as needed. Both members of the Board and the public can be members. The Board President will appoint the Chairs of the Committee. Each Board director shall serve on at least one subcommittee.

## **ARTICLE VIII**

### **ADOPTION, AMENDMENT**

Section 8.1. Generally. These Bylaws may be amended or repealed or new Bylaws adopted only by the affirmative vote of the Corporator, provided, however, that the Bylaws may not be amended in such a way as to cause the Corporation to lose its status (i) as a corporation which is exempt from federal income taxation as an organization described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, or (ii) as a corporation to which contributions are deductible under Section 170(c)(2) of the Internal Revenue Code of 1986, as amended, or (iii) as a corporation described in Section 170(b)(1)(A)(vi) of the Internal Revenue Code of 1986, as amended.

Section 8.2. Amendments. These Bylaws may be amended solely by the Corporator.

## **ARTICLE IX**

### **CONFLICT OF INTEREST**

Section 9.1. Avoidance of Conflict or the Appearance of such Conflict. Every Director shall endeavor to avoid conflicts of interest or the appearance of such conflicts or impropriety as provided by state statute, by full disclosure at all times and by abstention in the appropriate circumstances.

Section 9.1. Disclosure. Any Director who has a direct interest in any matter to be considered by the Board shall fully disclose that interest to the Board. If a Director is unsure whether a direct interest exists in a particular matter or if the issue is otherwise raised in good faith, the Director shall disclose the pertinent facts to the Board, and the Board shall determine the issue.

Section 9.3. Abstention. When the Director has so disclosed and is deemed to have a direct interest in a matter, the Director shall abstain from voting on the matter and from otherwise participating in the decision-making process on the matter. Notation of the disclosure and abstention of the Director shall be recorded in the minutes.

Section 9.4. Direct Interest. For purposes of this Article, direct interest in a matter shall mean:

- A. A substantial financial interest of the Director or of the spouse or dependent child of the Director;
- B. A substantial financial interest of any employer, partner, associate, co-shareholder or other co-venturer of the Director;

C. A substantial financial interest of the Director in any entity which has a substantial financial interest in the matter; or

D. Any other substantial interest of the Director which the Director or the Board believes might reasonably impair the Director's ability to act independently.

ATTEST:  DATE: 2/5/15  
Secretary





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

**To:** Portland City Council  
**From:** Jon P. Jennings, City Manager  
**Date:** May 17, 2021  
**RE:** Concerns with Increased Funding for Creative Portland

---

I am writing to express my concerns with the proposed increase in funding to Creative Portland. These concerns include the process by which this increase was proposed and reviewed; the fiscal impact of the increase; and the impact of expanded Creative Portland programs on City staff.

Creative Portland's representation of the amount they are requesting is misleading. By City ordinance, Creative Portland is entitled to \$100,000 in annual funding, generated by the Downtown Transit Oriented Development and Omnibus Tax Increment Financing District. In fact, they receive \$140,000 in order to cover the totality of their staff costs.

Their request, which seeks to increase the amount of annual funding they are entitled to to *at least* \$155,000, also seeks to dedicate that funding to programs and services. Assuming Creative Portland wants to maintain their two existing positions, the City would be expected to absorb staff salaries of \$140,000, for a **total public investment of \$295,000**.

**This figure represents a more than 110% increase in public support of Creative Portland.** While there is no doubt of the important role the arts play in the community, culture, and economy of our City, I strongly oppose this increase, particularly at a time when nearly every City Department has made difficult budgetary choices and sacrifices in response to the pandemic while still implementing new programs and delivering more services.

According to the recommendation document presented to the Committee on Housing & Economic Development, a 110% increase in public investment will not yield much more than what Creative Portland produced in FY21. The most notable additions to their plans for FY22 include outdoor performances at pop-up venues, which will require City staff evaluation and support that is not accounted for in this budget, as well as "City staff and tech support" for an enhanced First Friday Art Walk. This 110% increase relies heavily on the guidance, evaluation, expertise, and even direct support of City staff, and granting this increase expresses a fundamental misunderstanding and lack of appreciation for City staff capacity.

It is also important to recognize that Creative Portland anticipates this being the start of annual increases in public investment through at least FY 24. According to the recommendation document presented to the Committee on Housing & Economic Development and assuming that their expectation is that the City covers the totality of staffing costs, Creative Portland expects the amount of public investment in their organization to **increase by nearly 280% between FY 21 and FY23**. This level of investment was not contemplated when the TIF was created. The current approved uses of TIF funding and originally contemplated annual and total funding appropriations from TIF funding is included in

Exhibit A.

**The proposed funding increase cannot simply be added into the current Downtown TIF budget, otherwise it would create an operating deficit.** To fund the requested increase I would either have to eliminate \$155,000 of currently funded TIF expenditures from the categories in Exhibit A (including the City Council's recently increased support for Portland Adult Education) or fund the request via an increase to the City tax levy. A tax increase of \$155,000 would result in a 2-cent increase to the current tax rate.

Lastly and more broadly, I have reservations about the process by which this proposal was developed, lobbied for, and reviewed. It excluded administrative experts who have special insight into the impacts of such an increase, as well as the staff who directly supervise Creative Portland staff and understand the day-to-day operations, strengths, and weaknesses of the organization.

I recognize that our arts community is an important part of Portland's foundation, and believe that it deserves strategic public investment. This proposal, however, is the wrong way to do it. I recommend instead a careful evaluation of the relationship between Creative Portland and the City so that we can work together more productively and for the benefit of the City of Portland.

**Exhibit A**

| Project                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Downtown Revitalization Plan Reference by page no.                                                                                                                   | Statutory Citation                                                                                                                                                                                                                                                             | Estimated Cost                                                                      |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|
| <b>In District: Capital Infrastructure Design and Investments, including Financing Costs, for example:</b><br>- Multi-modal surface and structured parking<br>- Sidewalk and Other Pedestrian Enhancements<br><br>- Roadway Realignments/Paving<br>- Crosswalks<br>- Traffic Signals<br>- Intersection Redesigns<br>- Bicycle lanes, racks, and stations Infrastructure<br>- Stormwater Management, including water and sewer upgrades<br>- Telecommunications, lighting, and electrical distribution upgrades; Infrastructure improvements/enhancements<br>- Wayfinding (signage)<br>- Public plaza intersection improvements | 19, 47<br><br>19, 20, 34,35, 48<br><br><br>19,20,34,35<br>19, 46<br>34, 46<br>19,20,34,35<br>19, 34,47<br><br>19, 33<br><br>19, 36<br><br><br>19,23, 35,47<br>22, 46 | (1)(A)(1)(2)(3)(6)(7)<br><br>(1)(A)(1)(2)(3)(6)(7)<br><br><br>(1)(A)(1)(2)(3)(6)(7)<br>(1)(A)(1)(a)(i)<br>(1)(A)(1)(2)(3)<br>(1)(A)(1)(2)(3)(6)(7)<br>(1)(A)(1)(a)(i)<br><br>(1)(A)(1)(2)(3)(6)(7)<br><br><br>(1)(A)(1)(2)(3)(7)<br><br><br>(1)(A)(1)<br>(1)(A)(1)(2)(3)(6)(7) | \$150 Million over the life of the District for these Capital Infrastructure Items. |
| <b>In and out of District: New and Enhanced Transit Services, including operational costs, for example (see Exhibit K – Transit Map):</b><br>- Creation of high frequency bus service on Congress Street at 15-minute intervals between the Portland Transportation Center (PTC) and Washington Avenue;<br>- Enhancing Stevens Avenue- Allen Avenue- Congress Street bus service areas;<br>- Corresponding costs for these enhancements, including transit operator salaries; transit                                                                                                                                          | 17, 20, 21,<br><br>20<br>20                                                                                                                                          | (1)(A) and (1)(C)(7)<br><br><br>(1)(A)(1)(a) and (1)(C)(7)<br><br>(1)(A)(1)(a) and (1)(C)(7)                                                                                                                                                                                   | \$15 Million for Transit in this category.                                          |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                             |                                                                         |                                                                 |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|-------------------------------------------------------------------------|-----------------------------------------------------------------|
| <p>vehicle fuel, and transit vehicle parts replacements.</p> <ul style="list-style-type: none"> <li>- Transit capital costs including transit vehicles and related equipment; bus shelters and other related structures; benches; signs, and other transit-related infrastructure.</li> <li>- Shuttle service to downtown businesses.</li> </ul>                                                                                                                                                                                                               | <p>20</p> <p>17, 20</p>                                                     | <p>(1)(A)(1)(a) and (1)(C)(7)</p> <p>(1)(A)(1)(a) and (1)(C)(7)</p>     |                                                                 |
| <p><b>In and out of District: City Marketing and Promotion through Creative Portland Corporation (CPC), for example (see Exhibit M Arts District Map within Downtown TOD TIF District):</b></p> <ul style="list-style-type: none"> <li>- In District: Center for the Arts, including rental residential space;</li> <li>- In District: capital, financing, real property assembly and professional service costs;</li> <li>- <b>In and out of District:</b> CPC staffing, administrative and marketing expenses; revolving loan or investment fund.</li> </ul> | <p>20, 21,47</p> <p>20, 21,47</p> <p>20, 21, 47</p>                         | <p>(1)(C)(1)(2)</p> <p>(1)(C)(1)(2)</p> <p>(1)(C)(1)(2)</p>             | <p>Up to \$100K annually; \$3 Million over life of District</p> |
| <p><b>In and out of District:</b></p> <ul style="list-style-type: none"> <li>- Economic Dev. Dept. administrative costs and staff salaries at 100%, and prorated salaries of City Manager, Finance Director, and Planning Urban Development Director, and Planning staff*;</li> <li>- Professional services costs;</li> <li>- Workforce training funds.</li> </ul> <p>Costs of services and equipment to provide skills development and training, including scholarships to in-state</p>                                                                       | <p>21, Also TIF App. P. 3</p> <p>See TIF App. P.3<br/>See TIF App. P. 3</p> | <p>(1)(A)(5) and (1)(C)(1)</p> <p>(1)(A)(4);(1)(C)(1)<br/>(1)(C)(4)</p> | <p>\$15 Million over life of the District.</p>                  |

|                                                                                                                                                                                                               |                             |                              |                                                         |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|------------------------------|---------------------------------------------------------|
| educational institutions or to online learning entities when in-state options are not available, for jobs created or retained.                                                                                |                             |                              |                                                         |
| <b>In District: Small Public Capital Infrastructure and Equipment, for example (Downtown Plan pp. 6 and 7)</b><br>- Parking meters<br>- Vehicles for Public Works Dept., and Fire Dept., including ambulances | 19<br>21, 36 to 44          | (1)(A)(1)(a)<br>(1)(A)(1)(a) | \$10 Million over life of the District                  |
| <b>In District: Relocation of Displaced Persons (TIF Application, p. 6)</b>                                                                                                                                   | (see TIF application, p. 6) | 1(A)(6)                      | Not budgeted/not anticipated at time of TIF application |
| <b>In District: CEAs as Approved by City Council (TIF application p. 2)</b> with a maximum average percentage of 65% capture and up to a 20-year term pursuant to City TIF Policy (Exhibit B hereto).         | (see TIF application p. 2)  | (1)(A)(1)(2)(3)(6)(7)        | Unknown at time of TIF application                      |
|                                                                                                                                                                                                               |                             |                              |                                                         |
| <b>Total Estimate of TIF Revenue Expenditure over 30 year term:</b>                                                                                                                                           |                             |                              | <b>\$193,000,000</b>                                    |



**MEMORANDUM**  
**City Council Agenda Item**

**FROM:**

**DATE:** May 17, 2021

**SUBJECT:** Order 260-20/21 Establishing a 180-Day Moratorium on New Shelters in the Bayside Neighborhood - Sponsored by Tae Chong, Chair, Health & Human Services and Public Safety Committee

**SPONSOR:**

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

**COUNCIL MEETING DATE ACTION IS REQUESTED:**

**1st Reading**

**Final Action**

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

**PRESENTATION:** Councilor Tae Chong will present a first read.

**I. SUMMARY**

The moratorium would prevent the Planning Board from accepting, processing, or reviewing conditional use permits for new, permanent emergency shelters or expansions of existing emergency shelters in the Bayside neighborhood for a period of 180 days.

**II. AGENDA DESCRIPTION**

The Health & Human Services and Public Safety Committee met on May 11, 2021 and voted 3-0 to recommend passage to the full Council to take effect immediately as an emergency measure.

This moratorium would prevent new permanent emergency shelters and expansions of existing shelters in the Bayside neighborhood for 180 days while the Health & Human Services and Public Safety Committee finalizes its recommendation for an emergency shelter licensing scheme.

This item must be read on two separate days. It received its first reading on May 17, 2021. Five affirmative votes are required for passage after public comment.

**III. BACKGROUND**

On April 13, 2021, Corporation Counsel explained the standards for a moratorium in 30-A M.R.S. § 4356 to the Health & Human Services and Public Safety Committee after the committee received community correspondence requesting a moratorium on new emergency shelters in the Bayside neighborhood. The committee discussed the unequitable distribution of emergency shelter beds and social services in the neighborhood and that a moratorium would provide breathing room for this heavily impacted community while Shelter Licensing is finalized. After taking public comment on at the May 11, 2021 meeting, the committee voted unanimously 3-0 to recommend for passage and that it be passed as an emergency with the second read waived.

**IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED**

The amendment addresses the Council goals to reduce homelessness and make human dignity a top priority by preventing a further exacerbating concentration of emergency shelter beds in an overburdened area while a shelter licensing scheme that makes homeless services better and more equitable is finalized.

## **V. FINANCIAL IMPACT**

## **VI. STAFF ANALYSIS AND BACKGROUND**

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

## **VII. RECOMMENDATION**

Emergency passage with the second read waived.

## **VIII. LIST ATTACHMENTS**

1. Order re Bayside Shelter Moratorium 5.17.2021
2. Standards for a moratorium
3. Bayside Shelter Moratorium Public Comment
4. Written Comment 3
5. Written Comment 2
6. Written Comment 1
7. City of Portland Mail - Fwd\_ Please approve targeted shelter moratorium
8. City of Portland Mail - Fwd\_ Proposed moratorium
9. City of Portland Mail - Fwd\_ Please approve targeted shelter moratorium
10. City of Portland Mail - In Support of Targeted Shelter Moratorium
11. City of Portland Mail - Re\_ Support for Bayside shelter moratorium

Prepared by:

Date: 5/17/2021

KATE SNYDER (MAYOR)  
BELINDA S. RAY (1)  
SPENCER R. THIBODEAU (2)  
TAE Y. CHONG (3)  
ANDREW ZARRO (4)

**CITY OF PORTLAND  
IN THE CITY COUNCIL**

MARK DION (5)  
APRIL D. FOURNIER(A/L)  
PIOUS ALI (A/L)  
NICHOLAS M. MAVODONES, JR (A/L)

**ORDER ESTABLISHING A 180-DAY MORATORIUM  
FOR EMERGENCY SHELTERS  
IN THE BAYSIDE NEIGHBORHOOD**

- WHEREAS,** the Bayside neighborhood, which for purposes of this moratorium only, is defined as the area within the City of Portland bounded by Interstate 295 on the north side, Franklin Street to the east, Congress Street to the south, and Forest Avenue to the west, as further depicted in the map attached as Exhibit A;
- WHEREAS,** the Bayside neighborhood currently houses a majority of the City’s social services providers, including four emergency shelters and five overflow sites, which contain more than 500 emergency shelter beds;
- WHEREAS,** an additional 40-bed emergency shelter received conditional use approval in the Bayside neighborhood, and is expected to begin operating in the near future;
- WHEREAS,** the comprehensive plan of the City of Portland states that, “No one area of the city carries all the expectations for accommodating development and all areas can expect appropriate City services and amenities;”
- WHEREAS,** the City of Portland’s homeless population has higher rates than the general public of individuals with lower socioeconomic status, individuals who are racial minorities, and individuals who suffer from substance use disorder and other mental health disorders, leading to a concentration of vulnerable individuals in the Bayside neighborhood;
- WHEREAS,** calls for service in the Bayside neighborhood make up approximately 20% of the calls for service to the Portland Police Department, despite making up only 5% of the population of the City and 1% of the land area of the City;
- WHEREAS,** calls for service in the Bayside neighborhood make up approximately 10% of the calls for EMS response by the Portland Fire Department, despite making up only 5% of the population of the City and 1% of the land area of the City;
- WHEREAS,** the current City of Portland Code of Ordinances also does not require any buffer between emergency shelters, and does not have any bed density restrictions to ensure that emergency shelters are not clustered and do not have the effect of



overburdening one area or concentrating individuals with a lower socioeconomic status and higher rates of disabilities in one area;

**WHEREAS,** the current City of Portland Code of Ordinances is inadequate to protect the Bayside neighborhood from the further concentration of emergency shelters in that neighborhood, potentially creating further serious harm from emergency shelter development in that area;

**WHEREAS,** the current City of Portland Code of Ordinances is also inadequate to prevent the potential overburdening of police, fire, and other City services from concentrating additional homeless shelter services in the Bayside neighborhood;

**WHEREAS,** the City has begun the process of developing licensing requirements and examining the zoning requirements for emergency shelters, but requires additional time to do so in order to address the potential public health, safety and welfare concerns, as well as the overburdening of public resources, associated with the concentration of emergency shelters in one area;

**WHEREAS,** a temporary prohibition on conditional use approval for new, permanent, emergency shelters in the Bayside neighborhood is appropriate in order to determine what additional regulations are necessary to prevent such ill effects; and

**WHEREAS,** in the judgment of the City Council for the City of Portland, these facts create an emergency within the meaning of 30-A M.R.S. § 4356(1) and the City Charter, and require the following Moratorium as immediately necessary for the preservation of the public health, safety and welfare

**NOW, THEREFORE,** pursuant to its authority in 30-A M.R.S. §§ 3001 and 4356, the Portland City Council hereby ordains that a Moratorium is imposed on any and all conditional use applications and approvals in the Bayside neighborhood, as depicted on the map attached hereto as Exhibit A; and

**BE IT ORDERED,** that no conditional use permit applications shall be accepted, processed, or reviewed by the City or the Planning Board for the period of this Moratorium for 1) any new, permanent emergency shelters in the Bayside neighborhood, or 2) any expansion of an existing permanent emergency shelter such that the expansion would add additional emergency shelter beds in the Bayside neighborhood; and

**BE IT FURTHER ORDERED,** that this Moratorium shall remain in effect for one hundred and eighty (180) days thereafter, unless extended, repealed, or modified by the Portland City Council; and

**BE IT FURTHER ORDERED,** that in view of the emergency cited in the preamble above, that it is hereby found and determined by the Portland City Council that it is necessary

that this Moratorium take effect immediately as an emergency pursuant to Article II, Section 8 of the City Charter; and

**BE IT FURTHER ORDERED**, that to the extent any provision of this Moratorium is deemed invalid by a court of competent jurisdiction, the balance of the Moratorium that shall remain shall be considered valid.

**EXHIBIT A**



## MEMORANDUM

**TO:** Health and Human Services and Public Safety Committee

**FROM:** Anne Torregrossa

**DATE:** March 30, 2021

**RE:** Standards for a moratorium

---

In the context of evaluating whether a moratorium on certain emergency shelters is appropriate, the Health and Human Services and Public Safety Committee asked for a memo on the standards for a moratorium.

A moratorium may operate only “on the processing or issuance of development permits or licenses.” 30-A M.R.S. § 4356. A moratorium on any site plan, building permit, or change of use for a new or expanding emergency shelter would certainly meet this requirement, if that is how the Committee and Council decide to draft the moratorium.

The moratorium must then meet one or both of the following criteria:

1. The moratorium is needed to “prevent a shortage or an overburden of public facilities that would otherwise occur during the effective period of the moratorium or that is reasonably foreseeable as a result of any proposed or anticipated development.”
2. The moratorium is needed because, “the application of existing comprehensive plans, land use ordinances or regulations or other applicable laws, if any, is inadequate to prevent serious public harm from residential, commercial or industrial development in the affected geographic area.”

30-A M.R.S. § 4356(1). In one of the few cases addressing this statute, the Law Court found that a moratorium was justified where, without the moratorium, there would be a higher population density in one zone, which could require additional police, fire, and rescue departments.

If the Committee and Council wanted to proceed with a moratorium on some or all emergency shelters, you would need to articulate – both on the record and in the moratorium order – the shortage or overburdening of public facilities that would take place without the moratorium, and/or the reasons why existing ordinances are inadequate to prevent serious public harm from development in the affected area of the City. Once the Council makes these findings, any court would be extremely deferential to those findings if the moratorium was ever challenged.

A moratorium could be enacted for a maximum of 180 days, although extensions are possible under certain circumstances.

Dear HSSPS Chair Chong, Councilors Ray and Dion,

Re: Shelter Licensing & Zoning

Thanks for continuing to prioritize management of the emergency system Portland provides for the region. I'm glad to see baby steps toward county participation in their allocation of federal funds for a resettlement coordinator. And I'd like to applaud the ways staff are clearly taking to heart the public desire for better engagement and transparency, without creating inordinate delay.

Previously I've made blanket statements on the need for proactive community protections, but considering good actors like Milestone and Through These Doors, I now feel that licensing instead needs to include strong mechanisms to detect and control any specific cases where the operator needs to be compelled to respect their neighbors. It's clearly possible to manage a shelter without pissing off your community. The city shelter has also demonstrated that an honest partner can improve relations after letting impacts get out of hand. But not all actors in this space behave appropriately of their own accord.

I urge the HSSPS committee to recommend a narrow moratorium on new Bayside shelters in particular. The Bayside neighborhood needs more targeted protection than licensing can provide, and requires active healing medicine, not just passive "organic" growth. The so-called neighborhood vision of 20 years ago died on the vine, and this neighborhood is frankly still being abused. Was it right to cram the latest new, permanent emergency shelter into Bayside? Well, it technically met code, and apparently wider neighborhood context is out of scope for reviewing authorities. That leaves the city council as the only body that can produce any kind of holistic oversight.

As to more specific licensing solutions:

- Please consider a sunset provision for grandfathered operations. You've arrived at best practices with thorough research and collaboration, and it would be negligent to allow non-compliance in perpetuity just because a shelter already set up shop.
- The narrative that the proposed licensing language is too focused on neighbors is ridiculous. In the "Requirements" section (h)(vii)(6) is more explicit about internal emergency response than anything to do with community protections. The city shelter's own management model secures residential streets in an appropriate radius, and I'd like to see an explicit requirement to require this at other shelters when necessary. The phrase "around the facility" in (h)(vii)(5) appears similar to conditional use language denoting impact on "surrounding properties", which both planning and zoning have said limits their scope of consideration to abutting buildings, not overall neighborhood impacts. That wider context matters and must be considered at some stage.
- "Review Procedures" (c), (d) and (f) describe protocols only when the City Council reviews; shouldn't these include Permitting and Inspections as well?
- The current language regarding waivers for separate day space could effectively double the number of allowable shelters in a given buffer, and re-create the kind of neighborhood foot traffic that has proved so disastrous in Bayside.
- Removing metro proximity is an improvement that allows for creative strategies to help guests utilize transit in additional areas.
- Please define the domestic violence waiver better. Surely someone must review site plans, safe bed counts and such. The current language appears to give permission to site new shelters without allowing any determination of appropriate facilities. A clause calling for something like executive session seems more appropriate than an outright exemption.

## Subject: Shelter licensing

---



**Carolyn Megan** <carolynmegan@gmail.com>

Tue, Mar 9, 1'

to Tae Chong, mdion, Belinda Ray, Spencer Thibodeau, Ali Pious, Nicholas Mavodones, afournier, azarro, Jon Jen

**You are viewing an attached message.** City of Portland Mail can't verify the authenticity of attached messages.

Dear Councilors Chong, Dion and Ray:

Thank you for the time and care you have brought to the discussion of licensing shelters in Portland. This work and conversation is long overdue and is crucial for the well-being of both shelters and the neighborhoods in which they are situated. As there is no recourse for residents to be heard in expressing concerns about shelters' impact on neighborhoods, your work is timely and much needed. Additionally, the work underscores the larger visioning for the city as a whole - each neighborhood - can address issues of homelessness.

As an extension of this work, I ask that you urge the City Council to place a moratorium on any new shelters in Beaverton until the city can best address Portland's shelter system as a whole.

No doubt there are difficult conversations ahead but this work is a good first start.

Thank you,  
Carolyn Megan

You are viewing an attached message. City of Portland Mail can't verify the authenticity of attached messages.

Dear HHS Committee members and Councilors,

Thank you for the continued discussion, consideration of, and movement forward on our city's shelter regulations. I have been encouraged by thoughtful questions during the committee's dialogue on this topic over the past several months. It's complicated, and I know these topics are especially challenging in our current climate, so I thank you for your continued engagement, and desire for alignment.

I write in support of the more thoughtful shelter licensing and zoning policies under discussion. I think these policies help move away from the dense concentration of social services that has neither benefited individuals experiencing homelessness, nor the neighbors who wish to be in community with them.

I encourage you to take action on shelter licensing at the meeting tomorrow, and send it to the full Council. In the documents posted online I see many things I support that will be crucial to building public understanding and support for shelters around our city, and, are normal parts of licensing and zoning regulations:

1. a buffer of no more than 250 beds within a 1 mile radius.
2. spacing of 2500 feet between facilities.
3. requirement that all shelters must have adequate space for people ONSITE to be able to stay off the streets during the day.
  1. I see waivers have been suggested, and I would STRONGLY recommend finding a way to limit them. Otherwise, we're setting up a scenario of ping-ponging vulnerable people between spaces, again which goes against best practices to serve these individuals and help them overcome permanent homelessness.

However, there's one thing I don't see yet that is CRITICAL: strict rules preventing institutions from undermining the process and skirting the policies in progress:

***a moratorium on any new shelters in Bayside.***

Why is this so important? As you all know, one shelter has already been added to Bayside, bringing our tiny half of this neighborhood up to 451 beds within the suggested 1 mile radius. That's almost as many beds OVER (201) the suggested maximum of 250.

The City was able to do something similar for development in Munjoy Hill. Doing so right can only help you, our Council, serve our City better in making sound, thoughtful policy decisions by looking at a complete picture, absent counterproductive pieces running in parallel.

If the City staff are recommending that before further action is taken, [outreach](#) should be conducted with neighborhood associations and shelter providers to get feedback and information (GREAT idea, wish our neighborhood had this), AND they are also recommending [community surveys](#) be conducted to hear what people think about small shelter zoning, allowing other things to proceed in tandem will undermine these efforts. and the transparency I know you all strive for.

Thank you for your diligent work, and I look forward to the discussion this evening.

Heidi Souerwine

Mechanic St.

---

## Fwd: 5/11/21 HHS&PS: emergency licensing & limited moratorium

2 messages

---

**Kristen Dow** <kjd@portlandmaine.gov>  
To: Adam Harr <ash@portlandmaine.gov>

Sat, May 8, 2021 at 6:52 PM

For backup.

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

From: **Jim Hall** <mtjimhall@gmail.com>

Date: Sat, May 8, 2021 at 3:45 PM

Subject: 5/11/21 HHS&PS: emergency licensing & limited moratorium

To: To: Kate Snyder <ksnyder@portlandmaine.gov>, Nicholas Mavodones <nmm@portlandmaine.gov>, Pious Ail <pali@portlandmaine.gov>, April Fournier <afournier@portlandmaine.gov>, Belinda Ray <bsr@portlandmaine.gov>, Spencer Thibodeau <sthibodeau@portlandmaine.gov>, Tae Chong <tchong@portlandmaine.gov>, Andrew Zarro <azarro@portlandmaine.gov>, Mark Dion <mdion@portlandmaine.gov>

CC: Jon Jennings <jpj@portlandmaine.gov>, City Clerk <cityclerk@portlandmaine.gov>, Kristen Dow <kjd@portlandmaine.gov>

Re: Emergency shelter licensing & limited moratorium

Dear Chair Chong, Councilors Ray and Dion,  
(CC Mayor & full council, City Manager, DHHS Director)

As a resident with 25 years experience living one block downhill of the Oxford Shetler:

- I support strong licensing that ensures all parties are protected: Clients, staff, and the host community.
- I support a targeted moratorium to provide adequate time to work out all the right details.

But please tighten up code around Day Shelter — especially as the city will be creating an RFP soon.

The current licensing definition explicitly limits its domain to “overnight” emergency shelter, and provides NO GOVERNANCE on a separately created “day shelter space” category — except that this must be within 1/4 mile — which in fact creates a new loophole that could literally *double* whatever spacing / density guardrails the council deems appropriate, and actively forces exactly the kind of neighborhood foot traffic to connect basic services that necessitated such licensing rules in the first place.

Moratorium language fails to define “emergency shelter” at all, carving an even wider loophole given the presence of other weak definitions.

We must learn from (and in fact go back and repair) the unintended consequences of 2017’s conditional use language, which allowed Preble Street to spin up yet another clustering shelter on the failed assumption that inadequate infrastructure is “good enough” for Portland’s regional emergency response. When you let the applicant define their own terms, sometimes you get Orwellian fallacies such as *Day Space = Bed Space // Sight Lines = Curved Spacetime // Onsite Services = Referrals to Offsite Partners*, etc — all in service of retrofitting a building they happen to own that’s really no better suited to this use than cramming 154 poor souls head-to-toe on mats in a former garage... which I thought the city was trying to mend. And I don’t know if I need to remind you, but Preble Street’s published 5 year vision imagines additional shetlers in the area, and they are not shy about marching to their own drum against the stated values of the city.

I have already commented extensively on additional aspects of code that need to be “aligned.”. Please use the moratorium appropriately to allow yourselves the necessary time and careful attention to ensure licensing in conjunction with all other ordinance actually accomplishes what you intend.

Thanks  
Jim Hall  
Cedar St

--

Kristen Dow  
Director of Health & Human Services  
City of Portland  
389 Congress Street  
Portland, ME 04101



**Kristen Dow** <kjd@portlandmaine.gov>  
 To: Adam Harr <ash@portlandmaine.gov>  
 Cc: Aaron Geyer <aeg@portlandmaine.gov>

Sat, May 8, 2021 at 8:54 PM

For backup.

Kristen

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

From: **Jim Hall** <mtjimhall@gmail.com>

Date: Sat, May 8, 2021 at 7:09 PM

Subject: Re: 5/11/21 HHS&PS: emergency licensing & limited moratorium

To: To: Kate Snyder <ksnyder@portlandmaine.gov>, Nicholas Mavodones <nmm@portlandmaine.gov>, Pious Ail <pali@portlandmaine.gov>, April Fournier <afournier@portlandmaine.gov>, Belinda Ray <bsr@portlandmaine.gov>, Spencer Thibodeau <sthibodeau@portlandmaine.gov>, Tae Chong <tchong@portlandmaine.gov>, Andrew Zarro <azarro@portlandmaine.gov>, Mark Dion <mdion@portlandmaine.gov>

CC: Jon Jennings <jpj@portlandmaine.gov>, City Clerk <cityclerk@portlandmaine.gov>, Kristen Dow <kjd@portlandmaine.gov>

Re: Staff Recommendations for Maximum Bed Density & Shelter Buffer Zones  
*i.e. yet another critical item on this evening's agenda*

So... at a high level we appear to have 14 votes for licensing, and 14 against

However, while long-suffering residents have again and again proven willing to enter into dialog to seek consensus on reasonable parameters — 100% of providers have instead now chosen to form a cabal *against the city*. To equate even a conversation around governance with "*causing significant issues*" and leave it at that is simply irresponsible — and in fact only serves to *prove* that governance is needed in this domain. It's kind of a stupid move if you ask me, since now they'll have no input to a final draft. Assuming our councilors have spine enough to do their jobs in the face of hardball tactics.

Let's say all the industrial operators in the city circled their wagons and cried wolf that limiting noise or dust or other overspill to nearby residences in the covid economy would cause their operations undue harm. Or perhaps all the pubs in the old port would like to refuse to apply for licenses, or claim that policing fights in the streets near their services causes "significant issues" to their clients. It's patently ridiculous. Setting reasonable thresholds is the entire point of government. The social contracts of civil society certainly include appropriate governance of any high-impact use—full stop. Does anyone dare challenge the fact that ungoverned and poorly managed services on Preble Street caused a public health & safety crisis that became "*business as usual*" for years? Flat out refusing to even show up en masse provides zero solutions, and tacitly claims there's no such issue or need to talk about it.

What's worse is that social service operations are ostensibly full of the most caring people in the world — but the "*conditional empathy*" these organizations are all displaying toward their neighbors tells a conditional story about them. I so wish they had risen up to reign in their peers voluntarily when things go so clearly out of hand at 5 Portland Street— but this group has clearly proven unwilling to self-govern up to and including the present.

To be honest I am deeply afraid that the council may lose nerve to do its job properly, which is to insert some semblance of reasonable limits that actively ensure that no "*neighborhood under siege*" can EVER be possible again anywhere in this town. This is dirty politics, hiding behind "Good Works" to pretend there's no such thing as community impacts when you choose to force vulnerable people from all around the region to self-segregate into the streets of one poor neighborhood. Nothing can excuse Portland's past failure to manage these impacts — but with forgiveness we can all move forward into a future with sensible guardrails in place.

I'm not going to comment on the reduction of staff recommended buffers from 2500 to 500. You can probably guess my personal opinion about the usefulness of a 1-2 block buffer. But more importantly: I am advocating for *you* to do your jobs in our representative form of government, and make these very hard and complex decisions by keeping in mind the best available data, and all the humans under your care. If certain stakeholders refuse to participate, even after direct outreach — unfortunately the expected result is that they give up any legitimacy to complain about outcomes. As much as I feel ashamed for them adopting such indefensible posturing — I do hope you continue to move forward with licensing in a fair and balanced way that takes both me and them into account.

Thanks you



Jim Hall  
Cedar St

On Sat, May 8, 2021 at 3:44 PM Jim Hall <[mtjimhall@gmail.com](mailto:mtjimhall@gmail.com)> wrote:

Re: Emergency shelter licensing & limited moratorium

Dear Chair Chong, Councilors Ray and Dion,  
(CC Mayor & full council, City Manager, DHHS Director)

As a resident with 25 years experience living one block downhill of the Oxford Shetler:

- I support strong licensing that ensures all parties are protected: Clients, staff, and the host community.
- I support a targeted moratorium to provide adequate time to work out all the right details.

But please tighten up code around Day Shelter — especially as the city will be creating an RFP soon.

The current licensing definition explicitly limits its domain to “overnight” emergency shelter, and provides NO GOVERNANCE on a separately created “day shelter space” category — except that this must be within 1/4 mile — which in fact creates a new loophole that could literally *double* whatever spacing / density guardrails the council deems appropriate, and actively forces exactly the kind of neighborhood foot traffic to connect basic services that necessitated such licensing rules in the first place.

Moratorium language fails to define “emergency shelter” at all, carving an even wider loophole given the presence of other weak definitions.

We must learn from (and in fact go back and repair) the unintended consequences of 2017’s conditional use language, which allowed Preble Street to spin up yet another clustering shelter on the failed assumption that inadequate infrastructure is “good enough” for Portland’s regional emergency response. When you let the applicant define their own terms, sometimes you get Orwellian fallacies such as *Day Space = Bed Space // Sight Lines = Curved Spacetime // Onsite Services = Referrals to Offsite Partners*, etc — all in service of retrofitting a building they happen to own that’s really no better suited to this use than cramming 154 poor souls head-to-toe on mats in a former garage... which I thought the city was trying to mend. And I don’t know if I need to remind you, but Preble Street’s published 5 year vision imagines additional shetlers in the area, and they are not shy about marching to their own drum against the stated values of the city.

I have already commented extensively on additional aspects of code that need to be “aligned.”. Please use the moratorium appropriately to allow yourselves the necessary time and careful attention to ensure licensing in conjunction with all other ordinance actually accomplishes what you intend.

Thanks  
Jim Hall  
Cedar St

[Quoted text hidden]

---

## Fwd: Emergency shelter licensing

1 message

---

**Belinda Ray** <bsr@portlandmaine.gov>  
To: Adam Harr <ash@portlandmaine.gov>

Mon, Mar 15, 2021 at 12:03 PM

Belinda S. Ray (*she / her / hers*)  
City Council, District 1  
389 Congress Street  
Portland, ME 04101  
[BSR@portlandmaine.gov](mailto:BSR@portlandmaine.gov)

Sign up for [my newsletter](#) or visit [my blog](#)!

Please Note: Under Maine law, emails sent or received by public officials or city employees may be classified as public records. There are very few exceptions. As a result, please be advised that what is written in an e-mail could be released to the public and/or the media if requested.

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

From: **Sarah Michniewicz** <[sarahmichniewicz@icloud.com](mailto:sarahmichniewicz@icloud.com)>  
Date: Mon, Mar 8, 2021 at 4:38 PM  
Subject: Emergency shelter licensing  
To: Tae Chong <[tchong@portlandmaine.gov](mailto:tchong@portlandmaine.gov)>, <[mdion@portlandmaine.gov](mailto:mdion@portlandmaine.gov)>, Belinda Ray <[bsr@portlandmaine.gov](mailto:bsr@portlandmaine.gov)>  
Cc: Kate Snyder <[ksnyder@portlandmaine.gov](mailto:ksnyder@portlandmaine.gov)>, Spencer Thibodeau <[sthibodeau@portlandmaine.gov](mailto:sthibodeau@portlandmaine.gov)>, Ali Pious <[pali@portlandmaine.gov](mailto:pali@portlandmaine.gov)>, Nicholas Mavodones <[nmm@portlandmaine.gov](mailto:nmm@portlandmaine.gov)>, <[afournier@portlandmaine.gov](mailto:afournier@portlandmaine.gov)>, <[azarro@portlandmaine.gov](mailto:azarro@portlandmaine.gov)>, Jon Jennings <[jpj@portlandmaine.gov](mailto:jpj@portlandmaine.gov)>, Frank Clark <[fclark@portlandmaine.gov](mailto:fclark@portlandmaine.gov)>, Kristen Dow <[kjd@portlandmaine.gov](mailto:kjd@portlandmaine.gov)>

Hello Chair Chong and Councilors Dion and Ray,

Thank you for continuing to diligently pursue emergency shelter licensing. I'm pleased that City staff is recommending outreach be conducted with neighborhood associations and the community to get feedback regarding buffers and spacing, and asking for a community survey on emergency shelter licensing.

It's refreshing but bittersweet to see support for giving neighbors a voice in the process. It's an opportunity that Bayside has never had. If you choose to vote the current recommendations out of committee at Tuesday's meeting, please require that suggested outreach for when the full council considers them.

Although staff hopes the data gathering will be complete and ready to present in May, between now and then there's still a lot at risk for this neighborhood, with nothing to stop another shelter proposal before licensing is enacted. Please do not discount that possibility. One new Bayside shelter has already been sped through in under three months, increasing the already excessive bed total by 12%, up to 451 within the suggested 1 mile radius. That's 201 (80%) more than the suggested maximum of 250. Please see the attached graphic for reference, and [this](#) BNA blog post for a comprehensive overview of shelter density in Bayside compared to the rest of the City, county, and state.

It would be indefensible to allow yet another shelter to enter the planning pipeline when the City's clear will is to first get its arms around how and where shelters are best able to serve the needs of providers, consumers, and constituents; even more so when there are vast areas in the rest of the City a shelter could be sited, even without additional zoning changes.

So I ask that as part of this licensing conversation this Committee recommend to the City Council an *immediate and complete moratorium on allowing any additional shelters or shelter beds in the Bayside neighborhood*. Although plans for eventually relocating the Oxford Street shelter are in motion, and licensing is presumably proceeding apace, nothing is certain.

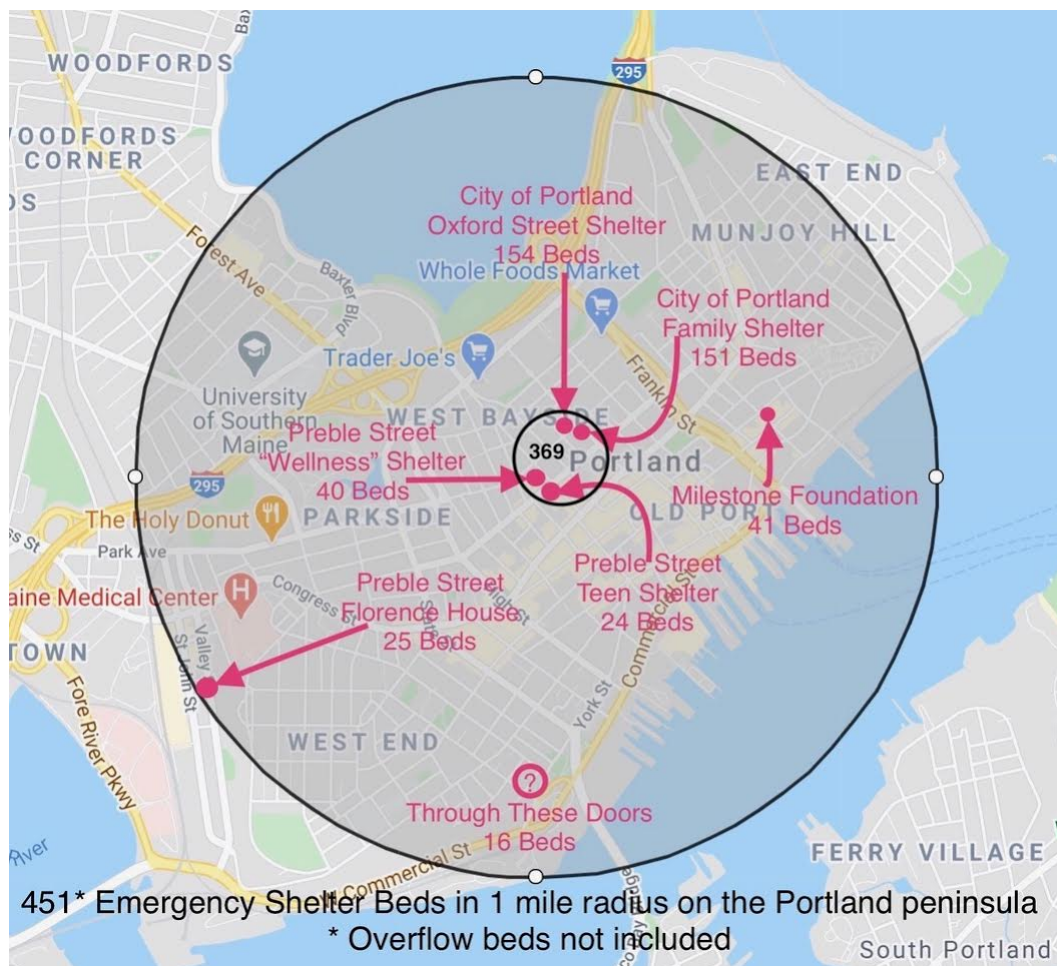
Just as a moratorium on demolitions created a pause to think about the future of Munjoy Hill, a moratorium on new shelters in Bayside will give the neighborhood and the City a safe, depressurized space in which to make fair and durable policy on the location of shelters within the community. But to allow the status quo to continue in Bayside, whilst thoughtfully engaging the rest of City about their preferences, would only serve to affirm that some neighborhoods are more equal than others.

Portland is on the cusp of finally creating a thoughtful and intentional shelter system. Please ask the City Council to enact a moratorium on any new shelters in Bayside so that we can honestly assess the City's role in addressing homelessness, and holistically decide how Portland's shelter system can best fill that role.

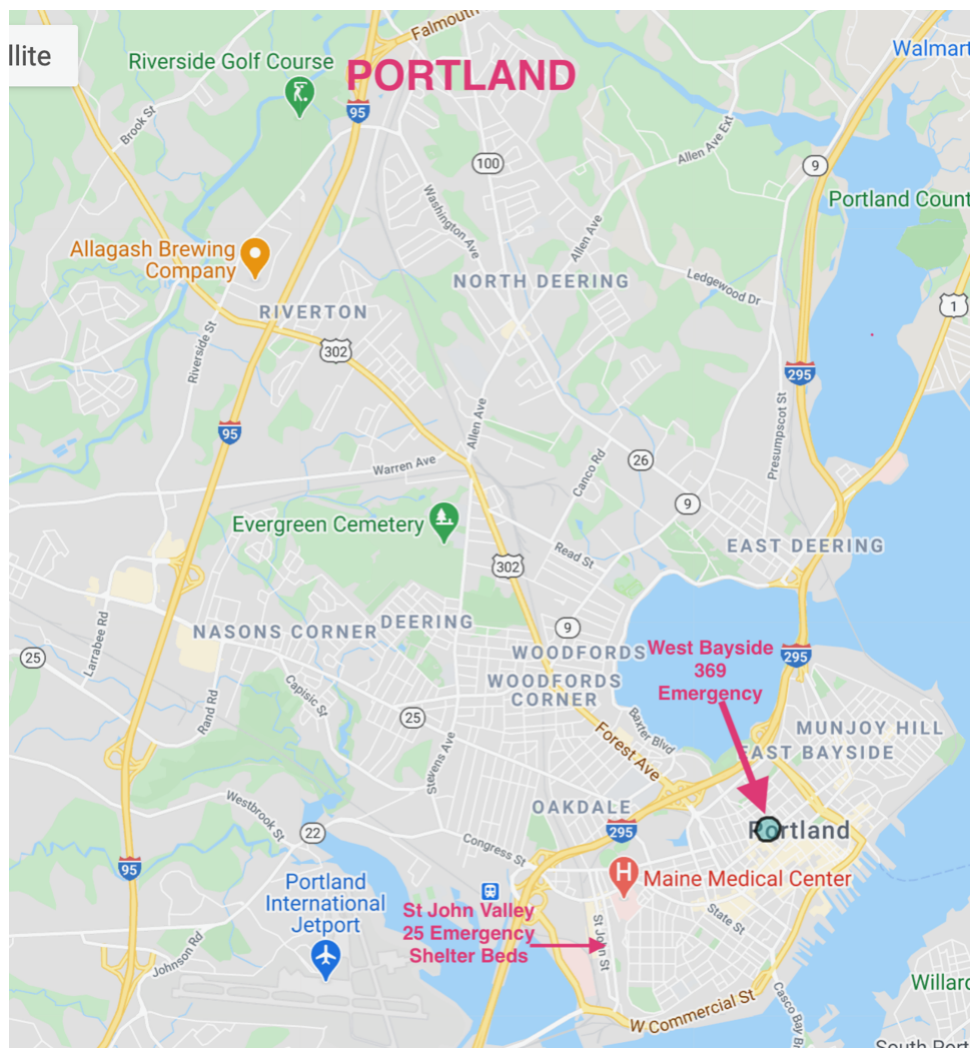
Thank you,

Sarah Michniewicz

Cedar Street, Portland









---

## Fwd: Following up from last week - 39 Forest & Bayside moratorium

1 message

---

**Kristen Dow** <kjd@portlandmaine.gov>  
To: Adam Harr <ash@portlandmaine.gov>

Wed, Apr 21, 2021 at 9:02 AM

Kristen Dow  
Director of Health & Human Services  
City of Portland  
389 Congress Street  
Portland, ME 04101  
207-874-8633

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

From: **Heidi Souerwine** <heidi.souerwine@gmail.com>  
Date: Tue, Apr 20, 2021 at 10:39 PM  
Subject: Following up from last week - 39 Forest & Bayside moratorium  
To: Belinda Ray <bsr@portlandmaine.gov>, Tae Chong <tchong@portlandmaine.gov>, <mdion@portlandmaine.gov>  
Cc: Kristen Dow <kjd@portlandmaine.gov>, Kate Snyder <ksnyder@portlandmaine.gov>, <afournier@portlandmaine.gov>, <azarro@portlandmaine.gov>, Nick Mavodones <nmm@portlandmaine.gov>, Pious Ali <pali@portlandmaine.gov>, Spencer Thibodeau <sthibodeau@portlandmaine.gov>

Committee members,

Just a note to say I appreciate you addressing questions after public comment at the HHS meeting last week, and your thoughtful dialogue throughout.

The discussion & presentation provided some context, which was helpful.

After thinking about it for a few days though, the fact remains: there are MANY other areas on the peninsula besides this already overloaded area. No one was questioning the need for consolidating these interconnected services under one roof. Rather, we're rightly challenging the City's planning strategy to again site more social services in the smallest area on the peninsula, when the most already exist there. This [graphic](#) provides a good snapshot of West Bayside alone. And, as Council Chong pointed out, there are numerous additional social services in the adjacent vicinity as well, immediately surrounding 39 Forest, that are not "technically" Bayside.

Committee members:

As I understand, on-peninsula was on directive, but was the specific area?

During the meeting it sounded like no other areas nor facilities were explored.  
Is that correct?

Regarding Councilor Dion's request for boundary clarity re: a shelter moratorium (OR, for any social services facilities), I would challenge everyone to think strategically & holistically, and look at the **summation of similar entities nearby, whether they're technically over a line or not.**

Council Dion: Thank you for calling for safe harbor for west Bayside - it is desperately needed & it was so wonderful to hear it recognized. I hope it's easy to see that shelters are only one piece. My neighbors & I have continually stated that the neighborhood needs BALANCE from the overwhelm & 39 Forrest would continue to tip things in the wrong direction.

Councilor Chong: the moratorium would be a stop-gap, to prevent more projects from being approved in an area that is already so overwhelmed until the new licensing rules. I would plead for you to support it. One shelter has already squeaked in recently before licensing has been established.

When I think about all of this, in combination with the City Manager's CDBG proposals, it's alarming. Portland St, Cumberland Ave, Park Ave & now Forest Ave.

I know turning the corner on Bayside as the default is hard but it HAS to happen, and quickly.

Thank you for your consideration,  
Heidi Souerwine  
Mechanic St.

On Tue, Apr 13, 2021 at 6:17 PM Heidi Souerwine <[heidi.souerwine@gmail.com](mailto:heidi.souerwine@gmail.com)> wrote:

Dear Committee members, Councilors and Mayor Snyder:

Hoping you all are able to see this. I'm a bit shocked with the lack of advanced notice for public comment tonight on an issue that will have **so much impact**. I'm hoping to try to join tonight, AND I'm also **hoping** the City isn't trying to push this through without careful thought. Regardless, I wanted to send some thoughts in writing.

I'm pleased to see the city is finally preparing to discuss a shelter moratorium in Bayside. However I'm still left questioning whether it's understood that what west Bayside needs is **balance**.

I'm concerned about a number of ideas I've seen come out recently that collectively amount to the City doubling down on the environment that created the instability in Bayside this whole time. In considering the proposal to consolidate DHHS operations at 39 Forest, and in reviewing the various elements proposed in the City Manager's CDBG funds allocation, the City would be creating the same situation along Forest Avenue that it created years ago on Portland Street.

With Portland Housing Authority & Maine Needs on Forest, the Deering Oaks gatherings, the proposed "ultra low to no barrier housing services" at Spurwink on Park, a proposed consolidated DHHS at 39 Forest, reintroducing another day space as well - it seems the City is creating another social services corridor in a different area of Bayside. And, on a much busier thoroughfare in the city with existing significant safety issues. With none of the other consolidated services moving.

For those of you that don't live anywhere nearby, the situation in that immediate area has been extremely tenuous at best for the better part of the last two years. Longtime community members, residents, & neighbors on Forest on the block between Park & Cumberland are already leaving their homes, and abandoning their businesses because they can no longer handle the environment. I would urge you all to consider how these plans benefit the fabric of the neighborhood, and whether this would be reasonable anywhere else.

It often feels defeating trying to create a life here. We want to stay, but the panic, urgency, and stress when it feels like no balance is even desired for this neighborhood, is beyond challenging.

Being a public servant is such a hard job, and I do appreciate all of you. I am hopeful for some clarity, and want to encourage thoughtful urban planning.

Thank you,  
Heidi Souerwine (& Jason Tropp)  
Mechanic St.

---

## Fwd: Fw: New Homeless Shelter Licensing Standards - Legal Application and Critical Role

1 message

---

**Belinda Ray** <bsr@portlandmaine.gov>  
To: Adam Harr <ash@portlandmaine.gov>

Mon, Mar 15, 2021 at 12:03 PM

Belinda S. Ray (*she / her / hers*)  
City Council, District 1  
[389 Congress Street](#)  
[Portland, ME 04101](#)  
[BSR@portlandmaine.gov](mailto:BSR@portlandmaine.gov)

Sign up for [my newsletter](#) or visit [my blog](#)!

Please Note: Under Maine law, emails sent or received by public officials or city employees may be classified as public records. There are very few exceptions. As a result, please be advised that what is written in an e-mail could be released to the public and/or the media if requested.

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

From: **Laura S. Underkuffler** <[lu27@cornell.edu](mailto:lu27@cornell.edu)>  
Date: Mon, Mar 8, 2021 at 12:08 PM  
Subject: Fw: New Homeless Shelter Licensing Standards - Legal Application and Critical Role  
To: Belinda Ray <[bsr@portlandmaine.gov](mailto:bsr@portlandmaine.gov)>

Hi Belinda, I used the wrong email for you! I am sorry - here is the email I previously sent. Thank you, Laura

---

**From:** Laura S. Underkuffler  
**Sent:** Monday, March 8, 2021 5:06 AM  
**To:** [tchong@portlandmaine.gov](mailto:tchong@portlandmaine.gov) <[tchong@portlandmaine.gov](mailto:tchong@portlandmaine.gov)>; [mdion@portlandmaine.gov](mailto:mdion@portlandmaine.gov) <[mdion@portlandmaine.gov](mailto:mdion@portlandmaine.gov)>; [bray@portlandmaine.gov](mailto:bray@portlandmaine.gov) <[bray@portlandmaine.gov](mailto:bray@portlandmaine.gov)>  
**Cc:** [dwchuhta@portlandmaine.gov](mailto:dwchuhta@portlandmaine.gov) <[dwchuhta@portlandmaine.gov](mailto:dwchuhta@portlandmaine.gov)>; [kjd@portlandmaine.gov](mailto:kjd@portlandmaine.gov) <[kjd@portlandmaine.gov](mailto:kjd@portlandmaine.gov)>; [cityclerk@portlandmaine.gov](mailto:cityclerk@portlandmaine.gov) <[cityclerk@portlandmaine.gov](mailto:cityclerk@portlandmaine.gov)>  
**Subject:** New Homeless Shelter Licensing Standards - Legal Application and Critical Role

Dear Counselors Chong, Dion, and Ray:

At the last public hearing on the proposed licensing standards for homeless shelters, an attorney for Maine Equal Justice objected to the Committee's decision that new shelters permitted after January 31, 2021 will be subject to the new licensing requirements.

The grounds for this objection were obscure. To the extent that some rationale was articulated, it seemed to be that because shelters in existence as of January 31, 2021 would be exempt from concentration limits, all shelters which can manage to rush to permitting between January 31, 2021 and the date of adoption of the licensing standards should be, as well. The reason given was that somehow this would be "best practice" (of some sort).



This attorney gave no legal reason for this position, because there is none. In Kittery Retail Ventures, LLC v. Town of Kittery (2004), the Maine Supreme Court unequivocally and finally held that a town can apply new regulations to existing uses and projects. Neither the submission of a development application nor the issuance of a development permit establishes vested rights, and neither the submission nor the issuance of a permit prevents a city from applying later-adopted police power regulations to that project.

Indeed, common sense dictates that this must be the case, in order to prevent a notorious problem in land use law. If entities know that proposed requirements are being considered by a city (which they always will because of public hearing requirements for any change), and (under the law) they are exempt from those new requirements if an application is made or a permit obtained, they can repeatedly defeat the city's attempt at regulation. There are two ways to deal with this problem: for the city to put everyone on notice that all applications after a certain date will be subject to the new regulations (as done here), or for the city to declare a moratorium pending adoption of the new regulations. Either avenue is expressly permitted by Maine law, as stated in the Kittery case.

The reason is this. Prohibitions against retroactivity exist to prevent unfairness to project applicants who have invested large sums of money in reliance on the absence of existing regulations, who have no notice of the pending change in the law. Where this substantial investment occurred before any notice of the pending change was given to the public, the developer could legitimately claim surprise and unfairness. (Thus the common law rule, in all states, that "vested rights" (and exemption from regulatory change) require *both* permitting *and* substantial construction.) However, where -- as here -- any applicant for a new homeless shelter is now aware of the pending adoption of licensing standards, any claim of "surprise" or "unfairness" is specious.

Indeed, if applicants could subvert new regulations every time by rushing to file permit applications before the public processes -- necessary for any adoption of new regulations -- are completed, a city would -- by definition -- be powerless to maintain any status quo while the public adoption processes finish.

Murmurings about "best practices" does not change these fundamental rules.

There is an odd twist to this attorney's remarks that I also want to address. It was stated that any licensing should focus on the health and wellbeing of people in the homeless shelters in question, and (impliedly) that consideration of impacts on others are illegitimate. What this kind of thinking ignores is that *all of us are in this together*. City government and its police power do not exist only to protect one segment of the public; they exist to represent the interests of all. Homeless shelters can exist in harmony with neighbors, as some exemplary homeless shelters now operating in Portland prove. Licensing requirements -- as now exist in other Maine cities -- are critical to the creation and maintenance of homeless shelter operations that protect *both* the homeless populations (as opposed to the criminal elements that are attracted to them) and the residential neighbors (generally low-income) that live there.

We have lived at 215 Oxford Street for 13 years. We have employed -- sometimes for years -- people who stayed at the OSS, and become lasting friends with them. I can tell you that they don't want to live in crowded and dangerous conditions, with a gauntlet of drug dealers on the street outside, any more than we do. They don't want to be relegated to sitting on curbs and parking lot barriers, or in a tiny courtyard mere feet from the street -- and being gawked at by people in passing cars. In short, they don't want to be relegated to the kind of place that the "West Bayside ghetto" has become, any more than those who are trying to scratch out an existence living in West Bayside want to live in those conditions.

The City must get control of this homeless situation, for everyone, and on multiple levels. These licensing standards are a tremendous step forward. For the first time, the City will have the legal authority to control

shelter operations and locations for the good of the homeless population and other city residents. Thank you for taking this very critical and important step.

Sincerely,

Laura Underkuffler  
215 Oxford Street

Work:  
J. DuPratt White Professor of Law - Property and Land Use  
Cornell University

---

## Fwd: HHS & PS Committee meeting

1 message

---

**Belinda Ray** <bsr@portlandmaine.gov>  
To: Adam Harr <ash@portlandmaine.gov>

Mon, Mar 15, 2021 at 12:03 PM

Belinda S. Ray (*she / her / hers*)  
City Council, District 1  
389 Congress Street  
Portland, ME 04101  
[BSR@portlandmaine.gov](mailto:BSR@portlandmaine.gov)

Sign up for [my newsletter](#) or visit [my blog](#)!

Please Note: Under Maine law, emails sent or received by public officials or city employees may be classified as public records. There are very few exceptions. As a result, please be advised that what is written in an e-mail could be released to the public and/or the media if requested.

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

From: **K. Scott Morrison** <[kscottmorrison2@gmail.com](mailto:kscottmorrison2@gmail.com)>  
Date: Mon, Mar 8, 2021 at 11:00 AM  
Subject: HHS & PS Committee meeting  
To: <[tchong@portlandmaine.gov](mailto:tchong@portlandmaine.gov)>, <[mdion@portlandmaine.gov](mailto:mdion@portlandmaine.gov)>, <[bsr@portlandmaine.gov](mailto:bsr@portlandmaine.gov)>  
Cc: <[knyder@portlandmaine.gov](mailto:knyder@portlandmaine.gov)>, <[sthibodeau@portlandmaine.gov](mailto:sthibodeau@portlandmaine.gov)>, <[nmm@portlandmaine.gov](mailto:nmm@portlandmaine.gov)>, <[pali@portlandmaine.gov](mailto:pali@portlandmaine.gov)>, <[azarro@portlandmaine.gov](mailto:azarro@portlandmaine.gov)>, <[afournier@portlandmaine.gov](mailto:afournier@portlandmaine.gov)>, <[cityclerk@portlandmaine.gov](mailto:cityclerk@portlandmaine.gov)>

Good day HHS/PS city council committee members,

We've been following with significant interest your work on shelter licensing and small shelter zoning. From our perspective as 11 year Parris Street residents, shelter licensing and zoning is seriously needed and long overdue.

Your draft recommendations affirm our thoughts that the Bayside neighborhood has unfairly become the default Portland neighborhood for shelters and social services. Recommendations for a reasonable 2,500 foot spacing between facilities, and a buffer of no more than 250 beds within a 1 mile radius, are fair to neighborhoods as well as to recipients of shelter services. The recommendation that all shelters have adequate space for people to stay off the street during the day is essential for neighborhood safety.

While you continue your work we request the city council immediately enact a **moratorium** on allowing additional shelters in Bayside. Recent news that the city of Scarborough opened a new shelter managed by our Preble Street Inc. neighbors clearly demonstrates that new shelters can be established outside of Bayside. A moratorium in Bayside will help direct providers to consider other neighborhoods as locations for any needed shelter expansion or relocation. Given the statistics from our Oxford Street shelter, that upwards of 2/3 of that shelter's residents come from outside Portland, it is encouraging to hear that another municipality shares in providing shelter services.

Thank you again for your work and service to our city.

Best regards,

K. Scott and Mary Beth Morrison  
[9 Parris St.](#)

---

## Fwd: In support of Moratorium on emergency shelters in Bayside

1 message

---

Jon Jennings <jpj@portlandmaine.gov>

Mon, Apr 12, 2021 at 12:59 PM

To: Kristen Dow <kjd@portlandmaine.gov>, Adam Harr <ash@portlandmaine.gov>

For backup.

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

From: **Heidi Souerwine** <heidi.souerwine@gmail.com>

Date: Mon, Apr 12, 2021 at 12:55 PM

Subject: In support of Moratorium on emergency shelters in Bayside

To: Kate Snyder <ksnyder@portlandmaine.gov>, Nick Mavodones <nmm@portlandmaine.gov>, Pious Ali <pali@portlandmaine.gov>, <afournier@portlandmaine.gov>, Belinda Ray <bsr@portlandmaine.gov>, <azarro@portlandmaine.gov>, Spencer Thibodeau <sthibodeau@portlandmaine.gov>, Tae Chong <tchong@portlandmaine.gov>, <mdion@portlandmaine.gov>

Cc: Jon Jennings <jpj@portlandmaine.gov>

Mayor Snyder, Councilors:

I know this is a busy week, so I'll be brief: writing in advance of tomorrow's meeting saying I'm in support of a moratorium on emergency shelters in Bayside.

After reading the memo online this weekend it's clear to me that the City should be able to easily and confidently advocate for this. Existing ordinances have already proven to be inadequate to prevent overburdening & public harm, which is why licensing is already in progress. Please allow long-overdue processes and boundaries to be enacted before any future site locations are considered in this already overtapped area.

Thank you for your consideration!

Heidi Souerwine

Mechanic St.

--

Jon P. Jennings

City Manager

City of Portland

389 Congress Street

Portland, ME 04101

(207) 874-8689 Office

(207) 874-8669 Fax

[jpj@portlandmaine.gov](mailto:jpj@portlandmaine.gov)

[www.portlandmaine.gov](http://www.portlandmaine.gov)

---

## Fwd: Moratorium on emergency shelters in Bayside

1 message

---

Jon Jennings <jpj@portlandmaine.gov>

Mon, Apr 12, 2021 at 5:58 PM

To: Adam Harr <ash@portlandmaine.gov>, Christine Grimando <cdg@portlandmaine.gov>, Dena Libner <dlibner@portlandmaine.gov>, Kristen Dow <kjd@portlandmaine.gov>

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

From: **Carolyn Megan** <carolynmegan@gmail.com>

Date: Mon, Apr 12, 2021 at 5:37 PM

Subject: Moratorium on emergency shelters in Bayside

To: Kate Snyder <ksnyder@portlandmaine.gov>, Spencer Thibodeau <sthibodeau@portlandmaine.gov>, Ali Pious <pali@portlandmaine.gov>, Belinda Ray <bsr@portlandmaine.gov>, <afournier@portlandmaine.gov>, <azarro@portlandmaine.gov>, <mdion@portlandmaine.gov>, Nicholas Mavodones <NMM@portlandmaine.gov>, Tae Chong <tchong@portlandmaine.gov>

CC: Jon Jennings <jpj@portlandmaine.gov>

Dear Mayor Snyder and Councilors:

We are writing in support of a moratorium on shelters in Bayside and in support of implementation of the licensing process. As you know, Bayside carries the weight of shelters in the city and simply, neighbors have no way to advocate for themselves without licensing guidelines in place.

Additionally, it is the entire city's challenge and obligation for every neighborhood to support those dealing with housing, substance abuse and/or mental health challenges. A moratorium is fair and just governance to protect and to support all you constituents.

Thank you for your attention and good work,  
Carolyn Megan  
Michael Gelsanliter

Mechanic St  
Bayside

--

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

---

## Fwd: open comment item tonight + CDBG plans

1 message

---

**Kristen Dow** <kjd@portlandmaine.gov>  
To: Adam Harr <ash@portlandmaine.gov>

Wed, Apr 14, 2021 at 11:31 AM

Kristen Dow  
Director of Health & Human Services  
City of Portland  
389 Congress Street  
Portland, ME 04101  
207-874-8633

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

From: **Heidi Souerwine** <heidi.souerwine@gmail.com>  
Date: Tue, Apr 13, 2021 at 6:17 PM  
Subject: open comment item tonight + CDBG plans  
To: Belinda Ray <bsr@portlandmaine.gov>, Tae Chong <tchong@portlandmaine.gov>, <mdion@portlandmaine.gov>  
Cc: Kate Snyder <ksnyder@portlandmaine.gov>, <afournier@portlandmaine.gov>, <azarro@portlandmaine.gov>, Nick Mavodones <nmm@portlandmaine.gov>, Pious Ali <pali@portlandmaine.gov>, Spencer Thibodeau <sthibodeau@portlandmaine.gov>, Kristen Dow <kjd@portlandmaine.gov>

Dear Committee members, Councilors and Mayor Snyder:

Hoping you all are able to see this. I'm a bit shocked with the lack of advanced notice for public comment tonight on an issue that will have **so much impact**. I'm hoping to try to join tonight, AND I'm also **hoping** the City isn't trying to push this through without careful thought. Regardless, I wanted to send some thoughts in writing.

I'm pleased to see the city is finally preparing to discuss a shelter moratorium in Bayside. However I'm still left questioning whether it's understood that what west Bayside needs is **balance**.

I'm concerned about a number of ideas I've seen come out recently that collectively amount to the City doubling down on the environment that created the instability in Bayside this whole time. In considering the proposal to consolidate DHHS operations at 39 Forest, and in reviewing the various elements proposed in the City Manager's CDBG funds allocation, the City would be creating the same situation along Forest Avenue that it created years ago on Portland Street.

With Portland Housing Authority & Maine Needs on Forest, the Deering Oaks gatherings, the proposed "ultra low to no barrier housing services" at Spurwink on Park, a proposed consolidated DHHS at 39 Forest, reintroducing another day space as well - it seems the City is creating another social services corridor in a different area of Bayside. And, on a much busier thoroughfare in the city with existing significant safety issues. With none of the other consolidated services moving.

For those of you that don't live anywhere nearby, the situation in that immediate area has been extremely tenuous at best for the better part of the last two years. Longtime community members, residents, & neighbors on Forest on the block between Park & Cumberland are already leaving their homes, and abandoning their businesses because they can no longer handle the environment. I would urge you all to consider how these plans benefit the fabric of the neighborhood, and whether this would be reasonable anywhere else.

It often feels defeating trying to create a life here. We want to stay, but the panic, urgency, and stress when it feels like no balance is even desired for this neighborhood, is beyond challenging.

Being a public servant is such a hard job, and I do appreciate all of you. I am hopeful for some clarity, and want to encourage thoughtful urban planning.

Thank you,  
Heidi Souerwine (& Jason Tropp)

Mechanic St.

---

## Fwd: Portland Homeless Services (HSSPS 4/13/21)

2 messages

---

**Kristen Dow** <kjd@portlandmaine.gov>  
To: Adam Harr <ash@portlandmaine.gov>

Mon, Apr 12, 2021 at 1:02 PM

For backup.

Kristen Dow  
Director of Health & Human Services  
[City of Portland](#)  
[389 Congress Street](#)  
[Portland, ME 04101](#)  
207-874-8633

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

From: **Jim Hall** <[mtjimhall@gmail.com](mailto:mtjimhall@gmail.com)>  
Date: Sun, Apr 11, 2021 at 8:27 PM  
Subject: Portland Homeless Services (HSSPS 4/13/21)  
To: Tae Chong <[tchong@portlandmaine.gov](mailto:tchong@portlandmaine.gov)>, Belinda Ray <[bsr@portlandmaine.gov](mailto:bsr@portlandmaine.gov)>, Mark Dion <[mdion@portlandmaine.gov](mailto:mdion@portlandmaine.gov)>  
Cc: Kate Snyder <[ksnyder@portlandmaine.gov](mailto:ksnyder@portlandmaine.gov)>, Nicholas Mavodones <[nmm@portlandmaine.gov](mailto:nmm@portlandmaine.gov)>, Pious Ail <[pali@portlandmaine.gov](mailto:pali@portlandmaine.gov)>, April Fournier <[afournier@portlandmaine.gov](mailto:afournier@portlandmaine.gov)>, Spencer Thibodeau <[sthibodeau@portlandmaine.gov](mailto:sthibodeau@portlandmaine.gov)>, Andrew Zarro <[azarro@portlandmaine.gov](mailto:azarro@portlandmaine.gov)>, Jon Jennings <[jjp@portlandmaine.gov](mailto:jjp@portlandmaine.gov)>, Kristen Dow <[kjd@portlandmaine.gov](mailto:kjd@portlandmaine.gov)>, City Clerk <[cityclerk@portlandmaine.gov](mailto:cityclerk@portlandmaine.gov)>

Dear Chair Chong, Councilors Ray and Dion,  
(CC full council, city manager, DHHS director)

Re: Items on HSSPS Committee's 4/13/21 meeting relating to homeless services

### — **DHHS co-location** —

I'm all for consolidation and facility improvements, from the perspective of administrative efficiency, service coordination, and potential program expansion (also the reason I've advocated for the homeless service center currently requesting proposals). The location on Forest between Congress & Cumberland makes a lot of sense – especially regarding the nascent on-peninsula prevention & diversion program.

My only concern is the potential for unfortunate behavior patterns that are well-documented to follow and cluster around such services. I was glad to learn that DHHS proposes to implement community security protocols in use at other locations. To be specific: **I am advocating for the types of street patrols by security professionals, and immediate response to abutter hotline calls, which have been successful at reducing negative impacts on the properties surrounding the OSS.**

### — **Emergency Shelter Moratorium** —

*"... a moratorium on certain emergency shelters is appropriate."*

The month of February placed fully 33% of all Portland's calls for service within the quarter-mile of the Bayside Neighborhood (only a slight increase from our "normal" load). Passively allowing additional high-impact uses in this geographical location would overburden public facilities even more. In January of this year, the reviewing body for



conditional use standards enacted in 2017 found that current code is inadequate to prevent an operator with a miserable history of failing to manage community impacts from introducing new public harm in the affected area (...as Chief Clark testified: “There *will* be new impacts,” and as one board member stated: “This management plan is about as good as the paper it’s printed on”). Although Portland’s accretion of high-impact services over the decades has somehow progressed with no mechanism for municipal governance – I’m grateful that the committee is taking appropriate time to ensure success, therefore **I am advocating for a targeted moratorium to protect the Bayside Neighborhood while deliberations on licensing proceed.** This would be consistent with the Comp Plan requirement to act toward neighborhood equity in sharing both the benefits & costs of the city.

Portland (Bayside) already contributes so much more than its share in this domain, and I’m not convinced this particular municipality needs to encourage more and more “small” shelters to be sited within our boundaries in order to best serve either clients or the larger community. I would also point out that the Maine Statewide Homeless Council’s current strategy posits only 23 net new emergency beds *across the entire state* – instead following Portland’s lead in focusing on diversion, low-income housing development, rapid rehousing, retention, harm reduction, long-term-stayers, etc. In addition, at the federal level HUD Secretary Fudge has I stated that “Shelters are not the answer”. It’s worth noting that she calls out hotel use similar to temporary GA placement as a way to provide a more private and safe option than congregate settings.

I do hope that the modernization of Portland’s Regional Homeless Service Center will proceed with haste (and that LD-175 bond may eventually help defray funding), as we cannot close shelters before other programs effectively reduce need, and the region’s current facilities are woefully inadequate. I also support the model of a central intake triage collaborating with satellite specialists. But given the history and unfolding events, it could actually be appropriate to pause new shelter applications city-wide.

#### **— Licensing Reporting Requirements —**

**A way to track neighborhood concerns and resolution is CRITICAL** to the success of any new shelter application. If this is not required in the reporting section, it *must* be included via some other mechanism. Information about community meetings attended is less useful, at least in the case of one operator that has proven hostile to its host neighborhood. I feel that it’s important to track CTO reason and recidivism – though I agree with Councilor Dion that this portion of the report could be provided to the operator by the Police Department (thereby removing any hardship around new requirements).

Thank you for your continued important work,  
Jim Hall  
Cedar St

—

Maine Statewide Homeless Council Analysis  
<http://www.mainehomelessplanning.org/wp-content/uploads/2021/03/CSH-Maine-Data-Analysis-for-SHC-2021-03-09.pdf>

HUD Secretary quote  
<https://www.washingtonpost.com/us-policy/2021/04/08/homeless-hud-marcia-fudge/>

American Rescue Plan Act HOME Supplemental Allocations  
("The first of two funding streams to address homelessness in the American Rescue Plan.")  
<https://www.hud.gov/sites/dfiles/CPD/documents/HOME-ARP.pdf>

|                    |              |
|--------------------|--------------|
| ME Non Entitlement | \$15,685,918 |
| CNSRT-Auburn       | \$ 1,700,829 |
| CNSRT-Portland     | \$ 3,594,143 |

LD 175 An Act To Authorize a General Fund Bond Issue To Create and Enhance Regional Homeless Shelters  
<https://trackbill.com/bill/maine-legislative-document-175-an-act-to-authorize-a-general-fund-bond-issue-to-create-and-enhance-regional-homeless-shelters/1993678/>

**Jon Jennings** <jpj@portlandmaine.gov>

To: Kristen Dow <kjd@portlandmaine.gov>, Adam Harr <ash@portlandmaine.gov>

Mon, Apr 12, 2021 at 2:01 PM

Backup.

[Quoted text hidden]

--

Jon P. Jennings

City Manager

[City of Portland](#)

[389 Congress Street](#)

[Portland, ME 04101](#)

(207) 874-8689 Office

(207) 874-8669 Fax

[jpj@portlandmaine.gov](mailto:jpj@portlandmaine.gov)

[www.portlandmaine.gov](http://www.portlandmaine.gov)

---

## Fwd: Shelter Licensing & Zoning

1 message

---

**Belinda Ray** <bsr@portlandmaine.gov>  
To: Adam Harr <ash@portlandmaine.gov>

Mon, Mar 15, 2021 at 11:58 AM

Belinda S. Ray (*she / her / hers*)  
City Council, District 1  
389 Congress Street  
Portland, ME 04101  
[BSR@portlandmaine.gov](mailto:BSR@portlandmaine.gov)

Sign up for [my newsletter](#) or visit [my blog](#)!

Please Note: Under Maine law, emails sent or received by public officials or city employees may be classified as public records. There are very few exceptions. As a result, please be advised that what is written in an e-mail could be released to the public and/or the media if requested.

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

From: **Jim Hall** <[mtjimhall@gmail.com](mailto:mtjimhall@gmail.com)>

Date: Sun, Mar 7, 2021 at 10:12 PM

Subject: Re: Shelter Licensing & Zoning

To: Tae Chong <[tchong@portlandmaine.gov](mailto:tchong@portlandmaine.gov)>, Belinda Ray <[bsr@portlandmaine.gov](mailto:bsr@portlandmaine.gov)>, Mark Dion <[mdion@portlandmaine.gov](mailto:mdion@portlandmaine.gov)>

Cc: Kate Snyder <[ksnyder@portlandmaine.gov](mailto:ksnyder@portlandmaine.gov)>, Nicholas Mavodones <[nmm@portlandmaine.gov](mailto:nmm@portlandmaine.gov)>, Pious Ail <[pali@portlandmaine.gov](mailto:pali@portlandmaine.gov)>, April Fournier <[afournier@portlandmaine.gov](mailto:afournier@portlandmaine.gov)>, Spencer Thibodeau <[sthibodeau@portlandmaine.gov](mailto:sthibodeau@portlandmaine.gov)>, Andrew Zarro <[azarro@portlandmaine.gov](mailto:azarro@portlandmaine.gov)>, Jon Jennings <[jpj@portlandmaine.gov](mailto:jpj@portlandmaine.gov)>, Kristen Dow <[kjd@portlandmaine.gov](mailto:kjd@portlandmaine.gov)>, Christine Grimando <[cdg@portlandmaine.gov](mailto:cdg@portlandmaine.gov)>, Jessica Hanscombe <[jhanscombe@portlandmaine.gov](mailto:jhanscombe@portlandmaine.gov)>, Frank Clark <[fclark@portlandmaine.gov](mailto:fclark@portlandmaine.gov)>, Rich Bianculli <[richb@portlandmaine.gov](mailto:richb@portlandmaine.gov)>, Jonathan Sahrbeck <[sahrbeck@cumberlandcounty.org](mailto:sahrbeck@cumberlandcounty.org)>, <[cityclerk@portlandmaine.gov](mailto:cityclerk@portlandmaine.gov)>

Dear HSSPS Chair Chong, Councilors Ray and Dion,

Re: Shelter Licensing & Zoning

Thanks for continuing to prioritize management of the emergency system Portland provides for the region. I'm glad to see baby steps toward county participation in their allocation of federal funds for a resettlement coordinator. And I'd like to applaud the ways staff are clearly taking to heart the public desire for better engagement and transparency, without creating inordinate delay.

Previously I've made blanket statements on the need for proactive community protections, but considering good actors like Milestone and Through These Doors, I now feel that licensing instead needs to include strong mechanisms to detect and control any specific cases where the operator needs to be compelled to respect their neighbors. It's clearly possible to manage a shelter without pissing off your community. The city shelter has also demonstrated that an honest partner can improve relations after letting impacts get out of hand. But not all actors in this space behave appropriately of their own accord.

I urge the HSSPS committee to recommend a narrow moratorium on new Bayside shelters in particular. The Bayside neighborhood needs more targeted protection than licensing can provide, and requires active healing medicine, not just passive "organic" growth. The so-called neighborhood vision of 20 years ago died on the vine, and this neighborhood is frankly still being abused. Was it right to cram the latest new, permanent emergency shelter into Bayside? Well, it technically met code, and apparently wider neighborhood context is out of scope for reviewing authorities. That leaves the city council as the only body that can produce any kind of holistic oversight.

As to more specific licensing solutions:

- Please consider a sunset provision for grandfathered operations. You've arrived at best practices with thorough research and collaboration, and it would be negligent to allow non-compliance in perpetuity just because a shelter already set up shop.
- The narrative that the proposed licensing language is too focused on neighbors is ridiculous. In the "Requirements" section (h)(vii)(6) is more explicit about internal emergency response than anything to do with community protections. The city shelter's own management model secures residential streets in an appropriate radius, and I'd like to see an explicit requirement to require this at other shelters when necessary. The phrase "around the facility" in (h)(vii)(5) appears similar to conditional use language denoting impact on "surrounding properties", which both planning and zoning have said limits their scope of consideration to abutting buildings, not overall neighborhood impacts. That wider context matters and must be considered at some stage.
- "Review Procedures" (c), (d) and (f) describe protocols only when the City Council reviews; shouldn't these include Permitting and Inspections as well?
- The current language regarding waivers for separate day space could effectively double the number of allowable shelters in a given buffer, and re-create the kind of neighborhood foot traffic that has proved so disastrous in Bayside.
- Removing metro proximity is an improvement that allows for creative strategies to help guests utilize transit in additional areas.
- Please define the domestic violence waiver better. Surely someone must review site plans, safe bed counts and such. The current language appears to give permission to site new shelters without allowing any determination of appropriate facilities. A clause calling for something like executive session seems more appropriate than an outright exemption.
- There are areas where code still needs rationalizing between shelter-specific conditional use standards and licensing. Some examples:
  - Sight-line requirements in conditional use would disallow a dorm/apartment style layout, but it's mentioned twice in licensing.
  - Buffers and densities should be described in shelter conditional use standards (e.g. see ch.14–6.5.6.K.1)
  - Conditional standards still include the loophole allowing zero day space within 1/4 mile of metro.
  - A specific amendment to January's conditional use approval required an advisory panel, and the approved plan included a 24-hour abutter hotline – while licensing requires a named community liaison – all good ideas, but not consistently applied.
  - Some conditional use requirements need clearer definition – for instance what constitutes adequate central office, sight-lines, onsite services & amenities, and day space. Preble Street's 5 Portland Street shelter was allowed to invent definitions that fit their plans, not the other way around, so it seems the current code doesn't produce the intended governance outcome. (... etc...)

I'll close by saying I'm proud of the way this city takes on more than our share when we see a regional problem that needs fixing. I'm grateful for specific attempts to correct previous failures of governance. And I can see that the HHSPS committee is committed to getting this right, and doing so in as timely a manner as possible.

Thanks,  
Jim Hall  
Cedar St

On Feb 8, 2021, at 9:45 PM, Jim Hall <[mtjimhall@gmail.com](mailto:mtjimhall@gmail.com)> wrote:

To HSSPS Chair Chong, Councilors Ray and Dion,

Re: Shelter Licensing

Thank you for continuing to prioritize emergency shelter management. I'm glad to see some urgency now to complete the city's toolkit for overseeing this type of important but high-impact use.

After looking at the proposed ordinance, I have some concerns, comments, questions. I've attached a "redline" version I put together comparing last month's draft since one was not provided.

- **RENEWAL:** Under "Expiration Date"—Is "July 1" an example date, or intended as the actual ordinance (i.e. indicating that all shelters must renew by July 1st each year)? The first draft spelled out "Twelve Months" expiration. Please ensure that code does explicitly require yearly renewal.
- **PUBLIC HEARING:** Please consider requiring public hearing on renewal, not just initial application.
- **TIMING:** There are currently two dates affecting grandfathered locations – in "Licensing Requirements" (b) and "Performance Standards" (f) & (g). My reading is that a shelter use with all permits in hand as of Jan 31 but not technically "*in operation*" as of the effective date would simply need to obtain its initial license at a future date before they could begin operating. Please just make sure there's no loophole created.
- **GRANDFATHERING:** Some but not all of the language regarding shelter-specific conditional use standards is duplicated in this licensing ordinance ("management plan" etc) – but some existing shelters will have other requirements waived (e.g. to provide central office, sight lines, onsite services & amenities). I ask you to ensure that all relevant *operational* requirements *are* applied, even to grandfathered locations.
- **SUNSET:** Please consider a "sunset" for grandfathering, giving prior operations something like 5-10 years to meet ALL conditional use and licensing standards, else relocate to make all code requirements possible. There should not be an option for an inadequate facility to continue operating in perpetuity.
- **ZONING:** It would be appropriate at this time to openly acknowledge that the city is allowing (and operating) illegally zoned shelters, and lay out exactly how / when those need to come up to code.

- **AMENDMENTS:** Last month's planning approval for 5 Portland Street added several amendments creating additional conditions to the permit. and it's worth considering which of these should actually be permanent conditions. Some portion of code should definitely require a maximum allowable capacity both in terms of persons served and space used to be *set in writing*. Most of the monitoring metrics suggested by DHHS have been included in this licensing proposal, which makes conditional use language outdated.
- **ADVISORY PANEL:** This licensing proposal includes a requirement to meet monthly with neighbors – but an advisory panel with a broader array of stakeholders is a more beneficial forum. We have evidence that mere attendance at neighborhood meetings is not adequate to resolving concerns.
- **PUBLIC REPORTS:** There should be a requirement that monitoring reports be made publicly available on the operator's website.
- **CODE LANGUAGE:** I am of the opinion that the approved management plan for 5 Portland did not adequately meet code requirements in several ways - no centralized office; staff workstations will not provide sight lines to all sleeping areas; the only services actually offered "on site" will be case management and housing assistance; there is not a kitchen or pantry "for guests" (only separate production operations that will deliver meals); etc etc... Please consider whether that language needs to be clarified to better instruct the reviewing body as to intention of the law, or to spell out minimum allowable thresholds.
- **DAY SPACE:** Requirements for indoor day space should be tightened up. The current conditional use language has been copied to this licensing proposal, allowing shelters within 1/4 mile of a METRO line to ignore the need for day shelter space. Shelters with no day space force clients out into the neighborhood, and are not considered a best practice. Please consider striking the "*within 1/4 mile OR*" clause entirely – i.e. simply require all new emergency shelters to be located within 1/2 mile of metro AND provide day space AND draw up transit strategies. This is better for clients and for neighborhoods.
- **COMMUNITY PROTECTIONS:** The community must be ACTIVELY protected. Waiting for renewal to count complaints against an unspecified threshold next year is not enough. The proposed licensing language does at least mention things like "security plan", and reducing crime "around" the facility. Please explicitly require *preemptive prevention* of the right kind of neighborhood impacts, not just vague review of an undefined security plan. The proposed licensing language clearly lists many explicit requirements for *internal* safety – it needs to also include equally explicit *community* safety requirements. Please require active mitigation of known community impacts. This is especially important given the overall plan to expand small shelter zoning, which may site future emergency shelters in close proximity to residential homes.
- **THRESHOLDS:** The language around department review removed any mention of appropriate number of calls for service, public safety hazard, or life safety – despite requests from councilors to provide more definition in these areas. In my opinion this can and should operate similarly to the existing "disorderly house" ordinance. Please determine what a reasonable threshold is, enforce penalties, require oversight when necessary, and ultimately revoke the license if a shelter is unable to operate safely at the given location and capacity.

- **SUB-POPULATION:** I'm glad to see applicants will be required to describe the intended population. This language should be stronger to align with city policy and plans. Please require that intake *only* be allowed via the city's central system. I would also suggest any proposed shelter prove it will fill a gap in the existing system. Emergency shelter should not be a "competitive" business; all parties must submit to the fact that this municipality is overseeing a complex system, and has the right and responsibility to manage it appropriately.
- **STANDARDS:** This licensing proposal includes items such as requirements for crime prevention by environmental design; community relations liaison; emergency contact; emergency response protocols, etc. – which need to be included in the conditional use standards.
- **INSPECTIONS:** Last month's minutes show councilors requested that inspections should happen more than twice a year, and that there should be a method of overseeing city operations, but the new language doesn't describe this. Please consider filling this in.
- **ENFORCEMENT:** Generally, this city needs to correct course from a history of failure to actively enforce existing laws surrounding homeless services. Chapter 15.8 is largely reactive unless there is immediate danger of irrevocable harm (I would submit that in many ways irrevocable harm has already been created in the Bayside Neighborhood). The more explicit licensing can be about ways that applicants must *reduce and prevent* known adverse effects, the better.

I'm very hopeful that the full council will soon pass really strong and durable licensing that protects everyone involved – clients, staff, and the host community. I'm also hopeful that the current council & city staff may find ways to encourage other municipalities, regional bodies, the state, and even federal actors, to participate more actively. Many thanks to you and everyone in this city who goes above and beyond to provide regional services, and to ensure they are managed well.

Sincerely,  
Jim Hall  
Cedar St Portland

<Shelter Licensing - ANNOTATED.pdf>

---

## Fwd: Shelter licensing

1 message

---

**Belinda Ray** <bsr@portlandmaine.gov>  
To: Adam Harr <ash@portlandmaine.gov>

Mon, Mar 15, 2021 at 11:59 AM

Belinda S. Ray (*she / her / hers*)  
City Council, District 1  
[389 Congress Street](#)  
[Portland, ME 04101](#)  
[BSR@portlandmaine.gov](mailto:BSR@portlandmaine.gov)

Sign up for [my newsletter](#) or visit [my blog](#)!

Please Note: Under Maine law, emails sent or received by public officials or city employees may be classified as public records. There are very few exceptions. As a result, please be advised that what is written in an e-mail could be released to the public and/or the media if requested.

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

From: **Carolyn Megan** <[carolynmegan@gmail.com](mailto:carolynmegan@gmail.com)>

Date: Tue, Mar 9, 2021 at 11:21 AM

Subject: Shelter licensing

To: Tae Chong <[tchong@portlandmaine.gov](mailto:tchong@portlandmaine.gov)>, <[mdion@portlandmaine.gov](mailto:mdion@portlandmaine.gov)>, Belinda Ray <[bsr@portlandmaine.gov](mailto:bsr@portlandmaine.gov)>, Spencer Thibodeau <[sthibodeau@portlandmaine.gov](mailto:sthibodeau@portlandmaine.gov)>, Ali Pious <[pali@portlandmaine.gov](mailto:pali@portlandmaine.gov)>, Nicholas Mavodones <[nmm@portlandmaine.gov](mailto:nmm@portlandmaine.gov)>, <[afournier@portlandmaine.gov](mailto:afournier@portlandmaine.gov)>, <[azarro@portlandmaine.gov](mailto:azarro@portlandmaine.gov)>, Jon Jennings <[jpj@portlandmaine.gov](mailto:jpj@portlandmaine.gov)>, Frank Clark <[fclark@portlandmaine.gov](mailto:fclark@portlandmaine.gov)>, Kristen Dow <[kjd@portlandmaine.gov](mailto:kjd@portlandmaine.gov)>, Kate Snyder <[ksnyder@portlandmaine.gov](mailto:ksnyder@portlandmaine.gov)>

Dear Councilors Chong, Dion and Ray:

Thank you for the time and care you have brought to the discussion of licensing shelters in Portland. This work and conversation is long overdue and is crucial for the well-being of both shelters and the neighborhoods in which they are situated. As there is no recourse for residents to be heard in expressing concerns about shelters' impact on neighborhoods, your work is timely and much needed. Additionally, the work underscores the larger visioning for how the city as whole - each neighborhood - can address issues of homelessness.

As an extension of this work, I ask that you urge the City Council to place a moratorium on any new shelters in Bayside until the city can best address Portland's shelter system as a whole.

No doubt there are difficult conversations ahead but this work is a good first start.

Thank you,  
Carolyn Megan



---

## Fwd: Shelter Licensing

1 message

---

**Belinda Ray** <bsr@portlandmaine.gov>  
To: Adam Harr <ash@portlandmaine.gov>

Mon, Mar 15, 2021 at 12:04 PM

Belinda S. Ray (*she / her / hers*)  
City Council, District 1  
[389 Congress Street](#)  
Portland, ME 04101  
[BSR@portlandmaine.gov](mailto:BSR@portlandmaine.gov)

Sign up for [my newsletter](#) or visit [my blog](#)!

Please Note: Under Maine law, emails sent or received by public officials or city employees may be classified as public records. There are very few exceptions. As a result, please be advised that what is written in an e-mail could be released to the public and/or the media if requested.

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

From: **Michael Gelsanliter** <[mrgelsanliter@gmail.com](mailto:mrgelsanliter@gmail.com)>

Date: Tue, Mar 9, 2021 at 8:36 AM

Subject: Shelter Licensing

To: <[mdion@portlandmaine.gov](mailto:mdion@portlandmaine.gov)>, Belinda Ray <[bsr@portlandmaine.gov](mailto:bsr@portlandmaine.gov)>, Spencer Thibodeau <[sthibodeau@portlandmaine.gov](mailto:sthibodeau@portlandmaine.gov)>, Ali Pious <[pali@portlandmaine.gov](mailto:pali@portlandmaine.gov)>, Nicholas Mavodones <[nmm@portlandmaine.gov](mailto:nmm@portlandmaine.gov)>, <[afournier@portlandmaine.gov](mailto:afournier@portlandmaine.gov)>, <[azarro@portlandmaine.gov](mailto:azarro@portlandmaine.gov)>, Jon Jennings <[jjp@portlandmaine.gov](mailto:jjp@portlandmaine.gov)>, Frank Clark <[fclark@portlandmaine.gov](mailto:fclark@portlandmaine.gov)>, Kristen Dow <[kjd@portlandmaine.gov](mailto:kjd@portlandmaine.gov)>, <[ksnyder@portlandmaine.gov](mailto:ksnyder@portlandmaine.gov)>, <[tchong@portlandmaine.gov](mailto:tchong@portlandmaine.gov)>

Dear Councilors and Mayor Synder,

Please justly consider a moratorium on additional new shelters in Bayside until adequate time can be given to study how shelters can best serve the greater Portland community.

The effort, time and energy should not be spent on another new Bayside Shelter when we just had one approved. In good conscience shouldn't the location of additional new shelters be more equitable around the city.

Thank you for your consideration and all your hard work,

Sincerely,

Michael Gelsanliter  
32 Mechanic Street

---

## Fwd: Shelter spacing recommendations

1 message

---

**Kristen Dow** <kjd@portlandmaine.gov>  
To: Adam Harr <ash@portlandmaine.gov>

Sun, May 9, 2021 at 3:56 PM

For backup

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

From: **Sarah Michniewicz** <sarahmichniewicz@me.com>

Date: Sun, May 9, 2021 at 2:55 PM

Subject: Shelter spacing recommendations

To: Tae Chong <tchong@portlandmaine.gov>, <mdion@portlandmaine.gov>, Belinda Ray <bsr@portlandmaine.gov>

CC: Kristen Dow <kjd@portlandmaine.gov>, Christine Grimando <cdg@portlandmaine.gov>, Jon Jennings

<jpj@portlandmaine.gov>, Frank Clark <fclark@portlandmaine.gov>

Hello Chair Chong, Councilor Dion and Councilor Ray,

I'm writing in regards to the updated emergency shelter licensing recommendations and buffer/spacing suggestions. The recommendation for no more than 250 beds in a 1 mile radius makes good sense and I'm pleased that's been supported even though Bayside will still be far over that limit for the foreseeable future.

However I don't understand how staff came to recommend a mere 500' between any two shelters. This is actually a little /ess than the current spacing between the Oxford Street Shelter/Family shelter area and Preble Street's teen shelter/5 Portland Street shelter area (formerly consistency utilized as 75 bed overflow site). All evidence points to that being far too dense for one area, as the memo for the shelter moratorium illustrates in detail. Please ask staff to explain this recommendation.

The rationale given in the memo is that 500' is sort of a default setting - it's the maximum buffer used in the City for a potentially high-impact use. But requiring *any* spacing or buffer for a given use means implicitly that there's something unique about that use that's known to cause, or suspected to cause, excessive impact. So for the 500' spacing recommendation to have any meaning staff must be able to articulate a relationship between impacts of an emergency shelter and, in the example staff gives, a marijuana business.

Additionally, this spacing recommendation has to be considered in the context of LD 1478, the proposed legislation that would legalize the behaviors that are at the heart of the disorder and police calls for service in Bayside. Though the requirement that shelters have adequate day space will certainly be helpful in regards to loitering and other concerns, it's a fact that people will continue to use the public space to engage in behaviors prohibited at shelters. 500' spacing will do next to nothing to prevent any one area from carrying an undue burden, even less so should this bill pass.

Based on what's known about the impacts of current shelter spacing and shelter demographic overlap (families, teens and adults all sheltered in one area), the spacing required in this licensing should be at least 1000', preferably 1200'-1500' in order to reflect current understanding of impacts and support the City's overall goals as an equitable provider of emergency shelter.

As to the rest of the licensing recommendations I'm pleased to see they have continued to be strong and clear. There is one worrying clause though:

Performance Standards, section e) *The facility must provide indoor space to permit shelter guests day shelter. If it would cause the shelter an undue burden to provide the indoor, the shelter may apply for a waiver of this requirement if they are able to provide alternative indoor day shelter space within ¼ mile of the shelter.*

- Please *only* make this waiver available to existing shelters. Allowing new, planned shelters this option of a "campus" approach conflicts with conditional use standards and best practices for emergency shelters, and

undermines the intent of this licensing. On multiple occasions councilors and staff have underscored the folly of pushing people out in the morning and lining them up again at night to get back in, citing it as one of the main factors contributing to the disorder and friction in Bayside. A standard that prevents that scenario shouldn't be considered an undue burden.

- Also, consider amending this section to clarify that any such alternative indoor day shelter space allowed by this waiver is subject to the licensing standards governing operations of the main overnight shelter.

Please also consider making the Pre-existing Shelters section clearer. The goal, as I understand it, is to allow shelters operating or permitted to operate as of Jan 31 2021 to maintain their standing; and to prohibit additional shelters, or relocations, or expansion of existing shelters in excess of the licensing's buffer and spacing requirements. However as written the language in this section is difficult to parse.

Thank you, I appreciate your careful attention to this important matter.

Sarah Michniewicz  
Cedar Street

--

Kristen Dow  
Director of Health & Human Services  
[City of Portland](#)  
[389 Congress Street](#)  
[Portland, ME 04101](#)  
207-874-8633

---

## Fwd: tonight's discussion - emergency shelter licensing

1 message

---

**Belinda Ray** <bsr@portlandmaine.gov>  
To: Adam Harr <ash@portlandmaine.gov>

Mon, Mar 15, 2021 at 11:59 AM

Belinda S. Ray (*she / her / hers*)  
City Council, District 1  
389 Congress Street  
Portland, ME 04101  
[BSR@portlandmaine.gov](mailto:BSR@portlandmaine.gov)

Sign up for [my newsletter](#) or visit [my blog](#)!

Please Note: Under Maine law, emails sent or received by public officials or city employees may be classified as public records. There are very few exceptions. As a result, please be advised that what is written in an e-mail could be released to the public and/or the media if requested.

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

From: **Heidi Souerwine** <[heidi.souerwine@gmail.com](mailto:heidi.souerwine@gmail.com)>

Date: Tue, Mar 9, 2021 at 3:54 PM

Subject: tonight's discussion - emergency shelter licensing

To: Tae Chong <[tchong@portlandmaine.gov](mailto:tchong@portlandmaine.gov)>, <[mdion@portlandmaine.gov](mailto:mdion@portlandmaine.gov)>, Belinda Ray <[bsr@portlandmaine.gov](mailto:bsr@portlandmaine.gov)>

Cc: Kate Snyder <[ksnyder@portlandmaine.gov](mailto:ksnyder@portlandmaine.gov)>, Spencer Thibodeau <[sthibodeau@portlandmaine.gov](mailto:sthibodeau@portlandmaine.gov)>, Ali Pious <[pali@portlandmaine.gov](mailto:pali@portlandmaine.gov)>, Nicholas Mavodones <[nmm@portlandmaine.gov](mailto:nmm@portlandmaine.gov)>, <[afournier@portlandmaine.gov](mailto:afournier@portlandmaine.gov)>, <[azarro@portlandmaine.gov](mailto:azarro@portlandmaine.gov)>, Jon Jennings <[jpj@portlandmaine.gov](mailto:jpj@portlandmaine.gov)>, Frank Clark <[fclark@portlandmaine.gov](mailto:fclark@portlandmaine.gov)>, Kristen Dow <[kjd@portlandmaine.gov](mailto:kjd@portlandmaine.gov)>

Dear HHS Committee members and Councilors,

Thank you for the continued discussion, consideration of, and movement forward on our city's shelter regulations. I've been encouraged by thoughtful questions during the committee's dialogue on this topic over the past several months. It's complicated, and I know these topics are especially challenging in our current climate, so I thank you for your continued engagement, and desire for alignment.

I write in support of the more thoughtful shelter licensing and zoning policies under discussion. I think these policies help move away from the dense concentration of social services that has neither benefited individuals experiencing homelessness, nor the neighbors who wish to be in community with them.

I encourage you to take action on shelter licensing at the meeting tomorrow, and send it to the full Council. In the documents posted online I see many things I support that will be crucial to building public understanding and support for shelters around our city, and, are normal parts of licensing and zoning regulations:

1. a buffer of no more than 250 beds within a 1 mile radius.
2. spacing of 2500 feet between facilities.
3. requirement that all shelters must have adequate space for people ONSITE to be able to stay off the street during the day.
  1. I see waivers have been suggested, and I would STRONGLY recommend finding a way to limit those. Otherwise, we're setting up a scenario of ping-ponging vulnerable people between spaces, again, which goes against best practices to serve these individuals and help them overcome permanent homelessness.

However, there's one thing I don't see yet that is CRITICAL: strict rules preventing institutions from undermining this process and skirting the policies in progress:

**a moratorium on any new shelters in Bayside.**

Why is this so important? As you all know, one shelter has already been added to Bayside, bringing our tiny half of this neighborhood up to 451 beds within the suggested 1 mile radius. That's almost as many beds OVER (201) the suggested maximum of 250.

The City was able to do something similar for development in Munjoy Hill. Doing so right can only help you, our Council, serve our City better in making sound, thoughtful policy decisions by looking at a complete picture, absent of counterproductive pieces running in parallel.

If the City staff are recommending that before further action is taken, [outreach](#) should be conducted with neighborhood associations and shelter providers to get feedback and information (GREAT idea, wish our neighborhood had this), AND they are also recommending [community surveys](#) be conducted to hear what people think about small shelter zoning, allowing other things to proceed in tandem will undermine these efforts. and the transparency I know you all strive for.

Thank you for your diligent work, and I look forward to the discussion this evening.

Heidi Souerwine  
Mechanic St.



Dena Libner &lt;dlibner@portlandmaine.gov&gt;

---

**Fwd: Bayside Shelter Moratorium**

1 message

---

**Jon Jennings** <jpj@portlandmaine.gov>  
To: Dena Libner <dlibner@portlandmaine.gov>

Mon, May 17, 2021 at 8:43 AM

Backup

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

From: **K. Scott Morrison** <kscottmorrison2@gmail.com>

Date: Sat, May 15, 2021 at 5:15 PM

Subject: Bayside Shelter Moratorium

To: [ksnyder@portlandmaine.gov](mailto:ksnyder@portlandmaine.gov) <[ksnyder@portlandmaine.gov](mailto:ksnyder@portlandmaine.gov)>CC: Mary Beth Morrison <[mbkmartist312@gmail.com](mailto:mbkmartist312@gmail.com)>, <[cityclerk@portlandmaine.gov](mailto:cityclerk@portlandmaine.gov)>, <[jpj@portlandmaine.gov](mailto:jpj@portlandmaine.gov)>

Greetings Mayor Kate,

We're writing to ask for your support for the Bayside shelter moratorium as passed unanimously by the council's Health & Human Services and Public Safety committee.

As 11 year residents of Parris St. it's clear to us there is an inequity in our city in that our Bayside neighborhood hosts 82%+ of the city homeless shelter beds. The city's vision statement in the 'Equitable' section specifies "The benefits and costs of our city will be borne fairly across the entire city". While we appreciate and support Portland's public and private efforts to help people in need it is reasonable and fair that other neighborhoods host and directly support these efforts also.

This moratorium is needed at least until shelter licensing can be enacted that will ensure the entire community's needs are considered when siting and operating shelters.

We'd welcome your thoughts on the moratorium proposal.

Thank you and best regards,

K. Scott Morrison

Mary Beth Morrison

[9 Parris St.](#)Sent from [Mail](#) for Windows 10

--

5/17/2021

City of Portland Mail - Fwd: Bayside Shelter Moratorium

Jon P. Jennings, MPA  
City Manager  
[City of Portland](#)  
[389 Congress Street](#)  
[Portland, ME 04101](#)  
(207) 874-8689 Office  
[jjp@portlandmaine.gov](mailto:jjp@portlandmaine.gov)  
[www.portlandmaine.gov](http://www.portlandmaine.gov)



Dena Libner &lt;dlibner@portlandmaine.gov&gt;

## Fwd: Shelter moratorium support

1 message

Jon Jennings <jpj@portlandmaine.gov>  
To: Dena Libner <dlibner@portlandmaine.gov>

Mon, May 17, 2021 at 8:44 AM

Backup

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

From: **Sarah Michniewicz** <sarahmichniewicz@me.com>  
Date: Sat, May 15, 2021 at 1:03 PM  
Subject: Shelter moratorium support  
To: Kate Snyder <ksnyder@portlandmaine.gov>, <mdion@portlandmaine.gov>, Tae Chong <tchong@portlandmaine.gov>, Belinda Ray <bsr@portlandmaine.gov>, Nicholas Mavodones <nmm@portlandmaine.gov>, Ali Pious <pali@portlandmaine.gov>, <afournier@portlandmaine.gov>, <azarro@portlandmaine.gov>, Spencer Thibodeau <sthibodeau@portlandmaine.gov>  
CC: Kristen Dow <kjd@portlandmaine.gov>, Frank Clark <fclark@portlandmaine.gov>, Jon Jennings <jpj@portlandmaine.gov>, <cityclerk@portlandmaine.gov>

To Mayor Snyder and Members of the City Council,

I don't know if you've read the [Maine Voices column](#) by Mark Swann that was published in today's Portland Press Herald.

There are a lot of unsettling misrepresentations and many of the criticisms seem targeted at the thorough work the HHS & PS committee has done in relation to the moratorium. In particular the phrase *"Just pointing fingers at the state or the federal government, or trying to shame other communities for inaction, will do nothing more than maintain the status quo"* seemed intended to undercut Councilor Chong's ongoing efforts to create a broader context for the amount of responsibility that's been forced onto Portland.

There's also an implication that the committee and the rest of the council are fundamentally unqualified to make decisions on this topic, and that support of a moratorium would be "classist and racist."

You may also be aware of an email appeal for anti-moratorium letters that, like this morning's column, wrongly implies the moratorium would stop all shelters, everywhere, and that the City was somehow trying to sneak the vote into the Monday Council meeting to intentionally harm struggling people (*"It also can't go unnoticed that a Monday vote impacting people experiencing homelessness, local service providers, and the public health of our community is being announced on a Friday afternoon."*).

I find these tactics incredibly divisive and unproductive, and it's disturbing that these are the conclusions some people are drawing from what should be an uncontroversial quest to create both city-wide/neighborhood equity and general standards for safe and effective emergency shelters.

Please take pushback against the moratorium for what it is – fear of change, and evidence that without the moratorium more shelters will probably be squeezed into Bayside, the one neighborhood that shouldn't be asked to carry more of that weight. Mr Swann's call for "four new shelters in and around Portland," while simultaneously refusing to consider Bayside off-limits, should make that intention clear.

Once again, I deeply appreciate the HHS & PS and City staff's response to the moratorium request, and I hope everyone on the council will give it the same thoughtful consideration. I hope councilors who may have less historical understanding of why the moratorium is necessary and urgent will reach out to other councilors and City staff for more information.

Thank you,



5/17/2021

City of Portland Mail - Fwd: Shelter moratorium support

Sarah Michniewicz  
Cedar Street

--

Jon P. Jennings, MPA  
City Manager  
[City of Portland](#)  
[389 Congress Street](#)  
[Portland, ME 04101](#)  
(207) 874-8689 Office  
[jpj@portlandmaine.gov](mailto:jpj@portlandmaine.gov)  
[www.portlandmaine.gov](http://www.portlandmaine.gov)



Dena Libner &lt;dlibner@portlandmaine.gov&gt;

## Fwd: Shelter Moratorium

1 message

Jon Jennings <jpj@portlandmaine.gov>  
To: Dena Libner <dlibner@portlandmaine.gov>

Mon, May 17, 2021 at 8:45 AM

Backup

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

From: **Anne Pringle** <oldmayor@maine.rr.com>

Date: Sat, May 15, 2021 at 9:02 AM

Subject: Shelter Moratorium

To: Mavodones, Nick <nmm@portlandmaine.gov>, Ray, Belinda <bsr@portlandmaine.gov>, Snyder, Kate <ksnyder@portlandmaine.gov>, Chong, Tae <tchong@portlandmaine.gov>, Ali, Pious <pali@portlandmaine.gov>, Thibodeau, Spencer <sthibodeau@portlandmaine.gov>, Fournier, April <afournier@portlandmaine.gov>, Dion, Mark <mdion@portlandmaine.gov>, Zarro, Andrew <Azarro@portlandmaine.gov>

CC: Jennings, Jon <jpj@portlandmaine.gov>, Dow, Kristen <kjd@portlandmaine.gov>, Clark, Frank <fclark@portlandmaine.gov>

Mayor Snyder and members of the Council,

Predictably, Preble Street opposes a six-month moratorium on new shelters in Bayside, to provide time for the Council to consider shelter licensing requirements and zoning changes.

In an op ed in today's Portland Press Herald, Mark Swann cites the need for "at least four" new shelters and "at least six new housing first apartments" "in and **around Portland**" (emphasis added).

Two things:

~~By opposing this moratorium, I can only assume that Preble Street is planning one or more new facilities in the affected area, notwithstanding the demonstrated concentration already present. All the more reason to take a breather. The State's Homeless System Redesign recommendations are due out early this summer. I and others have been monitoring the process of developing these recommendation, which are focused on regional service hubs. Data gathered by the State's consultant indicates a need for 23 additional shelter beds (not shelters), statewide, with a significant emphasis on and investment in rapid rehousing and supportive housing. This is what city staff is focused on. But Preble Street appears to focus on even more permanent shelters, which seems to be its new business model.

~~Since Mark represents that shelter facilities are needed "**around Portland**", he should be asked to answer what efforts Preble Street is making to develop shelters in South Portland, Westbrook, and Biddeford, three communities which send a significant number people to Portland shelters. I suspect the answer will be "nothing". Please ask!

Please ignore Preble Street's orchestrated barrage of form emails and pass this moratorium.

Anne Pringle

--

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



Dena Libner &lt;dlibner@portlandmaine.gov&gt;

## Fwd: Please approve targeted shelter moratorium

1 message

**Jon Jennings** <jpj@portlandmaine.gov>  
To: Dena Libner <dlibner@portlandmaine.gov>

Thu, Jun 3, 2021 at 8:24 PM

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

From: **Jim Hall** <mtjimhall@gmail.com>

Date: Thu, Jun 3, 2021 at 8:24 PM

Subject: Re: Please approve targeted shelter moratorium

To: Kate Snyder <ksnyder@portlandmaine.gov>, Nick Mavodones <nmm@portlandmaine.gov>, Pious Ali <pali@portlandmaine.gov>, April Fournier <afournier@portlandmaine.gov>, Belinda Ray <bsr@portlandmaine.gov>, Spencer Thibodeau <sthibodeau@portlandmaine.gov>, Tae Chong <tchong@portlandmaine.gov>, Andrew Zarro <azarro@portlandmaine.gov>, Mark Dion <mdion@portlandmaine.gov>

CC: Jon Jennings <jpj@portlandmaine.gov>, City Clerk <cityclerk@portlandmaine.gov>, Jessica Grondin <jgrondin@portlandmaine.gov>

This is my 3rd request to include the below email in the public record for this item

Order 260-20/21 Establishing a 180-Day Moratorium on New Shelters in the Bayside Neighborhood - Sponsored by Tae Chong, Chair, Health & Human Services and Public Safety Committee

<https://portlandme.civicclerk.com/Web/Player.aspx?id=2038&key=-1&mod=-1&mk=-1&nov=0>

On Sat, May 15, 2021 at 8:04 AM Jim Hall <mtjimhall@gmail.com> wrote:  
Dear Councilors,

### **Please approve a targeted moratorium on new shelters in Bayside as an emergency**

No municipality other than Portland has ever stepped up to provide emergency shelter for their residents.

Most of the impacts of this regional clustering are super-concentrated into one neighborhood.  
20% of emergencies in Portland are hosted by in 1% of its landmass and 5% of its residents.

Portland has been operating shelters with no governance, even illegal zoning, for three decades. See "A neighborhood under siege" (press herald) for the outcome.

An entirely new emergency was approved for this same cluster in 11 weeks last quarter. This was the first phase of this particular provider's published 5-year vision, which describes additional shelter clustering in the area.

As to the extremely limited domain of this ask:  
This moratorium has zero effect on any existing or approved shelters.

Bayside is only 1/5 mile of the thirty-five thousand available in Maine to site new shelters. This exceedingly targeted geography has infinitesimal limiting effect even during the short time a moratorium could exist.

A moratorium explicitly only holds for a limited period — in this case to allow the council time to create Portland's very first shelter governance scheme. The stated intention of the sponsor is even to sunset this moratorium earlier, as soon as oversight for emergency operations and facilities exists.

Failing to support Bayside in this would violate the council's commitment to start sharing the benefits and responsibilities of the city throughout all neighborhoods, per the comprehensive plan.

Bayside is not only home to 500+ emergency beds crammed into 500ft between residential homes and small businesses — but is also Portland's most racially-diverse neighborhood, including many new Mainers. I have the privilege and luxury to speak (or even to move away if it came to that), and although I do not presume to speak for anyone but myself, I hope

you will keep in mind the impacts on those who do not speak.

Please vote for environmental justice, by protecting this one tiny poor neighborhood until Portland can enact its very first emergency shelter governance plan. Thirty-four years of flawed common practice have not helped people in the ways we intended, and have created unnecessary impacts and resentment. It's time to do something different.

What argument even exists to oppose such a surgical patch on a known wound?

Please approve this emergency measure.

Thank You,  
Jim Hall  
47 Cedar St

|  
--  
Jon P. Jennings, MPA  
City Manager  
[City of Portland](#)  
[389 Congress Street](#)  
[Portland, ME 04101](#)  
(207) 874-8689 Office  
[jpj@portlandmaine.gov](mailto:jpj@portlandmaine.gov)  
[www.portlandmaine.gov](http://www.portlandmaine.gov)



Dena Libner &lt;dlibner@portlandmaine.gov&gt;

## Fwd: Proposed moratorium

1 message

Jon Jennings <jpj@portlandmaine.gov>  
To: Dena Libner <dlibner@portlandmaine.gov>

Sun, Jun 6, 2021 at 6:16 PM

Backup

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

From: **Anne Pringle** <oldmayor@maine.rr.com>

Date: Sun, Jun 6, 2021 at 2:35 PM

Subject: Proposed moratorium

To: <ksnyder@portlandmaine.gov>, <BSR@portlandmaine.gov>, Thibodeau Spencer <sthibodeau@portlandmaine.gov>, <tchong@portlandmaine.gov>, <azarro@portlandmaine.gov>, <mdion@portlandmaine.gov>, Mavodones Nick <nmm@portlandmaine.gov>, <pali@portlandmaine.gov>, Fournier April <afournier@portlandmaine.gov>  
CC: <JPJ@portlandmaine.gov>, <kjd@portlandmaine.gov>, <fclark@portlandmaine.gov>, West-Chuhta Danielle <dwchuhta@portlandmaine.gov>

Mayor Snyder and Councilors,

Here they go again. Preble Street's "Action Alert", below, will likely generate hundreds of stock emails urging you to oppose the well-substantiated and time-limited moratorium on new shelters in the already over-concentrated Bayside neighborhood.

The PS piece refers to **Portland's** "unhoused citizens". But as I hope you are all well aware,  $\frac{2}{3}$  of the people that Portland has been sheltering are from elsewhere in Maine or out-of-state.

The PS piece also implies that more shelters are needed, whereas the State's Homeless System Redesign effort (which will issue its recommendation by mid-summer) indicates the need (post-pandemic) for only 23 new shelter beds statewide, with an emphasis and investment in rapid rehousing and supportive housing. I have confirmed this with MaineHousing, which is the state agency leading the process.

I and others have been monitoring the Redesign process and it is clear that the consensus of service providers throughout the state is that most homeless are best served close to their home community and "natural supports". That is the direction that is being recommended, with a number of regional "service hubs".

So, this moratorium will allow time for: 1) completion by the HHS/PS Committee, and consideration by the Council, of new licensing standards for new shelters anywhere in Portland; and 2) it will also allow time for completion and consideration of the State's Homeless System Redesign recommendations, as they apply to Portland.

I strongly urge you to support this moratorium, for the reasons stated.

Finally, one has to ask: since Preble Street has publicly stated that it has no plans for new shelters in Bayside for at least a year, why is the organization, despite lack of support from other major homeless service providers, mounting such a concerted effort to oppose this time-limited moratorium??...

Anne Pringle  
Neal Street

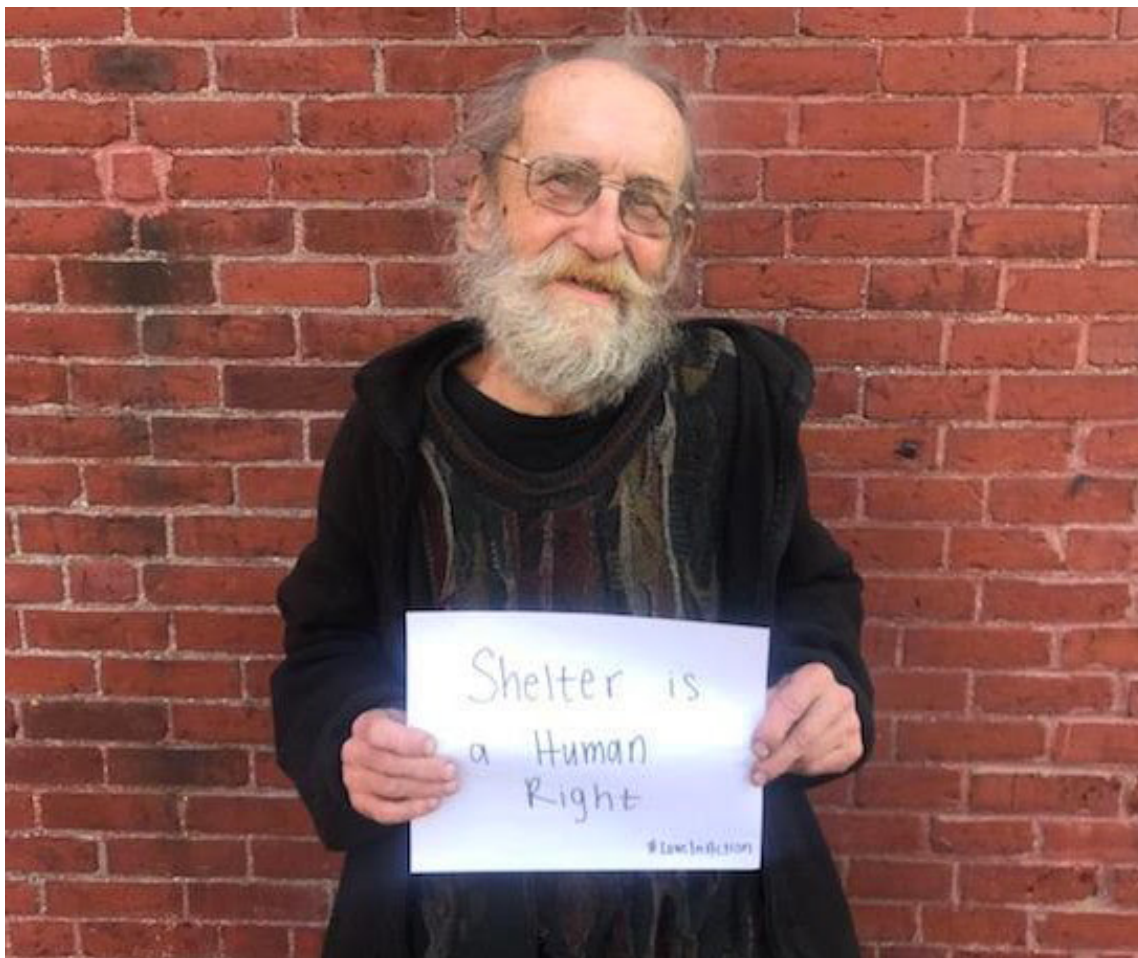
Begin forwarded message:

From: Preble Street Advocacy &lt;advocacy@preblestreet.org&gt;

Subject: **ACTION ALERT - If you support safe, dignified shelter, please ACT NOW!**

Date: June 4, 2021 at 10:36:09 AM EDT

T



The Portland City Council will vote again **this Monday, June 7** to institute a moratorium on emergency shelters in the Bayside neighborhood of Portland. **We need you to continue to call (207-874-8648) and email the Portland City Council and tell them to vote NO on this moratorium!**

- **This is a public health issue!** Shelters are an important part of the public health infrastructure and are **key to the community's health**, not just the health of the people staying there
- **CDC guidance** is for homeless shelters to continue masking and practicing COVID prevention measures **because individuals and families experiencing homelessness are among the most vulnerable**
- There are currently dozens of unsheltered people in Portland, and **over 400 individuals and families sheltered temporarily in nearby hotels**
- In Maine, there has been an **84% increase in veteran homelessness** alone since the pandemic began
- The pandemic and affordable housing crisis have **extended the amount of time it takes to connect people experiencing homelessness to housing from an average of 86 days to 163 days**

We want Portland to continue to be the kind of city that cares for its unhoused citizens. **Slowing the development of shelters in Maine will do nothing but put our most vulnerable neighbors in harm's way and keep them disconnected from services.** People experiencing poverty and homelessness will continue to suffer, our parks and sidewalks will be filled with people who are unsheltered, and the tragic cycle will grow and continue.

**Please share with your networks and contact the City Council!** For more information and individual Councilor contact info, click [here](#).

Thank you for joining us in this effort to protect the people we serve.

*Follow us on social media for news, updates, and opportunities to get involved!*



*The mission of Preble Street is to provide accessible barrier-free services to empower people experiencing problems with homelessness, housing, hunger, and poverty, and to advocate for solutions to these problems.*

[Privacy Policy](#) | [Unsubscribe](#)

Preble Street  
38 Preble Street, Portland, ME 04101

Sent from my iPad

--

Jon P. Jennings, MPA  
City Manager  
[City of Portland](#)  
[389 Congress Street](#)  
Portland, ME 04101  
(207) 874-8689 Office  
[jpj@portlandmaine.gov](mailto:jpj@portlandmaine.gov)  
[www.portlandmaine.gov](http://www.portlandmaine.gov)





Dena Libner &lt;dlibner@portlandmaine.gov&gt;

## Fwd: Please approve targeted shelter moratorium

Jim Hall <mtjimhall@gmail.com>

Fri, Jun 4, 2021 at 8:59 PM

To: Kate Snyder <ksnyder@portlandmaine.gov>, Nick Mavodones <nmm@portlandmaine.gov>, Pious Ali <pali@portlandmaine.gov>, April Fournier <afournier@portlandmaine.gov>, Belinda Ray <bsr@portlandmaine.gov>, Spencer Thibodeau <sthibodeau@portlandmaine.gov>, Tae Chong <tchong@portlandmaine.gov>, Andrew Zarro <azarro@portlandmaine.gov>, Mark Dion <mdion@portlandmaine.gov>  
Cc: Jon Jennings <jpj@portlandmaine.gov>, City Clerk <cityclerk@portlandmaine.gov>, Jessica Grondin <jgrondin@portlandmaine.gov>, Dena Libner <dlibner@portlandmaine.gov>

To Mayor Snyder and members of the City Council,

I've read Preble Street's anti-moratorium email and am sure you have as well.

While there is a lot of emotional language, none of the talking points are germane to the moratorium:

"This is a public health issue! Shelters are an important part of the public health infrastructure and are key to the community's health, not just the health of the people staying there"

- **This vote (a) does not hinder existing successful public health solutions in any way, and (b) only very temporarily pauses new consideration of one specific type of use, within 0.2 of the city's 70 square miles**

"CDC guidance is for homeless shelters to continue masking and practicing COVID prevention measures because individuals and families experiencing homelessness are among the most vulnerable"

- **This vote has no mechanism to impact anyone's ability to follow CDC best practices**

"There are currently dozens of unsheltered people in Portland, and over 400 individuals and families sheltered temporarily in nearby hotels  
In Maine, there has been an 84% increase in veteran homelessness alone since the pandemic began"

- **This vote has no way of affecting any of the excellent programs working to help unsheltered people, such as direct street outreach, rapid rehousing, long-term stayers initiative, prevention and diversion, etc etc etc...**
- **There is no possible way for this vote to alter the state's formula for funding emergency hotels**
- **This vote cannot alter or in any way harm veteran assistance programs. Incidentally — on May 14th Maine's Joint Legislative Justice Committee discussed the exemplary alternative crisis response recently provided for homeless veterans, citing statistics that a total of 113 individuals had been reduced by an order of magnitude to 13 or 14.**

"The pandemic and affordable housing crisis have extended the amount of time it takes to connect people experiencing homelessness to housing from an average of 86 days to 163 days"

- **This vote has no effect on any housing whatsoever, whether existing or proposed**
- **This vote does not in any way prevent or delay providers from connecting individuals to housing**

"We want Portland to continue to be the kind of city that cares for its unhoused citizens."

- **Me too! And the moratorium does nothing to prevent that.**

"Slowing the development of shelters in Maine will do nothing but put our most vulnerable neighbors in harm's way and keep them disconnected from services."

- **Either there are plans to cram more emergency shelters in Bayside to ensure they get in ahead of licensing — which PROVES the need for this moratorium  
... OR there are not — in which case the moratorium slows nothing, while providing much-awaited assurance for Bayside**



6/7/2021

City of Portland Mail - Fwd: Please approve targeted shelter moratorium

"People experiencing poverty and homelessness will continue to suffer, our parks and sidewalks will be filled with people who are unsheltered, and the tragic cycle will grow and continue."

- **If an additional 180 days to site shelters in Bayside is all it would take to turn the tide on homelessness in Maine, someone has been doing something very, very wrong**

Thanks,  
Jim Hall  
Cedar St



Dena Libner &lt;dlibner@portlandmaine.gov&gt;

## In Support of Targeted Shelter Moratorium

2 messages

**Laura S. Underkuffler** <lu27@cornell.edu>

Sat, Jun 5, 2021 at 2:32 PM

To: Kate Snyder <ksnyder@portlandmaine.gov>, Nicholas Mavodones <nmm@portlandmaine.gov>, Pious Ali <pali@portlandmaine.gov>, "afournier@portlandmaine.gov" <afournier@portlandmaine.gov>, Belinda Ray <bsr@portlandmaine.gov>, "sthibodeau@portlandmaine.gov" <sthibodeau@portlandmaine.gov>, "tchong@portlandmaine.gov" <tchong@portlandmaine.gov>, "azarro@portlandmaine.gov" <azarro@portlandmaine.gov>, "mdion@portlandmaine.gov" <mdion@portlandmaine.gov>  
 Cc: "jpj@portlandmaine.gov" <jpj@portlandmaine.gov>, "cityclerk@portlandmaine.gov" <cityclerk@portlandmaine.gov>, "jgrondin@portlandmaine.gov" <jgrondin@portlandmaine.gov>, "dlibner@portlandmaine.gov" <dlibner@portlandmaine.gov>

To: Mayor Snyder and Members of the City Council,

Pending before you is the 180-day moratorium on additional homeless shelters in Bayside (1% of the City's land mass) until the City's new licensing requirements for homeless shelters can be enacted.

Of all social service organizations in Portland -- those providing homeless shelters, rehousing services, medical services, veterans' services, low-income housing services -- it is striking that only Preble Street has raised any objection to this temporary proposed moratorium in Bayside.

The stated grounds for Preble Street's objection (see Preble Street's 6/4/21 email to rally its supporters) are "public health" objections, interference with "CDC masking and COVID prevention measures", fear of jeopardizing the State's hotel housing funding, and fear of jeopardizing veterans' assistance programs. At this point, one must ask: *how are any of these connected* with a temporary moratorium on the cramming of yet another homeless shelter into yet another completely inadequate building in Bayside?

Preble Street's formulaic objections and scary scenarios -- in fact -- have no relationship whatsoever to the moratorium question or its impacts.

In addition, through its officials' prior statements, Preble Street has already removed itself as an institution from objection to the proposed moratorium. Executive Director Swann, interviewed by the Portland Press Herald (5/17/21) in the lead story about the moratorium, stated that a new shelter by Preble Street in Bayside *"is definitely not something we would be pursuing in the next year."* So .... how can Preble Street be objecting to the moratorium, which is to last (at the most) only 180 days?

Everyone agrees that the historic, festering situation in Bayside has been intolerable for years. It has not worked for homeless people seeking services, for neighbors, or for the many service providers trying to help the homeless. The "Whereas" clauses that are stated in the moratorium document say it better than anyone else could.

No one objects to the truth or veracity of any of the "Whereas" clauses in the moratorium document.

The moratorium is a first step toward the City achieving control of the situation in Bayside. The next step will be crafting licensing regulations that will ensure -- among other things -- that homeless people will not be crammed into grim, inadequate buildings with no inside day space (i.e., kicked onto the street by default in heat, rain, and snow), with no attractive grounds for relaxation (i.e., relegated to concrete courtyards with no shade or protection from the elements, with cement or metal benches for sitting) -- that is, no safe or humane places for people to live while seeking services.

Having lived next to the Oxford Street Shelter for 13 years, and having talked with innumerable people housed there, we don't need any more shelters with that outmoded model in the City. Those conditions are -- and have been -- at the core of the festering situation in Bayside. It is time for the City to take a pause from that, and come up with licensing standards that protect residents of shelters and all involved.

Please vote in favor of the moratorium.

Sincerely,

Laura Underkuffler  
Oxford Street

---

**Jon Jennings** <jpj@portlandmaine.gov>  
To: Dena Libner <dlibner@portlandmaine.gov>

Sun, Jun 6, 2021 at 6:16 PM

Backup

[Quoted text hidden]

--

Jon P. Jennings, MPA  
City Manager  
[City of Portland](#)  
[389 Congress Street](#)  
[Portland, ME 04101](#)  
(207) 874-8689 Office  
[jpj@portlandmaine.gov](mailto:jpj@portlandmaine.gov)  
[www.portlandmaine.gov](http://www.portlandmaine.gov)

## Re: Support for Bayside shelter moratorium

1 message

**Bayside Neighborhood** <bnaportland@gmail.com>

Mon, Jun 7, 2021 at 11:27 AM

To: Dena Libner <dlibner@portlandmaine.gov>

Cc: jpj <jpj@portlandmaine.gov>

Hi Dena,

I don't see that the BNA's letter supporting the Bayside shelter moratorium made it into the packet for tonight's meeting. Would you please see that it does?

Thank you!  
Sarah

On Wed, Jun 2, 2021 at 3:38 PM Bayside Neighborhood <bnaportland@gmail.com> wrote:



June 2, 2021

To Mayor Snyder and Members of the City Council,

The Bayside Neighborhood Association is in full support of Order 260-20/21 Establishing a 180-Day Moratorium on New Shelters in the Bayside Neighborhood.

We urge you to adopt this targeted, time-bound moratorium in order to ensure that appropriate, sensitive and beneficial shelter licensing may be developed and enacted, free of the pressure or confusion that a new shelter proposal would bring to bear on the process.

The history of Bayside's poorly integrated social service cluster, developed in the absence of planning, policies, and public process, demonstrates why this moratorium, and licensing, are desperately needed:

- Between 1987 and 2000, the City's emergency shelter relocated twice and steadily increased capacity from 20 beds to 154 at its present Oxford Street location. All three of the shelter's locations have been in the Bayside neighborhood. <sup>[1]</sup><sub>[SEP]</sub>
- The City's present family and adult emergency shelters, with a combined total of 300 beds, are located within 100' of each other in a dense R6 neighborhood where emergency shelters are not currently permitted. <sup>[1]</sup><sub>[SEP]</sub>
- Over the past two decades or so shelters throughout the City closed and to compensate, multiple "temporary" overflow facilities, ultimately comprising over 200 beds, were allowed to open in close proximity to the City shelters and one another without meaningful council involvement, policy development, or community engagement. <sup>[1]</sup><sub>[SEP]</sub>
- Instead, these increases were recommended by the Emergency Shelter Assessment Committee, an independent group of social service providers, unaccountable to the City. It should be noted that *the ESAC of today has not taken a position on this moratorium, nor did the majority of its member agencies*, which suggests that in the opinion of some key stakeholders the proposed moratorium would not create any substantive issues or challenges to their work on behalf of individuals experiencing homelessness. <sup>[1]</sup><sub>[SEP]</sub>

- During these expansions of services Bayside residents and businesses were not given the benefit of the public planning process that occurred elsewhere when shelters opened in other neighborhoods and the Downtown District.<sup>[1]</sup><sup>[SEP]</sup>
- The conditional use standards for emergency shelters in effect up until 2017 only required that a shelter comply with the city's housing assistance plan, and be registered with DHHS.
- Many ancillary services sprouted up in the general vicinity of the shelters. Some operated for years under questionable permitting and in a manner that caused excessive and unmitigated community impacts.<sup>[1]</sup><sup>[SEP]</sup>
- Bayside was one of the poorest and most neglected neighborhoods in the City for well over three quarters of a century. In the 1950s the neighborhood was subjected to "slum clearance" and resident displacement. As recently as the 1990s Bayside was identified by US News and World Reports as, by some measures, one of the worst neighborhoods nationwide.<sup>[1]</sup><sup>[SEP]</sup>
- Segregating marginalized and vulnerable populations into already socioeconomically disadvantaged neighborhoods is a long-standing, intentional practice that's now recognized as discriminatory, counterproductive, and inherently inequitable.<sup>[1]</sup><sup>[SEP]</sup>
- Concurrent with the growth in the number of emergency shelter beds the levels of crime, from "low-level" to violent, increased within the boundaries of the Bayside neighborhood while remaining flat in the rest of the City, rising to and remaining at the current level of roughly 20% of the total police calls and 10% of EMS calls for service despite Bayside being 1% of Portland's landmass and 5% of its population.

Everyone – neighbors, people seeking shelter, and Portland as a whole – has been shortchanged by this lack of planning, care and due diligence. The present urgent need to hit pause via a moratorium is the inevitable result of decades of deferred attention, not a knee-jerk reaction to current circumstances.

This moratorium will not impede or impose restrictions on the operations of any existing shelter, or on shelter planning, development or execution outside of Bayside. It will not harm people experiencing homelessness or delay their progress toward permanent housing. It will be terminated when appropriate licensing has been enacted to correct the historical and existing governance and planning gaps pertaining to emergency shelters in Portland.

What this moratorium will do is allow the City to move forward mindfully, holistically, and justly. It will solidify Portland's commitment to equitability as it develops licensing to ensure fair distribution of facilities; effective delivery of services; and balanced and safe neighborhoods for all. It will allow Portland to fulfill its explicit and implicit obligations to constituents in neighborhoods where emergency shelters are serving people in need.

The BNA urges you to pass Order 260-20/21.

Respectfully,

Sarah Michniewicz  
President, Bayside Neighborhood Association

#### **Bayside Neighborhood Association Board of Directors**

Amistad  
Colette Bouchard  
Dennis Ferrante  
Amy Geren  
Jim Hall  
Alex Landry  
Susan McCloskey  
Carolyn Megan  
Scott Morrison  
Heidi Souerwine  
Rob Sylvain  
Deborah van Hoewyk

KATE SNYDER (MAYOR)  
BELINDA S. RAY (1)  
SPENCER R. THIBODEAU (2)  
TAE Y. CHONG (3)  
ANDREW ZARRO (4)

**CITY OF PORTLAND  
IN THE CITY COUNCIL**

MARK DION (5)  
APRIL D. FOURNIER(A/L)  
PIOUS ALI (A/L)  
NICHOLAS M. MAVODONES, JR (A/L)

**TRAFFIC SCHEDULE AMENDMENT  
RE: NEW 30-MINUTE PARKING SPACES AT 132 MARGINAL WAY**

**ORDERED**, that the City of Portland's Traffic Schedule be and hereby is amended as follows:

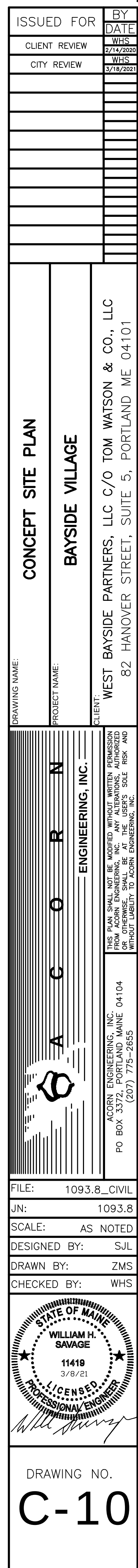
**By Adding under Marginal Way, from a point approximately 185 feet southwest of  
Chestnut Street for a distance of 160 feet:**

Northwest Side

☐ **Schedule XVI – 30 Minute Parking**

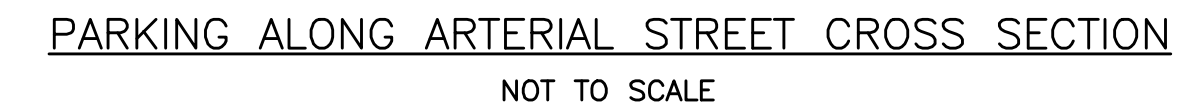


1. ALL BRICK SIDEWALK AND VERTICAL GRANITE CURB TO BE REPLACED SHALL BE REBUILT TO CITY OF PORTLAND STANDARD.
2. ALL PAVEMENT STRIPING AND MARKINGS SHALL COMPLY TO CITY OF PORTLAND STANDARDS.
3. ANY ASPHALT TO BE REMOVED SHALL BE STRIPPED AND PROPERLY DISPOSED OF OFFSITE.
4. CURB TO BE REMOVED, STOCKPILED AND RESET IN ACCORDANCE WITH DETAIL. BROKEN CURB SHALL BE PROPERLY DISPOSED OF AND SHALL BE REPLACED AT THE CONTRACTOR'S EXPENSE.
5. ALL SITE SIGNAGE TO COMPLY WITH MUTCD STANDARDS. CONTRACTOR TO COORDINATE AND INSTALL.
6. RELOCATE EXTERIOR LIGHT POLES AS REQUIRED, IT ANY RELOCATED LIGHTING BACK INTO THE EXISTING CITY WIRING SYSTEM PER ALL APPLICABLE CODES.
7. PLAN REFERENCES:
  - 7.1. "ALTA - ACSM LAND TITLE SURVEY" PREPARED BY OWN HASKELL, INC. DATED 01/19/2012 & REVISED 05/19/2019.
  - 7.2. "CITY OF PORTLAND PUBLIC SERVICES DEPARTMENT CONTRACT DRAWINGS, MARGINAL WAY IMPROVEMENTS" PREPARED BY SEBAGO TECHINCS DATED 07/09/2020 & APPROVED JULY 2020.
  - 7.3. "BAYSIDE VILLAGE A STUDENT HOUSING COMPLEX" PREPARED BY MITCHELL & ASSOCIATES, DATED 7/11/2006 & REVISED 8/22/2006.

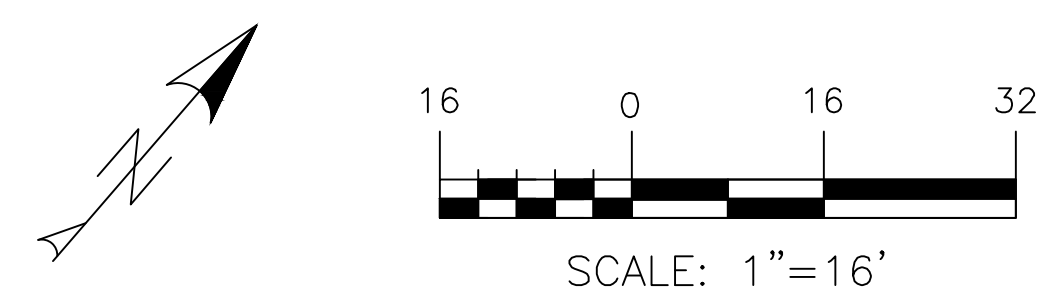




1. ALL RAMPS TO CONFORM TO ADA GUIDELINES. SLOPE SHALL NOT EXCEED 1 INCH PER FOOT.
2. MAX CROSS SLOPE OF 2% ON SIDEWALKS
3. ELEVATIONS PER PLAN REFERENCES, TO BE V.I.F.
4. PLAN REFERENCES:
  - 4.1. "ALTA / ACSM LAND TITLE SURVEY" PREPARED BY OWN HASKELL, INC. DATED 01/19/2012 & REVISED 05/19/2019.
  - 4.2. "CITY OF PORTLAND PUBLIC SERVICES DEPARTMENT CONTRACT DRAWINGS, MARGINAL WAY IMPROVEMENTS" PREPARED BY SEBAGO TECHNICS DATED 07/09/2020 & APPROVED JULY 2020.
  - 4.3. "BAYSIDE VILLAGE A STUDENT HOUSING COMPLEX" PREPARED BY MITCHELL & ASSOCIATES, DATED 7/11/2006 & REVISED 8/22/2006



PRELIMINARY  
NOT ISSUED FOR  
CONSTRUCTION

[illegible]

**MARGINAL WAY – PARKING GRADING PLAN**

---

**BAYSIDE VILLAGE**

---

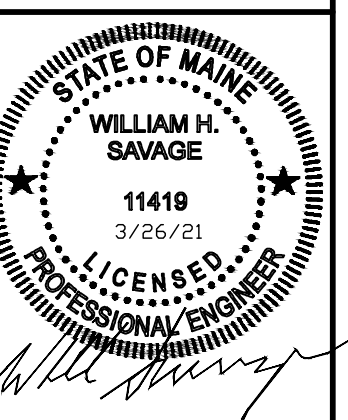
CLIENT: WEST BAYSIDE PARTNERS, LLC C/O TOM WATSON & CO., LLC  
82 HANOVER STREET, SUITE 5, PORTLAND ME 04101



A C O R N  
ENGINEERING, INC.

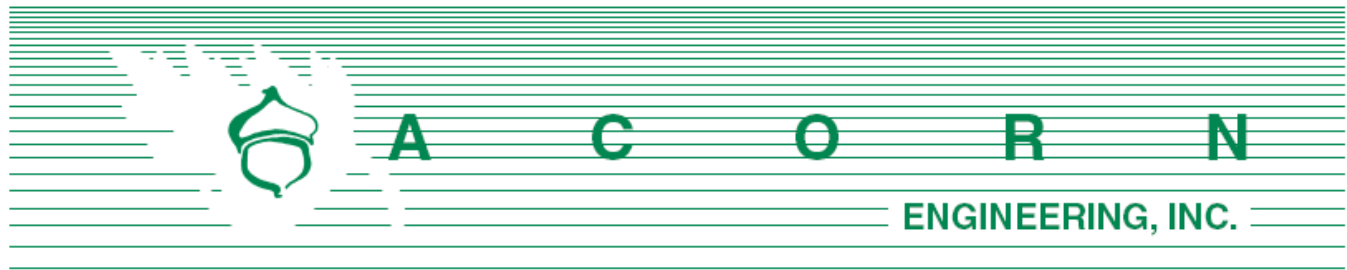
ACORN ENGINEERING, INC.  
PO BOX 3372, PORTLAND MAINE 04104  
(207) 775-2655

|              |              |
|--------------|--------------|
| FILE:        | 1093.8_CIVIL |
| IN:          | 1093.8       |
| SCALE:       | AS NOTED     |
| DESIGNED BY: | SJL          |
| DRAWN BY:    | ZMS          |
| CHECKED BY:  | WHS          |



DRAWING NO.  
**C-30**





Portland City Council  
Attn: Mayor Snyder  
P.O. Box 1385  
Portland, Maine 04101

March 22, 2021

Subject: Proposal for New On-Street Public Parking  
132 Marginal Way

Mayor Snyder & Council Members:

On behalf of Tom Watson & Co., we are pleased to submit this proposal for additional on-street parking in the burgeoning neighborhood of West Bayside. The proposal would allow for seven new public parallel parking spaces on Marginal Way, along the retail frontages within the existing mixed-use building formerly known as “Bayside Village” which is currently being renovated on the upper floors from “quad-style” housing to more traditional one and two bedroom units.

The new parking spaces adopt the existing on-street parking scheme along Marginal Way and would add much-needed public parking supply. Most notably, these parking spaces, which are anticipated to be restricted at 30 minutes, will support the retail frontages in the existing building which has historically seen high turnover. With better parking options, the anticipation is that the retailers will have greater business success and can provide an anchor to the streetscape and help promote activity.

This proposal has been coordinated with various members of Public Works and the engineering plans have undergone several revisions in response to Staff comments. These public improvements would be paid for entirely by Tom Watson & Co. and coordinated with the City’s 2021 Marginal Way Roadway Project. We anticipate this minor project to be undertaken by the same Contractor, therefore creating a seamless addition which will benefit not only the retailers, but the City as a whole, including its residents and visitors.

We look forward to presenting this proposal to you. In the meantime, please do not hesitate to reach out with any questions or concerns.

Sincerely,

William H. Savage, P.E.  
Principal  
Acorn Engineering, Inc.



**MEMORANDUM**  
**City Council Agenda Item**

**FROM:** Jon Jennings, City Manager

**DATE:** May 19, 2021

**SUBJECT:** Order 278-20/21 Approving and Authorizing Maine Department of Transportation and City of Portland Land Exchange Agreement Re: International Marine Terminal - Sponsored by Councilor Spencer Thibodeau, Chair, Housing & Economic Development Committee

**SPONSOR:** Councilor Spencer Thibodeau, Chair/Housing and Economic Development Committee, meeting held on May 18, 2021, and the vote was 4-0 to forward this item to the City Council for approval.

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

**COUNCIL MEETING DATE ACTION IS REQUESTED:**

**1st Reading 6/7/2021**

**Final Action 6/21/2021**

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

**PRESENTATION:** Jon Jennings/3 Minutes

**I. SUMMARY**

The Proposed Land Exchange Agreement between the Maine Department of Transportation (MaineDOT) and City of Portland will benefit both the State of Maine and the City of Portland.

**II. AGENDA DESCRIPTION**

This item would approve the Land Exchange Agreement between the Maine Department of Transportation (MaineDOT) and the City. On May 18, the Housing & Economic Development Committee voted (4-0) to recommend approval of this agreement to the City Council.

The City and MaineDOT properties are determined to be of equivalent value, so no money will change hands. This agreement provides for an exchange as follows:

**City of Portland Properties to Exchange with MaineDOT**

**International Marine Terminal Property:** Currently leased to the Maine Port Authority.

**Cliff Island Wharf:** The State owns all public wharfs in Casco Bay. Transferring this responsibility to the State relieves the City of all financial maintenance responsibility for this Wharf in the future.

**MaineDOT Properties to Exchange with the City**

**Wye Property along County Way:** This is a 10-acre site with known environmental issues, which City staff feel can be managed to support site development in the future. Land of this size on the Peninsula is scarce.

**Park & Ride Lot (on Marginal Way, adjacent to Miss Portland Diner):** The City's intended future use of this property is to support transportation activities.

**Former Union Branch Rail Corridor (from Forest Avenue to Park Street, including the railroad bridge):** City ownership and MaineDOT commitment to construct a multi-use trail will complete a major trail connection throughout the City.

The Maine Port Authority (MPA) and MaineDOT began leasing the International Marine Terminal (IMT) from the City in 2009. Since that time, the MPA and MaineDOT have dramatically expanded the footprint of the IMT by acquiring adjacent property and have constructed numerous improvements. In 2018, MaineDOT approached the City regarding this land exchange.

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

### **III. BACKGROUND**

In 2018, the Maine Department of Transportation Commissioner David Bernhardt, at that time, proposed a land exchange between MDOT and the City of Portland. Attached is a copy of MaineDOT Commissioner Bernhardt's letter to the City Manager. Please note that the current MaineDOT Commissioner Bruce Van Note continues to support this land exchange proposal.

### **LAND EXCHANGE AGREEMENT OVERVIEW**

Properties to be exchanged include the following:

#### **City of Portland Properties to Exchange with MaineDOT**

**International Marine Terminal Property** currently leased to the Maine Port Authority. The MaineDOT continues to make major multi-million-dollar investments in the Marine Terminal site and adjacent State-owned properties to support international cargo shipping through Eimskip's operations, along with the proposed cold storage facility. Adding the City-owned property to the adjacent state-owned property make sense for the State and the City.

**Cliff Island Wharf.** The State owns all public wharfs in Casco Bay. Transferring this responsibility to the State relieves the City of all financial maintenance responsibility for this Wharf in the future.

#### **MDOT Properties to Exchange with the City**

**Wye Property along County Way.** This is a ten-acre site with known environmental issues which City staff feel can be managed to support site development in the future. The City has completed a Phase 1 Environmental Assessment (ESA), and Phase II ESA work is underway. The environmental assessment work will be completed before the properties are exchanged. Land on the Peninsula of this size is scarce. It will be valuable for the City to own this property to influence the direction of development, in the future, through a public process.

**Park & Ride Lot** on Marginal Way adjacent to Miss Portland Diner. It is important for the City to own this property in the future. The City's intended future use of this property is to support transportation activities.

**Former Union Branch Rail Corridor from Forest Avenue to Park Avenue, including the railroad bridge,**

**as an improved multi-purpose trail.** City ownership and MDOT commitment to construct a multi-use trail will complete a major trail connection throughout the city. In addition, the City is under contract to do design work for the last remaining trail connection between Park Avenue and the Portland Transportation Center.

### **Equivalent Value**

The City and MDOT properties are determined to be of equivalent value so no money will change hands.

### **“As Is Where Is” Condition**

All properties will be exchanged in their present condition.

### **Due Diligence Period and Property Closing Timeframe**

The Due Diligence Period is six (6) months after the date of this Agreement. The Property Closing will be on or before thirty (30) dates after the end of the Due Diligence Period.

## **IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED**

Approval to exchange properties with MaineDOT to support the following:

- Transfer of City-owned Marine Terminal Property to the State of Maine
- MaineDOT construction of the multi-use shared pathway from Forest Avenue to Park Avenue with city property ownership to improve pedestrian mobility in the city along Deering Oaks, Hadlock Field and Expo;
- Future cost savings with not maintaining the Cliff Island Wharf;
- Acquisition of the Park & Ride Lot adjacent to Miss Portland Diner;
- Acquisition of the Northern Wye ten (10) acre site located on County Way to provide options for future City municipal facility investment.

## **V. FINANCIAL IMPACT**

The properties are considered of equivalent value so no funds are changing hands. However, there will be an annual operating budget impact as the Marine Terminal Property is currently being leased by the State of Maine from the City. The annual lease revenue loss is estimated to be approximately \$145,000 annually (the lease payments are indexed to inflation) beginning in FY23. The lease payments are made on a lagging basis so the payment for FY22 will not be impacted as it relates to the FY21 lease. The \$145,000 loss in revenue represents an approximately \$0.02 increase to the mill rate.

## **VI. STAFF ANALYSIS AND BACKGROUND**

Staff recommends the City Council approve the City Manager executing the Land Exchange Agreement, and whatever other documents are necessary to effect the intent and purpose of the Land Exchange Agreement.

## **VII. RECOMMENDATION**

At the May 18, 2021, Housing and Economic Development Committee, the Committee voted 4-0 to recommend to the City Council approval of the Proposed Land Exchange Agreement.

## **VIII. LIST ATTACHMENTS**

1. MaineDOT Land Exchange re International Marine Terminal 6.7.2021
2. 10-24-2018 Ltr from MDOT to City of Ptd Re Proposed Land Exchange
3. 5-14-2021 LEA from MG for HEDC on 5-18-2021 w Updtd UnionBrnchMap

Prepared by:

Jon Jennings, City Manager

Date: 5/19/2021



KATE SNYDER (MAYOR)  
BELINDA S. RAY (1)  
SPENCER R. THIBODEAU (2)  
TAE Y. CHONG (3)  
ANDREW ZARRO (4)

**CITY OF PORTLAND  
IN THE CITY COUNCIL**

MARK DION (5)  
APRIL D. FOURNIER(A/L)  
PIOUS ALI (A/L)  
NICHOLAS M. MAVODONES, JR (A/L)

**ORDER APPROVING AND AUTHORIZING  
LAND EXCHANGE AGREEMENT BETWEEN THE MAINE DEPARTMENT  
OF TRANSPORTATION AND THE CITY OF PORTLAND  
RE: INTERNATIONAL MARINE TERMINAL**

**ORDERED,** that the Land Exchange Agreement between the Maine Department of Transportation and the City of Portland for land at the International Marine Terminal and the Cliff Island Wharf in exchange for ten (10) acres on County Way, the Union Branch Rail Corridor from Forest Avenue to Park Avenue, and the Park & Ride Lot at the Miss Portland Diner is hereby approved and accepted in substantially the form attached hereto; and

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



STATE OF MAINE  
DEPARTMENT OF TRANSPORTATION  
16 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0016

Paul R. LePage  
GOVERNOR

David Bernhardt  
COMMISSIONER

October 24, 2018

Jon Jennings, City Manager  
City of Portland  
389 Congress Street, Room 208  
Portland, Maine 04101

Re: International Marine Terminal Land Lease  
Proposed City/State Property Exchange

Dear Jon:

I am writing to follow-up on our discussions related to the city-owned portion of the property on Commercial Street in Portland, which the Maine Port Authority (MPA) currently leases from the City to operate the International Marine Terminal (IMT).

First, let me say that I appreciate our relationship related to the City of Portland's transportation needs. The candor and "get-it-done" approach is both refreshing and fruitful for both of our offices, the traveling public and Maine taxpayers.

As you are aware, the City of Portland owns a parcel of land located within the current IMT footprint, and lease payments for that parcel are based on a percentage of IMT revenue – now at its current cap of \$136,000. Since first leasing the property on June 1, 2009, the MPA and MaineDOT have dramatically expanded the footprint of the IMT by acquiring adjacent property and have constructed numerous improvements.

The new IMT maintenance facility currently under construction resides on the city-owned parcel. To further expand both IMT improvements, and grow the business and volume through the facility, we believe it is in the best interest for the State of Maine and the City to enter into an agreement for an exchange of property. This exchange will allow the State to own all of the land within the IMT footprint and provide flexible property for the City, as well as a fully constructed bicycle and pedestrian way connecting key Portland locations.

The MaineDOT is prepared to offer three pieces of property, valued by extremely conservative 15-year-old purchase prices at \$2,223,000. In addition, we are offering to pay for improvements to one of the parcels valued at \$1,643,608. The total value of this exchange is \$3,866,608. Attached you will find a detailed proposal of the land and work we propose to swap with the City of Portland in exchange for the IMT parcel.

We believe this exchange will be a win-win for both the City of Portland and the growing IMT. It provides certainty to both entities, while allowing each to develop its own priorities in tandem with those we share.

I appreciate your willingness to have this important conversation. Thank you for consideration of this offer.

Sincerely,

David Bernhardt, P.E.  
Commissioner



## Attachment A

Proposal for City of Portland for transfer of IMT property

State Land to be transferred to the City of Portland

|                                                                     |                                |                   |
|---------------------------------------------------------------------|--------------------------------|-------------------|
| Union Branch (Forest Avenue to Park Street including the RR bridge) |                                |                   |
|                                                                     | Purchase Price in 2001 dollars | \$1,250,000       |
| RR Wye Parcel (10.18 acres)                                         | Purchase Price in 2002 dollars | \$ 773,000        |
| Miss Portland Diner Parking lot, .79 Acres                          | est. value                     | <u>\$ 200,000</u> |
|                                                                     | Land                           | \$2,223,000       |

*Land*

#### Union Branch Trail Construction

|                                                           |                                |                   |
|-----------------------------------------------------------|--------------------------------|-------------------|
| Forest-State-Marginal connection to current Bayside trail |                                |                   |
|                                                           | City/Ransom Engineering Est.   | \$ 543,524        |
| Union Branch Forest Ave – Park Street                     |                                |                   |
|                                                           | City/Ransom Engineering Est.   | \$ 826,150        |
|                                                           | Construction Contingency (20%) | <u>\$ 273,934</u> |
|                                                           | Trail Project funding          | \$1,643,608       |
|                                                           | Proposal Total from MaineDOT   | \$3,866,608       |

Current Lease agreement between the City and the Maine Port Authority (MPA) for the IMT parcel has 24 years remaining. MPA lease payment is based on gross revenues but is capped in the Lease agreement currently at \$136,000/year. In the remaining 24 years at the current maximum cap the total revenue to the City would be \$3,264,000\* over the next 24 years.

\*Lease revenues could go up slightly based on CPI increases outlined in the Lease. Lease revenues could go down if MPA gross revenue decreased at the IMT below the cap level.

## **LAND EXCHANGE AGREEMENT**

This Land Exchange Agreement (the “Agreement”) is made as of this \_\_\_\_ day of \_\_\_\_\_, 2021 (the “Effective Date”), by and between **the State of Maine, acting by and through its Department of Transportation** (“MaineDOT”), with a mailing address of 16 State House Station, Augusta, Maine 04333-0016, and **the City of Portland**, a Maine municipal corporation with a place of business in Portland, Maine and a mailing address of 389 Congress Street, Portland, Maine 04101 (the “City”). MaineDOT and the City may hereinafter be referred to collectively as the “Parties” or individually as a “Party”.

### **Section 1. Introduction.**

Each of the Parties owns real property in and around Portland, Maine. The Parties hereby agree to exchange certain properties on the terms and conditions set forth in this Agreement. The properties that are the subject of this exchange are described in Exhibits A through E attached hereto and incorporated herein.

### **Section 2. Property to be Exchanged.**

- a. City Parcels. The City will convey to MaineDOT all of its right, title and interest in the following described properties:
  - i. That certain parcel of land on West Commercial Street in Portland, Maine, commonly known as the “International Marine Terminal Property” which is more particularly described in **Exhibit A** (Parcel 1). Parcel 1 is subject to, among other things, a certain Lease Agreement Between City of Portland And Maine Port Authority dated June 1, 2009 and renewed most recently for a 5 year term commencing June 30, 2017 and ending June 30, 2022 (the “Port Authority Lease”); a Submerged Land Lease effective January 1, 2018 by and between the City Of Portland and the Maine Bureau Of Parks And Lands (the “IMT Submerged Lands Lease”); a certain Agreement Between The City Of Portland, The Maine Port Authority, And The Portland Water District Re: Water Services dated August 27, 2018 (the “Water Services Agreement”); and certain utility easements of record. Copies of the Port Authority Lease, the IMT Submerged Lands Lease, and the Water Services Agreement are attached hereto as **Exhibit B, Exhibit C, and Exhibit D**, respectively.
  - ii. The pier and wharf infrastructure that comprise the ferry dock on Cliff Island, Maine, commonly known as the “Cliff Island Wharf,” which is generally depicted on the diagram attached hereto as **Exhibit E** (the “Cliff Island Wharf”) and which is subject to a Submerged Land Lease between the City of Portland and the Maine Bureau of Parks And Lands dated November 1, 2014, a copy of which is attached hereto as **Exhibit F** (the Cliff Island Submerged Lands Lease”). If and to the extent necessary for the City to assign, and MaineDOT to assume, the rights and obligations under the Cliff Island Submerged Lands Lease, the City shall grant to MaineDOT an easement or land lease on a portion

of the upland property that connects to the Cliff Island Wharf ("Parcel 2"), which portion is generally depicted on the diagram attached hereto as **Exhibit G**.

- b. MaineDOT Parcels. MaineDOT will convey to the City all of its right, title and interest in the following described properties located in Portland, Maine:
  - i. Certain parcels of unimproved land collectively known as the "Wye Property" which is more particularly described in **Exhibit H** ("Parcel 3"). Parcel 3 is subject to, among other things, a VRAP agreement with Maine DEP and related Covenants and Restrictions of record;
  - ii. The remaining segment of the rail corridor commonly known as the "Union Branch Corridor," together with rail infrastructure, extending from Forest Avenue to Park Avenue, including the railroad bridge located thereon, which is more particularly depicted on the railroad valuation plan attached hereto as **Exhibit I** ("Parcel 4"). Parcel 4 is subject to, among other things, all matters shown on the railroad valuation plan, to the extent that such matters have not been previously released.
  - iii. That certain parcel of land improved as a parking lot on Marginal Way in Portland adjacent to the Miss Portland Diner commonly known as the "Park and Ride Property," which is more particularly described in **Exhibit J** (Parcel 5). Parcel 5 is subject to, among other things, a certain lease agreement between MaineDOT and the City dated July 1, 2007.

### **Section 3. Equivalent Value.**

The Parties agree that: (i) the value of the Cliff Island Wharf and Parcels 1 and 2 is equivalent to the value of Parcels 3 through 5; and, (ii) each Party's conveyance is in full consideration of the other Party's conveyance. Except for any closing expenses as set out in Section 10 below, and MaineDOT's share of agreed-upon funding for and participation in a project to design and construct a pedestrian trail on Parcel 4 as set forth in Section 6 below, neither MaineDOT nor the City is providing any consideration for the exchange.

### **Section 4. Properties Being Exchanged "As-Is".**

- a. Parcels 1 and 2. Except as otherwise provided for in this Agreement, MaineDOT acknowledges that it is acquiring the Cliff Island Wharf and Parcels 1 and 2 "as is" with all faults. The City has made no representations or warranties of any kind whatsoever with respect to the condition of the Cliff Island Wharf or Parcels 1 and 2 or the compliance of the Cliff Island Wharf or Parcels 1 and 2 with any laws, rules, regulations or ordinances, including without limitation any relating to zoning, the environment, or hazardous materials.
- b. Parcels 3 through 5. Except as otherwise provided in this Agreement, the City

acknowledges that it is acquiring Parcels 3 through 5 “as is” with all faults and that MaineDOT has made no representations or warranties of any kind whatsoever with respect to the condition of Parcels 3 through 5 or the compliance of these parcels with any laws, rules, regulations or ordinances, including without limitation any relating to zoning, the environment, or hazardous materials.

**Section 5.     Title, Inspections.**

- a.     Title Examinations. The Parties will have from the date of this Agreement until 6:00 PM Eastern Daylight Savings Time on the day that is six months after the date of this Agreement (the “Due Diligence Period”) to complete their respective title examinations. Title shall be good, marketable and insurable title, free and clear of all encumbrances except as specifically provided for in this Agreement.
- b.     Inspections. During the Due Diligence Period, each Party and its employees, consultants, contractors and agents shall have the right, at its own expense, to enter onto Parcels 1 through 5 at reasonable times in order to (i) inspect the same, (ii) conduct engineering studies, percolation tests, geotechnical exams, environmental assessments, and other such studies, tests, exams, and assessments, and (iii) do such other things that each Party determines, in its sole discretion, to be required to determine the suitability of the property for the Party’s intended use (collectively, the “Inspections”). The Parties agree to share the results of any studies or testing produced as a result of the Inspections and to provide to each other upon request such background information about the properties as is reasonably available. If the Inspections reveal the need for further assessment or necessary remediation, the acquiring Party acknowledges that the other Party shall not be required to perform such further assessment or remediation unless the acquiring Party agrees to pay for all associated costs or the Party owning the property is otherwise reimbursed for such costs. Either Party may request an extension of the Due Diligence Period if the Inspections cannot reasonably be completed during the Due Diligence Period. The Parties agree to restore each parcel inspected to substantially the same condition it was in prior to the inspection.
- c.     Objections. Each Party will have until the end of the Due Diligence Period, or any extensions thereof, to deliver to the other Party any written objections to title matters (other than any permitted exceptions identified herein) that materially affect marketability, insurability, or use of any one of the properties that are the subject of this Agreement or written objections to results of the Inspections that are not satisfactory to the objecting Party. Objections not made prior to the end of the Due Diligence Period, or any extensions thereof, will be deemed waived; provided, however, that objections pertaining to matters of record first appearing after the Due Diligence Period may be made at any time prior to the Closing.
- d.     Option to Cure. In the event of a title or Inspection objection, the Party owning the property that is the subject of the objection will have the option, but not the obligation, to cure the objection and will notify the other Party of its election within

ten (10) business days after receipt of the title or Inspection objection. In the event that the Party owning the property that is the subject of the objection elects to cure the objection, that party thereupon will have thirty (30) days from the date of the notice of such election, or such other reasonable time as the Parties may agree, to cure the objection. In the event that the Party owning the property that is the subject of the objection does not elect to cure the objection, or having elected to cure the objection fails to timely do so, the other Party will have the option either to terminate this Agreement (after which neither Party will have any further obligation or liability to the other under this Agreement) or to waive the objection in writing and proceed to the Closing.

**Section 6. Conditions Precedent to Closing.** Each of the following conditions shall be completed to the satisfaction of the Parties as a condition precedent to Closing:

- a. During the Due Diligence Period, the Parties will work cooperatively to arrive at a binding project agreement (the “Trail Agreement”), in form and substance satisfactory to both Parties, setting out mutual responsibilities for funding and carrying out the construction of a pedestrian trail on Parcel 4 (the “Trail”), which has been partially designed pursuant to a previous project contract for MaineDOT W.I.N. 18469 (the “Previous Agreement”). It is the Parties’ mutual understanding that all remaining design costs for the Trail will be funded by MaineDOT and the City (split 80% State - 20% City) under the Previous Agreement, and that under the Trail Agreement, MaineDOT intends to fund all construction costs for a twelve-foot wide asphalt pedestrian trail that will include conduit for electricity, bases for trail lighting along the length of the Trail, and lighting fixtures to be agreed on by the Parties. The Trail shall otherwise be constructed in accordance with applicable MaineDOT and City codes, standards, and specifications. MaineDOT shall also be responsible for the cost of all construction engineering and inspection services required during the construction of the Trail. Enhancements beyond what is described in this paragraph may be included in the Trail construction at the City’s sole expense.

Anything herein to the contrary notwithstanding, the City acknowledges and agrees that, although the execution of this Agreement by MaineDOT manifests its intent to honor its terms and to seek funding to fulfill any obligations arising hereunder, by law any such obligations are subject to available budgetary appropriations by the Maine Legislature and, therefore, this Agreement does not create any obligation on behalf of MaineDOT in excess of such appropriations.

- b. The Parties will agree on any rights to be released, assigned or transferred in connection with the conveyances described herein and effectuate such releases, assignments or transfers at Closing concurrent with the execution and exchange of the conveyances described herein. Specifically, the City will secure from the Maine Port Authority a release of its right of first refusal triggered by a sale of Parcel 1, which is a provision of the Port Authority Lease. The provisions of any agreements or instruments required to effectuate any releases, assignments or transfers

contemplated by this paragraph will be negotiated by the Parties during the Due Diligence Period and will be in form and substance satisfactory to both parties.

- c. If the Parties are unable to reach an agreement on the instruments and agreements described in this section during the Due Diligence Period, either Party may terminate this Agreement, and neither Party shall have any further obligation to the other under this Agreement.

#### **Section 7. Closing.**

The Closing will be held on or before the day that is 30 days after the end of the Due Diligence Period, or such earlier date agreed to by the Parties, at a location mutually acceptable to the Parties. The Parties may extend the Closing date by mutual agreement.

#### **Section 8. Deeds.**

- a. Maine DOT will convey its right, title and interest in Parcels 3 through 5 via a Governor's Deed.
- b. The City will convey its right, title and interest in Parcel 1 via a Municipal Quitclaim Deed. The City will convey the Cliff Island Wharf by release bill of sale. The City will grant an interest in Parcel 2 through a conveyance instrument agreed to by the Parties, the provisions of which shall be negotiated during the Due Diligence Period.

#### **Section 9. Closing Deliverables.**

- a. City Deliverables. At the Closing, and as a condition thereto, the City will deliver in connection with its conveyance to MaineDOT the following as applicable:
  - i. the instruments described in Section 8.b above;
  - ii. documentation acceptable to MaineDOT indicating that this transaction has been duly authorized and that the person executing documents on behalf of the City is duly authorized to do so;
  - iii. an executed owner's affidavit in form satisfactory to MaineDOT indicating no tenants or other occupants presently in possession, unless specifically acknowledged and agreed upon by the acquiring Party, and indicating no debts due for labor or services performed or materials used that could give rise to mechanic's liens;
  - iv. the agreements and instruments described in Section 6;
  - v. all other reasonably required Closing documents.

- b. MaineDOT Deliverables. At the Closing, and as a condition thereof, MaineDOT will deliver in connection with its conveyances to the City, as applicable:
  - i. the executed Governor's Deed(s) to Parcels 3 through 5 as described in section 8.a above;
  - ii. documentation acceptable to the City indicating that this transaction has been duly authorized and that the person executing documents on behalf of MaineDOT is duly authorized to do so;
  - iii. an executed owner's affidavit in form satisfactory to the City indicating no tenants or other occupants presently in possession, unless specifically acknowledged and agreed upon by the acquiring Party, and indicating no debts due for labor or services performed or materials used that could give rise to mechanic's liens.
  - iv. the agreements and instruments described in Section 6.
  - v. all other reasonably required Closing documents.

**Section 10. Closing Costs and Apportionments.**

- a. Real Estate Taxes and Assessments. The Parties acknowledge that the City and MaineDOT are exempt from taxes or assessments and, as such, there shall be no taxes or assessments to pro-rate at Closing.
- b. Real Estate Transfer Tax. The Parties acknowledge that, pursuant to applicable Maine law, MaineDOT and the City are exempt from real estate transfer taxes.
- c. Recording Fees. The City will pay the recording fees for the Parcel 3 through 5 deeds. MaineDOT will pay the recording fees for the Parcel 1 Deed and Parcel 2 instrument if applicable.
- d. Legal Fees and Expenses. The Parties each will bear the cost of their respective legal fees, costs, and expenses.

**Section 11. Representations and Warranties.**

- a. City. The City represents and warrants that:
  - i. It has full power and authority to enter into this Agreement and to carry out its obligations under this Agreement.
  - ii. This Agreement has been duly authorized, executed, and delivered by the City

and is a legal, valid, and binding agreement of the City, enforceable in accordance with its terms. The execution, delivery, and performance of this Agreement by the City will not violate any judgment or order applicable to the City or the City's instruments of organization, governance or operation.

- iii. The City has not received any written notice of any pending condemnation, violation of law, or other legal action of any kind materially and adversely affecting the Cliff Island Wharf, Parcel 1 or Parcel 2.
  - iv. The City has no knowledge of any pending or threatened litigation, administrative action, or governmental investigation or examination (including, but not limited to, environmental investigations, examinations, claims, and demands) concerning Cliff Island Wharf, Parcel 1 or Parcel 2.
  - v. To the best of the City's knowledge, no third party other than MaineDOT has any right to acquire all or any part of the Cliff Island Wharf, Parcel 1 or Parcel 2 other than as disclosed herein.
  - vi. The City represents that there are no known underground storage facilities on Parcel 1 or Parcel 2.
- b. MaineDOT. MaineDOT represents and warrants that:
- i. MaineDOT has full power and authority to enter into this Agreement and to carry out its obligations under this Agreement.
  - ii. This Agreement has been duly authorized, executed, and delivered by MaineDOT and is a legal, valid, and binding agreement of MaineDOT, enforceable in accordance with its terms. The execution, delivery, and performance of this Agreement by MaineDOT will not violate any judgment or order applicable to MaineDOT or MaineDOT's instruments of organization, governance or operation.
  - iii. MaineDOT has not received any written notice of any pending condemnation, violation of law, or other legal action of any kind materially and adversely affecting any of Parcels 3 through 5.
  - iv. MaineDOT has no knowledge of any pending or threatened litigation, administrative action, or governmental investigation or examination (including, but not limited to, environmental investigations, examinations, claims, and demands) concerning any of Parcels 3 through 5.
  - v. To the best of MaineDOT's knowledge, no third party other than the City has any right to acquire all or any part of Parcels 3 through 5.



- vi. MaineDOT represents that there are no known underground storage facilities on any of Parcels 3 through 5.
- c. Survival. All representations and warranties contained herein are intended to remain true and correct as of the Closing, are deemed to be restated at the Closing, and will survive the Closing.

**Section 13. General Provisions.**

- a. Assignment. Neither this Agreement nor any of the rights or obligations of any Party pursuant to this Agreement may be assigned without the prior written consent of the other Party.
- b. Brokers. Each Party represents that no realtors, brokers or other real estate agents or licensees who would be entitled to claim a lien on any of the properties exchanged under the terms of this Agreement in accordance with 10 M.R.S. § 3251 or through any other right have been employed with respect to the exchange that is the subject of this Agreement.
- c. Governing Law. This Agreement is governed by, and is to be construed and enforced in accordance with, the laws of the State of Maine (without regard to conflicts-of-laws principles that would require the application of any other law).
- d. Entire Agreement. This Agreement, in conjunction with the project agreement contemplated under Section 6.a, constitutes the entire agreement between the Parties relating to the exchange of the properties that are the subject of this Agreement, supersedes all prior oral or written offers, negotiations, agreements, understandings, and courses of dealing between the Parties relating thereto, and is subject to no understandings, conditions or representations other than those expressly stated herein. This Agreement may be modified or amended only by means of a writing signed by both Parties.
- e. Counterparts and Electronic Signatures. This Agreement may be implemented in one or more counterparts, each of which will be deemed to be an original copy and all of which, when taken together, will be deemed to constitute one and the same Agreement, and will be effective when counterparts have been signed by each of the Parties and delivered to the other Parties. Each Party agrees that this Agreement and any other documents to be executed in connection herewith may be electronically signed and that any electronic signatures appearing on this Agreement or the associated documents are the same as handwritten signatures for the purposes of validity, enforceability and admissibility.
- f. Notices. Any notices required or permitted to be given hereunder will be given in writing, signed by the Party giving the same, and will be delivered (a) in person, (b) by a commercial overnight courier that guarantees next business day delivery and

provides a receipt, or (c) by electronic mail (with Request a Read Receipt), and such notices will be addressed as follows:

To MaineDOT: William Pulver, Chief Operating Officer  
Maine Department of Transportation  
16 State House Station  
Augusta, ME 04333-0016  
Email: [william.pulver@maine.gov](mailto:william.pulver@maine.gov)

with a copy to: James Billings, Esq., Chief Counsel  
Maine Department of Transportation  
16 State House Station  
Augusta, ME 04333-0016  
Email: [james.billings@maine.gov](mailto:james.billings@maine.gov)

To City: Jon P. Jennings, City Manager  
City of Portland  
389 Congress Street  
Portland, Maine 04101  
E-Mail: [gmitchell@portlandmaine.gov](mailto:gmitchell@portlandmaine.gov)

with a copy to: Michael Goldman, Esq. Corporate Counsel  
City of Portland  
389 Congress Street  
Portland, Maine 04101  
E-Mail: [mig@portlandmaine.gov](mailto:mig@portlandmaine.gov)

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement, effective as of the day and year first above written.

**MAINEDOT**

**CITY OF PORTLAND**

By: \_\_\_\_\_  
Bruce A. Van Note, Commissioner  
Duly authorized

By: \_\_\_\_\_  
Jon P. Jennings, City Manager  
Duly authorized

Approved by: \_\_\_\_\_  
City Corporation Counsel

Approved as to Funds: \_\_\_\_\_  
City Finance Dept

**EXHIBIT A**

[Description of Parcel 1 – International Marine Terminal Property]

## EXHIBIT A

### DESCRIPTION OF DEMISED PREMISES

A certain lot or parcel of land situated along Portland Harbor in the City of Portland, Cumberland County, State of Maine, and bounded and described as follows:

**BEGINNING** at a rebar found on the southeasterly line of Commercial Street located at the westerly corner of land now or formerly of General Marine Construction Corporation;

**THENCE**, S54°06'32"E 410.00' along said General Marine Construction Corporation to a point;

**THENCE**, S54°06'32"E 319.48' along said General Marine Construction Corporation to a point along the Harbor Commissioner's Line;

**THENCE**, S43°30'57"W 863.62' along said Harbor Commissioner's Line to a point;

**THENCE**, S38°44'28"W 247.02' along said Harbor Commissioner's Line to a point at the northeasterly line of land now or formerly of Cumberland County

**THENCE**, N32°32'17"W 141.63' along said Cumberland County to a point at the southerly corner of a Transformer Facility Easement to the State of Maine;

**THENCE**, N32°32'17"W 42.28' along said Cumberland County and the southwesterly line of said Transformer Facility Easement to a point at the southeasterly end of a Bridge Maintenance Facility Access Easement of the State of Maine;

**THENCE**, N32°32'17"W 389.86' along said Cumberland County and the southwesterly line of said Bridge Maintenance Facility Access Easement to a point at land now or formerly of Maine Central Railroad Company;

**THENCE**, N32°36'28"E 107.89' along said Maine Central Railroad Company to a point;

**THENCE**, N30°54'28"E 577.45' along said Maine Central Railroad Company to a drill hole set;

**THENCE**, N30°54'28"E 60.64' to a point along the line of said Commercial Street;

**THENCE**, S54°04'32"E 5.52' along the line of said Commercial Street to a point;

**THENCE**, N30°54'28"E 148.93' along the line of said Commercial Street to the **POINT OF BEGINNING**.

Meaning and intending to describe a lot or parcel of land containing 14.33 Acres or six hundred twenty-four thousand three hundred thirty-five square feet (624,335 S.F.), more or less.

Bearings referenced herein are Grid North NAD83 Maine State Plane West Zone.

Said lot or parcel of land herein described being shown on a plan titled "Standard Boundary Survey For Property At Portland International Marine Terminal Commercial Street Portland, Cumberland County, Maine Owned by City of Portland" prepared by Easterly Surveying Incorporated, Dated 8/14/2002, Revision B 9/16/06, said plan on file in the Portland Department of Public Services Engineering Archives Vault.

Meaning and intending to describe an area of land being a certain lot or parcel of land as described in a deed to the City of Portland, dated February 25, 1971 and recorded in the Cumberland County Registry of Deeds in Book 3161, Page 33, and a certain lot or parcel of land as described in a deed dated November 12, 1976 and recorded in said Registry in Deed Book 3941, Page 348.

**EXHIBIT B**  
[Port Authority Lease]

16 State House Station  
Augusta, Maine 04333-0016

Tel: 207.624.3564  
Fax: 207.624.3251

email: john.h.henshaw@maine.gov  
www.maineports.com

December 9, 2011

CC: Mayor / Councilor  
Anita, Nicole, Garry  
& Brian.

Mr. Mark Rees  
City Manager  
Portland City Hall, Room 208  
389 Congress Street  
Portland, Maine 04101

CITY OF PORTLAND, MAINE

DEC 12 2011

City Managers Office

ONS. back  
to me.

Thp  
Mark



Dear Mark:

I am writing to you for the purpose of delivering our annual report for the International Maine Terminal (IMT) in Portland and to submit our request for the extension of our lease on the property as provided for in lease with the City of Portland, dated June 1, 2009.

We are pleased to submit the enclosed annual report for the IMT. Fiscal year 2011 (July 1, 2010 through June 30, 2011) was the second year of the three year initial lease period for facility. We have dedicated this initial lease period to investment in the facility to turn it into a dedicated freight facility consistent with the city's plans for the Portland waterfront. The report details these investments, as well as our marketing efforts and maintenance work. As a result of these efforts, we have been able to attract a shipping service to the terminal. While the report shows a loss for the year and consequently there is no rent due under the lease, this loss is consistent with our investment and development plans for the facility.

I hereby request extension of the lease on the property, as provided for in the lease, for another five (5) years, beginning in July of 2012. According to the terms of the lease, the rent structure will change during this second lease period, and all subsequent lease periods. During the initial three (3) year lease period, we agreed to pay the City of Portland thirty-three (33) percent of our net revenues at the terminal. In the next five (5) year lease period, we will be paying the City of Portland twenty-five (25) percent of our gross revenues in the terminal up to \$120,000 plus CPI going forward. Therefore we anticipate the City of Portland should realize significant revenues from the lease during this second lease period and each of the three lease periods which follow it.

The lease represents a very positive and mutually beneficial relationship between the Maine Port Authority and the City of Portland. As we discussed, I look forward to having you visit the terminal at you convenience and to continuing this successful partnership.

Sincerely,

A handwritten signature in dark ink, appearing to be "JH".

John H. Henshaw  
Executive Director

Extended till  
June 30, 2017

cc: Michael F. Brennan, Mayor, City of Portland  
Bruce Van Note, Chair, Maine Port Authority

LEASE AGREEMENT

BETWEEN

**CITY OF PORTLAND,**

AND

**MAINE PORT AUTHORITY**

For property known as the International Marine Terminal  
located on Commercial Street in Portland, Maine

Dated: June 1, 2009



## LEASE AGREEMENT

THIS LEASE made this \_\_\_\_\_ day of \_\_\_\_\_, 2009, by and between the **CITY OF PORTLAND**, a body politic and corporate, located in the County of Cumberland, State of Maine (hereinafter referred to as "Landlord"), and the **MAINE PORT AUTHORITY**, a body corporate and politic and an instrumentality of the State of Maine created pursuant to 23 M.R.S.A. §4420, (hereinafter referred to as "Tenant"),

### W I T N E S S E T H:

In consideration of the mutual covenants and agreements contained herein and intending to be legally bound hereby, Landlord and Tenant hereby agree with each other as follows:

SECTION 1. Premises: Landlord hereby leases and lets to Tenant, and Tenant hereby takes and hires from Landlord, upon and subject to the terms, conditions, covenants and provisions hereof, all of that tract, piece or parcel of land, together with the buildings, equipment and improvements thereon commonly known as the International Marine Terminal located on Commercial Street in Portland, Cumberland County, Maine, more particularly described in Exhibit A attached hereto, together with any and all appurtenances, rights, privileges and easements benefiting, belonging or pertaining thereto (all of the foregoing hereinafter sometimes referred to as the "demised premises" and sometimes referred to as the "premises"), excluding the terminal building located on a portion of the premises as shown on the site plan attached hereto as Exhibit A-1 (the "Terminal Building"), but the land and structural support improvements located below the ground floor of the Terminal Building are included in the demised premises. The premises include certain submerged land leased to Landlord (the "Submerged Land") pursuant to Submerged Lands Lease No. 16-17-A dated October 5, 1994, between the Bureau of Parks and Lands, an Agency of the State of Maine Department of Conservation and Landlord, a copy of which is attached hereto as Exhibit B (as the same may be amended or replaced from time to time with the consent of Tenant, the "Submerged Lands Lease"). With respect to the Submerged Land, this Lease is a sublease of the leasehold interest held by Landlord as lessee under the Submerged Lands Lease and is subject to all of the terms and conditions of the Submerged Lands Lease.

SECTION 2. Term: (a) The original term of this Lease shall be for a period of approximately three (3) years and 2 months which shall begin on May 1, 2009 (hereinafter referred to as the "Commencement Date") and expire on June 30, 2012. The first "lease year" hereof shall be the period from the Commencement Date through June 30, 2010 and each subsequent lease year shall be a 12 month period ending on June 30.

(b) Tenant shall have the option, at the expiration of the original term hereof, to extend the original term hereof for up to four (4) successive extension terms, the first two extension terms to be of five (5) years each, and the last two extension terms to be of ten (10) years each, each of such extension periods to be exercised separately in the manner herein provided, and to

be on all the same terms, covenants and conditions as are contained in this Lease, provided that Tenant may not exercise any such option when it is in default in the performance of its obligations hereunder (including its maintenance obligations) which default has not been cured within the applicable cure period set forth in Section 24. Such option to extend, or further to extend, as the case may be, shall be exercised by written notice to Landlord at least six (6) months prior to the expiration of said original term, or said term as previously extended, and upon the giving of such notice and without any further instrument, lease or agreement, this Lease shall be so extended, or further extended. Notwithstanding that Tenant shall have failed at any time to have given written notice to Landlord at least six (6) months prior to the expiration of the original term, or said term as previously extended, Tenant's right to extend the term of this Lease, or further to extend, as the case may be, shall nevertheless continue until fifteen (15) days after Landlord shall have given Tenant written notice of its failure to so extend. As used in this Lease, the expression "the term of this Lease," and similar expressions, shall mean and refer to the original term together with any extension terms, if elected by Tenant.

**SECTION 3. Rent:** Tenant agrees to pay to Landlord, at the address set forth in Section 30 in regard to notices or at such other place as Landlord may by notice in writing to Tenant from time to time direct, annual rent as hereinafter set forth. During the original term of this Lease such annual rent shall be equal to the lesser of (i) the Maximum Annual Rent (as hereinafter defined) or (ii) one-third of the Net Revenues during the applicable lease year. During each extension term of this Lease such annual rent shall be equal to the lesser of (i) the Maximum Annual Rent (as hereinafter defined) or (ii) one-quarter of the Gross Revenues during the applicable lease year. On or before September 30 of each year Tenant shall provide Landlord with a statement computing the amount of rent due with respect to the lease year ended the preceding June 30 accompanied with payment of the amount of rent as set forth on such statement.

(a) "Net Revenues" for any period shall mean the amount by which the "Gross Revenues" for such period exceeds the "Operating Costs" for such period. Gross Revenues shall mean Tenant's actual cash receipts relating to the premises including all fees and charges for use of the wharf and other facilities on the premises (but not fees for use of the crane or other equipment which is not owned by Landlord) and any rents or license fees from subleases or licenses of any portion of the premises.

(b) "Operating Costs" for an period shall mean all expenses, costs and amounts of every kind and nature (including capital expenditures) which Tenant shall pay during the applicable period in connection with the management, repair, maintenance, restoration, marketing and operation of the premises, including without limitation, any amounts paid for: (i) utilities for the premises, including but not limited to electricity, power, gas, oil or other fuel, water, sewer, lighting, heating, air conditioning and ventilating, (ii) permits, licenses and certificates necessary to operate the premises or for the operation of any transportation to or from the Property, (iii) insurance applicable to the premises, or applicable to the provision of any transportation to or from the premises, but not limited to the amount of coverage Tenant is required to provide under this Lease, (iv) supplies, tools, equipment and materials used in the operation, repair and maintenance of the premises, including any equipment rental of any kind, (v) accounting, legal,

inspection, consulting, engineering and other services, (vi) all management fees and other amounts payable under any property management agreements, (vii) wages, salaries and other compensation and benefits for all persons engaged in the operation, maintenance or security of, or transportation to or from, the premises, and employer's Social Security taxes, unemployment taxes or insurance, and any other taxes which may be levied on such wages, salaries, compensation and benefits, (viii) payments under any contracts relating to the premises, and (ix) operation, repair, and maintenance of all buildings, wharves, improvements, systems and equipment and components thereof (including replacement of components), janitorial service, alarm and security service, trash removal, removal of ice and snow, maintenance and replacement of shrubs, trees, grass, sod and other landscaped items, drainage facilities, fences, curbs, and walkways, re-paving and re-striping of paved areas. Notwithstanding the foregoing, Operating Costs shall not, however, include depreciation or amortization or any capital expenditures funded with Bond proceeds as described in Section 7 below or funded with insurance proceeds received by Tenant.

(c) During the first lease year, the Maximum Annual Rent shall be \$120,000. For each subsequent lease year the Maximum Annual Rent shall be equal to the product of (i) \$120,000 multiplied by (ii) a fraction the numerator of which is the CPI for the month of May preceding the start of such lease year and the denominator of which is the CPI for May, 2009. The "CPI" shall mean the "Consumer Price Index" published by the U.S. Department of Labor, Bureau of Labor Statistics and commonly referred to as the Consumer Price Index for all U.S. cities, "All Items" (1982-84=100).

(d) Tenant shall maintain records respecting Gross Revenues and Operating Costs and determine the same in accordance with sound accounting and management practices, consistently applied. Landlord or its representative shall have the right to examine such records upon reasonable prior notice specifying such records Landlord desires to examine, during normal business hours at the place or places where such records are normally kept by sending such notice no later than ninety (90) days following the furnishing of the statement computing the rent due hereunder, provided that after the original term such examination shall be limited to a review of Gross Revenues as Operating Costs shall no longer be relevant to the computation of rent. Landlord may take exception to matters included in any such statement by sending notice specifying such exception and the reasons therefor to Tenant no later than sixty (60) days after Tenant makes such records available for examination. Each rent computation statement shall be considered final, except as to matters to which exception is taken after examination of Tenant's records in the foregoing manner and within the foregoing times. If Landlord takes exception to any matter contained in the statement as provided herein, Tenant shall refer the matter to an independent certified public accountant reasonably acceptable to Landlord and Tenant, whose certification as to the proper amount shall be final and conclusive as between Landlord and Tenant. Landlord shall promptly pay the cost of such certification unless such certification determines that Tenant underpaid rent by more than five percent (5%).

SECTION 4. Utilities, Services and Contracts: Landlord warrants and represents that the demised premises have direct access to electric, telephone, public water, public sewer and

stormwater drainage lines in the portions of Commercial Street that are contiguous to the demised premises, so as not to require any easements for such purposes. Landlord further covenants and agrees that the demised premises shall at all times remain connected to the necessary public utilities and water and sewerage system during the term of this Lease. Landlord further covenants and agrees that Tenant may take such steps as may be necessary to ensure the demised premises shall be connected, at all times during the term of this Lease, with all necessary public or private utility lines and water and sewerage system. Landlord warrants and represents that attached hereto as Exhibit C is a list of all contracts, agreements, licenses and leases presently in effect relating to the demised premises (the "Contracts"). To the extent that Tenant specifically requests assignment thereof such Contracts will be assigned by Landlord to Tenant effective as of the Commencement Date. All Contracts that are not so assigned to Tenant shall be terminated by Landlord effective as of the Commencement Date. Landlord shall be responsible for any costs associated with any such assignment or termination of the Contracts.

SECTION 5. Use of Premises and Tenant Responsibilities: The demised premises may be used for a marine terminal and for any other lawful purpose. In connection with such use, during the term of this lease,

- (a) Tenant shall be considered the terminal operator of the International Marine Terminal.
- (b) Tenant shall be fully responsible, at its own expense, for all repairs, replacement, upkeep and maintenance of the demised premises (but not the Terminal Building as described in Section 7(b) below), reasonable wear and tear and casualty damage excepted. Tenant shall make all necessary repairs in order to maintain the pier infrastructure in a good and usable condition, reasonable wear and tear and damage by casualty excepted. Within three (3) months after the commencement of this Lease and prior to each extension term, Tenant shall prepare and furnish to Landlord for approval maintenance and repair plans for the premises for the following term. Landlord shall review said plans for consistency with Tenant's obligations under this section. Landlord's approval shall not be unreasonably withheld. Tenant shall perform maintenance and repairs substantially in accordance with such maintenance plans, subject to Tenant's right to make reasonable modifications to such plans from time to time. Tenant shall furnish Landlord with all engineering reports prepared for or by Tenant regarding the Premises during the term of this Lease and shall also furnish Landlord with a yearly report documenting all maintenance and repairs completed by Tenant.
- (c) Tenant shall provide an annual report to the Portland City Council which summarizes the operations and activities on the premises during the previous year.
- (d) Tenant shall develop a marketing plan, and work actively to attract business to the premises.
- (e) In consultation with Landlord, Tenant shall publish a tariff for the premises in accordance with Federal Maritime Commission regulations.

(f) Tenant shall be responsible for all aspects of compliance with the Maritime Transportation Security Act and the Transportation Workers Identification Credential Program in regards to the Premises.

SECTION 6. Taxes and Utility Expenses: (a) The demised premises are currently exempt from real estate taxation as a governmental use and the parties anticipate that such tax status will continue during the term of this Lease. However, if real estate taxes should be due with respect to the premises, Landlord shall be responsible for paying such taxes. Landlord represents and warrants that the City of Portland shall treat all personal property located at the demised premises awaiting further transportation (no matter how long such property may be stored at the premises) as exempt from personal property taxation pursuant to 36 MRSA §655 1.G and neither Tenant nor any parties using the demised premises will be required to submit further documents to establish such exemption.

(b) Tenant shall, during the term of this Lease, pay and discharge punctually, as and when the same shall become due and payable, all charges for sewer, water, gas, heat, hot water, electricity, light and power, and other service or services furnished to the demised premises or the occupants thereof during the term of this Lease (hereinafter referred to as "Utility Expenses"). Landlord and Tenant shall cooperate to change the billing accounts for the Utility Expenses from Landlord's name to Tenant's name at or about the Commencement Date and to change such accounts back to Landlord's name at the end of the term. Landlord shall be responsible for the payment of all Utility Expenses for periods prior to the Commencement Date and after the termination date of this Lease.

SECTION 7. Improvements; Repairs; Additions; Replacements: (a) Currently there remains approximately [\$200,000] of proceeds from the Bonds authorized by Public Laws of 2007, Chapter 39 (the "Bond Proceeds") that have not yet been expended pursuant to the Cooperative Agreement relating thereto between Landlord and the Maine Department of Transportation. Said Cooperative Agreement is among the Contracts that will be terminated pursuant to Section 4 above. Tenant and the Maine Department of Transportation shall enter into an agreement pursuant to which any Bond Proceeds remaining as of the Commencement Date will be used to make alterations, removals, changes, replacements, improvements to the existing improvements on the premises and/or to construct or install additional buildings, structures, and other similar and dissimilar improvements as Tenant shall from time to time determine, provided that the same shall be in compliance with all then applicable building and zoning codes, laws and ordinances.

(b) As described in Section 1, the Terminal Building is excluded from the demised premises. If Tenant should desire to make use of any part of the Terminal Building, it shall have the right to send a notice to Landlord describing the portion of the Terminal Building that it desires to add to the demised premises and upon the date set forth in such notice, such portion shall become part of the demised premises and shall no longer be considered to be a part of the Terminal Building as such term is used in this Lease. Tenant shall have the right to demolish all or any portion of the Terminal Building and it intends to attempt to arrange funding for the costs

thereof and undertake such demolition promptly following the availability of such funding. Prior to such demolition, the Terminal Building may not be occupied or used by either party. In the event that prior to the time that Tenant has been able to arrange financing for the costs of such demolition, any governmental authority shall order that repairs or maintenance actions be taken with respect to the Terminal Building or that the Terminal Building be demolished based on public safety issues, release of Hazardous Materials or any other reason not caused by Tenant, Landlord shall be responsible for compliance with any such order at its expense. Landlord shall have the right to enter on the premises for access to the Terminal Building for the purpose of performing its obligations under any such order provided that such entry and such work shall be performed in a manner to assure that the same will not unreasonably interfere with operations of the demised premises.

(c) Upon sixty (60) days prior written notice to Landlord, Tenant may, at its own cost and expense, at any time and from time to time throughout the term of this Lease, make such alterations, changes, replacements, improvements and additions in and to the demised premises, and the buildings and improvements thereon, subject to all applicable codes and ordinances, as it may deem desirable, including the demolition or removal in whole or in part of any building(s), improvement(s), and/or structure(s) that may be situated upon the demised premises at the commencement of the term of this Lease or which may subsequently be erected upon the demised premises, together with any equipment or fixtures installed thereon.

(d) From and after the Commencement Date, title to any building or buildings or improvements constructed with Tenant's funds on the demised premises and the building equipment and other items purchased with Tenant's funds and installed thereon shall remain solely in Tenant and Tenant shall have the right to remove the same.

(e) On the last day or sooner termination of the term of this Lease, Tenant shall quit and surrender to Landlord the demised premises, and any buildings and permanent improvements then thereon, in their then existing condition and repair, and any buildings or permanent improvements which have not been removed by Tenant shall become the property of Landlord without any further consideration therefor.

SECTION 8. Requirements of Public Authority: (a) During the term of this Lease, Tenant shall, at its own cost and expense (or with the use of Bond Proceeds), promptly observe and comply with all present and future laws, ordinances, requirements, orders, directives, rules and regulations of the federal, state, county, and city governments and of all other governmental authorities affecting the demised premises or appurtenances thereto or any part thereof whether the same are in force at the commencement of the term of this Lease or may in the future be passed, enacted or directed; provided, however, that Landlord shall be responsible for compliance, at Landlord's own cost and expense, with the governmental requirements relating to certain Hazardous Materials as described in Section 22 hereof. Nothing herein shall require Tenant to perform any act or to comply with any law, ordinance, requirement, order, directive,

rule or regulation if Tenant can lawfully avoid such performance or compliance by closing the operations upon the demised premises or otherwise altering its activities thereon.

(b) Tenant shall have the right to contest by appropriate legal proceedings diligently conducted in good faith, in the name of the Tenant, or Landlord (if legally required), or both (if legally required), without cost or expense to Landlord, the validity or application of any law, ordinance, rule, regulation or requirement of the nature referred to in paragraph (a) of this Section and, if by the terms of any such law, ordinance, order, rule, regulation or requirement, compliance therewith may legally be delayed pending the prosecution of any such proceeding, Tenant may delay such compliance therewith until the final determination of such proceeding.

(c) Landlord agrees to execute and deliver any appropriate papers or other instruments which may be necessary or proper to permit Tenant so to contest the validity or application of any such law, ordinance, order, rule, regulation or requirement and to fully cooperate with Tenant in such contest.

SECTION 9. Covenant Against Liens: If, because of any work performed upon the demised premises by or at the expense of Tenant, any mechanic's lien or other lien shall be filed against Landlord or any portion of the demised premises, Tenant shall, at its own cost and expense, cause the same to be discharged of record or bonded within one hundred twenty (120) days after written notice from Landlord to Tenant of the filing thereof.

SECTION 10. Access to Premises: (a) During the term of this Lease Landlord or Landlord's agents shall have the right, after giving Tenant reasonable advance notice, and subject to compliance with the then applicable facility security plan, to enter upon the demised premises at reasonable times to examine the same provided such entry shall not unreasonably interfere with the activities then being conducted on the demised premises.

(b) Upon consent of Tenant, Landlord shall be permitted to utilize a portion of premises for certain City purposes that do not conflict with Tenant's use of the premises, that will comply with the facility security plan and will not harm or require changes to the infrastructure or improvements on the demised premises. Tenant shall determine whether such proposed use by Landlord conflicts with Tenant's use, and the duration and location of said use.

SECTION 11. Assignment and Subletting: Tenant shall have the right to sublet all or any part of the demised premises at any time, and from time to time, during the term of this Lease. Tenant shall promptly provide Landlord with a notice describing each such sublease, including the name of the subtenant. Tenant shall not assign this Lease without the prior written consent of Landlord, which consent shall not be unreasonably withheld or delayed. Notwithstanding any such assignment or subletting, Tenant shall remain directly and primarily liable for the performance of its obligations under this Lease.

SECTION 12. Signs: Tenant shall, during the term of this Lease, have the right to install, maintain and replace in, on or over or in front of the demised premises or in any part thereof signs and advertising matter as Tenant may desire, and Tenant shall comply with any applicable requirements of governmental authorities having jurisdiction and shall obtain any necessary permits for such purposes.

SECTION 13. Responsibility for Claims and Liabilities: As between Landlord and Tenant, Tenant, unless released under the provisions of Section 15 hereof, shall be responsible for all claims and all costs, expenses, and liabilities incurred in connection with such claims, including any action or proceeding brought thereon, arising from or as a result of (a) any accident, injury, loss, or damage whatsoever caused to any natural person, or to the property of any person, alleged to have occurred on the demised premises during the term of this Lease or (b) the intentional misconduct or negligent acts or omissions of Tenant or of the agents, contractors, servants or employees of Tenant or (c) the use and operation by Tenant of the demised premises during the term of this Lease; excepting, however, in each case, claims, accidents, injuries, loss or damages arising from or as a result of the intentional misconduct or negligent acts or omissions of Landlord or its agents, contractors, servants or employees. As between Landlord and Tenant, Landlord, unless released under the provisions of Section 15 hereof, shall be responsible for all claims and all costs, expenses, and liabilities incurred in connection with such claims, including any action or proceeding brought thereon, arising from or as a result of (a) any accident, injury, loss, or damage whatsoever caused to any natural person, or to the property of any person, alleged to have occurred in or about the demised premises prior to the Commencement Date or after then end of the term of this Lease or (b) the intentional misconduct or negligent acts or omissions of Landlord or the agents, contractors, servants or employees of Landlord or (c) the use, operation and maintenance of the demised premises prior to the Commencement Date or after then end of the term of this Lease; excepting, however, in each case, claims, accidents, injuries, loss, or damages arising from or as a result of the intentional misconduct or negligent acts or omissions of Tenant or of the agents, contractors, servants or employees of Tenant. Each party hereto shall promptly notify the other of any claim asserted against such party with respect to which is the responsibility of the other party hereunder, and the party giving such notice shall promptly deliver to the other party the original or a true copy of any summons or other process, pleading, or notice issued or served in any suit or other proceeding to assert or enforce any such claim. The party responsible for such claim as provided in this Section shall defend any such suit at its sole cost and expense with attorneys of its own selection, but the other party shall have the right, if it sees fit, to participate in such defense at its own expense. The provisions contained in this Section, notwithstanding anything to the contrary herein, shall not be considered to, and shall not, expand or create liability on the part of either party to any person for claims from which a party is released, exempted and/or protected by Maine law, including without limit, the Maine Tort Claims Act, as it is currently in effect or is in the future from time to time modified or amended.



SECTION 14. Insurance: (a) Tenant shall require that each stevedore licensee maintain with respect to the demised premises, liability insurance in the types and minimum amounts set forth below, in companies qualified to do business in the State of Maine, insuring Landlord, Tenant and any designee of Tenant having an interest in the demised premises, provided, however, that the obligation to maintain the insurance required hereunder shall always be subject to the availability of such insurance in the required amounts, and there may be reasonable deductibles on such insurance.

|       | <u>Description</u>                                                                                                           | <u>Coverage</u>             | <u>Each Occurrence</u>               |
|-------|------------------------------------------------------------------------------------------------------------------------------|-----------------------------|--------------------------------------|
| (i)   | Commercial General Liability (including Stevedore's legal liability and wharfinger's liability)                              | B.I./Death<br><br>P.D.      | \$1,000,000.00<br><br>\$1,000,000.00 |
| (ii)  | Vehicle Liability, including owned, hired or non-owned                                                                       | B.I./Death<br>P.D.          | \$400,000.00<br>\$400,000.00         |
| (iii) | Worker's Compensation, Employer's Liability (including an endorsement for Federal Longshoreman and Harbor Worker's coverage) | B.I./Death                  | Statutory amount                     |
| (iv)  | Pollution coverage                                                                                                           | Land to Sea<br>Land to Land | \$1,000,000.00<br>\$1,000,000.00     |

(b) In addition to such licensee's insurance, Tenant shall maintain liability insurance (or have self insurance through the State of Maine) consistent with Tenant's limited liability under the Maine Tort Claims Act. Tenant shall deposit with Landlord certificates of both the licensee's insurance and its insurance prior to the commencement of the term, and thereafter within ten (10) days prior to the expiration of such policy. Such policies shall, to the extent obtainable, provide that the applicable policy may not be materially changed or cancelled without at least ten (10) days' prior written notice to Landlord.

(c) During the term of this Lease, Tenant shall maintain property insurance upon any buildings, equipment and other structures (including all improvements, alterations, additions and changes thereto) which are located on the demised premises (but not on the Terminal Building which is not a part of the demised premises) with coverage for perils at least as broad as

Insurance Services Office form CP 1030 (Causes of Loss-Special Form), in an amount not less than 90% of the full insurable replacement cost (i.e., total cost less value of land and non-destructibles such as foundations and underground utilities). Tenant shall not be required to carry flood or earthquake insurance. Tenant shall be responsible for determining the amount of property coverage insurance to be maintained. Landlord shall maintain similar insurance on the Terminal Building. Notwithstanding anything herein (1) Tenant's obligations to maintain any of the insurance required hereunder shall always be subject to the availability of the required insurance in the required amounts; (2) Tenant may self insure for all or any part of the required insurance (but Tenant shall not be deemed to be a self insurer unless it shall elect to self insure by notice in writing to Landlord, and notwithstanding such election Tenant shall not be considered a self insurer for risks other than those required to be insured against hereunder, or for amounts in excess of the amount of insurance required hereunder); and (3) Tenant may maintain its usual deductibles on such insurance. All proceeds payable at any time and from time to time by any insurance company under such policies shall be payable to and shall be the absolute property of Tenant, and Landlord shall not be entitled to, and shall have no interest in, the proceeds of such insurance or any part thereof. Landlord shall, at Tenant's cost and expense, cooperate fully with Tenant in order to obtain the largest possible recovery and shall execute any and all consents and other instruments and take all other actions necessary or desirable in order to effectuate the same and to cause such proceeds to be paid as hereinbefore provided and Landlord shall not carry any insurance concurrent in coverage and contributing in the event of loss with any insurance required to be furnished by Tenant hereunder if the effect of such separate insurance would be to reduce the protection or the payment to be made under Tenant's insurance.

(d) Any insurance required to be provided by Tenant pursuant to this Lease may be provided by blanket insurance covering the demised premises and other locations provided such blanket insurance complies with all of the other requirements of this Lease with respect to the insurance involved. Tenant may by contract require its licensees, subtenants or other parties to perform some or all of Tenant's insurance obligations under this Section.

SECTION 15. Waiver of Subrogation: Each of Landlord and Tenant hereby releases the other and their officers, directors, shareholders, agents and employees from any and all liability or responsibility (to the other or anyone claiming through or under them by way of subrogation or otherwise) for any loss or damage to property caused by fire or other casualty, even if such fire or other casualty shall have been caused by the fault or negligence of the other party, or anyone for whom such party may be responsible.

SECTION 16. Damage or Destruction: In the event that, at any time during the term of this Lease, any one or more of the buildings on the demised premises shall be destroyed or damaged in whole or in part by fire or other casualty, Tenant shall within a reasonable time, at its own cost and expense, either repair and restore said damaged buildings to complete architectural units, or demolish and remove said damaged buildings from the demised premises and remove all rubble. Tenant shall not be entitled to any suspension or abatement of rent by reason of any such destruction or damage to the buildings and improvements upon the demised premises.

SECTION 17. Eminent Domain: (a) If, during the term of this Lease, the whole of the demised premises shall be taken for any public or quasi-public use under any statute or by right of eminent domain or by private purchase in lieu thereof, then this Lease shall automatically terminate as of the date that possession has been taken. In the event of a partial taking (or purchase) of the demised premises during the term of this Lease, as a result of which the demised premises are no longer reasonably usable, in whole or in substantial part, for the business then being conducted thereon or the use then being made thereof, or if as a result of a taking (or purchase in lieu thereof) the demised premises are deprived of direct, reasonable and adequate access to the public streets and highways, Tenant shall have the right, but not the obligation, to terminate this Lease by giving written notice of such termination to Landlord on or prior to the date which is ninety (90) days after the date of such taking (or purchase), and upon the giving of such notice of termination the term of this Lease shall expire and come to an end on the last day of the calendar month in which such notice shall be given with the same force and effect as if said day had been originally fixed herein as the expiration date of the term of this Lease. In the event this Lease shall terminate or be terminated, the rental shall, if and when necessary, be adjusted to the day of the taking (or purchase) and neither party shall have any further rights or liabilities hereunder.

(b) In the event of a taking (or purchase) resulting in the termination of this Lease pursuant to the provisions of paragraph (a) of this Section 17 the parties hereto agree to cooperate in applying for and in prosecuting any claim for such taking and further agree, that the aggregate net award pertaining to the demised premises, after deducting all expenses and costs, including reasonable attorneys' fees, incurred in connection therewith, payable to both Landlord and Tenant (herein called the "Fund") shall be paid and distributed as follows:

(1) There shall first be paid to Tenant an amount equal to the unamortized cost to Tenant of any buildings and other leasehold improvements paid for by Tenant and installed in, or made to, the premises at such time, and any award for lost profits of the Tenant or any of its subtenants or licensees.

(2) All of the Fund remaining after the payment specified in subparagraph (1) above, shall be paid to or retained by Landlord.

(c) (1) In the event that by notice to Landlord, Tenant elects after a partial taking (or purchase in lieu thereof) to make repairs to any of the building(s) and improvements on the demised premises affected by such taking (or purchase in lieu thereof) (to the extent feasible, taking into account the amount of land remaining after such taking or purchase) or to replace any of such building(s) or improvements, all compensation available or paid to Landlord and Tenant upon such a partial taking (or purchase) shall be paid to Tenant for the purpose of paying towards the cost of such restoration or replacement, or, in the event that the parties hereto agree that only a portion of the aggregate award is sufficient to so restore or replace, then only such portion as agreed upon shall be paid to Tenant for such purpose and the balance shall be distributed pursuant to subparagraph (2) of this paragraph (c) of this Section.

(2) All compensation available or paid to Landlord and Tenant upon such a partial taking (or purchase in lieu thereof) in excess of the amount thereof needed by Tenant to repair and restore the building(s) and improvements shall be distributed in the same manner as is provided in subparagraphs (1) and (2) of paragraph (b) of this Section, except that all compensation for any temporary taking shall be distributed to Tenant without participation by Landlord. In the event that any payment out of such compensation shall be paid to Landlord, then a portion of the rent payable hereunder shall be abated, effective from the date of taking (or purchase in lieu thereof), according to the nature and extent of the permanent injuries to the demised premises.

(d) Despite anything herein to the contrary contained, Tenant shall not be prevented from making a claim in its own name against any such condemning authority with respect to any trade fixtures, trade equipment, or personal property of any kind belonging to Tenant and not forming part of the real estate, or for the cost of moving all of the same, and any such award made directly to the Tenant shall belong entirely to Tenant.

SECTION 18. Utility Easements: Tenant shall have the right to enter into agreements with utility companies, and/or public authorities which provide necessary utilities, creating easements in favor of such companies and/or authorities as are required in order to service the demised premises, and Landlord covenants and agrees to consent thereto and to execute any and all documents, agreements and instruments, and to take all other actions, in order to effectuate the same, all at Tenant's cost and expense. Landlord represents that on the Commencement Date there exist adequate connections to the demised premises for public water, public sewer, stormwater drainage, electricity, telephone, gas and other utility services to enable Tenant to conduct Tenant's intended uses at the demised premises, and Landlord warrants that adequate connections will continue to exist for the term of this Lease. Landlord represents and warrants that access between the demised premises and Commercial Street will exist for the term of this Lease from and after the Commencement Date.

SECTION 19. Mortgages: Landlord hereby covenants and agrees that during the term of this Lease (including any extensions thereof), Landlord shall not have the right or power to grant any mortgage or deed of trust or otherwise create any security or other liens or encumbrances upon or affecting the demised premises, or any part thereof, at any time and from time to time, and Landlord shall not have the right or power to modify, extend, renew, replace, refinance or otherwise change or affect any mortgage, deed of trust or other security at any time or from time to time created by Tenant pursuant to this Lease, and Landlord covenants and agrees that all such rights and powers are hereby exclusively and irrevocably vested in and granted to Tenant, subject to the terms and conditions hereinafter set forth.

SECTION 20. Leasehold Mortgages: (a) Tenant shall have the right, from time to time, to mortgage its interest in this Lease ("Tenant's Leasehold Estate") and to assign, pledge or hypothecate it as security for any such mortgage, and may grant a first-lien security interest to any purchase money lender for Tenant's Personal Property, it being expressly agreed however that except as may be specifically provided herein, Tenant shall have no authority, express or

implied, to create any lien, charge or encumbrance upon the fee estate of the Landlord in the Premises. Landlord hereby subordinates any contractual, statutory, constitutional or common law lien to which Landlord may be entitled against Tenant's Personal Property to the lien or security interest of any such lender.

(b) If any mortgagee or holder of the indebtedness secured by any leasehold mortgage of Tenant ("Leasehold Mortgage") shall notify the Landlord in the manner herein provided for the giving of notice of such mortgage and name and place for service of notice upon such Leasehold Mortgagee, then and in such event, Landlord agrees to give any Leasehold Mortgagee simultaneously with service on Tenant a duplicate of any and all notices of demand or default. Further, in the event of any such default by Tenant under this Lease, the Leasehold Mortgagee shall have the privilege of performing any of Tenant's covenants or of curing any defaults by Tenant hereunder.

(c) No liability for the payment of rental or the performance of any of Tenant's covenants and agreements hereunder shall attach to or be imposed upon any Leasehold Mortgagee unless and until such Leasehold Mortgagee assumes possession of the Premises.

(d) Anything contained in this Lease to the contrary notwithstanding, if any default shall occur which entitles Landlord to terminate this Lease, Landlord shall have no right to terminate this Lease unless, following the expiration of the period of time given Tenant to cure such default or the act or omission which gave rise to such default, Landlord shall notify Leasehold Mortgagee of Landlord's intent to so terminate ("Termination Notice") at least 15 days in advance of the proposed effective date of such termination ("Termination Notice Period"). The provisions of Section 25(e) below shall apply if, during such Termination Notice Period, any Leasehold Mortgagee shall:

(i) notify Landlord in writing of such Leasehold Mortgagee's desire to act pursuant to such notice given by Landlord, and

(ii) pay or cause to be paid all rent, additional rent, and other payments then due and in arrears as specified in the Termination Notice, as well as all payments which may become due during such Termination Notice Period, and

(iii) comply or in good faith, with reasonable diligence and continuity, commence to comply with all non-monetary requirements of this Lease then in default and reasonably susceptible of being complied with by such Leasehold Mortgagee.

(e) If a Leasehold Mortgagee shall have proceeded in the manner provided for in Section 25(d) above, the specified date for the termination of this Lease as fixed by Landlord in its Termination Notice shall be extended for a period of three months, provided that such Leasehold Mortgagee shall, during such three month period:

(i) pay or cause to be paid the rent, additional rent and other monetary obligations of Tenant under this Lease as the same become due, and continue its good faith efforts to perform all of Tenant's other obligations under this Lease, excepting past non-monetary obligations then in default and not reasonably susceptible of being cured by such Leasehold Mortgage; and

(ii) if not enjoined or stayed, take steps to acquire or sell Tenant's interest in this Lease by foreclosure of the Leasehold Mortgage or other appropriate means and prosecute the same to completion with due diligence.

(f) If a Leasehold Mortgagee is complying with Section 25(e) above, upon the acquisition of Tenant's Leasehold Estate herein by such Leasehold Mortgagee or its designee or any other purchaser at a foreclosure sale or otherwise ("Successor Tenant") this Lease shall continue in full force and effect as if Tenant had not defaulted under this Lease, provided that Landlord shall have given its written consent to the Successor Tenant, such consent not to be unreasonably withheld, conditioned or delayed.

(g) Any Successor Tenant may, upon acquiring Tenant's Leasehold Estate and upon obtaining the written consent of Landlord (such consent not to be unreasonably withheld, conditioned or delayed), further sell and assign the Leasehold Estate on such terms and to such persons and organizations as are acceptable to such Successor Tenant and thereafter be relieved of all obligations under this Lease; provided that such assignee has delivered to Landlord its written agreement to be bound by all of the provisions of this Lease.

(h) Landlord shall upon request, execute, acknowledge and deliver to each leasehold mortgagee(s), an agreement prepared at the sole cost and expense of Tenant in form satisfactory to such leasehold mortgagee(s) between Landlord, Tenant and the leasehold mortgagee(s), agreeing to all of the provisions of this Section 20. Tenant's rights under this Section 20 may also be exercised by any subtenant of all or any part of the demised premises.

SECTION 21. Subleases: If for any reason, other than a default caused by a sublessee as provided below, this Lease and the leasehold estate of Tenant hereunder is terminated by Landlord by summary proceedings or otherwise in accordance with the terms of this Lease, Landlord covenants and agrees that such termination of this Lease shall not result in a termination of any sublease affecting the demised premises and that they shall all continue for the duration of their respective terms and any extensions thereof as a direct lease between Landlord hereunder and the sublessee thereunder, with the same force and effect as if Landlord hereunder had originally entered into such sublease as Landlord thereunder. Any such sublessee shall not be named or joined in any action or proceeding by Landlord under this Lease to recover possession of the demised premises or for any other relief. Landlord shall, upon request, execute, acknowledge and deliver such agreements evidencing and agreeing to the foregoing as each sublessee shall require. If this Lease and the leasehold estate of Tenant hereunder is terminated by Landlord due to a default made by Tenant which is caused by a sublessee, such termination of

this Lease shall also result in a termination of said sublease. Any licenses issued by Tenant with respect to the demised premises shall terminate effective upon any termination of this Lease.

SECTION 22. Hazardous Materials: As between Landlord and Tenant, Landlord shall be responsible for any loss, liability or expense relating to personal, property or economic injury (including any costs incurred by Tenant in connection with the correction of any violation of Environmental Laws) arising from the presence of Hazardous Materials located within the demised premises (other than any such Hazardous Materials introduced by Tenant). As between Landlord and Tenant, Tenant shall be responsible for any loss, liability or expense relating to personal, property or economic injury (including any costs incurred by Landlord in connection with the correction of any violation of Environmental Laws) arising from the presence of Hazardous Materials located within the demises premises if introduced by Tenant. Tenant agrees that it will comply with all Environmental Laws with respect to Tenant's use of the premises. Each party will promptly notify the other party and provide copies upon receipt of all written complaints, claims, citations, demands, inquiries, reports, or notices relating to the environmental condition of the premises or compliance with Environmental Laws. Landlord shall, at its sole cost and expense, perform any environmental site assessment or other investigation of environmental conditions in connection with the premises, pursuant to any reasonable written request of Tenant after Tenant has reason to believe that Hazardous Materials are located within the demised premises (other than any such Hazardous Materials introduced by Tenant) or that such Hazardous Materials may be in violation of Environmental Laws (including, but not limited to sampling, testing and analysis of soil, water, air, building materials and other materials and substances whether solid, liquid or gas), and share with Tenant the reports and other results thereof, and Tenant shall be entitled to rely on such reports and other results thereof. Landlord shall, at its sole cost and expense, comply with all reasonable written requests of Tenant to (A) reasonably effectuate remediation of any condition in, on, under or from the premises, (B) comply with any Environmental Law, (C) comply with any directive from any governmental authority, and (D) take any other reasonable action necessary or appropriate for protection of human health or the environment. Any such environmental inspections and samplings, shall be performed by Landlord during regular business hours (except in the event of an emergency) or during such other hours as Landlord and Tenant may agree. Landlord will use reasonable efforts to minimize interference caused by Landlord's entry and remediation efforts. Upon completion of any sampling or remediation work Landlord will restore the affected area of the premises from any damage caused by Landlord's sampling and remediation reasonably promptly. The provisions of this Section 22 shall survive the expiration or earlier termination of this Lease. For the purposes of this Lease, the term "Environmental Laws" shall be defined to include all present or future laws or regulations regarding the use, storage, removal or abatement of hazardous, toxic and/or environmentally controlled materials. As used herein, "Hazardous Materials" shall mean all hazardous, toxic and/or environmentally or statutorily controlled materials.

SECTION 23. Quiet Enjoyment; Landlord's Warranties: (a) Landlord covenants and agrees with Tenant that upon Tenant paying the rent and observing and performing all the terms, covenants and conditions, on Tenant's part to be observed and performed, Tenant shall and may peaceably and quietly have, hold, occupy and enjoy the demised premises and all appurtenances

thereto without hindrance or molestation. Landlord shall deliver full and actual possession of the demised premises to Tenant upon the Commencement Date of this Lease, subject to the occupancy of office trailer and storage area by Ports America Maine pursuant to the lease set forth on Exhibit C.

(b) Landlord warrants and represents, upon which warranty and representation Tenant has relied in the execution of this Lease, that Landlord has fee simple title to the land which constitutes the demised premises (other than the Submerged Land as to which Landlord has a valid leasehold interest under the Submerged Lands Lease) free and clear of all defects, encumbrances, restrictions, liens, leases, tenancies, easements, agreements, contract rights, or other claims or interests (collectively "Encumbrances") except for those listed on Exhibit "D" hereto; that on and after the Commencement Date this lease shall be a first lien upon the demised premises free and clear of all Encumbrances except for those listed on Exhibit D or created by Tenant, and there shall be no mortgages, deeds or trust or liens having priority over this Lease; that no such matter listed on Exhibit D shall adversely affect the use and enjoyment of the demised premises or the building or improvements thereon in accordance with the terms of this Lease; that Landlord and any person executing this Lease in a representative capacity has full right and lawful authority to execute this Lease for the term in the manner and upon the conditions and provisions herein contained; that Landlord has not granted to any other person or entity other than Tenant any rights of first refusal or right to purchase the demised premises; that from and after the Commencement Date there shall be no legal impediment to the use of the demised premises or the building or improvements thereon as a marine freight terminal; that the demised premises are contiguous to Commercial Street along the full length of the demised premises and have free and lawful access to Commercial Street. Landlord covenants and agrees to reimburse Tenant from and against all damages, claims, demands, penalties, liabilities, costs and expenses (including reasonable attorneys fees) arising directly or indirectly from any breach of or inaccuracy in the warranties, representations or provisions of paragraphs (a) or (b) of this Section 23. Without limiting the foregoing, Tenant shall, in addition to the foregoing remedies, be entitled to deduct from the rent and/or additional rent due hereunder the reasonable cost of curing or removing any Encumbrance or condition which is inconsistent with the provisions of said paragraphs (a) or (b) hereof provided that Tenant shall have first notified Landlord of the Encumbrance or condition and Landlord shall have failed to remove or cure the same within thirty (30) days of said notice. Landlord covenants and agrees that in addition to any other legal or equitable remedies available to Tenant, Tenant shall have the right to terminate this Lease for any breach of or inaccuracy in the warranties, representations or provisions of paragraphs (a) and (b).

SECTION 24. Defaults: (a) If default shall be made in the due and punctual payment of any installment of rent payable under this Lease, when and as the same shall become due and payable, and such default shall continue for a period of thirty (30) days after written notice from Landlord to Tenant specifying the items in default; then and in any such event, Landlord, at any time while such default shall continue after the expiration of such thirty (30) day period, may give written notice to Tenant specifying such event of default or events of default and stating that this Lease and the term hereby demised shall expire and terminate on the date specified in such



notice which date shall be at least ten (10) days after the giving of such notice, and upon the date specified in such notice, this Lease and the term hereby demised and all rights of Tenant under this Lease, including any renewal or extension privileges whether or not exercised, shall expire and terminate. Upon any such expiration or termination of this Lease, Tenant shall quit and peacefully surrender the demised premises to Landlord, and Landlord, upon or at any such expiration or termination, may without further notice, enter upon and reenter the demised premises and possess and repossess itself thereof, by summary proceedings, and may dispossess Tenant and remove Tenant and all other persons and property from the demised premises and may have, hold and enjoy the demised premises and the rights to receive all rental income of and from the same. No such expiration or termination of this Lease, or summary proceedings, reentry or dispossession, shall relieve Tenant of its liability and obligation under this Lease to pay rent based on Net Revenues or Gross Revenues, as applicable, for the period prior to such termination.

(b) If default shall be made by Tenant in the performance or compliance with any of the agreements, terms, covenants or conditions in this Lease provided, other than those referred to in the foregoing paragraph (a), and such default shall continue for a period of sixty (60) days after written notice from Landlord to Tenant specifying the items in default, or in case of a default or contingency which cannot with due diligence be cured within said sixty (60) day period, Tenant fails to proceed within said sixty (60) day period to commence to cure the same and thereafter to prosecute the curing of such default with due diligence and within a period of time which, under all prevailing circumstances, shall be reasonable, then Tenant shall be in default under this Lease and Landlord shall be entitled to terminate this Lease. Upon said termination, Tenant shall quit and peacefully surrender the demised premises to Landlord, and Landlord, upon or at any such expiration or termination, may without further notice, enter upon and reenter the demised premises and possess and repossess itself thereof, by summary proceedings, and may dispossess Tenant and remove Tenant and all other persons and property from the demised premises and may have, hold and enjoy the demised premises and the rights to receive all rental income of and from the same. No such expiration or termination of this Lease, or summary proceedings, reentry or dispossession, shall relieve Tenant of its liability and obligation under this Lease to pay rent based on Net Revenues or Gross Revenues, as applicable, for the period prior to such termination.

(c) Simultaneously with the sending of the notice described in paragraphs (a) and (b) of this Section 24 to Tenant, Landlord shall send a copy of such notice to any leasehold mortgagee(s) and to any persons or parties having an interest in the demised premises that Tenant may select in writing from time to time. The curing of any default(s) within the above time limits, or within the time limits provided in Section 20 hereof with respect to cure by a leasehold mortgagee, by any of the aforesaid parties or combination thereof, shall constitute a curing of any default(s) hereunder with like effect as if Tenant had cured same hereunder.

SECTION 25. Disputes: It is agreed that if at any time a dispute shall arise as to any amount or sum of money to be paid by Tenant to Landlord under the provisions hereof, the Tenant shall have the right to make payment "under protest" and such payment shall not be regarded as a

voluntary payment and there shall survive the right on the part of Tenant to institute suit for the recovery of such sum, and if it shall be adjudged that there was no legal obligation on the part of Tenant to pay such sum or any part thereof, Tenant shall be entitled to recover such sum or so much thereof as it was not legally required to pay under the provisions of this Lease; and if at any time a dispute shall arise between the parties hereto as to any work to be performed by Tenant under the provisions hereof, Tenant may perform such work and pay the cost thereof "under protest" and the performance of such work shall in no event be regarded as a voluntary performance and there shall survive the right on the part of Tenant to institute suit for the recovery of the cost of such work, and if it shall be adjudged that there was no legal obligation on the part of Tenant to perform such work or any portion thereof, Tenant shall be entitled to recover the cost of such work or the cost of so much thereof as Tenant was not legally required to perform under the provisions of this Lease.

SECTION 26. Waivers: Failure of Landlord or Tenant to complain of any act or omission on the part of the other party no matter how long the same may continue, shall not be deemed to be a waiver by said party of any of its rights hereunder. No waiver by Landlord or Tenant at any time, express or implied, of any breach of any provision of this Lease shall be deemed a waiver of a breach of any other provision of this Lease or a consent to any subsequent breach of the same or any other provision. If any action by either party shall require the consent or approval of the other party, the other party's consent to or approval of such action on any one occasion shall not be deemed a consent to or approval of said action on any subsequent occasion or a consent to or approval of any other action on the same or any subsequent occasion. Any and all rights and remedies which either party may have under this Lease or by operation of law, either at law or in equity, upon any breach, shall be distinct, separate and cumulative and shall not be deemed inconsistent with each other; and no one of them, whether exercised by said party or not, shall be deemed to be in exclusion of any other; and any two or more of all of such rights and remedies may be exercised at the same time.

SECTION 27. Self-Help: (a) If Tenant shall default in the performance or observance of any agreement, obligation, condition or other provision in this lease contained on its part to be performed or observed other than an obligation to pay money, and shall not cure such default within sixty (60) days after notice in writing from Landlord specifying the default (or shall not within said period commence to cure such default and thereafter prosecute the curing of such default to completion with due diligence), Landlord may, at its option, without waiving any claim for damages for breach of agreement, at any time thereafter cure such default for the account of Tenant, and any reasonable amount paid or any reasonable contractual liability incurred by Landlord in so doing shall be deemed paid or incurred for the account of Tenant and Tenant agrees to reimburse Landlord therefor; provided that Landlord may cure any such default as aforesaid prior to the expiration of said waiting period but after notice to Tenant, if the curing of such default prior to the expiration of said waiting period is reasonably necessary to protect the real estate or Landlord's interest therein, or to prevent injury or damage to persons or property. If Tenant shall fail to reimburse Landlord upon demand for any amount paid for the account of Tenant hereunder, said amount shall be added to and become due as a part of the next payment of rent due hereunder.

(b) If Landlord shall default in the performance or observance of any agreement, obligation, warranty, condition or other provision in this lease contained on its part to be performed or observed, and if Landlord shall not cure such default within sixty (60) days after written notice from Tenant specifying the default (or shall not within said period commence to cure such default and thereafter prosecute the curing of such default to completion with due diligence), Tenant may, at its option, without waiving any claim for damages for breach of agreement, at any time thereafter cure such default for the account of Landlord, and any amount reasonably paid by Tenant or any contractual liability reasonably incurred by Tenant in curing such default shall be deemed paid or incurred for the account of Landlord and Landlord shall reimburse Tenant therefor; provided that Tenant may cure any such default as aforesaid prior to the expiration of said waiting period, but after notice to Landlord, as long as the curing of such default prior to the expiration of said waiting period is reasonably necessary to protect the demised premises or the continued operation in the usual manner of Tenant's business therein, or to prevent injury or damage to persons or property. If Landlord shall fail to reimburse Tenant within thirty (30) days after demand for any amount paid for the account of Landlord in accordance with the provisions of this paragraph (b), Tenant may deduct said amount, together with interest thereon at the variable rate per annum which is three percent (3%) per annum greater than the "Prime Rate" of interest as then set forth in the "Money Rates" column of the Wall Street Journal or any successor publication, from the next several payments of rent and other charges due hereunder until such amounts, together with interest as aforesaid, have been fully recovered by Tenant. The good faith deduction of rent or other charges by Tenant in accordance with the provisions hereof shall not constitute a default by Tenant in the payment of rent or other charges or in the performance of its obligations under this lease unless Tenant shall fail to pay the amount of such deduction to Landlord within thirty (30) days after a final adjudication that such amount is due and owing to Landlord.

SECTION 28. Zoning: Landlord hereby authorizes Tenant, for the term of this lease, in Landlord's name if necessary, to apply for and secure from any governmental authority having jurisdiction over the demised premises and the building or improvements, any permits, licenses approvals, consents, or the like (hereinafter "Permits") as Tenant desires. Landlord covenants and agrees, throughout the term of this Lease, to cooperate fully with Tenant in any and all applications and proceedings and appeals made or prosecuted by Tenant in connection with obtaining any necessary Permits under the zoning, land use, environmental and/or building regulations, ordinances, codes, laws and directives of all of the federal, state, town and other authorities having jurisdiction over the development and use of the demised premises and the building or improvements. Landlord shall, if requested by Tenant, execute and join in the execution of any and all applications, documents, instruments, consents and authorizations requested by Tenant which shall be necessary or desirable with respect thereto, including any appeals therefrom, including appeals to the courts having jurisdiction in the matter. Tenant may prosecute such applications, proceedings and appeals in its own or in Landlord's name and through counsel of its choice, but shall do so at its own cost and expense, except that Landlord shall bear the cost and expense of any applications, proceedings or appeals resulting from or

necessitated by any breach of or inaccuracy in the warranties, covenants or representations of Landlord hereunder, including without limitation those contained in Sections 18 and 23 hereof.

SECTION 29. Force Majeure: In any case where either party hereto is required to do any act (except for the payment of money), the time for the performance thereof shall be extended by a period equal to any delay caused by or resulting from act of God, war, civil commotion, fire or other casualty, labor difficulties, shortages of energy, labor, materials or equipment, government regulations, delays caused by either party to the other, or other causes beyond such party's reasonable control, whether such time be designated by a fixed date, a fixed time or a "reasonable time."

SECTION 30. Notices: All notices and other communications authorized or required hereunder shall be in writing and shall be either delivered in person to the party to whom they are addressed or sent by certified mail or registered mail, return receipt requested, or by overnight carrier, in each case with all postage and mailing charges prepaid and addressed in the manner hereinafter provided. Any such notice or other communication which is required to be given within a certain period or prior to a certain date in order to be effective shall be deemed to have been given by the sending party when personally delivered or mailed in the manner herein provided to the party to whom such notice or other communication shall be addressed. Any such notice or other communication which requires or anticipates a response by the receiving party within a certain period or prior to a certain date shall be deemed to have been given to the receiving party when received or refused by the party to whom such notice or other communication is addressed. For the purposes hereof, any notice or other communication shall be deemed to have been received by the party to whom addressed on the third (3rd) business day after the posting of the same in the United States Mail in the manner herein provided and on the first (1st) business day after the deposit of the same with an overnight carrier as herein provided. Any notice or other communication intended for Landlord shall be mailed to Landlord at:

City Manager  
Portland City Hall  
389 Congress Street  
Portland, ME 04101

or at such other address or addresses as Landlord may hereafter designate by notice to Tenant; and any notice or other communication intended for Tenant shall be mailed to Tenant at:

Maine Port Authority  
ATTN: John Henshaw, Executive Director  
16 State House Station  
Augusta, Maine 04333-0016

or at such other address or addresses as Tenant may hereafter designate by notice to Landlord.

SECTION 31. Estoppel Certificates: Each party agrees that at any time, and from time to time, upon not less than fourteen (14) days prior notice, at either party's request, it shall execute, acknowledge and deliver to the other party, a statement in writing certifying, if such be the case, that this Lease is unmodified and in full force and effect, or if there are modifications, stating the modifications and that the Lease as modified is still in full force and effect, and that there are no defaults, defenses or offsets thereto then accrued, or stating those claimed, and stating the dates to which the rents or other charges have been paid.

SECTION 32. Purchase Rights of Tenant: On each occasion on which Landlord shall decide or desire to sell all or any part or parts of the demised premises during the term of this Lease, Landlord shall give written notice to Tenant describing the premises which Landlord desires to sell and setting forth the terms and conditions upon which Landlord proposes to sell said premises, which notice shall constitute an offer by Landlord to sell said premises to Tenant on the terms and conditions set forth in said notice. Tenant may then accept such offer by giving written notice of such acceptance within one hundred twenty (120) days after receipt of the written offer by Landlord. The acceptance by Tenant of such offer shall be deemed to create a binding agreement between Landlord and Tenant for the sale of said premises on the terms and conditions set forth in the offer without need for any further instrument or agreement, which purchase and sale shall be consummated by a closing to be held within sixty (60) days after acceptance of the offer. If Tenant shall fail to accept any offer from Landlord made in accordance herewith, Landlord may sell the premises described in such offer to any other party; provided, however, (1) that such sale shall be subject to this Lease and particularly to the provisions of this Section 32 with respect to any future sales, and (2) that Landlord shall not sell the premises described in such offer to another party on terms and conditions more favorable than those offered to Tenant without first re-offering said premises to Tenant on the more favorable terms and conditions, which reoffer shall remain open for a period of thirty (30) days and may be accepted by Tenant in the manner provided herein with respect to the original offer. Notwithstanding the failure by Tenant to exercise the above-described right to purchase on any one occasion or with respect to one portion of the demised premises, Tenant shall retain the right to purchase with respect to any other occasions or any other portions of the demised premises offered for sale by Landlord.

SECTION 33. Governing Law: This Lease and the performance thereof shall be governed, interpreted, construed and regulated by the laws of the State of Maine.

SECTION 34. Partial Invalidity: If any term, covenant, condition or provision of this Lease or the application thereof to any person or circumstance shall, at any time or to any extent, be invalid or unenforceable, the remainder of this Lease, or the application of such term or provision to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby, and each term, covenant, condition and provision of this Lease shall be valid and enforceable to the fullest extent permitted by law.

SECTION 35. Holding Over: In the event that Tenant shall continue in occupancy of the demised premises after the expiration of the term hereof, such occupancy shall not be deemed to

extend or renew the terms of this Lease, but such occupancy shall continue as a tenancy at will from month to month upon the covenants, provisions and conditions herein contained at a rent equal to the rent in effect during the last lease year of the term, prorated and payable for the period of such occupancy. This Section shall not be construed as giving Tenant any right to hold over after the expiration of the term hereof except as is otherwise expressly provided in this Lease.

SECTION 36. Memorandum of Lease: The parties will at any time, at the request of either one, promptly execute multiple originals of an instrument, in recordable form which will constitute a memorandum or notice of lease, setting forth the names of the parties, a description of the demised premises, the term of this Lease and any other portions thereof, excepting the rental provisions, as either party may request. Landlord shall, upon request of Tenant, promptly execute and deliver to Tenant any transfer tax returns, affidavits or other documents which shall be required by any recording office as a condition of recording such memorandum or notice of this Lease. If any gains tax or transfer tax is due from Landlord due to the execution or recording of this Lease, Landlord shall remit the same promptly upon demand by Tenant.

SECTION 37. Interpretation: Wherever herein the singular number is used, the same shall include the plural, and the masculine gender shall include the feminine and neuter genders, and vice versa, as the context shall require. The section headings used herein are for reference and convenience only, and shall not enter into the interpretation hereof. This Lease may be executed in several counterparts, each of which shall be an original, but all of which shall constitute one and the same instrument. The word "Landlord", and the pronouns referring thereto, shall mean where the context so admits or requires, the persons, firm or corporation named herein as Landlord, and if there is more than one landlord, the covenants of Landlord shall be the joint and several obligations of each of them, and if Landlord is a partnership, the covenants of Landlord shall be the obligations of the firm. The word "Landlord," as used herein, means only the owner for the time being of Landlord's interest in this Lease and, in the event of any transfer of Landlord's interest in this Lease, the transferor shall cease to be liable and shall be released from all liability for the performance or observance of any agreements or conditions on the part of Landlord to be performed or observed subsequent to the time of said transfer, provided that from and after said transfer, the transferee shall assume and be liable for the performance and observance of said agreements and conditions.

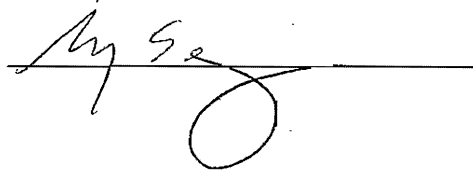
SECTION 38. Entire Agreement: This instrument contains the entire and only agreement between the parties, and no oral statements or representations or prior written matter not contained in this instrument shall have any force or effect. This Lease shall not be modified in any way, except by a writing executed by both parties. It is expressly agreed by the parties hereto that the terms and provisions of this Lease are intended to apply only with respect to the leasehold estate created with respect to the demised premises.

SECTION 39. Successors and Assigns: Except as herein otherwise expressly provided, the covenants, conditions and agreements contained in this Lease shall bind and inure to the benefit of Landlord and Tenant and their respective heirs, administrators, successors and assigns.

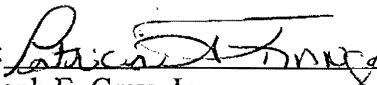
SECTION 40. No Broker: Landlord and Tenant agree that no brokers have been involved in this transaction, and each agrees to reimburse the other for any losses, damages, costs or expenses (including reasonable attorneys' fee) that either party may suffer as a result of claims made or suits brought by any other broker in connection with this transaction, the obligated party hereunder to be the party whose conduct gives rise to such claim. The provisions of this Section 40 shall survive any termination of this Lease.

IN WITNESS WHEREOF, the parties hereto have executed this Lease under seal as of the day and year first above written.

WITNESS:

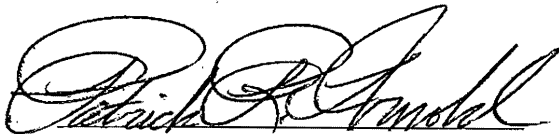


CITY OF PORTLAND, MAINE

By:  Acting C.M.  
Joseph E. Gray, Jr.  
Its City Manager

"Landlord"

MAINE PORT AUTHORITY



By:   
Its  
Executive Director

"Tenant"

## EXHIBIT A

### DESCRIPTION OF DEMISED PREMISES

A certain lot or parcel of land situated along Portland Harbor in the City of Portland, Cumberland County, State of Maine, and bounded and described as follows:

**BEGINNING** at a rebar found on the southeasterly line of Commercial Street located at the westerly corner of land now or formerly of General Marine Construction Corporation;

**THENCE**, S54°06'32"E 410.00' along said General Marine Construction Corporation to a point;

**THENCE**, S54°06'32"E 319.48' along said General Marine Construction Corporation to a point along the Harbor Commissioner's Line;

**THENCE**, S43°30'57"W 863.62' along said Harbor Commissioner's Line to a point;

**THENCE**, S38°44'28"W 247.02' along said Harbor Commissioner's Line to a point at the northeasterly line of land now or formerly of Cumberland County

**THENCE**, N32°32'17"W 141.63' along said Cumberland County to a point at the southerly corner of a Transformer Facility Easement to the State of Maine;

**THENCE**, N32°32'17"W 42.28' along said Cumberland County and the southwesterly line of said Transformer Facility Easement to a point at the southeasterly end of a Bridge Maintenance Facility Access Easement of the State of Maine;

**THENCE**, N32°32'17"W 389.86' along said Cumberland County and the southwesterly line of said Bridge Maintenance Facility Access Easement to a point at land now or formerly of Maine Central Railroad Company;

**THENCE**, N32°36'28"E 107.89' along said Maine Central Railroad Company to a point;

**THENCE**, N30°54'28"E 577.45' along said Maine Central Railroad Company to a drill hole set;

**THENCE**, N30°54'28"E 60.64' to a point along the line of said Commercial Street;

**THENCE**, S54°04'32"E 5.52' along the line of said Commercial Street to a point;

**THENCE**, N30°54'28"E 148.93' along the line of said Commercial Street to the **POINT OF BEGINNING**.



Meaning and intending to describe a lot or parcel of land containing 14.33 Acres or six hundred twenty-four thousand three hundred thirty-five square feet (624,335 S.F.), more or less.

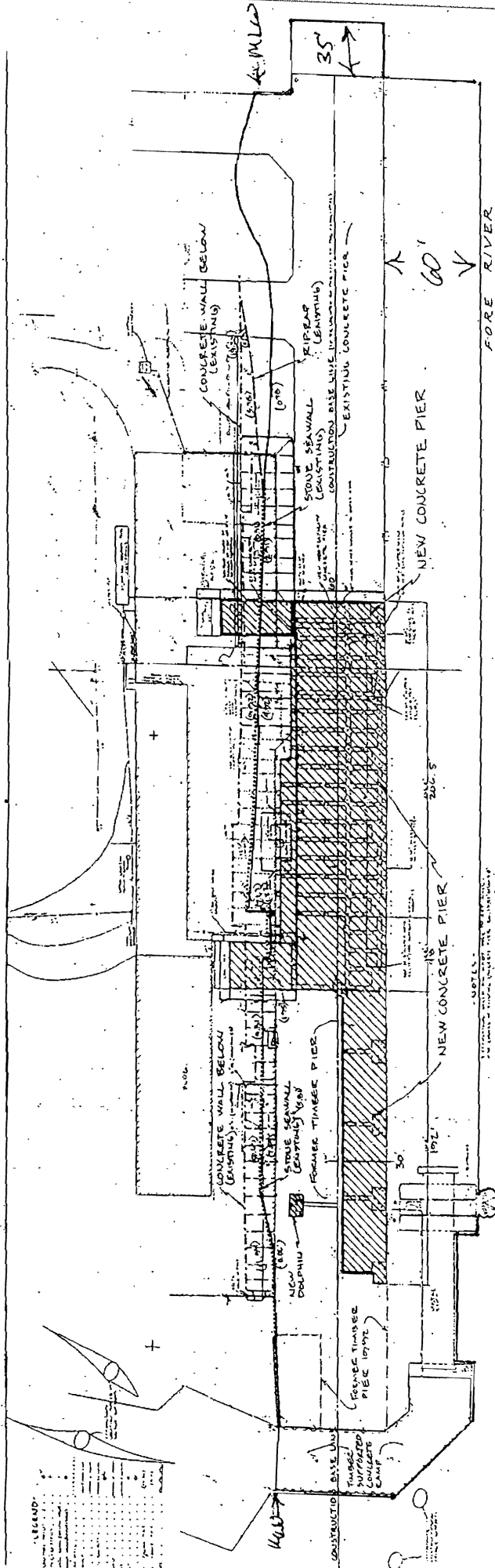
Bearings referenced herein are Grid North NAD83 Maine State Plane West Zone.

Said lot or parcel of land herein described being shown on a plan titled "Standard Boundary Survey For Property At Portland International Marine Terminal Commercial Street Portland, Cumberland County, Maine Owned by City of Portland" prepared by Easterly Surveying Incorporated, Dated 8/14/2002, Revision B 9/16/06, said plan on file in the Portland Department of Public Services Engineering Archives Vault.

Meaning and intending to describe an area of land being a certain lot or parcel of land as described in a deed to the City of Portland, dated February 25, 1971 and recorded in the Cumberland County Registry of Deeds in Book 3161, Page 33, and a certain lot or parcel of land as described in a deed dated November 12, 1976 and recorded in said Registry in Deed Book 3941, Page 348.

EXHIBIT B

(Submerged Lands Lease)



Scale:  
1" = 100'

|                     |                               |
|---------------------|-------------------------------|
| LAND UTILITIES      | INTERPERSONAL FACILITY        |
| TECHNICAL EQUIPMENT | OFFICE BUILDING, PORTAL, etc. |
| BYE PRODUCT         |                               |

STATE OF MAINE  
Submerged Lands Lease 16-17A  
Attachment A.

FORE RIVER

**STATE OF MAINE**  
**SUBMERGED LANDS LEASE**

No. 16-17A  
(Amended 8/30/94)

*This SUBMERGED LANDS LEASE (hereinafter Lease) conveys certain limited rights in the submerged lands held by the State of Maine in trust for the public. It is not an environmental permit for the use of these lands.*

This Lease is entered into by the Bureau of Public Lands (hereinafter Lessor), an agency of the State of Maine Department of Conservation, by its Director acting pursuant to the provisions of Title 12 M.R.S.A. Section 558-A, and The City of Portland (hereinafter Lessee) of 389 Congress Street, Portland, Maine 04101. Lessor hereby leases to Lessee, on the terms and conditions hereinafter set forth, the following described submerged land (hereinafter leased premises) situated in Cumberland County, Maine, to wit:

A certain parcel of public submerged land located in Fore River, Portland, Maine, totalling 130,400 square feet (3.0 acres) +/-, abutting adjacent upland now owned by the City of Portland, as further described in Attachment A which is hereby incorporated into this Lease.

1. **TERM.** This lease shall commence on May 2, 1988 and continue to December 31, 2017.
2. **USE.** Lessee is hereby authorized to use leased premises for the purposes of a public multipurpose marine terminal facility, as described in Maine Department of Environmental Protection Wetlands Alteration Permit Application, Number L-015169-03-A-N, and for no other purposes.
3. **OTHER USES.** Lessor reserves the rights of the general public to transitory fishing, fowling, recreation, navigation, and other traditional uses of leased premises, and the right of Lessor to make such other uses of leased premises, including by way of example and without limitation, the right to permit pipes to be laid thereunder or telephone wires to be maintained thereover, as shall not unreasonably interfere with Lessee's use and enjoyment of leased premises for the purposes stated in Paragraph 2 above.
4. **REGULATORY PERMITS.** Lessee shall be responsible for obtaining any and all permits required by any agency of the United States, the State of Maine, or any political subdivision thereof, having jurisdiction over the activities on the submerged lands contemplated by this Lease. Lessee's compliance with such permits and conditions thereof shall be a requirement of this Lease for all purposes including, without limitation, for purposes of defining the extent and purpose of any alteration or use of in, on, under, or over leased premises. Unless all required permits authorizing the uses contemplated hereby are issued prior to the expiration of the calendar year next following the creation of this leasehold, this Lease shall be void. In the event that any agency of the United States, the State of Maine, or any political subdivision thereof, denies or disapproves any portion of any application by Lessee for the use of leased premises or any portion thereof, this Lease shall be void as to the denied or disapproved use as of the date of such denial or disapproval. Rental payments made by Lessee for such denied or disapproved use may, upon proper request, be refunded or equitably adjusted, subject to a service charge. Failure by Lessee to abide by, or conform to, the terms and conditions of any such permit shall be an event of default hereunder.
5. **ASSIGNMENT OR SUBLEASING.** No rights leased herein by Lessor may be assigned or

sublet by Lessee without the prior written consent of Lessor. All rights remain subject to the Rules of the Bureau of Public Lands and all applicable laws and amendments thereto. Notwithstanding any such assignment or sublease, Lessee shall be and remain liable for compliance with the terms and conditions of this lease unless released by Lessor in writing.

6. **EXTINGUISHMENT OF CONSTRUCTIVE EASEMENT.** Lessee hereby relinquishes any and all rights to leased premises, or any portion thereof, that may have been formerly held by constructive easement under Title 12 M.R.S.A. Section 558-A or otherwise.

7. **RENTAL.** Annual rental shall be payable hereunder throughout the term hereof as follows:

\$00.00 (Nil)

8. **RENTAL ADJUSTMENT.** Lessor may adjust the rental from time to time as necessary to conform with its regulations and laws as they may be amended. Such adjustments may not be made more often than once in any five-year period, as reckoned from December 31, 1990. Lessor shall give Lessee at least 120 days notice of such adjustment. In the event Lessee is unwilling to accept such adjustment, Lessee may terminate Lease within 120 days of notice of adjustment as Lessee's sole remedy.

9. **TAXES.** Lessee shall pay when due all taxes, charges, assessments and other impositions levied by any governmental entity upon the structures and improvements on leased premises or any operations or activities thereon.

10. **INDEMNITY.** Lessee shall defend, or cause to be defended, and indemnify and hold Lessor harmless from and against any and all manner of claims, suits, expenses, damages or causes of action arising out of, in whole or in part, the use or occupancy of leased premises by Lessee, its agents, contractors, employees, guests, invitees, permittees and sublessees.

11. **MAINTENANCE.** Lessee, at Lessee's expense, shall keep leased premises free of garbage, refuse, and other discarded material and shall maintain all improvements upon leased premises in good condition and repair.

12. **GENERAL RESTRICTIONS.** No nuisance shall be permitted on leased premises. No minerals, including, without limitation, sand and gravel, shall be removed from leased premises, and no rock, earth, ballast or other material shall be deposited upon leased premises, without the prior written consent of Lessor.

13. **CASUALTY REPLACEMENT.** In the event that the improvements and structures placed on leased premises are substantially destroyed by fire or other casualty, and Lessee does not, within two years following such casualty, rebuild or replace the affected improvements and structures, Lessor may cancel this Lease upon thirty (30) days notice to Lessee. Such rebuilding or replacement shall not be undertaken by Lessee without the prior written approval of Lessor.

14. **DEFAULT.** The following shall be deemed to be events of default hereunder:

A. Failure of Lessee to pay when due any rent payable hereunder;

B. Failure of Lessee to comply with any other provision of this Lease. When Lessee's failure is caused by circumstances beyond Lessee's control, Lessee shall bring about compliance within thirty (30) days of notice of such failure, or, if such failure of compliance beyond Lessee's control cannot be cured within thirty (30) days, Lessee shall promptly and

diligently undertake to cure such failure of compliance and cause the same to be cured as soon as the nature of the failure of compliance permits;

- C. A transfer by Lessee in fraud of creditors, or petition initiated by Lessee or adjudgement of Lessee as bankrupt or insolvent in any proceedings;
- D. Appointment of a receiver or trustee for all, or substantially all, assets of Lessee; or
- E. Abandonment by Lessee of any portion of leased premises.

Upon the occurrence of any such event of default, Lessor may, in addition to, and not instead of, any other remedies available at law or in equity, cancel this lease without notice or demand to Lessee and enter onto and take possession of leased premises. Lessee shall be liable to Lessor for any loss and expenses incurred by Lessor by reason of such termination.

**15. ENTRY.** Lessor, its agents and representatives shall have access to leased premises and all improvements and structures thereon at all times for the purpose of inspecting and securing compliance with the terms and conditions of this Lease, and for all other lawful purposes.

**16. NOTICE.** Any notice required or permitted under this Lease shall be deemed to have been given when actually delivered, or when deposited in the United States mail, first class postage prepaid, addressed as follows: *To Lessor:* Bureau of Public Lands, State House Station 22, Augusta, Maine 04333, ATTN: Submerged Lands Program. *To Lessee:* at the address given below by Lessee, or at such other address as Lessee may have theretofore specified by written notice actually received and placed of record with Lessor.

**17. ALTERATION.** Lessee shall make no alteration to leased premises, and shall place no improvements or structures in, on, or over leased premises except as specifically described in Paragraph 2 of this Lease, without Lessor's prior written consent.

**18. IMPROVEMENTS.** Upon the expiration, cancellation, or termination of this Lease, regardless of the reason therefor, Lessee shall have ninety (90) days to remove his property. Lessor, at its discretion, shall become owner of all improvements and structures upon leased premises not so removed. Lessor may, at its option, require Lessee to remove all such improvements and structures at Lessee's expense, and to restore leased premises to the condition in which they existed prior to the placement of any improvements or structures thereon.

**19. OTHER APPLICABLE LAWS AND RULES.** This Lease is subject to change or cancellation, in whole or in part, by reason of any Act of the Legislature, and is subject, in whole and in part, to the provisions of the Rules of the Bureau of Public Lands.

**20. MISCELLANEOUS.** This Lease shall be binding upon, and shall inure to the benefit of, Lessor and Lessee and their respective successors, assigns and legal representatives. Failure of either party to complain of any act or omission on the part of the other, no matter how long the same may continue, shall not be deemed to be a waiver by said party of any of its rights hereunder. A waiver by either party at any time, express or implied, of any breach of any provision of this Lease shall not be deemed a waiver of, or consent to, any subsequent breach of the same or any other provision. Lessee may not file this Lease of record, or cause or permit the same, without Lessor's prior written consent. Lessor makes no warranty of Lessee's leasehold estate, and in the event of any lawful ejectment of Lessee, Lessor shall refund to Lessee any rentals paid to Lessor for any period of Lease term then remaining. Lessee shall comply with all applicable laws, regulations and

ordinances of governmental entities having jurisdiction over leased premises. This Lease contains the entire agreement of the parties and may not be modified except by a writing subscribed by both parties.

**21. GENERAL RIGHT TO TERMINATE.** Lessee shall have the right to terminate this Lease by notifying Lessor at least thirty (30) days prior to termination date. In terminating, Lessee agrees to vacate leased premises and remove all structures and personal property of Lessee located thereon, unless other arrangements have been made, with prior approval of Lessor, to transfer ownership or otherwise dispose of same. Rental payments made by Lessee for such terminated use may, upon proper request, be equitably adjusted, subject to a service charge.

*Accepted and agreed to on*

October 5, , 1994

OCT 6 , 1994

Robert B. Ganley  
(Lessee Signature)

Thomas A. Morrison  
(Lessor Signature)

Robert B. Ganley  
(Print Name)

City Manager  
(Title)

Portland City Hall  
(Address of Record)

389 Congress Street

Portland, ME 04101-3509

Thomas A. Morrison

Director, Bureau of Public Lands

Department of Conservation

State of Maine

EXHIBIT C

1. Stevedore License between City of Portland and P&O Ports, dated April 27, 2001



EXHIBIT D

1. Easement from the City of Portland to the Maine Department of Transportation

**EXHIBIT C**  
[IMT Submerged Lands Lease]

## STATE OF MAINE

### SUBMERGED LANDS LEASE

No. 2011-L-47

*This SUBMERGED LANDS LEASE (hereinafter Lease) conveys certain limited rights in the submerged lands held by the State of Maine in trust for the public. It is not an environmental permit for the use of these lands.*

This Lease is entered into by the Bureau of Parks and Lands (hereinafter Lessor), an agency of the State of Maine Department of Agriculture, Conservation and Forestry by its Director acting pursuant to the provisions of Title 12 M.R.S.A. Sections 1801 & 1862, and **CITY OF PORTLAND** (hereinafter Lessee) **389 CONGRESS STREET, PORTLAND, ME 04101**. Lessor hereby leases to Lessee, on the terms and conditions hereinafter set forth, the following described submerged land (hereinafter leased premises) situated in Cumberland County, Maine, to wit:

A certain parcel of public submerged land located in the Fore River, City of **Portland**, Maine, totaling 80,017 +/- square feet, abutting adjacent upland recorded in Cumberland County Registry of Deeds Book 3161 Page 33 and Book 26094 Page 31 now owned by the City of Portland as further described in Attachments A, B and C which are hereby incorporated into this Lease.

1. **TERM.** This lease shall commence on January 1, 2018 and continue to December 31, 2047.
2. **USE.** Lessee is hereby authorized to use leased premises for the purposes of concrete and timber wharfs and dock for international marine terminal use as described in Bureau of Parks and Lands Submerged Lands Application Number 2265-R and for no other purposes.
3. **OTHER USES.** Lessor reserves the rights of the general public to transitory fishing, fowling, recreation, navigation, and other traditional uses of leased premises, and the right of Lessor to make such other uses of leased premises, including by way of example and without limitation, the right to permit pipes to be laid thereunder or telephone wires to be maintained thereover, as shall not unreasonably interfere with Lessee's use and enjoyment of leased premises for the purposes stated in Paragraph 2 above.
4. **REGULATORY PERMITS.** Lessee shall be responsible for obtaining any and all permits required by any agency of the United States, the State of Maine, or any political subdivision thereof, having jurisdiction over the activities on the submerged lands contemplated by this Lease. Lessee's compliance with such permits and conditions thereof shall be a requirement of this Lease for all purposes including, without limitation, for purposes of defining the extent and purpose of any alteration or use of in, on, under, or over leased premises. Unless all required permits authorizing the uses contemplated hereby are issued prior to the expiration of the calendar year next following the creation of this leasehold, this Lease shall be void. In the event that any agency of the United States, the State of Maine, or any political subdivision thereof, denies or disapproves any portion of any application by Lessee for the use of leased premises or any portion thereof, this Lease shall be void as to the denied or disapproved use as of the date of such denial or disapproval. Rental payments made by Lessee for such denied or disapproved use may, upon proper request, be refunded or equitably adjusted, subject to a service charge. Failure by Lessee to abide by, or conform to, the terms and conditions of any such permit shall be an event of default hereunder.
5. **ASSIGNMENT OR SUBLEASING.** All rights leased herein by Lessor may be assigned or sublet by Lessee with the prior written consent of Lessor. Such assignment shall not be unreasonably withheld under then applicable laws, regulations, and public trust principles. Notwithstanding any such assignment or sublease,

Lessee shall be and remain liable for compliance with the terms and conditions of this lease unless released by Lessor in writing.

**6. RENTAL.** Annual rental shall be payable hereunder throughout the term hereof as follows, except that rental shall be no less than the minimum amount established by law:

\$0.00 per year.

Rental is payable on or before the first day of February each year throughout the term hereof, except as may be adjusted from time to time in accordance with Paragraph 7 below. Payment is to be made to the Bureau of Parks and Lands, 22 State House Station, Augusta, Maine 04333. Checks are to be made payable to the Treasurer, State of Maine.

**7. RENTAL ADJUSTMENT.** Lessor may adjust the rental from time to time as necessary to conform with its regulations and laws as they may be amended, but Lessor may not adjust rental for five years from the commencement date of this Lease. Subsequent adjustments may not be made more frequently than once every five years. Lessor shall give Lessee at least 120 days notice of such adjustment. In the event Lessee is unwilling to accept such adjustment, Lessee may terminate the Lease and vacate the premises within 120 days of Lessor's notice of adjustment.

**8. TAXES.** Lessee shall pay when due all taxes, charges, assessments and other impositions levied by any governmental entity upon the structures and improvements on leased premises or any operations or activities thereon.

**9. INDEMNITY.** Lessee shall defend, or cause to be defended, and indemnify and hold Lessor, its employees and agents, harmless from and against any and all manner of claims, suits, expenses, damages or causes of action arising out of, in whole or in part, the use or occupancy of leased premises by Lessee, its agents, contractors, employees, guests, invitees, permittees and sublessees. Nothing herein is intended to waive the defenses, immunities, and limitations of liability afforded to Lessee by applicable law, including but not limited to the Maine Tort Claims Act, 14 M.R.S § 8101 et seq.

**10. MAINTENANCE.** Lessee, at Lessee's expense, shall keep leased premises free of garbage, refuse, and other discarded material and shall maintain all improvements upon leased premises in good condition and repair.

**11. GENERAL RESTRICTIONS.** No nuisance shall be permitted on leased premises. No minerals, including, without limitation, sand and gravel, shall be removed from leased premises, and no rock, earth, ballast or other material shall be deposited upon leased premises, without the prior written consent of Lessor.

**12. CASUALTY REPLACEMENT.** In the event that the improvements and structures placed on leased premises are substantially destroyed by fire or other casualty, and Lessee does not, within two years following such casualty, rebuild or replace the affected improvements and structures, Lessor may cancel this Lease upon thirty (30) days notice to Lessee. Such rebuilding or replacement shall not be undertaken by Lessee without the prior written approval of Lessor.

**13. DEFAULT.** The following shall be deemed to be events of default hereunder:

A. Failure of Lessee to pay when due any rent payable hereunder;

B. Failure of Lessee to comply with any other provision of this Lease.

C. A transfer by Lessee in fraud of creditors, or petition initiated by Lessee or adjudgement of Lessee as bankrupt or insolvent in any proceedings;

- D. Appointment of a receiver or trustee for all, or substantially all, assets of Lessee; or
- E. Abandonment by Lessee of any portion of leased premises.

Upon becoming aware of the occurrence of any such event of default, Lessor shall notify Lessee in writing. Except as otherwise provided in this paragraph, Lessee must cure any default within thirty (30) days of notice of same. Regarding section 13.B only, if a default occurs and Lessee has satisfied to Lessor that the nature of the default is such that it cannot be cured within thirty (30) days, Lessee shall promptly notify Lessor in writing of the circumstances that exist that require additional time to cure, and cause said default to be cured within the additional amount of time as determined by Lessor. If the default has not been cured within 30 days of Lessor's notice, or within the additional time period granted by Lessor when Lessee is unable to cure the default within 30 days, Lessor may, in addition to, and not instead of, any other remedies available at law or in equity, terminate this Lease without additional notice or demand to Lessee and enter onto and take possession of the leased premises. Lessee shall be liable to Lessor for all rent due hereunder and any loss and expenses incurred by Lessor by reason of any default or termination.

**14. ENTRY.** Lessor, its agents and representatives shall have access to leased premises and all improvements and structures thereon at all times for the purpose of inspecting and securing compliance with the terms and conditions of this Lease, and for all other lawful purposes.

**15. NOTICE.** Any notice required or permitted under this Lease shall be deemed to have been given when actually delivered, or when deposited in the United States mail, first class postage prepaid, addressed as follows: *To Lessor:* Bureau of Parks and Lands, 22 State House Station, Augusta, Maine 04333, ATTN: Submerged Lands Program. *To Lessee:* at the address given below by Lessee, or at such other address as Lessee may have theretofore specified by written notice actually received and placed of record with Lessor.

**16. ALTERATION.** Lessee shall make no alteration to leased premises, and shall place no improvements or structures in, on, or over leased premises except as specifically described in Paragraph 2 of this Lease, without Lessor's prior written consent.

**17. IMPROVEMENTS.** Upon the expiration, cancellation, or termination of this Lease, regardless of the reason therefore, Lessee shall have ninety (90) days to remove his property. Lessor, at its discretion, shall become owner of all improvements and structures upon leased premises not so removed. Lessor may, at its option, require Lessee to remove all such improvements and structures at Lessee's expense, and to restore leased premises to the condition in which they existed prior to the placement of any improvements or structures thereon.

**18. OTHER APPLICABLE LAWS AND RULES.** This Lease is subject to cancellation by an Act of the Legislature. This lease is issued in accordance with the Rules of the Bureau of Parks and Lands in effect on the effective date of this lease.

**19. ABANDONMENT.** Structures as described under section 2 of this Lease shall be placed on the leased premises within two (2) years of the issuance of this Lease. Once installed, such structures shall be used and maintained for their intended purpose. Failure of the Lessee to install the structures within this time frame or to use and maintain the leased premises shall be deemed an abandonment. Upon determining that the leased premises or a portion thereof have been abandoned, the Lessor at its option may terminate this lease as to the entire leased premises, or as to such portion as has not been so used or maintained, in accordance with the default provisions of Section 13.

**20. MISCELLANEOUS.** This Lease shall be binding upon, and shall inure to the benefit of, Lessor and Lessee and their respective successors, assigns and legal representatives. Failure of either party to complain of any act or omission on the part of the other, no matter how long the same may continue, shall not be deemed to be a waiver by said party of any of its rights hereunder. A waiver by either party at any time, express or implied, of

any breach of any provision of this Lease shall not be deemed a waiver of, or consent to, any subsequent breach of the same or any other provision. Lessee may not file this Lease of record, or cause or permit the same, without Lessor's prior written consent. Lessor makes no warranty of Lessee's leasehold estate, and in the event of any lawful ejectment of Lessee, Lessor shall refund to Lessee any rentals paid to Lessor for any period of Lease term then remaining. Lessee shall comply with all applicable laws, regulations and ordinances of governmental entities having jurisdiction over leased premises. This Lease contains the entire agreement of the parties and may not be modified except by a writing subscribed by both parties.

**21. GENERAL RIGHT TO TERMINATE.** Lessee shall have the right to terminate this Lease by notifying Lessor at least thirty (30) days prior to termination date. In terminating, Lessee agrees to vacate leased premises and remove all structures and personal property of Lessee located thereon, unless other arrangements have been made, with prior approval of Lessor, to transfer ownership or otherwise dispose of same. Rental payments made by Lessee for such terminated use may, upon proper request, be equitably adjusted, subject to a service charge.

**22. EXTINGUISHMENT OF CONSTRUCTIVE EASEMENT.** Lessee hereby relinquishes any and all rights to leased premises, or any portion thereof that may have been formerly held by constructive easement under Title 12 M.R.S.A. Sections 1801 & 1862, or otherwise.

**23. REPLACEMENT.** This Lease hereby cancels and replaces Submerged Lands Lease No. 16-17AL issued to the City of Portland that commenced on May 2, 1988.

*Accepted and agreed to on*

\_\_\_\_\_, 2021

\_\_\_\_\_, 2021

\_\_\_\_\_  
(Lessee Signature)

\_\_\_\_\_  
(Lessor Signature)

Jon P. Jennings

Andrew R. Cutko

City Manager

Director, Bureau of Parks & Lands

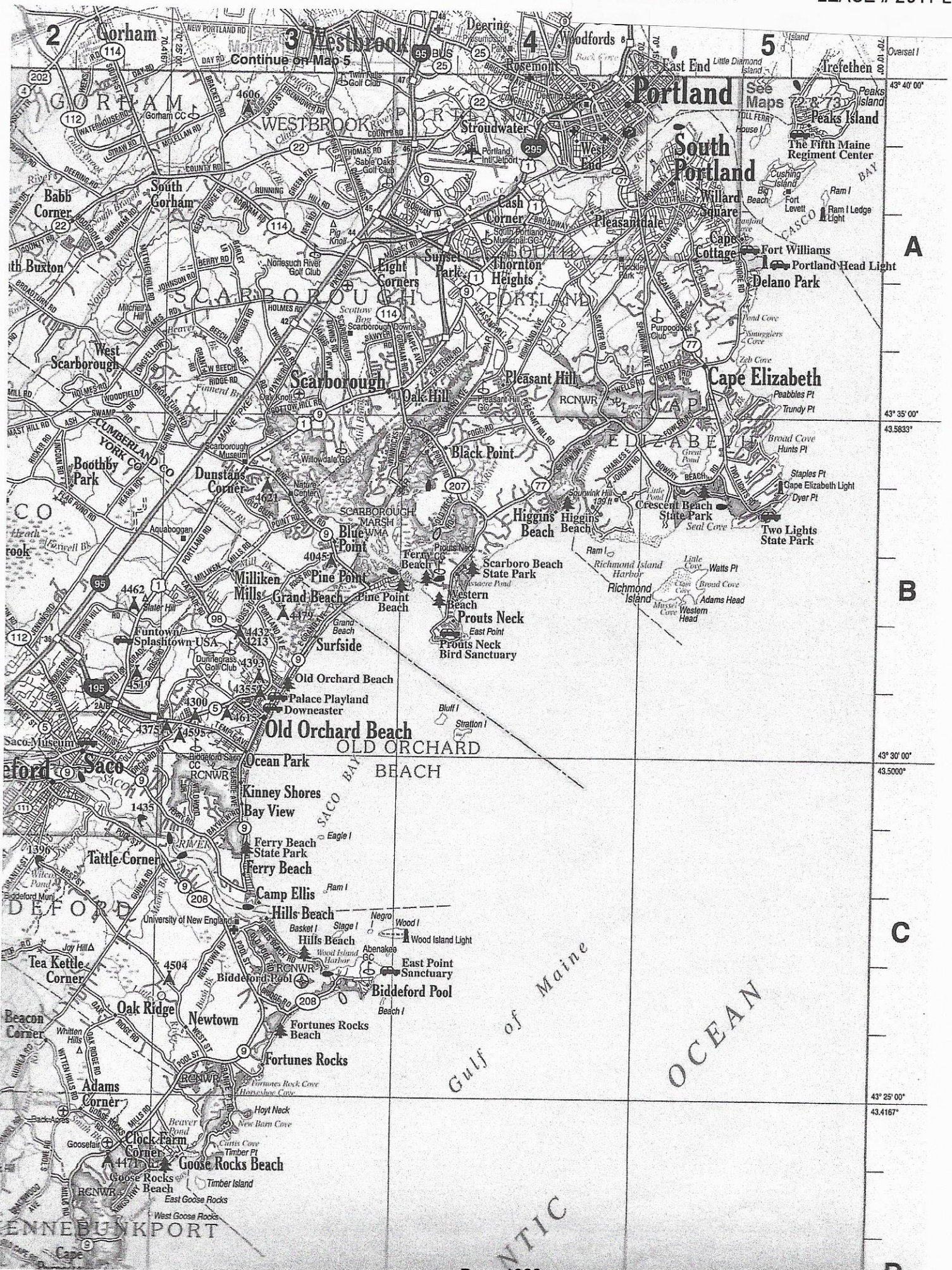
City of Portland

Department of Agriculture, Conservation & Forestry

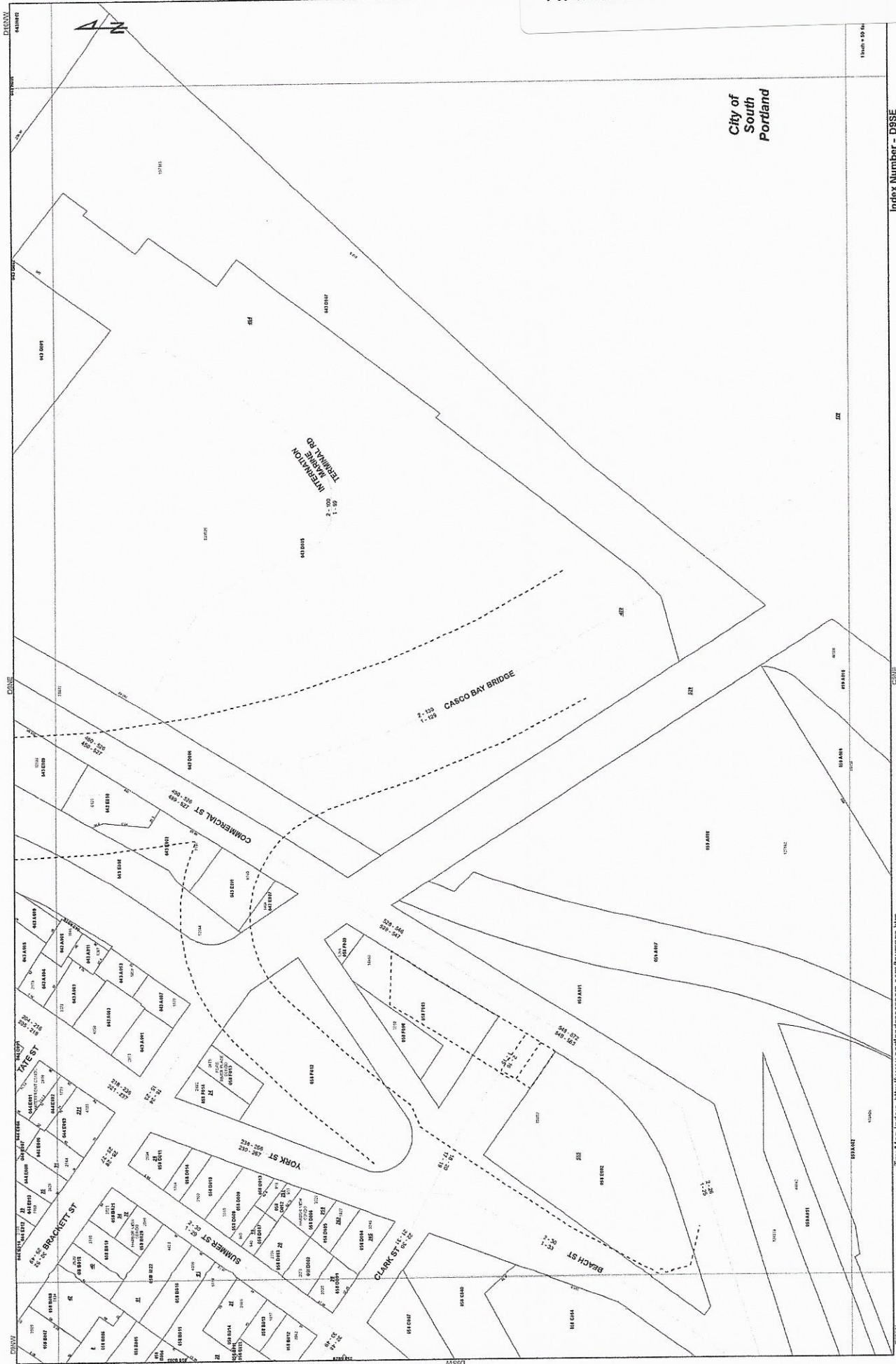
389 Congress Street  
Portland, Maine 04101

State of Maine







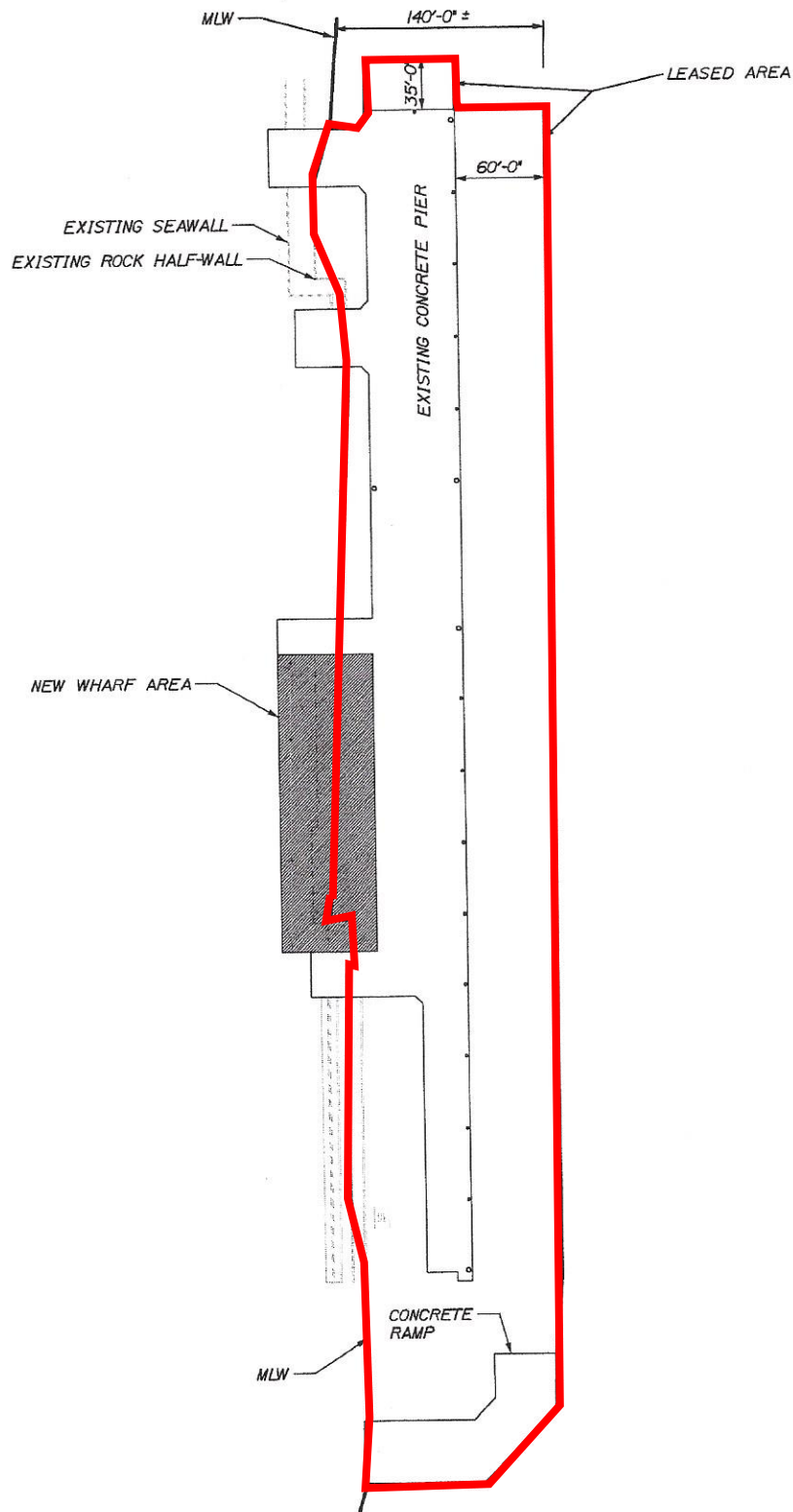


Index Number - D9SE

Tax Map Index: <http://www.portlandassessors.com/taxmaps.htm>

April 1 2012 to 2013





STATE OF MAINE SUBMERGED LANDS LEASE  
PORTLAND INTERNATIONAL MARINE TERMINAL

FIGURE

**HNTB**

DATE: July 27, 2017

/

**EXHIBIT D**  
[Water Services Agreement]

AGREEMENT BETWEEN THE CITY OF PORTLAND, THE MAINE PORT AUTHORITY,  
AND THE PORTLAND WATER DISTRICT  
RE: WATER SERVICE

This agreement is made this 27<sup>th</sup> day of August, 2018 by and between the **City of Portland**, a body politic and corporate with a mailing address of 389 Congress Street, Portland, Maine (the "City"), the **Maine Port Authority**, a body politic and corporate and an instrumentality of the State of Maine created pursuant to 23 M.R.S. § 4420, with offices located in Augusta, Maine (the "MPA"), and the **Portland Water District**, a quasi-municipal corporation organized under the laws of the State of Maine with a place of business at 225 Douglass Street, Portland, Maine ("PWD").

Whereas, the City is the owner of adjoining properties improved as and commonly known as the International Marine Terminal located on Commercial Street in Portland, Maine by virtue of the following deeds (collectively, the "Property"):

- a. Deed to the City of Portland dated February 25, 1971 and recorded in the Cumberland County Registry of Deeds in Book 3161, Page 33. This parcel is further identified as Map 43, Lot G-1 of the City's municipal tax records; and
- b. Deed to the City of Portland dated November 12, 1976 and recorded in said Registry of Deeds in Book 3941, Page 348. This parcel is further identified as Map 43, Lot D-5 of the City's municipal tax records; and

Whereas, the City leases the Property to the MPA through a Lease Agreement between the City and MPA dated June 1, 2009 (the "Lease"); and

Whereas, the MPA is performing improvements to the Property that include constructing an additional building (the "Planned Development"); and

Whereas, MPA's proposed water service for the Planned Development shares a water service with the existing improvements located on the Property (the "Existing Improvements"), which is not in conformance with the Terms and Conditions of Water Service as enacted by the Portland Water District; and

Whereas, the Property has the potential to be subdivided in the future, which will require that individual conforming water service improvements be implemented on the subdivided portion of the Property as a condition of continued water service by PWD.

Now Therefore, in consideration of PWD providing water service to the Property and the Planned Development, the parties hereby agree as follows:

1. Upon the completion of the Planned Development as shown on a plan entitled "Utility Plan" for the Portland International Marine Terminal Maintenance and Operations Building dated April 13, 2018, as it may be amended thereafter, which plan is attached hereto and incorporated herein by reference, the MPA will own multiple buildings on the Property that will not be in compliance with PWD's Terms and Conditions of Water Service.
2. MPA has proposed, and PWD has approved, a plan whereby multiple buildings on the Property will be served by one water service and one water meter.
3. For the purpose of this Agreement, the Planned Development shall be considered an auxiliary improvement to the Existing Improvements on the Property.
4. In the event of further subdivision of the Property, or if the Property is ever severed, individual conforming water services will need to be installed for water service to the subdivided portion of the Property; said service must be approved by PWD as a condition of PWD providing water service to the subdivided portion of the Property. Accordingly, upon expiration or earlier termination of the Lease, MPA hereby agrees, at its sole expense, to separate the water service at the Property so that the service to the existing buildings on the Property and the Planned Development will conform with PWD requirements in the event that the Property is subsequently subdivided; provided that, if MPA acquires ownership of the Property, this clause shall not obligate MPA to implement such separation of water service unless required by PWD as a condition of providing water service to a subsequently subdivided portion of the Property.
5. The terms of this Agreement shall inure to the benefit of and be binding upon the City, MPA, and their respective successors and assigns.

***(Signatures on following two pages)***



In Witness Whereof, the parties have caused this Agreement to be signed the day and date above written.

CITY OF PORTLAND

Sonia Bean

Witness

By: J.P. J-P  
Its City Manager  
Duly authorized

APPROVED AS TO FORM:

MB  
CORPORATION COUNCIL'S OFFICE

STATE OF MAINE  
CUMBERLAND, ss.

August 15, 2018

Personally appeared the above-named Jon P. Jennings, in his/her capacity as City Manager of the City of Portland, and acknowledged the foregoing instrument to be his/her free act and deed and the free act and deed of the City of Portland.

Before me,

SONIA T. BEAN  
NOTARY PUBLIC  
State of Maine  
My Commission Expires  
April 8, 2024

Sonia T. Bean  
Notary Public/Attorney at Law

Printed Name

My Commission Expires:

J.P. J-P

Witness

MAINE PORT AUTHORITY

By: Matthew Burns  
Its Acting Executive Director  
Duly authorized

STATE OF MAINE  
Cumberland, ss.

August 27, 2018

Personally appeared the above-named Matthew Burns, in his/her capacity as Acting Ex. Director of the Maine Port Authority, and acknowledged the foregoing instrument to be his/her free act and deed and the free act and deed of the Maine Port Authority.

Before me,

Theresa Pulver  
Notary Public/Attorney at Law

THERESA PULVER

Notary Public • State of Maine  
Printed Name  
My Commission Expires September 23, 2022

SEAL

PORTLAND WATER DISTRICT

Donna M. Katz  
Witness

Carrie Lewis  
Carrie Lewis, General Manager  
Duly authorized

STATE OF MAINE  
CUMBERLAND, ss.

August 21, 2018

Personally appeared the above-named Carrie Lewis in her capacity as the General Manager of the Portland Water District, and acknowledged the foregoing instrument to be her free act and deed and the free act and deed of the Portland Water District.

Before me,

Donna M. Katz  
Notary Public/Attorney at Law

Donna M. KATSIAFLEAS

Printed Name

My Commission Expires:

Received  
Recorded Register of Deeds  
Aug 31, 2018 11:55:56A  
Cumberland County  
Nancy A. Lane

**EXHIBIT E**

[Diagram of Cliff Island Wharf]







**EXHIBIT F**  
[Cliff Island Submerged Lands Lease]

**STATE OF MAINE**  
**SUBMERGED LANDS LEASE**

**No. 1108-L-34**

*This SUBMERGED LANDS LEASE (hereinafter Lease) conveys certain limited rights in the submerged lands held by the State of Maine in trust for the public. It is not an environmental permit for the use of these lands.*

This Lease is entered into by the Bureau of Parks and Lands (hereinafter Lessor), an agency of the State of Maine Department of Agriculture, Conservation and Forestry by its Director acting pursuant to the provisions of Title 12 M.R.S.A. Sections 1801 & 1862, and **THE CITY OF PORTLAND** (hereinafter Lessee) of **389 CONGRESS STREET, PORTLAND MAINE 04101-3503**. Lessor hereby leases to Lessee, on the terms and conditions hereinafter set forth, the following described submerged land (hereinafter leased premises) situated in Cumberland County, Maine, to wit:

A certain parcel of public submerged land located in Casco Bay, City of **Portland**, Maine, totaling 8,074+/- square feet, abutting adjacent upland now owned by The City of Portland as further described in Attachments A, B and C and which are hereby incorporated into this Lease.

1. **TERM.** This lease shall commence on November 1, 2014 and continue to December 31, 2034.
2. **USE.** Lessee is hereby authorized to use leased premises for the purposes of an existing pier, ramp and float and associated berthing area for use as a public access facility and ferry terminal as described in Bureau of Parks and Lands Submerged Lands Application Number SL 1243-CE and for no other purposes.
3. **OTHER USES.** Lessor reserves the rights of the general public to transitory fishing, fowling, recreation, navigation, and other traditional uses of leased premises, and the right of Lessor to make such other uses of leased premises, including by way of example and without limitation, the right to permit pipes to be laid thereunder or telephone wires to be maintained thereover, as shall not unreasonably interfere with Lessee's use and enjoyment of leased premises for the purposes stated in Paragraph 2 above.
4. **REGULATORY PERMITS.** Lessee shall be responsible for obtaining any and all permits required by any agency of the United States, the State of Maine, or any political subdivision thereof, having jurisdiction over the activities on the submerged lands contemplated by this Lease. Lessee's compliance with such permits and conditions thereof shall be a requirement of this Lease for all purposes including, without limitation, for purposes of defining the extent and purpose of any alteration or use of in, on, under, or over leased premises. Unless all required permits authorizing the uses contemplated hereby are issued prior to the expiration of the calendar year next following the creation of this leasehold, this Lease shall be void. In the event that any agency of the United States, the State of Maine, or any political subdivision thereof, denies or disapproves any portion of any application by Lessee for the use of leased premises or any portion thereof, this Lease shall be void as to the denied or disapproved use as of the date of such denial or disapproval. Rental payments made by Lessee for such denied or disapproved use may, upon proper request, be refunded or equitably adjusted, subject to a service charge. Failure by Lessee to abide by, or conform to, the terms and conditions of any such permit shall be an event of default hereunder.
5. **ASSIGNMENT OR SUBLEASING.** All rights leased herein by Lessor may be assigned or sublet by Lessee with the prior written consent of Lessor. Such assignment shall not be unreasonably withheld under then applicable laws, regulations, and public trust principles. Notwithstanding any such assignment or sublease,



Lessee shall be and remain liable for compliance with the terms and conditions of this lease unless released by Lessor in writing.

6. **RENTAL.** Annual rental shall be payable hereunder throughout the term hereof as follows, except that rental shall be no less than the minimum amount established by law:

\$0.00 per year.

Rental is payable on or before the first day of February each year throughout the term hereof, except as may be adjusted from time to time in accordance with Paragraph 7 below. Payment is to be made to the Bureau of Parks and Lands, 22 State House Station, Augusta, Maine 04333. Checks are to be made payable to the Treasurer, State of Maine.

7. **RENTAL ADJUSTMENT.** Lessor may adjust the rental from time to time as necessary to conform with its regulations and laws as they may be amended, but Lessor may not adjust rental for five years from the commencement date of this Lease. Subsequent adjustments may not be made more frequently than once every five years. Lessor shall give Lessee at least 120 days notice of such adjustment. In the event Lessee is unwilling to accept such adjustment, Lessee may terminate the Lease and vacate the premises within 120 days of Lessor's notice of adjustment.

8. **TAXES.** Lessee shall pay when due all taxes, charges, assessments and other impositions levied by any governmental entity upon the structures and improvements on leased premises or any operations or activities thereon.

9. **INDEMNITY.** Lessee shall defend, or cause to be defended, and indemnify and hold Lessor, its employees and agents, harmless from and against any and all manner of claims, suits, expenses, damages or causes of action arising out of, in whole or in part, the use or occupancy of leased premises by Lessee, its agents, contractors, employees, guests, invitees, permittees and sublessees.

10. **MAINTENANCE.** Lessee, at Lessee's expense, shall keep leased premises free of garbage, refuse, and other discarded material and shall maintain all improvements upon leased premises in good condition and repair.

11. **GENERAL RESTRICTIONS.** No nuisance shall be permitted on leased premises. No minerals, including, without limitation, sand and gravel, shall be removed from leased premises, and no rock, earth, ballast or other material shall be deposited upon leased premises, without the prior written consent of Lessor.

12. **CASUALTY REPLACEMENT.** In the event that the improvements and structures placed on leased premises are substantially destroyed by fire or other casualty, and Lessee does not, within two years following such casualty, rebuild or replace the affected improvements and structures, Lessor may cancel this Lease upon thirty (30) days notice to Lessee. Such rebuilding or replacement shall not be undertaken by Lessee without the prior written approval of Lessor.

13. **DEFAULT.** The following shall be deemed to be events of default hereunder:

A. Failure of Lessee to pay when due any rent payable hereunder;

B. Failure of Lessee to comply with any other provision of this Lease. When Lessee's failure is caused by circumstances beyond Lessee's control, Lessee shall bring about compliance within thirty (30) days of written notice of such failure, or, if such failure of compliance beyond Lessee's control cannot be cured within thirty (30) days, Lessee shall promptly and diligently undertake to cure such failure of compliance and cause the same to be cured as soon as the nature of the failure of compliance permits;



- C. A transfer by Lessee in fraud of creditors, or petition initiated by Lessee or adjudgement of Lessee as bankrupt or insolvent in any proceedings;
- D. Appointment of a receiver or trustee for all, or substantially all, assets of Lessee; or
- E. Abandonment by Lessee of any portion of leased premises.

Upon becoming aware of the occurrence of any such event of default, Lessor shall notify Lessee in writing. Notwithstanding section 13. B. above, if the default event has not been cured within 30 days of such notice, Lessor may, in addition to, and not instead of, any other remedies available at law or in equity, terminate this Lease without additional notice or demand to Lessee and enter onto and take possession of the leased premises. Lessee shall be liable to Lessor for all rent due hereunder and any loss and expenses incurred by Lessor by reason of such default or termination.

**14. ENTRY.** Lessor, its agents and representatives shall have access to leased premises and all improvements and structures thereon at all times for the purpose of inspecting and securing compliance with the terms and conditions of this Lease, and for all other lawful purposes.

**15. NOTICE.** Any notice required or permitted under this Lease shall be deemed to have been given when actually delivered, or when deposited in the United States mail, first class postage prepaid, addressed as follows: *To Lessor:* Bureau of Parks and Lands, 22 State House Station, Augusta, Maine 04333, ATTN: Submerged Lands Program. *To Lessee:* at the address given below by Lessee, or at such other address as Lessee may have theretofore specified by written notice actually received and placed of record with Lessor.

**16. ALTERATION.** Lessee shall make no alteration to leased premises, and shall place no improvements or structures in, on, or over leased premises except as specifically described in Paragraph 2 of this Lease, without Lessor's prior written consent.

**17. IMPROVEMENTS.** Upon the expiration, cancellation, or termination of this Lease, regardless of the reason therefore, Lessee shall have ninety (90) days to remove his property. Lessor, at its discretion, shall become owner of all improvements and structures upon leased premises not so removed. Lessor may, at its option, require Lessee to remove all such improvements and structures at Lessee's expense, and to restore leased premises to the condition in which they existed prior to the placement of any improvements or structures thereon.

**18. OTHER APPLICABLE LAWS AND RULES.** This Lease is subject to cancellation by an Act of the Legislature. This lease is issued in accordance with the Rules of the Bureau of Parks and Lands in effect on the effective date of this lease.

**19. ABANDONMENT.** Structures as described under section 2 of this Lease shall be placed on the leased premises within two (2) years of the issuance of this Lease. Once installed, such structures shall be used and maintained for their intended purpose. Failure of the Lessee to install the structures within this time frame or to use and maintain the leased premises shall be deemed an abandonment. Upon determining that the leased premises or a portion thereof have been abandoned, the Lessor at its option may terminate this lease as to the entire leased premises, or as to such portion as has not been so used or maintained, in accordance with the default provisions of Section 13.

**20. MISCELLANEOUS.** This Lease shall be binding upon, and shall inure to the benefit of, Lessor and Lessee and their respective successors, assigns and legal representatives. Failure of either party to complain of any act or omission on the part of the other, no matter how long the same may continue, shall not be deemed to be a waiver by said party of any of its rights hereunder. A waiver by either party at any time, express or implied, of any breach of any provision of this Lease shall not be deemed a waiver of, or consent to, any subsequent breach of the same or any other provision. Lessee may not file this Lease of record, or cause or permit the same, without

Lessor's prior written consent. Lessor makes no warranty of Lessee's leasehold estate, and in the event of any lawful ejectment of Lessee, Lessor shall refund to Lessee any rentals paid to Lessor for any period of Lease term then remaining. Lessee shall comply with all applicable laws, regulations and ordinances of governmental entities having jurisdiction over leased premises. This Lease contains the entire agreement of the parties and may not be modified except by a writing subscribed by both parties.

**21. GENERAL RIGHT TO TERMINATE.** Lessee shall have the right to terminate this Lease by notifying Lessor at least thirty (30) days prior to termination date. In terminating, Lessee agrees to vacate leased premises and remove all structures and personal property of Lessee located thereon, unless other arrangements have been made, with prior approval of Lessor, to transfer ownership or otherwise dispose of same. Rental payments made by Lessee for such terminated use may, upon proper request, be equitably adjusted, subject to a service charge.

**22. EXTINGUISHMENT OF CONSTRUCTIVE EASEMENT.** Lessee hereby relinquishes any and all rights to leased premises, or any portion thereof that may have been formerly held by constructive easement under Title 12 M.R.S.A. Sections 1801 & 1862, or otherwise.

Accepted and agreed to on

November 18, 2014

  
(Lessee Signature)

Sheila Hill-Christian  
(Print Name)

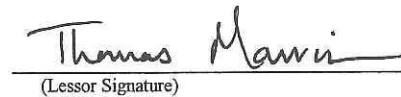
Acting City Manager  
(Title)

City of Portland  
(Address of Record)

389 Congress St.

Portland ME 04101

Nov 21, 2014

  
(Lessor Signature)

Thomas A. Morrison

Acting Director, Bureau of Parks and Lands

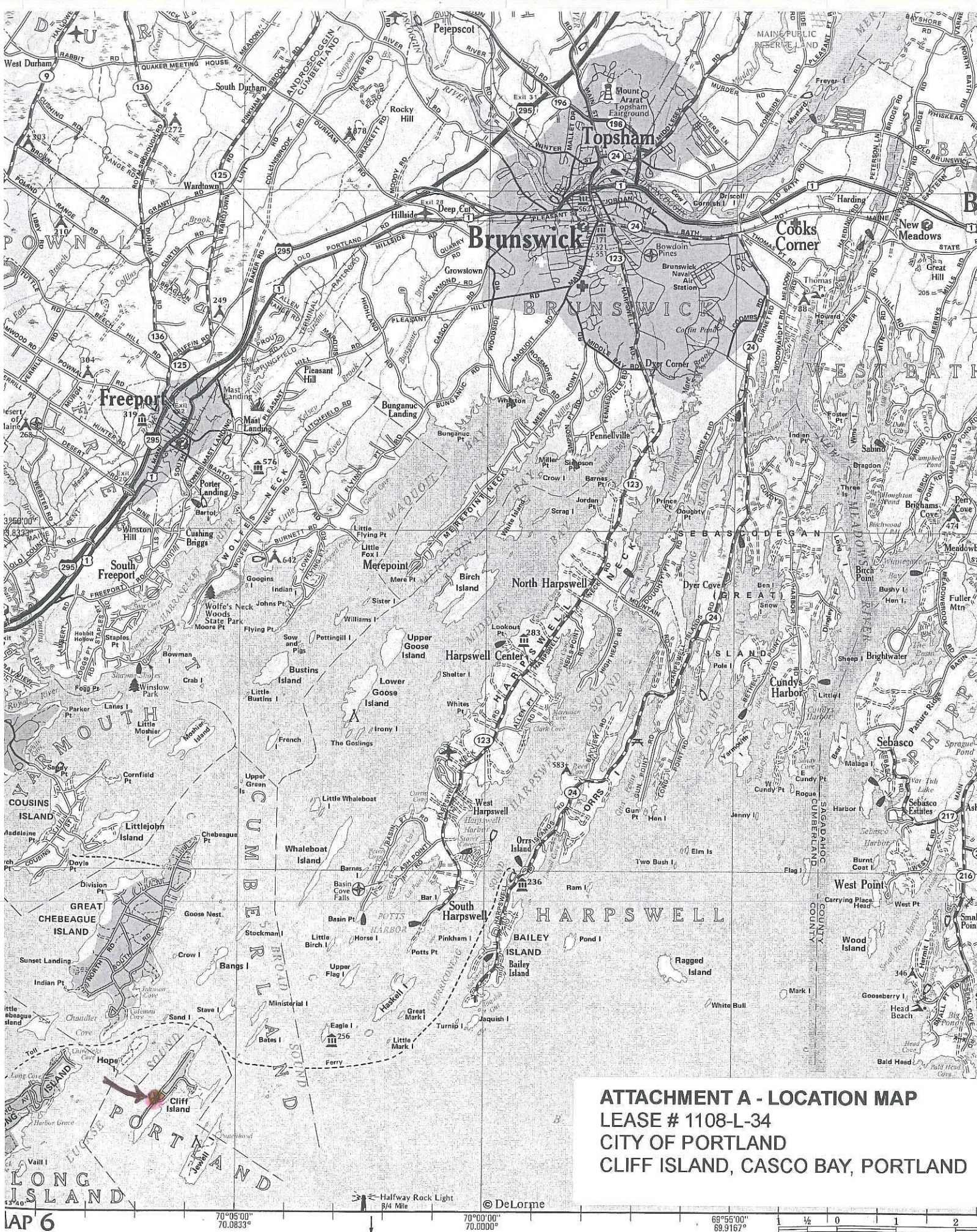
Department of Agriculture, Conservation & Forestry

State of Maine

8/12

APPROVED AS TO FORM:  
  
CORPORATION COUNSEL'S OFFICE

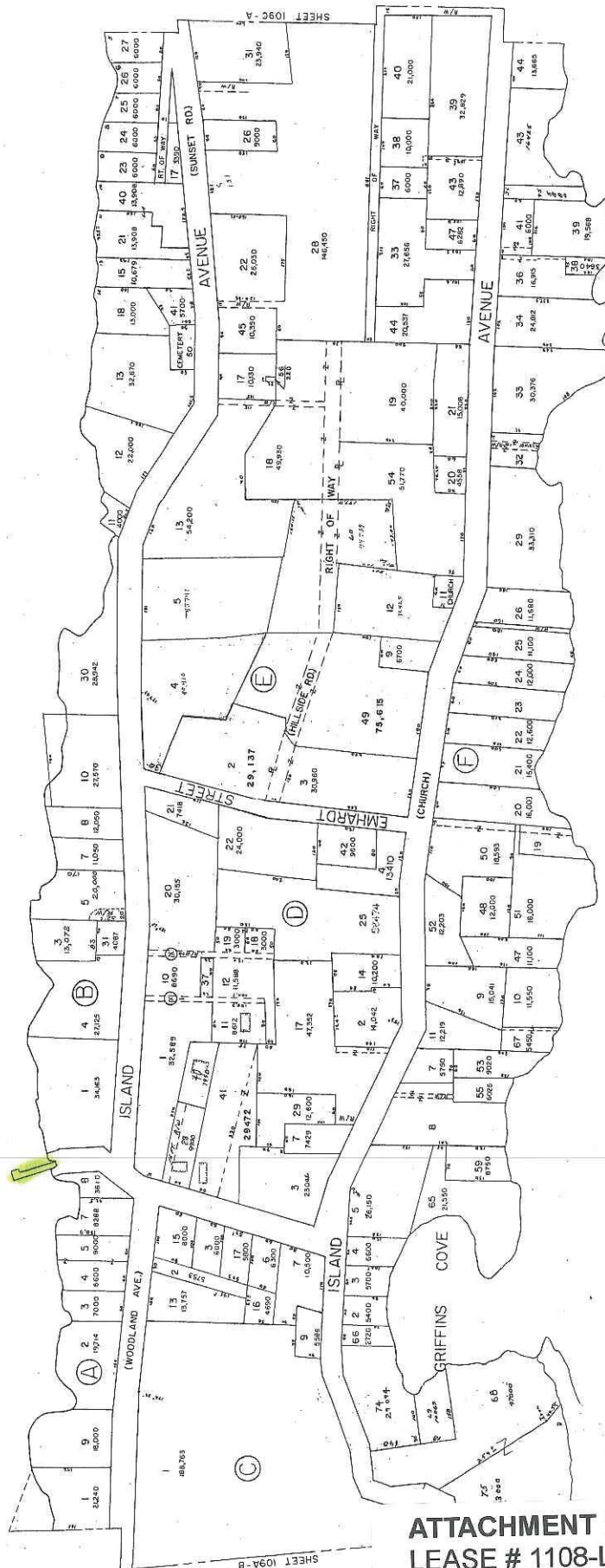




**ATTACHMENT A - LOCATION MAP**  
**LEASE # 1108-L-34**  
**CITY OF PORTLAND**  
**CLIFF ISLAND, CASCO BAY, PORTLAND**



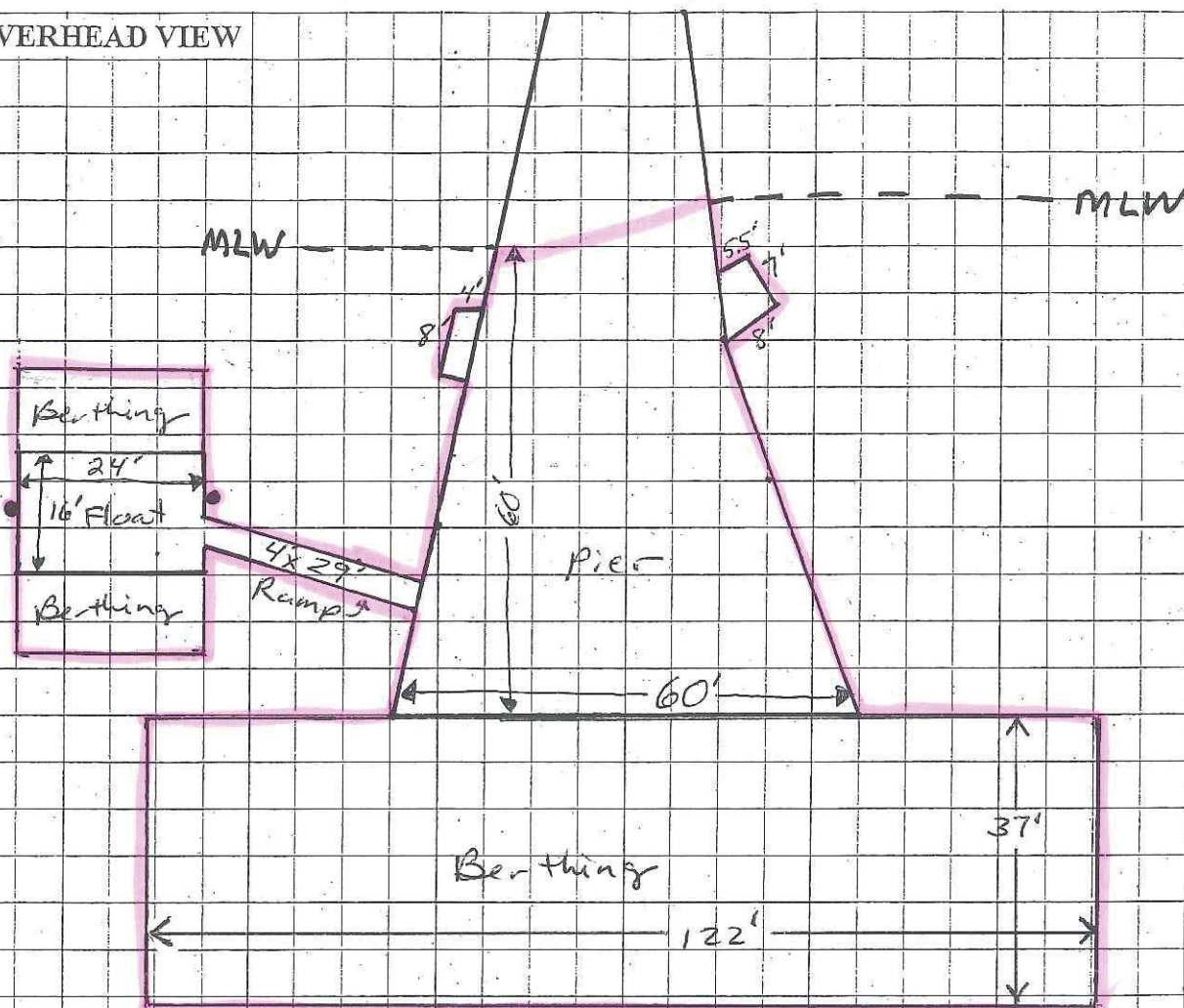
Nº 109-B  
CLIFF ISLAND



**ATTACHMENT B - TAX MAP**  
**LEASE # 1108-L-34**  
**CITY OF PORTLAND**  
**CLIFF ISLAND, CASCO BAY, PORTLAND**

CITY OF PORTLAND  
 ASSESSORS PLAN  
 SCALE-1"=100' ±  
 REVISED 4/17/75  
 8/24/86

## OVERHEAD VIEW



Page 1039



**EXHIBIT G**

[Depiction of Parcel 2 – Cliff Island Wharf Upland Property]







**EXHIBIT H**

[Description of Parcel 3 – Wye Property]







**EXHIBIT I**

[Parcel 4 – Railroad Valuation Plan]



Notes: Map produced by the City of Portland  
HEDD from 2020 GIS and Assessing data.  
For orientation purposes only. All locations,  
lot configurations, and bounds are approximate.  
Not for use in property transfer.

**Union Branch Corridor  
State to City**

**+/-4.4 acres**

**Park Ave Trestle included**

**Maine DOT and City of Portland Property Transfers**  
***Union Branch Shared Use Pathway***





**EXHIBIT J**

[Description of Parcel 5 – Park and Ride Property]

**EXHIBIT J**  
**(Description of Park and Ride Property)**

A certain lot or parcel of land, being a portion of Lot 1 on a survey plan titled "Marginal Way Subdivision – Preble Street and Marginal Way – City of Portland Property" dated July 25, 2006, revision 5, dated December 21, 2006, located along the northwesterly line of Marginal Way in the City of Portland, Cumberland County, State of Maine, bounded and described as follows:

**BEGINNING** at a point on the northwesterly line of Marginal Way at the southeasterly end of the line common to Lot 1 and Lot 2 as shown on said subdivision plan;

**THENCE** N 40°58'52" W ninety-one and eighty hundredths (91.80) feet along the southwesterly line of said Lot 1 and through land conveyed by the City of Portland to the State of Maine as recorded in the Cumberland County Registry of Deeds in Book 23214, Page 176 to a point on the southeasterly line of Interstate I-295;

**THENCE** N 57°57'22" E one hundred eighty and twenty-two hundredths (180.22) feet along the southeasterly line of Interstate I-295 to a concrete highway monument at a point of curvature;

**THENCE** along a curve to the left an arc distance of three hundred twelve and thirteen hundredths (312.13) feet, a radius of 2204.00', a chord bearing and distance of N 53°31'28" E 311.87', along the southeasterly line of Interstate I-295 to a concrete highway monument.

**THENCE** N 66°49'33" E one hundred twenty-eight and fifty-one hundredths (128.51) feet along the southeasterly line of Interstate I-295 to a point on the northwesterly line of Marginal Way;

**THENCE** S 49°01'08" W six hundred eleven and twenty-nine hundredths (611.29) feet along the northwesterly line of Marginal Way to the POINT OF BEGINNING.

**CONTAINING** thirty-one thousand one hundred thirty-three (31,133) square feet, more or less.

Bearings referenced herein are Grid North NAD83(HARN) Maine State Plane West Zone as determined by a survey plan titled "Marginal Way Subdivision – Preble Street and Marginal Way – City of Portland Property" dated July 25, 2006, revision 5 dated December 21, 2006, prepared by William B. Cark, Jr., PLS for the City of Portland Public Works Department Engineering Section on record in the DPW Engineering Archives Vault and recorded in said Registry of Deeds in Plan Book Vol. 207, Page 6.





**Marginal Way**

**Park and Ride Lot**  
**State to City**

**MEMORANDUM**  
**City Council Agenda Item**

**FROM:** Melissa Graffam (Jeremiah Bartlett)  
**DATE:** May 24, 2021  
**SUBJECT:** Order 279-20/21 Approving Modification Three to an Agreement between Portland and the Maine Department of Transportation re: Congress Street Traffic Signals - Sponsored by Jon P. Jennings, City Manager

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

**COUNCIL MEETING DATE ACTION IS REQUESTED:**

**1st Reading 6/7/2021**

**Final Action 6/21/2021**

**Can action be taken at a later date: No This project is close to starting construction.**

**PRESENTATION:**

**I. SUMMARY**

City Council is being asked to approve the attached MaineDOT Agreement Modification #3 and authorize the City Manager to sign the agreement, which will keep this project moving forward into construction

**II. AGENDA DESCRIPTION**

This project is a Locally Administered Project (LAP) where the City administers the project and receives funding from the State. It will modernize the traffic control architecture to the newest standard available along Congress from Fore River Parkway to Stevens Avenue.

Due to the cost of the awarded bid, the Portland Area Comprehensive Transportation System (PACTS) is providing an additional \$127,800 toward the project and the City is providing an additional \$255,839.

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

**III. BACKGROUND**

This project was originally developed in 2015 as part of a PACTS Transportation Improvement Program and included some signal retiming, coordination, and communications improvements. Since the original creation of that funding package, the project has been modified to update the cabinets to the current City/MaineDOT Advanced Traffic Control specification, additional structural analysis and mast arm work for signal heads, as well as extensive sidewalk and ramp work associated with newer Americans with Disabilities Act (ADA) requirements.

The resulting project will also provide the state's first hybrid beacon crossing at Lassel Street, replacing an outdated pedestrian-actuated signal. Lastly, this portion of Congress Street will be Transit Priority ready, able to easily accommodate better progression for transit with the small addition of an add-on to the City's traffic signal communications system.

**IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED**

This project will improve the coordination, timing and efficiency of the dated traffic signals in the project area. Significant ADA improvements will be made for safer pedestrian access, and the project will be ready for

advanced transit accommodations.

#### **V. FINANCIAL IMPACT**

The City is obligated to pay 61% of the awarded project cost, or \$875,888.65, and the cost for this project is shared among existing capital accounts that have been encumbered. Although higher than some match agreements, the work at this location will also reduce ADA costs associated with a pending paving project along this same segment of Congress Street, making project delivery and associated costs with that effort less. The Fiscal Impact Note is enclosed.

#### **VI. STAFF ANALYSIS AND BACKGROUND**

This project has already been awarded to Moulison Electrical, and contracts are now in the process of being finalized.

#### **VII. RECOMMENDATION**

The Department of Public Works recommends approving and signing the subject Two-Party Partnership Agreement to provide additional PACTS funding to this effort.

#### **VIII. LIST ATTACHMENTS**

1. Order re Modification 3 of MDOT PACTS Congress Street Traffic Signals 6.7.2021
2. Congress Street Mod 3
3. Congress\_St\_SignalUpgrades\_map (2)
4. Fiscal Impact Note WIN 01884 05-24-21

Prepared by:

Melissa Graffam (Jeremiah Bartlett)

Date: 5/24/2021

KATE SNYDER (MAYOR)  
BELINDA S. RAY (1)  
SPENCER R. THIBODEAU (2)  
TAE Y. CHONG (3)  
ANDREW ZARRO (4)

**CITY OF PORTLAND  
IN THE CITY COUNCIL**

MARK DION (5)  
APRIL D. FOURNIER(A/L)  
PIOUS ALI (A/L)  
NICHOLAS M. MAVODONES, JR (A/L)

**ORDER APPROVING MODIFICATION THREE TO THE AGREEMENT BETWEEN  
PORTLAND AND THE MAINE DEPARTMENT OF TRANSPORTATION  
RE: CONGRESS STREET TRAFFIC SIGNALS**

**ORDERED**, that the Modification Three to the three-party agreement between the Maine Department of Transportation and the City of Portland to construct improvements to the Congress Street Traffic Signals with State Work Identification Number 018664.00 is hereby approved in substantially the form attached hereto; and

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

**MaineDOT***MaineDOT use only*

AMS ID: 20161011000000000190

CSN: 36622.

PROGRAM: Multimodal

**MAINE DEPARTMENT OF TRANSPORTATION**  
**Modification 3 to a Locally Administered Project Agreement**  
 With the  
**City of Portland**  
 Regarding  
**Advanced Traffic Management System on Congress Street**

*MaineDOT Use Only*

Modified Agreement Amount: \$1,431,638.65

Federal Authorization Date: 01/04/2016

Federal Funds: \$540,750.00

Federal Project #: STP-1866(400)

State Funds: \$15,000.00

MaineDOT WIN: 018664.00

Local Funds: \$875,888.65

Portland Vendor ID: VC1000073476

Agreement Begin Date: 10/06/2016

Portland DUNS Number: 07-174-780

Modified End Date: 12/31/2022

CFDA #: 20.205

Modification 3 amends an Agreement for a project consisting of traffic signal upgrades on Congress Street in Portland that took effect October 6, 2016. This modification increases the Agreement by \$383,638.65, consisting of additional contributions of \$127,800.00 from PACTS and \$255,838.65 from Portland to meet the lowest construction bid, as set out below.

**ARTICLE 2. PROJECT FINANCES**

- ☐ Section 2A UPSET LIMIT shall be modified to read as follows: The current estimated cost of the Project is **\$1,431,638.65** (Project Cost), to be shared as set out below.

**Preliminary Engineering and Right of Way, CSN 36622**

| Local |             | Federal |              | Total        |
|-------|-------------|---------|--------------|--------------|
| 25%   | \$34,596.45 | 75%     | \$103,789.35 | \$138,385.80 |

**Construction, CSN**

| Local  |              | Federal |              | State |             | Total          |
|--------|--------------|---------|--------------|-------|-------------|----------------|
| 67.87% | \$820,042.20 | 30.89%  | \$373,210.65 | 1.24% | \$15,000.00 | \$1,208,252.85 |

**Construction Engineering, CSN 36622**

| Local |             | Federal |             | Total       |
|-------|-------------|---------|-------------|-------------|
| 25%   | \$21,250.00 | 75%     | \$63,750.00 | \$85,000.00 |

- ☐ Section 2B MAINE DOT SHARE shall be modified to read as follows:
- In the preliminary engineering, right of way and construction engineering stages of the Project, MaineDOT will contribute federal money programmed by PACTS at the rate of **75 percent**, up to a maximum of **\$167,539.35**.

- In the construction stage, MaineDOT will contribute federal funding programmed by PACTS at the approximate rate of **30.89 percent**, up to a maximum of **\$373,210.65**. Additionally, MaineDOT will contribute state funds to the construction stage of the Project at the approximate rate of 1.24 percent, up to **\$15,000.00**.

☐ Section 2C LOCAL SHARE shall be modified to read as follows:

- In the preliminary engineering, right of way and construction engineering stages, the City shall share in federally participating costs at the rate of **25 percent**, for an estimated contribution of **\$55,846.45**.
- In the construction stage, the City shall share in federally participating costs at the approximate rate of **67.87 percent**, for an estimated contribution of **\$820,042.20**.
- Additionally, the City shall be fully responsible for the following:
  - Costs exceeding the total of this Agreement, as shown in Section 2A above; and
  - Costs incurred before the original execution date of this Agreement.

All other terms and conditions of the original Agreement shall remain in effect without a gap. **MaineDOT** and the **City of Portland**, by their duly authorized representatives, have executed this modification to the original Agreement on the date last signed below.

**City of Portland**

**Maine Department of Transportation**

By: \_\_\_\_\_  
**Jon P. Jennings, City Manager \***

By: \_\_\_\_\_  
**Richard J. Crawford, P.E., Director \***  
 Bureau of Project Development

Date: \_\_\_\_\_

Date: \_\_\_\_\_

*\* I certify that the foregoing signature is true and accurate. I further certify – pursuant to 10 M.R.S.A. §9502, et seq. – that the signature, if electronic: (a) is intended to have the same force as a manual signature, (b) is unique to me, (c) is capable of verification, (d) is under my sole control, and (e) is linked to data in such a manner that it is invalidated if the data are changed.*



Darryl Belz, P.E.  
MPO Engineer  
Bureau of Planning  
Maine Department of Transportation  
16 State House Station  
Child Street  
Augusta, Maine 04433-0016

May 6, 2021

**Re: TIP Modifications for WIN 18664.00**

Dear Darryl,

On April 27, 2021, the PACTS Executive Board approved the transfer of funds from PACTS Holding WIN to WIN 18664.00 – Portland, Congress Street Signal Project. PACTS Executive Board agreed to fund up to 20% of the original available construction funding, which is \$170,400. The PACTS federal funds to transfer will be 75% of that amount. Further project details have been provided below.

**Funding Change**

| <b>WIN Number</b> | <b>Project Title</b>      | <b>Project Description</b>      | <b>Current Funding</b> | <b>Additional PACTS Federal Funding</b> | <b>Additional Local Funding</b> | <b>Total Funding</b> |
|-------------------|---------------------------|---------------------------------|------------------------|-----------------------------------------|---------------------------------|----------------------|
| 18664.00          | Portland, Congress Street | Install/Replace Traffic Signals | \$1,048,000            | \$127,800                               | \$255,838.65                    | \$1,431,638.65       |

Please let me know if you have any additional questions.

Best regards,

DocuSigned by:

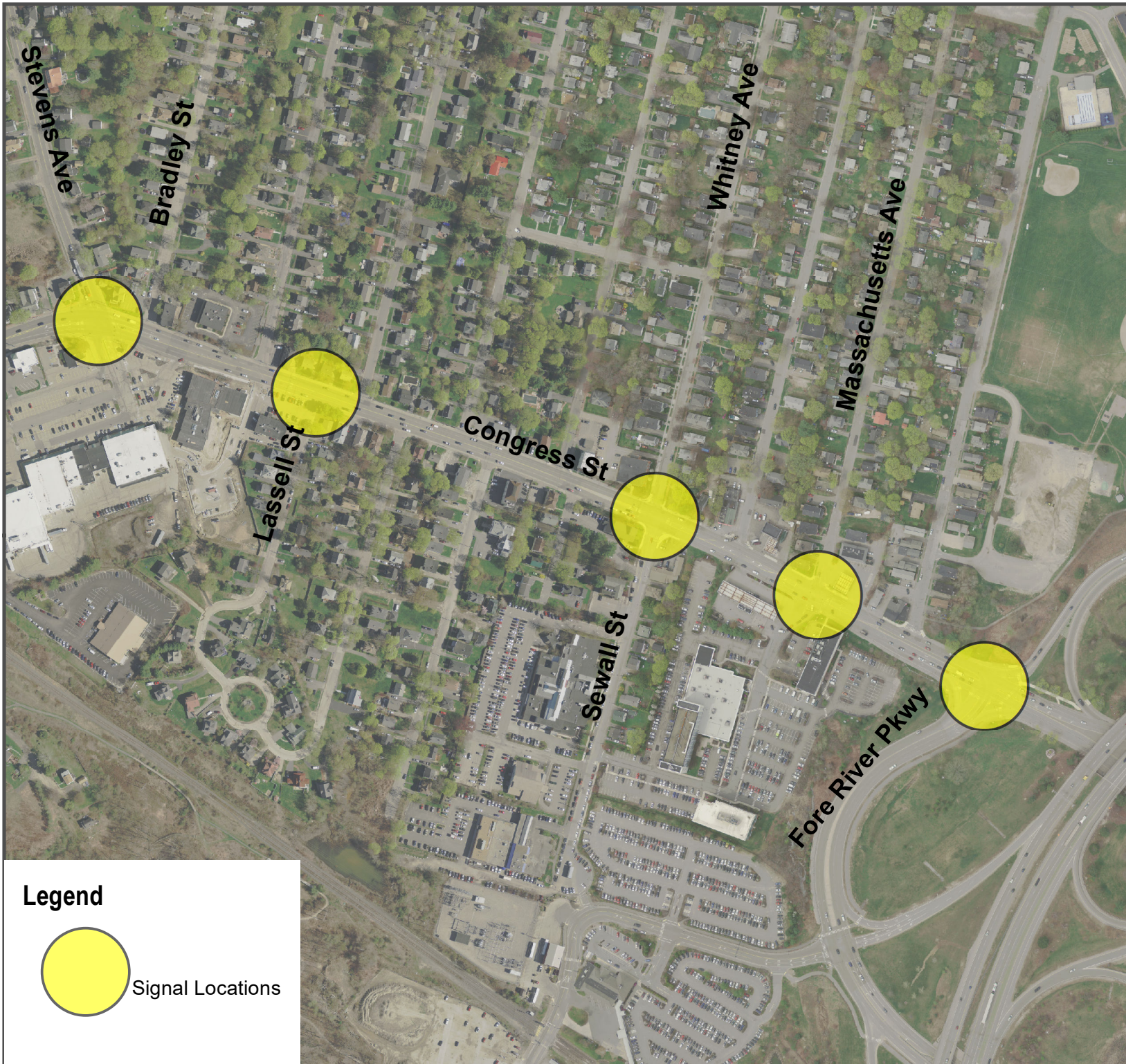
*Elizabeth Roberts*

FBF6DDDD7DD6444D...

Elizabeth Roberts, P.E.  
Transportation Engineer

CC: Chris Chop  
Jeremiah Bartlett  
Brian Keezer  
Harold Spetla





CITY OF PORTLAND, MAINE  
DEPT. OF PUBLIC WORKS

212 CANCO RD, SUITE B,  
PORTLAND, MAINE 04103  
PHONE (207) 874-8846 FAX (207) 874-8852

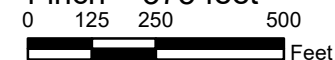
## CONGRESS STREET SIGNAL UPGRADES

STEVENS AVENUE TO  
FORE RIVER PARKWAY

December 2018



1 inch = 375 feet





| FISCAL IMPACT NOTE<br>New Program Cost Data:    | Year 1           |                                | Year 2           |                                | Year 3           |                                |
|-------------------------------------------------|------------------|--------------------------------|------------------|--------------------------------|------------------|--------------------------------|
|                                                 | City Rate        | City / Sch<br>Combined<br>Rate | City Rate        | City / Sch<br>Combined<br>Rate | City Rate        | City / Sch<br>Combined<br>Rate |
| <b>Example:</b>                                 |                  |                                |                  |                                |                  |                                |
| <b>ADD: NEW ITEM ANNUAL EXPENDITURES</b>        |                  | <b>\$65,692</b>                |                  | <b>\$65,692</b>                |                  | <b>\$65,692</b>                |
| <b>LESS: TOTAL NEW ITEM ANNUAL REVENUES</b>     |                  |                                |                  |                                |                  |                                |
| <b>=NEW ITEM NET TAX RATE IMPACT PROJECTION</b> | <b>\$65,692</b>  | <b>\$65,692</b>                | <b>\$65,692</b>  | <b>\$65,692</b>                | <b>\$65,692</b>  | <b>\$65,692</b>                |
| <b>New Program Impact to the Mil Rate</b>       | <b>\$0.0083</b>  | <b>\$0.0083</b>                | <b>\$0.0083</b>  | <b>\$0.0083</b>                | <b>\$0.0083</b>  | <b>\$0.0083</b>                |
| <b>New Program % Impact on Mil Rate</b>         | <b>0.0733%</b>   | <b>0.0370%</b>                 | <b>0.0733%</b>   | <b>0.0370%</b>                 | <b>0.0733%</b>   | <b>0.0370%</b>                 |
| <b>Mil Rate Including New Program</b>           | <b>\$11.3483</b> | <b>\$22.4883</b>               | <b>\$11.3483</b> | <b>\$22.4883</b>               | <b>\$11.3483</b> | <b>\$22.4883</b>               |

Notes: The new item will begin on July 1, 2019 and will increase annual expenditures by \$75,000 per year with offsetting revenue of \$10,000 per year. Additionally the program will have startup expenses of \$20,000 in year 1 only.

**MEMORANDUM**  
**City Council Agenda Item**

**FROM:** Melissa Graffam (Michael Tremblay)  
**DATE:** May 24, 2021  
**SUBJECT:** Order 280-20/21 Approving Modification 1 to the Agreement Between Portland and the Maine Department of Transportation re: Congress Square Intersection Improvements - Sponsored by Jon P. Jennings, City Manager  
**SPONSOR:** Jon P. Jennings, City Manager  
**(If sponsored by a Council committee, include the date the committee met and the results of the vote.)**

**COUNCIL MEETING DATE ACTION IS REQUESTED:**

**1st Reading 6/7/2021**

**Final Action 6/21/2021**

**Can action be taken at a later date: No Action is required as soon as possible in order to proceed with project as scheduled.**

**PRESENTATION:**

**I. SUMMARY**

This modification updates the agreement between the City of Portland and MaineDOT to include the anticipated construction costs of the Congress Square Intersection Improvements project.

**II. AGENDA DESCRIPTION**

The original project agreement with the Maine Department of Transportation (MaineDOT) approved by the Council by Order 32-19/20 on September 4, 2019, with Work Identification Number 024293.00, included costs related to the project design only. This order seeks to modify that agreement to now include construction costs.

The Congress Square Intersection Improvement Project will provide safety and mobility improvements to the intersection of Congress Street/High Street/Free Street, including improved intersection alignment, shorter and more intuitive pedestrian crossings, and new signal equipment.

The project will improve safety and mobility for all modes by improving signal timing and vehicle detection, reducing crosswalk lengths, and expanding pedestrian plazas.

The updated agreement increases the City's share from \$61,540 to \$1,654,138.00, and increases MaineDOT's share from \$38,460 to \$1,000,000.00.

This item must be read on two separate days. Staff is requesting that the second reading be waived, which requires seven affirmative votes. Staff also requests that this item be passed as an emergency. Passage as an emergency requires seven votes, following public comment.

**III. BACKGROUND**

Congress Square is a five-way urban intersection located on the west side of Portland's downtown neighborhood. The intersection is located within a mixed-use neighborhood, with Congress Square Park located in the northeast corner of the intersection and the Portland Museum of Art in the southeast corner of the intersection.

The Congress Square Intersection Improvements Project will redesign the intersection to create a properly aligned, 4-way intersection of Congress Street and High Street, with a new, separate intersection of Congress Street and Free Street. For about 150 feet immediately east of the intersection, Free Street will be raised to sidewalk level, slowing cars and prioritizing pedestrians. Realigning Free Street creates an extended plaza area in front of the Portland Museum of Art, which will create additional public space to complement Congress Square Park on the opposite side of Congress Street. The realigned intersection will provide shorter crossing distances for pedestrians and improved signal timing for all users. New signal equipment will be installed, improving traffic flow by improving vehicle detection. The work also includes new brick sidewalks with decorative pavers, reconstructed ADA ramps, street lighting, and street trees. This work will precede the forthcoming Congress Square Park redesign work.

The City and MaineDOT previously agreed to share costs associated with final design of this project. This would update that agreement to account for the costs of construction.

#### **IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED**

The project will provide improved safety in Congress Square, improved ADA access, additional public space, improved signal timing and traffic follow, and will enable the forthcoming Congress Square Park redesign to proceed. This modification to the agreement between the City and MaineDOT will allow construction to proceed.

#### **V. FINANCIAL IMPACT**

Fiscal impact note attached.

#### **VI. STAFF ANALYSIS AND BACKGROUND**

The total agreement amount (\$2,654,138) is inclusive of design work conducted in 2019-2020.

The \$1,654,138.00 City share will be funded using the following accounts:

C22111- \$1,200,000

C20109- \$150,000

#3130217102- \$314,138.00

#### **VII. RECOMMENDATION**

Staff recommends that the agreement be modified so that the project can be put out to bid in June/July 2021.

#### **VIII. LIST ATTACHMENTS**

1. Order re MDOT Mod 1 Congress Square intersection improvements WIN 24293 6.7.2021
2. Congress Square Design Area
3. Draft Mod 1 for Portland Approval, WIN 24293.00
4. Congress Square - Fiscal Impact Note

Prepared by:

Melissa Graffam (Michael Tremblay)

Date: 5/24/2021



KATE SNYDER (MAYOR)  
BELINDA S. RAY (1)  
SPENCER R. THIBODEAU (2)  
TAE Y. CHONG (3)  
ANDREW ZARRO (4)

**CITY OF PORTLAND  
IN THE CITY COUNCIL**

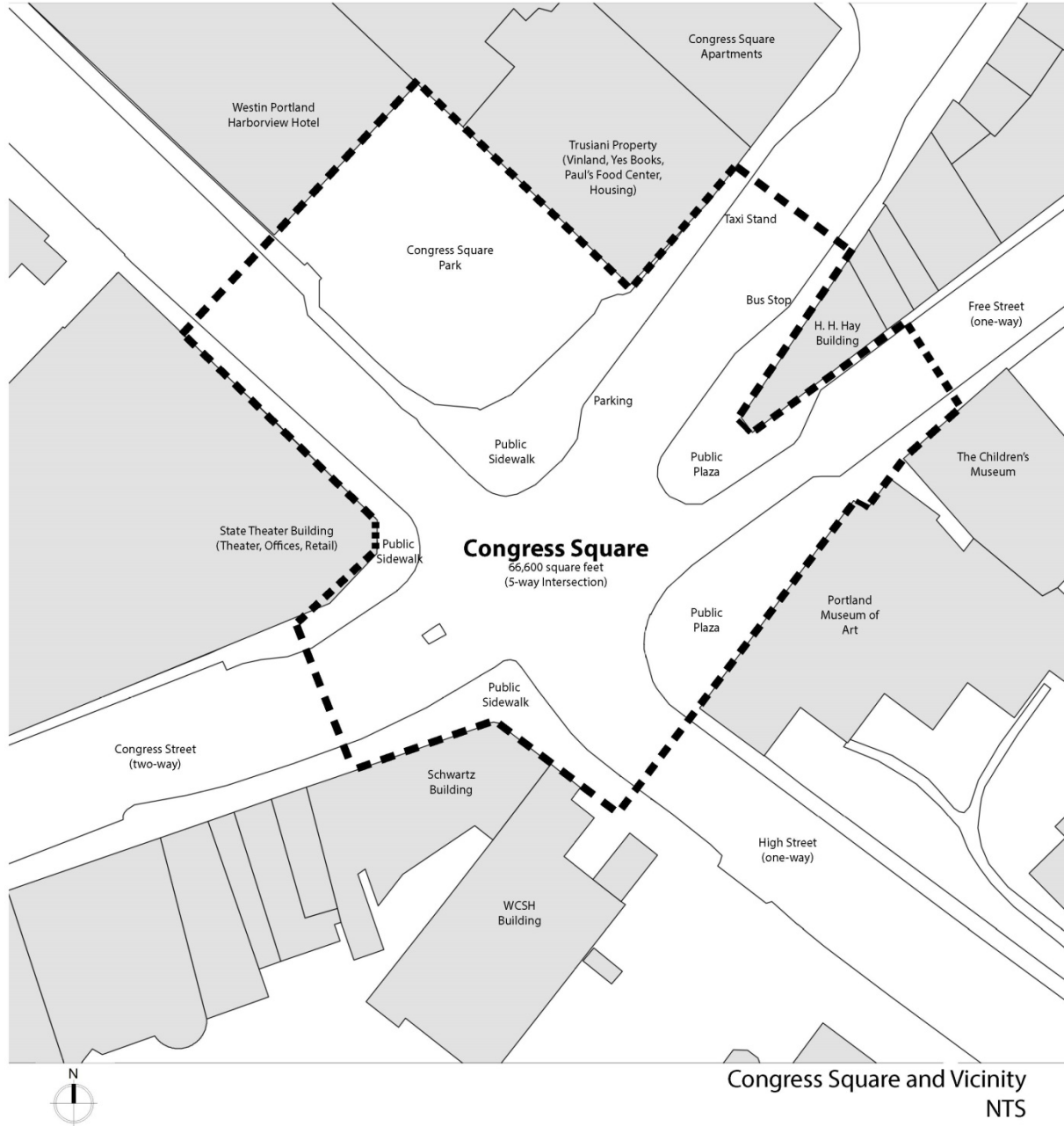
MARK DION (5)  
APRIL D. FOURNIER(A/L)  
PIOUS ALI (A/L)  
NICHOLAS M. MAVODONES, JR (A/L)

**ORDER APPROVING MODIFICATION 1 TO  
THE AGREEMENT BETWEEN PORTLAND  
AND THE MAINE DEPARTMENT OF TRANSPORTATION  
RE: CONGRESS SQUARE INTERSECTION IMPROVEMENTS**

**ORDERED**, that the Modification 1 to the Locally Administered Project Agreement between the Maine Department of Transportation and the City of Portland to construct improvements to the Congress Square Intersection with State Work Identification Number 024293.00 is hereby approved in substantially the form attached hereto; and

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

### ATTACHMENT 3 – Congress Square Project Design Area





MaineDOT use only  
AMS ID: 20190924000000000158  
CSN: 40895  
PROGRAM: Multimodal

MAINE DEPARTMENT OF TRANSPORTATION  
Modification 1 to a Locally Administered Project Agreement  
With the  
City of Portland  
Regarding  
Traffic and Pedestrian Safety Improvements at Congress Square

|                                  |                                                  |
|----------------------------------|--------------------------------------------------|
| Agreement Amount: \$2,654,138.00 | Federal Authorization Date: 06/10/2019           |
| Federal Share: \$1,000,000.00    | Federal Project #: 2429300                       |
| State Share: \$0.00              | Project WIN: 024293.00                           |
| Municipal Share: \$1,654,138.00  | Municipality's Vendor ID: VC1000073476           |
| Agreement Begin Date: 09/23/2019 | Municipality's DUNS #: 07-174-7802               |
| Agreement End Date: 01/31/2023   | CFDA #: 20.205 Highway Planning and Construction |

Modification 1 amends an Agreement between MaineDOT and the City of Portland that was executed on September 23, 2019 to reflect supplemental funding for construction and construction engineering work programmed in the MaineDOT Work Plan for calendar years 2021-2023, as set out below.

- ☐ **Increased Project Cost.** The estimated total Project Cost shall be increased by \$2,554,138.00, rising from the original amount of \$100,000.00 to **\$2,654,138.00**.
- ☐ **Increased Payable Amount.** The maximum payable at the rate of 37.67701604061281 percent of participating costs shall be increased by \$961,540.00, rising from \$38,460.00 to **\$1,000,000.00**.
- ☐ **Increased Local Share.** The Municipality's 62.32298395938719 percent share of participating costs shall be increased by \$1,592,598.00, rising from \$61,540.00 to a **\$1,654,138.00**. Additionally, the Municipality shall be responsible for all costs exceeding \$2,654,138.00, unless MaineDOT approves otherwise by further modifying this Agreement.

All other terms and conditions of the original Agreement shall remain in effect without a gap. MaineDOT and the City of Portland, by their duly authorized representatives, have executed this modification to the original Agreement on the date last signed below.

City of Portland

Maine Department of Transportation

By: \_\_\_\_\_  
Jon P. Jennings, City Manager \*

By: \_\_\_\_\_  
Richard J. Crawford, P.E., Director \*  
Bureau of Project Development

Date: \_\_\_\_\_

Date: \_\_\_\_\_

\* I certify that the foregoing signature is true and accurate. I further certify – pursuant to 10 M.R.S.A. §9502, et seq. – that the signature, if electronic: (a) is intended to have the same force as a manual signature, (b) is unique to me, (c) is capable of verification, (d) is under my sole control, and (e) is linked to data in such a manner that it is invalidated if the data are changed.

# Formula for New Program Costing on Tax Rate

Congress Square Intersection Improvements - Construction

|                                                                               |               |                    |
|-------------------------------------------------------------------------------|---------------|--------------------|
| 1) <b>FY21 Valuation:</b>                                                     | 8,070,000,000 | <b>\$8,070,000</b> |
| 2) <b>FY21 Tax Rate</b> (Total City & School): <u>Levy / (Valuation/1000)</u> |               | <b>\$23.31</b>     |
| (a) <b>FY21</b> Tax Rate (City):                                              |               | <b>\$11.62</b>     |
| (b) <b>FY21</b> Tax Rate (School):                                            |               | \$11.69            |
| 3) <b>FY21 Value of \$0.01 of Tax Rate</b> (Total City & School):             |               | <b>\$80,700</b>    |

| FISCAL IMPACT NOTE<br><br>New Program Cost Data:                                                                                                              | Year 1    |                                | Year 2    |                                | Year 3    |                                |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|--------------------------------|-----------|--------------------------------|-----------|--------------------------------|
|                                                                                                                                                               | City Rate | City / Sch<br>Combined<br>Rate | City Rate | City / Sch<br>Combined<br>Rate | City Rate | City / Sch<br>Combined<br>Rate |
| <b>Example:</b><br><b>ADD: NEW ITEM ANNUAL EXPENDITURES</b><br><b>LESS: TOTAL NEW ITEM ANNUAL REVENUES</b><br><b>=NEW ITEM NET TAX RATE IMPACT PROJECTION</b> | \$0       | \$0                            | \$119,445 | \$119,445                      | \$119,445 | \$119,445                      |
| New Program Impact to the Mil Rate                                                                                                                            | \$0.0000  | \$0.0000                       | \$0.0148  | \$0.0148                       | \$0.0148  | \$0.0148                       |
| New Program % Impact on Mil Rate                                                                                                                              | 0.0000%   | 0.0000%                        | 0.1274%   | 0.0635%                        | 0.1274%   | 0.0635%                        |
| Mil Rate Including New Program                                                                                                                                | \$11.6200 | \$23.3100                      | \$11.6348 | \$23.3248                      | \$11.6348 | \$23.3248                      |

Notes: Modifying agreement with MaineDOT to include construction costs for Congress Square Intersection reconstruction.



**MEMORANDUM**  
**City Council Agenda Item**

**FROM:** Greg Mitchell, Director

**DATE:** May 26, 2021

**SUBJECT:** Order 281-20/21 Approving and Authorizing First Letter Agreement with Developers Collaborative for the Homeless Service Center Project on Riverside Street - Sponsored by Councilor Spencer Thibodeau, Chair, Housing & Economic Development Committee

**SPONSOR:** Councilor Spencer Thibodeau, Chair of the Housing and Economic Development Committee, meeting held on June 1, and the vote was 4-0 to forward this to the City Council for approval.

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

**COUNCIL MEETING DATE ACTION IS REQUESTED:**

**1st Reading 6/7/2021**

**Final Action 6/7/2021**

**Can action be taken at a later date: No (If no why not?) Due to the project's importance to serve the homeless population.**

**PRESENTATION:** Greg Mitchell/5 Minutes

**I. SUMMARY**

A First Letter Agreement with the Developers Collaborative is proposed to begin the design and public engagement process only to support new construction of the Homeless Service Center (HSC) to be located at 654 Riverside Street.

**II. AGENDA DESCRIPTION**

The Housing and Economic Development Committee, on May 18, 2021, selected Developers Collaborative to be the developer for the Riverside Street HSC. A copy of the Developers Collaborative (DC) HSC Proposal is enclosed.

Step one for the HSC is to prepare conceptual site and building design plans, along with handling a public engagement process to include working with the City Health and Human Services Committee, City staff, HSC facility partners, and the general public. To begin this process, DC proposes entering into the Proposed First Letter Agreement (copy attached). The First Letter Agreement Scope of Work includes:

- Conceptual Site and Building Design along with the Public Process.
- Due Diligence. Project feasibility in design, site constraints, permitting, and financing.
- Deliverables. Formulate a financing, partnership, and phasing strategy that best fits the circumstances.
- Compensation and additional items. DC and third-party consultants will receive no compensation for the scope of work included in the First Letter Agreement for a period of sixty days (60) days.

Next steps include:

- Second Letter of Agreement is proposed to provide for City payment of and/or reimbursement for Developer fees and third-party costs related to the HSC Project.
- Ground Lease/Master Lease. Following the Second Letter of Agreement, a Ground Lease/Master Lease between the parties is proposed to include the final terms of the partnership.

Five affirmative votes are required for passage after public comment.

### **III. BACKGROUND**

Under City Council direction, the City issued a Request for Proposals (“RFP”) from developers to construct and lease to the City a Homeless Service Center located at 654 Riverside Street on City-owned property. The deadline to submit proposals was April 27, 2021. Three proposals were received. On March 18, 2021, the Housing and Economic Development Committee held a public hearing on the three developer proposals, selected Developers Collaborative, and authorized staff to proceed with negotiations.

### **IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED**

Design and construction of a new Homeless Service Center with wrap around services to better serve the homeless population.

### **V. FINANCIAL IMPACT**

There are no financial impacts associated with entering into this First Letter Agreement with DC. DC and their subcontractors will proceed at their risk.

### **VI. STAFF ANALYSIS AND BACKGROUND**

Staff recommends that the City Council vote to approve the First Letter Agreement with DC.

### **VII. RECOMMENDATION**

Councilor Spencer Thibodeau, Chair of the Housing and Economic Development Committee, meeting held on June 1, and the vote was 4-0 to forward this to the City Council for approval.

### **VIII. LIST ATTACHMENTS**

1. Order First Letter Agreement Developers Collaborative re Riverside Homeless Center 6.7.2021
2. DC First Letter Agreement HSC 6-2-2021 Fnl Per HEDC on 6-1
3. Developers Collaborative
4. 5-28-2021 Memo from Corp Counsel Re Shelter Referendum

Prepared by:

Greg Mitchell, Director

Date: 5/26/2021

KATE SNYDER (MAYOR)  
BELINDA S. RAY (1)  
SPENCER R. THIBODEAU (2)  
TAE Y. CHONG (3)  
ANDREW ZARRO (4)

**CITY OF PORTLAND  
IN THE CITY COUNCIL**

MARK DION (5)  
APRIL D. FOURNIER(A/L)  
PIOUS ALI (A/L)  
NICHOLAS M. MAVODONES, JR (A/L)

**ORDER APPROVING THE FIRST LETTER AGREEMENT WITH  
DEVELOPERS COLLABORATIVE FOR THE HOMELESS SERVICES  
CENTER ON RIVERSIDE STREET**

**ORDERED,** that the First Letter Agreement between Developers Collaborative and the City of Portland for the Homeless Services Center on Riverside Street is hereby approved and accepted in substantially the form attached hereto; and

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



\_\_\_\_\_, 2021

ATTN: Jon Jennings  
City Manager  
City of Portland  
389 Congress St.  
Portland, ME 04101

**First Letter Agreement  
Homeless Service Center, 654 Riverside Street, Portland, Maine (the “Project”)**

We have outlined in concept a multi-step process in predevelopment of the proposed Homeless Service Center to be located at 654 Riverside Street in Portland, Maine whereby: (1) this First Letter Agreement will be effective for a period of 60 days from execution by Developer and City to allow the Project to begin while final terms are being negotiated; and (2) a Second Letter Agreement that will be effective from execution by Developer and City through the end of the 2021 calendar year, or upon completion of the Planning Board approval process, whichever comes first. Following mutual satisfaction of both Letter Agreements, the Parties (Developers Collaborative Predevelopment LLC, “Developer,” and City of Portland, “City”) will consider negotiating and entering into a ground lease, and master lease, which would codify and define the relationship for financing, construction, and operations of the Project, and the leaseback of the Project to City.

The major difference between the First Letter Agreement and Second Letter Agreement is that in the First Letter Agreement the Developer will receive no compensation for 60 days, and will work totally at their own risk. Developer will merely be managing the process and hiring consultants for pre-development work for the Project. The Second Letter Agreement will be a more comprehensive agreement, which is contemplated to provide for City payment of and/or reimbursement for Developer fees, and third party costs related to the Project. The work under the First Letter Agreement is intended to vet out major feasibility issues on all aspects of the property and provide a comprehensive basis for a permitting application to the City of Portland, as well as a Second Letter Agreement and eventually a ground lease, and a master lease, between the parties. On behalf of City, Developer will undertake the following as part of the First Letter Agreement:

**SCOPE OF WORK:**

**1. Conceptual Site and Building Design; Public Process**

- Manage design professionals and other consultants and be responsible for all work products from the development team.
- Contract with consultants identified in the Homeless Service Center RFP #21041 (the “RFP”) to complete a conceptual building and site design which will be the basis of a Planning Board application to be submitted with a target of early July for a July 27 Planning Board meeting.



- With the help of City, coordinate and lead interactions with a) internal and b) community stakeholders as needed. This is anticipated to involve multiple community meetings in addition to the required neighborhood meeting (which only takes place after the July 27 submission). Meetings will be facilitated by Developer and Amistad. Developer and Amistad will enter into a third party consulting contract, which will govern Amistad's role of facilitator of community meetings. The goal of the public process will be to improve final product and gain community consensus on major Project elements. Best practices will be discussed and implemented.

## **2. Due Diligence**

- Develop a due diligence scope intended to vet out major issues that affect project feasibility in design, site constraints, permitting, and financing.
- Design a schedule for entitlements (local and state), community reviews and obtaining permits for construction.
- Work with City to determine any title issues on the property (assumed none; rely on City legal/title due diligence and examination results; review for issues only).

## **3. Deliverables**

- Provide all third party generated due diligence to City as it becomes available for review.
- Provide recommendations for next steps and timeline to binding agreements. Second Letter Agreement to be agreed upon by Developer and City within 60 days from the effective date of this First Letter Agreement.
- Formulate a financing, partnership, and phasing strategy that best fits the circumstances, exploring various alternative transaction structures. While a myriad of other structures is possible, the working assumption is that Developer, through a new single purpose entity, will ground lease land from City, construct Project, and master lease-back to City, and City will own Project free and clear after a period of time.
- Within the context of the basic financial/legal arrangement, however, the parties both understand that this will be a high profile project and its community impact will be closely watched. As such, it is of utmost importance to both parties that the Project, while it must be financially feasible, must also satisfy a host of other criteria so it is a credit to the reputations of both City and Developer. These criteria will be mutually agreed upon and incorporated into in any ground lease and master lease between the Parties.

## **4. Compensation and additional items**

- Developer will receive no compensation for this phase, for a period of 60 days.
- The Second Letter Agreement is contemplated to provide for City payment of and/or reimbursement for actual Developer fees, and actual third party costs related to the Project, on a mutually agreeable basis.



- All work to be undertaken by third party consultants will contract directly with Developer and costs will be consistent with amount of work performed relative to Developer's Total Development Costs Budget set forth in its April 27, 2021 response to the RFP; provided, that, prior to Developer entering into any contract or agreeing to any amount of work to be performed relative to the Project, such contract and/or work shall be approved in writing by the City Manager. Such written approval shall not be unreasonably withheld or delayed. Additionally, Developer shall provide to City, on a monthly basis, detailed expense reports related to any and all third party consultant work.
- Upon signing of a Master Lease or similar instrument, it is contemplated that costs expended under this Letter Agreement will be assumed by the Project.
- If Project does not proceed, and Second Letter Agreement is not signed, upon terms which Developer and City shall mutually agree, Developer will assign all of its rights in all work products generated by any third party consultants including all drawings, schematics, reports and similar items to City, if City chooses to reimburse Developer in full for all third party costs.

City of Portland

Developers Collaborative  
Predevelopment LLC

By: \_\_\_\_\_

Jon Jennings  
Its: City Manager

By: \_\_\_\_\_

Kevin R. Bunker  
Its: Manager

Response to Request for Proposal

City of Portland, Maine  
Homeless Service Center RFP# 21041

*Developers Collaborative | April 27, 2021*



**DEVELOPERS  
COLLABORATIVE**

Page 1

---

April 27, 2021

Ms. Karen C. Marston  
City of Portland  
389 Congress Street  
Portland, ME 04101



**RE: Response to Request for Proposal  
Homeless Service Center at 654 Riverside Drive**

Dear Ms. Marston,

After a thorough review of the RFP, we have assembled a strong local team with a track record of delivering successful projects. Our team retains the experience necessary to ensure the project meets the City's current and future needs for the citizens of Portland.

Integral to our team is our open-book and collaborative approach to all aspects of the project; design, construction, and financial terms. Through this approach, all project stakeholders can provide input and will be vested in the final decisions. Included within our submission, we have advanced the schematic design to offer accurate, indicative pricing and a detailed financial model for the project.

We firmly believe that our team is particularly well-suited to serve as the City's partner of choice for several key reasons:

- ▶ ***A strong local team with a track record of delivering successful projects throughout the State.***
- ▶ ***Experience and a depth of resources capable of efficiently addressing the inevitable design and construction challenges.***
- ▶ ***Experience in permitting, developing, and constructing a multitude of projects in the City of Portland.***
- ▶ ***Open-book collaborative approach to the design, construction, and financial options that will give the City the greatest level of project input and flexibility.***

We look forward to the opportunity to work with the City of Portland to support this important project. If you have any questions or require further clarification, please contact us at [bunker.kevin@gmail.com](mailto:bunker.kevin@gmail.com), [dsigfridson@boulos.com](mailto:dsigfridson@boulos.com), or 207.766.1632.

Sincerely,

Kevin Bunker  
Developers Collaborative

Drew Sigfridson  
Developers Collaborative



# Table of Contents



## 1. Developer & Team Experience

---

- a. Team Overview
- b. Organizational Chart
- c. Key Team Member Resumes
- d. Experience Highlights

## 2. Project Approach

---

- a. Vision of Project Goals
- b. Design Approach
- c. Construction Approach
- d. Conceptual Plans
- e. Schedule Overview
- f. Preliminary Project Schedule

## 3. Cost Arrangement

---

- a. Cost Arrangement
- b. Proposed Terms
- c. Basis of Estimate & Budget
- d. Signature Form

## 4. Appendix: Additional Experience

---

---

## 1. Developer & Team Experience

---

- a. Team Overview
- b. Organizational Chart
- c. Key Team Member Resumes
- d. Experience Highlights



## An Experienced Team

### Housing Development & Ownership Experience

Developers Collaborative has developed 34 housing projects between 2009 and the present, 26 of which are affordable housing. This represents over 1,100 total housing units, nearly 900 of which are affordable housing. Nine of these projects are located in Portland, and the remainder are distributed throughout 15 communities across the state. DC currently owns 770 of these housing units. These projects have run the gamut from new construction to historic renovation, but are all characterized by thoughtfulness, creativity, and an unprecedented willingness to tailor private development to community goals.

### Housing Design & Construction Experience

We have assembled a team with a strong track record of developing housing projects, from small urban infill to master planned campus settings. Each of our designers is a local leader in their field. More information on our team design experience is found in the remainder of this section and in the appendix. Cianbro is Maine's largest construction firm. Based on 2020 revenue, they are over 7 times larger than the second largest competitor. This means they have an unparalleled set of resources and experience to provide a first-class project for the City of Portland. As a long-time member of the Portland community, Cianbro understands the project goals and is prepared to go above and beyond to achieve them.

### Public-Private Financial Partnership Experience

DC's stock-in-trade is public-private partnerships. Since Kevin Bunker founded DC with Richard Berman in 2007, he has built on early projects such as Brickhill in South Portland, West Falmouth Crossing, and Unity Village in Portland, responding to the needs of different communities and institutions. Interestingly, the development at Brickhill included a ground-lease component through partnership with the State of Maine. Five of DC's projects in Portland are detailed in the following section and include: 66 State Street, Motherhouse/Stevens Square, Reed School, Nathan Clifford, and Crescent Heights. Two of these projects originated from City of Portland RFP awards and one is an RFP award from a public process through Maine Medical Center. In all of these instances, most recently 66 State Street, we worked with a wide variety of constituents, City departments, and partners to create projects that made Portland a better place.

Our public-private partnership experience is not limited to Portland, however. Kevin Bunker of DC is recognized as a state-wide expert not only in the smart growth and community development, but in the specific tools and methods of the public-private partnership.



### ***Municipally Owned Land and RFPs***

In addition to their Portland experience, DC has created many projects on municipal land, winning several RFPs in the process. This shows DC's flexibility, staying power, and statewide leadership in this sector. Kevin has overseen successful RFPs and developed on municipal or state-owned land in communities as diverse as Augusta, Belfast, Biddeford, Gardiner, Orono, and South Portland, in addition to Portland. Open book financial transparency and flexible agreements have been hallmarks of these projects.

### ***Financial Tool Expertise for Public-Private Partnerships (PPP)***

DC possesses an encyclopedic and nuanced understanding of the specific financial tools used to create a successful PPP. They are an acknowledged leader in the use of tax credits, TIFs, and layering capital from a myriad of sources to achieve public and private development goals. When a project has strong community-benefit components, yet seems too complicated for others to figure out, that is when DC is contacted. It is not uncommon for seven or more sources of debt and equity, with varying degrees of complexity, in a single project. Most developers simply will not take the time to do that amount of work, preferring instead to specialize in one type of project and repeat it again and again, forcing unique circumstances into a self-serving mold. DC specializes in one-off projects that are individually tailored, physically and financially.

### ***Invited In and Asked to Return***

DC is often sought out and invited in to help define and realize community development goals. Sometimes this leads to projects, and sometimes we consult or even offer advice. We are

typically invited back. In the last year alone, we have consulted in diverse places such as Presque Isle and Bar Harbor. We have been sought out and invited to develop projects with Gorham Savings Bank, Franklin Memorial Hospital, and Seacoast Management, among others. We are currently working on additional projects in Ellsworth and Belfast, because we successfully delivered on the first project. We did what we said we would do. In the Belfast example, the first project was a senior affordable housing development on private land. Based on our approach, the City approached us and sole-sourced a former public works site to us for redevelopment as mixed-income housing because they believed we were the ones who could get it done for them. We also count among our repeat clients several non-profits.

### ***Non-Profit Experience***

DC is the most closely aligned private developer with non-profits in the state of Maine. No other firm has the ability to pair the tools of the private sector with the community goals of non-profits. We have worked with many such organizations advancing the causes of smart growth and affordable housing, including:

- ▶ Amistad
- ▶ Augusta Housing Authority
- ▶ Avesta Housing
- ▶ Biddeford Housing Authority
- ▶ Catholic Charities
- ▶ Catholic Diocese of Maine
- ▶ Children's Odyssey
- ▶ Coastal Enterprises, Inc.
- ▶ Franklin Memorial Hospital
- ▶ Ignite PI
- ▶ Jackson Labs
- ▶ LearningWorks
- ▶ Lewiston Housing Authority
- ▶ Maine Medical Center
- ▶ Opportunity Alliance
- ▶ Preble Street



# Our Local Portland Team

*"The strength of the team is each individual member. The strength of each member is the team." - Phil Jackson*

## A Community Project

We believe that a project as critical as the Homeless Service Center requires a collective team that is invested in the community. As such, we have assembled a qualified group of local professionals. Portland is the home base for all of our proposed project partners. Each firm and individual has a desire to improve the local community, responsibly develop the city, and advance/support the residents of Portland, ME. This will be key to ensuring the project receives the required commitment and attention.

## Local Management Team

Our team is led by Kevin Bunker of Developers Collaborative (DC). **Located in Portland**, DC is an independent real-estate developer focused on projects that build and support the local community. Central to their work is the development of environmentally sustainable, affordable, and innovative developments. DC has successfully developed and managed numerous projects throughout the local community.

Managing the design and construction of the Homeless Service Center is another local firm, Cianbro Corporation. Cianbro has been a cornerstone in the Maine marketplace for over 70 years.

**Located in Portland**, Bruce Cummings will provide leadership to the A/E and construction team. Bruce will work with DC and our A/E team to ensure the design achieves the outlined objectives and that the construction phase is completed on schedule and within budget.

## Local Design Team

Under Bruce's leadership, our design team will be led by another Portland native. Stephen Weatherhead of Winton Scott Architects (WSA) will lead the design phase of the project. Also **located in Portland**, WSA is a licensed architectural practice focusing on urban development in the local area.

WSA will be supported by several firms, including Aceto Landscape Architects (ALA), Gorrill Palmer (GP) for Civil Engineering, and Thornton Tomasetti (TT) for sustainability consulting. These best-in-class firms are also **local, and in close proximity to the proposed Homeless Service Center**.

Our team has been fortunate to collaborate on several initiatives together. This has allowed us to develop a comprehensive partnership and implement successful projects throughout the State of Maine. Several projects include:

- ▶ Stevens Square/Motherhouse Campus (DC, ALA, GP)
- ▶ 66 State Street (ALA, DC)
- ▶ 101 Fore Street / WEX Headquarters (Cianbro/GP)
- ▶ Scarborough Downs (DC/ALA)
- ▶ Crescent Heights Apartments (DC/WSA)
- ▶ Unity Village (DC/WSA)
- ▶ Husson University Living & Learning Center (WSA/TT)

In addition, the balance of this section includes brief firm overviews, key team member resumes, and relevant experience for your review.



#### Diverse Services

- ▶ Real Estate Development
- ▶ Property Management
- ▶ Financial Management

## Our Firm

Based in Portland, **Developers Collaborative** is an association of like-minded independent real estate developers interested in projects that build community. While this can mean different things, core themes like smart growth, environmental sustainability, affordable housing, and innovative design are central in our work.

DC makes an extra effort to listen to neighbors and employ creative solutions in order to create successful places. We employ a community-based approach to planning and building our projects, and we participate in public-private partnerships to achieve public goals. We highly value our reputation for creating developments that enhance their surrounding neighborhoods and address community needs.

## Our Values

Developers Collaborative members share common values, yet our diverse skill sets and interests result in different types of projects and at different scales, from master planned campus redevelopments to more finely grained small urban mixed-use buildings. We partner on projects; with each other and with others, according to talent, time, and interest. Our values and diversity also translate beyond our work: we are all involved in various community based efforts that reflect our particular interests.

At Developers Collaborative we believe a developer has great responsibility. The ways that we intervene in the built environment will affect peoples' lives for a long time. We feel all developers owe it their respective communities to do more than just make a piece of land or building generate the highest short term financial return possible. Serving the community while creating a financially viable development is what we do best, and we see smart growth as a primary vehicle to achieve it.



Founded in 1949, Cianbro is **one of America's largest, employee-owned** construction services companies.

We are currently operating in over 40 states and employing more than 4,000 multi-skilled team members.



## Our Capabilities

As a full-service contractor, Cianbro offers a diverse range of preconstruction, construction management, design-build, and self-perform construction services. Supported by decades of diverse experience, deep in-house resources, and the latest technology, Cianbro strives to maximize the potential for cost savings to our clients while maintaining our commitment to quality and safety.

## Our Safety Commitment

Cianbro is committed to ensuring the health and safety of our team. This commitment includes our journey to Beyond Zero – creating an environment where our team members go home in better condition than when they arrived at work...

**healthier, more educated, and able to influence the people around them.**

### Diverse Services

- ▶ Preconstruction
- ▶ Construction Management
- ▶ Design-Build & EPCM
- ▶ Self-Perform Construction
  - Civil & Structural
  - Mechanical
  - Electrical
  - Telecommunications
  - Fabrication & Coating

## Building Maine

The Cianbro team represents more than 70 years of history and pride of work in the state of Maine. While our projects take us across the country and beyond, we are involved in the fabric of the community of this state and understand the intricacies of designing for our climate and culture.

With an office in Portland, our professionals are local and committed to the development of the Homeless Service Center. We are deeply committed to delivering superior function, increased efficiency, and a comfortable environment. Before, during, and after the project, we will be there when you need us, bringing value through our responsive, diligent efforts.



Ranked 8th in Associated Builders & Contractors' 2020 Top 120 Contractors



Ranked 101st Engineering News-Record's 2020 Top 400 Contractors



Ranked 101st Engineering News-Record's 2020 Top 400 Contractors



#### Diverse Services

- ▶ Architecture
- ▶ Interior Design
- ▶ Programming & Planning

## Our Firm

Established in 1975, **Winton Scott Architects** (WSA) is a design-oriented architectural practice located in Portland, Maine. Our work encompasses a diverse array of project types and scales ranging from multi-block urban developments, to historic renovations, commercial and institutional buildings, and multifamily and single family residences.

WSA has been recognized numerous times for design excellence by the Maine and New England Chapters of the American Institute of Architects, and the United States Green Building Council. In addition, our work has been profiled in national trade journals, local publications, and several books focused on design and architecture.

## Our Values

We believe that architecture should be sustainable, adaptable, timeless, and derivative of its context and function. All buildings, even the most modest in scale and budget, can be at once artful, functional, and inspiring if they are rigorously conceived and executed with craft and precision. Each of our designs responds to the specific needs of our clients and the individual character of a particular site and its surrounding context.

Winton Scott Architects is comprised of a staff of five, including four senior architects ranging in experience from 20 to 40 years. The office is organized horizontally with all staff members capable of managing projects from program and design through production of construction documents and construction contract administration. This depth of experience and continuity in staffing have allowed WSA to take on large, complex projects while consistently delivering the highest level of professional services to our clients. The culture of the office is that of an open, creative collaboration of seasoned architects striving for the highest level of design excellence and client satisfaction.





**Gorrill Palmer Consulting Engineers** is an integrated land development, municipal, and transportation consulting engineering firm based in South Portland, ME. Their principal business includes land development, transportation, and municipal engineering with expertise in land use permitting, design, management, and economics.

## Core Services

- ▶ Civil Engineering
- ▶ Land Development
- ▶ Programming & Planning
- ▶ Municipal Engineering



**Aceto Landscape Architecture (ALA)** is a process-driven, landscape architecture and urban design firm committed to thoughtful, creative intervention at the intersection of environment, economics, art, and culture. ALA was founded on the notion that great design is a product of careful listening, inclusive decision-making, and unrelenting passion for enduring built spaces.

## Core Services

- ▶ Landscape Architecture
- ▶ Urban Design

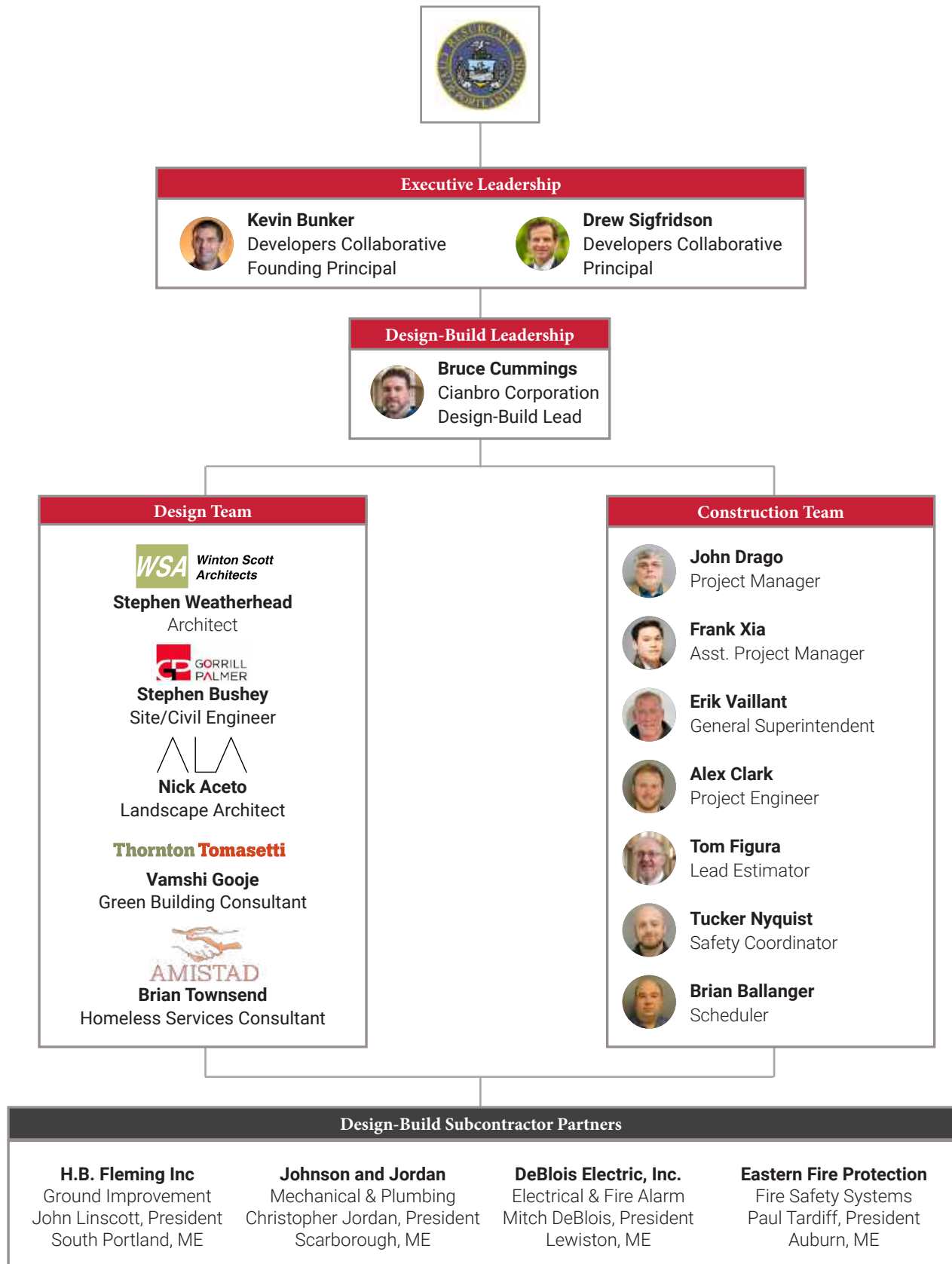


**Thornton Tomasetti** has been providing sustainability consulting services in Maine since 1995, and opened their first office in Portland in 2004. For more than 25 years, the firm has been involved in the design and revitalization of Portland. Thornton Tomasetti understands how pursue questions to arrive at the smartest solutions for clients.

## Core Services

- ▶ Sustainability
- ▶ Building Analytics/Physics
- ▶ Life-Cycle Impacts
- ▶ Airflow Modeling

## Organizational Chart





Principal:

## Kevin Bunker



A former municipal planner, Kevin is a founding principal of the Developers Collaborative. He brings experience in complex financing models including tax increment financing, use of tax credits, and other public-private partnerships, all leading to creative projects that build community and strengthen the Maine economy in innovative ways. Kevin is a board member of Tedford Housing and former board member of Maine Affordable Housing.

---

*14 years of industry experience | Master in Urban Planning - Harvard University Graduate School of Design*

### Project & Career Highlights

#### **66 State Street | Developers Collaborative - Portland, ME**

The 66 State Street building is a unique adaptive reuse project that is transforming a market rate property into a resource for affordable housing and addiction recovery. Originally intended as a residential condominium conversion, the building became the center of a partnership between Developers Collaborative and the social service providers Amistad and Catholic Charities. Together, these organizations are working together to create transitional housing for women in recovery as well as permanent affordable housing. When complete, the 66 State Street facility will provide a total of 68 affordable housing opportunities to support this vulnerable population.

#### **Reed School | Developers Collaborative - Portland, ME**

DC successfully responded to a City RFP to redevelop yet another vacant school structure in the Riverton neighborhood in 2018. Through a stakeholder engagement process, DC created a well received proposal for a mixed-use conversion. The result serves as home to Children's Odyssey - a daycare for children at diverse developmental milestones - and provides eight residential units.



#### **Motherhouse / Stevens Square | Developers Collaborative - Portland, ME**

The Motherhouse at Baxter Woods is the first building in the multi-phase redevelopment of the Sisters of Mercy site located in Portland's Deering Center Neighborhood. The building has been redeveloped into 88 apartments for adults 55 years of age and older, with onsite resources such as a library and a Resident Service Coordinator. Further developments on the property include the Stevens Square 55+ community, a series of five four-story buildings with campus amenities including green space and a fitness center.



#### **Crescent Heights | Developers Collaborative - Portland, ME**

Located in Portland's historic West End neighborhood next to Maine Medical Center, Crescent Heights is a unique facility specifically designed with the help of student focus groups to provide a balance to the demands of working and learning the medical field. The 11 units house 44 medical students and residents and was Maine's first multi-family LEED Platinum certified building.

### Core Responsibilities

- ▶ Prepare capital and operating costs budget.
- ▶ Assist with zoning and development approvals.
- ▶ Support the financial management.
- ▶ Collaborate with the design-build team.

### Other Notable Projects

- ▶ Nathan Clifford School - Portland, ME
- ▶ Birch Hill Apartments - Lewiston, ME
- ▶ Osprey Circle - South Portland, ME
- ▶ Village Run - Yarmouth Village, ME



Principal:

## Drew Sigfridson



Drew is a Partner and the Managing Director of The Boulos Company, a commercial real estate brokerage and consulting firm with offices in Portland, ME and Portsmouth, NH. He is also Managing Director of CEI-Boulos Capital Management and a Principal and Partner with Kevin Bunker at Developers Collaborative on the proposed Homeless Service Center Project. His dedication to Maine's business and philanthropic communities is reflected in the roles and endeavors he has pursued as a Portland resident for more than two decades. Drew has experience and background in construction and finance and has had a long-term working relationship with the City of Portland.

---

*22 years of industry experience | B.A. - Bowdoin College*

### Project & Career Highlights

Drew has been an active participant in Maine's business and philanthropic communities through leadership positions with organizations such as the following, among others:

- ▶ Realize!Maine
- ▶ Maine Real Estate and Development Association
- ▶ Maine Commercial Association of Realtors
- ▶ AVESTA Housing
- ▶ Focus Maine
- ▶ Maine & Company
- ▶ Cianbro Corporation
- ▶ Maine Community Foundation - Cumberland County Commission

### Social Impact Real Estate Experience

In 2019, Drew co-founded CEI-Boulos Capital Management in a joint venture with Coastal Enterprises, Inc. He remains an active participant as a Board Member and Managing Director of CEI-Boulos. This management company was established to source, underwrite, and invest in significant social impact real estate projects in under-served and under-invested communities throughout the country by taking advantage of investment benefits through Qualified Opportunity Zones. To date, the first fund established through Woodforest National Bank, has invested approximately \$20,000,000 of equity in multiple projects ranging from student housing for a rural college in South Carolina, several affordable housing projects, medical office development for a non-profit institution in Washington D.C., redevelopment of a historic hotel in Selma, AL, among others. In each instance, these projects will have a significant social impact on the local communities.

### Professional Affiliations / Accreditations

|                                                                   |                                                              |
|-------------------------------------------------------------------|--------------------------------------------------------------|
| Maine Real Estate Broker License                                  | Past-President, MEREDA (ME Real Estate & Development Assoc.) |
| New Hampshire Real Estate Salesperson License                     | Realtor Magazine's 30 Under 30, 2005                         |
| Society of Industrial and Office Realtors (SIOR) certification    | Maine Commercial Realtor of the Year, 2006                   |
| Maine Commercial Association of Realtors, past president (2007-8) | Board Member, Maine & Co.                                    |
| Board Member, New England Chapter SIOR                            | Board Member, Cianbro                                        |
| Past Board Chair, Avesta Housing                                  |                                                              |

### Community Involvement

Co-Chair, Capital Campaign Committee for Friends School of Portland  
Good Medicine Collective, Board Member



## Homeless Services Consultant:

# Brian Townsend, MS, LCPC

Brian serves as the Executive Director of Amistad - the largest Peer Support- and Recovery-based agency in Maine. He is a licensed Clinical Professional Counselor with nearly two decades of experience in family, community, and recovery support services. Brian's expertise in program and operational requirements will enhance the collaborative development process of the Homeless Service Center.

*19 years of industry experience | Master of Science in Community Mental Health / Counseling | LCPC State of Maine*

## Project & Career Highlights

### Executive Director | Amistad, Inc. - Portland, ME

Brian directs the largest peer support and recovery-based agency in Maine, including oversight of the agency's twelve programs throughout the state. Working with agency leadership and the board of directors, the role involves the guidance and delivery of mission-driven programming quality, establishing directions for the agency to follow in seeking to maximize its impact, and ensuring sustainability and adaptability.

### ACT Team Leader | Catholic Charities Maine - Portland, ME

Brian briefly joined the support and recovery services team, in order to take part in an effort by the agency to change the culture of the ACT team. In a very short time with the team, Brian worked with agency leadership and with Preble Street, ESAC, and Oxford Street to intentionally connect the team to individuals who are experiencing homelessness, and as such, are faced with significant barriers to effective engagement. This position entailed supervision of social workers, interns, nurses and the team's psychiatrist, as well as significant collaboration with community partners.

### Clinical Coordinator and Clinical Team Lead | Community Support Services - Portland, ME

This position entailed supervision of 10 Behavioral Health Home Care Coordinators, including clinical oversight of BHH service delivery to the approximately 300 clients enrolled in the program. It also involved partnership with the Program Director in managing all facets of the program, supporting a recovery oriented service that sought to improve health outcomes, cost effectiveness, and improved consumer-provider partnership for the population served by the program. Brian partnered with two full time Intentional Peer Support workers who served as Peer Navigators. He also served as agency representative with the Long Term Stayers subcommittee of ESAC, the committee initiative to reinstate monthly bus passes for Mainecare recipients, and as advocate for assistance options for asylee seekers.

## Other Notable Experience / Training

- ▶ Coordinator, Clinical Intervention Program | Preble Street
- ▶ Case Manager & Crisis Clinician | HowardCenter
- ▶ Clinical Supervisor | Catholic Charities Maine
- ▶ Lead Family Consultant | Family & Community Support Svcs
- ▶ Case Manager | Catholic Charities Maine
- ▶ Teacher & Mental Health Tech | Whisper Ridge Health Center





Architectural Lead:

## Stephen W. Weatherhead, RA



With over 32 years of experience in all phases of architectural practice, Steve knows how to effectively manage the design team and consistently produce successful building projects based on the specific needs of his clients. He has managed projects for WSA totaling over \$75M in construction value that have utilized a full range of project delivery methods both in the private and public sectors.

32 years of industry experience | B.Arch - Syracuse University | Licensed Architect - State of Maine

### Project & Career Highlights

#### Crescent Heights | Developers Collaborative - Portland, ME

Located in Portland's historic West End neighborhood next to Maine Medical Center, Crescent Heights is a unique facility specifically designed with the help of student focus groups to provide a balance to the demands of working and learning the medical field. The 11 units house 44 medical students and residents and was Maine's first multi-family LEED Platinum certified building. This smart growth housing solution proved to be best for both users and the neighborhood.

#### Boys & Girls Clubhouse | Boys & Girls Clubs of Kennebec Valley - Gardiner, ME

This new Boys & Girls Clubhouse, scheduled to break ground in April 2021, includes new instructional and daycare space, a multi-purpose room, cafeteria and kitchen, as well as administrative office space, a teen center, and extensive outdoor play areas and soccer field. The new building will be built on the same site as the current club and located on an existing soccer field.



#### Family Center & Offices | Youth Alternatives - South Portland, ME

This project combines the renovation of a former dairy barn with a new 28,000 SF addition to create a family center and office space for a local social services agency. The barn has been converted to house meeting rooms, training facilities, a resource library and multi-purpose community spaces. The facility supports delivery of family based services such as counseling, supervised visitations for foster children, and family mediations, while providing access to training and resource materials.



#### Unity Village | Developers Collaborative - Portland, ME

Unity Village consists of four three-story buildings developed on three city-owned lots in downtown Portland. Designed with neighborhood engagement in mind, the apartments have stoops, porches, and entrances that face the street. Seven apartments at Unity Village are reserved for market-rate rents. Seven other apartments are dedicated as transitional housing for individuals moving out of shelters. The remaining 19 apartments are subsidized for working families and singles, with some units designed to accommodate large families.

### Core Responsibilities

- ▶ Overall design support and coordination.
- ▶ Interface with the design-build team and owner.
- ▶ Constructibility and VE support.
- ▶ Budget and preconstruction support.

### Other Notable Projects

- ▶ Pearl Place Apartments - Portland, ME
- ▶ Husson University Living Learning Center - Bangor, ME
- ▶ Oak Leaf Terrace - Freeport, ME
- ▶ Brickhill Heights - South Portland, ME



Landscape Architect:

## Nick Aceto, PLA, ASLA



Nick is a licensed landscape architect and urbanist to the core, born and raised in Maine where rich coastal New England heritage meets unfettered wilderness. Nick's approach to design stems from his hands-on experience coupled with a deep passion for design. Nick endeavors to approach each project by testing the definition of the built landscape, community, and garden.

---

16 years of industry experience | Licensed Landscape Architect | Member - Portland Society for Architecture

### Project & Career Highlights

#### The Downs | Crossroads Holdings - Scarborough, ME

ALA has worked collaboratively with Gorrell Palmer Consulting Engineers along with a large team of consultants and stakeholders in developing a master plan for this 500+ acre former harness racing facility. The project was recently granted a TIF agreement based in large part on the attributes ALA visualized in their plans for the proposed Town Center which included a 4 acre community park with music venue, playground, and sport courts.



#### Cumberland Multi-Gen Neighborhood | Town of Cumberland - Cumberland, ME

ALA worked collaboratively with Kevin Bunker of Developers Collaborative to provide a proposal for a multi-generational community proposed to be located in Cumberland. The proposal included walkable street, various home typologies, a community garden and community center "barn" with village cafe and micro co-op. The proposed concept won unanimous council/staff selection in a competitive RFP process.



#### Libbystown Visioning | Libbystown Neighborhood Association - Portland, ME

ALA worked closely with the Libbystown Neighborhood Association to provide conceptual design and visuals for an interpretive playscape in Dougherty Field Park in Portland. The project was awarded more than \$130,000 in CDBG funding in 2018.

#### Hotel Redevelopment | Hotel Aspen - Aspen, CO

ALA continues to play a key role in the planning and design of this landmark hotel redevelopment in downtown Aspen, CO. Our scope includes the design of intimate public amenity spaces as well as a private 'grotto' pool deck and courtyard spaces.

### Core Responsibilities

- ▶ Landscape Programming & Planning.
- ▶ Landscape Virtual Design.
- ▶ Landscape Design Documents.
- ▶ Project Coordination.

### Other Notable Projects

- ▶ Breckenridge Sustainable Community | Project Workshop
- ▶ Our Town Basalt | Town of Basalt
- ▶ Retreat Center | Orion Community
- ▶ Office Building & Garage | 100 Fore Street, LLC



## Civil Engineering: **Steve Bushey, PE**



With over 30 years of experience in Land Development and Municipal projects, Steve directs the preparation and review of preliminary and final design as well as permit applications for numerous civil/site engineering projects. His expertise includes site feasibility/selection, civil/site design, street reconstruction and culvert design, hydraulic and hydrologic analysis, permitting, and public presentations.

---

*30 years of industry experience | B.S. in Civil Engineering | Professional Engineer*

### **Project & Career Highlights**

#### **The Downs | Crossroads Holdings - Scarborough, ME**

Steve led the community design, master planning and engineering, permitting, and project management for a 500+ acre mixed used development. The planned community included mixed residential, commercial, light industrial, and recreational amenities including a mixed-used center designed at the core of the project.



#### **Mixed-Use Redevelopment | Shipyard Brewing - Portland, ME**

Steve managed the repurposing of an existing industrial property for a new mixed-use infill and urban redevelopment project. The urban location and historic use as an industrial property required extensive design considerations for the environmental conditions such as contamination soil and groundwater.

#### **Academic / Office Building & Parking Garage | 100 Fore Street - Portland, ME**

Steve and his team led the site design, traffic analysis, permitting, and support the construction phase of this campus style office park. The four-story facility constructed on the property provides offices and parking. The site is surrounded on two sides by tributaries of Long Creek, requiring the development to carefully focus on water quality enhancement.



#### **August Crossing | New England Development - Augusta, ME**

Steve managed the permitting and design for this 460,000 SF retail development. The project served to enhance the retail experience in Augusta by adding several major brands to the local area as well as traffic improvements. Granite retaining walls were selected as the focal point for the new turnpike, enhanced by the addition of cedar fencing to screen loading areas

### **Core Responsibilities**

- ▶ Coordinate with the collective team.
- ▶ Prepare the initial civil conceptual design.
- ▶ Civil design development.
- ▶ Ensure permitting requirements are met.

### **Other Notable Projects**

- ▶ Lynnhaven Mall Phase 2 | General Growth Properties
- ▶ Biddleford Crossing | New England Development
- ▶ New Resort | The Cliff House
- ▶ Nashua Landing | New England Development





Sustainability Consultant:

**Thornton Tomasetti**

## Vamshi Gooje, LEED AP, BEMP, CEM

Vamshi joined Thornton Tomasetti in 2004 and is responsible for advising clients on green building strategies and technologies. He has extensive experience in energy analysis and sustainability consulting for a multitude of projects. Vamshi is an expert in building science related to whole building energy, daylighting and thermal comfort and is proficient in energy simulation engines.

21 years of industry experience | M.S. in Building Design | B.S. in Architecture

### Project & Career Highlights

#### Oak Street Lofts | Avesta Housing - Portland, ME

Vamshi led the LEED for Homes Provider and sustainability consulting services for a 37-unit artist-focused housing development that achieved LEED Platinum certification. The building utilizes several green building features such as the use of a solar hot water heating system, high-efficiency condensing boilers, and an air recovery ventilation system that led to roughly a 40 percent improvement over ASHRAE requirements.



#### Pearl Place I | Avesta Housing - Portland, ME

Vamshi managed the sustainability consulting and LEED for Homes Provider services for a 60,000-square-foot multifamily housing development located on a former brownfield site. Sustainable and energy savings were taken into consideration during every stage of the design and construction. The finished affordable housing complex achieved LEED Gold certification.



#### Pearl Place II | Avesta Housing - Portland, ME

Vamshi supported the sustainability consulting services for the second phase of the Pearl Place multifamily housing complex. The new buildings were designed with more sustainable strategies to achieve an even higher LEED rating than the first phase, including panelized construction, installation of a solar hot water system, and use of highly efficient heating and ventilation systems.

#### Village Center | Community Housing of Maine - Brewer, ME

Vamshi supported the Passive House consulting, energy modeling, thermal analysis and structural engineering services for a three-story, affordable housing complex. Sustainable design features include double stud R-40 walls, R-80 roof system, triple pane windows tuned for each orientation and exterior shading. The 48-unit complex was the largest passive house project in North America at the time of completion.

### Core Responsibilities

- ▶ Review/analyze energy consumption.
- ▶ Ensure compliance with the Green New Deal.
- ▶ Support third-party sustainability requirements.
- ▶ Support the design and construction teams.

### Other Notable Projects

- ▶ Maine Hall | Community Housing of Maine
- ▶ Loring House | Loring House Apartments
- ▶ 83 Middle Street | Community Housing of Maine
- ▶ 58 Boyd Street Apartments | Portland Housing Authority



Design-Build Lead:

## Bruce Cummings

**CIANBRO**

In the role of Design-Build Lead, Bruce will provide close oversight of our design-build team and the overall adherence to the City of Portland's goals for this facility. He leverages a diverse background of logistically complex projects that will allow him to provide insightful guidance to our team as they plan and implement the City Homeless Service Center Project.

---

19 years of industry experience | A.S. in Electrical Power & Automation – Eastern Maine Community College

### Project Highlights

#### Senior Living Complex | Maine Veterans' Home - Augusta, ME

Cianbro is serving as Construction Manager for a new two-story, 179,000 SF senior living complex. The 138-bed complex consists of four separate buildings dedicated to supporting long-term care, assisted living, transitional care, and memory care. In addition, a village center with shops, rehabilitation center, and patio/outdoor space is also being constructed.



#### Canopy Hotel | Fathom Companies - Portland, ME

Cianbro is serving as Project Manager for the construction of a six-story, 104,551 SF, 135-guest-room hotel including a fifth-floor restaurant and bar, and a rooftop bar overlooking Casco Bay. The hotel is composed entirely of high-end materials and finishes including millwork, flooring, furnishings, HVAC, lighting and brick exterior with decorative black-framed glazing.

#### Academic / Office Building & Parking Garage | 100 Fore Street - Portland, ME

Cianbro is managing the construction of a five-story, 277,000 SF structure comprising of 80,000 SF of academic and office space covering two stories above a three-level, concrete parking garage pedestal for 538 vehicles. The project scope includes fitting out one full 40,000 SF floor as academic space for Northeastern University's Roux Institute.



#### Alfond W2 Ocean Engineering Lab | University of Maine - Orono, ME

Cianbro managed construction of a 13,000 SF addition to the existing Offshore Wind Laboratory, comprising a 9,000 SF wave tank and 3,750 SF of robotics space. The addition is approximately 45-feet high to accommodate the Tunnel Positioning System.

### Core Responsibilities

- ▶ Ensure execution of project management practices for Lean, risk management, and performance tracking.
- ▶ Provide oversight for project administration, contract management, payroll, accounts payable, and purchasing.
- ▶ Monitor project costs and execute reporting.

### Other Notable Experience

- ▶ Oxford Casino Expansion & New Hotel | Churchill Downs
- ▶ Correctional Center Renovation & Expansion | Maine DOC
- ▶ Corporate Headquarters | WEX
- ▶ Bangor Savings Headquarters | Bangor Savings Bank



Project Manager:

## John Drago, PMP

John has over 30 years of professional experience, including two years of experience with Cianbro working on various projects. John has experience managing both national and international projects. Responsibilities have included developing comprehensive project plans to identify scope, resource usage, risk triggers, and critical task dependencies.

**CIANBRO**

30 years of industry experience | B.S. in Business Project Management | OSHA 10-hour

### Project Highlights

#### Global Corporate Headquarters | WEX - Portland, ME

Cianbro served as Construction Manager for a new 116,000 SF, four-story, mixed-use world headquarters, including collaborative work spaces, a 35,000 SF rooftop lounge, and an expansive curtain wall system on Portland's waterfront. With the building occupying 95% of the project site and two additional significant construction projects only a block away, logistical control was essential to Cianbro's success.



#### Academic / Office Building & Parking Garage | 100 Fore Street - Portland, ME

Cianbro is managing the construction of a five-story, 277,000 SF structure comprising of 80,000 SF of academic and office space covering two stories above a three-level, concrete parking garage pedestal for 538 vehicles. The project scope includes fitting out one full 40,000 SF floor as academic space for Northeastern University's Roux Institute.



#### Maine Correctional Center Renovation | State of Maine Department of Corrections - Windham, ME

Cianbro is serving as Construction Manager for the renovation and expansion of the Windham, Maine Correctional Center. Cianbro is working on the existing grounds of the Maine Correctional Center, while facility operations remain fully active throughout the duration of this project.

#### DLA Consolidated Warehouse | Confidential - Kittery, ME

Cianbro is currently completing a 29,200 SF addition to an existing warehouse. The project consists of constructing a one-story, high-bay steel-framed storage warehouse addition with an insulated pitched metal standing seam roof, set on a reinforced concrete floor slab and foundation. The project includes staging areas, scale, mechanized overhead doors, utility services, fire suppression, fire pumps, alarm and security systems, grounding and lightning protection, anti-terrorism force protection, and related work.

### Core Responsibilities

- ▶ Lead all vendor and subcontractor meetings.
- ▶ Bid package and equipment evaluation and procurement.
- ▶ Execute all project-required deliverables and reporting.
- ▶ Oversee compliance with the project budget and schedule.

### Other Notable Experience

- ▶ Bangor Savings Headquarters | Bangor Savings Bank
- ▶ Special Project Field Manager | Dimeo
- ▶ Managing Member | Drago General Contracting

## Frank Xia: Assistant Project Manager

6 years of industry experience | M.B.A – Boston College | B.S. in Civil Engineering | OSHA 10-Hour



Frank will provide vital support to ensure compliance with best practices from all team members. This focus on both field activities and corresponding documentation will help provide excellent communication and coordination between all stakeholders as the City Homeless Service Center moves forward with careful coordination and documentation. Frank's local projects include Wex Global Headquarters in Portland, and Oxford Casino Expansion & New Hotel in Oxford, ME.

## Eric Vaillant: General Superintendent

20 years of industry experience | B.S. in Construction Management | OSHA 30-Hour



Erik is a building industry leader with over 20 years of experience directing multi-million-dollar commercial facilities and site development projects. He has a safety-conscious approach and consistently succeeds in achieving time, budget, and quality goals. Erik is a team-oriented leader whose skills are certain to benefit the City of Portland Homeless Service Center as construction moves forward. In Portland, Eric has been supervising the 104,551 SF Canopy Hotel construction.

## Alex Clark: Project Engineer

7 years of industry experience | B.S. in Civil Engineering | OSHA 30-Hour



Alex has over seven years of experience, including two years with Cianbro. He has been responsible for supporting cost controls, schedule adherence, procurement, as well as overall project logistics and subcontractor coordination. Additionally, Alex has experience with producing RFIs and submittals for ongoing construction and quality control purposes. Most recently Alex has supported the construction of the Canopy Hotel and 100 Fore Street, both in Portland.

## Tom Figura: Lead Estimator

42 years of industry experience | B.S. in Civil Engineering & Construction Management



Tom and his estimating team play a central role in ensuring that each of our clients are earning the most from their investments in capital expansion and improvement projects. Drawing on his background of experience, Tom will work closely with the collective team to develop estimates for the City Homeless Service Center as well as VE and constructability reviews. Tom has been integral to the Canopy Hotel and 100 Fore Street projects in Portland.

## Tucker Nyquist: Safety Coordinator

7 years of industry experience | B.S. in Marine Transportation Operations | OSHA 30-Hour



Tucker has over seven years of professional experience. In his role as Safety Coordinator, Tucker has led the safety effort on some of Cianbro's largest projects for both public and private owners. Tucker is well-respected by our clients, and has proven experience planning and communicating safe work activities and conducting daily inspections of work areas. Tucker's recent local experience includes the Canopy Hotel, 100 Fore Street, and the Maine Veteran's Home in Augusta.

## Brian Ballanger: Scheduler

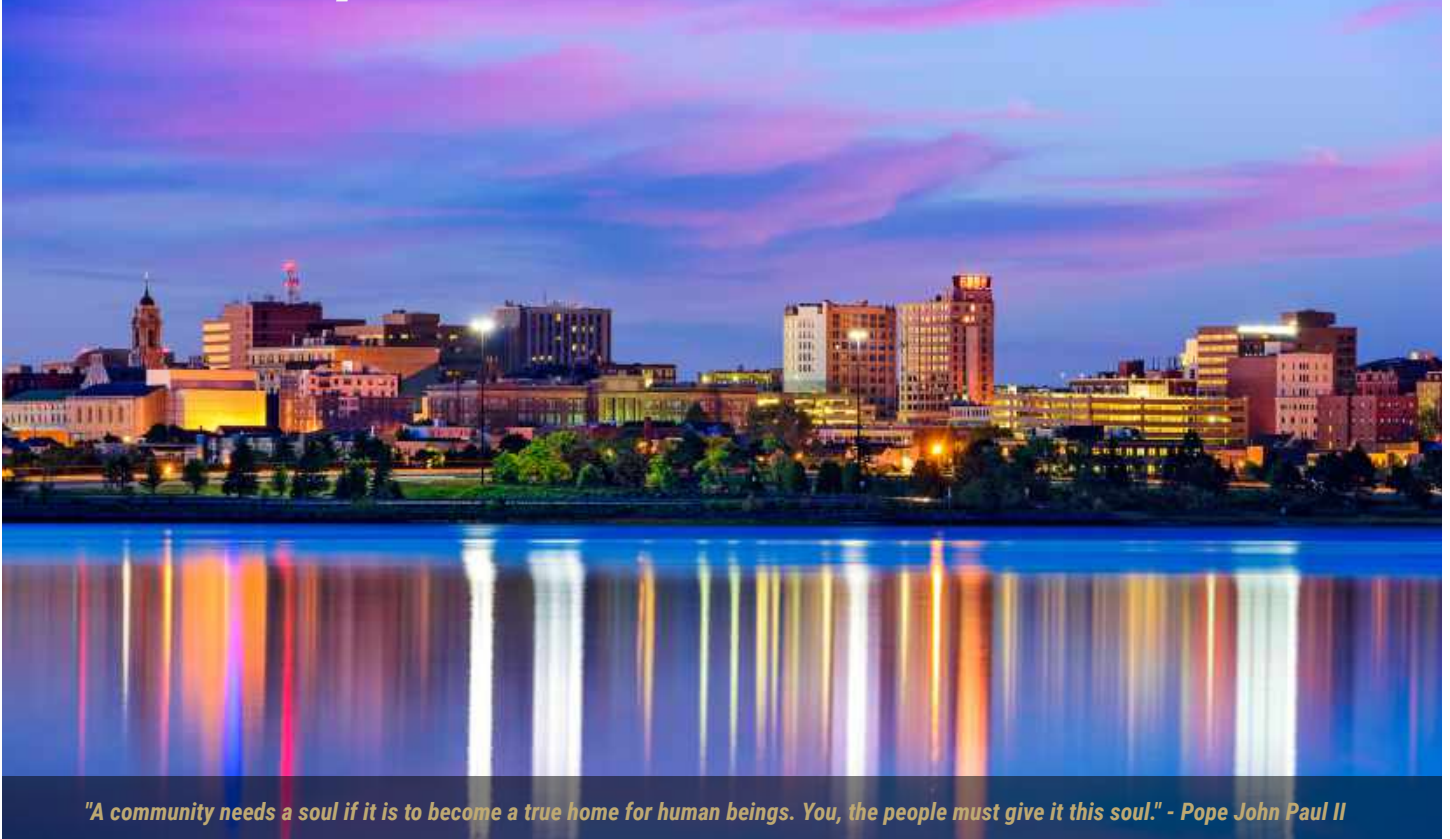
20 years of industry experience | B.S. in Power Engineering Technology | G.E. Project Management | OSHA 10-Hour



Brian has nearly 20 years of professional experience, including 13 years of progressive, hands-on experience managing business-critical initiatives. Brian has expertise in developing and implementing Six Sigma Lean programs for driving significant improvements in service ability, reliability and operating cost efficiency. Brian has driven the schedule development for the Canopy Hotel, the Puritan Test Swab facility in Pittsfield, and the Maine Correctional Center projects.



# Community is Our Focus



*"A community needs a soul if it is to become a true home for human beings. You, the people must give it this soul." - Pope John Paul II*

## Our Community Background

Our team has a deep background in housing facility design, ownership, management, and unparalleled experience in local public private partnerships to reach consensus and achieve community goals. As a Maine native, Kevin Bunker of Developers Collaborative (DC) is one of Maine's most respected community developers. **Over the past fifteen years, DC has developed some of Maine's most notable projects, including over 1,100 housing units, nearly 900 of which are affordable housing.** Kevin has received two MEREDA Notable Project awards and many historic preservation awards, having completed far more historic tax credit projects than any other developer in Maine. He also received Portland's Economic Development Award for 2019. Kevin serves on the board of Tedford Housing, a homeless services provider based in his hometown of Brunswick, and DC serves as a development consultant to Preble Street in their various city projects.

In undertaking this work, DC's signature style has been to take on projects often considered too complex for other developers. DC firmly believes that community consensus is possible and that our shared community goals can bring all parties together. Our in-house asset and property management team currently oversees 770 units across 22 different projects in the state, as well as nearly 200,000 square feet of commercial space. Additionally, at the conclusion of this section of our submission, we have listed numerous DC's housing projects. Given the scope of this RFP, we have selected several Portland projects that are illustrative in their complexity, mission, location, or consensus-building aspect. These initiatives include **66 State Street, Stevens Square Campus, Reed School, Nathan Clifford School, and Crescent Heights.**



## 66 State Street Project

The land and building at 66 State Street had been marketed as a market-rate residential conversion for some time. In fact, when purchased by DC in 2018, it was contemplated to be a market-rate condominium project due to its location.

Social service providers Amistad and Catholic Charities had run successful and essential programs out of this location for decades, notably Amistad's day drop-in center. Still, it appeared that this location would be lost to the gentrifying building boom in Portland. However, **DC decided to switch its business plan and team up with Amistad to magnify conversations around homelessness issues in the City.** Interestingly this same conversation has led to the current RFP at Riverside Street.

The 66 State Street project is a rare example of anti-gentrification and is a prime example of de-concentrating poverty and expanding housing and economic opportunities. The development plan consists of two phases. The first, currently under construction, will be a 38 bed SRO lodging facility for women in recovery. It is funded by historic tax credits, developer debt and equity, inclusionary zoning funds, has a TIF from the City of Portland, and 25 project-based Section 8 vouchers from the HUD and the Maine State Housing Authority. Phase two will a new building constructed in the current parking lot and feature an additional 30 apartments, all permanently affordable, funded by tax credits from MaineHousing, City of Portland HOME funds, and a TIF. Through creativity and public

purpose, this market-rate condominium project has been converted into 68 affordable housing opportunities for women at a stage of their lives where safe housing is a paramount concern and an extremely scarce resource.

Residents within the building will benefit from easy access to multiple community resources. Many of the residents will appreciate being able to walk to neighborhood resources such as grocery stores, the YMCA, places of employment on the peninsula, churches, etc. All residents will be able to utilize the Metro bus system, which has a stop just across State Street and will connect residents to peninsula and off-peninsula destinations. For the population residing within this project, access to treatment and services of various types will be critical to maintaining recovery, stability, and housing. The location of the buildings, combined with the presence and reach of the bus system, creates a reality of almost zero barriers to this level of access.

Each floor will contain common gathering space, cooking areas, bathrooms, and individual units. The project can operate as a single community but also target specific populations on each floor. This design allows for privacy and "a space of their own," yet at the same time promotes accountability, community, and peer support. The project also contains a full commercial kitchen used for job training and larger community meals once concerns around the pandemic are relieved.

**Learn more about this project from the Portland Press Herald:**

- ▶ <https://www.pressherald.com/2018/09/25/portland-center-for-mentally-ill-displaced-by-building-sale/>
- ▶ <https://www.pressherald.com/2019/07/02/portland-developer-pitches-housing-project-for-homeless-women/>

The project is an adaptive reuse of an existing building but not a rehabilitation project in the housing sense as there are no existing units in the building. The building will be a full rehabilitation, as the brick structure will be retained, but new mechanical, electrical, and plumbing systems will be added. This will include new high-efficiency heating and cooling units running off the existing geothermal wells. The site will be redeveloped as well, including a pocket park in the center of the site, directly outside the proposed community spaces in the lodging house.

The renovated building will be run as a rooming/lodging house and will target some of Portland's most vulnerable individuals for tenancy in its 38 units. The population of the rooming house will be individuals meeting one or more of the following criteria: 1) coming out of recent and/or chronic homelessness; 2) returning to the community from recent incarceration; or 3) in early and sustained recovery from substance use. All or nearly all of the individuals housed in the rooming house will be at or under HUD's extremely low-income definition (30% of AMI). Most rooming house residents will either enter with a documented disability or will receive support in identifying and receiving targeted treatment for a disability once stabilized within this housing unit with its wrap-around supports. Amistad partners with the City of Portland's Health and Human Services teams and functions as an active partner with the City's Long Term Stayers initiative and other efforts to solve homelessness in the community. **This level of collaboration will support the placement of individuals most in need of this specific and valuable version of supportive housing.** As Councilor Ray noted in her blog dated April 7, 2019, this project is specifically designed around the target population; it's not a set-aside in an otherwise affordable or market-rate project.

From the physical design and layout to the partnership between DC and Amistad, the only purpose of this project is to help vulnerable women. In navigating the twists and turns to successful realization, DC has gained a much deeper understanding of the challenges and opportunities of the most vulnerable of our citizens and will bring this understanding to the Riverside Homeless Service Center. Additionally, 66 State Street has been designed to complement the planned coordinated entry aspect of the Services Center, being ready to take referrals from the latter, as the system has been designed.

## A Team Effort

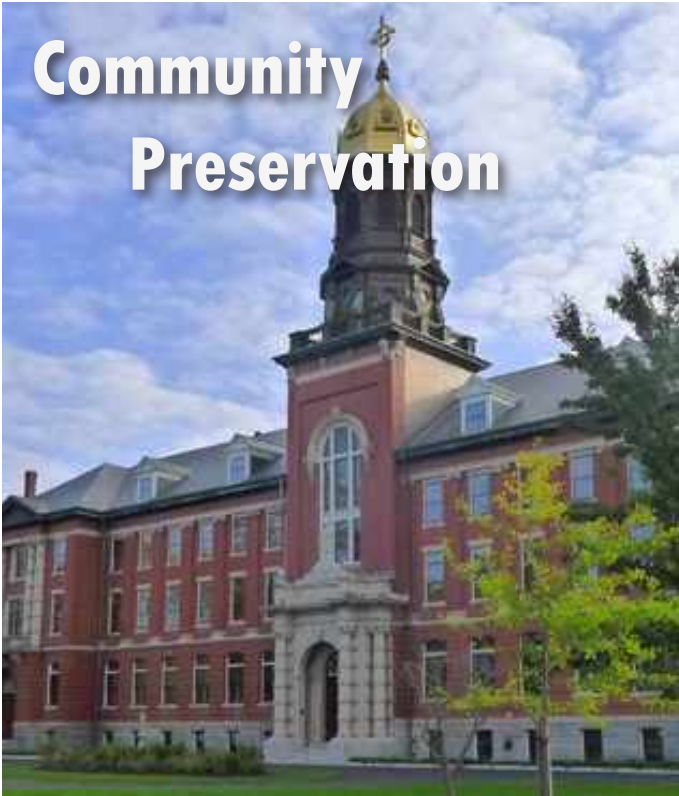
*"There's a great story behind this partnership, which will result in the creation of around 40 units of housing for women experiencing homelessness in Portland. The collaboration between Kevin Bunker and Amistad began outside of the city process to develop a new Homeless Service Center, when Bunker purchased 66 State Street with a plan to develop condominiums there. Understanding that two organizations housed in the building, Amistad and Catholic Charities, would need to relocate, Bunker assured them he would extend their leases until they were able to secure new spaces."*

*Bunker is no stranger to the issue of homelessness or the need for affordable housing. As a founding principal at Developers Collaborative, he's been involved with multiple projects that mix units of affordable and market rate housing, and since 2017 he's served on the Board of Tedford Housing, a nonprofit focused on "creating pathways from homelessness to home by partnering with people and their communities in Midcoast Maine."*

*While Bunker considered his plans for 66 State Street, Catholic Charities was able to find new space relatively quickly, but Amistad was having difficulty. After multiple conversations between Bunker and Brian Townsend, the Executive Director of Amistad, Bunker pitched a proposal that would allow Amistad to stay and continue its programming at 66 State Street. Townsend had a different idea. He was pretty certain that Amistad was close to finding space in a nearby building, but he saw a great need in the community to help women experiencing homelessness. While the OSS/HSC is open to people regardless of gender, women sometimes have a more difficult time finding success in the shelter system because there are fewer treatment and recovery resources available for them, and they may face greater vulnerabilities connected to substance use, trauma, and sexual exploitation. Amistad has been working to assist this vulnerable population, but Townsend recognizes that there is still great need for additional resources in the community.*

*Bunker listened to Townsend's proposal, agreed that housing for women could be a good fit at 66 State Street, and went to work exploring new financing structures to make the project viable. While this collaboration began outside of the city's process, it has evolved into a partnership which brings together Amistad, the City of Portland, [and] Developers Collaborative." - City Councilor Belinda Ray*





## Stevens Square Campus

The Stevens Square project has been two decades in the making. Seacoast Management, a retirement community developer, had been working with the Sisters of Mercy on a campus redevelopment. They created a master plan for a retirement community in 2009, but the recession derailed it. Fast-forwarding to 2014, DC principal Kevin Bunker, who had partnered with Seacoast on two previously successful projects, became involved. By this time, there was a clear community consensus that someone had to figure out the 140,000 square foot Motherhouse, even as the fate of the larger campus was unknown.

**DC was brought on specifically because of their experience with complex, layered financing sources to figure out the Motherhouse, which was both the centerpiece of the campus as well as its most challenging element.** DC successfully financed the Motherhouse with seven different sources, all with varying requirements. The Motherhouse opened for occupancy as 88 units of senior housing in November 2018 and has been fully occupied. The Motherhouse has won several awards, including the prestigious MEREDA Notable Project award. However, a statistic that we are most proud of is that we had zero COVID

cases due to a focus on safety and sanitation best practices.

To develop the project, a master plan had to be created, and a zone change adopted. This was completed in the face of a committed neighborhood minority who did not want to see the project move forward. As DC worked on the Motherhouse apartments only (itself a condo unit within a commercial subdivision), the larger project was struggling politically. Stated concerns were typical such as density, traffic, and the like. However, the real emotional core of the resistance was the fear that the developers would close the McAuley School, an on-campus 50,000 square foot building. The reality was far more complex and related more to demographic changes within the Sisters of Mercy and the viability of private single-sex education in a small market. DC was brought in to work with the neighborhood and City Council. As part of that work, DC oversaw changes in the Master Plan that built consensus around a smart growth plan for a total of 249 units of senior housing, a mix of market-rate, affordable, ownership, and rental, with associated amenities.

This process is a good example of DC's willingness to work with diverse stakeholders to achieve a project that meets multiple community goals. When DC entered the picture as a minority partner to Seacoast Management, the project was in disarray. The neighborhood had risen up due to a perception of too much density on-site and fears that the development could be a factor in the possible closing of the McAuley School. DC immediately began neighborhood outreach and implemented compromises from the original redevelopment, limiting the number of units and preserving some athletic fields for school use in perpetuity.

DC also committed to improvements to the public transportation system and to adjacent Baxter Woods, a much-loved green space. These concessions paved the way for a unanimous vote on a zone change that was headed to a 5-4 vote. This allowed the redevelopment of the iconic Motherhouse to proceed, which has opened in recent months and contains 88 apartments, both market-rate and affordable.

The Motherhouse building is a good example of our willingness to work with the municipal and neighborhood stakeholders and our expertise in the technical aspects of complex development. All of this was completed with coordination





from the Sisters of Mercy, who retained an active interest that the site would be redeveloped in a sensitive way that respected the organization's history and protected the Sisters still living on a portion of it, where they remain today.

The Motherhouse had to be designed to the Maine State Housing Authority's standards as well as the National Park Service. TD Bank was the lead tax credit investor for the project, and their financial requirements needed to be met along with those of MSHA and the City of Portland (who provided a HOME loan and a TIF). There are likely not many capital stacks in the state of Maine more complex than that of the Motherhouse.

After the Motherhouse development, DC purchased Seacoast entirely in 2018 and is now the owner of the entire site. The second phase of the redevelopment is Stevens Square condominiums. Thus far, one building containing 20 units has been built. Despite the pandemic, DC was able to complete a high-quality construction project and have sold all but the final unit. Four more buildings with 140 more total units are planned.

Another challenging aspect of the project was the sudden closing of the Maine Girls' Academy. Ultimately, through a consensus building and an understanding of the needs of the community, a three-phase construction project was planned. The first phase was the conversion of 10,000 square feet of classroom space to a 94-child daycare, Growing Learners, and a lease with Blue Wave Basketball, a youth basketball organization. The building also continues to be the home of

the winter farmer's market. Its 480 seat auditorium is currently the home of the Portland Life Center, a church, and is available for community rental and non-profit events.

The next phase includes office, and studio space on the second floor, is finally underway and will be complete in June 2021. It features seven office suites with a variety of tenants, including a speech therapist, massage therapist, media company, and will be DC's headquarters. The hallway will feature work by local artist Molly Maps.

The final phase is perhaps the most exciting and will tie the building and the campus together. Health Coaches at Stevens Square, will open in late 2021 and feature an outdoor fitness patio with state-of-the-art equipment. Finally, Tally's at Stevens Square is a café that will be in the atrium, serving a variety of sandwiches, soups, salads, and drinks in the atrium, the common space for the building. What was once a formerly vacant school at the end of its useful life has now been transformed into an environment where people will come to live, work, and play in a vitally re-purposed asset in the heart of Deering Center.

**Overall, the Stevens Square master plan process shows our ability to navigate a complex regulatory and political environment while maintaining a high-quality vision on an extremely prominent in-town Portland site.** Its total development costs have been approximately \$35 million and will be over \$100 million upon full buildout.

# Community Collaboration



## Reed School

Another example of DC's consensus building is in the Reed School project. DC successfully responded to a City RFP to redevelop yet another vacant school structure in the Riverton neighborhood in 2018. The process featured a community seemingly at odds with City staff over redevelopment goals. Numerous physical development and zoning challenges seemed at times to preclude any project at all.

DC first applied with Avesta Housing to develop affordable senior housing on the site. Another team responded similarly when the controversy began. Unlike the Nathan Clifford RFP (see below), the Reed School RFP did not fully capture the neighborhood consensus around the site. While the RFP favored housing among other uses, the neighborhood nearly unanimously felt that the number of units required to complete an affordable housing project was far too many. Amid controversy, the RFP was shelved and subsequently was re-issued a few months later. One team responded much as they had before, simply adding a group facilitation effort to their proposal. DC listened to the neighborhood.

While we believe in affordable housing, being one of the state's largest providers, it is not always the fit for every site nor always politically feasible (much like Nathan Clifford). In this case, it didn't seem to fit. We already felt it was marginal and would require a large amount of City subsidies, as detailed

in our first RFP response. We changed tactics and proposed an educational use in the 1950s main building with a small number (eight) apartments in the original 1920s structure. While we felt we had a more feasible plan, we were surprised by the **immediate change in the tenor of the conversation and the nearly universal neighborhood support** for our proposal.

The first phase became an expansion of Children's Odyssey, an innovative daycare with a 25-year history of successfully caring for children with developmental issues, notably autism, right alongside children without those same issues. They had outgrown their current space yet could not afford to expand. DC used historic tax credits, Brownfield funds, and traditional debt and equity to provide GL the opportunity to own its own space at a fraction of what the 400% physical expansion would have cost. DC partnered with Drew Sigfridson on the project, who is a principal on this proposal as well.

The second phase, eight market-rate apartments, also a partnership with Drew Sigfridson, is under construction now and will be occupied by the fall of 2021.

### Learn more about this project and the amazing things that take place:

- ▶ <http://www.childrensodyssey.org/>
- ▶ <https://www.mainebiz.biz/article/developers-collaborative-completes-3m-school-rehab>
- ▶ [https://www.youtube.com/watch?v=ig-B1E7\\_IQA](https://www.youtube.com/watch?v=ig-B1E7_IQA)



# Community Understanding



## Nathan Clifford School

In 2013, DC responded to the City of Portland's RFQ to reuse and redevelop the Nathan Clifford School, proposing 22 market-rate units. The only other respondent proposed a large number of units on the site, which was expressly what the neighborhood had said it did not want to see during an extensive community process. **DC proposed a project that fit within existing zoning, creating large, market-rate units.** Affordable housing would have been entirely unfeasible. DC also offered to pay \$200,000 for the building.

DC's proposal was chosen and we began to engage the neighborhood. Generally, the response was very positive as we had listened to the community (having attended all the meetings). However, we had initially proposed four units in the additional land next to the school and 18 in the building (zoning allowed 22). The one factor our original proposal did not consider was the strong community desire to retain publicly accessible open space such as a playground and park.

In response, we gave the City Council two purchase and sales agreements and said that we would sign either. One was for \$200,000 and was based on the original development plan. The other was for \$1 and included an innovative concept: a public park on the land upon which we had proposed duplexes. We would allow public access in perpetuity and maintain at our own expense. The price reduction was necessary because

even though we moved the other four units inside the building, the rentable square footage did not change. We wanted the City to decide whether the priority should be the purchase price or the park.

The park itself is working very well. It is designed to blend seamlessly into the project and provide a unique gradient of public, semiprivate, and private spaces from the public playground and open space to the private patio and resident community gardens and the building. The relative privacy of the space is signaled through visual cues such as a low unlocked gate as opposed to an actual barrier or off-putting signage. Park users and dog owners have been respectful of the park and have kept it largely clean, while we have maintained it to a high standard without assistance from the City.

The overall development has also been a neighborhood success. **This project created 22 housing units while preserving a community landmark and existing open space within walking distance of downtown.** The unit mix includes one single-bedroom, sixteen two-bedroom, and five three-bedroom units. The units were rented very quickly upon completion and provide a compelling value compared to the higher rents and smaller units found on the peninsula. In 2020, the units were marketed as condominiums, and most have now been sold.

# Community Growth



## Crescent Heights

DC developed Maine's first LEED Platinum multi-family building in 2010, called Crescent Heights. The City required Maine Medical Center to divest twelve residential properties it had acquired over the years as part of a contract zone for a major expansion. **DC saw a smart growth opportunity to provide housing for medical students near MMC.** However, this could not overtake the neighborhood and overwhelm its capacity to provide affordable rental housing and on-street parking. Crescent Heights, a 44-bed student housing facility, was the answer. Due to strong management skills and correct timing of a competitive bidding climate, the base bid for Crescent Heights delivered a LEED Platinum building at under \$130 per square foot of construction costs, including site work.

Crescent Heights was built primarily for MMC/Tufts medical students. MMC and Tufts gained a major new recruiting tool for their joint MD program, and the neighborhood breathed more easily, with less pressure on the housing market and the transportation system. The project also added over \$3 million to the City's tax base. While there was initial controversy over MMC's plans to expand, **DC's project met with positive consensus not only from the MMC decision-makers, but the West End, St. John, and Parkside neighborhoods as well.**



## Developers Collaborative Additional Project Sampling

| Project Name                            | Location        | Type        | Completion | #Units | SF     |
|-----------------------------------------|-----------------|-------------|------------|--------|--------|
| Brackett, Ellsworth, Hill Apartments    | Portland        | Market-rate | 2009       | 7      |        |
| Gilman Place                            | Waterville      | Affordable  | 2010       | 35     |        |
| Birch Hill Apartments                   | Lewiston        | Affordable  | 2010       | 20     |        |
| Crescent Heights                        | Portland        | Market-rate | 2010       | 44     |        |
| Healy Terrace                           | Lewiston        | Affordable  | 2011       | 32     |        |
| Emery School                            | Biddeford       | Affordable  | 2012       | 24     |        |
| Hyacinth Place                          | Westbrook       | Affordable  | 2013       | 37     |        |
| Nathan Clifford Residences              | Portland        | Market-rate | 2014       | 22     |        |
| Osprey Circle                           | South Portland  | Affordable  | 2014       | 48     |        |
| Webster Point                           | Orono           | Market-rate | 2014       | 14     |        |
| Mission Hill Phases I and II            | Biddeford       | Affordable  | 2015       | 50     |        |
| River Landing                           | Topsham         | Affordable  | 2015       | 36     |        |
| St. Ignatius                            | Sanford         | Affordable  | 2016       | 66     |        |
| Hodgkins School                         | Augusta         | Affordable  | 2016       | 47     |        |
| Griffin Road Apartments                 | Scarborough     | Market-rate | 2016       | 36     |        |
| Plummer School                          | Falmouth        | Affordable  | 2017       | 34     |        |
| Rosa True                               | Portland        | Affordable  | 2017       | 10     |        |
| St. Dom's Family Housing                | Portland        | Affordable  | 2017       | 12     |        |
| Riverbrook Apartments                   | South Portland  | Market-rate | 2017       | 118    |        |
| Motherhouse                             | Portland        | Affordable  | 2018       | 88     |        |
| Oriole Way                              | Ellsworth       | Affordable  | 2018       | 50     |        |
| 477 Minot Ave.                          | Auburn          | Affordable  | 2019       | 36     |        |
| St. Francis Phase II                    | Waterville      | Affordable  | 2019       | 18     |        |
| Summer St Workforce Housing             | Gardiner        | Affordable  | 2020       | 15     |        |
| Maple St. Housing                       | Augusta         | Affordable  | 2020       | 29     |        |
| 75 Wight St                             | Belfast         | Affordable  | 2021       | 25     |        |
| Uplands Phase 1                         | Scarborough     | Affordable  | 2021       | 39     |        |
| Stevens Square Condominiums             | Portland        | Market-rate | 2021       | 20     |        |
| 66 State St. Phase 1                    | Portland        | Affordable  | 2021       | 38     |        |
| Reed School Phase 2                     | Portland        | Market-rate | 2021       | 8      |        |
| Preble Street Healing Arts Center       | Portland        | Affordable  | 2021       |        |        |
| Oriole Senior                           | Ellsworth       | Affordable  | 2022       | 29     |        |
| Uplands Phase 2                         | Scarborough     | Affordable  | 2022       | 39     |        |
| 66 State Street Phase 2                 | Portland        | Affordable  | 2022       | 30     |        |
| Androscoggin Valley Medical Arts Center | Livermore Falls | Commercial  | 2012       |        | 14,000 |
| Lamb Block                              | Livermore Falls | Commercial  | 2012       |        | 11,000 |
| 135 Walton St.                          | Portland        | Commercial  | 2015       |        | 56,000 |
| 34 Spring Hill Road                     | Saco            | Commercial  | 2019       |        | 35,000 |
| Reed School Phase 1                     | Portland        | Commercial  | 2019       |        | 19,000 |
| 420 Cumberland Avenue                   | Portland        | Commercial  | 2020       |        | 5,000  |
| Stevens Square Community Center         | Portland        | Commercial  | 2021       |        | 50,000 |



## Best-in-Class Partners

Developers Collaborative has partnered with some of the best local talent in the industry. Our design, construction, subcontractor, and consultant teams retain extensive experience in their respective disciplines. We have included Amistad and Thornton Tomasetti as our consultants throughout the project. Our design partners include Winton Scott Architects, Gorrill Palmer, and Aceto Landscape Architects. Additionally, the overall design and construction will be managed by Cianbro and supported by several key design-build subcontractors.

***Our local partners are dedicated in providing a safe and welcoming environment for the City's homeless population.*** This team has worked together, and within the City on many initiatives. They understand the requirements necessary to navigate City approvals, permitting, site safety, and site logistics. Below we have highlighted several key projects our partners have completed in the City of Portland. In addition, ***we have developed an appendix (section four) to further highlight and demonstrate their collective experience.*** We are excited to assemble a team of this breadth and expertise to serve the City of Portland.



100 Fore Street



Unity Village Apartments



Oak Street Lofts



Pearl Place Apartments



Canopy Hotel



Libbytown Visioning

---

## 2. Project Approach

---

- a. Vision of Project Goals
- b. Design Approach
- c. Construction Approach
- d. Conceptual Plans
- e. Schedule Overview
- f. Preliminary Project Schedule



## The Vision of Project Goals

### ***What constitutes a successful public-private partnership?***

Every successful public-private partnership must, by definition, achieve multiple goals. While the partnership comprises two stakeholders in the public and private sectors, additional groups must be represented and integrated into the process. Most importantly, there are City Officials and City Council as well as neighborhood groups, abutters, and other political stakeholders.

Political engagement in Portland is all-encompassing, yet diffuse, passionate, and thoughtful. A team that does not appreciate this reality and has experience navigating its complexities will not be successful. A private sector development team represents themselves along with contractors, designers, lenders, and investors. A transparent, local team ensures that the City knows who they are dealing with during the interview and selection phase as well as the design, construction, and operations.

### **The Basic Project Goal**

#### ***How is it possible to have an organizing principle given the disparity of goals in a public-private partnership?***

We feel it's helpful to step back and look at what absolutely must happen for the endeavor to be considered a success. While it is critically important to involve our prospective partner in this goal definition, some initial thoughts are below. Once defined and agreed upon, the basic project goal should be non-negotiable.

The City of Portland has decided that the homeless population deserves better than what is currently provided. Thus, one definition of the basic project goal is that the service center should **effectively house and serve the population** for whom it is intended. The center must be large enough and have the functionality necessary for the staff and volunteers to provide the intended services effectively.





It should be designed and constructed with the quality and technical considerations that constitute a state-of-the-art facility. Even more importantly, however, the design should recognize the basic dignity and humanity of its residents.

The facility must be efficiently designed and constructed to be affordable to build, lease, and operate. There will inevitably be some level of repetition and scale to realize particular efficiencies. However, it must also offer a human experience in the design, or the basic project goal will not be met. We imagine this facility, not as a “warehouse for the homeless out by the highway” or a “mega-shelter,” but rather our best foot forward as a community and an expression of our shared values. We propose to imbue this ethic into the entire design, construction process, and its long-term operations.

***To achieve our mission, we must implement effective design elements that express these values. The shelter must represent our community values and provide a comfortable and safe location for its visitors. Regardless of the partnership type or project, the human element is a significant consideration. As the development team, we are not viewing this as a build-to-suit government building but as a facility for the long-term needs of an underserved segment of our community.***

The facility needs to be warm and welcoming, safe and comfortable, and built-to-last for people who need shelter. While costs are certainly a factor, there are ways to create a cost-effective space and convey a quality of compassion and caring. Our team has tremendous experience working on affordable housing projects and has been involved in housing-first projects. We believe design elements of the interior and exterior of this center will significantly contribute to an environment in which a person in need can feel safe, respected, and valued.

We will facilitate this by including community stakeholders early and continuously. ***This means working with neighbors about the location's specific attributes; working with the City to learn exactly how services will be delivered; working with Amistad as a convener; and working with community groups with local expertise on homelessness.*** Given the history, we understand the associated challenges. We intend to help accelerate this long-awaited project to the next phase. While acknowledging the work that has brought the project to this juncture, we propose helping to lead a team forward to make a measurable positive impact.



An example of this team’s commitment to engaging a broad spectrum of stakeholders and industry specialists can be found in the inclusion of Amistad within the ranks of this project partnership. The causes of homelessness are multiple and complex. The work of identifying models of sheltering and services that demonstrably improve the likelihood that people experiencing homelessness will secure and maintain housing is challenging and ongoing.

Amistad has decades of experience providing a variety of services to those experiencing homelessness in Greater Portland. This experience includes robust engagement with the cross-section of stakeholders upon whom this partnership intends to lean upon throughout the process, including Amistad's direct, meaningful, and supportive involvement in the development of the Homeless Service Center concept, from the earliest discussions through to the present moment.

Their involvement included supporting an independent survey of a large number of people currently experiencing homelessness in the Portland area, which resulted in the availability of data that challenged specific arguments against the model that were being made by entities claiming to speak for the homeless. This proximity to the population and its promise of access to vital, first-hand feedback on the strengths and weaknesses of specific, proposed building and program design features renders Amistad's involvement particularly valuable. Our partnership will utilize Amistad's position within the community for access to broad stakeholder feedback as we identify and develop features that offer the community a best practice-informed Homeless Service Center that meets the complexities of the challenge with collaboration, innovation, experience, and expertise.

In addition to achieving the basic project goal, the facility must be delivered on time and budget. We have outlined some considerations for achieving this. We are very aware of the desire to move this project forward quickly and have made suggestions to potentially "fast-track" the development.

## Design Approach

Our team's approach to the design process will be open and inclusive. We recognize that the City Council and the Department of Health & Human Services (HHS) have completed significant work defining the design and operational goals for the new facility. HHS has researched best practices, visiting similar facilities in the region, and reviewed successful approaches in communities across the country.

We intend to build upon this work by bringing together our local design, development, and construction expertise, with the knowledge of City staff and administrators as well as other community leaders who have been dedicated to helping support our homeless population. ***We view ourselves as facilitators, helping to organize and lead the process in collecting stakeholder goals and ideas and then finalizing design development, and proceeding to permitting and approvals.*** We anticipate opportunities to convene community involvement and an open discussion of ideas and goals that will further inform the work that has been done to date. This will ensure that the resulting facility fulfills its promise to better serve some of the most vulnerable members of our community with dignity, safety, and compassion.



In addition to the essential programmatic needs that the facility will support, this project will be one of the first to be constructed under the updated version of Portland's Green Design Code. We see this as an opportunity to create a building with meaningful, sustainable features that keep operating costs down and contribute to a clean environment, all while helping to meet long-term climate change goals. To that end, our design team includes a nationally recognized sustainability consultant that will help guide the process in achieving conformance with the new regulations.

***We also recognize that every step in the design phase, including features, materials selections, and systems, will be implemented with cost-efficiency. This allows the design to align with the budget criteria that ultimately will drive the lease arrangement and ongoing operational costs. Therefore, the construction team will be an integral part of the design. They will determine the cost implications of design decisions in real-time and guide the team towards a financially feasible solution.***

It is clear that the new Homeless Service Center is urgently needed, and time is of the essence to design and construct the facility as soon as possible. It is equally important that the building is well-conceived and the result of a rigorous design process that has considered the needs of the stakeholders and those that it seeks to serve. We will establish a well-defined design process with ample opportunity to hear all voices, build consensus, and make decisions promptly.

***Our value is based on our past experience, our team approach, and our relationships within the community.*** We have been involved in designing, permitting, and constructing buildings in Portland for decades. We are confident in our ability to finalize a design reflective of our collaborative process. Our team of construction professionals will deliver the project on time and budget. We will build consensus, listen to the community on stakeholders' needs and desires to integrate into the project, and create a center that is warm, welcoming, safe, and built-to-last.

### Site Design Considerations

With these goals in mind, we have engaged Nick Aceto from Aceto Landscape Architecture (ALA), whose site design concept for the project incorporates elements from research on other similar facilities around the country, such as The Bridge in Dallas, Texas (see more below). In order to achieve the desired design goals, ALA has incorporated thoughtful human-scale elements such as configuring the entry to extend a "welcome mat," leading guests of the shelter across a colorful, welcoming landscape that provides transitional, flexible space extending from the street to the facility. The idea is to scribe a more legible pedestrian connection between the bus stop and shelter entrance (a metaphor for connection to the broader cityscape). A potential 'open pavilion' concept and/or raised gardens introduce a sense of human-scale elements and opportunity for interaction with the landscape. The broad plaza near the building is envisioned to be durable, yet simple, utilizing inexpensive materials with painted or integrally colored bands that pick up on a consistent color palette weaving the landscape into Winton Scott Architects' proposed building.



*We have developed conceptual plans starting on page 42 for your review.*

The “loop” around the building will be designed for efficiency both for vehicles and pedestrians and integrate into the entryway and outdoor pavilion area, which links to an outdoor service area. The western flank of the site continues the same language with colored paving, providing an organizational framework for a series of interspersed raised planters and benches. A small lawn surrounds a simple concrete patio space for small gatherings, musical performances, and a safe outdoor space to rest and eat. We anticipate the tree plantings to be minimal with vegetated buffers as appropriate, particularly with adjacent properties. The planting palette could be a reclamation approach with native seed mix and minimal formal planting besides shade and evergreen trees in key locations for shade and buffering.



Incorporating easy-to-maintain yet practical outdoor spaces will be a critical element for the overall project. The lawn area is anticipated to have a slight slope to be comfortable for outdoor sitting. The future development labeled as ‘great meadow’ on the concept plan would also be slightly sloped and planted with grass for easy maintenance, but also to serve as a useful outdoor space.

We also have several ideas to discuss as we move into more detailed design development. While inappropriate to propose before vetting with our municipal partner, we feel they could add purpose and interest to the site and make it a more vibrant place. In particular, we think raised garden beds and an outdoor pavilion are worth a discussion.

Raised garden beds would provide an outdoor activity with a tangible outcome, as food raised could be served meals at the facility. Growing food is a healthy activity providing a tangible sense of pride and achievement. The concerns over possible contaminants in the soil and the site’s long industrial history, however, probably preclude growing directly in the existing soil. Raised beds are still a way to grow edible crops. They are also more age-inclusive, especially if the bed wall is wide enough to allow sitting while gardening.

An outdoor pavilion is an idea that has been used successfully in other settings, such as The Bridge in Dallas, Texas. In this setting, admittedly a warmer location, outdoor space is used in much the same manner as indoor space, in response to the truth that often the homeless population feels more comfortable in less enclosed spaces, even sleeping outdoors.



## Initial Building Design Considerations

We recognize the importance of the design process in shaping the facility's final design. However, we also included concept images of the facility and layout to provoke conversation and illustrate some of the thinking we bring to the table as a team. We see the need for this facility to recognize that many people seeking shelter and services have likely experienced significant trauma in their lives and need an environment that mitigates trauma-response behavior and promotes feelings of security, dignity, and safety.

The large site allows for opportunities to create purposeful connections to nature and bring indoor and outdoor spaces together. Inside the building, guiding characteristics include:

- ▶ *Clear sightlines*
- ▶ *High ceilings*
- ▶ *Natural light*
- ▶ *Minimal barriers*
- ▶ *Space that is easy to navigate*
- ▶ *Efforts to reduce perceived crowdedness*
- ▶ *Accessibility*
- ▶ *Designated areas that provide a sense of privacy*
- ▶ *Limited visual complexity*
- ▶ *Visual symmetry*

The building entrance illustrates the intent of the building to be immediately welcoming with clear entrance points for both the Service Center and the onsite health clinic. A large covered porch area provides immediate shelter with places to sit and presents a simple visual element that can be recognized from a distance as one progresses from the street to the front door.

The central arrival and gathering space aspire to illustrate many of the above features. A centrally located entry into a balanced and symmetrical space. A large central skylight and clerestory windows flood the space with natural light that supports a planted living wall element and potted trees. A palate of warm neutral materials balanced by a few colorful elements provides visual calmness, and ample seating provides a sense of welcoming. The space is analogous to the town square, which are clear connections to the day room/cafeteria, sleeping quarters, health clinic, social services, laundry, lockers, etc. The space is the heart of the facility that orients the building's occupants, so they always know where they are and how to get to other parts of the building.

These are just some of the early design concepts our team has begun to orchestrate, and we look forward to more stakeholder involvement in creating the final product.



## Construction Approach

Cianbro, being a Lean organization, promotes a Lean culture of continuous improvement aimed at creating more value for the customer while identifying and eliminating project waste. The management philosophy is based on a cooperative approach focused on a common goal: what is best for the project's success is best for the individual team members' success. The project is divided into construction phases, a group of activities, and subcontractors that are interrelated in the completion of a specific segment of the building. Prior to the start of each phase, the Cianbro team, with the input of the project's subject matter experts (designers, subcontractors, material suppliers, equipment suppliers, and end-users), will create a flow of work that ensure the most efficient use of the subcontractors' resources to meet the project goals. The collaborative nature of these meetings instills in the subcontractors a sense of ownership and commitment to the activities' durations, ultimately creating a more reliable workflow.

### Site Logistics

The team is prepared to manage the unique challenges presented by the Homeless Service Center site. Perimeter fencing and barricades will be used to create a safe passage for citizens utilizing the Portland Trails network to the Presumpscot River. The construction site will be fully enclosed with fencing and signage to protect the residents from the construction activities. The Cianbro team will develop and maintain an erosion and sediment control program to ensure that the disturbed soils remain onsite and protect against soil infiltration into the Presumpscot River. Construction traffic to the site's entrances will be monitored and controlled to ensure the safe passage of pedestrians and local traffic.

### Site Work and Foundations

The Phase II Environmental Site Assessment (ESA) soil borings and monitor wells tests suggest that contamination of existing soils and groundwater does not present a risk to the workers during construction or to individuals of the proposed use of the property. However, it may exceed the Maine legal limits of reuse for other purposes if shipped off-site. Cianbro will develop and maintain a soil management plan to identify contaminants in the soil, the degree of contamination, and the process for handling contaminated soils if they are encountered. By working closely with the site designers and the site subcontractor, the team will work to reuse the site soil, mitigating the amount of soil required to ship off-site and reducing the cost of disposal of the soil.

The Phase II ESA subsurface findings also reveal the building site is generally underlain by uncontrolled fill containing construction debris unsuitable for direct support of spread footing foundations and slab-on-grade construction. We will support the building's foundation by utilizing ground improved with aggregate piers penetrating the uncontrolled fill and terminating the relatively stiff upper crust of the silty clay beneath the fill. The aggregate piers will support conventional footings, foundations, and a concrete slab.

## Structure and Envelope

The Murox building system consists of prefabricated insulated steel wall panels. The panels are load-bearing, eliminating columns around the building perimeter and interior vertical bracing, which increases the flexibility of the space. The system includes fabricated structural steel, joists, roof decking, and exterior doors and windows. The prefabricated nature of the Murox systems reduces onsite construction time while offering an outer skin that surpasses the longevity of a tension fabric structure.

Although tension fabric structures can offer a clean appearance and fast construction, we found the current layout, for a northern environment, poses many problems, particularly during winter snow build-ups. The areas between the cafeteria, offices, and adjacent dormitories pose as dead-end corridors with sloped roofs pitching inward, creating a drainage issue between the structures. As currently laid out, snow coming off adjacent roofs will build between the structures, requiring removal. Removal of snow adjacent to a fabric structure will need to be handled very carefully to avoid damage to the structures. With our proposed Murox system, we have consolidated the facility as a whole, eliminating the separation between building components, thus taking advantage of more efficient heating/cooling and security issues. Drainage is handled conventionally at the perimeter of the building, along with internal drainage on the roof. This flat roof design prevents dangerous snow slides, as is the case with most sloped roof structures. The Murox structure offers a hard shell, more resilient to damage from maintenance equipment. We feel that a more durable and less maintenance-intensive solution is better for this particular climate and application, will lead to lower life-cycle costs for the facility, and will provide a better building for the future, when the city acquires it.

## Interior Rough-In & Finishes

With the completion of the building envelope, the trades' concentration transitions to the building's interior. Features on the building's interior are designed to offer a durable, low-maintenance solution that enhances the usefulness of the spaces. Concrete masonry walls serve as an indestructible surface in the shower rooms, while impact-resistant wallboard creates a durable surface throughout the rest of the building. Polished concrete floors produce a long-lasting finish throughout the common areas, and welded seam vinyl sheet flooring creates an easy to clean hygienic surface for the day rooms. At the same time, carpeting is utilized in the office areas. Sound batt insulation maintains privacy in the offices, small group areas, and exam rooms.

During the rough-in and finish phases of construction, more than 20 trades will be competing for real estate in the building for material laydown, equipment space, and work area to complete their individual tasks. Tight coordination between trades is required when concurrently scheduling tasks such as floor finishes, ceiling painting, and millwork installation. Maintaining a reliable workflow during these phases of construction is crucial to complete the project successfully. Cianbro's collaborative phase planning approach effortlessly creates a workflow that diminishes conflict and confusion between the trades, allowing for a safe, organized approach to successfully complete the project on budget and on time while maintaining high standards of quality.

















SHELTER

RIVERSIDE STREET

- 01. BUS SHELTER
- 02. ACCESS DRIVE
- 03. 'THE WELCOME MAT' (PAVED WALKWAY)
- 04. POTENTIAL OPEN-AIR 'SLEEP PAVILION'
- 05. GUEST/STAFF PARKING
- 06. STAFF PAVILION
- 07. EXISTING COMM. TOWER
- 08. ENTRY PLAZA
- 09. SECURED YARD, GREAT LAWN
- 10. POTENTIAL SECURED EATING/SLEEP PAVILION
- 11. RAISED GARDENS AND BENCHES
- 12. OPEN TERRACE
- 13. BUFFER PLANTING
- 14. STAGE
- 15. READING TREE
- 16. GREAT MEADOW (FUTURE TRANSITIONAL HOUSING)
- 17. PERIMETER EXERCISE TRACK
- 18. PORTLAND TRAILS TRAILHEAD
- 19. SERVICE AND LOADING AREA

NORTH 0 25 50 100







## Schedule Overview

### Preconstruction

There are considerations that we could offer to compress the amount of time needed to construct and open the facility. Due to the fundamental principle that risk must align with control, most development teams would be most comfortable



with a linear approach. By way of example, in a private development project, one would be ill-advised to do detailed and expensive design work without having site control of the property. In this instance, a development team may be reluctant to commit a large amount of time and resources without being assured of the project.

However, with a thorough understanding of the nature of risk and control, it is often possible in a public-private partnership to compress the schedule by breaking the project into different components and allocating risk and control fairly and appropriately. Typically, the pre-development phase of the project might be conceptualized as follows:

- |                                                           |                                                                                                             |
|-----------------------------------------------------------|-------------------------------------------------------------------------------------------------------------|
| 1. <i>Read RFQ responses.</i>                             | 6. <i>Continue with design, along with periodic cost estimates that inform lease/financial discussions.</i> |
| 2. <i>Select the first choice development team.</i>       | 7. <i>After site plan approval, sign the lease and proceed to permitting and construction.</i>              |
| 3. <i>Negotiate with the team.</i>                        |                                                                                                             |
| 4. <i>Select team with Council vote and public input.</i> |                                                                                                             |
| 5. <i>Proceed to the design phase and planning board.</i> |                                                                                                             |

There are many inefficiencies in this approach that all flow from the fact that the development team is on one side of the table, the City on the other, and they only come together at the final step when there is a true contractual relationship. If selected, we propose a concept along the following lines (step 2 above):

- |                                                                                                                                                                                                    |                                                                                                                                                         |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. <i>Negotiate a limited pre-development consulting agreement with the developer.</i>                                                                                                             | <i>to proceed, the developer is compensated for the limited work to date, and both parties separate.</i>                                                |
| 2. <i>Immediately proceed to concept site and building design to submitting a Planning Board application as soon as possible—perhaps well before final terms are finalized with the developer.</i> | 5. <i>Based on seasonality and the City's appetite for risk and public consensus, consider starting ground preparation work before final approvals.</i> |
| 3. <i>City to apply as an applicant to Planning Board with the developer as a co-applicant.</i>                                                                                                    | 6. <i>Finish design and permitting and sign the lease, as above.</i>                                                                                    |
| 4. <i>During the Planning Board process, hold a council vote on the choice of developer. If the Council does not choose</i>                                                                        | 7. <i>Consider applying for a foundation permit before a full building permit.</i>                                                                      |
|                                                                                                                                                                                                    | 8. <i>Proceed to the remainder of construction, as above.</i>                                                                                           |

Taking the opportunity to move linear tasks to a parallel track when possible enables considerable time to be removed from the schedule. Most project delays are not created by construction period overruns but rather at the beginning of the schedule when it seems like there is plenty of time. In the given scenario, where the goal is a safe place for our most vulnerable citizens, we do not have the luxury of delivering the project one day more than is necessary.

### **The Pre-Development Consulting Agreement**

A master lease, joint development agreement, or similar instrument will ultimately document the official relationship with the City and the developer. These instruments are by nature complicated and take time to negotiate. Even when negotiations are very collaborative, the level of detail required in the documents is only evident after a significant amount of the process is complete. Typically, the developer will not have certainty of execution until late in the process, creating an impulse to slow-track the project until more unknowns become known and all parties are comfortable proceeding.

Developers Collaborative (DC) believes in the opposite approach. We have a long track record of stepping into the unknown and committing full-time with energy. We will commit resources to a project even before a final commitment—a strategy made possible by negotiating letters of intent or interim pre-development consulting agreements with our partners. This approach helps us fast-track the project and gives both parties the chance to work together on a trial basis while still moving the project forward.

There are many types of these agreements, but in essence, they are of limited scope and risk for both parties. Many times our partners are investigating a concept and unsure how to proceed and with whom. In these instances, we will perform the feasibility work for a fixed fee and only move to a higher level of engagement if asked.

For this project, much of the feasibility work has been completed, and there is a pre-determined site that has already been acquired. However, there are still many unknown elements that must be vetted out, such as:

- ▶ *What does the final building design look like?*
- ▶ *Can the City afford the lease rate it will take to build the desired facility?*
- ▶ *Can enough consensus among stakeholders be reached to move forward?*

We propose a permitting and pre-development scope that appoints us as the City's authorized agent to seek Planning Board approval for the new facility. As the authorized agent, we will advance the project through the public process, work with the design and construction team, and incorporate constituent stakeholder input along the way to vet out the basic program. We would establish a limited budget to be paid to third parties (civil and environmental engineers, architects, landscape architects, green design consultants, and cost estimation, among others). For example, the Planning Board application would require

civil engineering at least at 75% level of completion. In comparison, architecture need not be more than perhaps 20%. These costs would be initially be paid upfront by the developer. After permitting, the relationship may take one of two basic tracks:

- 1. The parties decide to work together. Upon signing a firm commitment, these costs become the final responsibility of the developer and are incorporated into the project. The developer is not paid a separate fee for pre-development consulting.**
- 2. The parties decide not to work together. If this occurs, the City reimburses the developer for the third-party costs according to the mutually approved pre-development budget and a fee to be negotiated for the developer's consulting work to date. All the work completed is transferred to the City, and they become the owner of the documents.**

As noted, we prefer this suggested process for fast-tracking projects, developing a relationship with our partners and creating a well-informed development approach for all parties. As a result of this proposed process, the development projects we have led are characterized by being built on a rock-solid foundation while being fast-tracked.

## Construction

The attached schedule is a living document consisting of the sequenced activities required to complete the project. The schedule was developed with the most current knowledge of the project's construction requirements, the City of Portland's permitting process, and the current availability of materials and labor resources. All of these factors were considered to ensure the creation of the realistic sequencing and duration of activities. This schedule sets a baseline for activity durations and sequencing that, with the collaborative effort of all of the project stakeholders, will be utilized as a tool to refine the project's completion date.



While the schedule is composed of numerous tasks that define and organize the project scope, the team's optimization of the schedule will focus on the critical path (identified as red bars in the schedule), the sequence of activities that represents the longest path through the project, and the only tasks that pose the ability to change the completion date of the project. Activities related to the critical path will change as the schedule is enhanced, and the project team will monitor the critical path throughout the life of the project. Focusing on compressing the duration of the critical path activities, as opposed to pushing the completion date of all the activities, is a surgical approach to shortening the project's overall duration while controlling costs, preserving quality, and maintaining the highest standards of safety.

The project team has identified that the timeline from July 2021 to early February 2022 is a critical duration period with multiple tasks that need to be reduced as much as possible. This period is between the pre-application meeting with the City (projected as 07/13/21) and the start of the concrete foundation work (02/02/22). Placing concrete foundations and slabs

through the winter months creates the additional cost of controlling winter conditions (frost and snow). The team's efforts will be focused on minimizing the duration of the permitting activities as well as the feasibility of obtaining early city approval to proceed with the ground improvements creating an earlier start date for the foundations, reducing the duration of winter conditions and shortening the project's overall completion date.

Following our Lean principles, the construction activities in the schedule have been divided into phases, a group of activities, and subcontractors that are interrelated in the completion of a specific segment of the building. Phase meetings are held before starting specific segments of work with all the subject matter experts to collaboratively identify activity constraints while refining and optimizing the sequences and durations to ensure the earliest start of the following phases. This process develops a more reliable workflow by obtaining the subcontractors' buy-in and accountability to the schedule.

- ▶ ***The City of Portland's permitting process – work together to shorten the permitting time and/or early release of foundation plans***
- ▶ ***Current availability of materials - early release packages***
- ▶ ***Labor resources – Cianbro's subcontractor pool - 70 years, subcontractor loyalty, commitment to their subcontractors***
- ▶ ***Neighbor communication***

The preconstruction team will work diligently with the City of Portland to work through the required programming to achieve the permitting phase in July. Upon submission of the permit, design will continue where we will develop documents that can be issued for construction at the end of August. This will allow the construction team to procure the remaining trades partners, materials, coordinate all mechanical/electrical/plumbing through our Building Information Modeling (BIM) and plan for construction before the permitting process is complete.

Site mobilization will occur in December of 2021 to prepare for the needed ground improvements below the foundations of the building. Construction would commence going vertical with foundations in late February, and while we are waiting for the building steel and envelope from our partner Murox, we will install all under-slab utilities through March. The structure will be completed along with the slab-on-grade in June of 2022, leaving us the interior rough-ins and finishes that will take place from March to Thanksgiving. The site and site landscaping will be complete in the summer of 2022. This will leave enough time for the City of Portland to occupy the building before the winter of 2022-2023.



Homeless Service Center-Permitting

CIANBRO Corporation

Data Date: 27-Apr-21  
Run Date: 06-Apr-21

| Activity ID                        | Contractor: | Activity Name                                    | Planned Duration | Start     | Finish     | M                                                  | J | J | A | S | O | N | D | J | F | M | A | M | J | J | A | S | O | N | D |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
|------------------------------------|-------------|--------------------------------------------------|------------------|-----------|------------|----------------------------------------------------|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
|                                    |             |                                                  |                  |           |            | 2                                                  | 0 | 0 | 1 | 2 | 3 | 0 | 1 | 2 | 2 | 0 | 1 | 1 | 2 | 0 | 0 | 1 | 2 | 2 | 0 | 1 | 1 | 2 | 0 | 0 | 1 | 2 | 3 | 0 | 1 | 2 | 2 | 0 | 1 |
| Homeless Service Center-Permitting |             |                                                  | 405              | 27-Apr-21 | 01-Dec-22  |                                                    |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| Major Milestones                   |             |                                                  | 404              | 27-Apr-21 | 01-Dec-22  |                                                    |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| MM0100                             |             | Proposal Submitted                               | 0                |           | 27-Apr-21* | ▶ Proposal Submitted                               |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| MM0200                             |             | Contract Awarded (Assuming a 1 month turnaround) | 0                |           | 28-May-21  | ▶ Contract Awarded (Assuming a 1 month turnaround) |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| MM0400                             |             | Permit Documents Completed (7/9-7/23)            | 0                |           | 13-Jul-21  | ▶ Permit Documents Completed (7/9-7/23)            |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| MM0300                             |             | 100% Structural Documents Completed              | 0                |           | 27-Jul-21  | ▶ 100% Structural Documents Completed              |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| MM0500                             |             | Construction Documents Completed                 | 0                |           | 24-Aug-21  | ▶ Construction Documents Completed                 |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| MM0600                             |             | Building Permit Issued (11/24)                   | 0                |           | 03-Dec-21  | ▶ Building Permit Issued (11/24)                   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| MM0700                             |             | Construction Started                             | 0                | 13-Dec-21 |            | ▶ Construction Started                             |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| MM0800                             |             | Building Weather Tight                           | 0                |           | 22-Aug-22  | ▶ Building Weather Tight                           |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| MM0900                             |             | Building Substantially Completed                 | 0                |           | 22-Nov-22  | ▶ Building Substantially Completed                 |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| MM0999                             |             | Project Completed                                | 0                |           | 01-Dec-22  | ▶ Project Completed                                |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| Design Development Activities      |             |                                                  | 60               | 01-Jun-21 | 24-Aug-21  |                                                    |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| DD0100                             |             | Develop Program Documents                        | 10               | 01-Jun-21 | 14-Jun-21  | ▶ Develop Program Documents                        |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| DD0200                             |             | HHS Program Documents Review                     | 10               | 15-Jun-21 | 28-Jun-21  | ▶ HHS Program Documents Review                     |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| DD0400                             |             | Develop 100% Structural Documents                | 20               | 29-Jun-21 | 27-Jul-21  | ▶ Develop 100% Structural Documents                |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| DD0500                             |             | Develop Permitting Documents                     | 10               | 29-Jun-21 | 13-Jul-21  | ▶ Develop Permitting Documents                     |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| DD0600                             |             | HHS Final Documents Review                       | 5                | 14-Jul-21 | 20-Jul-21  | ▶ HHS Final Documents Review                       |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| DD0800                             |             | Develop Construction Documents                   | 30               | 14-Jul-21 | 24-Aug-21  | ▶ Develop Construction Documents                   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| DD0990                             |             | Design Development Activities Completed          | 0                |           | 24-Aug-21  | ▶ Design Development Activities Completed          |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| Preconstruction Activities         |             |                                                  | 150              | 01-Jun-21 | 04-Jan-22  |                                                    |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| Permitting                         |             |                                                  | 150              | 01-Jun-21 | 04-Jan-22  | ▶ Permitting                                       |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| Project Submittals                 |             |                                                  | 20               | 14-Jul-21 | 10-Aug-21  | ▶ Project Submittals                               |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| Vendor Procurement                 |             |                                                  | 104              | 27-Apr-21 | 22-Sep-21  | ▶ Vendor Procurement                               |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| Construction Activities            |             |                                                  | 246              | 06-Dec-21 | 22-Nov-22  |                                                    |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| Phase Milestones                   |             |                                                  | 216              | 13-Dec-21 | 19-Oct-22  |                                                    |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| CA0200                             |             | Site Work Starts                                 | 0                | 13-Dec-21 |            | ▶ Site Work Starts                                 |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| CA0250                             |             | Foundations Started                              | 0                | 09-Feb-22 |            | ▶ Foundations Started                              |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| CA0300                             |             | Structure Started                                | 0                | 17-Mar-22 |            | ▶ Structure Started                                |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| CA0400                             |             | Building Envelope Started                        | 0                | 15-Apr-22 |            | ▶ Building Envelope Started                        |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| CA0500                             |             | Interior Rough-In Started                        | 0                | 12-Jul-22 |            | ▶ Interior Rough-In Started                        |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| CA0700                             |             | Landscaping Started                              | 0                | 30-Aug-22 |            | ▶ Landscaping Started                              |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| CA0600                             |             | Interior Finishes Started                        | 0                | 19-Oct-22 |            | ▶ Interior Finishes Started                        |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| Site Mobilization                  |             |                                                  | 27               | 06-Dec-21 | 13-Jan-22  |                                                    |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| CA1000                             | 31 Site     | Install Initial Environmental Controls           | 5                | 06-Dec-21 | 10-Dec-21  | ▶ Install Initial Environmental Controls           |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| CA1100                             | 31 Site     | Prepare Site Access                              | 10               | 13-Dec-21 | 27-Dec-21  | ▶ Prepare Site Access                              |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| CA1300                             | 31 Site     | Install Temporary Facilities                     | 5                | 28-Dec-21 | 04-Jan-22  | ▶ Install Temporary Facilities                     |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| CA1200                             | 31 Site     | Install Site Controls                            | 5                | 28-Dec-21 | 04-Jan-22  | ▶ Install Site Controls                            |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| CA1400                             | 31 Site     | Install Temporary Facilities Utilities           | 2                | 05-Jan-22 | 06-Jan-22  | ▶ Install Temporary Facilities Utilities           |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| CA1500                             | 31 Site     | Fit-Out Site Facilities                          | 5                | 07-Jan-22 | 13-Jan-22  | ▶ Fit-Out Site Facilities                          |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| CA1600                             |             | Site Facilities Operational                      | 0                |           | 13-Jan-22  | ▶ Site Facilities Operational                      |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| Site Work & Foundations            |             |                                                  | 125              | 13-Dec-21 | 09-Jun-22  |                                                    |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| CA1010                             | 31 Site     | Grub Site                                        | 20               | 13-Dec-21 | 11-Jan-22  | ▶ Grub Site                                        |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| CA1020                             | 31 Grou     | Perform Ground Improvements                      | 35               | 28-Dec-21 | 15-Feb-22  | ▶ Perform Ground Improvements                      |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| CA1030                             | 31 Site     | Excavate & Backfill Footings                     | 30               | 02-Feb-22 | 16-Mar-22  | ▶ Excavate & Backfill Footings                     |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| CA1050                             | 03 Conc     | FPS Foundation                                   | 25               | 09-Feb-22 | 16-Mar-22  | ▶ FPS Foundation                                   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |

Remaining Level of Effort

Actual Work

Critical Re...

Actual Level of Effort

Remaining Work

Milestone

CIANBRO Corporation

Preliminary Construction Schedule

TASK filter: All Activities

Page 1 of 3

Corporation.

© Cianbro  
Page 51

[illegible]

[illegible]

---

### 3. Cost Arrangement

---

- a. Cost Arrangement
- b. Proposed Terms
- c. Basis of Estimate & Budget
- d. Signature Form

## Cost Arrangement to Support the Project

### Creativity & Flexibility

We understand that, although we will be the developer and landlord, this is a project for the benefit of the City of Portland as opposed to a private real estate development. We have kept this consideration in mind as we have applied our creativity to come up with some potential structures for conversation. While we may not lay out the exact final version, we do trust and expect that our willingness to negotiate, be creative, and give up deal points for the public goodwill shine through. In partnering with Developers Collaborative, the City of Portland will find that we will work harder and be more creative than anyone in tailoring a financial arrangement and solution matching this project's set of goals. Our company will be engaged, flexible and proactive in responding to the City's needs, and we will be responsive and decisive in negotiating agreements. We are accustomed to creating one-off development structures and hearing our partners say, "I have never seen anything quite like this."

### Initial Development Terms

In another section of this proposal, we discussed the Predevelopment Consulting Agreement (PCA) as a way to move the project forward before all factors are known. This approach is also a great way to show off our open-book, financially transparent approach, and build trust right away with a comparatively low level of mutual risk. While we are working under the PCA, we will develop the program alongside the City and additional cost estimates for the project. All subcontractor bids and third-party costs are always available to the City for verification. We will propose a fixed return on total project costs for the lease rate. This protects both tenant (against a windfall profit by the developer) and the landlord (against unbudgeted program changes and time delays by the public process). We are proposing an annual lease rate of 7.6% of total development costs (TDC). We feel this number strikes a fair balance between the requirements of the lender, City, and developer. For the lender, there will need to be appropriate debt service coverage (DSCR), loan-to-cost (LTC), and loan-to-value (LTV) ratios to finance the project. For the developer, there should be a lease rate that respects the time, work, and risk put into the project. For the City, there should not be a windfall profit because a developer takes advantage of the City's desire not to bond for a large building.

## Operating Considerations

### Ground Lease and Initial Lease Term

We propose an initial 50-year ground lease term from City to the developer with a 25-year NNN leaseback for the facility. Significantly, we would propose no escalator in the rent for 10 years. Escalators are commonplace in commercial real estate and are a source of great profit to owners, whose debt terms are typically fixed for 10 years. Here, we plan to fix the rate, so we propose to pass those savings on to the City.

### NNN Structure

In this lease type, the tenant pays for base rent plus all of the operating expenses associated with the property. We are proposing this lease structure since the City will be intimately involved in all aspects of running the facility, and the landlord will not control the expenses first-hand. Furthermore, the City may want the flexibility of self-performing any number of functions. Thus, in our NNN estimates, found below, we tried to only account for those items to be paid to third parties. We have also eliminated a discussion of utility costs at this time, as we need further direction on the design goals of the facility while noting that there is typically a tradeoff between upfront capital expense and life-cycle operating costs. An additional note about capital costs is worth mentioning here. Typically, in NNN lease structures, the roof and structure capital replacements may be the landlord's responsibility. The landlord is presumably maintaining its equity by keeping up the building's capital components over time. In this case, the City will retain ownership of the land, and the expectation is that the City will own the building over time. The landlord is giving up future upside or a sale of the facility to a third party. Thus, it makes sense for the City to be responsible for the costs associated with maintaining the building during their occupancy and contributing towards a capital reserve account for when the City owns the building. All applicable warranties associated with new construction shall be in place upon rent commencement.

### TIF

One example of our creativity is a discussion we might have around tax increment financing (TIF). While we have not modeled this in our numbers, we think the City should TIF this parcel today for its own benefit and cost savings. The reason is straightforward. Today, the taxable original assessed value (OAV) is zero. Any improvements by a private party will lead to a large taxable increase (IAV). In this proposal, where the City is the single-tenant and responsible for the cost of real estate taxes under the NNN structure, the taxes, whatever they are, are a pass-through from the landlord's perspective. A TIF will, of course, shield this IAV from increased county taxes, decreased state aid to education, and decreased municipal revenue sharing that would otherwise be a very significant loss of revenue, perhaps in the neighborhood of 50%. With a conservative property tax estimate approaching \$250,000, this would be an annual savings to the City of \$125,000. The TIF payment could be used for debt service on the facility, as specified in the development program, and used as a credit in the NNN lease payment calculation. As described in this scenario, the City, not the developer, realizes the benefit in annual cost savings.

### Purchase Options

In this effort, we do not intend to create an asset to hold forever or one that we can advertise on the open market as a "stable government long-term lease" and then sell to the highest bidder. We intend to be a development partner and a steward of the facility during the lease term and collect a fair return while we own the property. We are under no illusions that this project is for our long-term benefit. The long-term benefit of this project is for the City and the community it serves. Thus, we have proposed several purchase options according to a formula that gives the upside to the City, as opposed to the developer.

The first purchase option would be active starting in year 20 through the end of year 25 of the initial 25-year lease term. Thus, we have some predictability that we will have some ownership for a number of years but ultimately want the City to have



control of its destiny on the building. The City would give notice of intent to purchase according to a formula. The formula is key to this creative proposed structure due to the value created for the City.

The formula would be the original TDC less the amortized pay-down amounts under any loans. Thus, the purchase price drops over time. Additionally, we would agree not to re-leverage (borrow more money) against the asset at any time, as is a typical practice for commercial developers/owners. This will protect the City from an artificially high purchase price. By way of illustration, if we have a 25-year amortization schedule on the debt and a 75% loan-to-cost mortgage, the price will only be the remaining 25% equity used to build the building, if purchased at the end of year 25. Meanwhile, the facility has been kept up, invested in, and still has many years of useful life, but is available to the City at a depreciated price.

Refinance events occur at year 10, typically, and are asymmetrical with the amortization term. However, we will agree not to refinance for more than the then-outstanding loan amount, assuring that the purchase price will continue to drop over time until it eventually bottoms out to only the initial equity investment when all the debt is repaid.

If the City does not exercise this first purchase option, we would offer a second purchase option that would kick in at year 10 of a renewed lease term (overall year 35 of the partnership). This would be according to the same formula. If the City renews its lease at the end of year 25 but chooses not to exercise this second purchase option, then the developer would own the building for the full 50 years of the ground lease, at which time all ownership reverts to the City. The only way the land would ever become the property of the landlord would be if the City did not exercise its first purchase option and chooses not to renew its lease after 25 years. If this happens, the landlord will be left with a single-purpose building that will be hard to redevelop for an alternate use and would need the title to the land in order to re-tenant the property.

Obviously, this outline is not the only possible scenario, and we are willing to entertain any and all discussions. We feel the bottom line is:

- The facility development costs will cost what it will cost, given the ultimate program requested and the market at the time of commitment.
- A standard commercial financing assumption allows a fair calculation of rent that protects both the City and developer.
- The City should realize the equity (upside) in the building. The developer is a temporary (if somewhat long-term) intermediary that helps the City build the facility and address the homelessness issue in a cost-effective way, rather than a profiteer that takes advantage of a situation.

We welcome the opportunity to further these conversations and arrive at a creative and well-balanced lease structure with purchase options meeting both parties' needs.

## Proposed Term Sheet

### Development of Homeless Service Center, Portland, ME

This proposal sets forth the terms of a build-to-suit for the City of Portland's Homeless Service Center located at 654 Riverside Street in Portland, Maine.

### Real Estate Development and Lease Terms

|                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|---------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Property Address</b>   | 654 Riverside Street, Portland, Maine                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <b>Tenant</b>             | City of Portland                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>Developer/Landlord</b> | Developers Collaborative (Project entity owner to be created upon award of the project).                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>Premises</b>           | Approximately ~ 50,000 +/- SF facility as described in the attached proposal. Developer/landlord shall be responsible for all permits, approvals, land improvements, and building improvements described in the proposal.                                                                                                                                                                                                                                                                                                                        |
| <b>Lease Start Date</b>   | Lease start date and rent commencement date to be upon substantial completion of landlord's work.                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Lease Term</b>         | A base lease term of 25 years. Additional City option to renew for an additional 25 years with 15 months notice to the landlord.                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>Lease Type</b>         | NNN lease structure with tenant responsible for all operating expenses for this property, including, but not limited to, real estate taxes, insurance, building maintenance, management, replacement reserves for capital costs based on the useful life of improvements, electricity, stormwater, water, and sewer, grounds maintenance, janitorial, etc. New construction warranties to be in place post-construction for the benefit of the landlord and tenant.                                                                              |
| <b>Land Ownership</b>     | The landlord anticipates entering into a long-term ground Lease with the City of Portland for the land parcel contemplated in the agreement at the cost of \$1.00. If the tenant does not exercise its option to renew or exercise its first purchase option, then the ownership in the land transitions to the landlord for \$1.00 at least six (6) months prior to the end of the base term. If the City does exercise its option to renew, at the end of the renewal term (50 total years), all improvements become the property of the City. |
| <b>Landlord's Work</b>    | The landlord will work closely with the tenant to design, develop, construct, and furnish a modern Homeless Service Center. The estimated cost of landlord's work is included in the TDC analysis and description of work included herein.                                                                                                                                                                                                                                                                                                       |



|                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|-------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Lease Rate</b>       | <p>The initial lease rate will be determined based on a total project return of 7.6%. Based on our current TDC of \$19,226,335, the NNN lease rate would be \$1,470,000/year.</p> <p>This initial lease rate would be fixed for the first ten years of lease payments with <u>no escalator</u>. In year 11, the annual lease payment would increase by a one-time cumulative CPI escalator and then an annual CPI escalation, with a floor of 2% and a ceiling of 3% through lease expiration.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>Purchase Options</b> | <p><u>First Purchase Option during the Initial Lease Term:</u></p> <p>The tenant shall have an option to purchase the property at any time between twenty (20) years and twenty-five (25) years from the landlord, upon at least eighteen (18) months prior written notice (the "first purchase option"). The purchase price shall be based on the original TDC, less the amount of principal paid down on debt during the lease period. The Landlord intends to target a 75% first mortgage (of TDC) with a 25-year amortization and a ten-year fixed-rate term. Thus, if the rate and terms were fixed during the entire 25-year period, the purchase price would be 25% of the original TDC at year 25 (setting aside interest rate risk at refinancing). Additionally, landlord will agree not to re-leverage the property during this period. Thus, the property's purchase price goes down over time and does not go back up. Only re-financings that do not increase the principal amount of the debt are permitted, meaning eventually the price of the building will only be the initial equity invested once all debt is amortized.</p> <p><u>Second Purchase Option in the event Tenant exercises its Option to Renew its Lease:</u></p> <p>Tenant shall have an option at the end of ten additional (10) years to purchase the property according to the same formula by providing at least 18 months prior written notice (the "Second Purchase Option").</p> |
| <b>Security Deposit</b> | Not required by developer/landlord.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>Additional Terms</b> | Additional terms and conditions for the lease to be determined and mutually agreed upon between the parties.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |

**Annual Operating Expenses - Budget Estimate**  
Homeless Service Center • April 27, 2021



| Common Area Maintenance                                                                                                                              |                                        |                                                                                        |
|------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------|----------------------------------------------------------------------------------------|
|                                                                                                                                                      | Cost Estimate                          | Notes                                                                                  |
| <b>Cleaning</b>                                                                                                                                      |                                        |                                                                                        |
| Window Washing                                                                                                                                       | \$ 1,200.00                            | Estimated expense.                                                                     |
| Waste Removal                                                                                                                                        | \$ 12,000.00                           | Variable based on waste production and recycling.                                      |
| <b>Repairs and Maintenance</b>                                                                                                                       |                                        |                                                                                        |
| R&M Payroll                                                                                                                                          | \$ 7,200.00                            | Estimate based on commercial building management.                                      |
| HVAC - Contract                                                                                                                                      | \$ 5,000.00                            | Estimate based on commercial building management.                                      |
| HVAC - Repairs                                                                                                                                       | \$ 2,500.00                            | Estimate based on commercial building management.                                      |
| Plumbing Repairs                                                                                                                                     | \$ 2,500.00                            | Estimate based on commercial building management.                                      |
| Electrical - Repairs                                                                                                                                 | \$ 2,000.00                            | Estimate based on commercial building management.                                      |
| Electrical - Supplies                                                                                                                                | \$ 1,200.00                            | Estimate based on commercial building management.                                      |
| Roof Repairs & Maintenance                                                                                                                           | \$ 1,200.00                            | Estimate based on commercial building management.                                      |
| Locks & Keys                                                                                                                                         | \$ 250.00                              | Estimate based on commercial building management.                                      |
| Pest Control                                                                                                                                         | \$ 2,400.00                            | Estimate based on commercial building management.                                      |
| R & M - General Supplies                                                                                                                             |                                        |                                                                                        |
| <b>Grounds Maintenance</b>                                                                                                                           |                                        |                                                                                        |
| Landscaping                                                                                                                                          | \$ 15,000.00                           | Estimate. Possible for City to Self-Perform.                                           |
| Snow Removal                                                                                                                                         | \$ 20,000.00                           | Estimate. Possible for City to Self-Perform.                                           |
| Parking Lot R & M                                                                                                                                    | \$ 5,000.00                            | Estimate. Possible for City to Self-Perform,                                           |
| Grounds - Other                                                                                                                                      | \$ 5,000.00                            | Estimate. Possible for City to Self-Perform.                                           |
| <b>Security and Life Safety</b>                                                                                                                      |                                        |                                                                                        |
| Life Safety - Contract                                                                                                                               | \$ 8,000.00                            | estimate based on commercial property management.                                      |
| Life Safety - Repairs                                                                                                                                | \$ 2,000.00                            | estimate based on commercial property management.                                      |
| Fire Sprinkler                                                                                                                                       | \$ 1,200.00                            | estimate based on commercial property management.                                      |
| Additional Security                                                                                                                                  | To be determined based on need         |                                                                                        |
| <b>Property Administrative</b>                                                                                                                       |                                        |                                                                                        |
| Management Fees                                                                                                                                      | Day-to-day property management by City |                                                                                        |
| Asset Management Fee (1%)                                                                                                                            | \$ 14,700.00                           | Fee to be charged by Landlord for administrative expense (1% of base rent).            |
| <b>CAM Estimate:</b>                                                                                                                                 | <b>\$ 108,350.00</b>                   |                                                                                        |
| <b>Insurance</b>                                                                                                                                     |                                        |                                                                                        |
| Property Insurance                                                                                                                                   | \$ 24,000.00                           | Insurance costs are extremely variable based on specific usage.                        |
|                                                                                                                                                      |                                        | Assumes additional insurance for the operator. This is building coverage and gen liab. |
| <b>Real Estate</b>                                                                                                                                   |                                        |                                                                                        |
| Real Estate Taxes                                                                                                                                    | \$ 232,100.00                          | Estimate based on \$200/sf psf valuation and \$23.31 mil rate. Recommend TIF.          |
| Storm Water Assessment                                                                                                                               | \$ 7,776.00                            | Estimate based on 115,000 SF impervious and \$6.75/mo for 1200 SF of impervious.       |
| <b>Total RE Tax and Stormwater Estimate:</b>                                                                                                         |                                        |                                                                                        |
| Estimated Operating Expenses*:                                                                                                                       | \$ 372,226.00                          |                                                                                        |
| * Excluded items listed above and estimates are not deemed to be actual costs. Actual costs to be determined once building is occupied.              |                                        |                                                                                        |
| Costs to vary based on how the City decides to administer the property management of the facility. Also, some services may be self-performed by City |                                        |                                                                                        |
| Costs of utilities for HVAC, electricity and water and sewer to be paid by the City based on usage.                                                  |                                        |                                                                                        |
| Costs of cleaning to be determined based on scope of services                                                                                        |                                        |                                                                                        |

## Basis of Proposal

We have developed our budget based on parameters outlined in the City of Portland RFP #21041, dated February 25, 2021, along with Addendum No. 1, dated March 2, 2021. We have utilized the RFP for specific building parameters and have chosen to provide a more substantial, hard-walled structure, which can sustain the high traffic expected in this facility. Per the drawings and descriptions provided, we have demonstrated conformance with the current goals. Our approach also recognizes the City of Portland Green Initiative standards now implemented, and we will elaborate on conformance through the following description of these clarifications.

## Scope of Work Clarification

### A. Design (Structural and MEP's)

1. We have included:
  - a. Design for structural steel, exterior prefabricated bearing wall panels, roof joists, and decking.
  - b. Fire Protection Systems
  - c. Plumbing Systems
  - d. Mechanical and HVAC Systems
  - e. Electrical Power, Lighting Systems and Fire Alarm Systems (With limited Security and Communications)

### B. General Conditions and Requirements

1. We recognize necessary management staff during design and preconstruction.
2. Management staff during construction.
3. On-site temporary offices for management staff.
4. Temporary facilities for toilets, power, debris disposal, and required work to manage project construction.
5. City of Portland Building Permit.

### C. Special Inspections and Material Testing

1. Special inspection costs for soils, steel, and concrete inspections.
2. Material testing of soil, concrete, steel, and masonry work.

### D. Concrete Foundations

1. Concrete building foundations for the perimeter frost walls and footings.
2. Concrete footings for the interior columns.
3. Slab-on-grade, with thickened areas for CMU walls.
4. Perimeter door stoops and landings at the main entrance canopy.
5. All associated sidewalks.

6. Interior equipment and maintenance pads.
7. Exterior equipment pads.
8. Exterior pads for various site amendment buildings.

#### **E. Masonry**

1. We have included 6" CMU at all toilet/shower wet and perimeter walls to provide durability and ease of maintenance.
2. CMU walls in the central foyer area separating adjoining office spaces, dormitories, and offices providing fire separation as well as a substantial sound barrier. CMU walls will also provide a durable surface for these high-traffic areas.
3. CMU walls at separation headboards between beds for durability and strength.
4. Metal stud framed walls with GWB in the office areas.
5. Metal stud framed wall with Impact Resistant GWB at high traffic areas and dormitories.

#### **F. Metals (Structural Steel)**

1. Our building system includes a pre-fabricated, bearing wall system creating exterior walls with interior, exterior, and insulation value to meet the higher green energy standards. The prefabricated wall provides bearing at the exterior walls, eliminating the need for columns and the costly footings to accommodate them. A simple frost wall system can be utilized for the foundation.
2. The interior columns are topped with structural open web trusses and joists to form the flat, internally drained roof.
3. Metal roof deck tops the open web joists to provide a surface for the roof.
4. The structure includes loading for rooftop-mounted equipment and 30% of roof space for future PV Solar Panels
5. The prefabricated wall panels will be fabricated off-site and be delivered to the project in 10' widths, the full height of the exterior wall. This penalization expedites the erection of the building shell since the panels are pre-finished with an exterior metal siding and pre-insulated.
  - a. The interior of the panels at the exterior walls of the dormitories and cafeteria will be finished in a pre-painted factory-installed siding to provide a durable wall system at these locations.
  - b. Walls at the offices will be prefabricated with sheathing on the exterior to allow for the installation of the air and vapor barrier, insulation, and a brick veneer at the office and front entrance locations.
  - c. The walls also provide an air and vapor barrier within the system.
6. This system provides a substantial structure with durable pre-finished finishes that will be durable and long-lasting.
7. Stairs for the mezzanine locations at the observation platforms on the dormitories.
8. A ladder to access the roof hatch.
9. Misc. metals to provide and support necessary roof openings for roof air handling equipment.

#### **G. Carpentry**

1. Necessary wood blocking in walls and roof representative of this type of building.

## H. Thermal and Moisture Protection

1. Damproofing at perimeter foundation walls.
2. The roof will be 6" insulation with an EPDM membrane.
3. Air and vapor barrier at the exterior brick walls.
4. Fire stopping.
5. Joint sealing.

## I. Doors and Openings

1. Hollow metal frames and pre-finished wood or primed metal doors.
2. Door hardware, with continuous hinges.
3. Coiling grill for kitchen/server area.
4. Aluminum storefront and doors at exterior locations of entrances and cafeteria yard access.
5. 35 card readers, door position switches, 200 credentials, PoE switch, and intercom tie-ins.
6. Windows will be aluminum framed with Low E ½ insulated glass and will be part of the pre-fabricated wall panel system, being delivered to the site within the pre-fabricated panels.
7. Skylight at the main lobby area.
8. Necessary glazing for doors.

## J. Finishes

1. Light Gauge Metal Framing and GWB assemblies at the office area and strategic locations in the lobby group rooms and dormitory office areas.
2. Impact-resistant drywall at all areas other than the office walls.
3. Gypsum Wall Board suspended ceilings at the central lobby, toilet and shower areas, and the underside of the mezzanines at the dormitory offices.
4. Mezzanine floors at the dormitory observation platforms will be LGMF with plywood floors and GEB Ceilings at the underside.
5. Ceramic tile walls and floors at the single-use toilet rooms and office area toilet room locations.
6. Sheet vinyl on the kitchen floor with a vinyl base.
7. LVT at mezzanine observation platforms.
8. Tile carpeting at office locations.
9. Polished concrete at the lobby, cafeteria, dormitories toilet cores with a dye to provide a very durable maintenance friendly floor system.
10. Open ceiling spaces to exposed structures have been anticipated at the dormitories, foyer space, and cafeteria (all exposed structure, ductwork, piping, and conduit will be painted to a uniform color.
11. Painting of the CMU will be an epoxy system.

12. Painting of the GWB walls and ceilings will be latex.
13. Door frames and metal doors will receive appropriate paint systems.

#### **K. Specialties**

1. Signage for door labeling includes 75 doors for a numbering system.
2. Exterior letter sign for the main entrance.
3. Exterior entrance sign at the main road entry.
4. Toilet compartments and partitions (plastic for durability and maintenance).
5. Toilet Accessories (SS).
6. Fire protection cabinets and fire extinguishers.
7. Plastic lockers for tenant spaces (for durability and strength).
8. Metal lockers for the office area.
9. Benches for the shower room locations.

#### **L. Equipment**

1. Allowance for the kitchen equipment (\$200,000).
2. Allowance for the laundry equipment (\$40,000).

#### **M. Furnishings**

1. Casework and millwork with countertops for security and general office spaces.
2. Shelving in storage spaces and linen dispensaries.
3. Wood wall caps at dormitory headboard walls.
4. Solid surface window sills.
5. FRP paneled walls in the kitchen.
6. Window shades for window locations.
7. Main entrance Pedi-Mat walk-off mat.
8. Allowance for office furniture, beds, cafeteria furniture, and clinic furniture (\$125,000).

#### **N. Fire Protection**

1. Wet pipe sprinkler system distributed throughout the facility.
2. Main valve assemblies and backflow preventer.

#### **O. Plumbing**

1. Fixture carriers with wall hung stainless steel lavatories, water closets, and urinals for guest areas.
2. China fixtures at office spaces.
3. Sensor valve fixtures.

4. Janitor sinks.
5. Roof drains and downspouts.
6. Under-slab piping and floor drain with trap primers.
7. Shower stalls.
8. Necessary piping, waste vent piping, roof drain piping, recirculating and tempering valves, commercial laundry connections, wash down hose bibs, exterior hose bibs, gas waste piping, backflow prevention, insulation, and identification necessary for a complete system.
9. Plumbing permit.

#### **P. HVAC Systems**

1. Our proposal includes an alternate Mechanical system from that which was outlined in the RFP. The following alternates have been incorporated for a more efficient system considering the following:
  - a. The dormitory and cafeteria/day room areas will be occupied for a high percentage of each day. As each space is a single large zone, it does not allow for exchanging heating or cooling from one area to another.
  - b. The proposed alternate system utilizes high-efficiency heat pump rooftop units for the more open spaces at the cafeteria and dormitory.
    - i. Our proposed system will provide superior circulation, exchanges, and air filtration (especially considering COVID issues) as opposed to a VRF system specified in the RFP.
    - ii. Additionally, this system will accommodate the MERV 13 filter systems to consider COVID issues.
    - iii. These systems also tend to be easier to maintain, especially with less need to access interior spaces for coil and fan maintenance.
    - iv. VRF systems tend to make noise when they switch on and off during operation at the branch selector boxes for VRF systems, so they need to be kept at a distance from sleeping spaces.
  - c. We have utilized the heat recovery VRF system with ERVs in the office area for better individual control.
2. We have also included:
  - a. (6) 20-ton heat recovery VRF rooftop condensers.
  - b. (75) Indoor evaporators.
  - c. (5) 5,000 CFM ERV's.
  - d. Misc. electric heat.
  - e. Ventilation Air VAV's
  - f. Refrigeration piping.
  - g. Condensate piping.
  - h. Attic stock.
  - i. Spare filter allowance.
  - j. Indoor unit supports.
  - k. All sheet metal, duct insulation.

- l. Controls
- m. Rigging, balancing, material handling labor, start-up, warranties, and taxes for a complete operational system.

## Q. Electrical

1. Service entrance and utilities including:
  - a. Riser conduits with pull strings, mounting hardware, and fasteners for electrical and communications services to the existing pole indicated in the RFP.
  - b. (2) 5" U.G. conduits and pull strings from the utility pole to transformer pad location indicated in RFP (Estimated 685 LF and includes (2) CMP manholes).
  - c. (4) 4" U.G. conduits with pull strings from the utility pole server room indicated on our plans (communications service if approx. 910 LF, with (3) Quartzite handholds).
  - d. 9'x 9' pre-cast transformer pad to meet CMP requirements (utility transformer to be provided by others).
  - e. CMP CT Metering at the transformer pad location (CMP meter and CT are provided by others).
  - f. 500kva 277/480-volt 3 phase demise generator with 24-hour run bottom-mounted tanks (our GC's include 1,000 Gal off-road diesel for start-up and fill at turn over).
  - g. Pre-Cast generator pad.
  - h. 600 Amp, 277/480-volt 3 phase ATS switch service rated with main utility circuit breaker.
  - i. 600 Amp, 277/480-volt 3 phase main lug only electrical panel.
  - j. 100 Amp 227/480-volt 3 phase main lug only electrical panel.
  - k. 30, 45 & 75 kva 120/208-volt 3 phase main circuit transformers.
  - l. 100 & 150 Amp, 120/208-volt 3 phase main circuit breaker electrical panels.
  - m. 200 Amp, 250-Volt 3 phase fuse disconnect on the load side of the 75 kVa transformer, located in the electrical room near the kitchen.
  - n. 200 Amp, 120/208 volt 3 phase main lug only electrical panel in the kitchen for the equipment electrical requirements.
  - o. Grounding required by code
2. Interior Lighting
  - a. High output LED flat panel lighting in the cafeteria and men's and women's dormitories.
  - b. 2' x 4' LED flat panel troffers in the kitchen.
  - c. 2' x 2' LED flat panel troffer in the remainder of the rooms and offices.
  - d. LED dual head emergency lights to meet safety code.
  - e. LED exit signs to meet safety code.
  - f. System stand-alone lighting controls.
  - g. Dimer and switches as required.
3. Exterior Lighting
  - a. LED building wall packs around the perimeter of the building.



- b. (13) LED site poles lights with 20 ft. poles.
  - c. Lighting contactor, time clock, and photocell for exterior lighting controls.
  - d. U.G. conduit and wiring for exterior pole lights and sign.
  - e. (13) pre-cast light pole bases.
- 4. General Power
  - a. Tamper-resistant duplex receptacles in the cafeteria and dormitories.
  - b. Tamper-resistant GFCI receptacle in the cafeteria and dormitories.
  - c. Tamper-resistant USB duplex receptacles in the dormitories next to beds.
  - d. Hospital-grade duplex receptacles in GFCI receptacles in the exam rooms and lab.
  - e. Duplex receptacles and GFCI receptacles in the remaining areas per code.
  - f. Quad receptacles in the offices and (3) quad receptacles in the server room.
  - g. GFCI receptacles on the building and the mechanical spaces.
  - h. GFCI receptacles for aching machines.
  - i. 30 amp receptacles for the dryers.
  - j. Floor box receptacles with data in the meeting rooms.
- 5. Mechanical Equipment
  - a. Power wiring and means of disconnect for:
    - i. All mechanical rooftop equipment.
    - ii. Fan units.
    - iii. Electric supplemental heat.
    - iv. Hot water heaters.
    - v. Exhaust fans.
- 6. Kitchen Equipment
  - a. Hook up of equipment associated with allowances:
    - i. All kitchen equipment controls to be part of the equipment package.
- 7. Telephone and Data
  - a. Conduit stubs back boxes, mud rings, cables, jack, and faceplates for voice and data locations.
  - b. Back boxes, mud rings, cables, jack, and faceplates for wireless access points.
  - c. Back boxes, mud rings, cables, jack, and faceplates for CATV points.
  - d. (2) 4-post data rack with cable wire manager racks in the server room.
  - e. Testing of voice and data cables at the completion of the project.
  - f. We have excluded:
    - i. All cable tray.
    - ii. Wi-Fi devices.
    - iii. TV's.
    - iv. Routers.

- v. UPS devices.
  - vi. Hubs.
  - vii. All associated equipment required for the complete system (To be provided by others).
- 8. Fire Alarm / Security / Paging
  - a. Complete addressable fire alarm system.
  - b. Fire alarm devices.
  - c. Knox Box at the main entrance.
  - d. Testing and certification of the fire alarm system.
  - e. Conduit stubs, back boxes mud rings, and pull string for security system.
  - f. Conduit stubs, back boxes mud rings, jacks, and cabling for paging speakers.
  - g. Ceiling mounted speakers in common areas and wall speakers in dormitories.
  - h. Paging system to tie into the phone system.
    - i. We have excluded the security, card access, CCTV systems, devices cabling, installation, terminations, testing, certification, and associated equipment (provided by others).
- 9. Temporary Power
  - a. Temporary power, lighting from temporary electrical service pole.
  - b. High-bay lighting in dormitories and cafeteria.
  - c. 100-watt incandescent bulbs with cages for every 250 SF.
  - d. GFCI protected receptacles in the work area.

## **R. Site Work, Utilities, and Improvements**

1. Our proposal includes ground Improvements for the foundation support utilizing Rammed Aggregate Piers (based on soil conditions, this is a requirement identified by the geotechnical engineer).
  - a. A load transfer platform consisting of 12" compacted crushed stone underlain with filter fabric at the perimeter footings.
  - b. 24" of compacted structural fill will be required for the floor slab area that does not require piers.
2. The site includes necessary general conditions to execute the work.
3. Erosion and sediment control and maintenance of the same.
4. Street sweeping and dust control during construction.
5. Traffic control necessary for utility work and tie-ins.
6. Demolition of existing pavements as well as clearing and grubbing.
7. Stripping and stockpiling of topsoil (assume to be an allowance at \$40,000).
8. Site cuts and fills to attain subgrade.
  - a. The existing soil conditions and disposal of such material to a licensed off-site facility could lead to a costly disposal value of greater than \$1.10M dollars. We have anticipated the ability to raise the building elevation and grade of the site such that conditions of cut/fills will be considered balanced, thus avoiding and

eliminating waste oil removal. We have predicated our proposal on the ability to create a balanced site and have not included off-site disposal.

9. Building excavation and backfill.
10. 2" rigid insulation at perimeter foundations 4' vertical and 2' horizontal, below the slabs.
11. Fine grading floor slabs.
12. Sched. 40 PVD Radon piping in the stone layer below the slab.
13. Road subgrades with 12" MDOT Type D and 3" MDOT Type A gravels.
  - a. Pavement areas include 2.5" HMA and 1.5" HMA as well as tack coats.
14. Utility Trench Areas include 18" MDOT Type D and 6" MDOT Type A gravels.
  - a. Pavement areas include 4" HMA and 2" HMA as well as tack coats.
15. Gravel drives.
16. Concrete sidewalks.
17. Trail connection.
18. Concrete pads.
19. Stromata ponds.
20. Loam and seed.
21. Planting beds, rip rap apron, and drip strip.
22. Drainage systems.
23. Water systems.
24. Sewer systems.
25. U.G. electrical system trenching.
26. Fencing.
27. Curbing.
28. Site improvements.

## General Exclusions

The following is excluded from our proposal:

1. Escalation for materials, labor, and equipment.
2. Winter conditions or protection costs of any kind.
3. The exterior trash compactor (see original RFP).
4. Continuous on-site resident architect or engineer for the duration of any pre-occupancy period (see Administration section of original RFP).
5. All furniture outside of the listed allowance value.
6. All ledge removal.

## Allowances

The following allowances are carried within our proposal:

|                                |            |
|--------------------------------|------------|
| Strip & Stockpile Loam on Site | \$ 40,000  |
| Entrance Sign                  | \$ 15,000  |
| Landscaping (Plantings)        | \$ 54,500  |
| Site Benches                   | \$ 10,000  |
| Bike Racks                     | \$ 2,000   |
| Bus Shelter                    | \$ 10,000  |
| Smoking Hut                    | \$ 12,500  |
| Furniture Allowance            | \$ 125,000 |
| Laundry Machine Allowance      | \$ 40,000  |
| Kitchen Equipment              | \$ 200,000 |

**Total Development Costs (TDC) Budget**  
Homeless Service Center • April 27, 2021



| #                                    | Description                     | Value               |
|--------------------------------------|---------------------------------|---------------------|
| <b>Hard Costs</b>                    |                                 |                     |
| 1                                    | Construction & Site Work        | \$17,380,000        |
| 2                                    | Additional Furniture            | \$200,000           |
| <b>Subtotal – Construction Costs</b> |                                 | <b>\$17,580,000</b> |
| <b>Soft Costs</b>                    |                                 |                     |
| 3                                    | Architectural/Civil             | \$564,000           |
| 4                                    | Insurance                       | \$50,000            |
| 5                                    | Landscape Architect             | \$20,000            |
| 6                                    | Testing/Special Inspections     | \$25,000            |
| 7                                    | Survey                          | \$10,000            |
| 8                                    | Accounting                      | \$10,000            |
| 9                                    | CMP/Fairpoint                   | \$30,000            |
| 10                                   | Permitting/Inspections - City   | \$65,000            |
| 11                                   | Legal                           | \$50,000            |
| 12                                   | Construction Taxes              | \$30,000            |
| 13                                   | Miscellaneous/Overhead          | \$15,000            |
| 14                                   | Soft Cost Contingency           | \$50,000            |
| 15                                   | Construction Lender Inspections | \$7,500             |
| 16                                   | Loan Fees/Closing Costs         | \$110,000           |
| 17                                   | Construction Interest           | \$359,835           |
| 18                                   | Developer Fee                   | \$250,000           |
| <b>Subtotal – Soft Costs</b>         |                                 | <b>\$1,646,335</b>  |
| <b>Total</b>                         |                                 | <b>\$19,226,335</b> |

## PROPOSAL FORM

**City Homeless Service Center Project**  
**- Request for Developer/Owner**

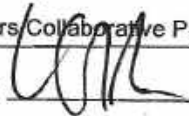
\*\* THIS SHEET MUST BE INCLUDED IN YOUR PROPOSAL \*\*

The undersigned hereby declares that he/she or they are the only person(s), firm or corporation interested in this proposal as principal, that it is made without any connection with any other person(s), firm or corporation submitting a proposal for the same, and that no person acting for or employed by the City of Portland is directly or indirectly interested in this proposal or in any anticipated profits which may be derived there from. (\*\*other than as noted; see note below)

The undersigned hereby declares that they have read and understand all conditions as outlined in this Request for Proposals, and that the proposal is made in accordance with the same.

The bidder acknowledges the receipt of Addenda numbered: 1

COMPANY NAME: Developers Collaborative Predevelopment LLC

AUTHORIZED SIGNATURE: 

DATE: 4/23/21

PRINT NAME & TITLE: Kevin Bunker, Manager

ADDRESS: 100 Commercial St. Suite 414, Portland, ME 04101

E-MAIL ADDRESS: bunker.kevin@gmail.com

PHONE NUMBER: 207-766-1632 FAX NUMBER: n/a

TYPE OF ORGANIZATION - PARTNERSHIP, CORPORATION, INDIVIDUAL, OTHER:  
LLC

STATE OF INCORPORATION, IF APPLICABLE: Maine

FEDERAL TAX IDENTIFICATION NUMBER (Required): 27-1402705

NOTE: Proposals must bear the handwritten signature of a duly authorized member or employee of the organization submitting a proposal.

\*\*\*Kevin Bunker and Drew Sigfridson intend to form a new single-purpose real estate LLC to serve as long-term developer/owner

---

## 4. Appendix: Additional Experience

---





## Scarborough Downs Master Plan & Town Center

Scarborough Downs is the largest master plan currently being implemented in the state of Maine—located fifteen minutes south of Portland and proximate to the highly desirable Higgins Beach. The project includes various public spaces and parks, a trail system, transit-oriented development, a mixed-use town center, stormwater treatment, and a signage plan.







## Cumberland Multi-Gen Neighborhood

ALA collaborated with Kevin Bunker of Developers Collaborative on a multi-generational community located in Cumberland. The proposal included walkable street, various home typologies, a community garden, and a community center “barn” with village cafe and micro co-op. The proposed concept won unanimous council/staff selection in a competitive process.







## Living Learning Center

Completed in the summer of 2012, this mixed-use facility combining student residences and classroom space for experiential learning is the first of its kind on campus and is intended to reflect the University's renewed commitment to experiential education and student life. The 65,000 SF facility includes residential suites for 250 students on the upper 4 floors and ground floor classroom and faculty office space.

The building is constructed of long-span precast concrete plank floors supported on a steel frame, which allowed for a completely column-free interior and total flexibility for the layout of spaces. The exterior walls are constructed of shop-fabricated panels that were delivered to the site and attached to the steel frame.

The building has many features to enhance sustainability and energy efficiency including low flow plumbing fixtures, waste water heat recapturing, solar domestic hot water system, lighting daylight sensors and high efficiency HVAC systems. The project has been awarded LEED Gold Certification by the USGBC.





## Family Center & Offices

This project combines the renovation of a former dairy barn with a new 28,000 SF addition to create a family center and office space for a local social services agency. The barn has been converted into a Family Center that houses meeting rooms, training facilities, a resource library, and multi-purpose community spaces. The facility will support delivery of family-based services such as counseling, supervised visitations for foster children, and family mediations, while providing access to training and resource materials.

The new addition, housing office space and support facilities for a staff of 75, is linked to the barn by a two-story connector that overlooks an exterior courtyard formed between the two wings with easterly views of Long Creek and the City of Portland.

The office wing is sited and designed to maximize the use of natural day lighting and ventilation. The 60' x 170' plan is organized with hard-walled spaces located along the north, east and west leaving the long, south facing facade exposed to the major open office area.







## Boys & Girls Clubs of Kennebec Valley

This new Boys & Girls Clubhouse, scheduled to break ground in April 2021, includes new instructional and daycare space, multi-purpose room, cafeteria, and kitchen as well as administrative office space, a teen center, and extensive outdoor play areas and soccer field.

The new building will be built on the same site as the current club and located on an existing soccer field. This allows the club to continue to operate in its existing facility until the new building is complete. Once the new club is operational, the old club will be demolished and a new soccer field built in its place.



## Pearl Place Apartments

Location: Portland, Maine  
Units: 66 Units  
Completed: 2008



## Crescent Heights Apartments

Location: Portland, Maine  
Units: 44 Beds  
Completed: 2010



## Unity Village Apartments

Location: Portland, Maine  
Units: 33 Units  
Completed: 2001





## Maine Avenue Building

Maine Avenue LLC, a partnership of Cianbro Development Corporation and Cross Financial Corporation, redeveloped this 45,000 SF building, originally constructed in 1993, and leased the space to the Maine Department of Health and Human Services (DHHS) in 2019. The work consisted of renovating the building, formerly a data center for Bangor Savings Bank, to use as office space meeting DHHS program requirements. Cianbro Corporation performed the construction work on a fast-track schedule in four and half months. This was during the short window of time between the date Bangor Savings bank vacated the Maine Avenue Building and moved into a new 116,500 SF headquarters building Cianbro had just constructed and the date by which DHHS was required to vacate its previous location. Cianbro's team completed building system upgrades, ADA requirements, firewall separations, and other work necessary to meet then-current building code requirements.





## Senior Living Center

Cianbro is serving as Construction Manager for a new 180,000 SF senior living complex with 138 residential rooms on a 12-acre campus. The complex consists of three separate two-story buildings (Assisted Living & Transitional Care, Long-Term Care, and Memory Care) connected to a central Community Center. The buildings are conventional steel-framed structures finished with Hardie board siding, cultured stone base accents, and TPO roofing. The living spaces are laid out as clusters of private rooms around a living room, dining room, den, and kitchen. Amenities include patio areas and outdoor space, a rehabilitation pool, gym, multipurpose room, and a village center with retail and personal care outlets. Resident care features include a wander-guard system, nurse call system, and patient lifts.







## Sebasticook Valley Hospital

Cianbro managed the construction and rehabilitation of an existing hospital that remained 100% operational during construction. This included 12,000 SF of renovations and 7,800 SF of new construction. Our team provided constructability reviews during the design phase of the project to manage cost and project objectives. We constructed two new intensive care units with adjacent recovery rooms, new nurses' facilities, x-ray rooms, two operating rooms, patient rooms, laboratories, and common areas. As part of the renovations, Cianbro also installed new medical gas and electrical infrastructure.







## Facility Additions, Renovations, & Central Utility Plant

The Cianbro | Brasfield & Gorrie team managed the preconstruction process and worked collaboratively with the architect and engineers to ensure a viable project through the schematic design, design development, and finishing with the construction documents/guaranteed maximum price (GMP) estimate. The team managed the entire construction phase as well for this new 25,000 SF patient wing and support area. The project included 6,140 SF of phased renovations with upgrades to existing patient areas. A new central utility plant provides facility support services areas, 25 new patient rooms (each with a full private bathroom), and shell space for future kitchen and dining area. The team also coordinated the phased tie-in of new utility services for new and existing power requirements along with fire protection needs.







## Dining Hall Renovations & Addition

Cianbro renovated an existing dining facility and constructed a 12,000 SF addition on the Maine Central Institute (MCI) campus. The team managed the overall design and construction, which included demolishing existing exterior walls, placing cast-in-place concrete foundations and slabs, erecting the steel-framed structure, insulating the foundation, installing all pre-manufactured wall panels and trusses. Cianbro performed interior and exterior carpentry and installed all ice and water shields and shingles, roofing, electrical and data cabling. An 800-amp electrical service entrance was upgraded. Cianbro installed architectural landscaping blocks, and fabricated and supplied the steel beams, columns, and patio hand rails.







## 100 Fore Street

Cianbro served as Construction Manager for a new 116,000 SF, four-story mixed-use world headquarters, with a 19,000 SF roof deck overlooking Casco Bay for WEX Inc., a rapidly expanding provider of payment processing and information management services. The project encompassed H-piles, 5,000 SF of retail space, utility relocations, structural steel erection, concrete foundations, exterior sheathing (curtain wall systems), gym, cafe, bike storage, roof patio, and the MEP infrastructure to drive it all.

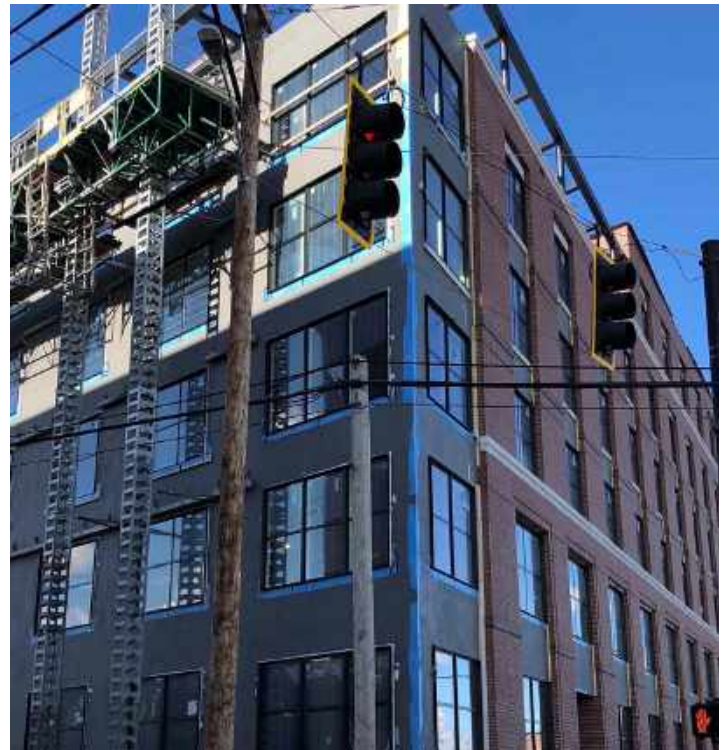






## Canopy Hotel

Cianbro is overseeing the ground-up construction of Fathom Companies' new six-story, 105,000 SF hotel in the historic Old Port neighborhood of downtown Portland, ME. In addition to 135 guest rooms, the hotel will feature a fifth-floor restaurant and retail space as well as an indoor/outdoor rooftop restaurant and bar overlooking Casco Bay. Additionally, the hotel will include a range of meeting and function space. The design features high-end finishes throughout the new facility, including millwork, flooring, furnishings, and lighting, plus brick exterior with decorative black-framed glazing. As the construction is taking place at a major intersection, logistics and site control have been paramount to the ongoing project's success.







## Office Building & Pedestal Parking Garage

Cianbro is managing the construction of a five-story, 276,564 SF pedestal garage comprising 84,000 SF of office space covering two stories above three levels of structured parking for up to 518 vehicles. The team is responsible for demolishing the existing building, performing excavations for the new building foundations in soil classified as “urban fill”, installing 415 LF of sheet pile and 1,400 stone aggregate piles, installing spread footings and foundation walls, and erecting 1,500 tons of structural steel, placing 535 pieces of precast concrete planks for the elevated parking level, installing 2,000 LF of curtain wall system to encompass the office levels of the overall building.



# Developers Collaborative

developerscollaborative.com | 207.766.1632



## MEMORANDUM

**TO:** Portland City Council; Mayor Snyder

**FROM:** Danielle West, Corporation Counsel

**DATE:** May 28, 2021

**RE:** Impact of Emergency Shelter Referendum on New Emergency Shelter Proposals

---

There is currently a referendum petition circulating for signatures that would change certain conditional use approval criteria for emergency shelters in the City's Land Use Code, including limiting the size of emergency shelters in Portland. Specifically, the petition would:

- Require adequate space for all basic shelter operations, and removes the specific requirement for providing space for security searches.
- Remove the requirement for providing a centralized office on each level providing sight lines to sleeping areas.
- Remove the requirement to be within ¼ mile of a METRO line.
- Require that the facility be open 24 hours per day.
- Provide that, except for family and domestic violence shelters, the emergency shelter may serve no more than 50 people at a time.

The petition asserts that "the effective date of the proposed amendments . . . shall be April 20, 2021." There is some question whether that effective date will be valid, given the conflicts in language between Section 11 of the City Charter and the provisions of Chapter 9.

Regardless of whether the April effective date is valid, under state statute, it cannot act to reverse any final decision that is reached 45 days prior to passage. 30-A M.R.S. § 3007(6) states, "A municipality may not nullify or amend a municipal land use permit by a subsequent enactment, amendment or repeal of a local ordinance after a period of 45 days has passed after: A. The permit has received its lawful final approval; and B. If required, a public hearing was held on the permit." Thus, any emergency shelter that receives conditional use approval at least 45 days before the vote on the referendum (if any) will not be impacted by that referendum.



KATE SNYDER (MAYOR)  
BELINDA S. RAY (1)  
SPENCER R. THIBODEAU (2)  
TAE Y. CHONG (3)  
ANDREW ZARRO (4)

**CITY OF PORTLAND  
IN THE CITY COUNCIL**

MARK DION (5)  
APRIL D. FOURNIER(A/L)  
PIOUS ALI (A/L)  
NICHOLAS M. MAVODONES, JR (A/L)

**AMENDMENT TO ZONING MAP  
RE: B-1 TO B-2B FOR JEFFREY CURRAN AT 163 WASHINGTON AVENUE**

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

That the Zoning Map of the City of Portland, dated December 2000, as amended and on file in the Department of Planning and Urban Development, and incorporated by reference into the Zoning Ordinance by §14-49, be and hereby is amended by adopting the following map change amendment and specifically rezoning property in an B-1 Zone to a B-2b Community Business Zone at 163 Washington Avenue as shown in the outlined and labeled area in the map attached hereto as Exhibit A.



ROS

B1b

EXHIBIT A

B1

R6

Proposed B2b

B1

R6

B2b

# PLANNING BOARD REPORT TO THE CITY COUNCIL PORTLAND, MAINE



Zoning Map Amendment for 163 Washington Avenue  
ZN-000540-2019  
Jeffrey Curran, Newsclapes, Inc., Applicant

|                                           |                                    |
|-------------------------------------------|------------------------------------|
| Submitted to: Mayor Snyder & City Council | Prepared by: Shukria Wiar, Planner |
| First Reading: June 7, 2021               | Date: May 27, 2021                 |
| Second Reading: June 21, 2021             |                                    |

## I. INTRODUCTION

The owner of 163 Washington Avenue is seeking an amendment of the City's zoning map in order to allow him to operate a brewery and tasting room on property currently occupied by a two-story, two-family residence. Specifically, the Applicant is requesting that the zoning for 163 Washington Avenue be changed from its current zone, B-1 (where breweries/tasting rooms are not currently permitted), to B-2b (where they are). As will be outlined more fully below, after several public proceedings relating to the map amendment application, the Planning Board voted unanimously **against** the proposed zoning change. In spite of the Planning Board's decision, the Applicant has opted to pursue his request and now seeks Council consideration and approval of a map amendment. Below is a summary of the application, review, deliberations, and Board decision.

163 Washington Avenue is located on the easterly side of Washington Avenue between East Cove Street and the I-295 interchange in the East Bayside neighborhood within the B-1 Neighborhood Business zone. The 5,660 square foot site (CBL 012 Foo8001) is owned by the applicant and is currently occupied by a two-story, two-family residence. The zoning map amendment would change the zoning on the site from B-1 Neighborhood Business to B-2b Community Business, which would allow the applicant to convert the first floor of the existing building at 163 Washington Avenue into a brewery with a tasting area. Again, breweries with tasting areas are not currently a permitted use in the B-1 zone.



Figure 1 - Aerial view of 163 Washington Avenue

The application was reviewed by the Planning Board at one workshop on September 8, 2020, as well as at public hearings

on January 26 and April 13, 2021. The applicant held the required neighborhood meeting on December 10, 2020. Discussion of the proposal by the Planning Board at the September 8, 2020 workshop included concerns about redrawing the zone boundaries in the manner proposed by the applicant. However, the Board did request that Planning staff explore with the applicant whether a text amendment – aimed at retaining the current zone delineations but amending the permitted uses in the B-1 to include “brewery with tasting room” – might better facilitate the desired use in lieu of the applicant’s original map amendment request. In coordination with the applicant, staff developed a text amendment to help facilitate the brewery/distillery use under the low-impact industrial use category in the B-1 zone. The proposed text amendments were presented in a public hearing on January 26, 2021. At the public hearing, the applicant informed the Planning Board that he preferred to rezone his property from B-1 to B-2b, rather than pursue the text amendment to the B-1 zone. Upon hearing this, the Board decided to table the item to allow the applicant to work with Planning staff on an updated version of the original map amendment proposal, which was done and brought forward in a public hearing on April 13, 2021.

**Owner/ Applicant:** Jeffrey Curran, Newsclapes, Inc.

**Applicant Rep:** Marshall Tinkle, Esq., Thompson, MacColl & Bass, LLC

## II. PROPOSED MAP AMENDMENT

|                               |                                                              |
|-------------------------------|--------------------------------------------------------------|
| <b>Current Zoning:</b>        | B-1 Neighborhood Business                                    |
| <b>Proposed Zoning:</b>       | B-2b Community Business                                      |
| <b>Current Uses at Site:</b>  | Two Family Residential                                       |
| <b>Proposed Uses at Site:</b> | Mixed Use (ground-floor brewery and upper floor residential) |
| <b>Total Parcel Area:</b>     | ± 5,660 SF                                                   |
| <b>Area to be Rezoned:</b>    | ± 5,660 SF                                                   |

## III. BACKGROUND

### A. *Location of the Proposed Site:*

163 Washington Avenue, is an irregularly shaped lot owned by the applicant, and has approximately 40 feet of frontage on Washington Avenue with a depth of 103 feet. The site is currently occupied by an approximately 1,900 square foot, two-story, residential building located on the eastern half of the site. The remainder of the site is dedicated to the property’s front yard, which is generally utilized as parking. According to the City Assessor’s records the existing building was constructed in 1890.



Figure 2: Existing 163 Washington Avenue – Street View



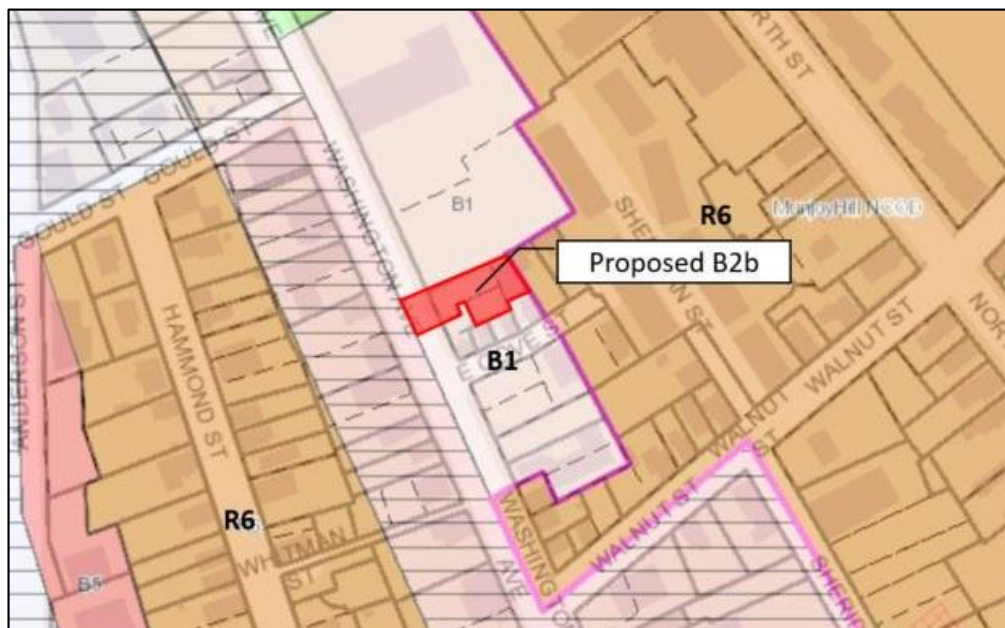


Figure 3: Aerial view of 163 Washington Avenue (Outlined in red)

The surrounding area consists of a variety of uses, building types, and scales. Washington Avenue bifurcates the neighborhood and runs from Congress Street to the I-295 interchange on-peninsula and is identified as a priority corridor in the City's Comprehensive Plan, Portland 2030. Washington Avenue contains single family, two-family, and multi-family residential buildings, and a wide range of non-residential uses typical of the evolving East Bayside neighborhood, such as restaurants, retail, offices, a redemption center, and light industrial uses, including breweries and artist studios.

The property itself is zoned B-1. As depicted on the map above, it is surrounded by other properties zoned B-1 as well as properties zoned R6. As such, it is surrounded on two sides by mostly single and two-family residential buildings. Most of the immediately adjacent housing is of a scale characteristic of the city's East End. Nearby commercial uses in this section include the Northern Burner Supply building (185 Washington Avenue), bicycle shop-Portland Gear Hub (155 Washington Avenue), and the newly constructed bathhouse (145 Washington Avenue). A B-2b zone lies across Washington Avenue and extends east towards Congress Street. The B-2b zone includes restaurants, retail, office, and residential uses including some large multi-family housing such as the Avesta-operated Thomas Heights Apartments at 134 Washington Avenue, a four-story, 18-unit building housing a veteran population. Higher intensity light-industrial buildings such as breweries and distilleries are concentrated along the eastern half of Washington Avenue on the blocks closer to Congress Street, predominantly zoned B-4. The area north and northwest of the site is mapped with Recreation and Open Space (ROS) and B-1b zones, respectively. An R-6 zone abuts the property to the east and extends down Walnut Street and a portion of Washington Avenue south of the site.

**B-1 Zone:** The subject block, including the applicant's property was rezoned from R-6 to B-1 in 2015. At that time, the City Council approved the extension of the B-1 zone along the east side

Figure 4, Aerial view of Washington Avenue

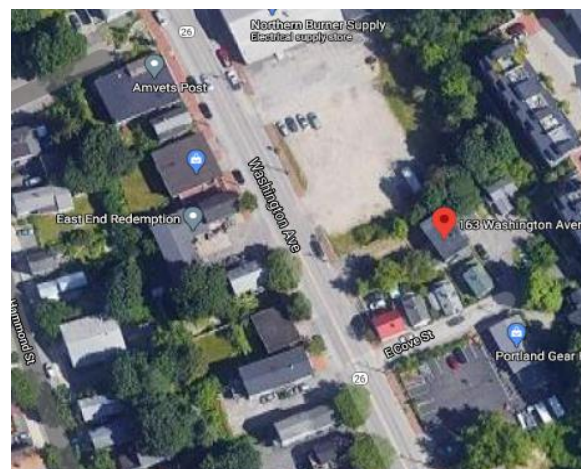
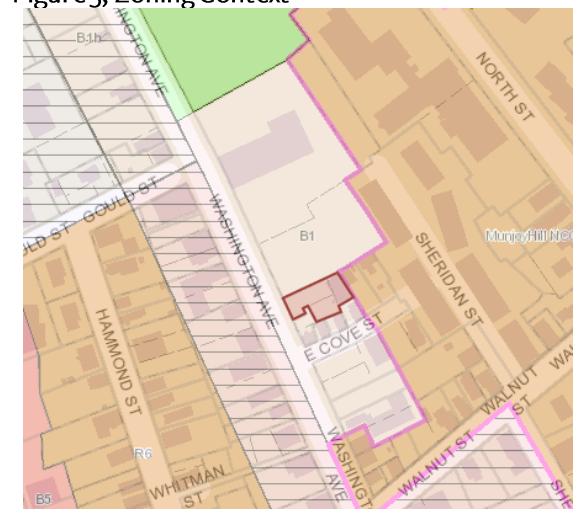


Figure 5, Zoning Context



of Washington Avenue from the intersection of Washington Avenue and Walnut Street (with the exception of the first three lots) to the Recreation and Open Space (ROS) zone near the I-295 on-ramp at exit 5. As a result of that rezoning, two projects have been approved for two of these lots, one of which was recently completed at 145 Washington Avenue and consists of a mixed-use residential and commercial development.

The original application, in 2014, had been for B-2b, but the Planning Board, with the applicant's agreement, ultimately voted to recommend a zoning map amendment from R-6 to B-1 to the City Council. The choice of B-1 over B-2b was driven by the range of allowable uses and development intensity permitted by the former over the latter. Both B-1 and B-2 permit medium-level residential and neighborhood-scale commercial uses by right, but the uses allowed by the B-1 zone facilitate commercial development at a smaller scale than B-2b. At the time, the Board also felt that the B-1 zone was the more contextual choice of zone for this specific section of the street, due in part to the abutting smaller scale residential development along Walnut Street, East Cove Street, and Sheridan Street. The rezoning was approved by the City Council in January of 2015.

B-1b Zone: The B-1b zone extends along the western side of Washington Avenue between Gould Street and the I-295 ramp at Tukey's Bridge. This area is comprised of single and multi-family residential development. Some residential uses are permitted, if permitted in the adjacent or nearest residential zone. In other cases, permitted if located above first floor commercial, or on first floor where a minimum depth of 25 ft. along the principal frontage is maintained for commercial use. In this case, the nearest residential zone is R-6 Residential. In any structure with commercial use on the first floor, multifamily dwellings are permitted above the first floor.

B-2b and R-6: The western side from Gould Street and eastern side of Washington Avenue is a mix of R-6 Residential and B-2b Community Business. Surrounding non-residential uses include the Oil Burner Supply Company across Washington Avenue, facing Gould Street. In the B-2b zone, surrounding uses include the AM- VET VFW Post, a screen-printing business and the East End Redemption Center. Single and multi-family residential dwellings are interspersed throughout the area.

ROS: Further down Washington Avenue is City owned property, which is part of the Eastern Promenade parkland and is zoned ROS- Resource Open Space.

#### IV. PROPOSED CONCEPTUAL DEVELOPMENT

The applicant seeks this map amendment to allow for the conversion of the first-floor in the building at 163 Washington Avenue into a brewery with a tasting area. The applicant previously operated a nonconforming brewery at this location before business operations ceased due to a notice of violation issued by the City for operating a use not permitted in the B-1 zone. While the applicant has not submitted any conceptual site plan materials, the proposed future use at the subject property would be required to meet City site plan, technical, and design standards. In addition, the applicant would be required to meet any applicable City licensing requirements.

#### V. ZONING ANALYSIS

The existing B-1 zone is intended to "provide limited areas for the location of small-scale commercial establishments... [which are] complimentary, quiet, and generally do not disturb the comfort and enjoyment of the adjoining neighborhood" (*Table 5-D*). It should be noted that the B-1 business zone explicitly encourages mixed-use buildings which allow for commercial development and high residential density. B-2b likewise encourages neighborhood and community retail, and business and service establishments. The stated purpose of the B-2b zone shares some characteristics with the existing zoning. Table 1 compares the purposes of the two zones as written in the ordinance.

**Table – 1 Mixed-Use Zone Purpose Statements**

|             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|-------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>B-1</b>  | To provide limited areas for the location of small-scale commercial establishments intended to serve a local market. Uses that are complimentary, quiet, and generally do not disturb the comfort and enjoyment of the adjoining neighborhood environment are encouraged, and should be designed for the pedestrian scale and to provide convenient access for nearby residents and workers to walk in to purchase goods and services. Buildings and uses shall be designed with attractive storefronts or similar features, with windows and doors convenient to a public sidewalk. This zone encourages mixed-use buildings, such as commercial first floor with residential uses above or combined retail/office uses in a multi-story structure. The zone also provides the opportunity for high residential density. Suitable locations for this zone may include street intersections and arterial streets with existing or proposed traditional neighborhood retail and service uses. |
| <b>B-2b</b> | To provide neighborhood and community retail, business and service establishments that are oriented to and built close to the street. The B-2b zone is appropriate in areas where a more compact urban development pattern exists or where a neighborhood-compatible commercial district is established which exhibits a pedestrian scale and character. Such locations may include the peninsula and other arterials and intersections with an existing urban or neighborhood-oriented building pattern. The B-2b should provide locations for moderate to high-density housing in urban neighborhoods along arterials.                                                                                                                                                                                                                                                                                                                                                                     |

**Permitted Uses**

The applicant's proposed brewery use, is prohibited in the B-1 zone. For this reason, the applicant applied to rezone the property to the B-2b zone, which allows a broader range of commercial uses, such as retail and restaurant uses, as well as low-impact industrial uses including distilleries, and breweries by right. The change from B-1 to B-2b would allow low-impact industrial uses such as a brewery/distillery uses up to 10,000 square feet. There are other significant differences in permitted uses, including some that overlap with the B-1, but allowed at a larger scale in the B-2b, such as, larger scale retail, more permissive lodging house standards, and larger scale places of assembly. The B-2b also permits or conditionally permits a number of uses not allowed at all in the B-1, such as car washes, warehousing, dairies, hotels, extended care facilities, drive-throughs associated with a permitted use adjacent to residential zones, and automobile dealerships, as well as marijuana retail and auto repair services, as conditional uses. The B-2b zone does not require that residential uses be located on the upper stories within this zone, however, in any structure that has commercial uses in the first floor, multi-family dwellings are permitted above the first floor. Residential uses and the potential to create new housing is comparable in both the existing and applied for zone, with the significant differences between them resting with the diversity and scale of commercial uses.

**TABLE 6-C: PERMITTED AND CONDITIONAL USES IN MIXED-USE ZONES**

|               |                                           | B-1/B-1b       | B-2/B-2b/<br>B-2c | B-3/B-3b/<br>B-3c <sup>11</sup> | B-4 | B-5/<br>B-5b | B-6 | B-7 | Use Standards |
|---------------|-------------------------------------------|----------------|-------------------|---------------------------------|-----|--------------|-----|-----|---------------|
| Residential   | Single-family dwellings                   | ●              | ●                 | ●                               |     | ●            | ●   | ●   |               |
|               | Two-family dwellings                      | ●              | ●                 | ●                               |     | ●            | ●   | ●   |               |
|               | Multi-family dwellings                    | ● <sup>1</sup> | ●                 | ●                               |     | ●            | ●   | ●   |               |
|               | Congregate care facilities                |                |                   | ●                               |     |              |     |     |               |
|               | Handicapped family units                  |                |                   | ●                               |     | ●            | ●   | ●   |               |
|               | Combined living/working spaces            | ●              | ●                 | ●                               |     | ●            | ●   | ●   |               |
|               | Lodging houses                            | ● <sup>2</sup> | ●                 | ●                               | ●   | ●            |     | ●   | 6.4.9         |
| Institutional | Clinics                                   | ● <sup>2</sup> | ●                 | ●                               |     | ●            |     | ●   |               |
|               | Cultural facilities                       |                |                   | ●                               |     | ●            | ●   | ●   |               |
|               | Elementary, middle, and secondary schools | ● <sup>2</sup> | ●                 | ●                               |     | ●            | ●   | ●   |               |
|               | Emergency shelters                        |                |                   | ○                               | ○   | ○            |     |     | 6.5.6(B)      |
|               | Governmental uses                         | ● <sup>2</sup> | ●                 | ●                               | ●   | ●            |     | ●   |               |
|               | Intermediate care facilities              |                | ●                 | ●                               |     |              |     |     |               |
|               | Long-term and extended care facilities    |                | ●                 |                                 |     |              |     |     |               |
|               | Places of assembly (< 10,000 SF)          | ● <sup>2</sup> | ●                 | ●                               | ●   | ●            | ●   | ●   |               |



|                    |                                           |                  |                |   |   |                 |   |               |
|--------------------|-------------------------------------------|------------------|----------------|---|---|-----------------|---|---------------|
| Commercial/Service | Places of assembly (> 10,000 SF)          | ●                | ●              | ● | ● | ●               | ● |               |
|                    | Preschool facilities                      | ● <sup>2</sup>   | ●              | ● | ● | ●               | ● |               |
|                    | Post-secondary schools                    |                  | ●              | ● | ● | ●               | ● |               |
|                    | Adult business establishments             | ● <sup>3</sup>   | ● <sup>3</sup> |   |   |                 |   | 6.4.2         |
|                    | Auto, boat, and related dealerships       | ○                |                | ● |   |                 |   | 6.5.6(A)      |
|                    | Auto service stations                     | ○ <sup>4</sup>   |                | ● | ● |                 |   | 6.5.6(A)      |
|                    | Bars                                      | ● <sup>5</sup>   | ● <sup>5</sup> | ● | ● | ●               | ● | 6.4.3         |
|                    | Bed and breakfasts                        | ●                | ●              | ● |   |                 | ● | 6.4.4         |
|                    | Exhibition, meeting, and convention halls |                  | ●              |   | ● | ○               | ● |               |
|                    | Funeral homes                             |                  | ●              | ● |   |                 |   |               |
|                    | General offices (<5,000 SF)               | ● <sup>2</sup>   | ●              | ● | ● | ●               | ● | 6.4.6         |
|                    | General offices (>5,000 SF)               |                  | ●              | ● | ● | ●               | ● |               |
|                    | General services (<5,000 SF)              | ● <sup>2</sup>   | ●              | ● | ● | ●               | ● | 6.4.6         |
|                    | General services (>5,000 SF)              |                  | ●              | ● | ● | ●               | ● |               |
|                    | Hostels                                   | ●                | ●              |   | ● |                 | ● | 6.4.6, 6.4.8  |
|                    | Hotels                                    |                  | ●              | ● | ● | ● <sup>13</sup> | ● |               |
|                    | Marijuana retail store                    | ●/○ <sup>6</sup> | ●              | ● |   |                 | ● | 6.4.10        |
|                    | Recreation and amusement centers          |                  |                | ● | ● |                 | ● |               |
|                    | Registered marijuana dispensary           | ●/○ <sup>6</sup> | ●              | ● |   |                 | ● | 6.4.10        |
|                    | Restaurants                               | ● <sup>2</sup>   | ●              | ● | ● | ●               | ● | 6.4.3, 6.4.6  |
|                    | Retail (< 5,000 SF)                       | ● <sup>2</sup>   | ●              | ● | ● | ●               | ● | 6.4.6, 6.4.15 |
|                    | Retail (5,000 – 25,000 SF)                |                  | ●              | ● | ● | ●               | ● | 6.4.15        |

TABLE 6-C (CONT.): PERMITTED AND CONDITIONAL USES IN MIXED USE ZONES

|                                                              | B-1/B-1b       | B-2/B-2b/<br>B-2c | B-3/B-3b/<br>B-3c <sup>11</sup> | B-4 | B-5/<br>B-5b    | B-6                 | B-7                 | Use<br>Standards |
|--------------------------------------------------------------|----------------|-------------------|---------------------------------|-----|-----------------|---------------------|---------------------|------------------|
| Retail (>25,000 SF)                                          |                | ●                 | ●                               | ●   | ●               | ●                   | ●                   | 6.4.15           |
| Small-scale marijuana caregiver                              |                | ●                 | ●                               | ●   |                 |                     | ●                   | 6.4.10           |
| Theaters and performance halls                               |                | ●                 | ●                               | ●   | ●               | ●                   | ●                   |                  |
| Veterinary services                                          |                | ●                 |                                 | ●   |                 |                     | ●                   |                  |
| Communication studios                                        |                | ●                 | ●                               | ●   | ●               | ●                   | ●                   |                  |
| Dairies                                                      |                | ● <sup>7</sup>    |                                 | ●   |                 |                     |                     |                  |
| High-tech manufacturing                                      |                |                   |                                 |     |                 |                     | ○                   | 6.5.6(D)         |
| Intermodal transportation facilities                         |                |                   |                                 |     | ●               | ●                   | ●                   |                  |
| Laboratory and research facilities                           |                | ○                 |                                 | ●   |                 | ○                   | ●                   | 6.5.6(E)         |
| Low-impact industrial (<10,000 SF)                           |                | ● <sup>8</sup>    | ○                               | ●   | ●               | ●                   | ● <sup>8</sup>      | 6.5.6(E)         |
| Low-impact industrial (>10,000 SF)                           |                | ● <sup>8</sup>    |                                 | ●   | ○               |                     |                     |                  |
| Marijuana testing facilities                                 |                |                   |                                 | ●   |                 |                     |                     |                  |
| Marijuana manufacturing facilities                           |                |                   |                                 | ●   |                 |                     |                     | 6.4.10           |
| Marijuana cultivation facilities<br>(<7,000 SF plant canopy) |                |                   |                                 | ●   |                 |                     |                     |                  |
| Printing and publishing                                      |                | ○ <sup>9</sup>    | ●                               | ●   | ●               | ●                   | ○                   |                  |
| Repair services                                              |                | ●                 | ●                               | ●   | ●               | ●                   | ●                   |                  |
| Studios for artists and craftspeople                         | ● <sup>2</sup> | ●                 | ●                               | ●   | ●               | ●                   | ●                   |                  |
| Towlots                                                      |                |                   |                                 | ●   |                 |                     |                     | 6.4.17           |
| Warehousing, storage, and distribution                       |                | ○ <sup>10</sup>   | ○ <sup>10</sup>                 | ●   | ● <sup>10</sup> | ○ <sup>10, 14</sup> | ○ <sup>10, 14</sup> | 6.5.6(E)         |
| Marine uses                                                  |                |                   |                                 |     | ●               | ●                   |                     | 6.4.11           |
| Correctional pre-release facilities                          |                |                   |                                 | ●   |                 |                     |                     | 6.4.7            |
| Off-street parking                                           |                |                   | ●/○ <sup>12</sup>               |     | ●               | ○                   | ○                   | 6.5.6(H)         |
| Parks and open spaces                                        | ●              | ●                 | ●                               | ●   | ●               | ●                   | ●                   |                  |

|                             |   |   |   |   |   |   |   |          |
|-----------------------------|---|---|---|---|---|---|---|----------|
| Solar energy system (minor) | ● | ● | ● | ● | ● | ● | ● | 6.4.16   |
| Solar energy system (major) |   |   |   | ○ |   |   |   |          |
| Utility substations         | ● | ● | ○ | ● | ● | ● | ○ | 6.5.6(L) |
| Wind energy system (minor)  |   | ○ | ○ | ○ | ○ | ○ | ○ | 6.4.18   |

### Dimensional Requirements and Form

Lastly, the two zones vary slightly in terms of the form of building that is promoted through the dimensional requirements, with the B-2b allowing a maximum building height of 45 feet (50 feet if the first floor is partially or wholly occupied by a commercial use), whereas the maximum building height in the B-1 zone on-peninsula is 45 feet. Both the B-1 and B-2b zones allow the same lot area per dwelling unit (435 SF). Since the dimensional standards are similar in both zones, both the B-1 and B-2b zones support the city's desire for high density mixed-use development in this location.

TABLE 7-E: MIXED-USE ZONE DIMENSIONAL STANDARDS

|                                                                             |                                                                                                                        | B-1/B-1b                                                                                                                                                                                             | B-2/B-2b/B-2c                                                  | B-3/B-3b/B-3c | B-4                                                                                                                                     | B-5/B-5b                                                                   | B-6                 | B-7    |
|-----------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------|---------------|-----------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|---------------------|--------|
| Lot area (min.)                                                             | School                                                                                                                 | 20,000 SF                                                                                                                                                                                            |                                                                |               |                                                                                                                                         |                                                                            |                     |        |
|                                                                             | Place of assembly                                                                                                      | 10,000 SF                                                                                                                                                                                            |                                                                |               | 10,000 SF                                                                                                                               |                                                                            |                     |        |
| Lot area per dwelling unit (min.)                                           | On-peninsula                                                                                                           | 435 SF                                                                                                                                                                                               | 435 SF                                                         |               |                                                                                                                                         |                                                                            |                     |        |
|                                                                             | Off-peninsula                                                                                                          | 1,000 SF                                                                                                                                                                                             | 1,000 SF, except 435 SF if active street frontage <sup>3</sup> |               |                                                                                                                                         |                                                                            |                     |        |
| Lot area per rooming unit (min.)                                            | On-peninsula                                                                                                           | 150 SF                                                                                                                                                                                               | 150 SF                                                         |               |                                                                                                                                         |                                                                            |                     |        |
|                                                                             | Off-peninsula                                                                                                          | 350 SF                                                                                                                                                                                               | 350 SF                                                         |               |                                                                                                                                         |                                                                            |                     |        |
| Street frontage (min.)                                                      |                                                                                                                        | 20 ft.                                                                                                                                                                                               | 20 ft.                                                         | 15 ft.        | 60 ft.                                                                                                                                  |                                                                            |                     |        |
| Front setback (from all street frontages) (max.)                            |                                                                                                                        | 10 ft., or the average front yard depth of nearest developed lots if < 10 ft.                                                                                                                        | 10 ft.                                                         | 5 ft.         | 20 ft.                                                                                                                                  | None, except 10 ft. in B-5b                                                | 10 ft. <sup>7</sup> | 10 ft. |
| Rear setback (min.)                                                         | Principal                                                                                                              | None, except 10 ft. if abutting a residential zone                                                                                                                                                   | 10 ft.                                                         |               | 20 ft.                                                                                                                                  |                                                                            |                     |        |
|                                                                             | Accessory                                                                                                              | None, except 5 ft. if abutting a residential zone                                                                                                                                                    | 5 ft.                                                          |               | 7 ft.                                                                                                                                   |                                                                            |                     |        |
| Side setback (min.)                                                         | Principal                                                                                                              | None, except 5 ft. if abutting residential zone                                                                                                                                                      | None                                                           |               | 10 ft.                                                                                                                                  |                                                                            |                     |        |
|                                                                             | Accessory                                                                                                              |                                                                                                                                                                                                      | 5 ft.                                                          |               | 5 ft.                                                                                                                                   |                                                                            |                     |        |
| Stepbacks (above 35 ft. when property line abuts a residential zone) (min.) |                                                                                                                        | Side: 10 ft.                                                                                                                                                                                         | Side: 5 ft.                                                    |               |                                                                                                                                         |                                                                            |                     |        |
|                                                                             |                                                                                                                        | Rear: 15 ft.                                                                                                                                                                                         | Rear: 15 ft.                                                   |               |                                                                                                                                         |                                                                            |                     |        |
| Structure height (max.)                                                     | On-Peninsula: 45 ft., except 50 ft. along Congress Street if commercial first floor and residential above <sup>2</sup> | B45 ft., except: 50 ft. if first floor is in commercial use and 65 ft. in B-2 and B-2c on lots >5 ac. if required side and rear setbacks are increased by 1 foot for each foot of height over 45 ft. | See Downtown Height Overlay Map                                | B-4 65 ft.    | B-5/B-5b 65 ft., except in B-5b along W. Commercial St. south of Danforth St. <sup>5</sup> and 120 ft. on Thompson's Point <sup>6</sup> | B-6 65 ft. or as otherwise governed by the B-6 Building Height Overlay Map |                     |        |
|                                                                             | Off-Peninsula: 35 ft.                                                                                                  |                                                                                                                                                                                                      |                                                                |               |                                                                                                                                         |                                                                            |                     |        |

## VI. POLICY ANALYSIS

As the Council is aware, Maine law requires that zoning enactments and amendments, to be valid, must be “pursuant to and consistent with [the municipal] comprehensive plan.” 30-A M.R.S. 4352. Zoning is “consistent” with a comprehensive plan when it is “in basic harmony” with some (though not necessarily all) portion of it. The applicant has submitted a comprehensive plan analysis (refer to Attachment D). The applicant argues that the proposed zone change will meet numerous goals of the city’s comprehensive plan, most particularly those of the city’s land use framework outlined in the, *Future Land Use* section.

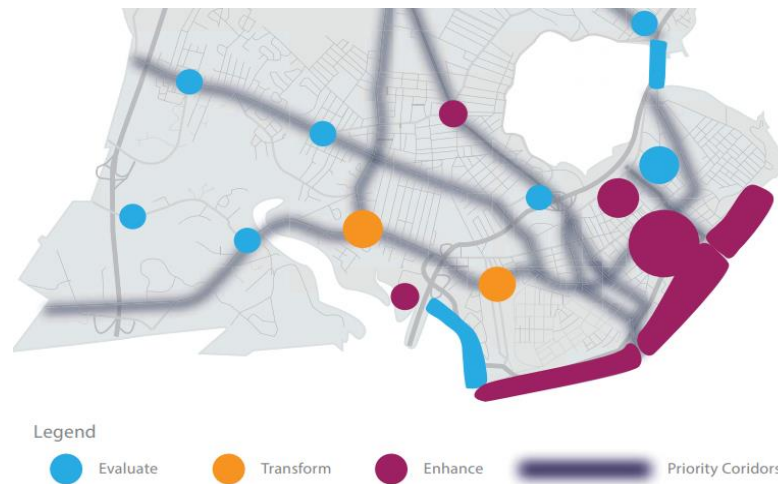
First, the applicant argues that proposed zone change and, by extension, allowing the applicant’s operation of a brewery and tasting room would advance the city’s vision for *One Portland*, “where the form and characteristics of neighborhoods vary, but the city functions as a cohesive whole.” The applicant also cites objectives outlined under *Complete neighborhoods* by adaptively reusing an existing home for a brewery use, the zone change would allow the city to actualize the stated goal of establishing complete neighborhoods that provide access to the basic necessities of daily life. They further elaborate that the existing home located at 163 Washington Avenue “is much part of this neighborhood it’s been here for more than 100 years.” The applicant also cites objectives from the *Future Land Use* section related to *Supporting Our Waterfront* writing that the proposed brewery use will provide food and drink opportunities particularly for fishermen working on the waterfront. The applicant also quotes the objective regarding “Connecting the chain: connecting and strengthening our open space and transportation network,” writing that “Newscapes brewing would be the second new business along with Portland Gear Hub to help rejuvenate this stretch of Washington Avenue.”

In conducting its review of the application, Staff did not find all of the applicant’s arguments regarding consistency with the comprehensive plan persuasive. However, Staff did identify a number of objectives outlined in Portland’s Plan 2030 that might support the requested re-zoning. Those sections include the Plan’s stated desire to support local business retention (Portland’s Plan Economy Policy Guide, Future Strategy #2: *Pursue policies that create, nurture, and retain local businesses.*), and its emphasis on priority nodes and corridors to support future growth (Future Land Use Chapter, Priority Nodes & Corridors map, and referenced in the text in multiple sections). The Plan also highlights the importance of livability and improving quality of life in neighborhoods, contextual development, and sensitivity to neighborhood context in the Vision Statement, which emphasizes the uniqueness of neighborhoods (pg. 6); Executive Summary, which discusses improving livability while retaining the key characteristics that make neighborhoods unique (p. 3); and Future Land Use, which states that the form and characteristics of neighborhoods vary, (pg. 79), for example.



Portland’s plan for Future Land Use places emphasis on areas most important to its growth over the next ten years. It contains three maps including a map of identified corridors and nodes that are poised to accommodate additional growth. Washington Avenue is identified as a “priority corridor”, prioritized for their potential to support future growth, and their need for evaluation. The comprehensive plan does not purport to prescribe or limit how these policy objectives are to be achieved. It does not, for example, mandate that efforts to “support future growth” must only be accomplished by zoning “priority corridors” B-1 rather than B-2b. The Comprehensive Plan’s flexibility in this regard is consistent both with the purpose of Comprehensive Plans and with the similar (though not identical) purposes of the City’s B-1 and B-2b zones.

Because either zone might accomplish multiple broad policy objectives outlined in the Plan, the decision as to whether B-1 or B-2b is the better zone for this area is largely discretionary and necessarily depends on consideration of all relevant factors as well as a weighing of how best to prioritize them. In its report to the Planning Board, Staff recommended that the proposed zone change be adopted and recommended, but did note potential concerns with the higher intensity uses permitted in the B-2b zone being immediately adjacent to the residential context.



Priority Nodes and Corridors map from City of Portland's comprehensive plan

## VII. PUBLIC COMMENT/NEIGHBORHOOD MEETING

The applicant held the required neighborhood meeting on December 10, 2020. 13 members of the public attended.

Over the course of the review, the Planning Board received numerous public comments as well as a signed petition from the neighborhood in opposition of the proposed zone change. In general, many of the questions and concerns expressed focused on issues regarding the intensity of uses permitted by the B-2b zone compared to the existing B-1 zone; impacts of a brewery operating closely to existing residential buildings, including concerns such as, noise, light pollution, screening, and hours of operation; Adjacent property owners also expressed concerns related to traffic and parking generation.

Lastly, residents voiced support for business development and expressed that businesses consistent with the existing B-1 zoning are appropriate and welcomed.

It should be noted that there were also comments in support of the proposed zone change, citing Washington Avenue as a mixed-use corridor.

## VIII. PLANNING BOARD DELIBERATION AND RECOMMENDATION

While the proposal addresses the above components of the Comprehensive Plan as a mixed use development along a priority corridor, the Planning Board found that the proposed map amendment was not sufficiently consistent with the City's Comprehensive Plan in a number of respects. First, the Planning Board concluded that the re-zoning did not adequately advance the City's goals of contextual development or serve to maintain and enhance the uniqueness of neighborhoods. Additionally, after hearing public comment, and after their own deliberations, the Planning Board expressed a concern that rezoning the proposed parcel to B-2b was not appropriate due to the higher intensity uses permitted in that zone being incompatible with the surrounding neighborhood and immediately adjacent residential properties. Though there are a range of scales and uses on Washington Avenue, the Board determined that B-1 was the more appropriate choice for this particular section of the street and would more effectively advance the objectives of the Comprehensive Plan. According to the Board, the B-1 zone is particularly well-suited to this property given the existing small businesses and clusters of intact residential housing along and abutting it, including East Cove Street, Walnut Street, and Sheridan Street. The Board also noted that both the B-1 and B-2b zones allow for high residential densities (435 square feet of lot area per dwelling unit) and have similar dimensional standards that encourage mixed-use development, but that the B-1 is written to encourage relatively smaller scale commercial development that is more compatible with nearby residential uses.

Several Board members also expressed concerns related to potential impacts associated with the change in permitted uses. In that B-2b allows uses that may have the potential for night time activity and concomitant light and noise. The

Board also noted that the majority of existing breweries and distilleries located along Washington Avenue are located east of Walnut Street on the blocks closer to Congress Street such that introducing B-2b uses to this portion of Washington Avenue would be out of context and, therefore, not consistent with the Comprehensive Plan's focus on "contextual development." Lastly the Board noted that the existing B-1 has resulted in recent development in the immediate area including a Bathhouse at 145 Washington Avenue and the conversion of an auto sales shop into a bicycle store at 155 Washington Avenue. Therefore, the Planning Board did not find the proposal necessary to foster growth or to make a compelling case for the change.

Though the Board was not in support of the application, it did acknowledge that the existing list of permitted uses in the B-1 zone may be too limited and expressed general support for allowing limited light-industrial uses, such as breweries up to a maximum square footage, and reiterated support for a future text amendment to the B-1 zone to facilitate the uses the applicant expressed needing at this location. The Board also noted the need for a more holistic evaluation of the zoning for the corridor as a whole as part of the ReCode process.

At the public hearing on April 13, 2021, the Planning Board voted (0-7) to find that the proposed zoning map amendment for 163 Washington Avenue, from the existing B-1 Neighborhood Business zone to the B-2b Community Business zone, was consistent with the Comprehensive Plan for the City of Portland. The Board therefore voted against the application and not to recommend the proposed map amendment to the City Council. The applicant has chosen to proceed to a City Council reading for the City Council's final decision on the zoning map amendment application.

## IX. ATTACHMENTS

### A. MEMO ATTACHMENT

### B. PUBLIC COMMENTS

|                              |            |
|------------------------------|------------|
| PC1 Christian MilNeil        | 04.02.2020 |
| PC2 Ron Gan                  | 02.25.2020 |
| PC2a Ron Gan                 | 09.02.2020 |
| PC3 Ramon and Ruby Anastacio | 09.14.2020 |
| PC4 Robert Morse             | 09.10.2020 |
| PC5 Mary Morse               | 09.15.2020 |
| PC5 a                        | 09.08.2020 |
| PC6 Page Nichols             | 10.14.2020 |
| PC7 Petition                 |            |
| PC8 Robert and Mary Morse    | 04.05.2021 |

### C. APPLICANT'S ATTACHMENTS

1. Check List
2. Project Description
3. Anne Torregossa 3.17.20 (Cover letter)  
C1. Anne Torregossa 4.10.20 (Cover letter)
4. Consistency with Comprehensive Plan  
D1. Comprehensive Plan Consistency
5. Deed p.1  
E1. Deed p.2

### D. PLANS

- Plan 1 163 Washington Ave Vicinity Map  
Plan 2 Vicinity Map

**CITY OF PORTLAND**  
**Planning & Urban Development Department**

| <b>MAP AMENDMENT<br/>SUBMISSION CHECKLIST</b><br>Please submit each document as a separate PDF file<br>Please confirm by electronically checking the boxes to the left |                                                                                                                                                                                                                                                                       |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>GENERAL APPLICATION DOCUMENTS</b>                                                                                                                                   |                                                                                                                                                                                                                                                                       |
| <input checked="" type="checkbox"/>                                                                                                                                    | <b>Project Description</b> <ul style="list-style-type: none"> <li>Cover Letter with detailed project description</li> </ul>                                                                                                                                           |
| <input checked="" type="checkbox"/>                                                                                                                                    | <b>Consistency with Comprehensive Plan</b> <ul style="list-style-type: none"> <li>Analysis of the consistency of the zone change request with the goals, policies and land use plan of Portland's Comprehensive Plan.</li> </ul>                                      |
| <input checked="" type="checkbox"/>                                                                                                                                    | <b>Completed Checklist – Map Amendment Application<br/>(this document)</b>                                                                                                                                                                                            |
| <input checked="" type="checkbox"/>                                                                                                                                    | <b>Right, Title and Interest</b> <ul style="list-style-type: none"> <li>Deeds, leases, or purchase and sales agreements</li> </ul>                                                                                                                                    |
| <b>PLANS</b>                                                                                                                                                           |                                                                                                                                                                                                                                                                       |
| <input checked="" type="checkbox"/>                                                                                                                                    | <b>Vicinity Map</b> <span style="margin-left: 20px;">NA.</span>                                                                                                                                                                                                       |
| <input checked="" type="checkbox"/>                                                                                                                                    | <b>Proposed Map Amendment</b> (please use the Portland zoning map as a reference)                                                                                                                                                                                     |
| <input checked="" type="checkbox"/>                                                                                                                                    | <b>Site Plan (if applicable)</b> <span style="margin-left: 20px;">NA</span><br>Provide a site plan of the property showing existing and proposed improvements, including such features as buildings, parking, driveways, walkways, landscape and property boundaries. |

NEWSCAPES, INC.  
163 Washington Ave.  
Portland, ME. 04101

November 22, 2019

Mayor and Members of the City Council

I am excited to apply for a map amendment from the B-1 zone to a B-2 zone. Shown on the included vicinity map, outlined in red. It includes sections of Washington Avenue and East Cove street.

Sincerely,

Jeffrey A. Curran



**THOMPSON, MACCOLL & BASS, LLC, P.A.**  
COUNSELORS AT LAW

EDWARD S. MacCOLL \*  
MARSHALL J. TINKLE \*  
JOHN R. BASS, II  
OF COUNSEL

\* ALSO ADMITTED IN NH & MA

15 MONUMENT SQUARE, 4<sup>th</sup> Floor  
P.O. BOX 447  
PORTLAND, MAINE 04112-0447  
TELEPHONE (207) 774-7600  
FACSIMILE (207) 772-1039

BENJAMIN THOMPSON  
(1857-1918)  
NATHAN W. THOMPSON  
(1895-1969)  
BENJAMIN THOMPSON  
(1921-2002)

March 17, 2020

*Via email*

Anne M. Torregrossa, Esq.  
Associate Corporation Council  
City of Portland  
389 Congress Street, Room 211  
Portland, Maine 04101

**RE: Newsclapes Brewing – Zone change application**

Dear Anne:

I am writing in response to your email of February 28, 2020. Although Newsclapes Brewing has previously addressed all of the City's inquiries in connection with its application for a zoning amendment in 2019 (I note that the application passed the completeness check on January 19, 2020), please consider this letter as Newsclapes' supplementation of its 2019 application and of its subsequent submissions to the City. The information you requested is as follows:

**1. Project Description:** The background to this application has previously been discussed at length. After obtaining all necessary state and federal permits and licenses, and after checking with the City's planning and zoning departments, Newsclapes began operating a brewery at 163 Washington Avenue, which is also the location of the residence of Newsclapes' principal, Jeffrey Curran, in early 2018. However, after applying for a tasting room license in February 2019, Newsclapes was advised by the City for the first time that its brewery was not permitted in the B-1 zone. City officials encouraged Newsclapes to apply for a zoning change in order to resolve the land use issue.

**Existing use:** In compliance with the City's instructions, the property has not been used as a brewery or for any other commercial purpose since early 2019. It

continues to be used as Mr. Curran's residence, as it has been for the past 17 years.

**Proposed use of property:** Newsapes proposes to use the property as a brewery, as it was used until early 2019, and also proposes adding a small tasting room. Traffic, parking, olfactory conditions and decibel levels are expected to be no different than in 2018. Newsapes previously had no issues with noise, smell, traffic or parking. The brewery was and will be entirely contained within the building. Startup of the brewery did not entail any new construction in 2018; and no remodeling is anticipated at this time. At some later date, there may be a possible addition of a deck with steps and picnic tables, as outlined on the site plan drawing attached hereto as Exhibit A (previously submitted in February 2019 to Christopher Beaumont, Life Safety Plan Reviewer). Newsapes uses a simple "home-brewing" procedure, involving no industrial equipment. This would be a small-scale, low-impact craft brewery. It would have no adverse impact on abutters or on the general neighborhood.

2. **Survey or Site Plan:** Drawings of the site (as previously submitted to the City) are attached hereto as Exhibit A. A map showing the locus of the proposed zone change, which was previously submitted as part of the application, is attached hereto as Exhibit B.

3. **Comprehensive Plan Consistency:** The proposed zoning map amendment is consistent with the comprehensive plan, applicable regulations, and the character of the surrounding neighborhood for the following reasons. The property is situated in a small block currently designated as "B-1," across from and nearly adjacent to a larger B-2b zone along inner Washington Avenue. The differences between the B-1 and B-2/B-2b zones are relatively minor. A variety of business uses are permitted in the B-1 zone, including beverage dealers, restaurants (with some restrictions), professional and business offices, business services, and retail establishments. The B-2/B-2b zones allow greater flexibility in business uses and specifically permit breweries, distilleries, bakeries and similar establishments.

The latest iteration of Portland's Comprehensive Plan notes with approval that new businesses are appearing on inner Washington Avenue. *See* Portland's Plan 2030 at 39. Applauding the City's entrepreneurial environment, the plan states: "Our food and maker

economies continue to thrive as we explore ways to grow our value-added industries *such as brewing* and distilling, seafood processing, farm-to-table restaurants, and other food producers....” *Id.* at 40. Challenges to face include “a scarcity of office, industrial, and commercial space to meet current demand.” *Id.* Hence, any zoning modification that facilitates brewery entrepreneurship in emerging commercial centers like Washington Avenue actively furthers the comprehensive plan. *See also id* at 39 (“Portland provides a welcoming environment for current and future employers and entrepreneurs both large and small” and its “commercial activity is dynamic and multi-nodal”), 40 (most critical element of City’s future “is tapping the nascent energy of current and future entrepreneurs”), 41 (core economic development focus areas included “growing the economy” and “supporting business”), 42 (manufacture of comestible and value-added products “are an increasingly important part of the local economy”), 43 (local goals include growing employment base and valuing and nurturing Portland-based businesses), 44 (future strategies include supporting and retaining local businesses and evaluating zoning to ensure that employment growth can be supported).

Please see also Newsclapes’ discussion of comprehensive plan compatibility in its initial application and in the letter of Jeffrey Curran to James J. Rather dated December 27, 2019.

**4. Neighborhood Meeting:** As noted in Mr. Curran’s email to the City dated January 21, 2020, he received an email from the planning department on January 19, 2020 indicating that developments requiring a neighborhood meeting consisted of (1) proposed map amendments that would result in major development, (2) subdivision of five or more units/lots, (3) master development plans, and (4) level III site plans. Because this zone change amendment does not involve a major development, it is our impression that a neighborhood meeting is not required. If this is not the case, please call me at your earliest convenience to discuss what steps need to be taken to hold a neighborhood meeting and why it is necessary.

Anne M. Torregrossa, Esq.  
March 17, 2020  
Page 4

You have also recommended that Newsclapes change its application to request a zone amendment to B-2b instead of B-2. Newsclapes will be happy to revise its request, as long as no additional fees are involved and its proposed use will not in any way be prejudiced. The brewery will not have a total floor area of 10,000 square feet or greater. Therefore, it appears that a brewery would be equally permissible in the B-2 and B-2b zones. If you disagree, please advise.

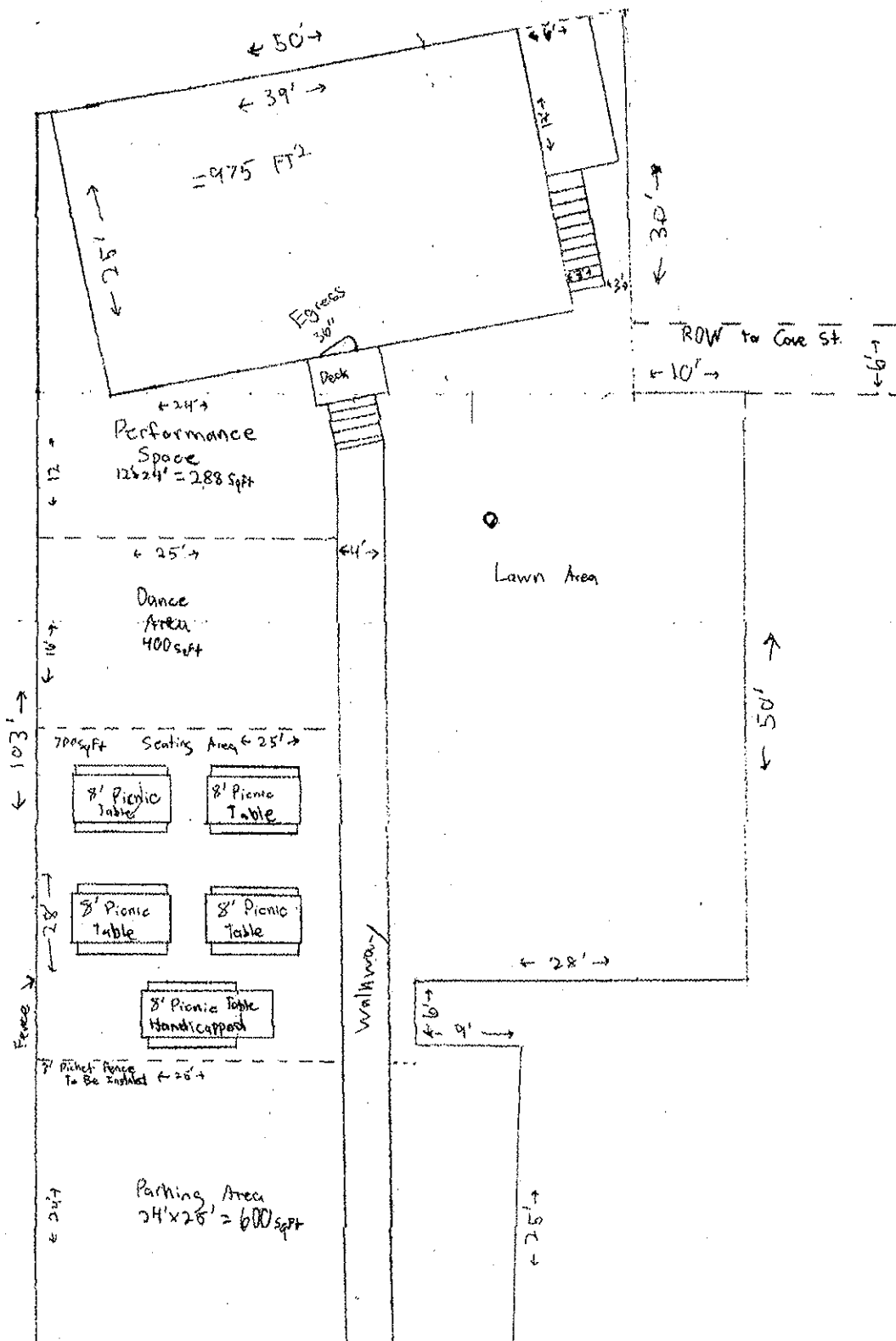
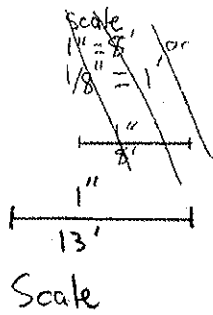
Please let me know if you have any questions or need any further information. Thank you for your consideration.

Sincerely,

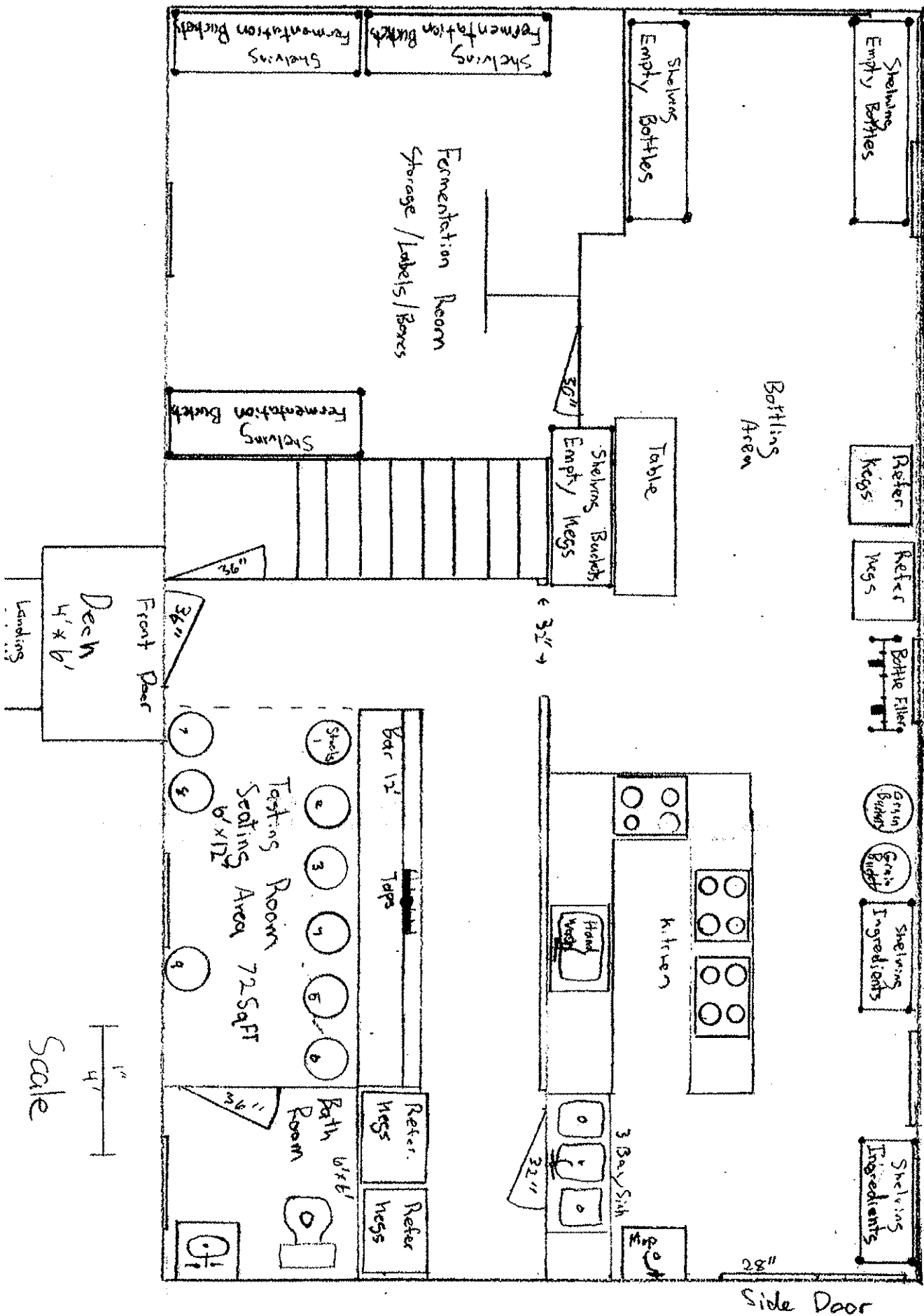


Marshall J. Tinkle (MBN 2833)

MJT/II  
cc: Jeffrey Curran



← 24' →



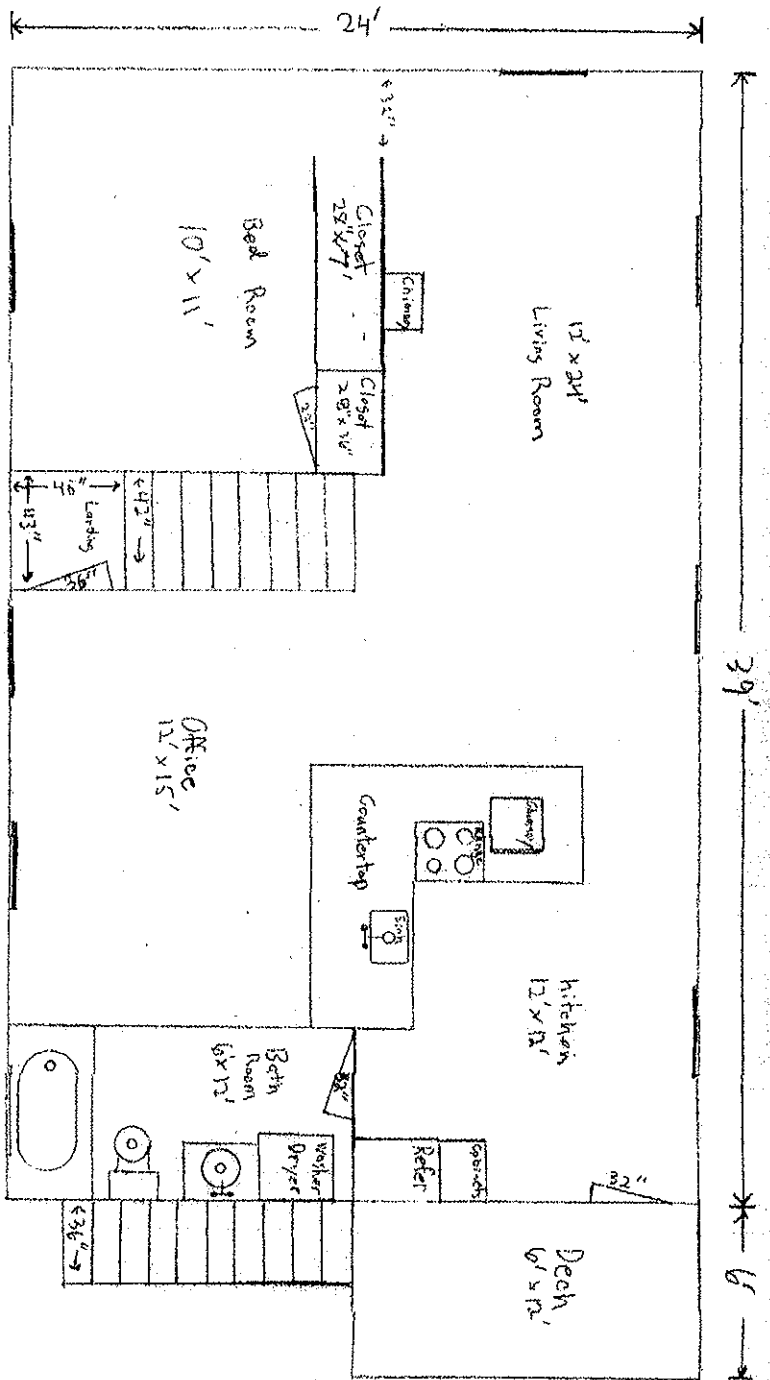


Exhibit C  
2nd Floor Plan

1. Occupancy is residential on the 2nd floor



Proposed  
B-2 Zone

B1

R6

E COLE ST

WHITMAN ST

HAMMOND ST

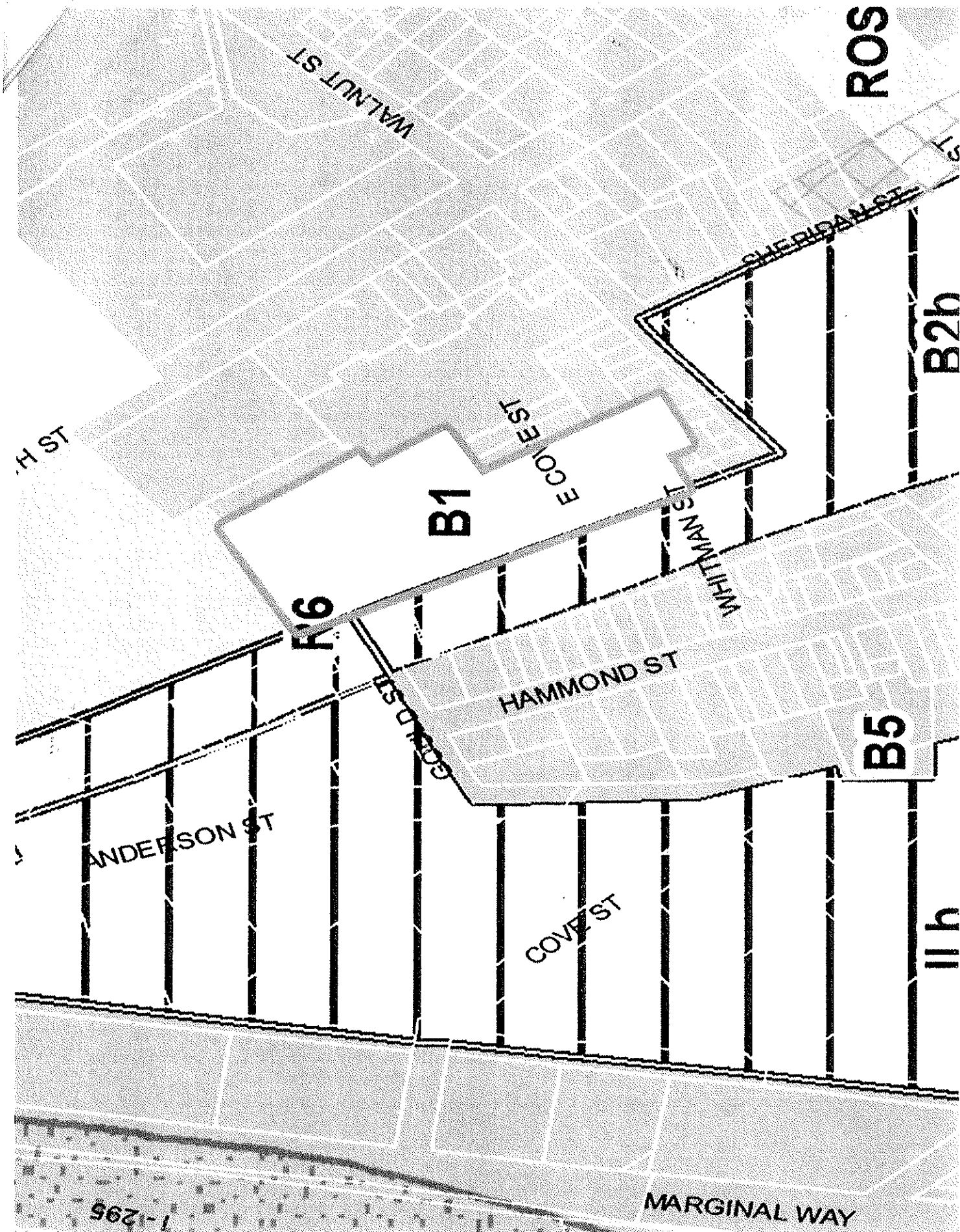
GOLD ST

PERSON ST

ROVE ST

100 200

Scale



**THOMPSON, MACCOLL & BASS, LLC, P.A.**  
COUNSELORS AT LAW

EDWARD S. MACCOLL \*  
MARSHALL J. TINKLE \*  
JOHN R. BASS, II  
OF COUNSEL

\* ALSO ADMITTED IN NH. & MA

15 MONUMENT SQUARE, 4<sup>th</sup> Floor  
P.O. BOX 447  
PORTLAND, MAINE 04112-0447

TELEPHONE (207) 774-7600  
FACSIMILE (207) 772-1039

BENJAMIN THOMPSON  
(1857-1918)  
NATHAN W. THOMPSON  
(1895-1969)  
BENJAMIN THOMPSON  
(1921-2002)

April 10, 2020  
*Via email*

Anne M. Torregrossa, Esq.  
Associate Corporation Council  
City of Portland  
389 Congress Street, Room 211  
Portland, Maine 04101

**RE: Newsclapes Brewing – Zone change application**

Dear Anne:

In response to your email of April 6, 2020, in which you requested a fuller description of the proposed use of the applicant's property should the rezoning be approved, I'm writing to further supplement Newsclapes Brewing's 2019 zone amendment application, its follow-up submissions to the City, and my letter to you dated March 17, 2020.

Newsclapes proposes to once again use the first floor of the building at 163 Washington Avenue as a small craft brewery. The physical set-up of the brewery will be as shown in the drawings attached to my letter of March 17<sup>th</sup>. The brewing equipment will consist of a residential stove, a five-gallon stainless-steel pot, a bucket and a keg. No commercial or industrial equipment will be utilized, and no alteration will be made to the building.

The beer or ale produced at the premises will be transported by motor vehicle to restaurants and stores for sale. The beverages will be transported by Newsclapes' employees, though Newsclapes may also work with a distributor. Newsclapes has reason to believe that a number of restaurants and stores are eager to purchase its products. There is an ever-growing demand in the Portland area for locally-crafted beers and ales; and Newsclapes can help fill that demand.



Anne M. Torregrossa, Esq.  
April 10, 2020  
Page 2

Additionally, Newsclapes wishes to use an existing room on the first floor of the building as a tasting room. No new construction will be required. The room will contain up to nine chairs or stools so that individual customers may order and sample Newsclapes' products within the building. A bathroom will be available on the same floor. Again, the layout is shown on the plans attached to my prior letter.

In the summer months, Newsclapes may add five picnic tables outside the building, so as to increase the total available seating, weather permitting, for forty or so (but fewer than fifty) customers. The layout of the outdoor seating, with a small performance space and dance area, is again shown on the plans attached to my March 17<sup>th</sup> letter.

Newsclapes will focus on serving the immediate community and will cater to foot traffic. To the extent parking is needed, it will have four paved parking spaces available on its premises, immediately off Washington Avenue and, should it ever become necessary, is prepared to make arrangements for additional parking. The proposed use will cause no measurable increase in traffic on this otherwise busy thoroughfare.

No odor from the brewing process will escape the building. No noises from the building will be audible outside the premises. To the extent outdoor seating is utilized, any noise will not be disruptive, in that the outdoor activities will be at least twenty-five feet from the street and even farther from any other buildings. All activity will be in keeping with the general character of inner Washington Avenue and environs.

I trust this information is sufficient for purposes of the current application. Newsclapes is anxious to move forward with its application, so please let me know immediately if you need anything further. You have indicated that a neighborhood meeting is necessary. Again, please let me know immediately if Newsclapes needs to take any further steps in order to schedule that meeting. I'll be happy to work with toward that end.

Thank you for your assistance.

Sincerely,



Marshall J. Tinkle (MBN 2833)

MJT/II  
cc: Jeffrey Curran

## Consistency with Comprehensive Plan

I believe my requested map amendment is consistent with the city comprehensive plan and Vision statement because of the following.

Future land-use adopts a focused approach to growth in target areas like Washington Avenue and others across the city. The future land-use section is organized around five key principles

1. One Portland: spreading the *benefits* and *challenges* of sustainable growth fairly across the community. I am a member of the community. And my company Newsclapes brewing deserves a fair chance at this *benefit* because I've had the *challenge* of paying property tax in excess of \$75,000 in the 15+ years I have resided here.

2. Complete neighborhoods: improving livability while retaining the key characteristics that make that neighborhood unique. My home is an old home and it is a very unique home and is very much part of this neighborhood it's been here for more than 100 years.

3. Reinforce the center: recognize that downtown Portland Maine remains a predominant focus of arts and culture, economic, and civil health. At times Portland downtown experiences an overwhelming amount of business some of which It cannot handle allowing for some of the surrounding business zones to fill the need. Newsclapes brewing would be another business that would help to accommodate the overflow of the center down town area. We would also embrace the local arts by working with a verity of local artists to showcase their work for Portland's first Friday art walks, as well as supporting the local musicians by recording high quality live recordings for them while they are being employed to entertain our patrons.

4. Support our waterfront; identify the waterfront as a resource central to the identity, economy, ecology, recreational life of Portland. And where do you think all the fishermen go when they get off the boat, to the bar to have a drink! Maybe they'll come to Newsclapes brewing. Also, I might serve a lobster role.

5. Connect the chain; connecting and strengthening our open space and transportation networks. Newsclapes brewing would be the second new business along with Portland Gear Hub to help rejuvenate this stretch of Washington Ave. which is a priority corridor identified in the city's comprehensive plan.

land-use planning will guide new growth to downtown, key nodes, and corridors.

Sincerely

Jeffrey A. Curran

Newsclapes Brewing

Jeffrey Curran  
163 Washington Avenue  
Portland, Maine 04101

Mr. James J. Rather, AICP  
Development Review Manager  
Planning & Urban Development Department  
389 Congress Street  
Portland, ME 04101

December 27, 2019

Re: 163 Washington Ave Zoning Map Amendment-Items Needed

Dear Mr. Rather

I am writing in response to your email correspondence to my attorney dated 12/23/19 seeing additional information concerning my zoning change application. Please accept this letter as my supplement to that application.

Currently I, Jeff Curran, do not have any plans for development of my property with the exception of a possible addition of a deck with new steps and some picnic tables (as outlined on February 2019 site plan drawings submitted to Christopher Beaumont, Life Safety Plan Reviewer and the CSS System).

The reason I'm requesting a map amendment is to allow my business Newsclapes Brewing, a small mom and pop craft beer brewery start-up, to continue operation as it did before the zoning issue surfaced. My brewery was 100% contained inside my property. It had no issues with noise, smell, traffic or parking; and to my knowledge met all zoning codes. The only employees were myself, my mother and my father. No structural changes to the building were made or need to be made to function as a brewery.

Before starting this brewery I asked the Zoning, Planning and Business Licensing Departments about all necessary licenses and permits required. I was informed by all three departments that what I was planning was acceptable and within the code. I assumed that the information given to me from all three departments was correct and accurate and I proceeded accordingly. I was confident there were no issues, and that if any issues arose I would be notified and we could work together to remedy the situation promptly. It appears now that I should have gotten all information in writing.

In regard to "Consistency with Comprehensive Plans" – I offer the following comments:

1. The comprehensive plan states that the code will embrace the entrepreneur and small businesses; that the zoning code will not remain stagnant and will allow for change for the individual to allow business models of all types.
2. The comprehensive plan states that it intends to develop priority corridors like my part of Washington Avenue. This was pointed out to me by Christine Grimando at the same meeting with her on December 31, 2018 when she brought out the comprehensive plan because I asked her if my plan to start a craft brewery there was consistent with what the planning department wanted to see. Christine pointed to the map that showed my stretch of Washington Ave. and it was highlighted as a "priority corridor" intended for development by the City.

3. Everything about my craft brewery business and my business model is consistent with what the city's comprehensive plan sets forth, and I see no conflicts with the comprehensive plan.

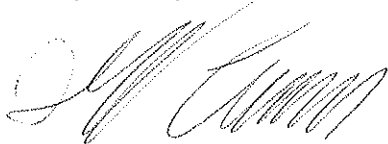
4. Per my discussion with Belinda Rae on May 9, 2019 in regards to this issue, she stated to me that she did check with the zoning dept. and was informed by them that this was consistent with what they are trying to accomplish in the next city-wide re-zoning. On May 16, 2019 I received an email from Belinda Ray where she stated that:

“Changing the small section of B-1, where you are located, is something that appears to be possible during this process. That's good news for you in terms of the fee. However, the re-code process would take a significant amount of time and there is no guarantee as to exactly when this change could take place. I would guess it could happen in the next year to 18-months.”

I am simply trying to get this done now because I was ordered to stop my business after I was allowed to start and operate for an entire year. This interruption has cost me several thousands of dollars in revenue, not to mention financial and emotional hardship. There were no complaints during the year I operated as a brewery – which I believe is further evidence that a change to explicitly allow such use would be consistent with the comprehensive plan.

In closing I look forward to hearing back from you regarding the advancement of my application. I would like to start operating again as soon as possible.

Thank you for your time,

A handwritten signature in black ink, appearing to read 'Jeffrey Curran', with a stylized, cursive script.

Jeffrey Curran

Cc: Marshall J. Tinkle, Esq



Order No: 1066258 (25-0792MCJS)

## EXHIBIT 'A'

A certain lot or parcel of land situated on the easterly side of Washington Avenue, in Portland, County of Cumberland and State of Maine. Said lot being thirty (30) feet on said avenue and extending back at right angles to said avenue a distance of eighty (80) feet; being lot numbered six (6) on a Plan of Lots made for William H. Baxter by Anderson and Bonnell & Company and recorded in the Cumberland County Registry of Deeds in Plan Book 2, Page 54.

Also another parcel of land, with the buildings thereon, situated in the rear of Cove Street in said Portland, bounded and described as follows: Beginning at a stake standing forty (40) feet from the northerly side line of said Cove Street and on the westerly line of lot numbered eight (8) as shown on the Plan of W.H. Baxter, recorded in said Registry of Deeds for Cumberland County in Book 2, Page 54; thence running northerly on the line of said lot numbered eight (8), fifty (50) feet to a stake and to the rear line of said lot numbered eight (8); thence easterly twenty-three (23) feet; thence southerly about fifty (50) feet to a stake; thence westerly about thirty (30) feet to first bounds.

Also the privilege of a passageway in common on the most westerly side of said lot numbered eight (8), six (6) feet in width to said Cove Street, being the rear part of said lot numbered right (8) with a passageway thereto over the front part of said lot.

Also another parcel of land being shown as lot numbered five (5) on a Plan made by Anderson, Bonnell & Co. for William H. Baxter, recorded in the Cumberland County Registry of Deeds in Plan Book 2, Page 54 and bounded and described as follows:

Commencing at a point thirty feet (30) north of the point formed by the northerly line of Cove Street and the easterly line of Washington Avenue, thence running northerly by said Washington Avenue thirty (30) feet and from these two points running easterly at right angles with said Washington Avenue, eighty (80) feet, holding the width of thirty (30) feet, the entire length of said lot, meaning and intending to convey the said parcel as set out in the deed from Thomas A. McDonough recorded in Cumberland Registry of Deeds in Book 1177, Page 153.

Excepting from this conveyance a certain lot or parcel of land as described in a deed from Carmela Thurston and Gaitana Puopolo to Thomas V. King dated August 10, 1987 recorded in the Cumberland County Registry of Deeds in Book 7919, Page 284.

Also conveying a certain lot or parcel of land, with any buildings there, situated in the City of Portland, County of Cumberland and State of Maine and being more particularly bounded and described as follows:

Beginning at an iron pipe found located on the easterly sideline of Washington Avenue and the northwestern corner of Lot 6 as shown on a certain Plan of Property of W.H.. Baxter, Esq., of Portland, Maine dated July 1866 by Anderson Bonnell & Co. recorded in the Cumberland County Registry of Deeds, Plan Book 2, Page 54; thence S 1° 55' 30" E a distance of forty (40) feet to an 5/8 rebar with survey cap #2133 located along said easterly sideline of Washington Avenue; thence N 88° 4' 30" E a distance of twenty-five (25) feet to a 318 rebar with survey cap #2133 set in the ground; thence North a distance of forty (40) feet parallel to the first course; thence West a distance of twenty-five (25) feet parallel to the second course, to the point of beginning.

Also hereby conveying all rights, casements, privileges and appurtenances, belonging to the premises hereinabove described.

Being the same premises conveyed to Jeffrey A Curran by deed of Michael Ogastino recorded on August 31, 2004 in the Cumberland County Registry of Deeds as Book 21726, Page 121.

Jeffrey Curran  
163 Washington Ave  
Portland, ME 04101

I, Jeffrey Curran, hereby certify that a neighborhood meeting was conducted on December 10, 2020, remotely via Zoom, at 6:00 p.m. for the proposed brewery and tasting room located at 163 Washington Avenue.

I also certify that on 11/25, 2020, invitations were mailed to the following:

1. All addresses on the mailing list provided by the Planning Division which included property owners within 500 feet of the proposed development or within 1000 feet of a subdivision within an industrial or industrial zone change.
2. Residents on the "interested parties" list.

Signed,

Jeffrey Curran

Date: 1/19/2021

Attached to this certification are:

1. Copy of the invitation sent
2. Sign-in sheet
3. Meeting minutes

Jeffrey Curran  
163 Washington Ave  
Portland, ME 04101

November \_\_\_\_, 2020

Dear Neighbor:

Please join us for a neighborhood meeting to discuss plans for a small brewery and tasting room located at 163 Washington Avenue, Portland. We are seeking either a map amendment or text amendment to specifically permit a small brewery in this zone.

**Meeting Location: Online via Zoom platform**

**Date: December 10, 2020**

**Time: 6:00 p.m.**

(The City code requires that property owners within 500 feet (1000 feet for proposed industrial subdivisions and industrial zone changes) of the proposed development and residents on an "interested parties list", be invited to participate in a neighborhood meeting. A sign-in sheet will be circulated and minutes of the meeting will be taken. Both the sign-in sheet and minutes will be submitted to the Planning Board.)

Due to COVID-19, the neighborhood meeting will be conducted remotely using Zoom as its platform. A sign-in sheet will be filled out using Zoom's chat feature. If you would like to join this meeting, please contact me at (207) 419-9933 or via email at: [newscaresbrewing@gmail.com](mailto:newscaresbrewing@gmail.com) for the direct zoom link information.

If you have any questions, please call Marshall J. Tinkle, Esq. at 207-774-7600.

Sincerely,

Jeffrey Curran

Note:

Under Section 14-32(C) and 14-524(a)d of the City Code of Ordinances, an applicant for a Level III development, subdivision of over five lots/units, or zone change is required to hold a neighborhood meeting within 30 days of submitting a preliminary applications or 21 days of submitting a final site plan applications, if a preliminary plan was not submitted. The neighborhood meeting must be held at least seven days prior to the Planning Board public hearing on the proposal. Should you wish to offer additional comments on this proposed development, you may contacts the Planning Division at 874-8721 or send written correspondence to the Planning and Urban Development Department, Planning Division, 4<sup>th</sup> Floor, 389 Congress Street Portland, ME 04101 or by email: to [bab@portlandmaine.gov](mailto:bab@portlandmaine.gov)

Attendants:

Thomas Bloom, Sarah Coburn, Carolyn Treat, Patricia Flynn, Leslie Hart, Robert Morse, Jehuda Reinharz, Terry Robins, Brendan O'Neil, Chad Robertson, Peter Bloom, Page Nichols, Patty Walton, Jeff Curran, and Marshall Tinkle.

Minutes of meeting: The meeting was called to order at approximately 6:05 pm. Initially, Marshall Tinkle and Jeff Curran outlined the plans for the project and explained that at that point Jeff was seeking either a text amendment or a map amendment to allow breweries in his zone. It was then opened up to questions. Several questions were posed about potential plans for outdoor seating and musical entertainment and how much noise would be generated, particularly at night. It was explained that no entertainment license had been applied for or was contemplated in the near future; that it was contemplated that the establishment would not stay open much past 8 pm; that Jeff had obtained a restaurant license with the ability to serve liquor so that the only thing new if the current application were granted was that he could brew beer on the premises, which would not create any noise or other inconvenience; and that even if part of the operation was moved outdoors in the summer, the noise level would not be any greater than the noise currently existing in the neighborhood. A couple of attendees expressed the view that they were opposed to the operation of any new businesses in the vicinity. After those in attendance had run out of questions, the meeting concluded at about 7:10 pm. A couple of participants remarked that the meeting was very civil compared with other neighborhood meetings.



Shukria Wiar &lt;shukriaw@portlandmaine.gov&gt;

---

**163 Washington Ave.**

---

**Marshall Tinkle** <mtinkle@thomport.com>

Tue, Dec 15, 2020 at 4:26 PM

To: "jrather@portlandmaine.gov" <jrather@portlandmaine.gov>, Shukria Wiar <shukriaw@portlandmaine.gov>  
Cc: Jeff Curran <newscapes@msn.com>

Hi James and Shukria,

Following up on our discussion yesterday and by way of reporting on the neighborhood meeting held on Dec. 10, 2020, below is a list of participants:

Thomas Bloom, Sarah Coburn, Carolyn Treat, Patricia Flynn, Leslie Hart, Robert Morse, Jehuda Reinharz, Terry Robins, Brendan O'Neil, Chad Robertson, Peter Bloom, Page Nichols, Patty Walton, Jeff Curran, and Marshall Tinkle.

Summary of meeting: The meeting was called to order at approximately 6:05 pm. Initially, Marshall Tinkle and Jeff Curran outlined the plans for the project and explained that at that point Jeff was seeking either a text amendment or a map amendment to allow breweries in his zone. It was then opened up to questions. Several questions were posed about potential plans for outdoor seating and musical entertainment and how much noise would be generated, particularly at night. It was explained that no entertainment license had been applied for or was contemplated in the near future; that it was contemplated that the establishment would not stay open much past 8 pm; that Jeff had obtained a restaurant license with the ability to serve liquor so that the only thing new if the current application were granted was that he could brew beer on the premises, which would not create any noise or other inconvenience; and that even if part of the operation was moved outdoors in the summer, the noise level would not be any greater than the noise currently existing in the neighborhood. A couple of attendees expressed the view that they were opposed to the operation of any new businesses in the vicinity. After those in attendance had run out of questions, the meeting concluded at about 7:10 pm. A couple of participants remarked that the meeting was very civil compared with other neighborhood meetings.

Please let me know if you have any questions.

Regards,

Marshall

Marshall J. Tinkle, Esq.

THOMPSON, MACCOLL & BASS, LLC, P.A.

15 Monument Square, 4<sup>th</sup> Floor

PO Box 447

Portland ME 04112

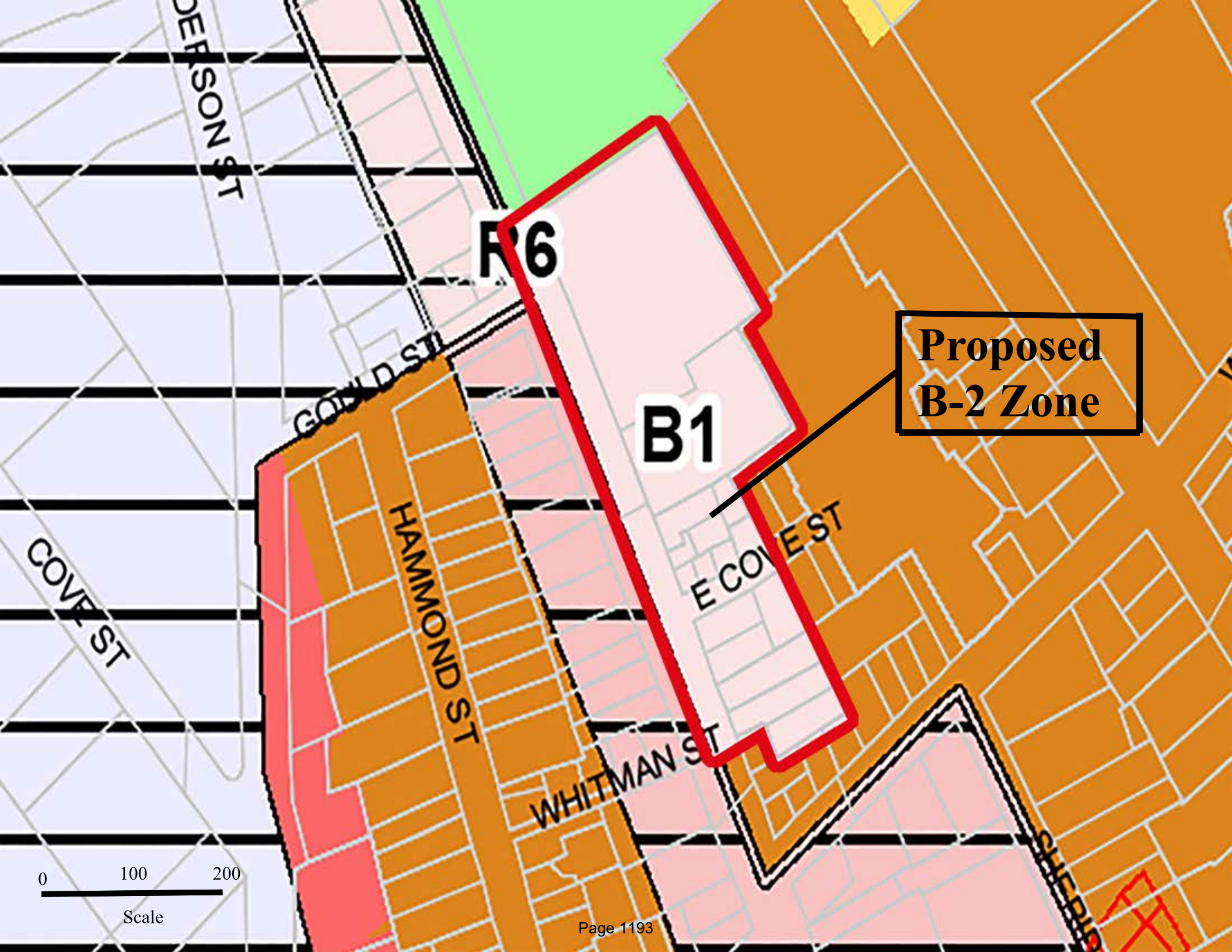
Main: (207) 774-7600

Direct: (207) 619-6270

Fax: (207) 772-1039

[mtinkle@thomport.com](mailto:mtinkle@thomport.com)





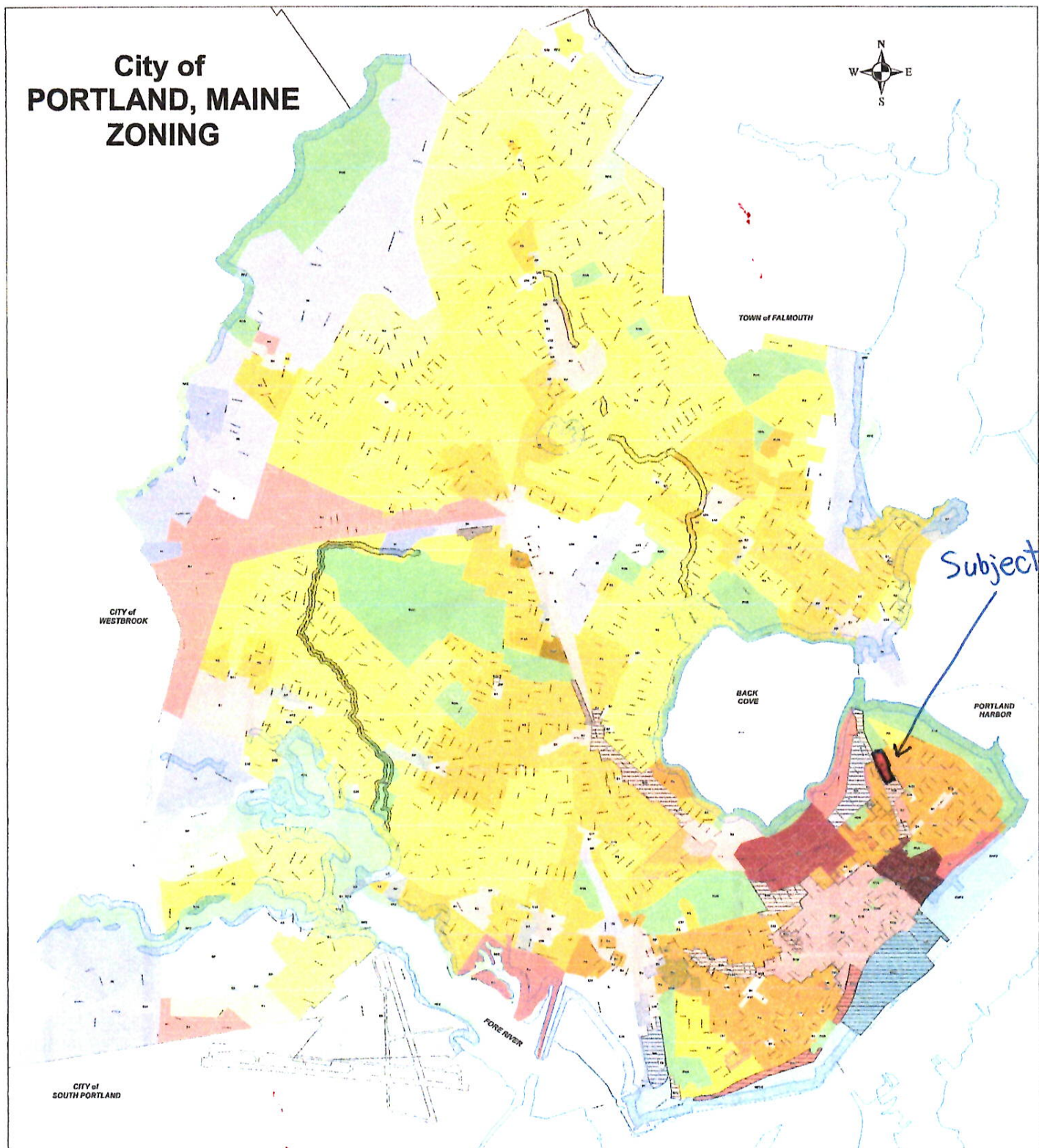
**R6**

**B1**

**Proposed  
B-2 Zone**

0 100 200  
Scale





Subject

|                              |                                   |
|------------------------------|-----------------------------------|
| IR-1 Island Residential      | B3* Downtown Business             |
| IR-2 Island Residential      | B3a Downtown Business             |
| IR-3 Island Residential      | B4 Commercial Business            |
| I-B Island Business          | B5 Urban Commercial Business      |
| I-TS Island Transfer Station | B5a Urban Commercial Business     |
| R1 Residential               | B6 Urban Commercial Business      |
| R2 Residential               | B7 Urban Commercial Business      |
| R3 Residential               | B5-FDC Indo St Farm Based         |
| R4 Residential               | I- Industrial - Low Impact        |
| R5 Residential               | I-B Industrial - Low Impact       |
| R-6A Residential             | I- Industrial - Moderate Impact   |
| R6 Residential               | I-BB Industrial - Moderate Impact |
| R-6A Residential             | I- Industrial - High Impact       |
| RSP Residential Professional | RPZ Resource Protection           |
| AP Airport Business          | RQZ Recreation Open Space         |
| OP Office Park               | WPZ2 Whitefront                   |

| №  | Имя                   | Возраст | Специальность    |
|----|-----------------------|---------|------------------|
| 1  | Александров Александр | 25 лет  | Инженер-механик  |
| 2  | Богданов Алексей      | 30 лет  | Инженер-электрик |
| 3  | Васильев Сергей       | 28 лет  | Инженер-механик  |
| 4  | Григорьев Дмитрий     | 35 лет  | Инженер-электрик |
| 5  | Иванов Алексей        | 22 лет  | Инженер-механик  |
| 6  | Климов Алексей        | 32 лет  | Инженер-электрик |
| 7  | Кузнецов Алексей      | 27 лет  | Инженер-механик  |
| 8  | Левченко Алексей      | 33 лет  | Инженер-электрик |
| 9  | Михайлов Алексей      | 29 лет  | Инженер-механик  |
| 10 | Новиков Алексей       | 31 лет  | Инженер-электрик |
| 11 | Осипов Алексей        | 26 лет  | Инженер-механик  |
| 12 | Петров Алексей        | 34 лет  | Инженер-электрик |
| 13 | Романов Алексей       | 24 лет  | Инженер-механик  |
| 14 | Сидоров Алексей       | 36 лет  | Инженер-электрик |
| 15 | Смирнов Алексей       | 23 лет  | Инженер-механик  |
| 16 | Ткачев Алексей        | 37 лет  | Инженер-электрик |
| 17 | Федотов Алексей       | 21 лет  | Инженер-механик  |
| 18 | Филиппов Алексей      | 38 лет  | Инженер-электрик |
| 19 | Харченко Алексей      | 20 лет  | Инженер-механик  |
| 20 | Хохлов Алексей        | 39 лет  | Инженер-электрик |
| 21 | Цыганов Алексей       | 19 лет  | Инженер-механик  |
| 22 | Чайков Алексей        | 40 лет  | Инженер-электрик |
| 23 | Шевченко Алексей      | 18 лет  | Инженер-механик  |
| 24 | Шенников Алексей      | 41 лет  | Инженер-электрик |
| 25 | Ширин Алексей         | 17 лет  | Инженер-механик  |
| 26 | Шутов Алексей         | 42 лет  | Инженер-электрик |
| 27 | Щеглов Алексей        | 16 лет  | Инженер-механик  |
| 28 | Щербинин Алексей      | 43 лет  | Инженер-электрик |
| 29 | Щербинин Алексей      | 15 лет  | Инженер-механик  |
| 30 | Щербинин Алексей      | 44 лет  | Инженер-электрик |
| 31 | Щербинин Алексей      | 14 лет  | Инженер-механик  |
| 32 | Щербинин Алексей      | 45 лет  | Инженер-электрик |
| 33 | Щербинин Алексей      | 13 лет  | Инженер-механик  |
| 34 | Щербинин Алексей      | 46 лет  | Инженер-электрик |
| 35 | Щербинин Алексей      | 12 лет  | Инженер-механик  |
| 36 | Щербинин Алексей      | 47 лет  | Инженер-электрик |
| 37 | Щербинин Алексей      | 11 лет  | Инженер-механик  |
| 38 | Щербинин Алексей      | 48 лет  | Инженер-электрик |
| 39 | Щербинин Алексей      | 10 лет  | Инженер-механик  |
| 40 | Щербинин Алексей      | 49 лет  | Инженер-электрик |
| 41 | Щербинин Алексей      | 9 лет   | Инженер-механик  |
| 42 | Щербинин Алексей      | 50 лет  | Инженер-электрик |
| 43 | Щербинин Алексей      | 8 лет   | Инженер-механик  |
| 44 | Щербинин Алексей      | 51 лет  | Инженер-электрик |
| 45 | Щербинин Алексей      | 7 лет   | Инженер-механик  |
| 46 | Щербинин Алексей      | 52 лет  | Инженер-электрик |
| 47 | Щербинин Алексей      | 6 лет   | Инженер-механик  |
| 48 | Щербинин Алексей      | 53 лет  | Инженер-электрик |
| 49 | Щербинин Алексей      | 5 лет   | Инженер-механик  |
| 50 | Щербинин Алексей      | 54 лет  | Инженер-электрик |
| 51 | Щербинин Алексей      | 4 лет   | Инженер-механик  |
| 52 | Щербинин Алексей      | 55 лет  | Инженер-электрик |
| 53 | Щербинин Алексей      | 3 лет   | Инженер-механик  |
| 54 | Щербинин Алексей      | 56 лет  | Инженер-электрик |
| 55 | Щербинин Алексей      | 2 лет   | Инженер-механик  |
| 56 | Щербинин Алексей      | 57 лет  | Инженер-электрик |
| 57 | Щербинин Алексей      | 1 год   | Инженер-механик  |
| 58 | Щербинин Алексей      | 58 лет  | Инженер-электрик |
| 59 | Щербинин Алексей      | 0 лет   | Инженер-механик  |
| 60 | Щербинин Алексей      | 59 лет  | Инженер-электрик |
| 61 | Щербинин Алексей      | -1 год  | Инженер-механик  |
| 62 | Щербинин Алексей      | 60 лет  | Инженер-электрик |
| 63 | Щербинин Алексей      | -2 года | Инженер-механик  |
| 64 | Щербинин Алексей      | 61 лет  | Инженер-электрик |
| 65 | Щербинин Алексей      | -3 года | Инженер-механик  |
| 66 | Щербинин Алексей      | 62 лет  | Инженер-электрик |
| 67 | Щербинин Алексей      | -4 года | Инженер-механик  |
| 68 | Щербинин Алексей      | 63 лет  | Инженер-электрик |
| 69 | Щербинин Алексей      | -5 лет  | Инженер-механик  |
| 70 | Щербинин Алексей      | 64 лет  | Инженер-электрик |
| 71 | Щербинин Алексей      | -6 лет  | Инженер-механик  |
| 72 | Щербинин Алексей      | 65 лет  | Инженер-электрик |
| 73 | Щербинин Алексей      | -7 лет  | Инженер-механик  |
| 74 | Щербинин Алексей      | 66 лет  | Инженер-электрик |
| 75 | Щербинин Алексей      | -8 лет  | Инженер-механик  |
| 76 | Щербинин Алексей      | 67 лет  | Инженер-электрик |
| 77 | Щербинин Алексей      | -9 лет  | Инженер-механик  |
| 78 | Щербинин Алексей      | 68 лет  | Инженер-электрик |
| 79 | Щербинин Алексей      | -10 лет | Инженер-механик  |
| 80 | Щербинин Алексей      | 69 лет  | Инженер-электрик |
| 81 | Щербинин Алексей      | -11 лет | Инженер-механик  |
| 82 | Щербинин Алексей      | 70 лет  | Инженер-электрик |
| 83 |                       |         |                  |

 Shoreland Zoning  
 Stream Protection District  
 Downstream Entertainment (DEEZ)  
 MDAQ RDZ  
 Murrey Hill Neighborhood Conservation Overlay District  
 Residential (R-6)  
 Residential (R-7)  
 University of Southern Maine (USM)  
 Waynflete Cove Subdistrict  
 Westbrook Urban Subdistrict

The depiction of the Shoreland Zoning and the Stream Protection Districts are illustrative of the general location of such zones. The actual boundaries of these zones shall be determined by the measurement of the distance indicated on the maps from the normal high water line of the water body or the upland edges of the wetland vegetation. Where the measurement is not the same as the location of the boundary on the zoning maps, the measurement shall control, unless the zoning map indicates that the zoning boundary shall follow an existing property line.

The information contained on this map is compiled from past zoning maps, City Council orders and other documentation as depicted on the Map Summary of Zoning Documentation map on file in Portland's City Engineer's Archives Vault presently located at 212 Conco Rd and at the Department of Planning and Development located at 389 Congress Street.

**Adopted by Portland City Council  
January 17, 2001  
Effective February 17, 2001  
Last revised February 12, 2019**

This Zoning Map of the City of Portland, Maine is provided for informational purposes only.

The current official zoning map is on file and available for reference in the Department of Planning and Development 874-8703.



Shukria Wiar &lt;shukriaw@portlandmaine.gov&gt;

---

**Washington Ave. rezoning proposal (ZN-000540-2019)**

1 message

**Christian MilNeil** <c.neal.milneil@gmail.com>

Tue, Feb 4, 2020 at 2:42 PM

To: "Shukria Wiar (shukriaw@portlandmaine.gov)" &lt;shukriaw@portlandmaine.gov&gt;

Hi Shukria,

Can you give me any information about why the landowner is seeking a rezoning of 163 Washington Ave? I'm mostly curious about why a B2b zone – which would be more consistent with the rest of the street – isn't being pursued?

My chief concern with the B2 zone is that it could legalize an auto-oriented, strip-mall type of development, which is inappropriate for the site and a poor use for a transit-accessible parcel next to a school and the Eastern Prom. I'd be wholly supportive of a taller mixed-use building here, on the other hand.

Can you also fill me in on whether the B2 zone still allows drive-through businesses (like banks and fast food restaurants)? I seem to recall there being some conversation about ending those uses for the B2 zone.

Thanks!

Christian MilNeil

-----  
[double u double u double u dot christianmilneil dot com](mailto:double u double u double u dot christianmilneil dot com)



September 1, 2020

Brandon Mazer Planning Board Chair  
 Planning Board Members  
 Christine Grimando Planning Director  
 Nell Donaldson

Dear Staff and Board

We have upon us an opportunity to finally do something positive regarding zoning.

On Sept 8<sup>th</sup> you will be hosting a workshop for a spot zone on Washington from B1b to B2b. Just a few weeks ago you did a spot zone on Congress, now there are a number of new proposals that are requesting spot zoning changes or contract zoning. We are right back to where we were 10 years ago.

If I am elected my goal is to change the re-code process. I believe that we should put our energies in areas that are primed for growth and where that growth is welcomed by property owners. I think we should focus on fixing the zoning in 5 neighborhoods: Inner Washington Ave, East Bayside, Riverside, Forest Ave and Warren Ave.

These areas are virtually indistinguishable from each other and the three beer areas are where we have the most available land for expansion.

We already have the template which is the B5 Urban Commercial Mixed Use Zone. This zone encourages a mixture of all forms of uses whether it be industrial, commercial or residential.

Think about this; one side of the bayside trail is B5 in which we can do anything we want, no setbacks, reduced parking, no limits on residential units, in essence everything that the comprehensive plan is talking about. Perhaps a 6 story building with Uhaul as the anchor tenant.

The other side of the trail which is where we have substantial vacant land, buildings perfectly suited for building up on and a thriving beer and beverage scene, the city is intent on keeping the area fallow. How does keeping land or buildings vacant create economic development?

It's time now for Portland to progress and recognize where our current economic development lies. While most people think food is what drives Portland it is actually

202 WASHINGTON AVE. PORTLAND, ME 04101 - (207) 233-3753

ITSTIMEPORTLAND.COM - ITSTIMEPORTLAND@GMAIL.COM



**Ron Gan**

CANDIDATE FOR AT-LARGE  
PORTLAND CITY COUNCILOR

our Beer industry. Allagash is the 7<sup>th</sup> largest tourist attraction in the state, drawing over 150,000 people to their tasting room annually. To put that in a perspective, only fast food restaurants draw more. There is not a single restaurant in Portland that draws that many people. AND YET, devoid of all common sense and without any actual knowledge of the area, the city of Portland continues to try and drive home the narrative that we need to keep retail, restaurants and housing out of our best economic areas.

I have spoken with quite a few of my neighbors on Washington, East Bayside and Riverside and without question there is support for this type of change.

We are at the intersection of chaos and chaos and this is no time to keep the lid on development in these areas because someone in some department thinks there is going to be a resurgence of industrial users who wish to relocate to Portland.

East Bayside, Washington Ave and Riverside are the most natural areas for expansion for a wide variety of housing and industry. The future lies with millennials and boomers and they all want some type of cool living.

I have given a number of tours around East Bayside and it doesn't take even a lay person but 15 minutes to ask the question, why does the city resist development in this area. No changes to our land use code can be made without walking our neighborhoods. It cannot be done using maps or embracing old narratives.

I have spoken with Christine and Nell and they have agreed to do a walk around East Bayside so they can better understand what is going on and I am extending that same invitation to all members of the planning board.

Respectfully,  
Ronald Gan  
Candidate At Large City Council

202 WASHINGTON AVE. PORTLAND, ME 04101 - (207) 233-3753

ITSTIMEPORTLAND.COM - ITSTIMEPORTLAND@GMAIL.COM



Portland Maine Planning Board  
Re: 163 Washington, Map Amendment

Dear Planning Board Members,

An application for a map amendment for 163 Washington will soon come before the board. This amendment is to change the zone for this one piece of property from B1b to B2b.

The majority of Washington Avenue is already zoned either B2b or B4. Washington is one of the main arteries into Portland and the current level of development indicates that this strip has become more of a destination than a local shopping street. The B1b zone which is designed to be a neighborhood business district, is more suited to smaller locations like Stevens Ave near Deering High School.

The majority of the open land for development lies between Tukeys Bridge and Walnut Street and most of that land is zoned B1b. The B1b zone does not provide the flexibility needed for future growth in that it limits uses above the ground level to residential only.

I support this idea for a number of reasons not the least is that I own 202 Washington and would also like to be included in this re-zoning.

A 40 unit market rate condo building is going up next to me at 218 Washington. As the abutter I would like to have the flexibility to develop a project that compliments not necessarily competes with my neighbors.

I am currently developing a 40 unit workforce project for that location, with a restaurant on the ground level, 4 floors of workforce housing and two floors of market rate. This cannot be accomplished in the B1b as the density bonus in height is limited to 15' as opposed to 25' in the B2b.

I think this is an opportune time to not just fix the zoning on Washington, but to examine the entirety of the B2b and make any necessary changes that will enhance and promote development in those zones. From a zoning point of view, this is one of the lowest hanging fruits we have and the easiest to accomplish.

Respectfully,

Ronald Gan

**Jeffery Curran, Newsclapes, Inc.**

---

**ruby anastacio** <rubyanastacio2001@yahoo.com>

Sep 14, 2020 10:30 PM

Posted in group: **Planning and Urban Development**

Hello Shukria Wiar,

We, Ramon and Ruby Anastacio - neighbors of Jeffery Curran, are living at 159 Washington. We know that he would like to operate a brewery in his property at 163 Washington Ave. We are supporting Jeffery in his business. Please give him an opportunity.

Thank you,

Ramon and Ruby Anastacio

**Fw: 163 Washington Street****Robert Morse** <rmorse52@yahoo.com>

Sep 10, 2020 12:47 PM

Posted in group: **Planning Board**

Planning Board, Belinda Ray:

Please consider the items noted below:

1. It occurs to me that the issues surrounding the 163 Washington Street zoning change initially appear complex, but are actually quite simple. Review the other permitted uses allowed by B2 zoning. It's not even remotely appropriate to consider B2 zoning for an urban residential neighborhood under this proposal. There is a reason the B1 designation was originally assigned - it is far more appropriate for the area and lot.
2. 163 Washington is bordered on three sides by residential housing. The housing on East Cove Street would literally sit 10 feet from a late night music venue accommodating up to 50 people. Residential housing is situated across the street and the 29 unit condo complex at Munjoy Heights is a mere 40 feet away. A grade between 163 Washington and Munjoy Heights will not resolve the issues.
3. It defies logic to even suggest that an outdoor music venue allowed to continue well into the night will not completely disrupt the neighborhood. You are literally allowing outdoor music and groups of up to 50 people to be dropped into a residential neighborhood. Would you allow this sort of zoning next to where you live?
4. Once B2 is granted, what's next? Of course Washington Street reasonably supports a number of businesses. Business development is needed and should be encouraged. The suggested B2 re-zoning here is not appropriate for this site.
5. I do not understand some of the comments to expand the B2 designation where it is now B1 and R6. Take a minute to think about the proposal, a live, late-night, music venue next to numerous residential units. This area is heavily residential as Munjoy Hill residences dominate this end of Washington Ave. Also, this change is (arguably) permanent.
6. Parking and people walking up East Cove street and through the Munjoy Hill property is also an issue. There is an easement through Munjoy Heights to the Eastern Promenade. Where will people go at 11 p.m.?
7. Please be clear that allowing a change from B1 to B2 is significant. That is why the Applicant wants it. Outdoor music and the drinking of alcohol is a significant escalation in usage. It seems to me to also be a mistake to treat all of Washington Ave. as having the exact same issues. The Master Plan must reflect and recognize the disparities.

All in all, this does not seem to be an overly complicated issue. Please do not allow this change.

Thank you for your time.

Robert Morse, 208 Sheridan St.



**163 Washington Ave**

mary morse &lt;mrs1359@outlook.com&gt;

Posted in group: **Planning Board**

September 15, 2020

To Whom It May Concern:

My husband and I attended the Zoom Workshop for 163 Washington Ave. on 9/8/2020. We live at 208 Sheridan Street at Munjoy Heights.

Mr. Curran wants to reopen his brewery that has some indoor seating for tasting (was closed because it was not allowed in his current B1 zone). He is re-changed to a B2b zone that will permit this. Additionally, he plans to add a deck and outdoor tables for about 50 people as well as a performance space. Portland Brew Pub.

He maintains that all his neighbors on East Cove Street are "happy" for him and that he's received no negative feedback. He also stated that they all would be B2 as well. Oddly enough no East Cove Street residents spoke up if they were at the meeting nor did he have anything in writing to support this. We sent a letter to the city and found this not to be entirely true.

He also has another parcel with buildings at the back of Cove Street which are R6. I have been unable to determine which these are. I have emailed Shu-mei a plot plan. She offered to meet this coming week to answer questions which we appreciate and will do.

During the meeting 2 members seemed to have more reservations about the noise and effect on the neighborhood. They were David Austin and Maggie. They were better areas to put a brew pub'. Curiously enough, any critical comments seemed to be quickly walked back in such a way that it appeared the Board was in support of the proposal. Given the nature of the proposal and its proximity to many residences, B2 for this site is simply in error. You are considering allowing a performance venue mere feet from numerous residences. Others appeared to be leaning towards more business development with changes in zoning. Brandon Mazer the Chair. Shukria Wiar (city planner) brought up changing the B1 and the R6 at the end of East Cove Street to all be a B2. We don't know if this was requested by the applicant. She also said that the noise of the brew pub wouldn't really affect MJH as there is a "buffer" because we're up a slope and the brew pubs much further down the hill. Our bedrooms and living areas at Munjoy Heights all face Washington Street. Mr. Mazer didn't see much of a difference. B2 allows more types of business options whereas B1 is limited to smaller businesses more suited to residential areas.

We support small businesses consistent with B1 zoning. Changing B1 to B2 and even considering changing a R6 to a B2 is outrageous. Portland maintains the character of the area by changing this area they could potentially eliminate at least 6 residences. The noise, music, hours, foot and vehicle traffic, and parking would be an issue. Homeowners would experience decreasing property values, difficulty renting, and poor livability. We would imagine a lot of loud late night foot traffic on East Cove Street. Anyone that has been in or near a brew pub especially at night, is aware of this. There is already a high concentration of brew pubs in our area. location.

The proposed business is very close to the on and off ramp of 295 which can get quite congested as can Fox and Washington Street during rush hour. To come off and go on this ramp. The brew pubs down the hill have significant foot traffic. People often jaywalk, are inattentive and walk in the street. The sidewalk on Washington. Given the proximity to the 295 ramp this is a disaster waiting to happen. This is also close to the East End Elementary School and many children. Path, East Cove and Walnut Street to cross over Washington Street.

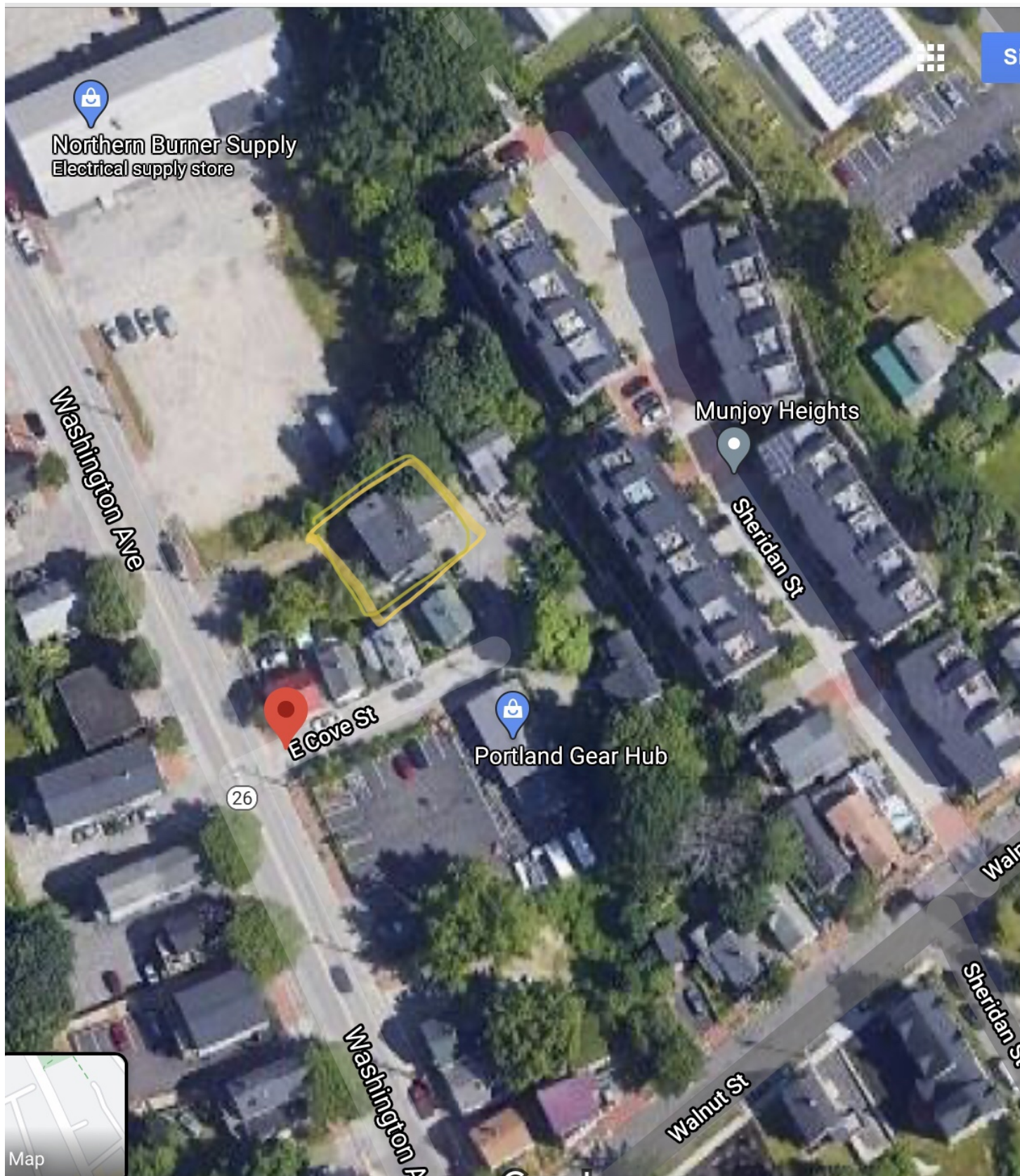
The 2030 Portland Plan Vision Statement states "The uniqueness and integrity of our neighborhoods will be maintained and enhanced." The Executive Summary states "The Plan will retain the key characteristics that make neighborhoods unique." The Plan further states that "new neighborhood plans should be tailored to the context and unique qualities of the neighborhoods they pertain to". Changing the zoning and going forward with the 163 Washington proposal that in an effort to promote business development the needs of residents to have a livable neighborhood are not ignored. The leaning of most of the Plan workshop appeared to be to change this area of Washington Ave. to a B2 zone and promote business growth with little regard for the impact on homeowners. Some photos that show how close this is to abutters. 163 Washington is highlighted in yellow. I hope you take the time to visit the site so you can appreciate the area as well as recognizing the need for this neighborhood to remain a B1 zone.

Thank you, Mary and Robert Morse 208 Sheridan St.









---

**Re: Plan number ZN-000540-2019. 163 Washington St**

---

**Shukria Wiar** <shukriaw@portlandmaine.gov>

Sep 8, 2020 1:26 PM

Posted in group: **Planning Board**

Good afternoon,

The applicant now is proposing B2-b, which a less intensive zone than B2. The address is 163 Washington Avenue; this property fronts Washington Avenue so I am not sure what he means "another parcel of land, with buildings there on, situated in the rear of Cove Street....". We do not have an application for that. His property at 163 Washington Ave is consists of 3 lots and the house sits back of the property but does not have frontage on E. Cove Street. I hope this helps.

Thank you.

Shukria

On Tue, Sep 8, 2020 at 10:43 AM mary morse <mrs1359@outlook.com> wrote:

I live behind 163 Washington St at 208 Sheridan St and have been reviewing the project online. We are quite concerned about the proposed change to a B2 and all the possibilities that opens up. Mr. Curran makes mention of "another parcel of land, with buildings there on, situated in the rear of Cove Street....". What is the actual address of this other parcel? It would abut Munjoy Heights. The map provided made it difficult to determine which Cove Street property he is referring to. Thank you, Mary Morse

Sent from my iPad

--

Shukria Wiar, Planner  
Planning & Urban Development Department  
389 Congress Street 4th Floor  
Portland, ME 04101  
Phone 207.756.8083  
Fax 207.756.8258  
<http://www.portlandmaine.gov/planning>

---

**abutter concerns about 163 Washington Ave proposal**

---

**Page Nichols** <page.nichols@gmail.com>

Oct 14, 2020 9:24 AM

Posted in group: **Planning Board**

City of Portland Planning Board,

Please see the attached and signed letter from four direct abutters of 163 Washington Ave.

I've also attached photos to show how close the proposed project is to my property (15 East Cove). One photo is through my bathroom window, one is from the steps/entrance to my house, and the other is an aerial to show where my property is located in relation to the proposed project. The property owners to the right and left of my property have also signed the attached letter.

Thank you for considering our concerns.

Sincerely,

Page Nichols  
(15 East Cove St.)

--

Page Nichols - Co-Founder, CPI  
(207) 272-2255  
page.nichols@gmail.com















**Petition opposing the proposal by Newsclapes, Inc. to rezone 163 Washington Ave. from a B1 Business zone to a B2 or B2b Business zone as well as the proposal to open a brew pub in this location. We are also opposed to changing the B1 and R6 zoning on the odd side of Washington Ave. that runs from Gould to Walnut Street as shown on the attached map.**

We the undersigned are opposed to Mr. Curran (Newsclapes) proposal to rezone his property with the plan to establish a brew pub with a deck and outdoor tables for 50 people as well as a performance area. We also oppose the suggestion of Shukria Wiar in the Workshop on 9/8/2020 to rezone the surrounding B1 and R6 area to B2(see map). Any change to the zoning would permit businesses not consistent with the character of the neighborhood and severely compromise livability. The following concerns support our opposition.

1. The proposed brew pub closely abuts homes on East Cove St., Washington Ave. and Sheridan St. The effects of noise from customers, performances, foot and vehicle traffic, and parking congestion would be felt by at the very least, Washington, Hammond, Walnut, Fox, Sheridan and especially E. Cove Street residents. We already have a high concentration of brew pubs, bars and distilleries to contend with. One more is not needed nor desirable in this location.
2. The 163 Washington Ave. lot is very close to the on/off ramp to 295 at this end of Washington. Cars often speed getting on and off 295 and traffic congestion during the evening hours on Washington Ave., Fox and Walnut Streets is already problematic. Safety is a concern. Such establishments have significant vehicle and foot traffic. People often jaywalk, walk in the street in groups and are inattentive and/or impaired. The sidewalks at this end of Washington Street are very narrow and dark at night. This is an accident waiting to happen. The East End Elementary School is just up the hill. To go to and from school children often use the odd side of Washington, E. Cove Street, Walnut Street and Jack's Path.
3. Jack's Path and community gardens are above this proposed brew pub. These are areas accessed thru Munjoy Heights from E. Cove and Walnut Streets. Children, adults, dog walkers, cyclists, joggers, gardeners and more enjoy fresh air, nature and the views. The noise and foot traffic consistent with a brew pub would be detrimental to the purpose and benefit of such a community space.
4. We are not opposed to business development. Businesses consistent with B1 zoning are appropriate and welcomed. The 2030 Portland Plan Vision Statement states "The uniqueness and integrity of our neighborhoods will be maintained and enhanced." The Executive Summary talks about "improving livability while retaining the key characteristics that make neighborhoods unique." The Plan further states that "new neighborhood plans should set to advance Portland's Plan as specifically tailored to the context and unique qualities of the neighborhoods they pertain to". Changing the zoning and going forward with the 163 Washington Ave. proposal would be counter to this. We hope that in an effort to promote business development the needs of residents to have a livable

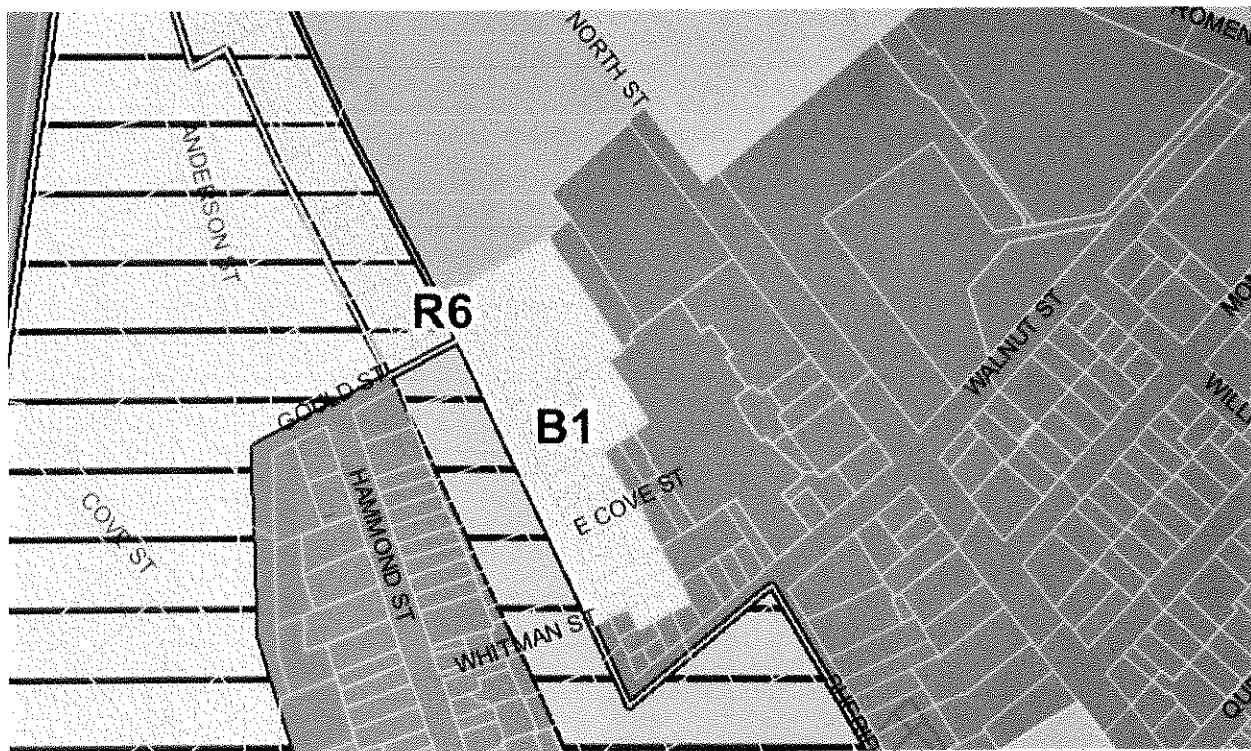
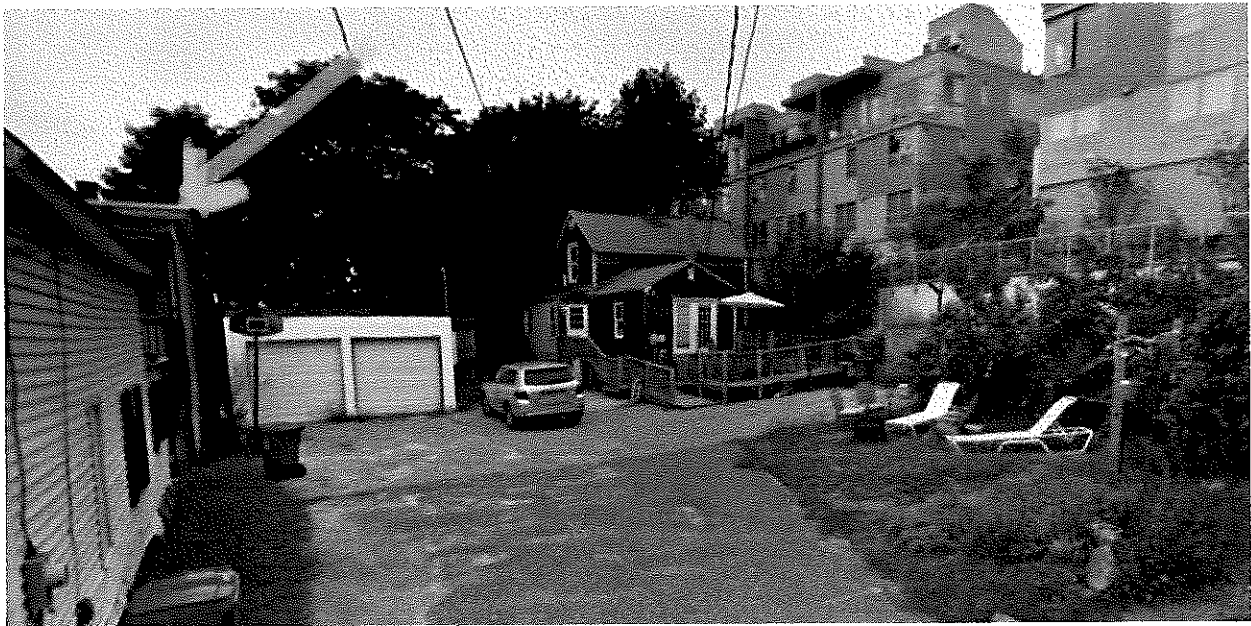


neighborhood are not ignored. The leaning of most of the Planning Board during the 9/8/2020 workshop appeared to be to change this area of Washington Ave. to a B2 zone and promote business growth with little regard for the impact on homeowners and residents. We believe the City needs to advocate for residents and tax paying homeowners with equal determination.

We ask that you look at the photos provided and actually visit the site before making your decision. Highlighted in yellow is 163 Washington Ave. and Jack's Path and its access is also highlighted in yellow. Thank you.











|                  |                                     |                            |  |
|------------------|-------------------------------------|----------------------------|--|
| ENN DUNN         | 222 Sheridan Portland               | erindunn23@aol.com         |  |
| Chad Robertson   | 222 Sheridan St Portland            | chad.Robertson33@gmail.com |  |
| Terrell Robins   | 206 Sheridan Portland               | trpbins9630@gmail.com      |  |
| James Trainer    | 204 Sheridan St. Portland, ME       | jamesstrainer@gmail.com    |  |
| Yael Reinharz    | "                                   | yael.reinharz@mail.com     |  |
| ANN CASADY       | 205 SHERIDAN Portland, ME 04101     | anncasady@yahoo.com        |  |
| Peter Pitegoff   | 205 Sheridan St Portland ME 04101   | ppitegoff@gmail.com        |  |
| Munira Naqui     | 203 Sheridan Portland ME 04101      | munira_naqui@yahoo.com     |  |
| Ali Naqui        | 203 Sheridan - Portland ME 04101    | Ali.Naqui@yahoo.com        |  |
|                  | 218 Sheridan Portland, ME 04101     | gritter@clarkinsurace.com  |  |
| Natanna Pratt    | 224 " " "04101                      | natannapratt@hotmail.com   |  |
| Bethy Orber      | 225 " Portland ME 04101             | Bethy Orber                |  |
| GARY NIELSEN     | 79 Walnut St Portland ME 04101      | Gary Nielsen               |  |
| Nancy Mackesey   | 213 Sheridan St Portland ME 04101   | Nancy Mackesey             |  |
| DAVID MACKESY    | 213 SHERIDAN PORTLAND ME 04101      | David Mackesy              |  |
| Linda Engleht    | 193 Sheridan St Portland ME 04101   | Linda Engleht              |  |
| Michel Engleht   | 193 Sheridan St Portland ME 04101   | Michel Engleht             |  |
| Bernard Pollak   | 225 Sheridan St Portland ME 04101   | Bernard Pollak             |  |
| PETER BAGG       | 199 SHERIDAN ST PORTLAND, ME 04101  | Peter Bagg                 |  |
| PATRICIA L. Bagg | 199 SHERIDAN PORTLAND 04101         | Patricia L. Bagg           |  |
| Steve Stankin    | 197 Sheridan Portland 04101         | Steve Stankin              |  |
| SITAWNEE SNO     | 229 SHERIDAN ST. PORTLAND, ME 04101 | Sitawnee Sno               |  |
| Mark Filla       | 191 Sheridan St Portland 04101      | Mark Filla                 |  |
| Doug Sax         | 229 SHERIDAN ST PORTLAND ME 04101   | Doug Sax                   |  |
| Robert Morse     | 208 Sheridan St Portland ME 04101   | Robert Morse               |  |

9/23/20





Shukria Wiar &lt;shukriaw@portlandmaine.gov&gt;

---

**Fwd: 163 Washington Ave, - Application no. ZN-000540-2019**

1 message

---

**Kevin Kraft** <kkraft@portlandmaine.gov>

Thu, Apr 8, 2021 at 9:56 AM

To: Shukria Wiar &lt;shukriaw@portlandmaine.gov&gt;, James Rather &lt;jrather@portlandmaine.gov&gt;

Shukria - please be sure to include this public comment in the [163 Washington Avenue](#) package.

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

From: **mary morse** <mrs1359@outlook.com>

Date: Mon, Apr 5, 2021 at 4:37 PM

Subject: 163 Washington Ave, - Application no. ZN-000540-2019

To: [planningboard@portlandmaine.gov](#) <planningboard@portlandmaine.gov>

Cc: mary morse &lt;mrs1359@outlook.com&gt;

April 5, 2021

Dear Members of the Portland Planning Board,

We continue to be opposed to the rezoning of 163 Washington Avenue and vicinity properties from the B-1 Neighborhood Business zone to the B-2b Community Business zone. We remain supportive of B1 businesses for this area. You were sent emails and a petition from abutters who disapproved of any map or text amendment that would permit B-2b businesses when the applicant proposed this in 2020. It outlined the specific objections of the abutters. The pictures that were sent especially those from E. Cove Street, demonstrate how intrusive and ill advised zoning change allowing businesses like a brew pub would be. I trust you have all had an opportunity to visit the site. During the 9/8/2020 workshop 2 Planning Board members seemed to have more reservations about the noise and affect on the neighborhood. They were David Austin and Maggie Stanley. One member mentioned 'there were better areas to put a brew pub'. Others appeared to be leaning towards more business development with changes in zoning at this end of Washington especially Brandon Mazer the Chair. In addition Shukria Wiar was pushing for a zoning change. Ultimately a decision was made to proceed with a text amendment. During the public hearing for this, Mr. Curran, the applicant was not happy with a text amendment and has since again proposed a map amendment.

During the District One meeting held in December 2020 numerous residents voiced their concerns about the noise generated by the many drinking establishments in the area. It was confirmed by Belinda Ray that the number of such businesses is not limited by the city. Such unchecked growth has adversely affected many neighborhoods.

A decision to rezone this area would not be consistent with the 2030 Portland Plan. The 2030 Portland Plan Vision Statement states "The uniqueness and integrity of our neighborhoods will be maintained and enhanced." The Executive Summary talks about "improving livability while retaining the key characteristics that make neighborhoods unique." The Plan further states that "new neighborhood plans should set to advance Portland's Plan as specifically tailored to the context and unique qualities of the neighborhoods they pertain to". Changing the zoning and going forward with the 163 Washington proposal would be counter to this. The Permitting and Inspections Department states that with regard to a map amendment the Planning Board as well as the City Council "would have to find that the zoning is appropriate and not likely to cause negative impacts on surrounding existing uses such as residences". I hope that in an effort to promote business development that the needs of residents to have a livable neighborhood are not ignored.

Thank you,  
Robert and Mary Morse  
[208 Sheridan Street](#)

--

Kevin Kraft, AICP  
Deputy Director Planning & Urban Development Department

4/8/2021

City of Portland Mail - Fwd: 163 Washington Ave, - Application no. ZN-000540-2019

389 Congress Street  
Portland, Maine 04101  
[kkraft@portlandmaine.gov](mailto:kkraft@portlandmaine.gov)