Special City Council Meeting
March 14, 2016

1. Agenda Only

   Documents: AGENDA ONLY 2016-03-14.PDF

2. Agenda And Packet

   Documents: AGENDA AND PACKET 2016-03-14.PDF

ETHAN K. STRIMLING (MAYOR)
BELINDA S. RAY (1)
SPENCER THIBODEAU (2)
EDWARD J. SUSLOVIC (3)
JUSTIN COSTA (4)

DAVID H. BRENERMAN (5)
JILL C. DUSON (A/L)
JON HINCK (A/L)
NICHOLAS M. MAVODONES, JR. (A/L)

AGENDA
SPECIAL CITY COUNCIL MEETING
MARCH 14, 2016

The Portland City Council will hold a Special City Council Meeting at 5:00 p.m. in City Council Chambers, City Hall. The Honorable Ethan K. Strimling, Mayor, will preside.

PLEDGE OF ALLEGIANCE:

ROLL CALL:

ANNOUNCEMENTS:

CDBG Annual Allocation Committee Presentation
City Manager Presentation

PUBLIC HEARINGS:

ORDERS:

Order 182-15/16 (Tab 1)

Order Holding Public Hearings on 2016-2020 Housing and Urban Development Five-Year Consolidated Plan, Fiscal Year 2017 Annual Plan and Appropriations for Community Development Block Grant Program, Home Program, and Emergency Solutions Grant Program – Sponsored by Jon P. Jennings, City Manager.

The 2016/2017 Housing and Community Development Program will report in the Annual Action Plan to HUD a total budget of $3,958,645 funded by a Community Development Block Grant (CDBG) allocation of $1,791,448 plus $114,500 in program income, along with $120,000 in CDBG Housing Program Income; a HOME Consortium Program Grant allocation of $828,140; HOME Program income of $205,000; Lead Safe Housing Program Income of $269,774; local Housing Trust Funds of $468,551; and an Emergency Solutions Grant Allocation of $161,232.

Public Hearings are held each spring to consider the City's Housing and Community Development Program proposal for the ensuing year. The CDBG Annual Allocation Committee, appointed by Council, reviewed each application and made funding recommendations.

They are given an opportunity to make a presentation to the Council at this meeting, and citizens may comment on the City's plan for the use of CDBG, HOME and ESG funds. In addition, the Public Hearings will provide an opportunity for citizens to comment on the City's FY 2016-2020 HUD 5-Year Consolidated Plan. Our citizen participation process calls for two public hearings before adopting the Consolidated Plan and annual program.

Public hearings will be held on March 14, 2016 and on March 28, 2016 at a Special City Council Meeting held at 5:00 p.m., both in Portland City Hall Council Chambers, 389 Congress Street.

RESOLUTIONS:

Resolve 6-15/16 (Tab 2) **Resolution Adopting the 2016-2020 Housing and Urban Development Five-Year Consolidated Plan and Fiscal Year 2017 Annual Action Plan Including Appropriations for Community Development Block Grant Program, Home Program, and Emergency Solutions Grant Program and Certifications Pertaining Thereto – Sponsored by Jon Jennings, City Manager.**

This Resolution appropriates funds to the identified programs. This is a two-reading item; however, two public hearings will be held on the Resolution to comply with federal regulations. On March 28, 2016, five votes will be required for passage after public comment.

UNFINISHED BUSINESS:

Order 179-15/16 (Tab 3) **Order Ratifying, Confirming and Readopting Order 10-15/16 – Sponsored by Jon P. Jennings, City Manager.**

The City previously adopted Order 10-15/16 (Order Authorizing General Obligation Bonds in an Amount not to Exceed $3,400,000) on July 20, 2015. This order authorized and approved the incurring of indebtedness by the City of Portland and the issue and sale of general obligation bonds and notes in anticipation thereof in the aggregate principal amount not to exceed $3,400,000 to finance a portion of the costs to purchase, redevelop, renovate and equip a parcel of land located at 250 Canco Road and to redevelop, renovate and equip an approximately four-acre parcel of land known as the Quarry Road property and all other costs related to the relocation of the City's Department of Public Works Bayside activities.

All bond issuances must meet strict City Charter requirements, including requirements on how a public hearing must be noticed. Specifically, Section 11 of Article VII of Part I: Charter notes:

No order providing for the issue of bonds shall be passed without public notice given by posting notice of the same in two (2) public places in the City of Portland and publishing such notice at least twice in a newspaper of general circulation in Portland at least two (2) weeks before final action of the city council.

The public hearing notice was not published by the Press Herald and therefore needed to be re-published in order to provide adequate notice for the revised 3/14 Public Hearing date when Final Action will be taken by City Council for this item. This notice was published by the Press Herald on 2/28/16 and 2/29/16 (confirmed by City staff).

This item must be read on two separate days. It was given a first reading on March 7, 2016. Staff is requesting that this item be passed as an emergency so it may take effect immediately. Seven votes are required for passage as an emergency.

ETHAN K. STRIMLING (MAYOR)
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Order 182-15/16
Tab 1 3-14-16

ETHAN K. STRIMLING (MAYOR)
BELINDA S. RAY (1)
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CITY OF PORTLAND
IN THE CITY COUNCIL

DAVID BRENERMAN (5)
JON HINCK (A/L)
JILL C. DUSON, (A/L)
NICHOLAS M. MAVODONES, JR. (A/L)

ORDER HOLDING PUBLIC HEARINGS ON 2016-2020 HOUSING AND URBAN DEVELOPMENT FIVE-YEAR CONSOLIDATED PLAN, FISCAL YEAR 2017 ANNUAL ACTION PLAN AND APPROPRIATIONS FOR COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM, HOME PROGRAM, AND EMERGENCY SOLUTIONS GRANT PROGRAM

ORDERED, that public hearings be held on the 2016-2020 Housing and Urban Development Five-Year Consolidated Plan, the Fiscal Year 2017 Annual Action Plan and appropriations for the Community Development Block Grant Program, HOME Program, and the Emergency Solutions Grant Program; and

BE IT FURTHER ORDERED, that such hearings be held on March 14, 2016 and March 28, 2016 at a Special City Council Meeting held at 5:00 p.m., both in Portland City Hall Council Chambers, 389 Congress Street.

Resolve 6-15/16
Tab 2 3-14-16

ETHAN K. STRIMLING (MAYOR)
BELINDA S. RAY (1)
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CITY OF PORTLAND
IN THE CITY COUNCIL

DAVID BRENERMAN (5)
JON HINCK (A/L)
JILL C. DUSON, (A/L)
NICHOLAS M. MAVODONES, JR. (A/L)

RESOLUTION ADOPTING THE 2016-2020 HOUSING AND URBAN DEVELOPMENT FIVE-YEAR CONSOLIDATED PLAN AND FISCAL YEAR 2017 ANNUAL ACTION PLAN INCLUDING APPROPRIATIONS FOR COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM, HOME PROGRAM, AND EMERGENCY SOLUTIONS GRANT PROGRAM AND CERTIFICATIONS PERTAINING THERETO

WHEREAS, the City of Portland, Maine has determined that there are pressing community and neighborhood needs for further federal assistance for housing and community development activities; and

WHEREAS, the goals and priorities expressed in the 2016-2020 Housing and Urban Development Five-Year Consolidated Plan align with the needs of the City; and

WHEREAS, annual activities for the Consolidated Housing and Community Development Annual Action Plan have been recommended; and

WHEREAS, the United States Department of Housing and Urban Development (HUD) has allocated to the City of Portland $1,791,448 of Community Development Block Grant (CDBG) Entitlement Funds, for the program year 2016-2017; the City has also received Community Development funds in the amount of $114,500 in program income, along with $120,000 in CDBG Housing Program Income which is subject to the same regulations as the entitlement funds; a HOME Program Grant allocation of $828,140 and HOME Program income of $205,000; Lead Safe Housing Program Income of $269,774; local Housing Trust Funds of $468,551; and $161,834 of Emergency Solutions Grant funds; and

WHEREAS, the City Council of the City of Portland, Maine, desires to utilize these funds to support housing and community development activities;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Portland, Maine, hereby adopts the 2016-2020 HUD 5 Year Consolidated Plan and Fiscal Year 2017 Annual Action Plan, and the sums of $ 1,905,948 for the Community Development Block Grant Program, plus $120,000 in CDBG Housing Program funding, $1,033,140 for the HOME Program, $269,774 in Lead Safe Housing Program Income, $468,551 in local Housing Trust Funds and $161,232 for the Emergency Shelter Grant Program are hereby appropriated for the purposes approved in the attached Plan and budgets as recommended by the City Manager; and

BE IT FURTHER RESOLVED, that the City of Portland, Maine, possesses legal authority to apply for the above referenced Community Development Block Grant Program Funds, HOME Program funds and Emergency Shelter Grant Program funds for the Program Year 2016-2017; and

BE IT FURTHER RESOLVED, that the City Manager be authorized to:

1) Apply for, accept and expend: the Community Development Block Grant Entitlement Funds of $1,791,448 and to expend $114,500 in program income and $120,000 in CDBG housing program income funds; $828,140 of HOME Program funds and to expend $205,000 of program income for a total of $1,033,140; $269,774 in Lead Safe Housing program income; $468,551 in local Housing Trust Funds; and $161,232 of Emergency Shelter Grant funds;

2) Officially represent the City of Portland, Maine, in connection with the application, including the execution of contracts on behalf of the City; and

BE IT FURTHER RESOLVED, that the City of Portland, Maine certifies that it will comply with all of the attached assurances and provide such additional information as may be required by the U.S. Department of Housing and Urban Development; and

BE IT FURTHER RESOLVED, that the foregoing Fiscal Year 2016-2017 Annual Action Plan funds are hereby appropriated pursuant to the Budget attached hereto.

Memorandum

Planning and Urban Development Department
Housing and Community Development Program

To: The Portland City Council

Cc: Jeff Levine, Planning and Urban Development Director
Mary Davis, Housing and Community Development Director

From: **Kristin Styles, HCD Program Manager**

Date: **March 4, 2016**

Re: **HUD 2016-2020 Five Year Consolidated Plan and Consolidated Annual Action Plan 2016-2017**

The Consolidated Annual Action Plan includes budgets for the Community Development Block Grant, HOME Program and the Emergency Solutions Grant. The total amount of funding the City of Portland is expected to receive from the Department of Housing and Urban Development is $3,100,320, which includes:

1. CDBG $ 1,791,448 HUD Allocation 2016-2017
   $ 114,500 CDBG Program Income 2015-2016
   $ 1,905,948 Total Expected CDBG funds to Allocate for 2016-2017

   CDBG Funds by Category

$405,190	Administration and Planning
$625,397	Social Services
$875,361	Development Activity
$1,905,948	Total

   Attached you will find a Letter from the City Manager with his CDBG recommendations and back up material.

2. HOME $ 828,140 Expected HUD Allocation 2016-2017
   $ 205,000 HOME Program Income 2016-2017
   $1,033,140 Total Expected HOME funds to Allocate for 2016-2017

   Attached you will find a Memo to the Mayor and City Council from Mary Davis explaining the Housing Budget.

3. Emergency Solutions Grant:
   $161,232 Expected HUD Allocation 2016- 2017

   Attached you will find the proposed Emergency Solutions Grant budget.

Portland, Maine Yes. Life's good here.

Executive Department
Jon P. Jennings, City Manager

February 26, 2016

Members of the Portland City Council:

I am pleased to submit to you my recommendations for the Community Development Block Grant (CDBG) Program for the fiscal year beginning July 1, 2016 to June 30, 2017.

I would like to commend the CDBG Allocation Committee on their hard work and dedication to the City's Community Development Program. I have reviewed the Allocation Committee's recommendations and I acknowledge and commend the difficult scoring decisions that were made by the Committee. The recommendation letter from the Allocation Committee is attached. *[Committee Letter A1]*

The Allocation Committee is required to recommend full funding for applications according to score, which often results in the lowest funded applicant receiving partial funding. Set-asides are the exception to this scoring process. Last fall, the City Council approved a 60% Development Activities set-aside for Public Infrastructure and a $90,000 Childcare voucher set-aside in the Social Services category; these two set-asides are in addition to the Community Policing set-aside which has remained in place for the past two years. You will notice that my recommendations mostly align with the recommendations of the Allocation Committee. My deviation from the Allocation Committee's recommendations are related to the childcare set-aside and the other needs of the City's budget. My recommendations are outlined below and reflected in the attached spreadsheet. *[City Manager Recommendations A2]*

1. *Social Services.* To put it simply, there are more deserving organizations than there are funds available. Before making my recommendations, I personally read each application, I considered the scores given to each applicant by the Allocation Committee, and I considered the role each of these programs will have on the City's overall budget.

The $90,000 childcare set-aside forced me to make some very difficult decisions. Looking at the Allocation Committee's scores, the Milestone HOME team as well as the Joe Kreisler Teen Shelter both scored higher than the Catherine Morrill Day Nursery Childcare Voucher Program which received the childcare set-aside. While I agree with the Council that childcare vouchers are an important component, I do not believe they are *more* important than a food program, shelter program, or a mental health program. Therefore, I would ask the Council to approve a $40,000 reduction in the current set-aside; this will leave Catherine Morrill with slightly more CDBG funding than they received last year. Moving forward, I would ask the Council to consider removing the childcare set-aside all together. This would allow for all future applicants to compete on an equal playing field.

The Milestone HOME team is an example of where the City's budget affects my recommendations. CDBG funding allows the HOME team program to remain open on Saturdays. If the HOME team program is not available on Saturdays, there will be a direct impact on the City's Police Department. Given the budget constraints in the social service category, it would be difficult to fully fund the Milestone HOME team without eliminating funding from another

organization that scored higher. Therefore, I recommend funding all non-city programs at 90% of the Allocation Committee's recommendation. By making these very difficult cuts, including the $40,000 reduction in the childcare set-aside, the HOME team will receive $54,084 and the Joe Kreisler Teen Shelter, which received the same score as Milestone, will receive $15,000; representing 50% of their original request.

2. *Development Activities.* This year the CDBG Program has an additional $114,500 in program income. Due to HUD imposed funding caps for social services and administration, these funds may only be applied to development activities. My recommendations align with the recommendations of the Allocation Committee. In addition to the funding recommendations of the Allocation Committee, I am recommending two additions. Our City is in great need of improvements to pedestrian safety and ADA accessible curb ramps, therefore, I am recommending an additional $101,000 to the ADA Curb Ramps programs to expand the program to include all forms of pedestrian safety. I recommend the remaining program income funds of $13,500 go to Libbytown Community Gardens. This program has a lot of community support and the funding request is minimal.

The Marginal Way and ADA Curb Ramps projects both qualified for the 60% public infrastructure set-aside. Both programs scored high enough that this set-aside did not affect the funding recommendations of the Allocation Committee, or my own. The current proposal for Marginal way is tied directly to the Back Cove Storage Conduit project. My funding recommendation for this project aligns with the Allocation Committee's recommendation. However, I recommend expanding the scope of this project to allow the Planning and Urban Development and the Public Works Department maximum flexibility in improving the Bayside Neighborhoods' streets and sidewalks and renaming the project 'Marginal Way/Bayside Roadway/Sidewalk Improvements'.

3. *Administration and Planning.* The Planning and Urban Development Department is required to submit a non-competitive application to the Allocation Committee. The Planning and Urban Development Department submitted a request of $456,579 with the understanding that no more than the HUD imposed administration cap of 20% could be recommended for funding. These funds are used to both administer the program as well as fund long range planning work for the department. The staff have adjusted their budget to meet the FY16-17 cap of $405,190; therefore I am recommending full funding to administer the program.

I thank you for the opportunity to share my recommendations. As I have stated earlier, all of the programs requesting funds are worthy, unfortunately there is not enough funds to support all of their efforts. I hope you accept my recommendations and join me in commending all of the good work being done in this City.

Sincerely,

Jon P. Jennings
City Manager

Portland, Maine Yes. Life's good here.

Planning & Urban Development Department

February 5, 2016

Jon Jennings, City Manager
City Hall
389 Congress Street
Portland, Maine 04101

Dear Mr. Jennings,

We are pleased to submit the CDBG Annual Allocation Committee's recommended budget allocations for Year 42 of the Community Development Block Grant (CDBG).

*On a national level, HUD has not released the 2016-2017 allocations, but we believe the funding will remain level with the previous year's funding.

CDBG ALLOCATION	Year 41 FY 15-16	*Year 42 FY 16-17	Difference in Dollars
Planning and Administration Cap	$405,113	$405,113	$0
Social Service Cap	$625,270	$625,270	$0
Development Activities	$760,681	$760,681	$0
TOTAL	**$1,791,064**	**$1,791,064**	**$0**

As in past years, the need for CDBG funding continues to exceed the amount of funds available. The total funds requested are $3,524,286 resulting in a gap of $1,733,222 between CDBG funds available and project requests. As in prior years, we were faced with difficult choices in this year's recommendation process and struggled with which applications to recommend for funding. The Committee stayed focused on the scoring criteria in order to be fair to all applicants.

The following sections of this letter outline our funding recommendations. The first section explains the history and progress Portland's CDBG Program has undergone over the past several years. The second section provides a description of this year's process, how the applications were reviewed and scored, and finally our recommendations for funding.

HISTORY AND CURRENT STATUS OF THE CDBG PROGRAM

Over the last eight years, the CDBG program has undergone significant review. This review resulted in changes to the allocation process as summarized below.

In 2008 the following steps were implemented:

Council Order 70-7/08 (HCD Task Force Ten Point Plan)

- Creation of the CDBG Priority Task Force
- Creation of the CDBG Annual Allocation Committee
- Funded projects are to be completed within two years of award

In 2009 the following steps were implemented:

Council Order 70-7/08 (HCD Task Force Ten Point Plan)

- CDBG Application process is to comply with the City's Purchasing Ordinance

Council Order 91-08/09 (CDBG Priority Task Force Recommendations)

- Application and scoring reflect the goal of building strong, self sustaining neighborhoods by having applications address the priority impact areas and guiding principles.

In 2010 the final recommendations by the CDBG Priority Task Force were implemented, including:

Council Order 91-08/09 (CDBG Priority Task Force Recommendations)

- $20,000 minimum request.
- Small grants in the amount of $7,500 are available to social services for capacity building and to small businesses micro-enterprises for technical assistance
- Social service basic needs set aside for up to 10% of the HUD allocated CDBG grant
- Social service multi-year initiatives requests guidelines defined and encouraged
- Economic development job creation request guidelines defined
- The administration and planning request would be presented to and reviewed by the Committee, but would not be voted upon in a competitive environment

In 2011, the Council further reviewed the program and the implementation of all of the recommendations. Based on this review, the City Council implemented the following changes:

- *Eliminate* the small grants award of $7,500 made available to social services for capacity building and to small businesses micro-enterprises for technical assistance
- *Eliminate* the social service basic needs set aside, previously set to be up to 10% of the HUD CDBG allocation
- *Lower* the minimum grant request from $20,000 to $10,000
- *Create* a maximum grant request per applicant:
  - $150,000 for Social Service applicants
  - $250,000 for Development Activities applicants
- *Create* a Maximum Cumulative Grant Allocation for City Applications
  - 45% of funding available for Social Services
  - 85% of funding available for Development Activities
- *Create* an economic development set aside/ cap for job creation for $100,000
- *Create* a Priority Focus for Program Year 2011-2012:
  - For Social Services additional points can be allocated for applications meeting the Work and Shop priority criteria
  - For Development Activities additional points can be allocated for projects located in Libbytown, Census Tract 20.02

In 2012 there were minor adjustments made to the allocation process

- Based on pressure and direction from HUD we will be paying our grantees based on a cost per unit of service. Each applicant has provided a cost per unit of service. Funded applicants will be submitting funding requisitions and be paid based on the number of units provided and persons served. This does not apply to construction projects.
- Staff will be administering bonus and penalty points on the applications.
- Priority for Social Service applications is child care. Priorities for Development Activities are job creation and projects located in Libbytown or Census Tract 20.02.

Additionally, in 2012 Priority Task Force focused priorities even further:

- To create Sustainable Workforce Development Program(s) that move Portland residents out of poverty into sustained employment and financial stability.
  1) Invest in businesses with Portland locations to enable them to expand and create jobs, as eligible by HUD regulations.
  2) Provide a continuum of services to increase a Program Participant's professional capacity, financial stability, and ability to maintain employment, through: career advancement services, financial stability and job retention support services.
- Place Program Participant's in newly created sustainable Portland-based jobs.

In 2013 CDBG Working Group determined how to implement the Priorities of the 2012 Task Force:

- Invest 1) in businesses to create net new jobs or 2) to create microenterprise businesses (businesses with less than 5 employees where the owner is LMI Portland)
- Fill 66% of the net new jobs with low to moderate income (LMI) Portland residents.
- Priority will be given to applicants that will hire or serve more LMI Portland residents, homeless persons, New Americans, or single-parent head of households will be given preference
- Set aside $400,000 ($300,000 in Development Funds and $100,000 in Social Service Funds) for the new Workforce Development Initiative now renamed the Employment Development Program.
- Fund at least two applicants
- Funding requests can be for two years
- Tracking of jobs will be for two years after job creation or microenterprise creation
- Success will be evaluated based on return on investment (CDBG investment vs. increase of income of new employees/ business owners)
- The first round of funding will begin in 2014.

2014 Minor adjustments

- Priority for ALL Social Service and Development Activity applications is child care and basic needs. These applications will all receive an additional three bonus points.
- There is a set aside of $150,000 for Community Policing
- Penalty points were reduced: errors are only 0.25 points, and blanks are not penalized.
- The Employment Development Program received a $400,000 set aside, including $300,000 from Development Activities and $100,000 from Social Services

2015 Minor adjustments

- No Bonus Points
- There was a new "Construction Only" application
- Guiding principles were targeted for Development, Economic Development and Construction applications

2016 Adjustments

- The goals of the CDBG program were recategorized to align with the HCD's new 5 year Consolidated Plan. The new goals are: Neighborhood Investment and Infrastructure, Housing Availability, Economic Opportunity, and Address the Needs of the Growing Homeless Population.

- A Priority Impact Level guide was created to accompany the new goals.
- CDBG applications received a set score of 7 points if the application fell into the 'Priority' category of a goal, or a set score of 11 points if the application fell into the 'High Priority' category of a goal.
- There is a public infrastructure set aside for up to 60% of the maximum cumulative request allotted to the city in the development activities category.
- There is no longer a set aside for the Employment Development Program
- There is a $90,000 set aside for Childcare Vouchers

THE PROCESS AND REVIEW

CDBG Applications were made available on October 20, 2015. The mandatory applicant's meeting was held on October 21, 2015 at 6:00pm in Room 24 of City Hall. All applications were due on Thursday November 19, 2015 at 2:00pm.

We received fourteen (14) Development Activities applications and seventeen (17) Social Service Applications, along with an Administration and Planning application, for a total of $3,524,286 in funding requests through our annual request process.

There was a total of $1,984,999 of Development Activity requests with $760,681 available, and $1,082,708 of Social Service requests with $625,270 available.

The Allocation Committee Review and Funding Methods

Our Committee first met for this funding year on December 10, 2015. The Committee met six (6) times to discuss Administration and Planning, Development Activities and Social Service applications.

The Committee read each application individually prior to the meeting. At the meeting the Committee would discuss each proposal. If questions arose, staff documented the questions and forwarded them to the applicant to answer. The answers were then shared with the Committee.

Applications were organized by score from the highest to the lowest within each category. The City Council has directed the Committee to recommend full funding based on request for all applications; therefore each applicant was awarded full funding, until the funding was exhausted.

RECOMMENDATIONS

Administration and Planning Funding

The Committee reviews information regarding Administration and Planning, but does not score the application competitively. Administration funding is essential for operating the CDBG program and reporting to HUD. The Planning & Urban Development Department submitted a budget of $456,579 with an understanding that the Committee can only recommend up to 20% of the entire CDBG budget be used for Administration and Planning. This year, we are anticipating the 20% cap to be $405,113.

Organization	Program	Request	Points	Comm. Recomm
Planning & Urban Development Department	Administration	$456,579	NA	$405,113

Development Activities Funding

The Committee received Fourteen (14) Development Activities applications including construction and economic development, requesting a total of $1,984,999 and only $760,681 is available. The City Council's *85% Rule for Development Activities* is still in place, which specifies that a maximum of 85% of the Development Activity funding can go to fund City applicants, the remaining 15% must go to outside requests. In addition to the *85% rule* a public infrastructure set aside was introduced this year. The Public Infrastructure set aside is 60% of the city's maximum 85% request. The Committee's recommendations fall within these guidelines. The following table outlines the highest scoring applications, their requests and the recommended allocation from the Committee.

Organization	Program	Request	Points	Comm. Recomm.
Portland Housing Dev. Corp	58 Boyd St. Apartments	$30,000	92.75	$30,000
Portland Housing Authority	East Bayside Surveillance	$15,000	91.00	$15,000
Coastal Enterprises Inc.	Portland Jobs Alliance - EDI	$135,000	90.50	$135,000
Living with Peace	The Portland Micros	$15,000	90.00	$15,000
Coastal Enterprises Inc.	Portland Microenterprise Assistance Program	$42,000	87.75	$42,000
City of Portland Public Works *Application #2*	*Eligible for set aside ADA Curb Ramps	$115,000	86.00	$115,000
City of Portland Public Works *Application #3*	*Eligible for set aside Marginal Way Master Plan Streetscape Phase 1	$742,300	84.25	$408,681*

*If additional funds are available through program income the Committee recommends additional funding for Marginal Way.

Social Service Funding

The Committee received seventeen (17) Social Service applications, including a $150,000 request from Community Policing which will be funded through a set-aside and an $89,994 request from Catherine Morrill Day Nursery which will be funded the full set-aside amount of $90,000. There is $1,082,708 of Social Service requests with $625,270 available. The City Council's *45% Rule for Social Services* is still in place, which specifies that a maximum of 45% of the Social Service funding can go to fund City applicants, the remaining 65% must go to outside requests. This rule did not affect the Committee's recommendations this year. The following table outlines the highest scoring applications, their requests and the recommend allocation from the Committee.

Organization	Program	Request	Points	Comm. Recomm
Police Department	Community Policing	$150,000	Set-aside	$150,000
Catherine Morrill Day Nursery	CDBG Childcare Voucher Program	$89,994	Set- aside 89.25	$90,000
Wayside Food Programs	Direct Service Programs	$29,000	94.75	$29,000
City of Portland Social Services Department	Family Shelter- After Hours Program	$46,850	93.50	$46,850
Amistad Inc.	Amistad Peer Support and Recovery	$39,000	93.00	$39,000
Preble Street	Food Programs	$50,000	93.00	$50,000
Preble Street	Resource Center	$45,000	92.75	$45,000
Amistad Inc.	Peer Coaching Initiative	$50,000	92.25	$50,000
Preble Street	Florence House Women's Shelter	$30,000	92.00	$30,000
City of Portland Social Services Department	Oxford Shelter- Housing Assistance for Long Term Stayers	$47,702	91.13	$47,702
LearningWorks	English Language Program	$55,000	89.88	$47,718

Funding Caps

In past years, the funding caps were set at $150,000 for social service applicants and $250,000 for development activities. This year, the funding caps remain the same, with the exception of public infrastructure projects.

SUMMARY

All projects that requested funding would be beneficial to our City, however due to limited dollars, not all were recommended for funding through this program. This is a competitive process; each applicant competed against all other applicants. The projects that are not being recommended for funding scored lower in each of the evaluation categories, and therefore in total points. A spread sheet is attached which provides all scores for each application.

As always, the Committee will continue to look for ways to improve the efficiency, effectiveness and transparency of the program. We welcome comments, suggestions, and feedback both from the Council and the public.

We thank you for your commitment to this program and your patience through its transitions. We hope you are satisfied with the results.

We are especially grateful for our appointments to the Annual Allocation Committee, providing us with the opportunity to participate in this program, and offer our recommendations for your consideration. We look forward to seeing you on March 14th and 28th and hearing your response.

Sincerely,

The CDBG Annual Allocation Committee for Program Year 2016-2017

Maxwell Chikuta, Chair
Annette Rogers, Vice Chair
Wendy Harmon
Matthew Purington

Attachments: CDBG Allocation Committee Funding Recommendations 2016-2017 (spreadsheet)

CDBG Recommendations 2016-2017

Administration and Planning

	Type	Priority	Organization	Program/ Project	Request	Priority Impact/ Goal 33 pts	Guiding Principles 30 pts	Capacity to Deliver 25 pts	Partner/ Collabor 12 pts	Total	Committee Recomm	City Manager Recomm	Council Allocation
1	AP	All	Planning & Urban Dev Dept	CDBG Admin and Planning	$456,579						$405,190	$405,190	
				Total Admin & Planning Available	$405,113					***Subtotal:***	***$405,190***	***$405,190***	

Development, Economic Development and Construction

	Type	Priority	Organization	Program/ Project	Request	33 pts	30 pts	25 pts	12 pts				
12	CON	HA	Portland Housing Dev. Corp.	58 Boyd Street Apartments	$30,000	31.75	28.25	22.50	10.25	92.75	$30,000	$30,000	
13	DA	NI	Portland Housing Authority	East Bayside Surveillance System	$15,000	31.75	27.75	23.25	8.25	91.00	$15,000	$15,000	
6	ED	EO	Coastal Enterprises Inc	Portland Jobs Alliance Employment Development Initiative	$135,000	30.50	26.75	22.50	10.75	90.50	$135,000	$135,000	
11	CON	EO	Living with Peace	The Portland Micros:Building a microenterprises & new jobs	$15,000	30.00	27.00	22.75	10.25	90.00	$15,000	$15,000	
5	ED	EO	Coastal Enterprises Inc	Portland Microenterprise Assistance Program	42,000	30.25	25.25	21.25	11.00	87.75	$42,000	$42,000	
2	SET	NI	COP Public Works	ADA Curb Ramps, Pedestrian Safety & Related Work	$115,000	31.25	28.00	21.75	5.00	86.00	$115,000	$216,000	
3	SET	NI	COP Planning and Public Works	Marginal Way/Bayside Roadway/Sidewalk Improv. & Related Work	$742,300	29.25	26.00	21.25	7.75	84.25	$408,861	$408,861	
10	CON	EO	Learning Works	Renovation of Historic 181 Bracket Phase 2	$70,250	24.25	25.00	22.25	9.50	81.00			
7	CON	NI	COP Public Works	Libbytown Community Garden	$13,500	24.75	25.25	20.25	8.25	78.50		$13,500	
14	CON	ANGHP	Preble Street	Rehab-Homeless Health Partners Clinic	$154,643	25.50	25.25	17.75	9.75	78.25			
9	CON	NI	COP Recreation & Facilities	East Bayside Soccer Field Fencing and Futsal Court	$194,000	26.00	26.75	20.50	4.75	78.00			
15	CON	NI	The Iris Network	Dormitory Accessibility for the Blind	$171,325	23.00	19.75	22.75	10.00	75.50			
4	CON	EO	Catherine Morrill Day Nursery	Toddler Classroom Expansion Project	$234,281	22.50	21.25	19.50	7.25	70.50			
8	CON	NI	COP Recreation & Facilities	Cliff Island School Playground	$52,700	22.00	18.00	19.25	7.00	66.25			
				Total Development, Econ Dev. & Construction Requests	$1,984,999								
				Total Development, Econ Dev.& Construction Available	*$760,861*					***Subtotal:***	***$760,861***	*$875,361*	*$0*

Social Service

	Type	Priority	Organization	Program/ Project	Request	Priority Impact/ Goal 33pts	Guiding Principles 30 pts	Capacity to Deliver 25 pts	Partner/ Collaboration 12pts	Total	Committee Recomm	City Manager Recomm	Council Allocation
16	SET	NI	Police Department	Community Policing	$150,000						$150,000	$150,000	
17	SET	EO	Catherine Morrill Day Nursery	Portland CDBG Child Care Voucher Program	$89,994	29.50	26.50	22.25	11.00	89.25	$90,000	$50,000	
32	SS	SN	Wayside Food Programs	Direct Service Programs	$29,000	32.00	28.75	23.75	10.25	94.75	$29,000	$26,100	
21	SS	NI	COP- Social Services Dept.	Family Shelter- After Hours Program	$46,850	32.00	28.00	22.75	10.75	93.50	$46,850	$46,850	
18	SS	ANGHP	Amistad Inc.	Amistad Peer Support and Recovery Center	$39,000	31.25	28.00	23.25	10.50	93.00	$39,000	$35,100	
28	SS	ANGHP	Preble Street	Food Programs	$50,000	32.00	28.50	22.00	10.50	93.00	$50,000	$45,000	
29	SS	ANGHP	Preble Street	Resource Center	$45,000	31.25	28.25	23.00	10.25	92.75	$45,000	$40,500	
19	SS	ANGHP	Amistad Inc.	Amistad Peer Coaching Initiative	$50,000	31.00	27.75	22.75	10.75	92.25	$50,000	$45,000	
30	SS	ANGHP	Preble Street	Florence House Women's Shelter	$30,000	30.75	27.75	22.75	10.75	92.00	$30,000	$27,000	
22	SS	ANGHP	COP- Social Services Dept.	Oxford Shelter- Housing Assistance- Long Term Stayers	$47,702	28.13	28.75	23.00	11.25	91.13	$47,702	$47,702	
23	SS	EO	Learning Works	English Language Program	$55,000	30.75	26.88	22.50	9.75	89.88	$47,845	$43,061	
25	SS	ANGHP	Milestone	Homeless Outreach & Mobile Engagement HOME Team	$94,000	30.00	26.75	22.50	10.50	89.75		$54,084	
31	SS	ANGHP	Preble Street	Joe Kreisler Teen Shelter	$30,000	30.00	27.25	22.00	10.50	89.75		$15,000	
20	SS	EO	Catholic Charities	Portland Jobs Alliance- Social Services	$142,991	28.50	26.75	22.00	9.50	86.75			
27	SS	ANGHP	Port. Community Health Center	Survivors of War Trauma and Displacement	$91,918	29.50	25.25	20.50	10.75	86.00			
26	SS	EO	The Opportunity Alliance	Work/Life Advisor Program (WLAP)	$70,000	29.75	26.25	19.75	9.75	85.50			
24	SS	NI	Memory Works	Model Memory Cafes for Portland Seniors	$21,253	26.25	26.25	22.25	10.00	84.75			
				Total Social Services	$1,082,708					***Subtotal:***	***$625,397***	*$625,397*	*$0*
				Total Social Services Available	*$625,397*								
				ALL CDBG REQUESTS TOTAL	***$3,524,286***					***Allocation Total:***	***$1,791,448***	$1,905,948	

Portland, Maine Yes. Life's good here.

Mary Davis
Division Director, Housing & Community Development Division

TO: **City Council**

FROM: **Planning and Urban Development Department/HCD Division**

DATE: **March 4, 2016**

SUBJECT: **2016-2017 Housing Program Budget**

SUMMARY OF ISSUE - Council approval of the FY16/17 Housing Program Budget is required. The Housing Committee voted 5-0 to forward this item to the City Council for passage.

INTENDED RESULT

HOME Program: The Home Investments Partnerships Program (HOME) was established by Congress in 1992. Since 1992, the City of Portland and the Cumberland County HOME Consortium have received almost $18.1 million dollars in HOME funding. In 2009 the City became the lead entity in the Cumberland County HOME Consortium (CCHC). The Consortium is a partnership of the communities in Cumberland County that administers HOME Program funds in Cumberland County. The creation of the consortium expanded the financial resources for affordable housing activities in the region. The City retains independent operation of its HOME program. Because the City serves as the "Lead Entity" and City staff administers the County portion of the funding, all administrative funds are retained by the City. The County's Municipal Oversight Committee controls the allocation of County's portion of the HOME funds.

When the Consortium was formed in 2009, it included a "hold harmless" clause to ensure that the City, as an existing HOME grantee, would continue to receive funding equal to its allocation prior to the formation of the consortium. The "hold harmless" formula was based on a comparison ratio to the HOME funding for the Lewiston/Auburn (L/A) Consortium. The formula identified Portland's "hold harmless" amount at 118% of the HOME allocation for the L/A Consortium. The Cumberland County HOME Agreement did allow for adjustments to be made if the current level of funding to the L/A HOME Consortium varied from historic levels. Over the years the L/A allocation has decreased which has resulted in the Portland "hold harmless" amount to decrease. Even though the CCHC HOME allocation went up this year, the City portion of the funding actually went down because of a decrease in the L/A allocation. Staff raised this issue with the other members of the CCHC which resulted in an agreement to divide the funding with 57% of allocation, after the administrative set-aside, to the City and 43% of the funding to the County.

Mary Davis
Division Director, Housing & Community Development Division

The 2016-2017 HUD HOME allocation is $828,140, of which $320,490 is reserved for County projects. The budget proposal was developed after a historical review of HOME funding allocations, previous year's budget allocations, program expenditures and program income (loan repayments) received. Currently, the City's HOME Program is divided into four funding categories: Administration, Housing Rehabilitation, Tenant Based Rental Assistance (TBRA) and Affordable Housing Development [including the required Community Housing Development Organization (CHDO) set-aside mandated by HUD].

CDBG/Housing Development Fund: Housing and Community Development Division did not request funding in the FY 16/17 CDBG process. Staff and housing program costs normally funded through CDBG, are being funded through the Housing Development Fund (HDF). HDF is the program income account funded by CDBG housing loan repayments. Currently, the HDF fund is divided into two funding categories, administration and housing rehabilitation.

Lead Safe Housing Program Income: These funds result from repayment of loans given through prior Lead Hazard Control Grants from the U.S. Department of Housing and Urban Development and must be used to create additional lead-safe units.

Housing Trust Fund: The current balance in the Housing Trust Fund is primarily a result of fees generated by the Housing Replacement Ordinance. As of February 16, 2016, the balance of the Housing Trust Fund is $468,551. While staff anticipates increases in revenue in the Housing Trust Fund as a result of the Inclusionary Zoning Ordinance and other sources being considered by the City Council, those anticipated resources are not included in this budget.

FINANCIAL IMPACT - This budget is based on CDBG and HOME allocations from the U.S. Department of Housing and Urban Development along with program income from CDBG, HOME and Lead Safe Housing. Local funds from the Housing Trust Fund are also included.

STAFF ANALYSIS AND RECOMMENDATION – The proposed Housing Program Budget can be adjusted as necessary throughout the year with appropriate analysis and public notice as required by our HUD Consolidated Plan. This budget, as may be amended by the Housing Committee, will be forwarded to the full City Council for two Public Hearings, as part of the overall HCD budget. The final budget allocations and Annual Action Plan are submitted to HUD on May 15 for the fiscal year beginning July 1, 2016.

At this time staff is requesting Committee approval and recommendation to the City Council of the FY 16/17 Housing Program Budget as outlined in the attachment.

FY 16/17 Housing Program Budget – Attached

Prepared by: Mary P. Davis, HCD Division Director March 4, 2016

2016-2017 HOUSING PROGRAM BUDGET HUD Final Allocation February 16, 2016

Recommended by HC 02/24/16

Approved by Council (add date)

Total HUD HOME Entitlement Allocation	828,140
Portland Portion	507,650
County Portion	320,490

REVENUES- Housing Programs	*HOME*	*CDBG*	*HDF***	*LEAD Safe Housing***	*Housing Trust Fund****	***TOTAL BUDGET***
2016-17 HOME Consortium Admin (10% of allocation)	82,814					*82,814*
2016-17 HOME Consortium Programming	424,836					*424,836*
2015-16 HOME Program Income	200,000					*200,000*
Re-Allocated HOME Funds (funding from previous years)						*0*
2016-17 CDBG Administration						*0*
2016-17 CDBG Programming						*0*
2016-2017 Housing Trust Fund					468,551	*468,551*
2015-16 HDF Program Income			353,458			*353,458*
2015-16 Lead Safe Housing Program Income				269,774		*269,774*
REVENUE TOTALS (Portland)	707,650	0	353,458	269,774	468,551	***1,799,433***

2016-17 HOUSING Budget by Activity (Portland)	*HOME*	*CDBG*	*HDF***	*LEAD Safe Housing***	*Housing Trust Fund****	***TOTAL BUDGET***
Administration (10% allocation + 10% PI) PL1701/QS1701	102,814		49,280			*152,094*
Housing Rehabilitation (30 Units @ $15,000/unit) QM1700/QB1700	150,000		304,178			*454,178*
Homeownership Assistance QJ1700	0					*0*
Tenant-Based Rental Assistance QT1701	130,000					*130,000*
Affordable Housing Development QK1700/IN1114	254,030				468,551	*722,581*
CHDO QL1700	70,806					*70,806*
Lead Safe Housing PLL036	0			269,774		*269,774*
	707,650	0	353,458	269,774	468,551	***1,799,433***

** Balance of Previously Budgeted Amounts + New Revenue

*** Balance of Previously Budgeted Amount

2016-17 HOME Consortium COUNTY - approved by MOC on (add date) ***ESTIMATE***

The estimated County HOME Program budget is provided for reference only;

Allocation of County funds is done by the County's Municipal Oversight Committee

REVENUES- Housing Programs	*HOME Consortium*
2016-17 HOME Consortium Non-Portland Programming	320,490
2015-16 HOME County Program Income	5,000
	325,490

2016-17 HOUSING Budget by Activity	*HOME County*
Housing Rehabilitation (13 projects @ $15,000/project) QP1700	200,490
Home Ownership QQ1700	
Affordable Housing Development	71,585
CHDO QR1700	53,415
	325,490

Emergency Solutions Grant 2012-2016

	ESG Budgeted Funding Amount by Fiscal Year				
Program	FY 12-13	FY 13-14	FY 14-15	**FY 15-16**	**FY 16-17**
Operations: Homeless Health	$37,582	$28,993	$35,391	**$0**	**$0**
Essential Services: Family Shelter	$28,327	$21,853	$26,675	**$28,327**	**$28,327**
Homeless Prevention: Family Shelter	$28,326	$21,853	$26,675	**$52,369**	**$52,369**
Homeless Prevention: Oxford Street	$12,242	$8,972	$10,952	**$13,800**	**$13,244**
Rapid Rehousing: Oxford Street	$48,966	$35,888	$43,807	**$55,200**	**$55,200**
Administrtation and HMIS	$12,603	$5,600	$6,838	**$12,138**	**$12,092**
Total (Actual)	*$168,046*	*$123,159*	*$150,338*	*$161,834*	*$161,232*
Admin/HMIS cap	*$12,603*	*$9,237*	*$11,275*	*$12,138*	*$12,092*

Explanation

Operations: Homeless Health	This program is no longer administered by the City of Portland
Essential Services: Family Shelter	Funds pay for staff who provides housing assistance by seeking affordable units, applying for eligible subsidies and accessing transitional housing opportunities and follow-up case management services by assisting with budgets, tenant/ landlord negotiations, and connecting to area resources.
Homeless Prevention: Family Shelter	Funds pay for staff who assist in preventing family homelessness. Services include advocating with their town of residency, landlord/tenant negotiations and family reunifications.
Homeless Prevention: Oxford Street Shelter	Funds pay for staff who assist in preventing individuals from becoming homeless and providing necessary case management and referrals.
Rapid Rehousing: Oxford Street Shelter	Funds pay for staff who assist persons who have become homeless by quickly moving them into permanent hosuing and providing the ncessary case management and referrals the individual needs.
Administration and HMIS	Funding goes to pay for licenses to use HUD's Homeless Management and Information System. Licenses are provided by Maine Housing.

NEED	GOAL	PRIORITY IMPACT LEVEL
Neighborhood Investment & Infrastructure: *Description:* Public safety and mobility are key components to improving the livelihood of Portland neighborhoods. There is a significant need throughout the targeted neighborhoods to build sidewalks where none exist, improve accessibility through ADA compliance, increase the use of bicycles as a mode of transportation, and redevelop streetscapes to create shared streets for cars, bikes, and pedestrians that integrates with the fabric of the neighborhood. *Basis for Relative priority:* In 2014 the Portland City Council identified two goals that identified this need: 1) Develop a transportation system that advances healthy living, minimizes environmental impacts, and promotes the local economy by advancing opportunities for mass transit, bicycle use and walking; and 2) Advance environmental programs that safeguard our natural resources, promote a healthy lifestyle and support a sustainable economy. Resource: City of Portland *Capital Improvement Plan* *Sustainable Portland Report*	**Create strong, safe, accessible and vibrant neighborhoods:** *Description:* Invest in infrastructure to improve neighborhood assets and build strong, safe, accessible and vibrant neighborhoods. Improve accessibility and livability through age-friendly designs and ADA compliance. Build sidewalks and trails to improve connectivity, increase the use of bicycles as a mode of transportation, and redevelop streetscapes to create shared streets for cars, bikes, and pedestrians that integrate with the fabric of the neighborhood. Support programs that increase safety in neighborhoods for residents and visitors.	**Including but not limited to:** **HIGH PRIORITY** • Community policing • Public infrastructure in targeted neighborhoods (CDBG targeted neighborhood beginning with the Bayside Neighborhood) • Accessibility/ADA compliance • Alternative modes of transportation **PRIORITY** • Park and recreation facilities • Tree planting • Non-profit rehab • Community centers • Historic preservation • Aging in place related services

2016-2020 HUD Five-Year Consolidate Plan Needs/Goals/Priorities Table

NEED	GOAL	PRIORITY IMPACT LEVEL
Housing Availability: *Description:* In 2014 Portland contracted with the Greater Portland Council of Governments to complete a study entitled *2030 Workforce Housing Demand Study.* The report, released in January 2015, found that current housing production is not meeting the housing needs of Portland. The City Council has made a goal to promote housing availability in all segments of the housing market while insuring a suitable balance of housing opportunities among those sectors. *Basis for Relative priority:* In 2014 the Portland City Council identified the following goal to address this need: provide increased availability in all segments of the housing market while insuring that there is suitable balance of housing opportunities among those sectors. Resources: *2030 Workforce Housing Demand Study* 2002 Housing Plan *Report of the Task Force to Develop a Strategic Plan to Prevent & End Homelessness in Portland, Nov. 2012*	**Increase housing availability & affordability:** *Description:* Increase housing availability and affordability to all Portland residents regardless of income, race, ethnicity, and family size. Encourage housing development by removing barriers to traditional urban housing types while ensuring the inclusion of workforce and age-friendly housing in significant development projects.	**Including but not limited to:** **HIGH PRIORITY** • Construction of new housing (HOME funds only) • Adaptive reuse for housing • Rehabilitation of existing housing • Housing Retention **PRIORITY** • Rental assistance • Environmental testing and remediation • Energy efficiency/weatherization • Fair housing activities • Heating and fuel assistance • Tenant landlord counseling services • Legal services

NEED	GOAL	PRIORITY IMPACT LEVEL

Economic Opportunity:
 	
Description: Portland has a well-developed employment support system with many established providers. However, the system is fragmented, providers work in silos, there is insufficient funding to cover needs of potential workers, and career planning and financial stability are often prioritized less than job placement. Employment retention support is scarce and turnover results in economic uncertainty for employees and higher costs for employers.
 	
Basis for Relative priority: In 2014, the Portland City Council identified the following goal: Promote Economic Development in the City in a manner that provides for increased property values, diversification across industry sectors and high paying jobs. Specifically, as it relates to HUD programming and objectives, the Council further identified the need to advance work on the "Minority and Women-owned Business Development Initiative" and secure City Council approval to invest CDBG funds in workforce development.
 	
Resources:
Portland Economic Development Vision and Plan
Portland Community Chamber of Commerce: *Portland's Economic Scorecard 2014-2015*
Muskie School of Public Service: *The State of Infant Pre-K Childcare in Portland, Maine 2015*
GPCOG 2014-2018 Economic Development Action Plan
	Create economic opportunities to transition people out of poverty:
	
	Description: Invest in Portland businesses to enable them to expand to create jobs. Invest in persons wanting to create microenterprises. Engage job seekers in a continuum of services to increase their professional capacity, financial stability, and ability to maintain employment. Focus on difficult to employ populations including homeless, new Americans and single parent head of households. Combine resources and build partnerships between public and private entities to provide opportunities to transition Portland residents out of poverty to sustainable employment and financial stability.
		Including but not limited to:
		
		HIGH PRIORITY
		• Job creation
		• Microenterprise assistance
		• Career advancement services
		  ◦ Education
		  ◦ Job training
		  ◦ GED attainment
		  ◦ ESL
		• Job retention support services
		  ◦ Childcare vouchers
		  ◦ Housing counseling
		  ◦ Transportation assistance
		
		PRIORITY
		• Façade improvements
		• Financial stability services
		  ◦ Budgeting
		  ◦ Financial planning
		  ◦ Tax preparation

NEED	GOAL	PRIORITY IMPACT LEVEL
Address the Needs for Growing Homeless Population: *Description:* The shelter system in Portland is beyond capacity. Staff and local organizations struggle to deal with overflow strategies to meet increasing need. Data suggests most persons who are homeless stay at the shelter less than three weeks. Homeless Prevention and Rapid Rehousing are key components to help reduce shelter usage and homelessness. Additionally increased case management is needed for those who have mental illness and substance abuse issues to help them navigate the service delivery system. Additionally, the State of Maine will be reducing funding support and increase documentation requirements for those staying at the shelter, making it more difficult to serve those most in need. *Basis for Relative priority:* In 2014 the Portland City Council identified the goal: Prevent and end homelessness in the city of Portland by continuing to implement the recommendations of the Homelessness Task Force, including retooling the emergency shelter system to create centralized intake process and evaluate steps to improve efficiency, prevent homelessness and rapidly rehouse those who become homeless to avoid long term stays in the shelters, and increase case management for persons with mental illness and substance abuse to help navigate the service delivery system. Resource: *Report of the Task Force to Develop a Strategic Plan to Prevent & End Homelessness in Portland, Nov. 2012.*	Prevent and Reduce Homelessness: *Description:* Prevent individuals and families from becoming homeless and entering into the shelter system. Rapidly rehouse those who enter the shelter system. Provide necessary resources to assist vulnerable population's transition out of homelessness, including housing opportunities for chronically homeless or long-term stayers at homeless shelters.	**Including but not limited to:** **HIGH PRIORITY** • Food assistance • Shelter services • Child care vouchers • Mental health services • Substance abuse services • Housing for long-term shelter consumers • Rental Assistance • At risk youth services

Order 19-15/16
~~Tab 18 3-9-16~~
Tab 3 3-14-16

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

DAVID H. BRENERMAN (5)
JILL C. DUSON (A/L)
JON HINCK (A/L)
NICHOLAS M. MAVODONES, JR (A/L)

ORDER RATIFYING, CONFIRMING AND READOPTING ORDER 10-15/16

WHEREAS, following a public hearing , the City Council previously adopted Order 10-15/16 on July 20, 2015 for the purposes specified therein (the "Canco Road Project"), a copy of which is attached hereto as Schedule 1 (the "Prior Order"); and

WHEREAS, the City is currently scheduled to issue the bonds authorized by the Prior Order (the "Canco Road Bonds") for the Canco Road Project as part of the City's 2016 CIP bond issue on or about March 17, 2015;

WHEREAS, Article VII, Section 11 of the City Charter provides that no bond order may be passed without public notice given by posting notice of the same in two (2) public places in the City of Portland and publishing such notice at least twice in a newspaper of general circulation in Portland at least two (2) weeks before final action of the City Council

WHEREAS, the City Council now desires to ratify, confirm and readopt the Prior Order, following a public hearing conducted held on the posting and publication of public notice as required by the City Charter;

WHEREAS, Article II, Section 11 of the City Charter provides that no order shall take effect until ten (10) days after its passage unless therein otherwise provided in an emergency order; and

WHEREAS, desires that this Order shall take effect immediately following its adoption; and

WHEREAS, the City Council may, by vote of at least seven (7) of its members, pass an emergency order to take effect at the time indicated therein, provided that such emergency order contains a section in which the emergency is set forth and defined, which declaration of emergency by the City Council shall be conclusive;

NOW, THEREFORE:

1. The Portland City Council hereby ratifies, confirms and readopts the Prior Order, the terms of which are hereby incorporated by reference as if more fully set forth herein.

2. The Portland City Council hereby further finds, determines and declares, with respect to the issuance of the Canco Road Bonds, that an emergency within the meaning of Article II,

Section 11 of the City Charter exists with respect to the need to issue said Canco Road Bonds without delay and to finance the Canco Road Project as follows:

- The City is proceeding with the relocation of the City's Department of Public Services Bayside activities;
- Following a prior public hearing, the City Council previously authorized issuance of the Canco Road Bonds for the Canco Road Project, albeit with defective public notice;
- The City is in the process of issuing its 2016 CIP bonds, which are scheduled to be issued on March 17, 2016;
- Including issuance of the Canco Road Bonds with the issuance of its 2016 CIP bonds would promote efficiency, be cost effective and would allow the Canco Road Project to proceed on its current schedule;
- Conversely, failing to issue the Canco Road Bonds with the issuance of its 2016 CIP bonds would be inefficient, could result in additional issuance costs and potentially delays the Canco Road Project;
- These circumstances would impose unacceptable additional costs on the residents of the City;
- The City Council therefore finds, determines and declares that emergency circumstances exist under Article II, Section 11 of the City Charter, and that in light of such emergency circumstances, this Order ratifying, confirming and readopting the Prior Order shall take effect immediately on the date of its passage.

Schedule 1

Order 10-15/16
Tab 18 7-6-15

MICHAEL F. BRENNAN (MAYOR)
KEVIN J. DONOGHUE (1)
DAVID A. MARSHALL (2)
EDWARD J. SUSLOVIC (3)
JUSTIN COSTA (4)

CITY OF PORTLAND
IN THE CITY COUNCIL

DAVID H. BRENERMAN (5)
JILL C. DUSON (A/L)
JON HINCK (A/L)
NICHOLAS M. MAVODONES, JR (A/L)

ORDER AUTHORIZING GENERAL OBLIGATION BONDS IN AN AMOUNT NOT TO EXCEED $3,400,000

FOLLOWING a public hearing of the City Council of the City of Portland, Maine, held upon due notice pursuant to Article VII, Section 9 of the City Charter, IT IS HEREBY

ORDERED THAT:

There be and hereby is authorized and approved the incurring of indebtedness by the City of Portland and the issue and sale of general obligation bonds and notes in anticipation thereof in the aggregate principal amount not to exceed Three Million Four Hundred Thousand Dollars ($3,400,000) to finance a portion of the costs to purchase, redevelop, renovate and equip a parcel of land located at 250 Canco Road and to redevelop, renovate and equip an approximately 4 acre parcel of land known as the Quarry Road property and all other costs (as defined herein) related and ancillary thereto (the "Project") in furtherance of the relocation of the City's Department of Public Services Bayside activities.

BE IT FURTHER ORDERED

1. That the Director of Finance be and hereby is authorized to prepare, issue, and sell such bonds in the name of and on behalf of the City, in the aggregate amount of $3,400,000 (the "Bonds") at one time, or from time to time, as one or more separate bond issues, and to determine the date, form, minimum denomination, interest rates (as term bonds or serial bonds or some combination thereof), maturities (with the last maturity not to exceed the maximum term permitted by law) and all other details, terms and provisions, not inconsistent herewith, including the form and manner of their sale and award as he may approve, such approval to be conclusively evidenced by the execution thereof;

2. That the Director of Finance be and hereby is authorized to borrow money in anticipation of said Bonds by the issuance and sale of notes or renewal notes in anticipation of said Bonds ("BANs"), and to determine the date, form, minimum denominations, interest rate, maturities (with the last maturity not to exceed 3 years from its date of issuance) and all other details of each issue of BANs, including the form and manner of their sale and award, subject to the provisions of the law, the City Charter and this Order;

3. That the Director of Finance be and hereby is authorized to provide that any of the Bonds and BANs hereinbefore authorized be made subject to call for redemption, with or without premium, prior to their stated dates of maturity, as provided in 30-A M.R.S.A. §5772(6), as amended;

4. That any Bond or BAN issued hereunder shall be signed by the Director of Finance and by the Mayor, either or both of whose signatures may be by facsimile to the extent permitted by law, attested to by the City Clerk, under the seal of the City, and shall be in such form and contain such terms and provisions not inconsistent herewith as they may approve, their approval to be conclusively evidenced by their execution thereof;

5. That the Director of Finance is authorized to negotiate, execute, and deliver, in the name of and on behalf of the City such contracts, agreements, and other documents, including leases, instruments and certificates as may be necessary or appropriate as determined and approved by the Director of Finance in connection with the financing of the Project, which documents shall be in such form and contain such terms and conditions, not inconsistent herewith, as may be approved by the Director of Finance such approval to be conclusively evidenced by his execution thereof;

6. That the Director of Finance be and hereby is authorized to select the underwriter for the Bonds or BANs heretofore authorized and the Director of Finance be and hereby is authorized and empowered to execute and deliver such contracts or agreements as may be necessary or appropriate in connection therewith;

7. That the Director of Finance be and hereby is authorized to prepare, or cause to be prepared, a Preliminary Official Statement and an Official Statement for use in the offering and sale of the Bonds or BANs heretofore authorized, such Preliminary Official Statement and Official Statement to be in such form and contain such information as may be approved by the Director of Finance, with the advice of the bond counsel for the City, and that the use and distribution of the Preliminary Official Statement and the Official Statement in the name of and on behalf of the City in connection with offering the Bonds or BANs for sale be and hereby is approved;

8. That the Director of Finance be and hereby is authorized to select the registrar, paying agent and transfer agent (the "Transfer Agent") for the Bonds or BANs heretofore authorized and to execute and deliver such contracts and agreements as may be necessary or appropriate to secure their services;

9. That the Bonds or BANs heretofore authorized shall be transferable only on the registration books of the City kept by the Transfer Agent, and said principal amount of the bonds of the same maturity (but not of other maturity) in minimum denominations of $5,000 and any integral multiple in excess thereof upon surrender thereof at the principal office of the transfer agent, with a written instrument of transfer satisfactory to the transfer agent duly executed by the registered owner or his attorney duly authorized in writing. Upon each exchange or transfer of a bond the City and the Transfer Agent shall make a charge sufficient to cover any tax, fee or any other governmental charge required to be payable with respect to such exchange or transfer, and with respect to such exchange or transfer, and subsequent to the first exchange or transfer, the cost of preparing new bonds upon exchanges or transfer thereof to be paid by the person requesting the same;

10. That the Director of Finance be and hereby is authorized to undertake all acts necessary to provide for the issuance and transfer of such Bonds or BANs heretofore authorized in book-

entry form pursuant to the Depository Trust Company Book-Entry Only System, as an alternative to the provisions of the foregoing paragraph above regarding physical transfer of Bonds or BANs, and the Director of Finance be and hereby is authorized and empowered to enter into a Letter of Representation or any other contract, agreement or understanding necessary or, in his opinion, appropriate in order to qualify the Bonds or BANs for and participate in the Depository Trust Company Book-Entry Only System;

11. That the Director of Finance and Mayor from time to time shall execute such Bonds or BANs as may be required to provide for exchanges or transfers of Bonds or BANs as heretofore authorized, all such Bonds or BANs to bear the original signature of the Director of Finance and Mayor, and in case any officer of the City whose signature appears on any Bond or BAN shall cease to be such officer before the delivery of said Bond or BAN, such signature shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery thereof;

12. That if the Bonds or BANs, or any part of them, are issued on a tax exempt basis, the Director of Finance be and hereby is authorized and directed to covenant and certify on behalf of the City that no part of the proceeds of the issue and sale of the Bonds or BANs authorized to be issued hereunder shall be used directly or indirectly to acquire any securities or obligations, the acquisition of which would cause such Bonds or BANs to be "arbitrage bonds" or "private activity bonds" within the meaning of Sections 148 and 141 of the Internal Revenue Code of 1986, as amended;

13. That if the Bonds or BANs, or any part of them, are issued on a tax exempt basis, the officers or officials executing the Bonds or BANs be and hereby are individually authorized to covenant and agree, on behalf of the City, for the benefit of the holders of such Bonds or BANs, that the City will file any required reports and take any other action that may be necessary to insure that interest on the notes will remain exempt from federal income taxation, and that the City will refrain from any action that would cause interest on the Bonds or BANs to be subject to federal income taxation;

14. That the officers executing the Bonds or BANs be and hereby are individually authorized to covenant, certify and agree, on behalf of the City, for the benefit of the holders of such Bonds or BANs, that the City will file any required reports, make any annual financial or material event disclosure, and take any other action that may be necessary to insure that the disclosure requirements imposed by Rule 15c2-12 of the Securities and Exchange Commission, if applicable, are met;

15. That any or all of the Bonds or BANs issued hereunder may be consolidated with and become a part of any other issue of temporary notes or general obligation bonds authorized to be issued by any previous or subsequent order of the City Council of the City of Portland;

16. That the term "cost" or "costs" as used herein and applied to the Project, or any portion thereof, includes, but is not limited to (1) the purchase price or acquisition cost of all or any portion of the Projects; (2) the cost of construction, building, alteration, enlargement, reconstruction, renovation, improvement, and equipping of the Projects; (3) the cost of all appurtenances and other facilities either on, above, or under the ground which are used or usable

in connection with the Projects; (4) the cost of landscaping, site preparation and remodeling of any improvements or facilities; (5) the cost of all labor, materials, building systems, machinery and equipment; (6) the cost of land, structures, real property interests, rights, easements, and franchises acquired in connection with the Projects; (7) the cost of all utility extensions and site improvements and development; (8) the cost of planning, developing, preparation of specifications, surveys, engineering, feasibility studies, legal and other professional services associated with the Projects; (9) the cost of environmental studies and assessments; (10) the cost of financing charges and issuance costs, including premiums for insurance, interest for a period not to exceed three years from the issue date of the Bonds, and for any additional period permitted under Section 148 of the Internal Revenue Code of 1986, as amended, underwriters' fees and costs, legal and accounting fees and costs, application fees, and other fees and expenses relating to the financing transaction; and (11) the cost of all other financing authorized hereunder, whether related or unrelated to the foregoing;

17. That the Director of Finance, Mayor and Clerk and other proper officials of the City be, and hereby are authorized and empowered in its name and on its behalf to do or cause to be done all such acts and things, not inconsistent herewith, as may be necessary or desirable in order to effect the issuance, sale and delivery of the Bonds or BANs hereinabove authorized;

18. That if any of the officers or officials of the City who have signed or sealed the Bonds shall cease to be such officers or officials before the Bonds or BANs so signed and sealed shall have been actually authenticated or delivered by the City, such Bonds or BANs nevertheless may be authenticated, issued, and delivered with the same force and effect as though the person or persons who signed or sealed such Bonds or BANs had not ceased to be such officer or official; and also any such bonds or notes may be signed and sealed on behalf of the City by those persons who, at the actual date of the execution of such Bonds or BANs, shall be the proper officers and officials of the City, although at the nominal date of such Bonds or BANs any such person shall not have been such officer or official;

19. That if the Director of Finance, Mayor or Clerk are for any reason unavailable to approve and execute the Bonds or BANs or any other documents necessary or convenient to the issuance, execution and delivery of the Bonds or BANs, the person or persons then acting in any such capacity, whether as an assistant, a deputy, or otherwise, is authorized to act for such official with the same force and effect as if such official had performed such act.

20. That the Bonds or BANs authorized by this Order are in addition to any bonds or notes previously authorized for the same or similar purposes;

21. That to the extent not payable from other funds, an amount sufficient for the payment of the annual payments of principal and interest on the Bonds or any BANs issued hereunder shall be included in the tax levy of each year until the debt represented by said Bonds or BANs is extinguished.

22. That during the term any of the Bonds (or bonds issued to refund such Bonds) are outstanding, the Director of Finance be and hereby is authorized to issue and deliver refunding bonds to refund some or all of the Bonds then outstanding, and to determine the date, form, interest rate, maturities and all other details of such refunding bonds, including the form and

manner of their sale and award. The Director of Finance be and hereby is further authorized to provide that any of such refunding bonds hereinbefore authorized be made callable, with or without premium, prior to their stated date(s) of maturity, and each refunding bond issued hereunder shall be signed by the Director of Finance and by the Mayor, either or both of whose signatures may be by facsimile to the extent permitted by law, attested to by the City Clerk, under the seal of the City, and shall be in such form and contain such terms and provisions not inconsistent herewith as they may approve, their approval to be conclusively evidenced by their execution thereof.

MEMORANDUM
City Council Agenda Item

DISTRIBUTE TO: City Manager, Mayor, Anita LaChance, Sonia Bean, Danielle West-Chuhta, Nancy English, Julianne Sullivan

FROM: Finance

DATE: 2/22/2016

SUBJECT:

SPONSOR: Jon Jennings
(If sponsored by a Council committee, include the date the committee met, the results of the vote, and the meeting minutes.

COUNCIL MEETING DATE ACTION IS REQUESTED:
1st reading 3/7 **Final Action** 3/14 (as an emergency)

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

Action is required by 3/14 so the bonding can stay on schedule

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

I. ONE SENTENCE SUMMARY

The public hearing notice for Order 10-15/16 was not published "at least twice in a newspaper of general circulation in Portland" and a public hearing needs to be re-noticed for the 3/14 meeting in order to meet City Charter bond issue requirements.

II. AGENDA DESCRIPTION

The City previously adopted Order 10-15/16 (ORDER AUTHORIZING GENERAL OBLIGATION BONDS IN AN AMOUNT NOT TO EXCEED $3,400,000) on July 20, 2015. This order authorized and approved the incurring of indebtedness by the City of Portland and the issue and sale of general obligation bonds and notes in anticipation thereof in the aggregate principal amount not to exceed $3,400,000 to finance a portion of the costs to purchase, redevelop, renovate and equip a parcel of land located at 250 Canco Road and to redevelop, renovate and equip an approximately 4 acre parcel of land known as the Quarry Road property and all other costs (as defined herein) related and ancillary thereto (the "Project") in furtherance of the relocation of the City's Department of Public Works Bayside activities.

All bond issuances must meet strict City Charter requirements, including requirements on how a public hearing must be noticed. Specifically, Section 11 of Article VII of Part I: Charter notes:

No order providing for the issue of bonds shall be passed without public notice given by posting notice of the same in two (2) public places in the City of Portland and publishing such notice at least twice in a newspaper of general circulation in Portland at least two (2) weeks before final action of the city council.

The public hearing notice was not published by the Press Herald and therefore needed to be re-published in order to provide adequate notice for the revised 3/14 Public Hearing date when Final Action will be taken by City Council for this item. This notice was published by the Press Herald on 2/28/16 and 2/29/16 (confirmed by City staff).

III. BACKGROUND

Same as I above.

IV. INTENDED RESULT AND OR COUNCIL GOAL ADDRESSED

Order will be passed properly as Council originally intended, with adequate public hearing notice. This order must be passed as emergency so it can go into effect in time for the bonding date.

V. FINANCIAL IMPACT

$3.4M of bonding for 20 years.

VI. STAFF ANALYSIS AND BACKGROUND THAT WILL NOT APPEAR IN THE AGENDA DESCRIPTION

VII. RECOMMENDATION

Pass as an emergency

VIII. LIST ATTACHMENTS

Attached order

Prepared by: Finance Department
Date: 2/22/16