Regular City Council Meeting
June 20, 2016

1. Agenda Only

   Documents: AGENDA ONLY 06-20-16.PDF

2. Agenda And Packet

   Documents: AGENDA AND PACKET 2016-06-20.PDF

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

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

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REGULAR CITY COUNCIL MEETING
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PLEDGE OF ALLEGIANCE:

ROLL CALL:

ANNOUNCEMENTS:

RECOGNITIONS:

Josie Pierce, Casco Bay High School Class of 2016

APPROVAL OF MINUTES OF PREVIOUS MEETING:

(Tab 1) June 6, 2016 Regular City Council Meeting Minutes

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Proc 35-15/16 (Tab 3) **Proclamation Honoring Officer William Stratis as Officer of the Month for May 2016 – Sponsored by Mayor Ethan K. Strimling.**

ORDERS:

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The order will permanently name the public plaza located next to the Temple Street Parking garage in honor of former City Manager John E. Menario.

This particular plaza was selected because, during Mr. Menario's tenure, planning for the Temple Street Parking Garage and plaza was approved; the property directly across from the plaza for the Canal plaza complex was sold, and city property for the Cumberland County Civic Center was selected.

The majority of the plaza is an urban hardscape, with some raised planting areas; the plaza is bisected by the entrance to the parking garage. The southern end of the plaza is the site of the Lobsterman Statue, and has been locally known as Lobsterman Park. The entire plaza area is to be named John E. Menario Plaza, with the Lobsterman Park area an inclusive part of the plaza.

The Parks Commission recommended approval on June 2, 2016; the Land Bank Commission recommended approval on June 9, 2016.

Five affirmative votes are required for passage after public comment.

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Order 307-15/16 (Tab 5) **Order Confirming the Appointment of Anne M. Torregrossa as Associate Corporation Counsel – Sponsored by Danielle West-Chuhta, Corporation Counsel.**

Attorney Anne M. Torregrossa is recommended for appointment as Associate Corporation Counsel to provide the City of Portland with legal advice and assistance with a focus on employment, city code violations and zoning matters. Her previous extensive municipal legal work specifically includes, among other things, assisting municipalities in the process of tearing down numerous unsafe buildings and implementing improved compliance with fire and property maintenance codes, as well as resolving several employment disputes. Attorney Torregrossa would also assist in litigation matters.

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These appointments shall be effective from the effective date of this order until midnight, December 31, 2016.

This appointment is made pursuant to Portland City Code, Sections 20-19 and 20-19.5. Constables are not allowed to carry a firearm, concealed or unconcealed, in the performance of their duties, or to make arrests, or issue parking tickets.

Staff is requesting emergency enactment in order to make the appointments effective immediately. Seven affirmative votes are required for passage after public comment.

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Mr. Russell will start on June 27, 2016 at a base salary of $102,000.00 per year.

This item must be read on two separate days. This is its first reading. Staff is requesting that the second reading be waived and this item be passed as an emergency so Mr. Russell can begin work on June 27, 2016. Seven affirmative votes are required to waive the second reading and for passage as an emergency.

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B.Good, located on Exchange Street, had first requested a Block Party street closure where 2 blocks of Exchange Street (from Middle to Fore) were blocked off to vehicle traffic. That proposal was not approved by City Council. The proposal now before City Council is for the party to be held at Post Office Park and will include a beer garden.

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Application received on 5/5/16. Applicant holds a current Class XI Restaurant/Lounge License.

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Five affirmative votes are required for passage after public comment.

BUDGET ITEMS:

COMMUNICATIONS:

RESOLUTIONS:

Resolve 9-15/16 (Tab 20) **Resolution in Support of Transgender Health Care – Sponsored by Mayor Ethan K. Strimling and Councilors Belinda S. Ray, Spencer Thibodeau, Justin Costa, David Brenerman, Jill C. Duson, Jon Hinck, and Nicholas M. Mavodones, Jr.**

The City Council is being asked to support a resolution that endorses and encourages the City Manager or his/her designee to fully implement and amend the amendment to the City's health care by ensuring that the exclusions therein for transgender health care are removed for City employees.

Five affirmative votes are required for passage after public comment.

UNFINISHED BUSINESS:

Order 265B-15/16 (Tab 21) **Traffic Schedule Amendments Re: Washington Avenue Traffic - Sponsored by Jon P. Jennings, City Manager.**

This order amends the Traffic Schedule in certain locations on Washington Avenue to mitigate documented safety issues and facilitate transportation improvements as part of annual striping and repaving projects during the 2016 construction season. The changes to parking are also being made to enable an expansion of the bicycle lane network on Washington Avenue.

This order had a first reading on May 16, 2016. At the June 6, 2016 City Council Meeting, the order was amended by dividing it into two parts. The first part, Order 265A, for traffic amendments on Forest Avenue, was approved by the City Council on June 6, 2016. The second part, for traffic amendments on Washington Avenue, was postponed to the June 20, 2016 meeting.

Five affirmative votes are required for passage after public comment.

Order 298-15/16 (Tab 22) **Order Adopting Development Program for Portland Downtown – for Fiscal Year 2016-2017 - Sponsored by Jon P. Jennings, City Manager.**

City Council authorization of documents is needed for the continued operation of Portland Downtown (PD). These documents include (1) Adopting Development Program for PD for FY2017; (2) Assessing Maintenance and Implementation Assessments in PD for FY2017; (3) authorizing the Master Agreement for work to be done by PD; and (4) authorizing the Supplemental Services Agreement for work to be done by the City.

This order had a first reading on 6/6/16. Five affirmative votes are required for passage after public comment.

Order 299-15/16 (Tab 23) **Order Assessing Maintenance and Implementation Assessments for Portland Downtown for Fiscal Year 2016-2017 - Sponsored by Jon P. Jennings, City Manager.**

This order and the following order are companion orders to Order 298 above.

This year's assessment of $749,143 will come from special assessments on all real estate in the PD to fund PD Development Program expenses for the period July 1, 2016 to June 30, 2017.
The mill rate to raise this assessment is .92 cents per $1,000 of property value, which has been the same rate for the past seven years.

This order had a first reading on 6/6/16. Five affirmative votes are required for passage after public comment.

Order 300-15/16 (Tab 24) **Order Approving and Authorizing the City Manager to Enter Into Master Agreement and Supplemental Services Agreement with Portland Downtown - Sponsored by Jon P. Jennings, City Manager.**

This order had a first reading on 6/6/16. Five affirmative votes are required for passage after public comment.

Order 301-15/16 (Tab 25) **Order Amending the Designation of India Street as a Historic District and the Map of Historic Districts by Expanding Its Boundary – Sponsored by the Historic Preservation Board, Scott Benson, Chair.**

The Historic Preservation Board and Planning Board are recommending that the western boundary of the India Street Historic District be extended to include 88, 96 and 100 Federal Street.

The recommendation is pursuant to a request by the new owners of 96 and 100 Federal who wish to take advantage of state and federal historic tax credits to rehabilitate the three-story historic brick apartment building at 96 Federal. In order to be eligible for historic tax credits, the building must be located within a certified local historic district and be found to be a "contributing" building within the district. (Individual listing in the National Register also qualifies a property owner for tax credits, but in this case the building is not individually eligible for the National Register.) To avoid a noncontiguous district and meet applicable National Park Service requirements for district boundary delineation, the Planning Board and Historic Preservation are recommending that 88 and 100 Federal be added to the district as well.

As with all other buildings within the current India Street Historic District, the three buildings have been classified according to their preservation status: 88 Federal (1965), noncontributing; 96 Federal (1867), contributing; 100 Federal (1867), contributing.

Exterior alterations and/or additions to contributing buildings are subject to review under the historic preservation ordinance's Standards for Review of Alterations. Noncontributing structures may be demolished as-of-right, however any replacement development would be subject to the historic preservation ordinance's new construction standards.

This order had a first reading on 6/6/16. Five affirmative votes are required for passage after public comment.

Order 303-15/16 (Tab 26) **Amendment to Portland City Code Chapter 17 (Offenses, Miscellaneous Provisions) Re: Sale of Tobacco Products to Persons Under 21 Years of Age Prohibited - Sponsored by the Health & Human Services Committee, Councilor Edward J. Suslovic, Chair.**

This item would change legal age to purchase tobacco to 21 in the Portland tobacco ordinance. A notice of the change in the ordinance and date of the council meeting was sent to retailers on May 19, 2016.

Research shows that the majority of smokers begin smoking in their teens or earlier. The Committee recommends seeking increasing the age at which individuals can purchase tobacco products, thus preventing tobacco addiction.

The Health & Human Services Committee voted unanimously to recommend passage, 3-0.

This order had a first reading on 6/6/16. Five affirmative votes are required for passage after public comment.

Order 304-15/16 (Tab 27) **Amendment to Portland City Code Chapter 11 Food and Food Handlers RE: Food Trucks and Community Kitchens – Sponsored by the Health & Human Services Committee, Councilor Edward J. Suslovic, Chair.**

This item will bring consistency, simplify definitions and eliminate fees.

Purveyors of food for sale are regulated by the state and city. The definitions for Base Station Mobile Food Service Establishment and Community Kitchen have been simplified and brought in line with the Maine Food Code. There are also two fees the committee recommends be eliminated because of redundancy.

The base station fee is redundant to the mobile license fee. License fees are being collected twice from the same business. The annual amount collected from the base station fee is less than $2,000 and is supported by the City Clerk's office.

The Health & Human Services Committee voted unanimously to recommend passage, 3-0.

This order had a first reading on 6/6/16. Five affirmative votes are required for passage after public comment.

AMENDMENTS:

Order 322-15/16 (Tab 28) **Amendment to Portland City Code Chapter 14 Land Use, Article III Re: Food Trucks – Sponsored by Elizabeth Boepple, Chair, Planning Board.**

This item asks Council to consider changes to Chapter 14 to amend references to Chapter 2 of the City Code relating to these food trucks.

Specifically, this amendment removes of a requirement for a competitive bid process as prerequisite for food trucks being allowed uses in the Open Space and Recreation" and Eastern Waterfront Port zones. To date the food truck program has been very successful and as such the impetus for the competitive process to manage access is no longer needed.

In addition, this process was time consuming and placed additional financial burdens both on the businesses and the City.

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

EXECUTIVE SESSION:

Executive Session Re: Bargaining Guidance for Labor & Trades – Sponsored by Jon P. Jennings, City Manager.

LICENSE RENEWALS:

BREAK FOR DINNER:

7:00 P.M. PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS:

ETHAN K. STRIMLING (MAYOR)
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This order had a first reading on 6/6/16. Five affirmative votes are required for passage after public comment.

Order 299-15/16 (Tab 23) **Order Assessing Maintenance and Implementation Assessments for Portland Downtown for Fiscal Year 2016-2017 - Sponsored by Jon P. Jennings, City Manager.**

This order and the following order are companion orders to Order 298 above.

This year's assessment of $749,143 will come from special assessments on all real estate in the PD to fund PD Development Program expenses for the period July 1, 2016 to June 30, 2017.
The mill rate to raise this assessment is .92 cents per $1,000 of property value, which has been the same rate for the past seven years.

This order had a first reading on 6/6/16. Five affirmative votes are required for passage after public comment.

Order 300-15/16 (Tab 24) **Order Approving and Authorizing the City Manager to Enter Into Master Agreement and Supplemental Services Agreement with Portland Downtown - Sponsored by Jon P. Jennings, City Manager.**

This order had a first reading on 6/6/16. Five affirmative votes are required for passage after public comment.

Order 301-15/16 (Tab 25) **Order Amending the Designation of India Street as a Historic District and the Map of Historic Districts by Expanding Its Boundary – Sponsored by the Historic Preservation Board, Scott Benson, Chair.**

The Historic Preservation Board and Planning Board are recommending that the western boundary of the India Street Historic District be extended to include 88, 96 and 100 Federal Street.

The recommendation is pursuant to a request by the new owners of 96 and 100 Federal who wish to take advantage of state and federal historic tax credits to rehabilitate the three-story historic brick apartment building at 96 Federal. In order to be eligible for historic tax credits, the building must be located within a certified local historic district and be found to be a "contributing" building within the district. (Individual listing in the National Register also qualifies a property owner for tax credits, but in this case the building is not individually eligible for the National Register.) To avoid a noncontiguous district and meet applicable National Park Service requirements for district boundary delineation, the Planning Board and Historic Preservation are recommending that 88 and 100 Federal be added to the district as well.

As with all other buildings within the current India Street Historic District, the three buildings have been classified according to their preservation status: 88 Federal (1965), noncontributing; 96 Federal (1867), contributing; 100 Federal (1867), contributing.

Exterior alterations and/or additions to contributing buildings are subject to review under the historic preservation ordinance's Standards for Review of Alterations. Noncontributing structures may be demolished as-of-right, however any replacement development would be subject to the historic preservation ordinance's new construction standards.

This order had a first reading on 6/6/16. Five affirmative votes are required for passage after public comment.

Order 303-15/16 (Tab 26) **Amendment to Portland City Code Chapter 17 (Offenses, Miscellaneous Provisions) Re: Sale of Tobacco Products to Persons Under 21 Years of Age Prohibited - Sponsored by the Health & Human Services Committee, Councilor Edward J. Suslovic, Chair.**

This item would change legal age to purchase tobacco to 21 in the Portland tobacco ordinance. A notice of the change in the ordinance and date of the council meeting was sent to retailers on May 19, 2016.

Research shows that the majority of smokers begin smoking in their teens or earlier. The Committee recommends seeking increasing the age at which individuals can purchase tobacco products, thus preventing tobacco addiction.

The Health & Human Services Committee voted unanimously to recommend passage, 3-0.

This order had a first reading on 6/6/16. Five affirmative votes are required for passage after public comment.

Order 304-15/16 (Tab 27) **Amendment to Portland City Code Chapter 11 Food and Food Handlers RE: Food Trucks and Community Kitchens – Sponsored by the Health & Human Services Committee, Councilor Edward J. Suslovic, Chair.**

This item will bring consistency, simplify definitions and eliminate fees.

Purveyors of food for sale are regulated by the state and city. The definitions for Base Station Mobile Food Service Establishment and Community Kitchen have been simplified and brought in line with the Maine Food Code. There are also two fees the committee recommends be eliminated because of redundancy.

The base station fee is redundant to the mobile license fee. License fees are being collected twice from the same business. The annual amount collected from the base station fee is less than $2,000 and is supported by the City Clerk's office.

The Health & Human Services Committee voted unanimously to recommend passage, 3-0.

This order had a first reading on 6/6/16. Five affirmative votes are required for passage after public comment.

AMENDMENTS:

Order 322-15/16 (Tab 28) **Amendment to Portland City Code Chapter 14 Land Use, Article III Re: Food Trucks – Sponsored by Elizabeth Boepple, Chair, Planning Board.**

This item asks Council to consider changes to Chapter 14 to amend references to Chapter 2 of the City Code relating to these food trucks.

Specifically, this amendment removes of a requirement for a competitive bid process as prerequisite for food trucks being allowed uses in the Open Space and Recreation" and Eastern Waterfront Port zones. To date the food truck program has been very successful and as such the impetus for the competitive process to manage access is no longer needed.

In addition, this process was time consuming and placed additional financial burdens both on the businesses and the City.

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

EXECUTIVE SESSION:

Executive Session Re: Bargaining Guidance for Labor & Trades – Sponsored by Jon P. Jennings, City Manager.

LICENSE RENEWALS:

BREAK FOR DINNER:

7:00 P.M. PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS:

Tab 1 6-20-16

ROLL CALL: Mayor Strimling called the meeting to order at 5:00 P.M. All Councilors present.

ANNOUNCEMENTS:

RECOGNITIONS:

APPROVAL OF MINUTES OF PREVIOUS MEETING:

Motion was made by Councilor Ray and seconded by Councilor Thibodeau for approval of the minutes May 16, 2016. Passage 9-0.

PROCLAMATIONS:

Proc 32-15/16 **Proclamation Re: Friends of the Eastern Promenade – Sponsored by Mayor Ethan K. Strimling, Mayor.**

Proc 33-15/16 **Proclamation Honoring Janice Gardner, City Clerk's Office, as Employee of the Month for May 2016 – Sponsored by Mayor Ethan K. Strimling.**

APPOINTMENTS:

Order 267-15/16 **Order Approving Appointments to Various Boards and Commissions – Sponsored by the Legislative/Nominating Committee, Councilor Justin Costa, Chair.**

Name	Board & Commissions	Expiration
Mariar Barlow	Portland Housing Authority	06/30/2021
Joseph Dwyer	Civil Service Commission	06/30/2019
Meri Lowry	Land Bank Commission	06/30/2019
Shima Kabirigi	CDBG	09/30/2019
D. Kelly Young	CDBG	09/30/2019
Lucinda Pyne	CDBG	09/30/2019
Amy Gallant	CDBG	09/30/2019
Julia Kirby	Portland Public Arts	06/30/2019
Alison Hildreth	Portland Public Arts	06/30/2019
Jenna Crowder	Portland Public Arts	06/30/2019

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

Order 268-15/16 **Order Appointing Constables for 2016 RE: Department of Public Safety – Sponsored by Jon P. Jennings, City Manager.**

Motion was made by Councilor Suslovic and seconded by Councilor Duson for passage as an emergency. Passage 9-0.

Order 269-15/16 **Order Appointing and Setting Salary of Christopher C. Branch as Public Works Director – Sponsored by Jon P. Jennings, City Manager.**

Motion was made by Councilor Costa and seconded by Councilor Duson for passage as an emergency. Passage 9-0.

CONSENT ITEMS:

Order 270-15/16 **Order Declaring Monday, July 4, 2016, as July 4th Stars and Stripes Spectacular Festival – Sponsored by Jon P. Jennings, City Manager.**

Order 271-15/16 **Order Declaring Saturday, July 30, 2016, as The 14th Annual Greater Portland Festival of Nations – Sponsored by Jon P. Jennings, City Manager.**

Motion was made by Councilor Hinck and seconded by Councilor Brenerman for passage of the consent items. Passage 9-0.

LICENSES:

Order 272-15/16 **Order Granting Municipal Officers' Approval of BRGR Bar, LLC d/b/a BRGR Bar. Application for a Class I FSE License with Outdoor Dining on Private Property at 11 Brown St. – Sponsored by Katherine L. Jones, City Clerk.**

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

Order 273-15/16 **Order Granting Municipal Officers' Approval of Maine Craft Distilling d/b/a Maine Craft Distilling. Application for a Distillery Alcohol Service License with Outdoor Dining on Private Property at 101 Fox St. – Sponsored by Katherine L. Jones, City Clerk.**

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

Order 274-15/16 **Order Granting Municipal Officers' Approval of Lone Pine Brewing Co. d/b/a Lone Pine Brewing Company. Application for a Brewery Alcohol Service License with Entertainment without Dance and Outdoor Dining on Private Property at 219 Anderson St., #4. – Sponsored by Katherine J. Jones, City Clerk.**

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

Order 275-15/16 **Order Granting Municipal Officers' Approval of Bunker Brewery LLC d/b/a Bunker Brewing Company. Application for a Brewery Alcohol Service License with Entertainment without Dance and Outdoor Dining on Private Property at 17 Westfield St. – Sponsored by Katherine L. Jones, City Clerk.**

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

Order 276-15/16 **Order Granting Municipal Officers' Approval of RB Portland Master Subtenant LLC d/b/a Westin Portland Harborview. Application to Change Outdoor Dining on Public Property at 157 High St. – Sponsored by Katherine L. Jones, City Clerk.**

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

Order 277-15/16 **Order Granting Municipal Officers' Approval of Shipyard Brewing Co. LLC d/b/a Shipyard Brewing Company. Application for a Brewery Alcohol Service License with Entertainment without Dance and Food Service Establishment without Preparation at 86 Newbury St. - Sponsored by Katherine L. Jones, City Clerk.**

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

Order 278-15/16 **Order Granting Municipal Officers' Approval of Shipyard Brewing Co. LLC d/b/a Shipyard Brewing Company. Application to expand Alcohol Service area on June 23rd for Spurwink Services fundraiser – Sponsored by Katherine L. Jones, City Clerk.**

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

Order 279-15/16 **Order Granting Municipal Officers' Approval of Tangible Alchemy d/b/a Urban Farm Fermentory. Application for a Brewery and Winery Alcohol Service License with Entertainment with Dance, Outdoor Dining on Private Property, and Food Service Establishment without Preparation at 200 Anderson St. – Sponsored by Katherine L. Jones, City Clerk.**

Motion was made by Councilor Hinck and seconded by Councilor Brenerman for passage. Passage 9-0.

Order 280-15/16 **Order Granting Municipal Officers' Approval of Milne Spirit Works LLC d/b/a Hardshore Distilling Company. Application for a Distillery Alcohol Service License with Outdoor Dining on Private Property and Food Service Establishment with Preparation at 59 Washington Ave., Suite 1-E – Sponsored by Katherine L. Jones, City Clerk.**

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

Order 281-15/16 **Order Granting Municipal Officers' Approval of Poplar & Company LLC d/b/a Roustabout. Application to add Outdoor Dining on Public Property at 59 Washington Ave. – Sponsored by Katherine L. Jones, City Clerk.**

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

Order 282-15/16 **Order Granting Municipal Officers' Approval of D and D Hospitality, LLC d/b/a Salty Sally's. Application for a Class I FSE License at 953 Congress Street – Sponsored by Katherine L. Jones, City Clerk.**

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

Order 283-15/16 **Order Granting Municipal Officers' Approval of New England Distilling, LLC d/b/a New England Distilling. Application for a Distillery Alcohol Service License at 26 Evergreen Dr., Unit B – Sponsored by Katherine L. Jones, City Clerk.**

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

Order 284-15/16 **Order Granting Municipal Officers' Approval of New England Distilling. Application for a Distillery Alcohol Service License at 1 Industrial Way, Unit 13 – Sponsored by Katherine L. Jones, City Clerk.**

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

Order 285-15/16 **Order Granting Municipal Officers' Approval of AMJ Corp d/b/a Styxx. Application to add Outdoor Dining on Private Property at 3 Spring St. – Sponsored by Katherine L. Jones, City Clerk.**

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

Order 286-15/16 **Order Granting Municipal Officers' Approval of DL Geary Brewing Co., Inc. d/b/a DL Geary Brewing Co. Inc. Application for a Brewery Alcohol Service License with Entertainment without Dance, Outdoor Dining on Private Property, and Food Service Establishment without Preparing at 38 Evergreen Dr. – Sponsored by Katherine L. Jones, City Clerk.**

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

Order 287-15/16 **Order Granting Municipal Officers' Approval of Foundation Brewing Company d/b/a Foundation Brewing Company. Application for a Brewery Alcohol Service License with Entertainment without Dance, Outdoor Dining on Private Property and Food Service Establishment without Preparation at 1 Industrial Way – Sponsored by Katherine L. Jones, City Clerk.**

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

Order 288-15/16 **Order Granting Municipal Officers' Approval of Ricker Hill Farms Inc. d/b/a Tasting Cellar. Application for a Winery and Distillery Alcohol Service License with Outdoor Dining on Public and Private Property and Food Service Establishment without Preparation at 1 Monument Way – Sponsored by Katherine L. Jones, City Clerk.**

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

Order 289-15/16 **Order Granting Municipal Officers' Approval of Wassal, LLC d/b/a Maine Mead Works. Application for a Winery Alcohol Service License with Entertainment without Dance and Food Service Establishment without Preparation at 51 Washington Ave. – Sponsored by Katherine L. Jones, City Clerk.**

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

Order 290-15/16 **Order Granting Municipal Officers' Approval of Ginza Town Inc. d/b/a Ginza Town. Application to add Outdoor Dining on Private Property at 1053 Forest Ave. – Sponsored by Katherine L. Jones, City Clerk.**

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

Order 291-15/16 **Order Granting Municipal Officers' Approval of Austin Street Brewery, LLC d/b/a Austin Street Brewery, LLC. Application for a Brewery Alcohol Service License with Outdoor Dining on Private Property at 1 Industrial Way, Units 6 & 8 – Sponsored by Katherine L. Jones, City Clerk.**

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

Order 292-15/16 **Order Granting Municipal Officers' Approval of G. Robert Tod d/b/a Allagash Brewing Company. Application for a Brewery Alcohol Service License with Entertainment without Dance and Outdoor Dining on Private Property at 50 Industrial Way – Sponsored by Katherine L. Jones, City Clerk.**

Councilor Thibodeau disclosed that his firm represents Allagash Brewing and he does not benefit from this license.

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

Order 293-15/16 **Order Granting Municipal Officers' Approval of Foxville Group LLC d/b/a Emilitsa Restaurant. Application to add Outdoor Dining On Public Property at 547 Congress St. – Sponsored by Katherine L. Jones, City Clerk.**

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

BUDGET ITEMS:

COMMUNICATIONS:

RESOLUTIONS:

UNFINISHED BUSINESS:

Order 201-15/16 **Order Approving the Purchase of a Street Lamp Sculpture by Aaron Stephan for Installation at Woodfords Corner and Adding This Work to the City's Public Art Collection – Sponsored by Lin Lisberger, Chair of the Portland Public Art Committee. This item was postponed at the April 25, 2016 City Council meeting.**

Motion was made by Councilor Costa and seconded by Councilor Ray for passage. Passage 6-3 (Duson, Mavodones, Suslovic).

Order 265-15/16 **Traffic Schedule Amendments Re: Forest Avenue and Washington Avenue Traffic – Sponsored by Jon P. Jennings, City Manager. This items was given first reading on May 16, 2016.**

IN COUNCIL REGULAR MEETING JUNE 6, 2016 VOL. 132 PAGE 123

Motion was made by Councilor Suslovic and seconded by Councilor Hinck for passage.

Motion was made by Councilor Costa and seconded by Councilor Mavodones to bifurcate Order 265 by separating Forest Avenue and Washington Avenue. Passage 7-2 (Thibodeau, Suslovic).

Motion was made by Councilor Costa and seconded by Councilor Hinck for passage as an emergency of Order 265 amendments to Forest Avenue. Passage 9-0.

Motion was made by Councilor Costa and seconded by Councilor Brenerman to postpone Order 265 Washington Avenue to the June 20th City Council meeting. Passage 7-2 (Suslovic, Hinck).

ORDERS:

Order 294-15/16 **Order Accepting and Approving a Bus Shelter Easement for Public Access From Hardypond Development Company, LLC – Sponsored by the Planning Board, Elizabeth Boepple, Chair.**

Councilor Thibodeau disclosed that his law firm represents the Development Company, he recused himself.

Motion was made by Councilor Suslovic and seconded by Councilor Costa for passage. Passage 8-0 (Thibodeau recused) .

Order 295-15/16 **Order Granting an Anode Bed Gas Facility Easement to Unitil on Douglass Street – Sponsored by Danielle West Chuhta, Corporation Counsel.**

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

Order 296-15/16 **Order Approving the Deaccession of the Common Ground Gazebo from the Portland Public Art Collection – Sponsored by the Portland Public Art Committee, Lin Lisberger, Chair.**

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

Order 297-15/16 **Order Accepting the Donation of Land on Riverview Street from**

Diversified Properties, Inc. - Sponsored by Jon P. Jennings, City Manager.

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

Order 298-15/16 **Order Adopting Development Program for Portland Downtown – for Fiscal Year 2016-2017 - Sponsored by Jon P. Jennings, City Manager.**

This is its first reading.

Order 299-15/16 **Order Assessing Maintenance and Implementation Assessments for Portland Downtown for Fiscal Year 2016-2017 - Sponsored by Jon P. Jennings, City Manager.**

This is its first reading.

Order 300-15/16 **Order Approving and Authorizing the City Manager to Enter Into Master Agreement and Supplemental Services Agreement with Portland Downtown - Sponsored by Jon P. Jennings, City Manager.**

This is its first reading.

Order 301-15/16 **Order Amending the Designation of India Street as a Historic District and the Map of Historic Districts by Expanding Its Boundary – Sponsored by the Planning Board, Elizabeth Boepple, Chair, and the Historic Preservation Board, Scott Benson, Chair.**

This is its first reading.

AMENDMENTS:

Order 302-15/16 **Amendment to Traffic Schedule RE: Carleton Street – Sponsored by Councilor Spencer Thibodeau.**

Motion was made by Councilor Thibodeau and seconded by Councilor Ray to waive the second reading. Passage 9-0

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

Order 303-15/16 **Amendment to Portland City Code Chapter 17 (Offences, Miscellaneous Provisions) RE: Sale of Tobacco Products to Persons under 21 Years of Age Prohibited - Sponsored by the Health & Human Services Committee, Edward J. Suslovic, Chair.**

This is its first reading.

IN COUNCIL REGULAR MEETING JUNE 6, 2016 VOL. 132 PAGE 125

Order 304-15/16 **Amendment to Portland City Code Chapter 11 Food and Food Handlers RE: Food Trucks and Community Kitchens – Sponsored by the Health & Human Services Committee, Edward J. Suslovic, Chair.**

This is its first reading.

Order 305-15/16 **Order referring the Draft Puppy and Kitten Mills Ordinance to the Health and Human Services Committee.**

Motion was made by Councilor Suslovic and seconded by Councilor Duson to suspend the rules and take up an un-agenda item. Passage 9-0.

Motion was made by Councilor Suslovic and seconded by Councilor Ray to refer Order 305 to the Health and Human Services Committee. Passage 9-0.

Motion was made by Councilor Ray and seconded by Councilor Thibodeau to adjourn. Passage 9-0, 8:55 P.M.

A TRUE COPY.

Katherine L. Jones, City Clerk

Ord. 34-15/16
Tab 2 6-20-16

PROCLAMATION

HONORING

OFFICER WILLIAM STRATIS

****

WHEREAS, **Officer Stratis** joined the Portland Police department in May 2004 and is a member of the Crisis Negotiation Team; and

WHEREAS, **Officer Stratis** is routinely applauded by his community as a caring, compassionate and professional individual who strives to make our community a better place each day; and

WHEREAS, **Officer Stratis** is recognized for his performance as a valued member of the day class who is often assigned to a neighborhood struggling with significant quality of life issues; and

WHEREAS, **Officer Stratis** is regarded as a skilled negotiator whose temperament encourages cooperation and resolution to challenging situations and has been particularly effective with youth populations; and

WHEREAS, **Officer Stratis** is commended for his exemplary performance and clear commitment to a higher standard of public service and public safety.

NOW, THEREFORE, BE IT RESOLVED, THAT I, Ethan K. Strimling, Mayor of the City of Portland, Maine, and the members of the Portland City Council do hereby proclaim honor and recognition to **Officer William Stratis** as **Officer of the Month for May 2016.**

Signed and sealed this 20th day of June 2016

Ethan K. Strimling, Mayor
City of Portland, Maine

Ord 35-15/16
Tab 3 6-20-16

PROCLAMATION

Honoring

Jeremiah Bartlett

Employee of the Month

June 2016

WHEREAS: **Jeremiah Bartlett** of the Public Works Department has been named the City of Portland Employee of the Month by a committee of his peers and selected for this distinct honor from a workforce of 1,300; and

WHEREAS: This award is presented in recognition of **Jeremiah's** work as a Transportation System Engineer with over three years of service. **Jeremiah** is recognized for providing outstanding customer service in a very demanding position, balancing many competing internal and external needs; and

WHEREAS: Every day greats **Jeremiah** with at least one or five surprises, and **Jeremiah** meets them all head on with a can-do, innovative and common sense approach; and

WHEREAS: **Jeremiah** is an extremely collaborative problem solver. He consistently has the public interest at heart and works to further that public interest. Furthermore, **Jeremiah** is recognized for being supportive to his staff and a great supervisor. **Jeremiah** truly is an asset to the Public Works Department and to the City.

NOW, THEREFORE, BE IT RESOLVED, THAT I, Ethan K. Strimling, Mayor of the City of Portland, Maine, and the members of the Portland City Council do hereby proclaim honor and recognition to **Jeremiah Bartlett** as **City Employee of the Month, June 2016.**

Signed and Sealed this 20th day of June, 2016

Ethan K. Strimling, Mayor
City of Portland, Maine

Order 306-15/16
Tab 4 6-20-16

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 NAMING THE PLAZA ABUTTING THE TEMPLE STREET PARKING GARAGE THE JOHN E. MENARIO PLAZA

WHEREAS, John E. Menario, is a native son of Portland, was born in Bayside, and served the City of Portland from 1962 to 1976; and

WHEREAS, during that period, John E. Menario served the City of Portland as the Assistant City Manager Finance Director and City Manager from 1967-1976; and

WHEREAS, during his tenure as City Manager, the City of Portland began an extraordinary rebirth; and

WHEREAS, John E Menario is credited with helping to change the City landscape during this rebirth through urban renewal programs and an overhaul of the City's business center; and

WHEREAS, the urban plaza abutting the Temple Street Parking Garage is a result of the City's transformation and rebirth under John E. Menario's guidance; and

WHEREAS, John E. Menario continued to serve the interests of the City of Portland throughout his professional career; and

WHEREAS, the Portland City Council wishes to honor the work of former City Manager John E. Menario and his contributions to the City's vibrant public, civic and commercial life then and today;

NOW, THEREFORE, BE IT ORDERED, that the plaza abutting the Temple Street Parking Garage, as depicted on Exhibit A attached hereto, is hereby named the John E. Menario Plaza.

MEMORANDUM
City Council Agenda Item

TO: Mayor and City Council

FROM: Mike Murray

DATE: 6/10/2016

DISTRIBUTION: City Manager, Mayor, Anita LaChance, Sonia Bean, Danielle West-Chuhta, Nancy English, Julie Sullivan

SUBJECT: John E. Menario Plaza

SPONSOR: Mayor Ethan K. Strimling, Councilors Nicholas M. Mavodones, Jr., David Brenerman, Jill C. Duson, Edward J. Suslovic, Belinda S. Ray, Spencer Thibodeau, and Justin Costa.

COUNCIL MEETING DATE ACTION IS REQUESTED:
1st reading_____ Final Action____X___

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

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

I. SUMMARY OF ISSUE (Agenda Description)

To permanently name the urban plaza adjacent to the Temple Street Parking Garage "John E. Menario Plaza".

II. REASON FOR SUBMISSION (Summary of Issue/Background)

The order will permanently name the public plaza located next to the Temple Street Parking garage in honor of former City Manager John E. Menario. This particular plaza was selected because, during Mr. Menario's tenure, planning for the Temple Street Parking Garage and plaza was approved; the property directly across from the plaza for the Canal plaza complex was sold, and city property for the Cumberland County Civic Center was selected. The majority of the plaza is an urban hardscape, with some raised planting areas; the plaza is bisected by the entrance to the parking garage. The southern end of the plaza is the site of the Lobsterman Statue, and has been locally known as Lobsterman Park. The entire plaza area is to be named John E. Menario Plaza, with the Lobsterman Park area an inclusive part of the plaza.

III. INTENDED RESULT

The intended result is to honor the contributions of a former City Manager.

IV. COUNCIL GOAL ADDRESSED

V. FINANCIAL IMPACT

Private contributions will fund a commemorative plaque and base; there will be no financial impact to the City of Portland.

VI. STAFF ANALYSIS

Public Works and Corporation Counsel's Office has researched parcel deed for restrictions; no deed on file as parcel was created as a result of street re-alignment.

VII. RECOMMENDATION

Parks Commission Approval and Recommendation – June 2, 2016;
Vote: 5 yeas; 1 nay; 1 abstain

Land Bank Commission Approval – June 9, 2016

VIII. LIST ATTACHMENTS

1. Memo to City Manager Dated June 3, 2016
2. Overhead aerial photo of parcel
3. Overhead Map view of parcel
4. DPW Street Card of Temple Street Re-alignment

Prepared by: Mike Murray

Date: 6/10/2016

Bean/agendamemo/rev7/20/15

Memorandum

TO: John P. Jennings, City Manager
FROM: Michael Murray, Assistant to the City Manager
SUBJECT: Menario Plaza
DATE: June 3, 2016

OBJECTIVE:

The objective is to name the urban plaza adjacent to the Temple Street Garage, bordered by Federal Street, Temple Street, and Middle Street for former City Manager John E. Menario.

BACKGROUND:

The City of Portland wants to acknowledge the many accomplishments of John E. Menario, who served as Portland City Manager from 1967 – 1975. During Mr. Menario's tenure, Portland exhibited extraordinary growth and transformation citywide. From the construction of new public facilities to the creation of new housing, all areas of Portland benefited from Mr. Menario's guidance. Downtown Portland and the Old Port were not exempt from his influence. In particular, the area where Middle Street, Spring Street, Temple Street and Union Street intersect is defining example of Mr. Menario's lasting effect on the city. The sale of the former Falmouth Hotel site for the Canal Plaza development, the approval to construct a municipal parking garage on Temple Street, and the selection of City property for the Cumberland County Civic Center on Spring Street all occurred during his tenure (See Attachment 1).

Appropriately, next to the Temple Street Parking Garage, there is a plaza area that extends from Federal Street to Middle Street, bisected by the entrance to the parking garage. Assessor's records indicate it is a single parcel 032 X002. The majority of the plaza is an urban hardscape, with some raised planting areas. The southern end of the plaza is the site of the Lobsterman Statue, and has been locally known as Lobsterman Park (see attachment 2). It is the request of the City of Portland to re-name the entire plaza area Menario Plaza, in honor of Mr. Menario, with the Lobsterman Park area an inclusive part of the plaza.

SUPPORTING DOCUMENTS:

There is a precedent of urban parks contained within a larger, single parcel in the City of Portland. Bell Buoy Park is such an area, as it is a part of the Maine State Pier. Moon Tide Park at Ocean Gateway is another example.

Staff has researched the history of the plaza, and has determined that the plaza was born from a re-alignment of Temple Street. (See attachment 3).

The Lobsterman Statue, originally located in the rotunda at Portland City Hall, was re-dedicated on July 22, 1977, when it was relocated to the plaza. A plaque at the base of the statue reads:

The Maine Lobsterman
by Victor Kahill
For the World's Fair A.D. 1939
Placed in this Public Square
By the Portland City Council A.D. 1977

Since that time, the southernmost end of the plaza has been referred to as Lobsterman Park or Lobsterman Plaza.

In 2014, Sec. 2-44 of Portland City Code was revised to add 35 parks and open spaces to the Land Bank Commission included the southernmost end of the plaza:

...Lobsterman Park (032 X002 – only including land south of the entrance to parking garage) (urban open public space)...

Additionally, in 2014, the Portland City Council amended Sec. 18-11 of Portland City Code and specifically added the Lobsterman Park area to the review of the Parks Commission, along with 51 other parks and open spaces.

OUTCOME:

After the reviews conducted by the Portland Parks Commission and the Portland Land Bank Commission, and following the adoption of a future City Council Order, a dedication ceremony for John E. Menario Plaza will be planned for later this summer. Currently, private donations are being raised to pay for the purchase and installation costs associated with a commemorative plaque and base.

ATTACHMENT 1

City of Portland

Summary of Major Accomplishments and Activties

June 1967 - December 1975

Public Properties -

.New Terminal Building - International Jetport

.New Parking Lot - International Jetport

.New Access Road - International Jetport

.Relocation of North-South Runway - International Jetport

.Extension of East-West Runway - International Jetport

.Installation of Instrument Landing System - International Jetport

.New Maintenance Building - International Jetport

.New Access Road to Maintenance Building

.New 9-hole Golf Course

.Major Renovation of City Hall Auditorium including rebuilding and relocating Kotzschmar Memorial Organ

.Established a Major Building Repairs Account and Priority Procedure for systematic renovation of all major public buildings

.New Municipal Parking Garage - Spring Street

.Acquired Open Space Land on Peaks Island

.Expansion and Renovations of Portland City Hospital

.New City Greenhouse

.Expansion of Hall School

.New International Ferry Terminal

.New Riverton Fire Station

.Expansion of Rosemont Fire Station - Stevens Avenue

.New Public Safety Building and East End Neighborhood Center

.Major Renovations of Deering High School

.Land Purchase for future construction of Central Public Works Garage

Public Properties -

- New West-End Elementary School (Reiche School)
- New Vocational School
- Demolition of Jackson School for Parking
- Demolition of Woolson School for Parking
- New Crash Station - International Jetport
- New Riverton Elementary School
- Approval and Financing to Construct New Munjoy Hill Fire Station and Neighborhood Facility
- New Riverside Recreational Facility Building
- Approval to Construct Second Municipal Parking Garage on Temple Street
- Sale of Land to Maine Medical Center for Construction of Diagnostic Center
- Selection of City Property for new Cumberland County Civic Center
- Acquisition of former Marine Hospital for $1.00
- Expansion of Terminal Apron and Taxiways - International Jetport
- Sale of Gulliver's Field to Westbrook College
- New Warehouse at International Ferry Terminal
- Leased land to FAA for construction on New Control Tower
- Lease of land for new Delta Airline Cargo Building - International Jetport
- Sale of Downtown #1 for Telephone Company Expansion
- Lease of Butler School for Housing Units
- Renovations of former Arber Street Fire Station for Sewer Division Headquarters
- Sale of Dyer flats for nursing home construction
- Sale of former Falmouth Hotel Site for Canal Plaza Development
- Sale of "Baby Bayside" to Commercial Distributors, Inc. and C. H. Robinson Paper Co. and E. W. Noyes & Sons
- Purchase of Cushman Garage for Public Works use
- Sale of Exchange Street Property to St. Joseph the Provider

Public Properties -

.Sale of Front Street Property to P.H.A. for housing

.Demolition of Lee Recreation Center

.Sale of land on Riverside Street for Skating Rink

.Sale of Brighton Avenue property for private motel

.Sale of Portion of Rocky Hill site for expansion of Brockway-Smith Co.

Housing and Neighborhood Development -

.Bramhall Code Enforcement Program

.Deering Center Code Enforcement Program

.Longfellow Code Enforcement Program

.Danforth Street Neighborhood Development Program

.Bayside Neighborhood Development Program

.Old Port Exchange Area

."Baby Bayside" - City's first unassisted Urban Renewal Program

."Golden Triangle" - City's second unassisted Urban Renewal Program

.Munjoy Hill Neighborhood Conservation

.Front Street Public Housing (50 units)

.Riverton Housing Project (150 units)

.Scattered Sites Housing Project (100 units)

.Franklin Towers Housing Project (200 units)

.Harbor Terrace Housing Project (150 units)

.Washington Gardens Housing Project (100 units)

.Maine Way Program (Comprehensive Central Business District Renewal)

.Housing Demolition Program (Removed 150 isolated dilapidated structures)

.Modified Taxing Policy on Federally subsidized private housing construction making possible Auburn Terrace (164 units), Codman Project on Danforth Street (166 units), Deering Pavilion (200 units)

Housing and Neighborhood Development -

.Established City-Wide Housing Rehabilitation Loan and Grant Program

.Dedication of Eastern & Western Proms as Parkland

Environmental Efforts -

."Operation Junklift" followed by a Junk Car Ordinance eliminating the proliferation of abandoned vehicles.

.Amendments to the Rodent and Vermin Ordinance to improve enforcement.

.Construction of Sewage Treatment Plant on outer Congress Street.

.Amendment to Municipal Code requiring sanitary facilities in all dwelling units

.Virginia-Carter Street Interceptor

.Completion of a 6-year master plan to provide sewer facilities to all areas of the City

.Implementation of the 1st year of the Sewer Master Plan

.Participation with Portland Water District for a Regional Sewage Treatment Program.

.Leased land and rights-of-way to Water District for Regional System

.Implemented a study to determine "sewer rate charges"

.Closed the "open burning dump" in the West End

.Opened Land Reclamation Project on Riverside Street (controlled disposal)

.Comprehensive Dutch Elm Diseased Trees Removal Program

.Adoption of Oil Pollution Control Ordinance

.Adoption of Ordinance Limiting Hours of Construction

.Contribution and Participation in Solid Waste Sanitary Landfill System

.New Subdivision Ordinance improving quality of residential areas

Transportation Network -

.Franklin Street Arterial

.Spring Street Arterial

City Services -

.Downtown Sidewalk Snow Removal financed from assessments

.Contractual agreement with Maine Medical Center for public use of hospital garage.

.Controlling sources of Lead Poisoning

.Opening of V.D. Clinic

.Embracing Federal Flood Insurance Program

Organization and Administration -

.Model Cities Organization & Procedure in 5-year Comprehensive Demonstration

.Comprehensive Wage and Classification Survey

.Major Computer Installation with numerous applications

.Systematic review of all licenses and permit fees

.Establishing position of Deputy Police Chief

.Comprehensive reorganization of Police Department

.Elimination of Civil Defense as a Department and reorganized as Division in Fire Department

.Contribution and Participation in Council of Governments

.Consolidation of School Nursing with Health Department's Nursing Division

.Substantial improvement of employee fringe benefits, e.g., medical insurance, life insurance, sick leave, vacation schedules, in-service training, educational incentives, pensions, etc.

.Established Council Committee on Housing

.Adoption of BOCA Building Code

.Contribution and Participation in Greater Portland Transit District

.Expanding Civil Service Commission from 3 to 5 members

.New Land Development Plan

.Initial Phases of new Zoning Ordinance

.Adoption of National Fire Prevention Code

.Establishing Data Processing Division in Finance Department

Organization and Administration -

.Contracting Health Services with South Portland and Falmouth

.Established position of Police Legal Advisor

.Revaluation

.Adoption of an Affirmative Action Plan

.Tax Sharing Contract with the Town of Sanford on NEECO Development

.Increasing Board of Appeals from 5 to 7 members

.Establishing Welfare Guidelines

.Consolidation of Health Department and Welfare Department into the Department of Health and Social Services

.Elimination of sidewalk assessments when "ordered in" by the City

.Negotiated 35 labor contracts without a work stoppage

.Established full-time Corporation Counsel position

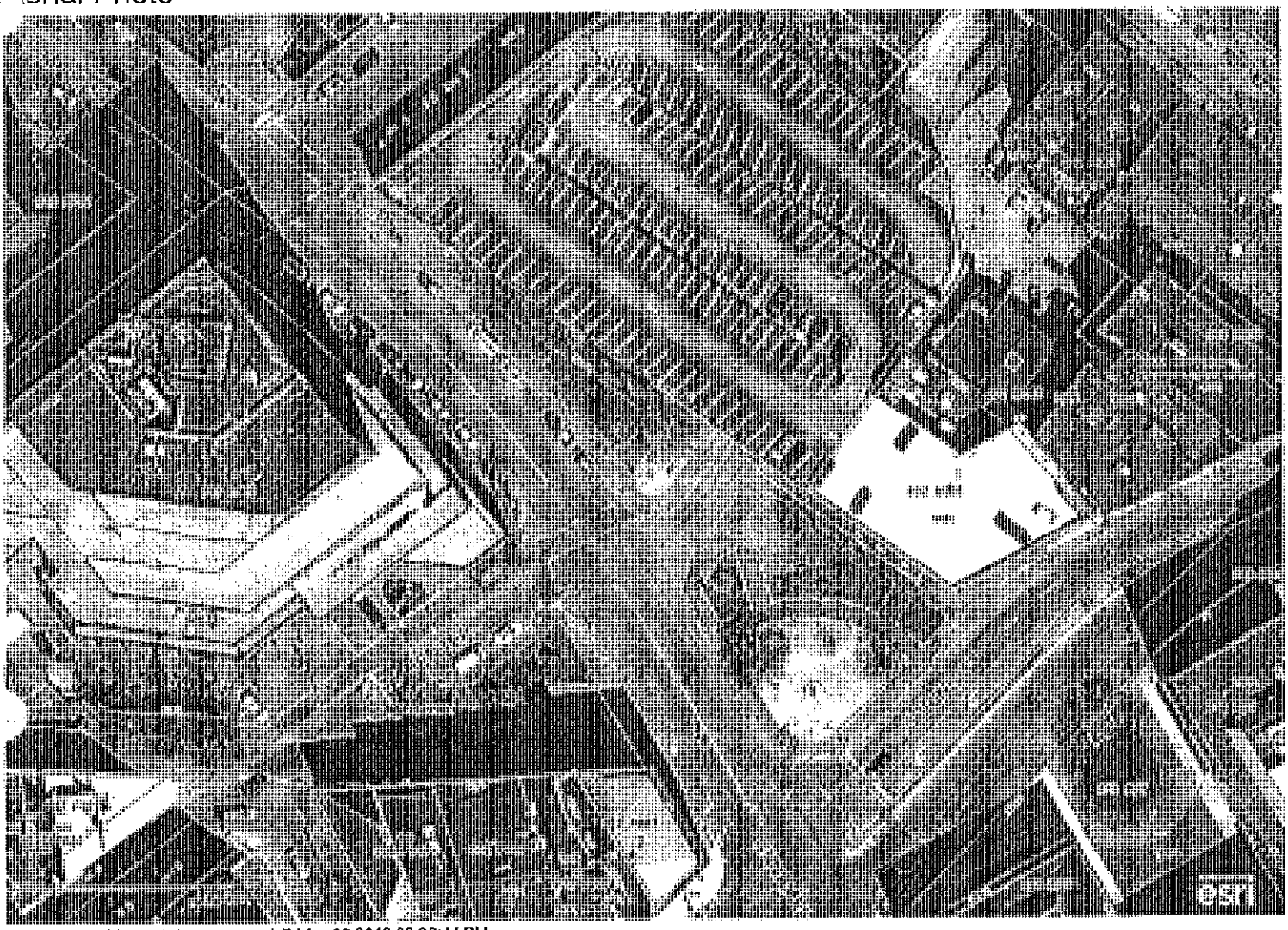
Department Head Appointments -

.Robert D. Curley, Personnel Director (June, 1967)
.Deane S. Stevens, Director of Finance (August, 1967)
.William M. Dow, Code Enforcement Director (August, 1967)
.Robert R. Hawkines, Model Cities Director (December, 1967)
.Douglas W. Steele, Police Chief (March, 1968)
.Clark M. Neily, Economic Development Director (July, 1968)
.F. Worth Landers, Director of Public Works (July, 1968)
.Robert L. Brown, Building Inspection Director (June, 1968)
.John G. DePalma, Finance Director (January, 1969)
.John S. Dexter, Jr., Assistant City Manager (January, 1969)
.Richard E. Anderson, Sr., Parks and Recreation Director (May, 1969)
.Donald E. Megathlin, Jr., Planning Director (May, 1969)
.Arthur A. Hughson, Public Health Director (February, 1970)
.John S. Dexter, Jr., Model Cities Director (May, 1970)
.Harold F. Parks, Assistant City Manager (June, 1970)
.Jadine R. O'Brien, Model Cities Director (August, 1971)
.Donald E. Whitman, Aviation & Public Buildings (April, 1972)
.William B. McClaran, Police Chief (June, 1972)
.Louis J. Hannigan, Personnel Director (August, 1972)
.George A. Flaherty, Assistant City Manager (May, 1973)
.David C. Bittenbender, Welfare Director (July, 1974)
.Merle R. Mahany, Hospital Administrator (September, 1974)
.William J. O'Brien, Jr., Corporation Counsel (April, 1974)
.Alan J. Munroe, Director of Aviation and Public Buildings (April, 1974)
.David C. Bittenbender, Health and Social Services Director (October, 1975)
.George A. Flaherty, Public Works Director (October, 1975)
.Neal W. Allen, III, Assistant City Manager (November, 1975)

ATTACHMENT 2

Parcel 032 X002

Aerial Photo



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Parcel 032 X002

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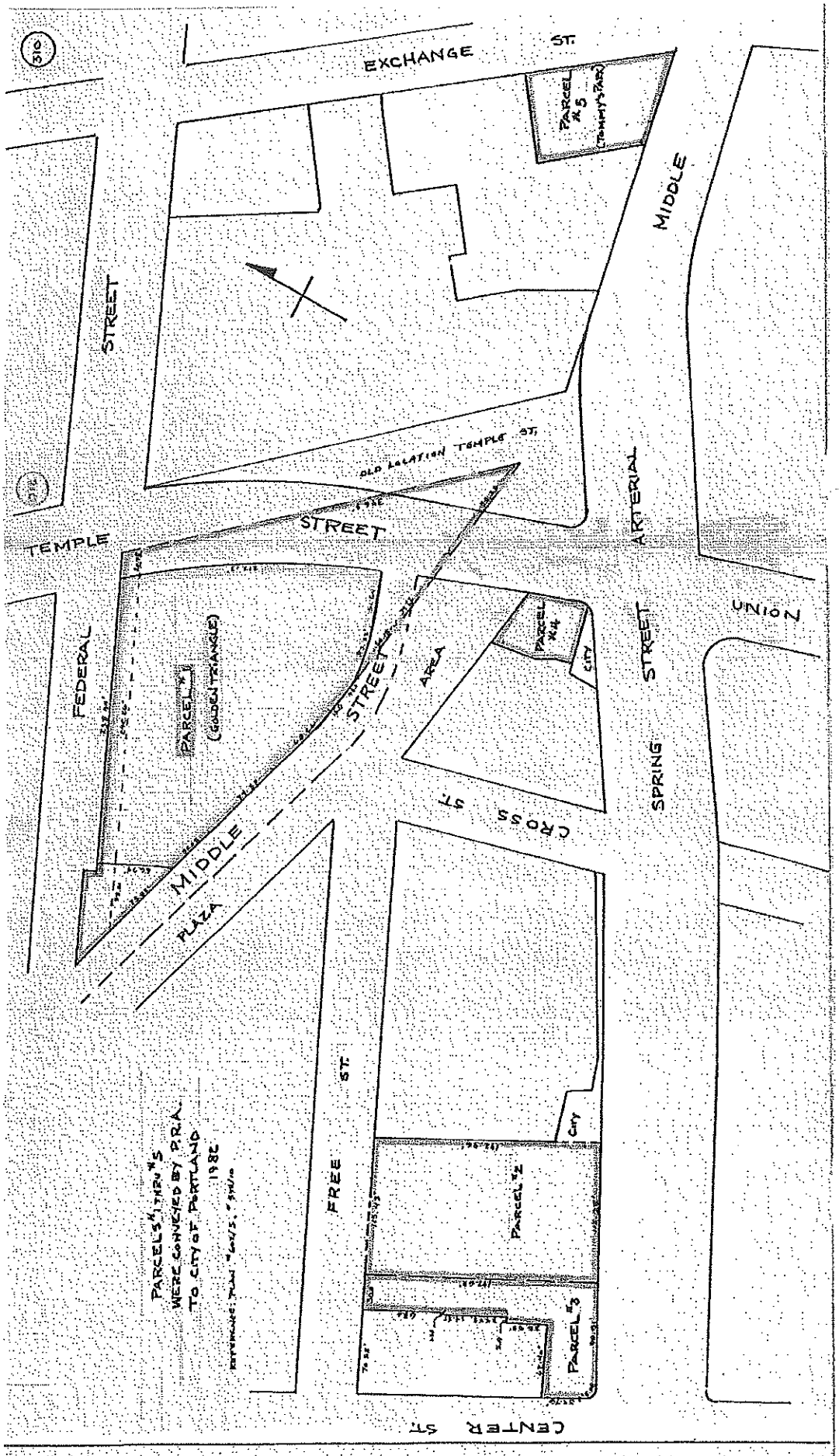
- - - LANDBANK DESIGNATION

ATTACHMENT 3



JOHN E. MENARIO
142 Royall Point Road
Yarmouth, ME 04096
Telephone: (207) 846-8054

Employment Experience

BANKNORTH GROUP, INC. (Formerly Peoples Heritage Financial Group, Inc.)

- **Assistant to the President**
  (January 1996 to February 2003)

  Responsible for coordinating Company's Strategic and Long-Range Planning process; developing opportunities in non-banking activities (insurance, investment, etc.) to expand fee income; general business development with primary focus on commercial accounts, non-profit organizations, and public agencies; special projects assigned by the President.

- **Senior Executive Vice President and Chief Operating Office**
  (January 1991 to December 1995)

  Responsible for managerial oversight at Peoples Heritage Bank of Human Resources, Administrative Services, Legal Affairs, and Asset Management. Served as Chairman of the Board and provided managerial direction and policy guidance to Bank's wholly-owned subsidiary, Heritage Investment Planning Group, Inc. Served as Director of Peoples Heritage Bank.

  Responsible for Company and Bank's Strategic Planning and execution.

  Represented the President and Chief Executive Officer in his absence on Bank and Holding Company matters.

- **Executive Vice President, Peoples Heritage Bank; Senior Executive Vice President and Chief Operating Officer, Peoples Heritage Financial Group, Inc.**
  (July 1989 to December 1990)

  Responsible for all Bank lending functions, branch administration, marketing and legal affairs, plus coordination of Holding Company and management issues.

- **Executive Vice President, Peoples Heritage Bank**
  (February 1988 to July 1989)

  Ongoing responsibility for all bank lending functions, branch administration and mergers and acquisitions.

- **Senior Vice President, Peoples Heritage Bank**

  Responsible for Investor Relations, Community Relations, real estate leases, and acquisition and development of a merger and acquisition policy.

GOVERNMENTAL SERVICES, INC. (March 1980 to February 1987)

President and Chief Executive Officer of a consultant firm offering comprehensive governmental services to the business community, non-profit corporations, and state, regional and local government agencies.

CHAMBER OF COMMERCE OF THE GREATER PORTLAND REGION
(March 1976 to February 1980)

President and Chief Executive Officer of the Greater Portland Chamber of Commerce. Responsible for developing and implementing an economic development strategy for the Greater Portland Region on behalf of the business community. Developed and provided membership services to over 800 members. Represented the business community in a variety of forums to articulate those programs and activities considered important to the economic health and vitality of the region and the State.

CITY OF PORTLAND, MAINE

- **City Manager (June 1967 to Febrnary 1976)**

  Chief Administrative Officer of the City of Portland, responsible for administering the affairs of all City departments (except schools); recommended programs, goals, and objectives to the City Council; implemented ~~Counsel~~ Council policy; and represented the City at Federal, State and Regional levels.

- **Director of Finance (July 1965 to June 1967)**

  Responsible for managing and directing the comprehensive financial services of the City, including purchasing, data processing, collections, and disbursements of all public funds, cash management, and issuance of tax notes and general obligations bonds.

- **Assistant City Manager (July 1962 to July 1965)**

  Variety of administrative duties beginning with an in-service training experience as a prerequisite for a Master's Degree in Governmental Administration; Administrative Assistant to the City Manager, involving research report writing and complaint handling; and Assistant City Manager with responsibilities for budget preparation, liaison with department heads, and preparation for City Council agenda.

Honors and Awards

1953	Elected to National Honor Society
1959	Recipient of Maine Town and City Managers' Scholarship
1960	Recipient of Maine Town and City Managers' Scholarship
1961	Elected Member Phi Kappi Phi Honor Society
1961	Recipient of Samuel S. Fels Scholarship and Fellowship, Fels Institue of Local and State Government, Wharton Graduate Division, University of Pennsylvania
1968	Elected by Portland Jaycees as Portland's Outstanding Young Man
1968	Elected by Maine Jaycees as one of Three Outstanding Young Men of Maine
1972	Management Innovation Award, International City Management Association
1972	Annual Brotherhood Award, Temple Beth-El Brotherhood
1973	Distinguished Service Award, University of Maine at Portland-Gorham
1996	Chamber of Commerce of the Greater Portland Region, Henri A. Benoit Award for Leadership in the Private Sector
2007	Maine State Chamber of Commerce, Alton "Chuck" Cianchette Business Hall of Fame Award

Former Organizations and Affiliations

Trustee, Maine State Retirement System (1968-1976)
Chairman, Maine State Retirement System (1971-1976)
Director, Maine State Law Enforcement Planning and Assistance Agency (1969-1973)

Representative, Council of Governments (1968-1976)
Secretary-Treasurer, Solid Waste Management Board (1974-1976)
Director, Maine Municipal Association (1974-1976)
Chairman, Legislative Committee on Finance, Maine Municipal Association (1971-1973)
Member, Municipal Finance Officers Association (1965-1967)
Member, International City Management Association (1962-1976)
Member, State of Maine Panel of Mediators (1976)
Member, City of Portland's Fish Pier Task Force (1977-1980)
Director, Portland's Boy's Club (1978-1980)
Member, Overseers of the Bar (1978-1980)
Member, Organizing Committee, Maine Capital Corporation (1978-1980)
Chairman, Greater Portland Overall Economic Development Committee (1977-1980)
Director, Greater Portland Building Fund (1978-1980)
Chairman, Maine Development Foundation (1978-1981)
Member, Maine Port Authority (1974-1976)
Trustee, Maine Medical Center (1978-1982)
Trustee, The Park Danforth (1979-1982)
Member, Word Trade Council (1979-1983)
Chairman, Corporate Fund Raising, Celebration 350 (1981)
Director, Oxford Bank and Trust Co. (1989-1990)
Chairman, Maine Street '90 (1989-1990)
Member, Cumberland County Affordable Housing Venture (1990-1992)
Director, Environmental and Economic Council of Maine (1991-1993)
Member, Committee for Governmental Reform (1992-1993)
Chairman, Portland Development District's Waterfront Task Force (1995-1996)
Director, Chamber of Commerce's Center for Environmental Enterprise (1994-1995)
Member, Board of Visitors, Muskie Institute of Public Administration,
University of Southern Maine (1994-1996)
Director, Peoples Heritage Bank (1989-1996)
Director, First National Bank of Portsmouth (1990-1996)
Director, Consumers Water Company (1980-1999)
Chairman of the Board, Consumers Water Company (1997-1999)
Director, Bank of New Hampshire (1996-2001)
Member, Committee on Judicial Responsibility and Disability (1998-2004)
Chairman, 2002-2004
Member, Blue Ribbon Committee, Cumberland County Civic Center (2002-2003)
Director, Banknorth Wealth Management (1996-2007)
Director, Banknorth Insurance Group (1997-2006)
Director, Aqua America (1999-2006)
Trustee, Cumberland County Civic Center (2005-2011)
Chairman of the Board, Cumberland County Civic Center (2009)
Chairman & Treasurer, Citizens for a Modern Civic Center (2011)

Current Organizations and Affiliations

~~Member, "Strike Out Cancer in Kids," Maine Children's Cancer Program (1995-Present)~~
Chairman, Board of Advisors, Bigelow Investment Advisors, LLC (2007-Present)

Education

University of Maine, B.A. Degree in Public Management (1961)
University of Pennsylvania, Fels Institute of State and Local Government;
Master of Governmental Administration (1963)

Personal

Date of Birth: September 18, 1935
Married: Wife "Toni" (Antoinette), 3 children, 6 grandchildren

EVENING EXPRESS

PORTLAND MAINE NOVEMBER 20, 1975

John Menario Leaves His Clear Imprint On Portland

There is simply no avoiding the fact that City Manager John E. Menario, who yesterday announced his resignation, has been the single most influential figure in Portland city government during the past decade. Indeed, he has placed his clear, unmistakable imprint on this city to a degree perhaps unparalleled in this century.

Under such circumstances it is inevitable that his departure will create at least a temporary leadership vacuum in Portland city government. For if Menario has not been Portland's indispensable man he has been the next thing to it.

It is not to overstate the case to say that John Menario has almost alone provided the leadership and direction for Portland during the past eight years. Almost without exception the Portland City Council has been a mirror of his philosophy, his views and his beliefs. By the use of subtle yet extraordinary suasion he steered the council in the directions he felt the city must move. So completely has the council become an instrument of Menario that his unexpected resignation will, to a major degree, leave the council leaderless.

It is ironic, precisely because of Menario's splendid career as city manager of Portland, that his leaving will be so keenly felt. The council, which in recent years leaned so heavily upon him for support, advice, direction and leadership, must now turn elsewhere.

Prior to Menario it was generally true that Portland's city managers tended to reflect, but seldom generated, City Council policy on a consistent basis. Under Menario the City Council policy was, almost without exception, Menario's policy. It is significant that during his eight years here he never once failed to convince the council to adopt one of his major recommendations.

Of all of John Menario's accomplishments it is probably true that his single most important achievement during his eight years here was his ability to convince the City Council of the wisdom of investing in the city's future.

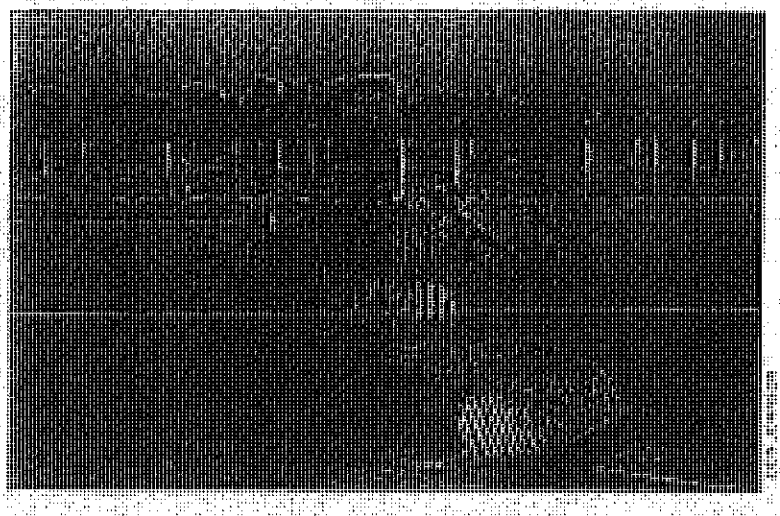
He inherited a City Council which had tended to view capital improvement projects as a tax liability and a dollar drain. He persuaded them it was, instead, a positive and necessary long term investment.

He inherited a City Council which saw municipally-financed parking only in terms of its municipal expense. He convinced the council it was an integral part of any meaningful plan to revitalize the city center.

The result has been a rebirth of Portland, a fundamental change in both its face and pace.

Because of the imprint John Menario has left on Portland and its government, selecting a successor will not be easy. Neither for that matter will be the task of his successor who, for a time at least, cannot hope to enjoy the stature or support Menario earned and enjoyed.

Overall, the resignation of John Menario represents a very real and genuine loss to Portland city government and particularly to the City Council. In this instance it is by no means trite to say that he will be badly missed.



PORTLAND
MAINE

Rebirth of a City

By John Lovell

SOMETIME during the predawn hours of St. Valentine's Day this month, someone in Portland may quietly roam the city and, with happy stealth, tape bright, red-printed hearts to doorways, utility poles, and storefronts. For the past three years, an unknown person or persons have made St. Valentine's Day a special tradition in Maine's largest city. Last February, 3,000 red hearts appeared — a day late — with this added printed reminder on them: "It's not only ONE day!"

A knowledgeable local source claims that this gesture by Portland's secret Cupid "is not connected with any commercial or special interest group; its point is only what is obvious." For many of the city's 65,000 residents, it seems most appropriate that St. Valentine's descendant has chosen to live among them; in the past few years, Portland has come to reflect the qualities that you might see on the faces of people in love. The people of Portland are in love with their city, and natives of this large seaport town who moved away and have since returned find their once seedy birthplace dramatically changed.

The new entrepreneurial frontiersmen who have had a hand in Portland's about-face — the city council, the planning board, the new-look bankers, the supporters of the arts, and others — have a word for it. They call it a renaissance. It's a word they use with hesitant pride, as if it might be thought an unseemly boast, but there is no more accurate word to describe what has happened to their city in this past decade. Millions of dollars in new construction have erased generations of decay; the city's unemployment rate has remained consistently lower than that of the rest of the country; the tax base has been dramatically broadened; elegant restaurants have sprung up and prospered; and the arts have flourished as never before.

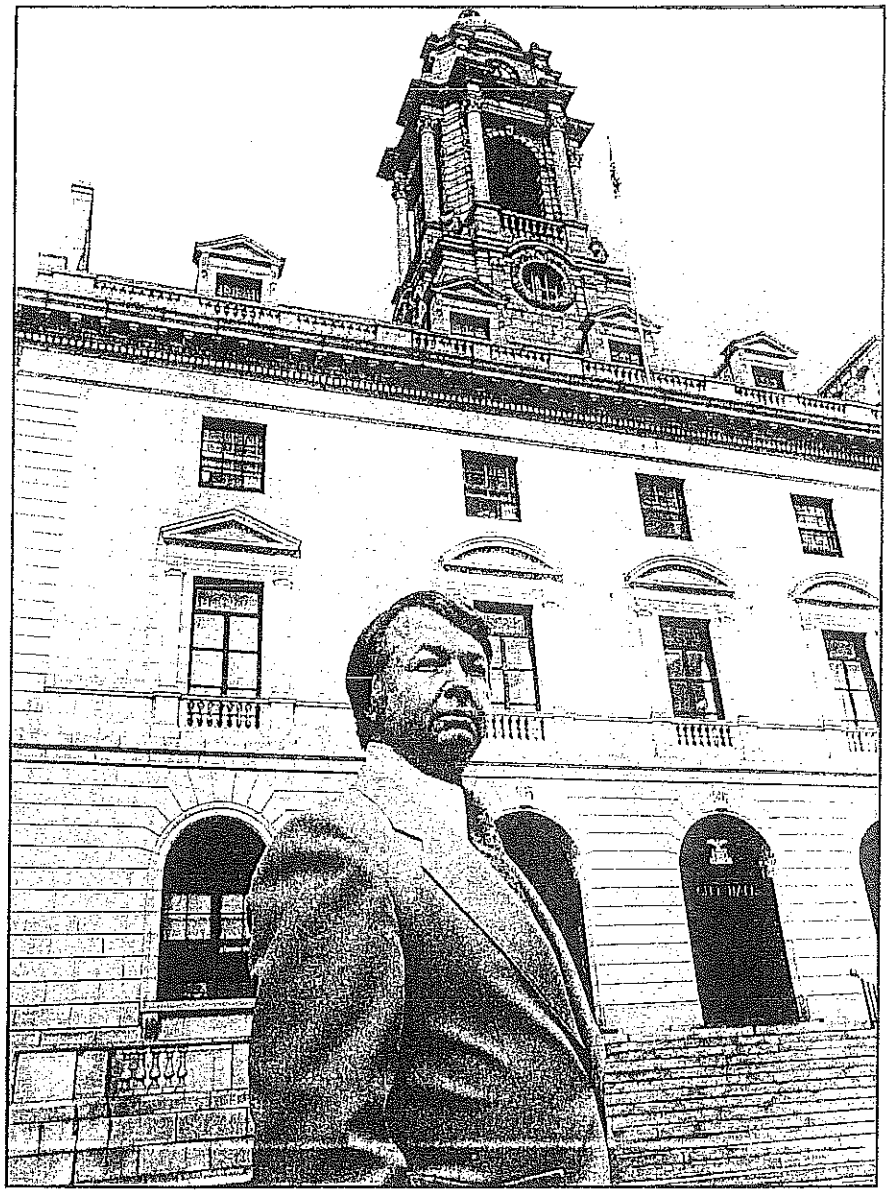
They've seen what John Menario calls a "rebirth." He grew up in Bayside, the last of the city's tottering slums, and became the man who proposed and carried out much of the farsighted renovations now in full flower. Named Portland's city manager in 1967, Menario was in the vanguard of visionaries who happened to come together at the right time in the right place. The municipal achievements of the ensuing years spring quickly to Menario's mind: massive urban renewal programs, construction of cross-town highways, and an overhaul of the city's business center. But these are not the changes he considers most important.

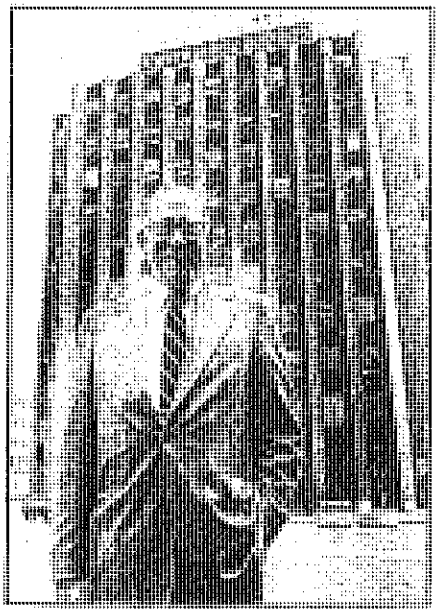
"It's rewarding to think those turned out to be positive contributions," Menario says now, from his present vantage point as executive director of the city's chamber of commerce. "Those bold positive decisions . . . made believers out of people and brought about a change in attitude, which I think was probably the most influential element in the city's rebirth.

"Initially, the community had very negative thoughts about itself," he observes. "People just believed there was little they could do, and that it would take someone else to solve their problems." So the city waited — as it

Monument Square is the hub of Portland.

PHOTOGRAPHS BY NORM GIBBONS





had for all too long — for federal money to finance its revitalization. "And the more they waited, the more the city deteriorated." Then as the city, by its own efforts, began to eliminate pockets of blight, to streamline itself, and to increase its tax base, its people began to think better of themselves. "Every time they saw another brick sidewalk laid, another tree planted, or another handsome building going up, the momentum increased and people became more enthusiastic."

This turnabout of civic pride became Portland's soul and sustenance, the gut strength that has flowed not merely from its planners and builders but from the thousands of people who have pinned their own futures to Portland's rising star. People like Frank Akers, for instance, who almost singlehandedly inspired the conversion of a waterfront slum section into what is now the crown-jewel area known as the Old Port Exchange. Akers' first renovation of a boarded-up old building encouraged others to gamble their cash and hard work on the dilapidated brick fronts of the old port section. And people like Halsey Smith, the banker who committed Casco Bank & Trust to build the first new major corporate structure Portland had seen in more than half a generation. The sweeping expanse of brick and glass that became Casco's new home on Monument Square prompted other banks and large corporations to follow suit.

But there was more to the city's renaissance than the refurbishing of old buildings and the creation of new ones. Of first importance to the minds at work in City Hall and in major business enterprises was the decision to go first-class. Says Menario, "It was a decision to use a quality design standard, even though it was more costly." A city council decision to build brick sidewalks and granite curbs instead of cheaper asphalt or concrete, for example, ". . . captured Portland's character. And each of the private projects enhanced that with its own quality of design." The city decided to look good, putting sculptures on its new pedestrian malls and murals on the sides of its buildings, and this growing commitment to an aesthetic environment now extends far beyond the brickwork.

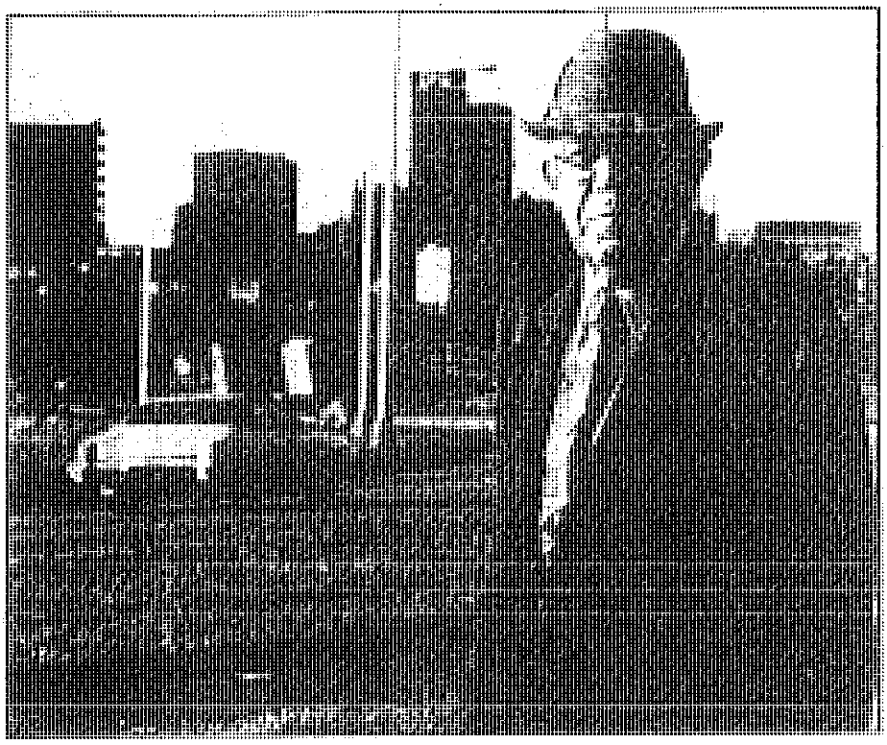
PORTLAND has the best metropolitan symphony orchestra north of Boston, for example. It has a huge new city library under construction. Its once moribund art museum is now undertaking major expansion. Its art school has doubled in

size. The small, elegant Payson Art Gallery on the campus of Westbrook College houses one of Maine's finest collections. The Portland String Quartet is acknowledged to be one of the best in the Northeast; and professional dance and theater companies are encouraged by the city. These and other cultural amenities are a source of pride to local residents, and enough to make summer tourists turn green with envy. They come to Portland and say, "What a lovely place to live!" And the people who live there say, "We know."

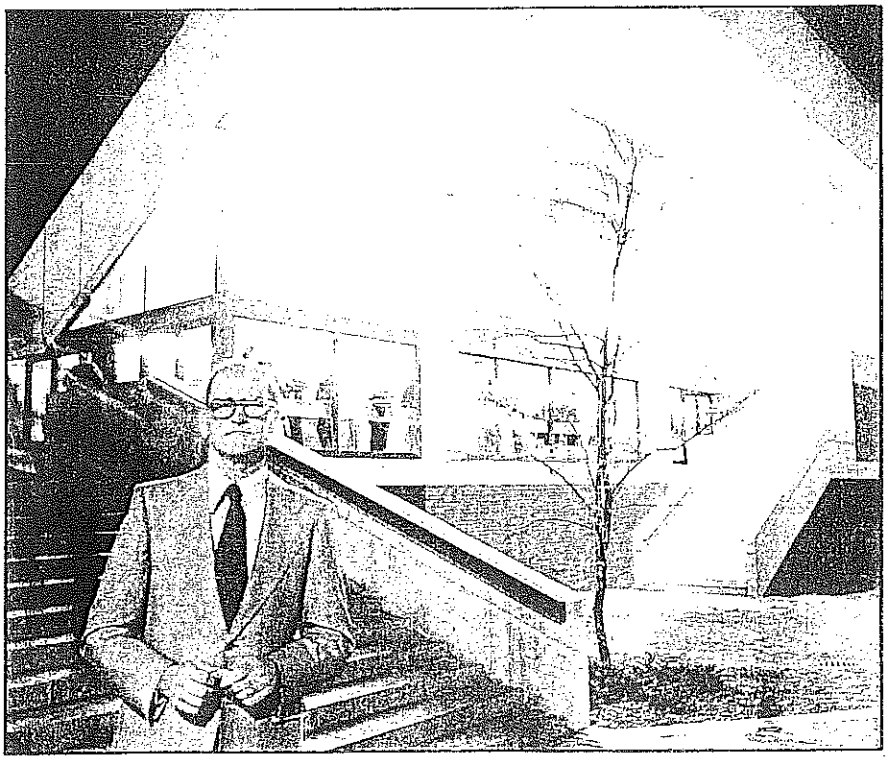
There are some things, of course, that Portland does not have. It has no overcrowding, no housing shortage, no rising taxes, no bumper-to-bumper traffic, no night muggers in its parks, no rising crime rate, and no polluting industries. What Portland *does* have is a comfortable blend of urban sophistication and rural folksiness in a community that seems the perfect size to provide the best of each, and somehow, it continues to grow without losing these qualities.

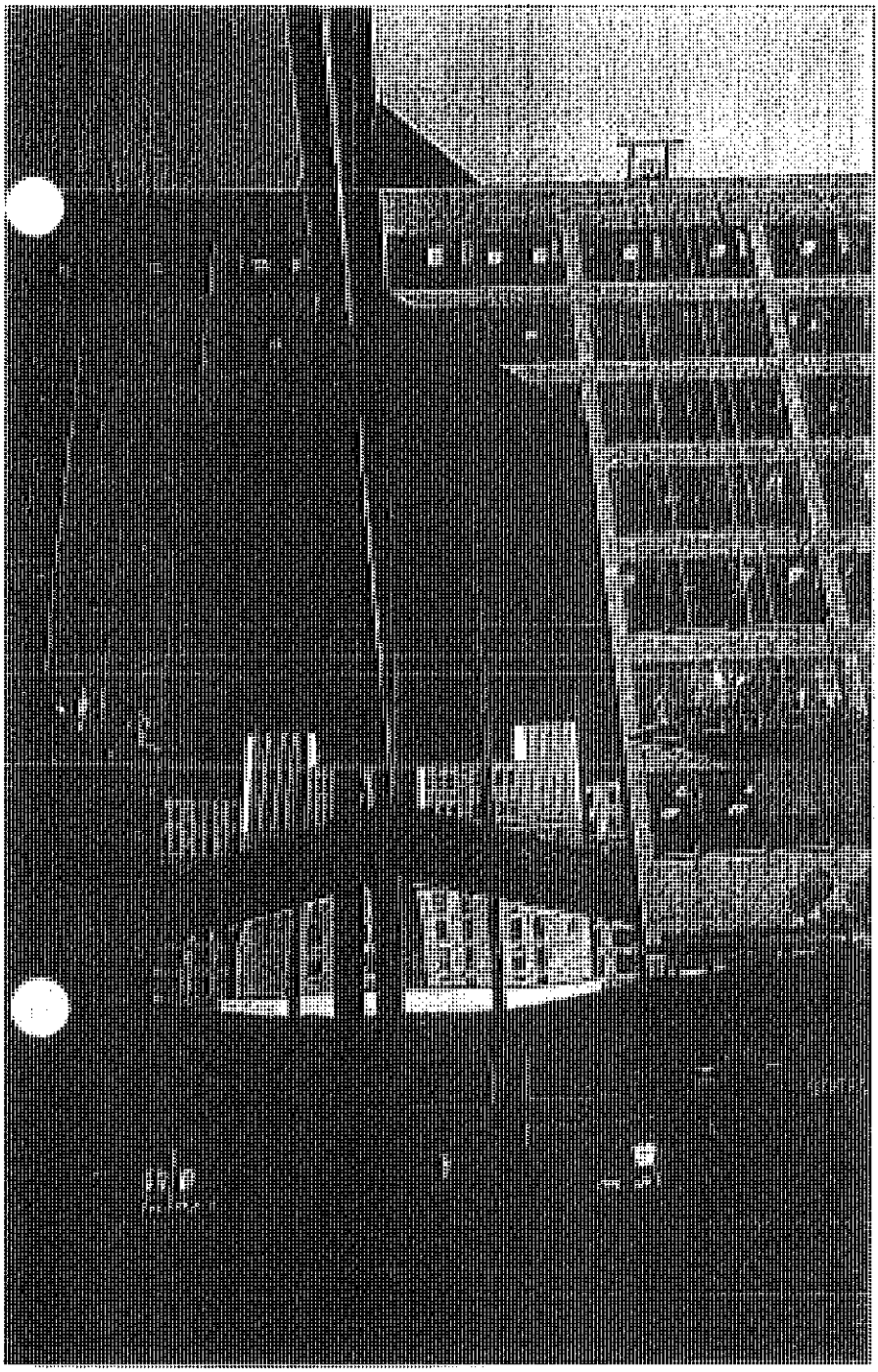
The cornerstone of Portland's rebirth is the $13-million Maine Way project. Now largely completed after ten years of work, this massive urban renewal effort encompasses a block on either side of Portland's central Congress Street running through the heart of the downtown district. Over the course of the project, many blocks were totally demolished to provide space for new office buildings. Other buildings were renovated, streets were repaved, and sidewalks widened. The final touch remains to be added: the so-called Golden Triangle, a razed business block near Monument Square that is temporarily serving as a parking lot, awaits development as a complex of business towers.

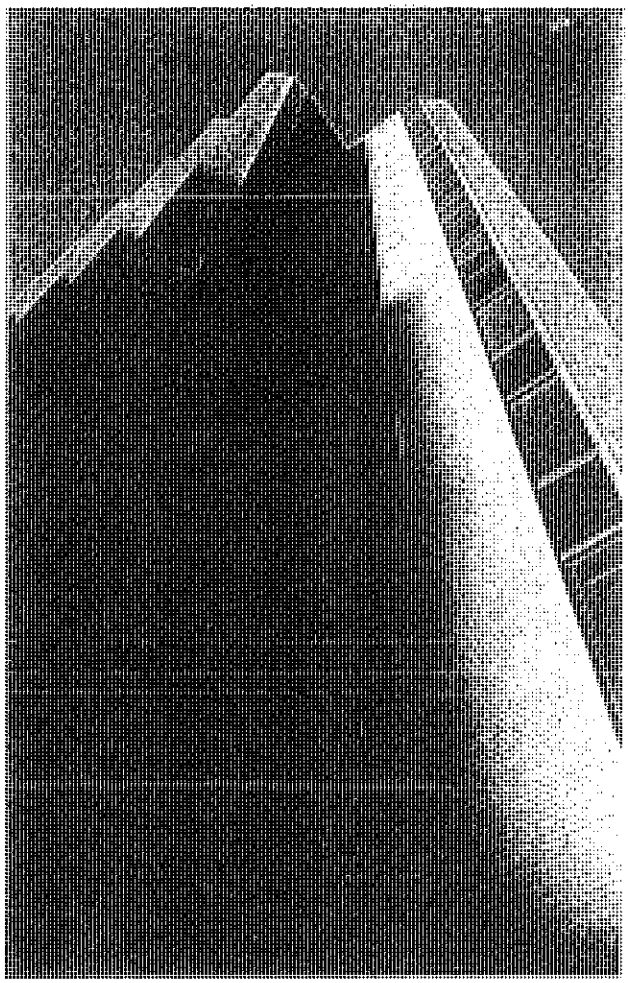
Even before this hoped-for completion of the Maine Way is realized, public and private planners have turned their attention to the rebuilding of Portland's waterfront. While Portland Harbor has long been the East Coast's second-largest oil port (only New York is larger), both its fishing industry and its use as a freight entry point have been in decline. Raw municipal sewage pours into the harbor from leaking pipes beneath the city's creaking piers. That is about to change. Under federal mandate a municipal sewage treatment plant is now under construction. In addition, a Fish Pier Task Force, headed by the city council and the chamber of commerce, is moving ahead with ambitious plans for a facility, costing as much as $25 million, that will provide berths for fishing vessels and a

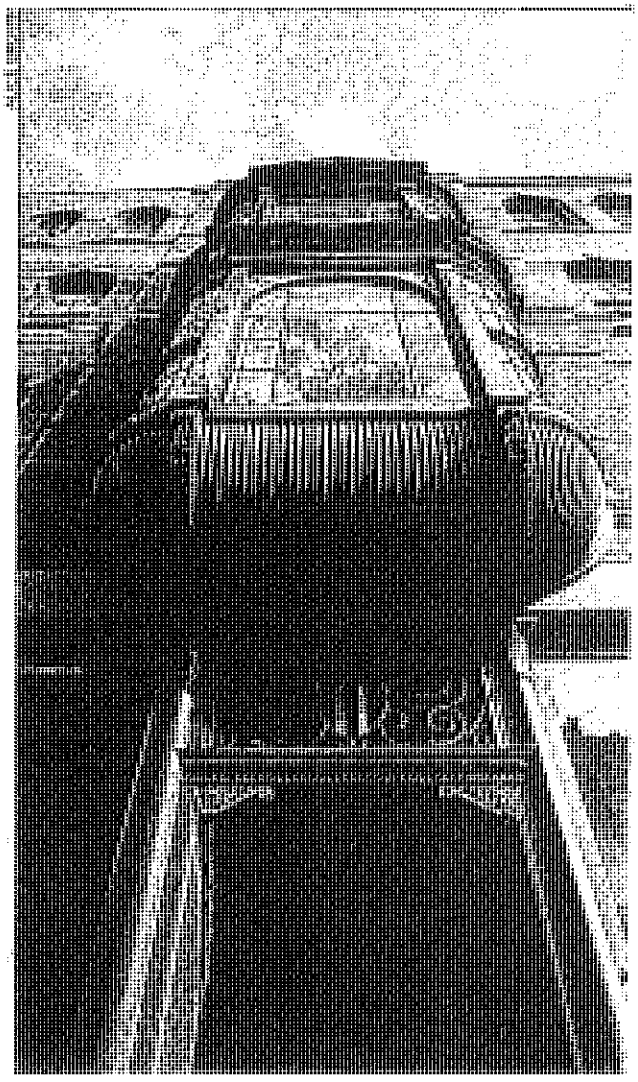


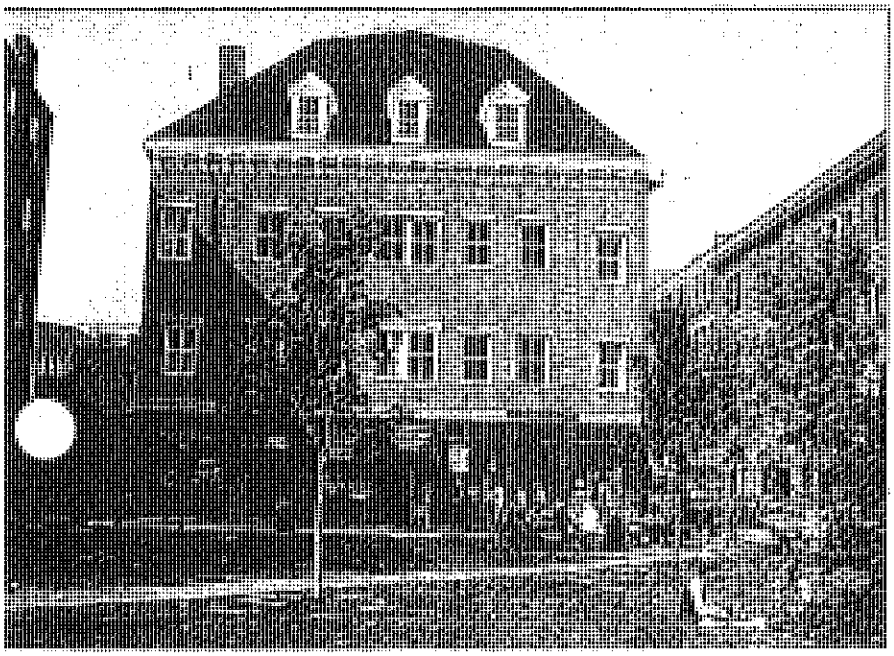
Not the calculations of a few, but the imaginations of many supplied the driving force behind the successful revitalization of Portland. Five citizens, however, stood at the forefront. John Menario (opposite, top) proposed and executed many of the renewal projects undertaken by the city during his tenure as city manager from 1967 to 1976. Halsey Smith (far left), while head of Casco Bank & Trust, led the banking community's massive building investment to upgrade the downtown area. Frank Akers (left) epitomizes the private sector's faith in Portland, risking his own money to rehabilitate sections of Old Port Exchange. Harry Cummings (above), a self-taught engineer, planned the modern highway network, as well as hospital expansion and airport development. Harold Loring (below), who served Portland as councilman and then mayor, pressed for construction of the Cumberland County Civic Center and Interstate Route 295, and establishment of a public bus system.











freezing and processing plant, generating hundreds of new jobs.

Last year, the Governor's Advisory Committee on Coastal Development declared Portland, along with Sears Island in Penobscot Bay, to be one of the two best locations for development of a modern cargo port, and Portland's dynamic leaders hope to collar the project. Then, too, the Research Institute of the Gulf of Maine (TRIGOM) is planning a large public aquarium for the city's waterfront. These publicly assisted ventures are expected to be closely followed by the same kind of private-sector investments that have spurred rejuvenation in the rest of the city.

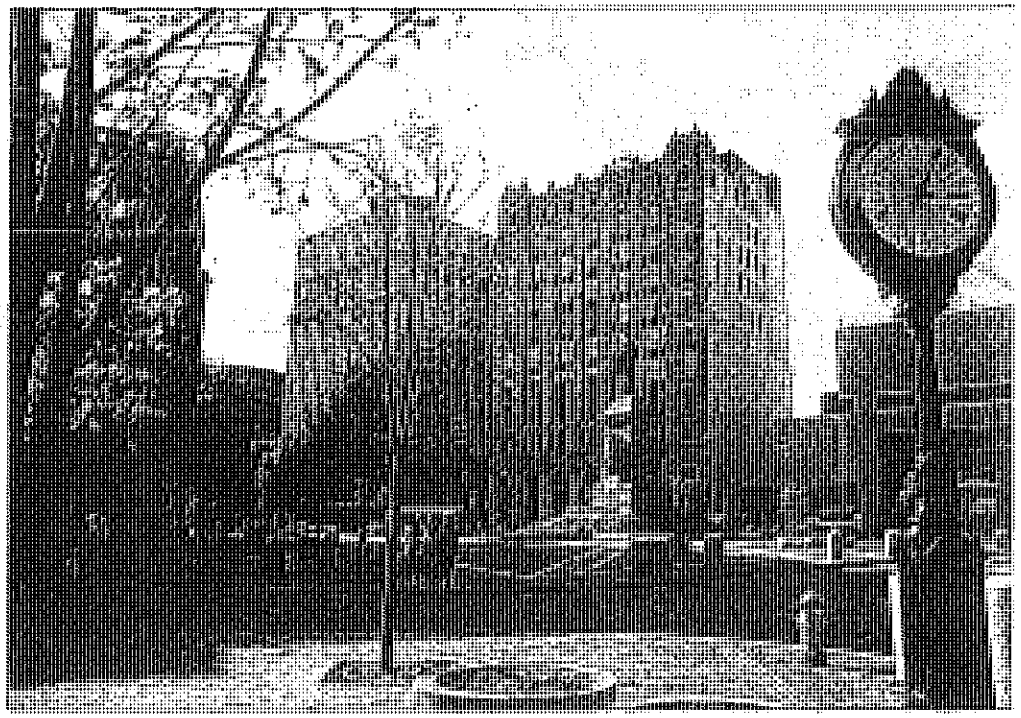
Despite the cohesiveness of all that has happened, and is happening, in Portland's rebirth, there was never a dramatic single instance when the dreams were turned into plans. There was never a meeting of key people in a paneled board room making the decade's pivotal decisions — and in a real sense, this is a large part of the renaissance's success. It grew not from the calculations of a few, but from the imaginations of many. Nonetheless, some of the many stand out. Any listing of the people who brought Portland out of physical and cultural disrepair would inescapably contain omissions, but there are some citizens who would be on anyone's list.

HAROLD Loring epitomizes those members of the Portland City Council during the city's great decade of change. Council chairman during Menario's first two years as city manager (1967-68), Loring recalls being elected to the council "on a wave of new interest in revitalizing downtown, and getting some new community facilities." At that time he was one of a handful of "new liberals," a decisive political force in the city's transformation, although by the mid-1970s, when he came to be known for "opposing some give-away programs," he called himself a conservative. Like Menario and others in city government during the pivotal years, Loring, president of the Maine State Building Trades Council, was a strong believer in bricks and mortar.

When after nearly sixteen years in various capacities at City Hall he retired as mayor in 1975, a Portland *Evening Express* editorial observed that "thanks largely to Harold Loring and the formation of a majority of progressive council members, the City of Portland has been turned around. Both the face and pace of Portland have been altered immeasurably — and for the better." The city's major urban renewal and code enforcement programs took place under Loring's stewardship, as did the construction in Portland of Interstate Route 295, the Reiche Elementary School, preparations for the Cumberland County Civic Center, the establishment of a public bus system, and a municipal parking garage. Long active in labor affairs, he is today business manager of Bricklayers Union Local Number 2.

Another man who in the 1960s helped shape Portland's future is Harry Cummings, the self-taught, retired engineer who headed the city's planning board at a time when planning was everything. Now in his eighties, Cummings takes special pleasure in driving through his city and gazing with private pride at the fruition of his dreams. "I like to look at our city, with the downtown on one side and the suburbs on the other ... and see something that was done for the city in the past dozen years." A planning board member since 1964 and its chairman from 1968 to 1976, Cummings recalls how, "when I came in, the city was struggling to decide what to do with itself. It was losing business and commercial establishments to a point that was alarming." But the planning board and the city council began exchanging ideas on municipal goals, and the council "began to see where spending money would make money for the city. The planning board then found ways to spend money to help the city" — at a time when people around the rest of the country were muttering that new cities must be built because the old ones were dying. Under Cummings' leadership, the board began detailed appraisals of Portland's future. "The private community then came to say that they could build downtown with this attitude of government, that they could stay downtown." This new optimism, coupled with a number of federal grants in the 1960s and early 1970s, led to the revitalization of the city's heart.

Cummings had spent forty-two years working for the telephone company when he retired to his post on the planning board. He had started as a splicer's helper, working his way up over the years through the utility's engineering department to jobs in research and development and to supervisory and administrative positions. He brought to the planning board a nuts-and-bolts pragmatism balanced with the personal conviction that anything is possible if you want it badly enough. He retired for the second time in 1976, and when the Harry Cummings Community Center was dedicated on Munjoy Hill a year later, Portland Mayor Matthew Brown



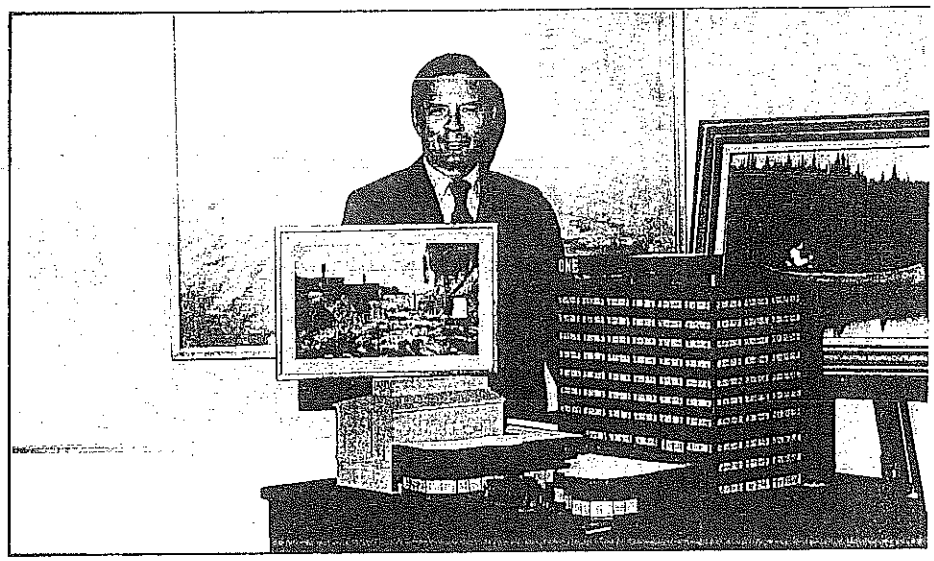
Innovation and renovation have been the theme for the last decade. Modern complexes, such as Maine Savings (top, far left) and Casco Bank (top, left), were built, while older buildings, such as these two on Exchange Street (opposite, bottom), were restored for shops and offices. The expanse of Monument Square (above) gives the downtown an open, livable atmosphere.

praised his long leadership: "I credit Mr. Cummings for the modern highway network which has been developed in recent years. I credit him with major advances in hospital expansion, municipal parking and airport development. Our modern system of solid waste disposal was developed under his influence and leadership."

AMONG those men contributing to Portland's reclamation is John Menario who, as Portland's chief executive officer during nine tumultuous years (1967-76), did more than merely carry out municipal policy. He proposed many projects undertaken by the city. A 1961 graduate of the University of Maine, Menario, who left municipal government in the same year that saw the departures of Loring and Cummings, considers his role to have been that of catalyst. "A city manager plays an influential role in setting city policy," he said while he was one, adding a few years ago: "My job is to push and shove. In some communities I wouldn't last a year, what with taking public stands and making recommendations and all. . . . Officials with identity have more opportunity to affect policy than those without it."

It is possible, perhaps likely, that what happened to Portland would not have occurred with a manager hired "from away"; one of Menario's intangible advantages was his lifelong local residency and the commitment to the future that growing up in Portland meant to him. And as an unelected policy maker, Menario was in a position to withstand the inevitable controversy that accompanied major undertakings, such as the demolition of blighted neighborhoods and their replacement with highways and hotels. With this in mind, he praises a gutsy city council as "the pivotal institution during the renaissance period. The staff job was easy — all we had to do was make recommendations. The council had to stand up and be counted on whether the recommendations were best for the city." He remembers how Interstate Route 295 and the city's Franklin Street Arterial, two important commercial accesses to Portland, "could not have been accomplished without the trade-off of homes and even some parkland. Everyone who was opposing it was doing so with good strong reasons." Menario has a hometowner's pride; it has been Portlanders themselves and not just government assistance, he likes to tell audiences, that brought about the city's rebirth.

Frank G. Akers, Jr., is the perfect example of what private initiative was able to accomplish on its own during the activist years. He is one of two men — the other being Henry Willette, a candlemaker — who can claim major credit for the Old Port Exchange. Akers, more than any bank or level of government, it is fair to say, has singlehandedly had more impact on this quaintly restored waterfront section of shops and offices. (Ironically, much of what happened in the Old Port was done *in spite* of local government.) Akers was president of O. P. Peterson Company, a manufacturer of propellers and other brass castings. Suddenly in 1968, "City Hall told us we'd have to move. They wanted to tear down our building on Union Street so they could drive Spring Street right through."



Looking for a cheap new home for the brassworks, Akers bought a Fore Street building for only $4,500, although no bank was willing to extend him a mortgage on the run-down old structure. He was intrigued with the area's potential, however, and soon bought an adjoining building for $10,000 as a personal speculation, still without any bank's support. Not long afterwards the city warned him that it was planning to knock his block down to clear the way for an extension of Exchange Street.

"This time, I decided to fight," Akers recalls. He teamed up with Willette and two other neighborhood businessmen to form the Old Port Exchange Association. Soon Akers was offered a chance to buy the nearby C. H. Robinson Block for $75,000, and swung the deal with the help of a mortgage officer at Portland Savings Bank. The block contains five substantial buildings, including the architecturally notable Mariners Chapel. Within months, Akers had thirty-eight tenants running small shops there, and no further talk of demolition was heard from City Hall. In the past decade, Akers has bought, remodeled, and sold more than a dozen buildings in the Old Port Exchange. The day he realized that he had 130 tenants in fourteen buildings, Akers declares, was the day "I got out of Peterson Brass and into the real estate business."

Henry Willette had been working as a landscape architect for the city in 1966 at a time when the municipal aesthetic consciousness was nonexistent. "It was difficult to get a tree planted then," he says. "I used to bring my lunch down from City Hall and eat out on the wharves. I used to see 'For Sale' signs all over." Old, empty buildings in that area could then be bought for $5,000 or less. Willette bought two, one of them the Seamen's Club, which dates back to 1828 when the city was a freewheeling seaport. In the other building he started a candle shop to raise repair money. It was the first of what was to become, on Exchange Street and later on other nearby streets, a burgeoning center of small craft shops.

In time, zoning restrictions were lifted to permit a wide variety of commercial enterprises in the Old Port Exchange; the city's beautification program brought repaved streets and widened brick sidewalks lined with park benches and young maples. Of course, property taxes zoomed, and the buildings Willette and Akers bought at rock-bottom prices were soon worth ten times what they had paid for them. The banks no longer turn up their

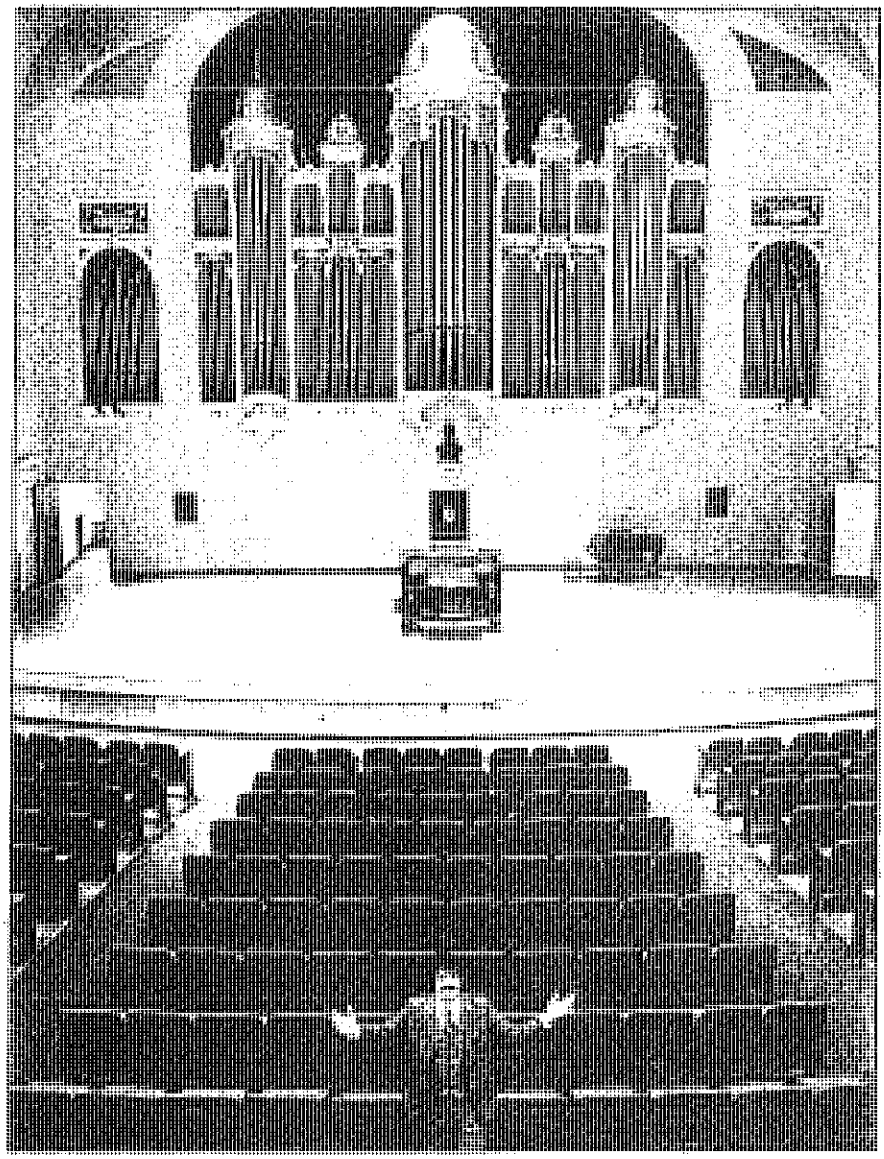
noses at Old Port real estate ventures.

THE first bank to make a solid commitment to the city's bright new future was the one run by Halsey Smith, an ex-Marine and Princeton University graduate who joined Casco Bank & Trust as a vice-president in 1951 and became its chief executive officer four years later. The way Smith had it figured, the city's commercial and financial community could be convinced that their future lay with Portland if someone was willing to set the example. "Unlike some of the prophets of gloom for downtown Portland," Smith declared, "we continue to have a very bullish opinion of the continued development of the downtown core." His bank's proposed, ten-story, $3.5-million office building moved from planning to construction in April, 1969; on November of the following year, Smith was greeting visitors to the completed structure, saying he hoped the new bank "will be a stimulant to other people."

It was. Within a few years, Canal Bank created its two-building Canal Plaza, with a pedestrian mall and a fountain, and Maine Savings Bank created a similar plaza on downtown Congress Street. All three ventures reflected an architectural sensitivity to Portland's traditions, the structures faced with brick and enhanced by mall space, trees, and benches.

Smith, who at forty-seven became chairman of Casco's board of directors in 1969, left the bank just three years later in search of new challenges, soon becoming director of the University of Maine's Center for Research and Advanced Study in Portland. He built the under-financed facility from virtually nothing into an institution of long-range planning in business development, human services, and environmental protection before resigning in late 1977. By then, Smith had already accepted the chairmanship of the Commission on Maine's Future, a panel whose early 1978 recommendations for Maine and its largest city may be guiding them both in the next century.

Another banker who has played a major role in the Portland drama is Robert Masterton, president of Maine Savings, the state's largest private source of home mortgages. Masterton is fast becoming known as one of Portland's pivotal patrons of the arts. He prowls galleries in search of Maine art which he purchases for the bank's walls. A longtime proponent of corporate support of the arts, he has, in the last two years, spearheaded a number of fund drives to benefit



In the midst of renewal, the plastic and performing arts have flourished under the guidance of such dedicated men as Bruce Hangen (above), conductor of the Portland Symphony Orchestra; Robert Masterton (left), banking's patron of the arts; and William Collins (below), director of the Portland School of Art.

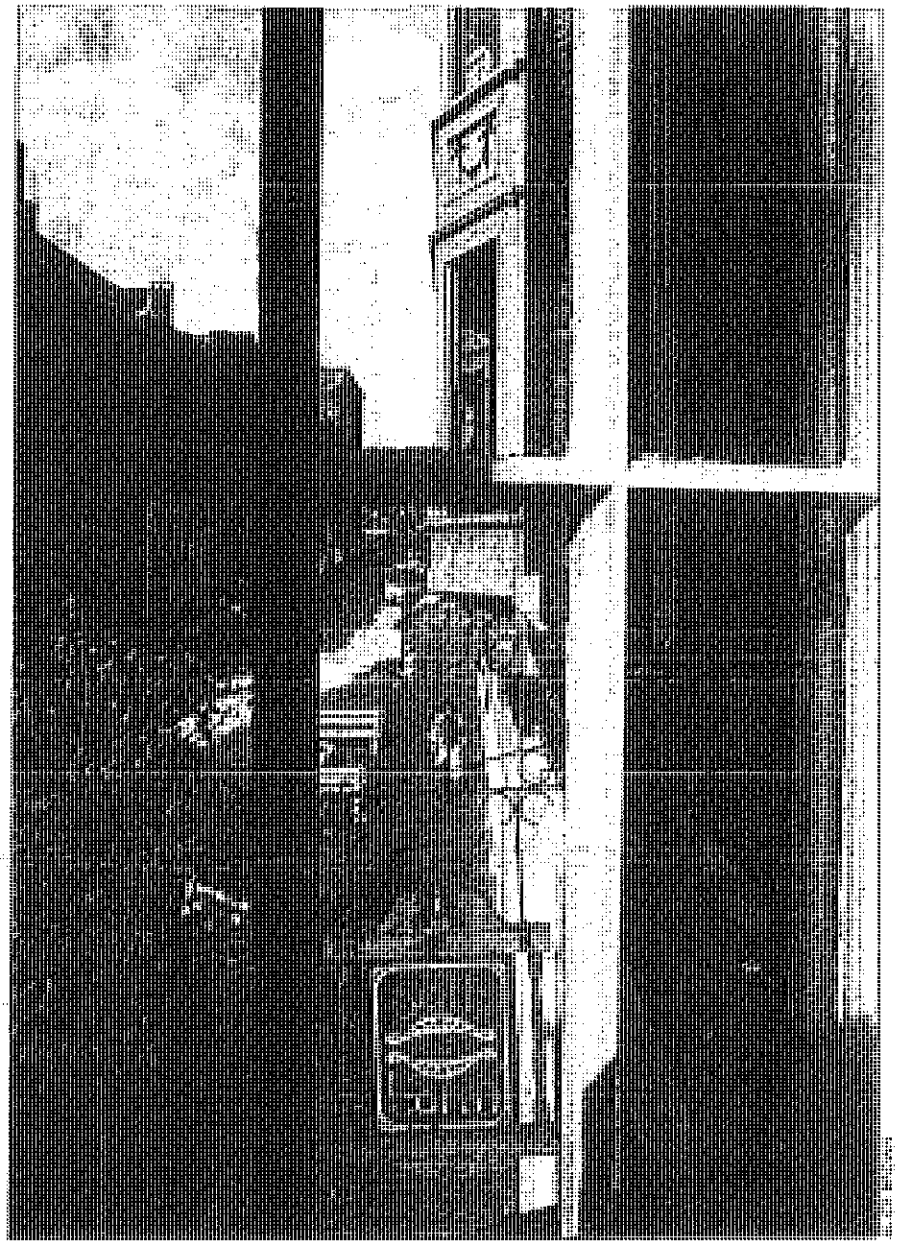
MARCELS RESTAURANT

organizations such as the Portland Stage Company (formerly Profile Theatre) and the Portland Museum of Art. He helped pull together the $30,000 the Stage Company needed for a 150-seat theater in space at the city's new Temple Street parking garage, providing southern Maine's only professional theater company with a badly needed permanent home. As Masterton saw it at the time, "A respected professional theater company can be extremely important to the economic welfare of a community."

Last year, after reporting on a decade of surging growth that saw assets of his bank increase by 12 percent per year to a total of $387 million, Masterton took on chief responsibilities for administering funds to expand the Portland Museum. In early 1978 museum officials signed an agreement to buy the adjacent large brick Libby Building next door, boosted by $400,000 in "seed money" contributed by retired industrialist Charles Shipman Payson. Masterton is directing the preliminary work that will lead to structural changes within a year or two, creating the gallery space needed to house Payson's priceless gift to the museum of seventeen Winslow Homer paintings. Construction is expected to begin in 1981, the hundredth anniversary of the museum's founding. The total expansion is expected to cost between $7 million and $10 million. By last fall, more than half-a-million dollars had been raised in addition to Payson's $400,000. And Bob Masterton, who used to take his wife on inexpensive dates to Boston art galleries in their student years and who went on to head the biggest banking force in Maine mortgaging, now devotes his spare time to a perfect blend of his talents and interests.

THE notion that the arts are important to what Bob Masterton calls the economic welfare of a community is catching on. Portlanders are getting what they pay for. The aesthetic quality of life in the city attracts and keeps the sort of talented people one might expect to find only in larger centers of population.

The Portland Symphony Orchestra, for example, with seventy-five musicians and an annual budget of close to half-a-million dollars, is unique among cities of Portland's size. Its chairman, lawyer Harold Pachios, notes proudly that while most orchestras get by with 50 to 60 percent of their operating costs subsidized by contributions, the PSO earns 70



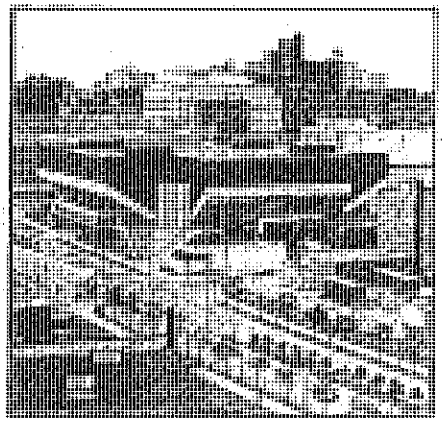
From soup to knits, Portland caters to every desire. Marcel's (left) is but one of a growing number of fine restaurants and nightspots that enliven the city after dark. An abundant variety of intriguing shops dot the city, especially along Exchange Street (above). And even the fanatically fashion-conscious are appeased at such apparel stores as Joseph's (below).

percent of its costs — another way of saying that season tickets are always quickly sold out. He attributes the orchestra's strength and popularity to the esteem in which people hold their community. "They used to be very self-deprecating, and now there's a real sense of the future." In 1968, the city council appropriated half-a-million dollars to renovate the City Hall auditorium for the PSO, and the music has kept sounding sweeter ever since. At the artistic heart of the orchestra is its resident string quartet, a group much in demand in and outside of Maine.

Portland has kept apace of people's other vital needs as well, such as a new city library. This spring, the books will be moved into a striking new structure under construction down the street in Monument Square. The $6-million, four-story building is being constructed with the help of Portland citizens who chipped in more than $650,000 for equipment; the city itself put up $2 million. Part of the local money will go into a computer room where a push of the bntton can produce printouts of data from the New York *Times'* computerized files and those of several federal agencies. The new library will even have a television studio, linked to the city's cable television system.

The city's revitalized cultural instinct is reflected in two private institutions of higher education. One is the Portland School of Art, next door to the museum. For decades the school was little more than a tiny offshoot of the museum, but within the last five years it has doubled in physical size and enrollment. Its simple diplomas have been replaced by baccalaureate degrees in fine art. It had no library five years ago; now it has more than 10,000 books, many of them donated by local citizens who heeded requests to help the school meet accreditation requirements. Its 200 students are attracted to the school, says Director William Collins, in part "because of the quality of life here. No pollution, no overcrowding, the human scale of living that is proportionate to Portland's size and quality. Naturally, the excellence of the school's professional educational program is the chief attraction, but the school is part of the fabric of the city."

The other school that seems to mirror Portland's new spirit is Westbrook College, a two-year institution long steeped in a vocational tradition. Now, the school takes a more contemporary approach to the community. Its young president, Tom Courtice, is responsible for the college's recently launched Women's Center, where "older, more mature students are on campus to obtain marketable employment skills or to satisfy their intellectual curiosities," and the Eldercenter, designed to help retired persons maintain meaningful lives. Since the college began offering night classes, three years ago, its enrollment has jumped from about 500 to today's 900, the highest in the history of the college. Westbrook's centerpiece is the new Payson Art Gallery, named after the late New York Mets owner, John Whitney Payson. Both the gallery and its permanent collection of works by Renoir, Van Gogh, Monet, Picasso, Gauguin, Matisse, Rousseau, Wyeth, and others of similar caliber, valued at $4.7 million, were the gifts of Mrs. Payson's son, John, and his wife, Nancy, a 1960 graduate of Westbrook College.



Portland's Cumberland County Civic Center provides facilities for everything from concerts to hockey games.

Portland is also the home of Waynflete School, one of the state's leading private academies; and the city's two public high schools are among the best in the state. The University of Maine law school in Portland boasts an enviable reputation in the Northeast. And the city's largest hospital, Maine Medical Center, is the state's leader in open-heart surgery and several other types of highly specialized medical care that are available only there.

Maine's largest city is, of course, not perfect. A few hundred yards from City Hall is Bayside, a poverty-stricken slum long neglected by municipal leaders — except for the partially successful efforts to replace delapidated homes and streets with industrial complexes. Although property taxes have stabilized at the mid-range among Maine cities, the cost of delayed construction of a sewer-treatment facility is boosting water utility rates. Several of Portland's elementary schools face serious overcrowding in the classroom, and the quality of the city's police protection has come under recurring citizen criticism.

ALTHOUGH such problems still cast a shadow across the face of the new Portland, the city's visage has been brightened considerably by a recent renaissance in night life. Ten years or so ago, entertainment of all but the most prosaic sort was nearly impossihle to find. Today, there can be almost too much to choose from on winter weekends. Music? Classical from the symphony, cacophonous at your choice of several discotheques, or live and on stage in the two-year-old Cumberland County Civic Center, which is also home to a top-ranked new hockey team, the Maine Mariners. Live drama? The Portland Stage Company for grown-ups and the Children's Theater of Maine for the younger set. And across the bridge in South Portland, two good amateur companies. Dance? Ram Island Dance Company specializes in modern dance. Movies? A number of new or refurbished houses in and around Portland offer everything from first-run blockbusters to art film revivals on any given night.

But perhaps the most dramatic advance is to be found in the Portland restaurant scene where a host of new restaurants, offering everything from health food and zany twenty-page sandwich menus to fine French and continental cuisine, have combined to produce what John Menario calls "almost a restaurant culture." The variety and excellence of Portland's new restaurants, largely in and around the Old Port Exchange, represents a far cry from the days when, as one observer wryly comments, "the best meal in town used to be served at the bus station."

All this has helped to boost the city as a tourist and convention center. It has also mightily boosted the morale of Portlanders who find that they can eat their cake and have it too under the new dispensation. They can enjoy the cosmopolitan weekend diversions of a progressive modern city. Yet on a snowy Monday morning, they can — as many Portlanders do — strap on their cross-country skis and glide silently off to the office or shop, breathing clean air and enjoying the sparkling, snow-blanketed vistas of their new renaissance city. No wonder a benefactor or benefactors unknown scatter red paper hearts about the town on St. Valentine's Day. □

John E. Menario
45 Eastern Promenade #6F&G
Portland, Maine 04101

January 16, 2015

Mayor Brennan & Members of the Portland City Council
Portland City Hall
389 Congress Street
Portland, ME 04101

Re: The Franklin Street Arterial and its Pivotal Role in the Economic Vitality of Portland: Past, Present & Future

Dear Mayor Brennan and Members of the Portland City Council

I was raised in Portland in an apartment building on Oxford Street between Pearl and Wilmont Streets. When I was 12 years old my parents moved to Falmouth and fifteen years later, in 1962 , I returned to Portland with my wife and our two young sons. Several months later our daughter arrived completing our family of five.

Upon returning to Portland I entered Portland City Hall to begin a 6- month internship. It represented the final step required before receiving my Master's Degree in Governmental Administration from the University of Pennsylvania's Wharton Graduate Division. It also represented the first step on a career in local government that would span 14 years, all of it in the City of Portland, and all of it in Portland City Hall. When my internship ended I accepted a job offer to become Administrative Assistant to the City Manager. A short time later I became Assistant City Manager, then Director of Finance, and then City Manager, a position I held for 9 years.

Few who choose a career in town or city management seldom have the opportunity of serving in their home town. It became the most enjoyable and professionally rewarding experience of my life. Adding to the enjoyment, however, was observing first hand some of the most extraordinary leadership demonstrated by members of the City Council, along with a constant display of political courage as they made bold decisions by approving an array of major projects, major programs, and major new policies that would transform the City from a city of blight and deterioration to one of the most livable and economically viable cities in New England. And given the long history of cities it was accomplished in such a very brief period of time.

If I could rewind a video showing various scenes of the community in the early 60's, younger people today, and newer arrivals to the region would have difficulty recognizing them as scenes of Portland. There was no Franklin Street Arterial, no Spring Street Arterial, no public parking garages, no Cumberland County Civic Center, no new Portland Museum of Art, no pedestrian plaza in Monument Square, and no adjacent and beautifully designed Portland Public Library. The Old Port area was mostly an area of vacant and dilapidated buildings, an area that few entered during the day and even fewer at night. And no new major office building had been built in downtown Portland since the early years of the nineteen hundreds. On the waterfront there was no International Ferry Terminal (later to become the International Marine Terminal), no Gulf of Maine Research Center, no Fish Pier with its Fish Exchange, no DiMillo's Floating Restaurant, and no modern Casco Bay Lines Terminal. Most residential areas were blighted with junk cars scattered throughout, plus an abundance of dilapidated houses, some vacant, and some occupied. In addition to these scenes the City dumped 15 million gallons of raw sewage into Back Cove and along Commercial Street every single day, and operated two open dumps that belched black smoke on too many occasions.

During that same period of time it was understandable why the developers of the Maine Mall selected a South Portland location which provided direct and convenient vehicle access and ample parking, both of which are critical for economic growth and neither of which was available in Downtown Portland. Once built it would shift the center of retail trade off Congress Street and leave in its wake the demise of Portland's two major retail anchors -- Benoits and Porteous. Office space was also on the decline as two major companies would make decisions to build new office complexes outside the downtown area, taking with them hundreds of employees who helped fill the streets and the shops of Downtown Portland. Union Mutual Life Insurance Company (UNUM) would move to outer Congress Street, and "Ma Bell" (New England Tel. & Tel. , Verizon, now Fair Point) to the Davis property off Riverside Street.

Month after month, and year after year, a dwindling number of visitors, employees, business owners, investors and developers would drive by signs saying "Welcome to Portland ". Looking back it's hard to imagine, and even more difficult to believe that the Portland City Council would solve most of these problems in very few years by making critical investments, and adopting hard hitting programs and policies. The positive results from these actions would trigger an avalanche of private and public investments that, when added to the City's actions, would reposition the City to once again become "The Beautiful City by the Sea". There was no beginning, things just happened.

Of all the projects undertaken to reverse the downward spiral, it was the City Council's decision to build the Franklin Street Arterial that had the most direct, positive and dramatic impact on the re-birth of Portland. However, before I expand on that statement let me mention several other events that were major contributors.

Solving neighborhood blight was an example of the variety of actions required to make good things happen. The Portland Jaycee's organization came forward wanting to do a community project. After a brief discussion it was agreed they would tackle the junk car problem and "Operation Junk lift" began. To assist the efforts the City Council passed an ordinance requiring the removal of the cars, the City's Legal Department prepared an approval form which, when signed by the property owner, would allow the City to enter the owner's property and remove them at no cost to the owner. The City also provided the site where the junk cars could be hauled, crushed and trucked away. The Jaycees solicited support from private firms that provided staff and heavy equipment to do the task and also secured the involvement of the National Guard. After several well organized and very active weekends – good-bye junk cars!!

A giant step in arresting neighborhood blight came from the implementation of a comprehensive code enforcement program. Each year a neighborhood was selected. To encourage owners to upgrade their properties the City began with public improvements. Sidewalks and curbs were repaired or new ones installed, Dutch elm diseased trees were removed and a different variety of disease resistant trees were planted. Financial grants and low interest loans were offered to eligible owners to renovate their property and to correct deficiencies. And a very active housing inspection program was implemented. As a result of the housing inspection program many City Council meetings began with public hearings on properties considered unfit for human habitation. Owners would be afforded adequate time to improve the property or it would be ordered demolished. During my nine years as City Manager approximately 150 isolated and dilapidated properties, that were blighting influences on their neighborhood, were ordered demolished – good-bye slum landlords!!

Several problems were solved by active participation with other communities in the region to form new regional organizations, or to expand the services of existing ones. The Portland Water Districts charter was expanded to include the building and operations of sewage treatment plants. The City completed a 6-year master plan, which provided sewers to all areas of the City, and built interceptor sewers, thereby, delivering the waste water to the treatment plants – good-bye major pollution in Back Cove and Casco Bay. The City also joined with other communities and created a regional organization to dispose of solid waste in an environmentally acceptable manner – good-bye open burning dumps.

Not to be overlooked were the projects that would enhance air travel and improve the image of Portland by those who traveled in and out of the region by air. New runways were built, existing ones expanded, a new terminal building erected along with a new maintenance building and crash station, expansion of the parking lot, the installation of an Instrument Landing System, a new public access road

was constructed, and City land was leased to Delta Airlines for a cargo handling facility and the FAA for the building of a new tower – good-bye small town airport and hello Portland International Jetport.

Of all the positive changes going on throughout the City, none matched the massive economic development that took place on the City's peninsula, especially in the central business district, the Old Port area and the waterfront. And it was all made possible primarily from the construction of the Franklin Street Arterial, the Spring Street Arterial, and the policy decision to provide public parking. Those three decisions unleashed a positive economic chain reaction that continues to this very day. For example, it was the existence of the Franklin Street Arterial, the Spring Street Arterial and the Free Street Parking Garage that resulted in the City winning the competition for where the voter approved Cumberland County Civic Center would be located. Once the Center began operations approximately 500,000 annual event goers would travel to Downtown Portland, bringing with them new economic life that would spill into the Old Port and hasten its redevelopment. Beyond the Civic Center's enormous contribution to the City's economic health was its contribution to the quality of life by bringing to the region's front door nationally renowned shows that previously could only be viewed live by those who could afford the time and expense to travel out of state. Great shows like Disney On Ice, Smucker's Stars On Ice, Ringley Bros. and Barnum & Baily Circus ,Sesame Street, the Harlem Globetrotters, top rated music concerts, professional hockey, and on, and on, and on.

The Franklin Street Arterial also played a pivotal role when Lion Ferry Company of Halmstad, Sweden selected Portland as its U.S. terminal for a new ferry service to Yarmouth, Nova Scotia. Direct vehicle access from the Interstate to the proposed ferry terminal site helped win the day. Adding to the thousands coming to events at the Civic Center there where now thousands of new arrivals traveling Commercial Street to catch the ferry to Yarmouth. Portland had once again become a destination -- hello visitors!

Perhaps the Franklin Street Arterial's greatest contribution to the City's economic health was its capacity to deliver volumes of traffic from the Interstate to Portland's central business district, making possible the largest construction of commercial buildings in the City's history. Encouraged by the City's aggressive actions to renew life in Downtown Portland, evidenced by the construction of the Franklin Street Arterial and a commitment to acquire property for surface parking in the Monument Square area, Casco Bank & Trust announced the building of a new high rise office building in Monument Square to house its branch bank, its corporate offices, and commercial office space for rent. It was the first major office building to be built in Downtown Portland in decades. Not to be outdone Canal Bank would follow with new commercial buildings at the intersection of the new Spring Street Arterial and Union Street . And to keep up with the "Joneses" Maine Savings Bank would build a new facility at 511 Congress Street; a high rise building in the middle flanked by a wing on each side, one housing their branch bank, the other for retail use. A few years later the Monument Square area would become the site for Two Monument Square, and a few years after that a major mixed-use commercial development became One City Center. These seven new buildings added 832,000 sq. ft. of commercial space to Downtown Portland, housing thousands of employees, attracting numerous customers and clients, and today producing $1.8 million dollars of annual property tax revenue for the City -- the City's center was alive and well !!

By 1980 the City could once again, with great community pride, erect signs saying "Welcome to Portland", and for the many that stopped coming around the 1960's it could have said "Welcome Back".

It is almost impossible to overstate the economic value of being able to siphon off traffic from a major Interstate highway and deliver it to the center of a metropolitan area by way of a direct, convenient and attractive inner-city highway, and those are the attributes of the Franklin Street Arterial. Recently, however, I have read that a consultant firm has been hired to bring forward recommendations on how the highway can be redesigned to accommodate pedestrian traffic, walking trails, bicycle lanes, and side space for development. Pedestrian safety should always be a concern and it becomes especially challenging in major commercial areas where vehicle traffic is critical to the survival of most all business. The walking trails and bicycle lanes have also been a great addition to the quality of life in the City, especially as the City attracts a younger and younger age group. And I applaud those who continue to support their expansion. The City has also been sensitive to place most of them where the walks are scenic and the bicycle lanes are safe, neither of which appears to apply to Franklin Street. If there is a

need for a walking trail, hopefully it can be placed along the side of the street as it is along Baxter Boulevard. However, I would resist the narrowing of the street for a bicycle lane as much as I would resist allowing motorcycles on walking trails. At times there's a limit to a good thing and not allowing a bicycle lane on Franklin Street may be one of them.

As popular as walking trails and bicycle lanes have become the City should resist, at all cost, allowing them to hinder or reduce the flow of vehicular traffic heading to activities that support the City's economic base. Every community leader knows that the more property tax revenue that can be produced from commercial property the less the financial burden on home owners, taxes that finance local government services, and provide critical support services for those less fortunate.

If I owned the City of Portland I would not let anyone touch the Franklin Street Arterial. Not because of its past contributions to the City's economic health but because of its capacity to support new economic development that could match or exceed the positive developments that occurred over the last many years. Most all of this development will bring additional traffic to the Arterial. Some development is already underway, some on the drawing boards, and some that requires the ability to imagine, or just dream of what the future may bring. You don't need to be a traffic engineer to understand the added traffic impact on Franklin Street from current developments in the Old Port area that are adding to the number of residential units and adding commercial space. Add to that similar developments taking place in the India Street neighborhood, and Munjoy Hill, plus an increasing number of events being hosted at Ocean Gateway, and the added trailer truck traffic that soon will be coming and going to the expanded Marine Terminal once it becomes operational.

On the drawing board is a proposal to renovate and redevelop the Portland Company property on the waterfront just east of Franklin Street. It's a 10 acre site which could nearly double the size of the Old Port area, and if it includes a facility similar to Boston's Quincy Market the current vehicle capacity on Franklin Street could well be tested. At some point the City may even want to consider tunneling under Cumberland, Congress, and Middle Streets, which the original street design envisioned, so that the volume of traffic destine to reach the waterfront could travel directly there without interrupting local traffic going east and west on those same streets.

We don't have a crystal ball to look into the future but if technology continues to advance Apple may soon introduce an iPhone with an app capable of looking ahead a few years. If you owned one, focus in on the waterfront to see Portland's new world class aquarium which was finally built thanks to some great leadership and the coming together of several private, public, and non-profit organizations. Traveling to this exciting new facility will be a caravan of yellow school buses on Franklin Street coming to see the world under, not to mention a significant increase in visitor traffic. It will be a hay day for the area when the Convention and Visitor's Bureau can advertise "Come join us for a weekend. Attend an event at the Civic Center, shop and dine in the Old Port, and don't go home until you visit the aquarium." Such a facility would also be a draw for attracting national conventions. Speaking of conventions, focus your iPhone on the largest undeveloped piece of real estate in Portland, if not in the entire State. It's the parking lot bounded by Franklin Street, Cumberland Avenue, and Congress Street. Can you see Portland's new Convention Center attached to a major convention hotel? It is an element of a development plan once envisioned by Joe Boulos several years ago. He has always been several giant steps ahead of the crowd. With his own resources he optioned the site and hired one of the most prominent architectural firms in New England. The firm prepared one of the most exciting renderings of a mixed use commercial development that I have ever seen which included a convention facility and a convention hotel. Unfortunately, the development never happened, but that's another story. If I live long enough, however, I will bring all of my out of state friends to the revolving restaurant on top of the convention hotel, and about the time it takes me to enjoy two Shipyard micro-brews I can point out Back Cove, Baxter Boulevard, the White Mountains, the Eastern Promenade, the Portland Observatory, the islands of Casco Bay, Hussey Sound, Portland Pipeline, Portland Headlight, the visiting ships, and the Fore River with all its marine traffic of freighters, tankers, yachts, and tug boats.

In 2013 Franklin Street delivered an average of 23,000 vehicles per day to the peninsula of Portland, and on some sections of the Street traffic counts reached an annual average of nearly 30,000 vehicles per day. Given the ongoing developments, and that which is planned for this area of the city, Franklin Street has the potential of becoming one of the most traveled urban street in Maine.

In summary, the Franklin Street Arterial's contribution to the economic health of Portland in the past, now, and in the foreseeable future, is equivalent to a successful quadruple bypass on a patient dying of blocked arteries. Study it all you want but don't clog it up!!

Sincerely,

John E. Menario
(c)[redacted]

cc: Franklin Street Public Advisory Committee
Portland Press Herald

Order 307-15/16
Tab 5 6-20/16

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 CONFIRMING THE APPOINTMENT OF ANNE M. TORREGROSSA AS ASSOCIATE CORPORATION COUNSEL

ORDERED, that Anne M. Torregrossa is hereby appointed as Associate Corporation Counsel at a salary of $97,000.00, said appointment to be on effective July 5, 2016 at 8:00 a.m.

MEMORANDUM
City Council Agenda Item

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

FROM: **Danielle West-Chuhta**

DATE: **June 8, 2016**

SUBJECT: **Appoint Anne M. Torregrossa Associate Corporation Counsel**

SPONSOR: Danielle West-Chuhta
(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_____n/a_____ Final Action__6/20/2016___

Can action be taken at a later date: _X_ Yes ____ No (If no why not?) The assistance of this attorney is needed as soon as possible, because there are two attorney vacancies in the Corporation Counsel's Office at present.

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

I. ONE SENTENCE SUMMARY

Attorney Anne M. Torregrossa is recommended for appointment as Associate Corporation Counsel to provide the City of Portland with legal advice and assistance in a variety of matters, and with a focus on employment, City code violations and zoning matters.

II. AGENDA DESCRIPTION

Attorney Anne M. Torregrossa is recommended for appointment as Associate Corporation Counsel to provide the City of Portland with legal advice and assistance with a focus on employment, city code violations and zoning matters. Her previous extensive municipal legal work specifically includes, among other things, assisting municipalities in the process of tearing down numerous unsafe buildings and implementing improved compliance with fire and property maintenance codes, as well as resolving several employment disputes. Attorney Torregrossa would also assist in litigation matters.

III. BACKGROUND

Please see the attached letter and resume.

IV. INTENDED RESULT AND OR COUNCIL GOAL ADDRESSED

The appointment of this Associate Corporation Counsel to assist with the City's various legal work.

V. FINANCIAL IMPACT

The starting salary offered and accepted by Anne Torregrossa of $97,000 falls within the approved salary grade level for this position, and has been reviewed and approved by the Human Resources Director and the City Manager.

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

The Corporation Counsel's office has reviewed Anne Torregrossa's resume, conducted an extensive interview process and contacted her references and, along with the Human Resources Department, recommends her appointment to this position be confirmed by the City Council as required by the City Charter.

VII. RECOMMENDATION

See above.

VIII. LIST ATTACHMENTS

Order Appointing Anne M. Torregrossa as Associate Corporation Counsel

Resume and cover letter

Prepared by: DW-C
Date: 6/9/2016

Bean/agendarequestmemo/rev 11/2015

Anne M. Torregrossa
39 Snow Road ♦ Durham, Maine 04222
(207)333-7415 ♦ anne_torregrossa@yahoo.com

April 24, 2016

VIA EMAIL JOBS@PORTLANDMAINE.GOV

CITY OF PORTLAND, MAINE
APR 25 2016
HUMAN RESOURCES DEPARTMENT

City of Portland, Human Resources Office
389 Congress Street, Room 115
Portland, Maine 04101

RE: Associate Corporation Counsel

To whom it may concern,

I write to express my interest in the open position for associate corporation counsel. When I consider what is most rewarding about my career, it is the ability to make a difference in the municipalities that I serve, and to work closely with those who share the same goals. I have been fortunate enough to represent the Cities of Lewiston and Auburn, as well as a host of smaller towns, in working to better their communities.

In my municipal enforcement work, I have had the opportunity to work side by side with code officers and directors, fire inspectors and chiefs, and municipal officers and staff to address dangerous buildings, land use violations, fire and life safety code violations, and other challenges that their cities and towns face. With my assistance, the City of Lewiston tore down more than 70 dangerous and abandoned buildings in a little more than three years. I have helped bring numerous landlords, who were previously unwilling to make their buildings safe for tenants, into compliance with fire, life safety, and property maintenance codes. On the opposite end of the spectrum, I guided the tiny Town of Randolph in creatively addressing an abandoned building plaguing the town, and helped the Town of Chebeague Island bring a wealthy scofflaw into compliance with shoreland zoning requirements.

In addition to enforcement, I have enjoyed building relationships with municipal officials, boards, and staff through giving advice and opinions on a variety of governance matters; assisting with ordinance development, drafting, and editing; performing board and staff trainings; and representing officers, boards, and staff in municipal hearings.

On the private sector side, I assist small businesses with labor and employment law compliance; drafting and updating employee handbooks and policies; handling employee discipline and termination; and prosecuting and defending all manner of civil litigation in state court.

Between my municipal work and my representation of small businesses in the private sector, I have developed expertise in labor and employment, municipal law, and civil litigation. I am excited about the possibility of dedicating myself to these pursuits in the City of Portland, and would love to speak with you more about my candidacy for the associate corporation counsel position.

Sincerely,

Anne M. Torregrossa

Anne M. Torregrossa

Anne M. Torregrossa

39 Snow Road ♦ Durham, Maine 04222

(207)333-7415 ♦ anne_torregrossa@yahoo.com

EMPLOYMENT

Brann & Isaacson

Associate 2008 - Present

Paralegal 2002 - 2005

Attorney specializing in municipal law, labor and employment, civil litigation, and state tax audit defense.

- Advise municipal officers, boards, and staff on rights and responsibilities; conduct board trainings; represent officers, boards, or staff at public hearings.
- Prepared more than 70 dangerous buildings proceedings, including drafting notices and proposed orders, preparing exhibits, representing municipal officers during hearing, and handling 80B appeals. Regular presenter on dangerous and abandoned buildings. Assisted with drafting state legislation to address abandoned buildings.
- Prosecute high volume of land use and life safety code enforcement actions in District Court pursuant to M.R. Civ. P. 80K.
- Review and advise on effective tax lien foreclosures and prosecute civil litigation to confirm municipal title. Presenter on effective tax lien foreclosure procedures.
- Draft and interpret ordinances.
- Represent public and private sector clients before administrative bodies, including Maine Human Rights Commission, and in Maine and New Hampshire courts on employment law claims, contract disputes, collection actions, and other civil litigation.
- Advise clients on labor and employment law compliance; draft and review employee handbooks and policies. Editor, Maine Employment Law Letter; regular presenter on employment law.
- Represent national clients in defending multi-million dollar state tax audits across the country.

United States Attorney, District of Maine

Appellate Intern 2006 - 2008

Intern to Appellate Chief. Conducted legal research; drafted and cite-checked legal briefs for submission to First Circuit Court of Appeals.

BAR ADMISSIONS

Maine 2008

United States District Court, District of Maine 2009

New Hampshire 2013

HONORS AND AWARDS

Super Lawyers Rising Star, *Employment & Labor* 2014

Super Lawyers Rising Star, *State, Local & Municipal* 2015

EDUCATION

Bowdoin College, *Artus Bacalauri* 2002

University of Maine School of Law, *Juris Doctor* 2008

Magna Cum Laude; Articles Editor, Maine Law Review; Legal Writing Teaching Assistant

COMMUNITY INVOLVEMENT

Safe Voices, *President* 2010 - Present

Town of Durham Planning Board, *Vice Chair* 2013 - Present

Auburn Savings Bank, *Director* 2014 - Present

Lewiston Development Corporation, *Director* 2012 - Present

Order 308-15/16
Tab 6-20-16

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 APPOINTING ANTHONY CIAMPI, CLAYTON WILLIAMS AND RUTHANN W. WEIST AS CONSTABLES FOR 2016 RE: DEPARTMENT OF PUBLIC SAFETY AND PORTLAND HOUSING AUTHORITY

ORDERED, that Anthony Ciampi, Police Cadet for the Department of Public Safety, Clayton Williams, Property Manager for Portland Housing Authority, and Ruthann W. Weist, Animal Control Officer, are hereby appointed as constables for the remaining calendar year 2016; and

BE IT FURTHER ORDERED, that these appointments shall be effective from the effective date of this order until 12:00 midnight, December 31, 2016; and

BE IT FURTHER ORDERED, that this appointment is made pursuant to Sections 20-19 and 20-19.5, Portland City Code, and Anthony Ciampi, Clayton Williams and Ruthann W. Weist are not allowed to carry a firearm, concealed or unconcealed, in the performance of duties, or to make arrests or issue parking tickets; and

BE IT FURTHER ORDERED, that these appointments are enacted as an Emergency, pursuant to Article II, Section 11 of the Portland City Charter, in order to allow Anthony Ciampi, Clayton Williams and Ruthann Weist to begin work as constables immediately.

MEMORANDUM
City Council Agenda Item

TO: City Council

FROM: Michael Sauschuck, Police Chief

DATE: June 13, 2016

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

SUBJECT: **Appointment of Ruthann W. Weist, Animal Control Officer as Constable**

SPONSOR: Police Department

COUNCIL MEETING DATE ACTION IS REQUESTED:
1st reading next available Final Action

Can action be taken at a later date: ____ Yes __X__ No (If no, why not?) The ACO has recently been hired and requires constable status in order to perform related job duties.

PRESENTATION:

I. **SUMMARY OF ISSUE** The Portland Police Department employs an animal control officer in accordance with 7 M.R.S.A §3947. The Department has recently filled a vacancy for this position following a recent retirement.

II. **REASON FOR SUBMISSION** The Animal Control Officer position involves a wide variety of activities including enforcement of ordinances and laws related to animals, picking up injured animals, investigating cruelty to animals and patrolling Portland's neighborhoods. Duties related to the position require obtaining constable status in order to enforce the City's ordinance and State laws.

III. **INTENDED RESULT** The intended result of this Council action is to fulfill the City's obligation to appoint an animal control officer.

IV. **COUNCIL GOAL ADDRESSED** Customer Service.

V. **FINANCIAL IMPACT**

VI. **STAFF ANALYSIS**

VII. **RECOMMENDATION** Appoint the following Animal Control Officer of the Portland Police Department as Constable: Ruthann W. Weist, This appointment is effective until the end of the calendar year and reappointment must be completed annually.

VIII. **LIST ATTACHMENTS**

Prepared by: Tiffany Bates

Signature

6.13.16
Date

Portland Maine

Sonia Bean <stb@portlandmaine.gov>

Constable request - PHA

1 message

Trevor Nugent <tnugent@porthouse.org> Tue, Jun 14, 2016 at 8:38 AM
To: "klj@portlandmaine.gov" <klj@portlandmaine.gov>, "Sonia Bean (STB@portlandmaine.gov)" <STB@portlandmaine.gov>

Hi Ms. Jones and Ms. Bean;

I am writing to request the appointment of Clayton Williams as a Constable of the City of Portland. Mr. Williams started as a Property Manager for PHA on 6/13/16. As a Property Manager employed by the Portland Housing Authority, Mr. Williams is responsible for lease enforcement, including serving legal documents in our eviction cases. In accordance with Maine law, certain documents can only be served by a Constable or Sheriff.

The PHA has a long history of having Property Mangers as Constables. We fell this increases the effectiveness of our operation by adding credibility and reliability to the legal process, as well as saving us time and money.

Please contact me if you have any questions. Thank you for your consideration.

Thank you,

Trevor Nugent
207-221-8002

PORTLAND HOUSING AUTHORITY

From: Katherine Jones [mailto:KLJ@portlandmaine.gov]
Sent: Tuesday, December 15, 2015 9:38 AM
To: Mark Adelson; Sarah Campbell; Bob Leeman; David Jackson; John Peverada; Michael Sauschuck; Paul Bradbury; Tammy Munson
Subject: Constables that need to be sworn in.

Please have the following people come into the City Clerk's office to be sworn in. They must do this before they issue a citation. If they are not sworn in their citations will be nullified.

Department of Building Inspections

Tammy Munson	Jonathan Rioux
Jeanie Bourke	Douglas Morin
Paul Fagone	Brian LaFlamme
Laurie Leader	Duane Hanson

Portland Housing Authority

Karin Lavigne Trevor Nugent

David Gagne Shannon Rafferty-Roy

Marcia Yeaton

Jetport

Kate Oliver

Franklin L. Noiles

Portland Public Library

Joaquim Almeida

Miroslav M. Petrovic

Paul Tetzlaff

Parking Control

Kevin Ready

Paul Willey

John Peverada

Process Server, Portland Police Department

Kelly Watters

Cliff Island

Charles Green

Animal Control, Police Department

Debra Estrella

Fire Department

Keith Gautreau

David Petruccelli

Craig Messinger

Department of Public Works

Nancy Gagne

Rhonda Zazzara

Kevin Noyes

Mark Pinette

Paige L. Button

Thanks
Kathy

Katherine Jones, City Clerk, Deputy Registrar
CMC,CCM
City of Portland
389 Congress Street
Portland, ME 04101
(207) 756-8102
(207) 874-8612 *Fax*

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Confidentiality Notice: This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure, or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy/delete all copies of the original message.

Order 308A-15/16
Tab 6A 6-20-16

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 APPOINTING AND SETTING SALARY OF MICHAEL A. RUSSELL AS DIRECTOR OF THE DEPARTMENT OF PERMITTING AND INSPECTIONS

ORDERED, that Michael A. Russell is hereby appointed as Director of the Department of Permitting and Inspections at a salary of $102,000; and

BE IT FURTHER ORDERED, that this appointment is enacted as an Emergency, pursuant to Article II, Section 11 of the Portland City Charter, in order to make it effective immediately and allow Michael A. Russell to begin work on June 27, 2016.

MEMORANDUM
City Council Agenda Item

TO: Mayor and City Council

FROM: Gina Tapp, Director of Human Resources

DATE: June 15, 2016

DISTRIBUTION: City Manager, Mayor, Sonia Bean, Danielle West-Chuhta, Nancy English, Julie Sullivan

SUBJECT: Appointment of Director of Permitting & Inspections Department

SPONSOR: Jon Jennings, City Manager

COUNCIL MEETING DATE ACTION IS REQUESTED:
1st reading_____June 20, 2016*_____ Final Action___June 20, 2016_____
We request emergency action on this item as it is a critical position to fill as soon as possible.
Can action be taken at a later date: _____ Yes _____ No (If no why not?)

PRESENTATION:

I. SUMMARY OF ISSUE

Approval is requested to appoint Michael A. Russell to the position of Director of Permitting & Inspections for the City of Portland's new Permitting & Inspections Department at the annual salary rate of $102,000.00.

II. REASON FOR SUBMISSION

Michael will be filling the position of Director of Permitting & Inspections following an extensive recruitment and hiring process. As an experienced City of Portland employee since 2004, he has held the role of Program Manager for the Public Health Division, where he successfully transformed the Environmental Health & Safety program into one of the most highly effective and efficient inspections and education programs in the City. He holds an M.S. degree from USM's Edmund S. Muskie School of Public Service, as well as a B.S. from Saint Anselm College. We believe he will be able to successfully lead this Department forward in a positive way for the City of Portland.

III. INTENDED RESULT

IV. COUNCIL GOAL ADDRESSED

V. FINANCIAL IMPACT

VI. STAFF ANALYSIS

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

Current resume is attached.

Prepared by: Gina Tapp, Director of Human Resources

Date: June 14, 2016

Michael A. Russell, MS

OBJECTIVE

Skilled and accomplished program manager with over 17 years of experience providing effective leadership in building and managing successful programs to meet public health needs. Looking to leverage background in City-based complex programs into a challenging leadership role.

AREAS OF EXPERTISE

Program Management	Strategic Planning
Policy Analysis	Budget Development and Management
Written and Oral Communication	Interpretation and implementation of regulations
Community Outreach	Public Relations/Customer Service

PROFESSIONAL EXPERIENCE

City of Portland, ME, Public Health Division, Environmental Health & Safety (March 2004–Present)
Program Manager

2011 – Present

- Manages the Food Service Inspection program dedicated to assuring the safe operations of food service establishments, lodging and swimming pools. Responsible for 532 establishments and hundreds of temporary and mobile licenses.
- Oversees foodborne illness and injury complaint and outbreak investigations.
- Drafts standard operating procedures, grant applications, and city ordinances.
- Creates outreach materials, such as the first municipal website in Maine to post inspection records, increasing transparency and accountability thru accessible public information.
- Adapts best practices to improve the effectiveness of local inspection operations, such as the Food Handler's Manual and the Certified Food Protection Manager class and exam.
- Evaluates inspection trends and interventions to enhance public safety. Portland's first risk factor study shows our success with decreasing the frequency of risk factors that can harm the public.
- Supervises 4 direct reports and additional graduate school interns.
- Manages an annual budget of $300,000-450,000 with mixed revenue sources.
- Responds to media inquiries and Freedom of Access Act requests.
- On-call Health Inspector - Responds to after-hours emergencies.
- Local Health Officer - Investigates and resolves resident concerns.

2010 – Present

- Developed first local Environmental Justice initiative with Environmental Protection Agency funding to focus on Somali refugee populations and other vulnerable populations in public housing projects.

2008 – Present

- Developed the only Cities Readiness Initiative (CRI) program in Maine with the goal of protecting residents in response to a bioterrorism event, covering 40% of Maine's population, across 3 counties.

2004 – 2009

- Developed first regional Infectious Disease Epidemiology program in Maine. This included planning, response and evaluation activities for York and Cumberland Counties.

Public Health Resource Group, Inc., Portland, ME (May 2003 – March 2004)
Research Associate

- Responsible for all aspects of project management with many private and public sector clients.
- Tasks included planning, research and evaluation, and client relations.
- Responsible for application and evaluation of Dr. Ed Wagner's Chronic Care Model to Eastern Maine Medical Center Physician Practices for improving Chronic Obstructive Pulmonary Disorder (COPD).

California Association of Orthodontists, San Francisco, CA (February 2001-May 2003)
Associate Executive Director

- Liaison to 1,500+ members. Managed all nine standing committees, the 16-member Board of Directors, and 100 professional volunteers.
- Served as the primary research investigator and analyst for all research and evaluation projects.
- Developed and coordinated the advocacy agenda for the legislative and regulatory arenas.
- Assisted in developing California Association of Orthodontists annual budget $500,000 and the investment of reserves totaling $775,000.

Freeman, Sullivan & Co., San Francisco, CA (October 1999-October 2000)
Project Manager

- Project management, research design, data collection and analysis and cost monitoring.
- Managed Computer-assisted Telephone Interview (CATI) Lab projects that needed bi-lingual interviewers and instrument development in Vietnamese or Spanish.
- Project experience included health services research and program evaluation and policy analysis.

EDUCATION AND CERTIFICATIONS

University of Southern Maine, Edmund S. Muskie School of Public Service: Portland, ME.
MS, Health Policy and Management May 1999

Saint Anselm College: Manchester, NH.
BS, Psychology May 1994

FELLOWSHIP

Environmental Public Health Leadership Institute, Fellowship, National Center for Environmental Health, Centers for Disease Control and Prevention, Atlanta, GA. 2009.

CERTIFICATIONS

Standardized as a Retail Food Safety Inspector, State of Maine, 2012.

Master Exercise Practitioner (MEP) Certification, Emergency Management Institute, Department of Homeland Security, Federal Emergency Management Agency 2005. Certified to design, implement and evaluate public health disaster exercises.

COMPUTER SKILLS

Microsoft Office Suite, Naviline

Order 309-15/16
Tab 7 6-20-16

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 DECLARING AUGUST 14, 2016 AS THE B. GOOD BLOCK PARTY FESTIVAL

ORDERED, that Sunday, August 14, 2016 is hereby declared to be the B. Good Block Party Festival, with a rain date on August 21, 2016, sponsored by Local Food 1, LLC; and

BE IT FURTHER ORDERED, that the B. Good Block Party Festival area shall be Post Office Park at the corner of Exchange and Middle streets; and

BE IT FURTHER ORDERED, that six parking spaces shall be posted "No Parking" and reserved for use of the event organizers at the B. Good Block Party Festival area, with violators towed at their own expense; and

BE IT FURTHER ORDERED, that the B. Good Block Party Festival area shall be closed to licensed street vendors as provided in §19-17 of the City Code; and

BE IT FURTHER ORDERED, that the City Manager is authorized to issue a revocable permit to Local Food 1, LLC under §25-27 of the City Code to conduct said Festival, subject to the direction and control of the City Manager and to the following specific conditions:

1. Local Food 1, LLC 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. Local Food 1, LLC 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 within a 21-years-old and older area to be run by the staff of B. Good under the rules and regulations of its liquor license and under an additional beer-tasting license issued by the State of Maine, with identification checked by staff of the Public Assembly Facilities Division;

3. Conditions for use of grounds and requirements for food service, vending sales, and other items specified in an operating agreement issued from the Public Assembly Facilities Division Office shall be adhered to;

5. Local Food 1, LLC shall have sole authority over participating vendors at the festival and may charge a fee to vendors for the opportunity to vend at the B. Good Block Party Festival;

6. Police Officers will be hired and paid by the organizer;

7. In addition, the City Clerk's Office shall charge the usual fees for licensing food vendors, street goods vendors, and other needed licenses for the Festival to those vendors the Local Food 1, LLC has agreed shall participate; and

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 City Code, provided that all other applicable Code requirements for the operation of the Festival have been met.

Portland, Maine | Yes. Life's good here.

Sally L. DeLuca
Director
Department of Parks, Recreation & Facilities

Andrew J. Downs
Director
Public Assembly Facilities Division

TO: Jon Jennings, City Manager
FROM: Sally DeLuca, Director of Parks, Recreation & Facilities Management
DATE: June 8, 2016
RE: **Council Agenda Item – B.good Block Party for B.good Portland Foundation**

I am requesting that the following order be placed on the next City Council agenda (Monday, June 20, 2016):

Order declaring Sunday, August 14, 2016, as the B.good Block Party Festival

B.good, located on Exchange Street, had first requested a Block Party street closure where 2 blocks of Exchange Street (from Middle to Fore) were blocked off to vehicle traffic. That proposal was not approved by City Council. The proposal now before City Council is for the party to be held at Post Office Park (corner of Exchange and Middle Street).

B.good has proposed hosting a fundraising block party (small festival) to raise money for the B.good Portland Foundation. The foundation uses micro-grants to help inspired individuals improve their communities. The organizer for this event has submitted a detailed plan for the festival, which includes hosting a neighborhood block party/festival (food, games, music, beer garden), to be held on Sunday, August 14th 2016, from 1pm-6pm at Post Office Park (Rain Date: Sunday, Aug. 21). There is no registration/ticket fee, however, individuals attending the event will be charged $10 - $15 for an "all you can eat plate," as well as $2 for beverages and $5 for beer. Expected attendance is 100 people for the "all you can eat plate," but several hundreds of people are expected to take advantage of the fun activities and music at the park.

Beer is to be provided by Peaks Organic & Rising Tide Brewing Companies and served by B.good employees on the street in a roped off Beer Garden area. B.good will be the non-profit applying to the State for the liquor service. As this is a public park, the city's Public Assembly Facilities Division staff will be oversee the ID checking. Organizer's staff (and private security staff) will also be on site. B.good will also hire 2 Police Officers for the event. Organizer is obtaining the necessary licenses from the state/city for serving beer, as well as other licenses from the city for live music, refreshments and other aspects of the event.

Six parking spaces on Exchange and Market Streets need to be reserved. Portland Downtown has endorsed the event.

Sally L. DeLuca
Director
Department of Parks, Recreation & Facilities

Andrew J. Downs
Director
Public Assembly Facilities Division

In order for this block party festival to be held, the park needs to be set aside and reserved for the organizer.

The Festival area (Post Office Park and adjacent sidewalks) will be closed to street vendors pursuant to Section 19-17 of the Portland City Code and is reserved for the use of B.good (and participating other businesses) for the purpose of conducting the Festival, subject to the direction and control of the City Manager.

Vehicles in violation of the "no parking" signs in the Festival Zone shall be towed (at owner's expense).

Also, the City Manager is authorized to issue a revocable permit under Section 25-27 of the Municipal Code to B.good for the use of the above-described area for said Festival subject to the following conditions:

- B.good shall indemnify the city and hold it harmless from and against all claims arising out of activities during said events, 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 B.good Block Party and its activities,

- Under no circumstances may alcoholic beverages be sold/served on the streets of public property of said area during said Festival other than the designated beer garden located inside Post Office Park. City Council approves the service of alcohol in the designated "beer garden", pending a license from the State is issued to the festival organizer,

- Conditions for use of grounds and requirements for food service, vending sales, tents, stages, and other items specified in a permit issued from Public Assembly Facilities Division Office, shall be adhered to,

- City Clerk's Office will charge the usual fees for licensing food vendors, street goods vendors, and other needed licenses for the Festival,

- Police Officers will be hired by the organizer (B.good)

Sally L. DeLuca
Director
Department of Parks, Recreation & Facilities

Andrew J. Downs
Director
Public Assembly Facilities Division

- B.good shall act as managing authority over participating vendors and storefront exhibits/displays/activities in the park, and will act as Festival Manager for the event.

The City Manager is also authorized to waive any 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 Ted Musgrave, Event Coordinator
Public Assembly Facilities Division
Date: June 8, 2016

CITY OF PORTLAND, DEPARTMENT OF PUBLIC WORKS
PUBLIC PARK & SPACE APPLICATION (4 pages)
55 Portland St. ~ Portland ~ ME ~ 04101
207-874-8826 / 8751 (Event Office) ~ Fax 207-874-8816
tvm@portlandmaine.gov

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

TODAY'S DATE	5/24/16	ORGANIZATION NAME	bgood					
ORGANIZATION ADDRESS	15 Exchange St.	CITY	Portland	STATE	ME	ZIP	04101	
CONTACT NAME(S)	Bill Zolper	TITLE Owner						
HOME #	WORK	CELL		FAX	N/A			
EMAIL	Bill@bgood.com	EMAIL						

PARK AREA OR PUBLIC SPACE REQUESTED	Post Office Park				
EVENT DAY & DATE(S)	August 14th, 2016 sunday		RAIN DAY & DATE(S)	August 21st, 2016 Sunday	
EVENT START TIME (i.e. set-up start time)	9 AM	EVENT END TIME (i.e. when event cleanup is complete)	7 PM	ACTUAL START & END TIME OF EVENT	Noon to 6 PM

EVENT NAME	EXPECTED ATTENDANCE
ɟood family block party	500

DESCRIPTION OF EVENT:

Event is a fundraiser to raise money for b.good family foundation. Three submissions (out of all plans submitted for positive action in downtown Portland) will be voted on by b.good family members (3,000 members). B.good will give said money to winner to create idea. B.good will be involved in taking idea to fruition. We will have event in Post Office Park with live music, kids games, dunk tank and beer area. All proceeds go to fundraiser winner. B.good Boston has done this for the past 10 years and has raised over $30,000 with same event for groups and individuals such as Ultimate Sports Program (5/13), Groundwork Somerville (10/13), and Food Recovery Project (1/14).

Food stations in Post Office Park (refer to map) with chaffing dishes to keep food warm, all food to be made inside bgood old port restaurant. Canopies, chairs and tables set up on the hardscape area of the park.
Art play area for children closer to the Middle Street side of the park. Dunk Tank may be set up on the hardscape area.
Musical entertainment at stage area (in front of Sonnys) Electricity will come from City of Portland.

Beer to be served in roped-off area on right hand side of Post Office Park.
Beer provided by Peaks Organic & Rising Tide brewing companies. All alcohol will be poured by B.good employees.
CITY PAFD STAFF WILL BE HIRED BY ORGANIZER TO OVERSEE ID CHECKING.
TWO POLICE OFFICERS WILL BE HIRED BY ORGANIZER.

There is no registration fee. You are charged for an all you can eat plate $10-$15, beverages(bottled water) $2 and beer $5.

Some parking spaces need to be reserved. 5 Porta-Restrooms will be rented by organizer.

IS THERE A REGISTRATION FEE/PLEDGES COLLECTED FOR THIS EVENT?	Please check: ___N/A_____ FEE _____N/A_____PLEDGES

WHAT WILL BE THE ANTICIPATED NEED FOR PARKING AND WHAT IS YOUR PARKING PLAN?
We need 6 parking spaces for the day to be designated for us along Market St. or Exchange St.

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 **canopy**(s) ? (canopy is 10x10 size) How many:	X		
*	Do you wish to set up a **tent(s)**? (a canopy or tent larger than 10x10 needs to be		X	
*	Will you be setting up **tables and/or chairs** ? How many tables: 8 chairs: 50	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: Dunk tank	X		
*	Will there be **refreshments** at the event? Do you wish to **sell food?** (If so, you will need approval from Public Works) List food and drink: A Temporary Food Service License (from the City Clerk's Office) is needed, even if food is given away (and even if it is pre-packaged). PLEASE give the Clerk's Office at least a 2-week notice (874-8557).	X		
*	Do you wish to sell **non-food items** (like T-shirts, crafts, cd's, etc.) ?		X	
*	Are you setting up a **PA (sound) system ?** Are you planning on having **Amplified Music ?** **Band ?** **DJ ?** If so, your event requires a concert license from the City Clerk's Office (874-8557). (Just voice – i.e. Press Conference, would not require the license because it is not music). For amplified music/speech, there are time restrictions for the Downtown Parks & Squares (music limited to 11:45am – 1:15pm, and 1 hour between 5pm - 8pm).	X		
*	Will your event require **electricity**? Electricity is available at some of the parks & squares	X		
*	Are you planning on bringing a **Grill for a Barbecue**?		X	
*	Will the event require **reserved parking spaces / parking meters**? How many? 6 "No Parking" signs may be purchased at PW Event Office, 55 Portland Street.	X		
*	Will your event need **safety vests, signs, barricades and/or cones**? Please list what you would like to borrow: A few orange vests and cones may usually be borrowed from Public Works, Event Office. Barricades and signs are borrowed from Public Works, Customer Service.		X	
*	Will your event require **street closures?** (Please be specific under "Description of Event")		X	
	Will your event require **Police** assistance? An event such as a road race, march or parade in the street, would typically require police assistance.	X - 2		
*	Will your event require **Fire/EMS** assistance? (For a large walk/race, it is recommended.)		X	
*	Will your event require **porta-restroom** rental(s) or need existing porta-restroooms 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.)	X 5 TO BE RENTED		

	INSURANCE CERTIFICATE INFORMATION			
*	Will your event require liability Insurance? (For an event such as a walkathon, race, festival, press conference, concert, etc., the city requires insurance coverage - General Liability. The City of Portland needs to be named as additional insured and the policy endorsed in regards to the event activities on that date). If your event has been approved for serving food, Product Liability is also required, in addition to General Liability.	X		

- If you answered yes, please have "City of Portland, Maine" listed as an additional insured on the certificate, in this way: certificate must say either: A) "the policy actually is endorsed to name the City of Portland as an Additional Insured" and a copy of the endorsement must come to the City of Portland with the certificate, or B) "the policy already includes an endorsement, such as the General Liability Expansion Endorsement, by which the City of Portland is, in fact, automatically made an additional insured." A Certificate which merely has a box checked under 'Addl Insr," or which merely states The City of Portland is named as an Additional Insured, will not be acceptable. The amount of coverage must be shown on the certificate, and the minimum coverage amount is $400,000. Please have your insurance company email a copy to Public Works: email to tvm@portlandmaine.gov.

PUBLIC WORKS POLICIES

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.

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 Public Works 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 must bring a fire extinguisher with you to the grilling area.

PORTA-RESTROOMS / BATHROOM FACILITIES
Porta-Restrooms are required for large events and events where food is being served. Organizer will need to rent facilities for this event.

TRASH
..l groups must abide by our Carry In/ Carry Out Policy. Please bring extra trash bags and/or trash receptacles and remove all trash. 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 and if the park is clean and conditions for use adhered to, your security deposit will be returned to you. Thank you in advance!

PARKING ON GRASS AREAS / SIDEWALKS / ILLEGALLY PARKED VEHICLES
Public Works has a strict policy that prohibits vehicles from parking on grass areas/sidewalks/park streets (unless specifically approved by city staff). $10 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 would mean a forfeit of your security deposits.**

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. Please make sure you pass this information along to participants / spectators at the event.

NOTIFICATION
Please keep a copy of this permit on site at all times. City staff may require proof of permit.

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.

I HAVE READ AND UNDERSTAND ALL OF THE ABOVE POLICIES	TYPE INITIALS	BZ	DATE	5/24/16

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 ace area for the said event. By returning this form, (should permission be granted to use city property), the above parties agree to demnify 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	BZ	DATE	5/24/16

FEE SCHEDULE – UPDATED JULY 1, 2015 **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): $50/hour Event with registration or pledges & attendance 25 – 300: $100/hr Event with registration or pledges & attendance 301+: $200/hr Public Space/Park Security Deposit/Sound Security Deposit: $100 -$1000	Impact/Street Closure Fee (variable based on impact): $0-$500 Admin/Staff Fee (support for events): $30/hour Porta Restroom User Fee (if attendance is 150+): $25

CREDIT CARD INFORMATION							
Visa or MasterCard Number				1078	Exp Date (Mon/Yr)	07	16
CREDIT CARD WILL ONLY BE CHARGED FOR SECURITY DEPOSIT(S) AS NEEDED							

TOTAL AMOUNT(S) DUE TO PUBLIC WORKS (Please make all security deposit checks out separately)			
Permit Fee for use of area: $50 - $200 per hour (i.e. a 3 hour event at $50 totals $150) includes use of elec. If your event is rained out / cancelled, the bulk of the fee is returned (however $50 is non-refundable) Number of Hours of Use: **10 hours**	**$ 500 + $250 rain date CC on file**	Vest/Cone Deposit: $10 per/item Barricade Deposit: $25 per/item	**$?**
Admin/Staff Fee (support for events): $30/hour	**$ see estimate**	Public Space / Park Security Deposit: Sound Security Deposit $100 - $1000	**$ 500 CC on file**
Key Deposit: $50 per key	$	Other (Porta-Restroom User Fee: $25, etc.)	$
Impact/Street Closure Fee (variable based on impact):)0-$500	$		

FOR OFFICE USE ONLY							
DATE REC'D APPLICATION	6-8-2016	DATE REC'D INSURANCE	**NEED**	PERMIT FEE AMT REC'D	**$ CC TO BE CHARGED**	SECURITY DEPOSIT	**$ CC ON FILE**

					FOLLOWING EVENT		
PAYMENT TYPE							
VISA	$	MC	$	CK #	CK AMOUNT	$	CASH AMT	$

Order 310-15/16
Tab 8 6-20-16

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 DECLARING AUGUST 27, 2016 AS THE PORTLAND FINE CRAFT SHOW FESTIVAL

ORDERED, that Saturday, August 27, 2016 is hereby declared to be the Portland Fine Craft Show Festival, sponsored by the Maine Crafts Association; and

BE IT FURTHER ORDERED, that the Portland Fine Craft Show Festival area shall be Congress Street from High Street to State Street, abutting side streets and adjoining sidewalks; and

BE IT FURTHER ORDERED, that Congress Street between High Street and State Street, and the blocks of Avon Street, Vernon Place and Park Street adjacent to Congress Street shall be closed to traffic from 6:00 a.m. to 6:00 p.m. on August 27, 2016; and

BE IT FURTHER ORDERED, that vehicles in violation of the "no parking" signs in the Festival Area (interior roadways) shall be towed at owner's expense; and

BE IT FURTHER ORDERED, that the Portland Fine Craft Show Festival area shall be closed to licensed street vendors as provided in §19-17 of the City Code; and

BE IT FURTHER ORDERED, that the City Manager is authorized to issue a revocable permit to Maine Crafts Association under §25-27 of the City Code to conduct said Festival, subject to the direction and control of the City Manager and to the following specific conditions:

1. Maine Crafts Association 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. Maine Crafts Association 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. Conditions for use of grounds and requirements for food service, vending sales, and other items specified in a permit issued from the Public Assembly Facilities Division shall be adhered to;

4. Maine Crafts Association shall be responsible for reimbursing the Police Department, the Parking Division, and the Public Works Department for services;

5. Maine Crafts Association shall be required to leave a Security Deposit on file at the Public Assembly Facilities Division Office;

6. Maine Crafts Association 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 Fine Craft Show Festival;

7. In addition, the City Clerk's Office shall charge the usual fees for licensing food vendors, street goods vendors, and other needed licenses for the Festival to those vendors the Maine Crafts Association has agreed shall participate; and

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 City Code, provided that all other applicable Code requirements for the operation of the Festival have been met.

Portland, Maine | Yes. Life's good here.

Sally L. DeLuca
Director
Department of Parks, Recreation & Facilities

Andrew J. Downs
Director
Public Assembly Facilities Division

TO: Jon Jennings, City Manager
FROM: Sally DeLuca, Director of Parks, Recreation & Facilities Management
DATE: June 8, 2016
RE: **Council Agenda Item – Maine Crafts Association Portland Fine Craft Show**

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

Order declaring Saturday, August 27, 2016, as "Portland Fine Craft Show," to be held on Congress Street, 9am – 4pm. (There is no Rain Date) This festival happens the same date as the WCSH6 Sidewalk Art Festival is planned for.

The Portland Fine Craft Show is presented by the Maine Crafts Association (MCA). Festival organizers are requesting that Congress Street (from High Street to State Street) be closed to vehicular traffic; High Street, at the intersection of Congress Street, would stay open to commuters (same with State Street). Individual vendors will set up 100 10x10 canopy booth spaces on Congress Street. Sidewalks remain open for pedestrians. Emergency Lane kept open in the middle of street. 5000 attendees are expected for this event. Vendors will be selling their crafts to the general public. Organizers will invite 2 or 3 Food Trucks into the festival zone (park on Congress Street near Longfellow Square).

In order for this festival to be held, a portion of Congress Street and abutting side streets need to be closed to vehicular traffic and posted "No Parking." The street closures will extend along Congress Street - High Street to State Street (Longfellow Square) and also include the following side streets: Avon St., Park St., and Vernon Pl. leading up to Congress Street. Streets would be closed from **6:00 a.m. – 6:00 p.m. on Saturday, August 27, 2016 (Festival runs 9am – 4pm)**. The parking ban would extend the same distance and continue from **5am, Saturday, August 27, 2016, until 6pm, Saturday, August 27, 2016**.

The Festival area (Congress Street itself and the abutting side streets, sidewalks and squares between and including High Street to State Street) will be closed to street vendors and artists pursuant to Section 19-17 of the Portland City Code and is reserved the use of MCA, for the purpose of conducting the Festival, subject to the direction and control of the City Manager.

Vehicles in violation of the "no parking" signs in the Festival Zone (interior roadways) 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 MCA Portland Downtown Craft Show organizers for the use of the above-described area for said Festival, subject to the following conditions:

Sally L. DeLuca
Director
Department of Parks, Recreation & Facilities

Andrew J. Downs
Director
Public Assembly Facilities Division

- **MCA shall be responsible for reimbursing the Police Dept. and Parking Control Office for services, the Public Works Dept. for services, the Public Assembly Facilities Division for permit fee for use of the street, and the City Clerk's Office for licenses;**

- The MCA Portland Fine Craft Show organizers shall be solely responsible for trash cleanup at the festival and shall be required to leave a Park Security Deposit (amount determined by the Public Assembly Facilities Director or designee) on file at the PAFD Event Office;

- Under no circumstances may alcoholic beverages be sold or consumed on the streets or public property of said area during said festival;

- The MCA Portland Fine Craft Show 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;

- Conditions for use of grounds and requirements for food service, vending sales, concert licensing, tent and stage installations, and other items specified in a permit issued from PAFD Office, shall be adhered to; and

- The MCA Portland Fine Craft Show organizers 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 "MCA Portland Fine Craft Show" activities, and the City be endorsed on the policy.

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 Ted Musgrave, Event Coordinator
Public Assembly Facilities Division
Date: June 8, 2016

CITY OF PORTLAND, DEPARTMENT OF PUBLIC SERVICES
PUBLIC PARK & SPACE APPLICATION (3 pages)

55 Portland St. ~ Portland ~ ME ~ 04101
207-874-8826 / 8751 (Event Office) ~ Fax 207-874-8816
tvm@portlandmaine.gov

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

TODAY'S DATE	11/12/15 Revised: 11-13, 2-12-2016	ORGANIZATION NAME	Maine Crafts Association						
ORGANIZATION ADDRESS	PO Box 342		CITY	Gardiner	STATE	ME	ZIP	04345	
CONTACT NAME(S)	Sadie Bliss TITLE Organizer		Dorothy Royle						
HOME #	WORK 564-0041	CELL		FAX					
EMAIL	sbliss@mainecrafts.org	EMAIL	dorothy@mainecrafts.org						

PARK AREA OR PUBLIC SPACE REQUESTED	Congress Street CLOSED - between High and State Side streets leading onto that closed section of Congress will also be closed to traffic (Avon Street residents may have access with assistance from Police Office at State Street. Park Street residents may have access up the one-way street from a PCO stationed at Spring & Park).				
EVENT DAY & DATE(S)	Saturday August 27, 2016	RAIN DAY & DATE(S)	none		
EVENT START TIME (i.e. set-up start time)	6am	EVENT END TIME (i.e. when event cleanup is complete)	6pm	ACTUAL START & END TIME OF EVENT	9am - 4pm

EVENT NAME	EXPECTED ATTENDANCE
Portland Fine Craft Show	5000 100 Crafters

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

The PFCS will take place alongside WCSH's Sidewalk Arts Festival (same day, same hours, same type of booth set-up).
Congress Street (from State to High) CLOSED to vehicles.
PFCS will have 100 exhibitors in their own booths selling their handmade goods.
Individual vendors will set up 10x10 booth spaces (mainly canopies) on Congress street, between High and State streets.
Organizer may invite a Food Truck or 2 or 3 into the event.... Parked closer to Longfellow Square – near State Street.
A parking ban along Congress Street and the side streets (just one block) leading onto Congress Street is needed, from 6am to 6pm Saturday. "No Parking" SIGNS needed.
Sidewalks remain open for pedestrians EMERGENCY LANE kept open in middle of street.
Artists will set up canopies and booths on the side of the street (in parking spaces); their booths facing outward toward Congress Street. Spectators encouraged to walk in the street. Spectators will walk in the street and view 100 crafter's artwork from there.
Some porta-restrooms rented by organizer, placed at certain areas along Congress (indented street locations).
Vehicles in violation of the "no parking" signs in the Festival Zone (interior roadways) shall be towed at owner's expense.
Organizer will plan on hiring Police Officers and some PCO's to cover intersections. Will share cost of 2 "roving officers" and "MEDCU personnel" with the Sidewalk Art Festival organizer.

IS THERE A REGISTRATION FEE/PLEDGES COLLECTED FOR THIS EVENT? Yes, crafters pay a fee to set up. This event is FREE to the public	Please check: _____ FEE	_____ PLEDGES
IF YES FOR FEES, HOW MUCH?	FEE	

WHAT WILL BE THE ANTICIPATED NEED FOR PARKING AND WHAT IS YOUR PARKING PLAN?
Vendors and attendees will use existing street, lot and garage parking

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 **canopy**(s)? (canopy is 10x10 size) How many: **100**	X		
*	Do you wish to set up a **tent(s)**?		X	
*	Will you be setting up **tables and/or chairs**?	X		
*	Are other items or equipment being placed on City property?		X	
*	Will there be **refreshments** at the event? Do you wish to **sell food?** (If so, you will need approval from Public Services) List food and drink: A Temporary Food Service License (from the City Clerk's Office) is needed, even if food is given away (and even if it is pre-packaged). PLEASE give the Clerk's Office at least a 2-week notice (874-8557).	?		X WE WOULD LIKE TO INVITE 2-3 FOOD TRUCKS
*	Do you wish to sell **non-food items** (like T-shirts, crafts, cd's, etc.)? If so, you will need approval from Public Services, and you will need to apply for a Street Goods Vendor License(s) at the City Clerk's Office. List items you wish to sell:	X		
*	Are you setting up a **PA (sound) system**?		X	
*	Will your event require **electricity**?		X	
*	Are you planning on bringing a **Grill for a Barbecue**?		X	
*	Will the event require **reserved parking spaces / parking meters**? How many? **40** "No Parking" signs may be purchased at PS Event Office, 55 Portland Street.	X		
*	Will your event need **safety vests, signs, barricades and/or cones**? Please list what you would like to borrow: A few orange vests and cones may usually be borrowed from Public Services, Event Office. Barricades and signs are borrowed from Public Services, Customer Service.	X BARRICADES FOR PARK ST AND DORM LOT		
	Will your event require **street closures**? **(See Above)**	X		
*	Will your event require **Police** assistance?	X		
*	Will your event require **Fire/EMS** assistance?	?	X	
*	Will your event require **porta-restroom** rental(s) or need existing porta-restroooms 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.)	X WILL RENT SOME		

	INSURANCE CERTIFICATE INFORMATION			
*	Will your event require liability Insurance? (For an event such as a walkathon, race, festival, press conference, concert, etc., the city requires insurance coverage - General Liability. The City of Portland needs to be named as additional insured and the policy endorsed in regards to the event activities on that date). If your event has been approved for serving food, Product Liability is also required, in addition to General Liability.	X		

- If you answered yes, please have "City of Portland, Maine" listed as an additional insured on the certificate, in this way: certificate must say either: A) "the policy actually is endorsed to name the City of Portland as an Additional Insured" and a copy of the endorsement must come to the City of Portland with the certificate, or B) "the policy already includes an endorsement, such as the General Liability Expansion Endorsement, by which the City of Portland is, in fact, automatically made an additional insured." A Certificate which merely has a box checked under 'Addl Insr," or which merely states The City of Portland is named as an Additional Insured, will not be acceptable. The amount of coverage must be shown on the certificate, and the minimum coverage amount is $400,000. Please have your insurance company email a copy to Public Services: email to tvm@portlandmaine.gov.

PUBLIC SERVICES POLICIES

PORTA-RESTROOMS / BATHROOM FACILITIES
Porta-Restrooms are required for large events and events where food is being served. Organizer will need to rent units. The city is currently contracted with the porta-restroom company (Associated Septic, 207-799-1980, M-F) – but you need not rent from them.

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

PARKING ON GRASS AREAS / SIDEWALKS / ILLEGALLY PARKED VEHICLES
ublic Services has a strict policy that prohibits vehicles from parking on grass areas/sidewalks/park streets (unless specifically approved , city staff). $10 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 would mean a forfeit of your security deposits.**

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. Please make sure you pass this information along to participants / spectators at the event.

NOTIFICATION
Please keep a copy of this permit on site at all times. City staff may require proof of permit.

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.

I HAVE READ AND UNDERSTAND ALL OF THE ABOVE POLICIES	TYPE INITIALS	SB	DATE	11/12/15

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 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	SB	DATE	11/12/15

FEE SCHEDULE – UPDATED JULY 1, 2015	
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): $50/hour Event with registration or pledges & attendance 25 – 300: $100/hr Event with registration or pledges & attendance 301+: $200/hr Public Space/Park Security Deposit/Sound Security Deposit: $100 -$1000	Impact/Street Closure Fee (variable based on impact): $0-$500 Admin/Staff Fee (support for events): $30/hour Porta Restroom User Fee (if attendance is 150+): $25

CREDIT CARD INFORMATION							
Visa or MasterCard Number				4134	Exp Date (Mon/Yr)	12	16
CREDIT CARD WILL ONLY BE CHARGED FOR SECURITY DEPOSIT(S) AS NEEDED							

TOTAL AMOUNT(S) DUE TO PUBLIC SERVICES (Please make all security deposit checks out separately)			
Permit Fee for use of area: $50 - $200 per hour (i.e. a 3 hour event at $50 totals $150) includes use of elec. If your event is rained out / cancelled, the bulk of the fee is returned (however $50 is non-refundable) Number of Hours of Use: **12 hours**	**$ 2400** **CC on file**	Vest/Cone Deposit: $10 per/item Barricade Deposit: $25 per/item	**$???**
Admin/Staff Fee (support for events): $30/hour	**$???**	Public Space / Park Security Deposit: Sound Security Deposit $100 - $1000	**$ 500 CC on file**
Key Deposit: $50 per key	**$ N/A**	Other (Porta-Restroom User Fee: $25, etc.)	**$ N/A renting**
Impact/Street Closure Fee (variable based on impact): $100-$500	**$ 500 due**		

FOR OFFICE USE ONLY							
DATE REC'D APPLICATION	**11-12-15**	DATE REC'D INSURANCE	**2-12-2016**	PERMIT FEE AMT REC'D	**$ CC On File**	SECURITY DEPOSIT	**$ CC On File**
PAYMENT TYPE							
VISA	$	MC	$	CK #		CK AMOUNT	$	CASH AMT	$

Order 311-15/16
Tab 9 6-20-16

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 DECLARING AUGUST 27, 2016 AS THE 51TH ANNUAL WCSH6 SIDEWALK ART FESTIVAL

ORDERED, that Saturday, August 27, 2016 is hereby declared to be the 51st Annual WCSH6 Sidewalk Art Festival, sponsored by WCSH6; and

BE IT FURTHER ORDERED, that the Festival area shall be Congress Street (the street itself), sidewalks and squares, from High Street to Elm Street (Monument Square) and Oak, Casco, Brown, Center and Preble Streets on the blocks adjacent to Congress Street; and

BE IT FURTHER ORDERED, that Festival area shall be closed to traffic from 6:00 a.m. to 6:00 p.m. on Saturday, August 27, except High Street shall remain open; and

BE IT FURTHER ORDERED, that vehicles in violation of the "no parking" signs from 5:00 a.m. to 6 p.m. in the Festival Area (interior roadways) shall be towed at owner's expense; and

BE IT FURTHER ORDERED, that the 51st Annual WCSH6 Sidewalk Art Festival area shall be closed to licensed street vendors as provided in §19-17 of the City Code; and

BE IT FURTHER ORDERED, that the City Manager is authorized to issue a revocable permit to WCSH6 under §25-27 of the City Code to conduct said Festival, subject to the direction and control of the City Manager and to the following specific conditions:

1. WCSH6 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. WCSH6 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. WCSH6 shall reimburse the Police Department, the Public Works Department and the Public Assembly Facilities Division for any staff services and permit fees;

4. Conditions for use of grounds and requirements for food service, vending sales, and other items specified in a permit issued from the Public Assembly Facilities Divisions shall be adhered to;

5. WCSH6 shall be responsible for trash clean up at the Festival and shall be required to leave a Park Security Deposit on file at the Public Assembly Facilities Division Office;

5. WCSH6 shall have sole authority over participating vendors at the festival and may charge a fee to vendors for the opportunity to vend at the 51st Annual WCSH6 Sidewalk Art Festival;

6. In addition, the City Clerk's Office shall charge the usual fees for licensing food vendors, street goods vendors, and other needed licenses for the Festival to those vendors the WCSH6 has agreed shall participate; and

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 City Code, provided that all other applicable Code requirements for the operation of the Festival have been met.

Portland, Maine | Yes. Life's good here.

Sally L. DeLuca
Director
Department of Parks, Recreation & Facilities

Andrew J. Downs
Director
Public Assembly Facilities Division

TO: Jon Jennings, City Manager
FROM: Sally DeLuca, Director of Parks, Recreation & Facilities Management
DATE: June 8, 2016
RE: **Council Agenda Item – 51st Annual WCSH 6 Sidewalk Art Festival**

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

Order declaring Saturday, August 27, 2016, as "51st Annual WCSH6 Sidewalk Art Festival," to be held on Congress Street, 9am – 4pm. (There is no Rain Date)
(This festival happens the same date as the Portland Fine Craft Show is planned for.)

WCSH6 has sponsored this Sidewalk Art Festival for many years with great fanfare. This year, like previous years, festival organizers are requesting that Congress Street (from High Street to Elm Street) be closed to vehicular traffic; High Street, at the intersection of Congress Street, would stay open to commuters (same with Elm Street). Some side streets, connecting to Congress Street, would also possibly be used for artist's booths. Artists will still be set up on the sidewalk and the parking lane – facing out towards the street. The public would walk in the street and view artist's work from that vantage point. This frees up more room on the sidewalk for pedestrians to enter shops and for shops to also put out tables (sidewalk sale) if they so desire. 300 artists are registered for this year's event. Artists will be selling their work to the general public.

In addition, this year there will be musical entertainment at Congress Square Park (arranged through Friends of Congress Square).

In order for this festival to be held, a portion of Congress Street and abutting side streets need to be closed to vehicular traffic and posted "No Parking." The street closures will extend along Congress Street - High Street (Congress Square) to Elm Street (Monument Square) and also include the following side streets: one block of Oak, Casco, Brown, Center and Preble Streets leading up to Congress Street. Streets would be closed from **6am – 6 pm on Saturday, August 27, 2016**. The parking ban would extend the same distance and continue from **5am, Saturday, August 27, 2016, until 6pm, Saturday, August 27, 2016.**

The Festival area (Congress Street itself and the abutting side streets, sidewalks and squares between and including High Street to Elm Street) will be closed to street vendors and artists pursuant to Section 19-17 of the Portland City Code and is reserved the use of WCSH6, for the purpose of conducting the Festival, subject to the direction and control of the City Manager.

Vehicles in violation of the "no parking" signs in the Festival Zone (interior roadways) shall be towed at owner's expense.

Sally L. DeLuca
Director
Department of Parks, Recreation & Facilities

Andrew J. Downs
Director
Public Assembly Facilities Division

The City Manager is authorized to issue a revocable permit under Section 25-27 of the Municipal Code to the WCSH6 Sidewalk Art Festival organizers for the use of the above-described area for said Festival, subject to the following conditions:

- **WCSH6 shall be responsible for reimbursing the Police Dept. for services, the Public Works Dept. for services, the Public Assembly Facilities Division for permit fees, and the City Clerk's Office for license fees.**
- The WCSH6 Sidewalk Art Festival organizers shall be solely responsible for trash cleanup at the festival and shall be required to leave a Park Security Deposit (amount determined by the Public Assembly Facilities Divsion Director or designee) on file at the PAFD Office;
- Under no circumstances may alcoholic beverages be sold or consumed on the streets or public property of said area during said festival;
- The WCSH6 Sidewalk Art 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;
- Conditions for use of grounds and requirements for food service, vending sales, concert licensing, tent and stage installations, and other items specified in a permit issued from PAFD Office, shall be adhered to; and
- The WCSH6 Sidewalk Art Festival organizers 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 "WCSH6 Sidewalk Art Festival" activities, and the City be endorsed on the policy.

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 Ted Musgrave, Event Coordinator
Public Assembly Facilities Division
Date: June 8, 2016

CITY OF PORTLAND, DEPARTMENT OF PUBLIC SERVICES
PUBLIC PARK & SPACE APPLICATION (3 pages)
55 Portland St. ~ Portland ~ ME ~ 04101
207-874-8826 (Event Office) ~ Fax 207-874-8816
tvm@portlandmaine.gov

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

TODAY'S DATE	11-12-2015 Revised: 11-13, 2-12-2016	ORGANIZATION NAME	WCSH6						
ORGANIZATION ADDRESS	One Congress Sq		CITY	Portland	STATE	ME	ZIP	04101	
CONTACT NAME(S)	Mark Parent Kim Charland	TITLE	Community Relations Director						
HOME #	WORK		CELL		FAX	828-6620			
EMAIL	Kim.charland@WCSH6.com		EMAIL						

PARK AREA OR PUBLIC SPACE REQUESTED	Congress Street (from High to Elm Street)..... CLOSED to TRAFFIC side streets leading onto that section of Congress Street closed as well as Some side streets leading onto Congress Street will be used as artist space. Closure requested for Abutting sidewalks, Monument Square, Monument Way, Congress Square. High Street (AND FREE STREET) will stay open to vehicular traffic				
EVENT DAY & DATE(S)	Saturday August 27, 2016		RAIN DAY & DATE(S)	No rain date	
EVENT START TIME (i.e. set-up start time)	6am	EVENT END TIME (i.e. when event cleanup is complete)	6pm	ACTUAL START & END TIME OF EVENT	9am-4pm

EVENT NAME	EXPECTED ATTENDANCE
WCSH6 Sidewalk Art Festival	300 Artists Thousands of spectators

DESCRIPTION OF EVENT

WCSH6 is organizing the 51st Annual WCSH6 Sidewalk Art Festival along Congress Street sidewalks (High St to Elm Street) on Saturday, August 27, 2016 from approximately 9am-4pm. EVENTS are free and open to the public (no admission charge into festival area).

On the same day, on the west side of High Street (Congress St, from High to State), there is a Crafts Festival taking place ON the street.

This year, music concerts will be given at Congress Square, Noon – 2pm (arranged by Friends of Congress Square Park).

The organizer has requested permission to close streets to vehicular traffic and reserve those streets (and adjoining sidewalks and squares) for artists: **Congress Street - from High St to Elm Street** (6am to 6pm - High Street would stay open to traffic), sidewalks and squares from High to Elm (Congress Square, Monument Square/One City Center included) and Oak, Casco, Brown, Center and Preble Streets (1 block) connecting with Congress Street.

A parking ban along Congress Street and the side streets (just one block) leading into Congress Street is needed, from 6am to 6pm Saturday.

Artists will set up along the sidewalk and some will be located on the side of the street; their booths facing outward toward Congress Street. Spectators encouraged to walk in the street. Booths will also fill Congress Square, Monument Square and One City Center sidewalk areas; Spectators will walk in the street and view 300 plus artists' artwork from there.

Some porta-restrooms rented by organizer, placed at certain areas along Congress (indented street locations).

Vehicles in violation of the "no parking" signs in the Festival Zone (interior roadways) shall be towed at owner's expense. Organizer will plan on hiring Police Officers and some PCO's to cover intersections. Will share cost of 2 "roving officers" and "MEDCU personnel" with the Craft Festival organizer.

THERE A REGISTRATION FEE? There is no charge to the public.	Yes - artists pay a fee to participate	
IF YES, HOW MUCH?	FEE	$145

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

PLEASE CHECK OFF AND ANSWER:

PLEASE SEEE ATTACHED FEE SCHEDULE / DEPT. INFORMATION IF YOU ANSWER YES

		X-YES	X-NO	X-NOT SURE
*	Are you setting up a **canopy**(s)? (canopy is 10x10 size) How many: **300**	X		
*	Do you wish to set up a **tent(s)**?		X	
*	Will you be setting up **tables and/or chairs**? How many tables: chairs:	X		
*	Are other items or equipment being placed on City property? Please List: **ARTWORK**			
*	Will there be **refreshments** at the event?		X	
*	Do you wish to sell **non-food items** (like T-shirts, crafts, cd's, etc.)? If so, you will need approval from Public Services, and you will need to apply for a Street Goods Vendor License(s) at the City Clerk's Office. List items you wish to sell: **EACH ARTISTS WILL BE SELLING ARTWORK**	X		
*	Are you setting up a **PA (sound) system**?		X	
*	Will your event require **electricity**?		X	
*	Are you planning on bringing a **Grill for a Barbecue** ?		X	
*	Will the event require **reserved parking spaces / parking meters**? How many? **Street/Sidewalk Closures noted above.** "No Parking" signs may be purchased at Public Services, 55 Portland Street.	X		
*	Will your event need **safety vests, signs, barricades and/or cones**? Please list what you would like to borrow: A few orange vests and cones may usually be borrowed from Public Services, Event Office. Barricades and signs are borrowed from Public Services, Customer Service.	X		
*	Will your event require **street closures**? **(See Above)**	X		
*	Will your event require **Police** assistance?	X		
*	Will your event require **Fire/EMS** assistance?	?	X	
*	Will your event require **porta-restroom** 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.)	X VARIOUS LOCATIONS		

INSURANCE CERTIFICATE INFORMATION				
*	Will your event require liability Insurance? (For an event such as a walkathon, race, festival, press conference, concert, etc., the city requires insurance coverage - General Liability. The City of Portland needs to be named as additional insured and the policy endorsed in regards to the event activities on that date). If your event has been approved for serving food, Product Liability is also required, in addition to General Liability.	X		

- If you answered yes, please have "City of Portland, Maine" listed as an additional insured on the certificate, in this way: certificate must say either: A) "the policy actually is endorsed to name the City of Portland as an Additional Insured" and a copy of the endorsement must come to the City of Portland with the certificate, or B) "the policy already includes an endorsement, such as the General Liability Expansion Endorsement, by which the City of Portland is, in fact, automatically made an additional insured." A Certificate which merely has a box checked under 'Addl Insr," or which merely states The City of Portland is named as an Additional Insured, will not be acceptable. The amount of coverage must be shown on the certificate, and the minimum coverage amount is $400,000. Please have your insurance company email a copy to Public Services: tvm@portlandmaine.gov.

PUBLIC SERVICES POLICIES

PORTA-RESTROOMS / BATHROOM FACILITIES

Porta-Restrooms are required for large events and events where food is being served. Organizers will need to rent restrooms for this event. The city currently contracts with the porta-restroom company (Associated Septic, 207-799-1980) though you need not use this particular company.

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

PARKING ON GRASS AREAS / SIDEWALKS / ILLEGALLY PARKED VEHICLES

Public Services has a strict policy that prohibits vehicles from parking on grass areas/sidewalks/park streets (unless specifically approved by city staff). $10 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 would mean a forfeit of your security deposits.**

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. Please make sure you pass this information along to participants / spectators at the event.

NOTIFICATION
Please keep a copy of this permit on site at all times. City staff may require proof of permit.

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.

I HAVE READ AND UNDERSTAND ALL OF THE ABOVE POLICIES	TYPE INITIALS	DS	DATE	11-12-2015

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 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	DS	DATE	11-12-2015

FEE SCHEDULE – UPDATED JULY 1, 2015 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): $50/hour Event with registration or pledges & attendance 25 – 300: $100/hr Event with registration or pledges & attendance 301+: $200/hr Public Space/Park Security Deposit/Sound Security Deposit: $100 -$1000	Impact/Street Closure Fee (variable based on impact): $0-$500 Admin/Staff Fee (support for events): $30/hour Porta Restroom User Fee (if attendance is 150+): $25

CREDIT CARD INFORMATION							
Visa or MasterCard Number					Exp Date (Mon/Yr)		
CREDIT CARD WILL ONLY BE CHARGED FOR SECURITY DEPOSIT(S) AS NEEDED							

PLEASE MAKE CHECKS PAYABLE TO "CITY OF PORTLAND"
♦ Please make out security deposit checks separate from permit fees.

TOTAL AMOUNT(S) DUE TO PUBLIC SERVICES (Please make all security deposit checks out separately)			
Permit Fee for use of area: $50 - $200 per hour (i.e. a 3 hour event at $50 totals $150) includes use of elec. If your event is rained out / cancelled, the bulk of the fee is returned (however $50 is non-refundable) Number of Hours of Use: **12 hours**	**$ 2400 due**	Vest/Cone Deposit: $10 per/item Barricade Deposit: $25 per/item	**$???**
Admin/Staff Fee (support for events): $30/hour	**$???**	Public Space / Park Security Deposit: Sound Security Deposit $100 - $1000	**$ 500 due**
Key Deposit: $50 per key	**$ N/A**	Other (Porta-Restroom User Fee: $25, etc.)	**$ N/A organizer rents**
Impact/Street Closure Fee (variable based on impact): $100-$500	**$ 500 due**		

FOR OFFICE USE ONLY									
DATE REC'D APPLICATION	11-12-15	DATE REC'D INSURANCE	NEED	PERMIT FEE AMT REC'D	$ NEED	SECURITY DEPOSIT	$ NEED		
PAYMENT TYPE									
VISA	$	MC	$	CK #		CK AMOUNT	$	CASH AMT	$

Order 312-15/16
Tab 10 6-20-16

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 DECLARING GREATER PORTLAND SUSTAINABILITY COUNCIL'S PORTLAND GREENFEST SEPTEMBER 10, 2016 AS A FESTIVAL

ORDERED, that the Greater Portland Sustainability Council's Portland Greenfest is hereby declared as a Festival to be held in Portland from 10:00 a.m. – 4:00 p.m. on Saturday, September 10, 2016; and

BE IT FURTHER ORDERED, that the festival area shall be Monument Square, Monument Way, the sidewalk areas in front of One City Center and Federal Street Extension; and

BE IT FURTHER ORDERED, that Federal Street Extension shall be closed to vehicular traffic Saturday, September 10, 2016 from 6 a.m. to 6 p.m.; and

BE IT FURTHER ORDERED, that Federal Street Extension shall be posted "No Parking" on Saturday, September 10, 2016 from 5 a.m. to 6 p.m.; and

BE IT FURTHER ORDERED, that 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 the Greater Portland Sustainability Council, for the purpose of conducting the Portland Greenfest, subject to the direction and control of the City Manager; and

BE IT FURTHER ORDERED, that the City Manager is hereby authorized to issue a revocable permit under §§25-26 -- 25-30 of the Portland City Code to the Greater Portland Sustainability Council subject to the following conditions:

* The Greater Portland Sustainability Council shall defend and 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 per occurrence for personal or bodily injury, death or property damage and naming the City as an additional insured thereon for Portland Greenfest;

* Under no circumstances may alcoholic beverages be sold or consumed on the streets or public property of said area during said Festival;

* Conditions for use of grounds and requirements for the event, specified in a permit issued from the Public Assembly Facilities Division Office shall be adhered to;

* The City Clerk's Office will charge the usual fees for licensing food vendors, street goods vendors, and other needed licenses for the Festival; the Inspections Division will also charge permit fees for needed Tent Permits. However, Public Assembly Facilities Division Office Permit Fees for use of grounds will be waived, there will be no charge for "No Parking" Signs, and Public Works will assist with in-kind services, such as: barricade delivery and participate in the Festival (at the Recycling Booth); and

* The Greater Portland Sustainability Council shall have sole authority over participating vendors at the Festival and may charge a fee to vendors for the opportunity to vend at the events; and

BE IT FURTHER ORDERED, that the City Manager is also authorized to waive any other fees and to issue such other temporary licenses, 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 other applicable requirements of said Code have been met regarding the operation of said Festival.

Sally L. DeLuca
Director
Department of Parks, Recreation & Facilities

Andrew J. Downs
Director
Public Assembly Facilities Division

TO: Jon Jennings, City Manager
FROM: Sally DeLuca, Director of Parks, Recreation & Facilities Management
DATE: June 9, 2016
RE: **Council Agenda Item – 2016 Portland Greenfest**

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

Order declaring Greater Portland Sustainability Council's "Portland GreenFest," Saturday, September 10, 2016, as a festival.

Greater Portland Sustainability Council has put together a community festival which highlights renewable energy, solar power, and recycling. Many organizations and businesses will participate in the event. The festival will include indoor locations downtown as well as outdoor locations: Monument Square/Monument Way. Scheduled for Saturday, September 10, 2016, and running from 10am – 4pm, the outdoor festival will also feature food vendors, local music and entertainment. As part of the proposal, a number of large tents would be setup on the square, and many smaller canopies situated along Monument Way (similar to Farmers Market), and a small stage (with PA System) set up on the sidewalk area in front of One Monument Square (beside Federal Street Ext.).

The city's Sustainable Portland Office is a co-sponsor of the festival.

Festival Zone (areas falling under GPSC's purview):
Monument Square, Monument Way, and the sidewalk areas in front of One City Center, as well as Federal Street Ext. and sidewalk areas abutting Federal Street Ext.

Street Closures:
In order for the festival to be held, Federal Street Ext. needs to be barricaded to traffic (6am – 6pm), and posted "No Parking" from 5am – 6pm.

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 the Greater Portland Sustainability Council for the purpose of conducting the **"Portland GreenFest"** 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 Greater Portland Sustainability Council for the use of the above-described areas for said Festival subject to the following conditions:

Sally L. DeLuca
Director
Department of Parks, Recreation & Facilities

Andrew J. Downs
Director
Public Assembly Facilities Division

- Greater Portland Sustainability Council shall indemnify the city and hold it harmless from and against all claims arising out of activities during said events, 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 damage for said purpose. This insurance certificate will also list the City of Portland as an additional insured in regards to **"Portland GreenFest"** and its activities;

- Under no circumstances may alcoholic beverages be sold or consumed on the streets or public property of said area during said festival;

- Conditions for use of grounds/requirements for the events/concerts/tent placement, and other items specified in a permit issued from the Public Assembly Facilities Division Office, shall be adhered to;

- City Clerk's Office will charge the usual fees for licensing food vendors, street goods vendors, and other needed licenses for the Festival; the Inspections Div. will also charge permit fees for needed Tent Permits. However, PAFD Office Permit Fees for use of grounds will be waived, there will be no charge for "No Parking" Signs; and

- Greater Portland Sustainability Council shall have sole authority over participating vendors at the festival and may charge a fee to vendors for the opportunity to vend at the events.

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 Ted Musgrave, Event Coordinator
Public Assembly Facilities Division
Date: June 9, 2016

CITY OF PORTLAND, DEPARTMENT OF PUBLIC WORKS
PUBLIC PARK & SPACE APPLICATION (4 pages)
55 Portland St. ~ Portland ~ ME ~ 04101
207-874-8826 / 8751 (Event Office) ~ Fax 207-874-8816
tvm@portlandmaine.gov

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

TODAY'S DATE	5/4/16 Revised 5-24	ORGANIZATION NAME	Greater Portland Sustainability Council						
ORGANIZATION ADDRESS	c/o LIFT360, 132 Spring Street		CITY	Portland	STATE	ME	ZIP	04101	
CONTACT NAME(S)	Jeff Edelstein	TITLE Executive Director							
HOME #	WORK 632-8440	CELL	same	FAX					
EMAIL	greaterportlandsustainability@gmail.com	EMAIL							

PARK AREA OR PUBLIC SPACE REQUESTED	Monument Square Monument Way Federal Street Ext. closed to vehicles				
EVENT DAY & DATE(S)	Sept. 10, 2016 saturday	RAIN DAY & DATE(S)	None		
EVENT START TIME (i.e. set-up start time)	5 a.m.	EVENT END TIME (i.e. when event cleanup is complete)	6 p.m.	ACTUAL START & END TIME OF EVENT	10 am – 4 pm

EVENT NAME	EXPECTED ATTENDANCE
ɔrtland Greenfest	5,000 over the course of the day.

DESCRIPTION OF EVENT:

Community festival featuring exhibits, vendors, music and dance performances, with workshops and talks to be held in nearby venues, such as Portland Regional Chamber, Public Library, MECA, SPACE Gallery.
We wish to close off all of Federal Street Ext., as was done in 2015.
3 Large TENTS set up on the square. Some canopies as well. Lots of Tables + Chairs set up.
Refreshments for sale (Food Truck on site, parked on Federal St Ext).
Music, entertainment, PA System on site (sidewalk area at One Monument Square). **ELEC needed.**
Parking Meters on Fed. St. Ext need to be reserved.

Some vendors will be selling refreshments // snacks or goods and will have either a temporary food license or goods vendors licenses issued to them.
The musical aspect and fashion show at Greenfest will take place in front of One Monument Square on an approx. 16 x 20 stage (on sidewalk). This stage will have a PA system and we plan on having amplified sound for bands during the event. This performance stage/bands will need to borrow elec. from the outlets at the base of the trees on the sidewalk.
All of the activities and booths/tents (on Monument Square itself) will borrow electricity from the black box at monument square.
Federal Street Ext needs to be closed to traffic – lasting from 6am to 8pm. There will be reserved parking on the closed street, Federal street extension, as well as food trucks and 3-5 biofuel // natural gas //hybrid cars + Garbage to Garden Vehicle parked for demonstrations and educational activities.
Several of those hybrid vehicles may be parked up ON the square and ON Monument Way (similar to Farmers Market Trucks).
Greenfest will require two porta-restrooms for event participants (positioned against the black wrought iron fence at the square).

The city's Sustainabe Portland Office is a co-sponsor of the festival.

IS THERE A REGISTRATION FEE/PLEDGES COLLECTED FOR THIS EVENT?	NO

WHAT WILL BE THE ANTICIPATED NEED FOR PARKING AND WHAT IS YOUR PARKING PLAN? *Reserved parking needed for participating vehicles. All other attendees are responsible for their own parking.*

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 **canopy**(s) ? (canopy is 10x10 size) How many: 30 Canopies in Monument Square do not need Public Work's review.	X		
	Do you wish to set up a **tent(s)**? (a canopy or tent larger than 10x10 needs to be approved by Public Works and a Tent Permit issued from Inspections Division; please call Inspections – 874-8703 - for information on their application process / PLEASE give them at least a 2-week notice). Public Works will contact Inspections once the tent location is approved so that the Tent Permit Application may go forward. State size(s): **20 x 40 (2 tents) 20 x 50 (1 tent)** Exact Location(s) of Tent Placement Requested: In order to drive tent stakes into the ground, DIG SAFE must be contacted: 888-344-7233.	X		
*	Will you be setting up **tables and/or chairs** ? How many tables: 60 chairs: 120	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: **Stage (16x20)**	X		
*	Will there be **refreshments** at the event? Do you wish to **sell food?** (If so, you will need approval from Public Works) List food and drink: **Some vendors will be selling food products. Food trucks will be present.** A Temporary Food Service License (from the City Clerk's Office) is needed, even if food is given away (and even if it is pre-packaged). PLEASE give the Clerk's Office at least a 2-week notice (874-8557).	X		
*	Do you wish to sell **non-food items** (like T-shirts, crafts, cd's, etc.) ? If so, you will need approval from Public Works, and you will need to apply for a Street Goods Vendor License(s) at the City Clerk's Office (874-8557). List items you wish to sell: **Various by different vendors.**	X		
*	Are you setting up a **PA (sound) system? Yes** Are you planning on having **Amplified Music? Yes Band? Yes DJ? NO** If so, your event requires a concert license from the City Clerk's Office (874-8557). For amplified music/speech, there are time restrictions for the Downtown Parks & Squares (music limited to 11:45am – 1:15pm, and 1 hour between 5pm - 8pm). **WE ARE REQUESTING TO HAVE MUSIC FROM 10 AM – 4 PM AS IN PAST YEARS.**	X		
	Will your event require **electricity**? Electricity is available at Monument Square. It is turned off and needs a key for access.	X		
*	Are you planning on bringing a **Grill for a Barbecue?**		X	
*	Will the event require **reserved parking spaces / parking meters?** How many? "No Parking" signs may be purchased at PW Event Office, 55 Portland Street. **All of the spaces on Federal Street Extension will need to be reserved since we are closing off the street.**	X		
*	Will your event need **safety vests, signs, barricades and/or cones? Yes** Please list what you would like to borrow: **Barricades for both ends of Federal Street Ext.** A few orange vests and cones may usually be borrowed from Public Works, Event Office. Barricades and signs are borrowed from Public Works, Customer Service.	X		
*	Will your event require **street closures**? (See "Description of Event") Will your event affect **METRO BUS ROUTES? NO**	X		
*	Will your event require **Police** assistance?	X		
*	Will your event require **Fire/EMS** assistance?		X	
*	Will your event require **porta-restroom** rental(s) or need existing porta-restroooms cleaned?	X		
*	Do you wish to have a **banner over the street** to advertise your event? (Banners hung over Congress St. or Baxter Blvd). Banner inquiries directed to Public Works: 874-8751.			X

	INSURANCE CERTIFICATE INFORMATION			
*	Will your event require liability Insurance? (For an event such as a walkathon, race, festival, press conference, concert, etc., the city requires insurance coverage - General Liability. The City of Portland needs to be named as additional insured and the policy endorsed in regards to the event activities on that date). If your event has been approved for serving food, Product Liability is also required, in addition to General Liability.	X		

- If you answered yes, please have "City of Portland, Maine" listed as an additional insured on the certificate, in this way: certificate must say either: A) "the policy actually is endorsed to name the City of Portland as an Additional Insured" and a copy of the endorsement must come to the City of Portland with the certificate, or B) "the policy already includes an endorsement, such as the General Liability Expansion Endorsement, by which the City of Portland is, in fact, automatically made an additional insured." A Certificate which merely has a box checked under 'Addl Insr," or which merely states The City of Portland is named as an Additional Insured, will not be acceptable. The amount of coverage must be shown on the certificate, and the minimum coverage amount is $400,000. Please have your insurance company email a copy to Public Works: email to tvm@portlandmaine.gov.

PUBLIC WORKS POLICIES

ELECTRICITY
' cords in the public way must be covered by rugs, mats or orange cones to avoid public hazard. If weather is inclement (drizzle, rain, .iow, etc.) we require that you not use electricity, unless all connections and equipment are covered and protected from the elements.

PORTA-RESTROOMS / BATHROOM FACILITIES
Porta-Restrooms are required for large events and events where food is being served. You must provide porta-restroom units for this event. You may contract with the City's vendor, Associated Septic (207-799-1980, M-F), or you are welcome to choose another.

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

PARKING ON GRASS AREAS / SIDEWALKS / ILLEGALLY PARKED VEHICLES
Public Works has a strict policy that prohibits vehicles from parking on grass areas/sidewalks/park streets (unless specifically approved by city staff). $10 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 would mean a forfeit of your security deposits.**

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. Please make sure you pass this information along to participants / spectators at the event.

NOTIFICATION
Please keep a copy of this permit on site at all times. City staff may require proof of permit.

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.

I HAVE READ AND UNDERSTAND ALL OF THE ABOVE POLICIES	TYPE INITIALS	JE	DATE	5/4/16

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 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	JE	DATE	5/4/16

FEE SCHEDULE – UPDATED JULY 1, 2015 **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): $50/hour Event with registration or pledges & attendance 25 – 300: $100/hr Event with registration or pledges & attendance 301+: $200/hr Public Space/Park Security Deposit/Sound Security Deposit: $100 -$1000	Impact/Street Closure Fee (variable based on impact): $0-$500 Admin/Staff Fee (support for events): $30/hour Porta Restroom User Fee (if attendance is 150+): $25

CREDIT CARD INFORMATION							
Visa or MasterCard Number					Exp Date (Mon/Yr)		
CREDIT CARD WILL ONLY BE CHARGED FOR SECURITY DEPOSIT(S) AS NEEDED							

PLEASE MAKE CHECKS PAYABLE TO "CITY OF PORTLAND"
♦ Please make out security deposit checks separate from permit fees.

TOTAL AMOUNT(S) DUE TO PUBLIC WORKS (Please make all security deposit checks out separately)			
·mit Fee for use of area: $50 - $200 per hour (i.e. a ₋ ıour event at $50 totals $150) includes use of elec. If your event is rained out / cancelled, the bulk of the fee is returned (however $50 is non-refundable) Number of Hours of Use: **11**	**$ Waived – City Co-Sponsoring**	Vest/Cone Deposit: $10 per/item Barricade Deposit: $25 per/item	**$???**
Admin/Staff Fee (support for events): $30/hour	**$ N/A**	Public Space / Park Security Deposit:	**$ 250**

		Sound Security Deposit $100 - $1000	
Key Deposit: $50 per key	$ N/A	Other (Porta-Restroom User Fee: $25, etc.)	$ N/A – Organizer to Provide
Impact/Street Closure Fee (variable based on impact): $100-$500	$ Waived		

FOR OFFICE USE ONLY							
DATE REC'D APPLICATION	5-7-2016	DATE REC'D INSURANCE	NEED	PERMIT FEE AMT REC'D	$ N/A - Waived	SECURITY DEPOSIT	$ NEED

PAYMENT TYPE									
VISA	$	MC	$	CK #		CK AMOUNT	$	CASH AMT	$

Order 313-15/16
Tab 11 6-20-16

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 DECLARING JULY 14 TO AUGUST 6, 2016 AS THE SHAKESPEARE IN THE PARK FESTIVAL

ORDERED, that July 14, 2016 to August 6, 2016 is hereby declared to be the Shakespeare in the Park Festival, sponsored by the Fenix Theatre Company, a Non-profit Company, doing business as Fenix Theatre Company; and

BE IT FURTHER ORDERED, that the Shakespeare in the Park Festival area shall be the Deering Oaks Park Bandstand and surrounding grass area; and

BE IT FURTHER ORDERED, that Fenix Theatre Company is scheduled to hold performances on Thursday, Friday and Saturday (except July 30) from 6:30 to 8:30 p.m. on July 14, 15, 16, 21, 22, 23, 28, 29 and August 4, 5 and 6, 2016 at the Deering Oaks Park Bandstand and surrounding grass area, and will also rehearse through the month of June; and

BE IT FURTHER ORDERED, that the Shakespeare in the Park Festival area shall be closed to licensed street vendors as provided in §19-17 of the City Code; and

BE IT FURTHER ORDERED, that the City Manager is authorized to issue a revocable permit to Fenix Theatre Company under §25-27 of the City Code to conduct said Festival, subject to the direction and control of the City Manager or the Acting City Manager and to the following specific conditions:

1. Fenix Theatre Company 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. Fenix Theatre Company 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. Conditions for use of grounds and requirements for food service, vending sales, and other items specified in a permit issued from the Public Assembly Facilities Division shall be adhered to;

4. The Public Assembly Facilities Division permit fee is waived, and electricity shall be provided without charge by the City, which is a co-sponsor of the Shakespeare in the Park Festival;

5. Fenix Theatre Company shall have sole authority over participating vendors at the festival and may charge a fee to vendors for the opportunity to vend at the Shakespeare in the Park Festival;

6. In addition, the City Clerk's Office shall charge the usual fees for licensing food vendors, street goods vendors, and other needed licenses for the Festival to those vendors the Fenix Theatre Company has agreed shall participate; and

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 City Code, provided that all other applicable Code requirements for the operation of the Festival have been met.

Sally L. DeLuca
Director
Department of Parks, Recreation & Facilities

Andrew J. Downs
Director
Public Assembly Facilities Division

TO: Jon Jennings, City Manager
FROM: Sally DeLuca, Director of Parks, Recreation & Facilities Management
DATE: June 8, 2016
RE: Shakespeare in the Park 2016 – City Council Agenda Item

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

Order declaring Fenix Theater Company's "Shakespeare in the Park," running July 14, 2016 thru August 6, 2016 (excluding July 30, 2016) at Deering Oaks Park, as a festival.

The Fenix Theater Company has requested use of Deering Oaks Park so that they may bring back Shakespeare to the park; last summer's production of "Hamlet" was very well received. This summer's production IS "Much Ado About Nothing."

The City's Parks, Recreation & Facilities Management Dept. is a co-sponsor of the performances. These will be family-friendly performances. Schedule as follows: Thursdays, Fridays & Saturdays – except for Saturday July 30 (6:30 – 8pm): July 14, 15, 16, 21, 22, 23, 28, 29 and August 4, 5, and 6, 2016. These performances are to be staged at the Oaks Bandstand area and surrounding grass areas. There is no admission fee charged, but donations will be accepted. 150 People are expected at each performance.

A simple set will be used. PA system will be used at the Bandstand.
Rehearsals are scheduled for the month of June (other areas of the park will be utilized if the bandstand areas are being used).

Friends of Deering Oaks has endorsed the festival.

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

- Fenix Theater Company shall indemnify the city and hold it harmless from and against all claims arising out of activities during said events, 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 performance and its activities;

Sally L. DeLuca
Director
Department of Parks, Recreation & Facilities

Andrew J. Downs
Director
Public Assembly Facilities Division

- Under no circumstances may alcoholic beverages be consumed or sold on the streets or park areas of said area during said festival;
- Public Assembly Facility Division permit fees and electricity for use of the area are waived (Parks, Recreation & Facilities Management Dept. is a co-sponsor of the event); and
- Conditions for use of grounds, specified in a permit issued from Public Assembly Facilities Division Office, shall be adhered to.

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 Ted Musgrave, Event Coordinator
Public Assembly Facilities Division
Date: June 8, 2016

Order 314-15/16
Tab 12 6-20-16

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 DECLARING AUGUST 12, 13 AND 14, 2016 AS THE 91ST ANNUAL ST. PETER'S BAZAAR AND ITALIAN STREET FESTIVAL

ORDERED, that August 12, 13 and 14, 2016 is hereby declared to be the 91st Annual St. Peter's Bazaar and Italian Street Festival, sponsored by St. Peter's Church and Friary; and

BE IT FURTHER ORDERED, that the 91st Annual St. Peter's Bazaar and Italian Street Festival area shall be Federal Street from India Street to Franklin Street and adjoining sidewalks; and

BE IT FURTHER ORDERED, that Federal Street from India Street to Franklin Street shall be closed to traffic from 12:00 p.m. to 12:00 a.m. on August 12, 13 and 14, 2016; and

BE IT FURTHER ORDERED, that vehicles in violation of the "no parking" signs in the Festival Area (interior roadways) shall be towed at owner's expense; and

BE IT FURTHER ORDERED, that the 91st Annual St. Peter's Bazaar and Italian Street Festival area shall be closed to licensed street vendors as provided in §19-17 of the City Code; and

BE IT FURTHER ORDERED, that the City Manager is authorized to issue a revocable permit to St. Peter's Church and Friary under §25-27 of the City Code to conduct said Festival, subject to the direction and control of the City Manager and to the following specific conditions:

1. St. Peter's Church and Friary 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. St. Peter's Church and Friary 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. Conditions for use of grounds and requirements for food service, vending sales, and other items specified in a permit issued from the Public Assembly Facilities Division shall be adhered to;

4. St. Peter's Church and Friary shall be solely responsible for trash clean-up at the festival and are required to leave a Security Deposit on file at the Public Assembly Facilities Division Office;

5. St. Peter's Church and Friary shall have sole authority over participating vendors at the festival and may charge a fee to vendors for the opportunity to vend at the 91st Annual St. Peter's Bazaar and Italian Street Festival;

6. In addition, the City Clerk's Office shall charge the usual fees for licensing food vendors, street goods vendors, and other needed licenses for the Festival to those vendors the St. Peter's Church and Friary has agreed shall participate; and

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 City Code, provided that all other applicable Code requirements for the operation of the Festival have been met.

Portland, Maine | Yes. Life's good here.

Sally L. DeLuca
Director
Department of Parks, Recreation & Facilities

Andrew J. Downs
Director
Public Assembly Facilities Division

TO: Jon Jennings, City Manager
FROM: Sally DeLuca, Director of Parks, Recreation & Facilities Management
DATE: June 15, 2016
RE: **Council Agenda Item – 91st Annual St. Peters Bazaar and Italian Street Festival (revised request to add Friday to the festival days)**

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

Order declaring Friday, Saturday, Sunday, August 12, 13 and 14, 2016, as "91st Annual St. Peter's Bazaar and Italian Street Festival"

St. Peter's Church and Friary has sponsored this Bazaar & Festival for many years. The festival blends Italian epicurean delights with games for children and teenagers, games of chance and music and dancing in the evening hours. Attendance at the festival is estimated at 1,500 per night. For 2016, the annual road race on Friday night (prior to the festival) has been canceled.

Those attending the 3-day Festival may purchase meals and desserts. Games of chance will also cost a nominal fee. Proceeds are to benefit the church. The stage area, activities and booths are set up in the street. Organizers may request that a Festival banner be hung across Congress Street at the City Hall location.

In order for this festival to be held, a portion of Federal Street (India Street to Franklin Street) needs to be closed to vehicular traffic on **Friday, Saturday and Sunday, August 12, 13 and 14, 2016, from 12 noon to 12 midnight** and posted "No Parking." Hours for the festival are: Friday, Saturday + Sunday: 4pm – 10pm. Some setup for the festival on sidewalks, is on Friday afternoon. There are no rain dates.

The festival zone is Federal Street (India to Franklin Street) and the adjoining sidewalks.

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 St. Peter's Church, for the purpose of conducting the Festival, subject to the direction and control of the City Manager.

The City Manager is authorized to issue a revocable permit under Section 25-27 of the Municipal Code to the St. Peter's Festival organizers for the use of the above-described area for said Festival, subject to the following conditions:

- St. Peter's Festival organizers shall be responsible for any costs incurred by City departments for the purposes of facilitating the Festival and banner hanging, including, but not limited to: Police Department charges, Public Assembly Facility Division fees, Parking Control fees, Inspection Services fees, and City Clerk's License fees, and organizers shall adhere to conditions for use as stated in the permit for use issued by PAFD Office;

Sally L. DeLuca
Director
Department of Parks, Recreation & Facilities

Andrew J. Downs
Director
Public Assembly Facilities Division

- The St. Peter's Festival organizers shall be solely responsible for trash cleanup at the festival and shall be required to leave a Park Security Deposit (amount determined by the Public Assembly Facility Division Director or designee) on file at the PAFD Office;

- Under no circumstances may alcoholic beverages be sold or consumed on the streets or public property of said area during said festival;

- The St. Peter's 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;

- Conditions for use of grounds and requirements for food service, vending sales, concert licensing, tent and stage installations, and other items specified in a permit issued from PAFD Office, shall be adhered to; and

- The St. Peter's Festival organizers 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 "St. Peter's Bazaar and Italian Street Festival" activities, and the City be endorsed on the policy.

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 Ted Musgrave, Event Coordinator
Public Assembly Facilities Division
Date: June 15, 2016

Order 315-15/16
Tab 13 6-20-16

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

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

ORDER
GRANTING MUNICIPAL OFFICERS' APPROVAL OF:

The 103, LLC d/b/a Crooners & Cocktails. Application to add Unamplified Entertainment without Dance and Outdoor Dining on Public Property at 90 Exchange St.

Crooners & Cocktails

90 Exchange St. Portland, Maine 04101
www.CroonersandCocktails.com 207-536-0469

June 1, 2016

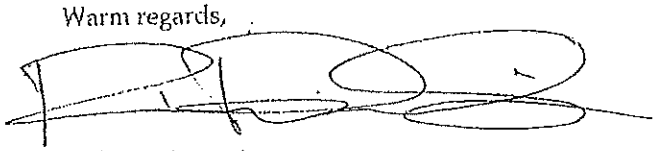
Mayor Ethan Strimling
City Coucil Members
389 Congress St.
Portland, Maine 04101

Dear Mayor and Council Members,

We here at Crooners & Cocktails are seeking an entertainment license to allow us to play an upright piano and have a singer. The entertainment will be in line with our theme of a 50's style supper club playing the tunes of the Rat Pack (Sinatra, Dean Martin, Sammy Davis Jr.). We are seeking an acoustic only license at this time as we are aware that Sonny's is within 100ft of us and has a full entertainment license already.

We are also seeking your approval for outdoor seating. We would like to have two small tables on the sidewalk in front of our restaurant. Preliminary measurements have been taken by the code enforcement department and we are within regulations in terms of sidewalk width, setbacks and pedestrian passage.

Warm regards,



Rick DaSilva
Owner – Crooners & Cocktails

Portland, Maine — Yes. Life's good here.

Office of the City Clerk • 389 Congress St. • Portland, ME 04101 • (207) 874-8557
www.portlandmaine.gov

RECEIVED MAY -5 2016

Supplemental Application for Dancing and Entertainment License

License accompanies a City of Portland Food Service Establishment or Food Service Establishment with Alcohol license.

☒ Entertainment without Dancing: $281 ☐ Entertainment with Dancing: $504 ☐ After-Hours (1 a.m. to 3 a.m.): $567

Business Information			
Business Name (d/b/a):	Crooners & Cocktails	Phone:	207-536-0469
Location Address:	90 Exchange St.	Zip:	04101

About Your Establishment

Describe in detail the type and nature of the business and proposed entertainment: Our proposed Entertainment is UNAmplified Piano with vocals, It will be in the genre of Frank Sinatra, Dean Martin and the rest of the Rat Pack with some Etta James and Billy Holliday thrown in.

Will music be electric, (acoustical), or both? (Circle)

Will amplification be used? Y/(N)

If yes, where and at what level?

Will music by played (Circle all that apply): (Inside) Outside

Will you permit dancing on the premises? Y/(N)

Will you permit dancing after 1:00 a.m.? Y/(N)

What is the distance to the nearest residential dwelling unit both inside and outside the building from where the entertainment will take place? upstairs

What is your targeted opening date? 5/15/16 (Already open but targeted start of ent

Does the Issuance of this license directly or indirectly benefit any City employee(s)? Y/(N)

If Yes, list name(s) of employee(s) and department(s):

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.

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 5/05/16 RD

For more information, refer to the City Code of Ordinance: Chapter 4 Amusements, at www.portlandmaine.gov

Outdoor Dining Permit Application

If you or the property owner owes real estate or personal property taxes or user charges on any property within the City, payment arrangements must be made before permits of any kind are accepted.

Check all that apply: ☒ **New** Application for Outdoor Dining
or ☐ **Renewal** Application for Outdoor Dining
☐ Application for dining on **Private Property**
☐ Outdoor Dining in a **Public Park** ☐ If **Renewal,** are there changes to previous permit?
☐ Outdoor Dining in a **Historic District** ☐ **Yes** ☐ **No**
☐ **Petition** for Exception for Special Circumstances
☒ **Liquor License** required?
City Clerk signature for liquor license approval: _____
OR Pending Council Date: 6-20-16

Location Name & Address: Croomers & Cocktails 90 Exchange St. Portland, ME 04101	**Chart Block Lot**
Owner Name: Stephan Baumberger **Owner Phone #:** 207-754-4406	**Total Square Footage of Proposed Outdoor Dining Area:**[1] 355sqft
Applicant *must* be owner or lessee Name: Ricardo DaSilva Croomers & Cocktails Address: 90 Exchange St. City, State & Zip: Portland, ME 04101 E-Mail: Rick@croomersandcocktails.com	**Fee:** $80 (Public-Annual) $125 (Private IX) Total Sq. Ft.: 35 Sq. Ft. Fee: (sq ft x $2) $ 70 (sq ft x $6 for public parks) **Total Fees:** $ 150 **(Permit not issued until all fees are paid)**

Current use: Restaurant
Business name: Croomers & Cocktails
Seating area dimensions: 56' x 14"
How many chairs? 39 How many tables? 9
☒ Yes Alcohol is served.
☐ No Alcohol being served.

Who should we contact: Rick DaSilva Phone: 207 318 3946
Address: 61 Stuart St Portland, ME 04103 E Mail: Rick@croomersandcocktails.com

Please submit all of the information outlined in the Outdoor Dining Application Checklist. Failure to do so will result in the automatic denial of your permit. New applications and renewals are reviewed on an annual basis and should be submitted no later than June 1st.

In order to be sure the City fully understands the full scope of the project, the Planning and Development Department may request additional information prior to the issnance of a permit. For further information visit us on-line at www.portlandmaine.gov, stop by the Building Inspections office, room 315 City Hall or call 874-8703.

I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the Code Official's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

Signature of Applicant: _____ Date: 5/31/16

[1] *In no instance shall the total square footage of dining area equal more than 10% of park space, unless the applicant receives a waiver from the Director of Parks and Recreation or his or her designee.*

Revised 04-02-15 **This is not a permit; you may not commence ANY work until the permit is issued.**

Proposed Outdoor Seating Portland 04101
Plot Plan

Portland Maine | Yes. Google's good here.

Janice Gardner <jgardner@portlandmaine.gov>

Crooners & Cocktails - Adding Entertainment without Dance

Gary Rogers <garyr@portlandmaine.gov> Fri, May 27, 2016 at 11:20 AM
To: "Janice Gardner (Business Licensing)" <bl@portlandmaine.gov>

Police approve
[Quoted text hidden]
--
Commander Gary Rogers
Portland Police Department
109 Middle Street
Portland, Maine 04101
(207) 874-8546

Order 316-15/16
Tab 14 6-20-16

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

CITY OF PORTLAND
IN THE CITY COUNCIL

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

ORDER
GRANTING MUNICIPAL OFFICERS' APPROVAL OF:

Bella Maine LLC d/b/a Caiola's. Application for a Class I FSE License with Outdoor Dining on Private Property at 58 Pine St.

Bella Maine LLC d.b.a. Caiolas
58 Pine Street
Portland Me 04102

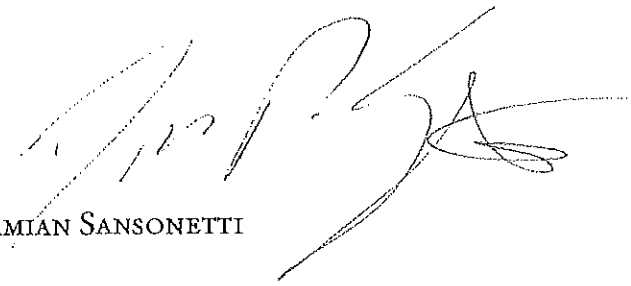
Letter of Intent

May 6th, 2016

Dear Mr Mayor and Members of the City Council,

We would like to notify you of our intent to apply for a full liquor Licensce at our restaurant Caiolas, located at 58 Pine street in Portland. We would like to have this license to be able to serve wine, beers, many local and spirits and mixed drinks to our customers to add to the guest experience and service.

Thank You



Damian Sansonetti

Portland, Maine | Yes. Life's good here.

Office of the City Clerk • 389 Congress St. • Portland, ME 04101 • (207) 874-8557

RECEIVED
MAY -6 2016
CITY CLERK

Application for Food Service Establishment with Alcoholic Beverages License

Business Information			
Business Name (d/b/a):	Carlos	Phone:	207-772-1110
Location Address:	58 Pine Street Portland ME	Zip:	04102
If new, what was formerly at this location:			
Mailing Address:	58 Pine St Portland ME	Zip:	04102
Contact Person:	Damian Sawonetti	Phone:	347-581-8794
Contact Person Email:	sonnetpopup@Gmail.com		
Manager of Establishment:	Damian Sawonetti	Phone:	347-581-8794
Owner of Premises (Landlord):	Damian Sawonetti		
Address of Premises Owner:	145 Harris Ave	Zip:	04103

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	Zip:
Bella Maine LLC	145 Harris Ave	04103

Contact Person:	Damian Sawonetti	Phone:	347 581 8794

Principal Officers	Title	Date of Birth	Residence Address
Damian Sawonetti	CEO/Owner	2.19.77	145 Harris Ave Portland ME 04103
Elma Lopez	Partner/Chef/Owner	9.13.81	145 Harris Ave Portland ME 04103

About Your Establishment

Class of Liquor License:	Class 1
Type of food served:	American / Mediterranean
Please circle all that will be served:	Beer Wine Liquor
Projected percentage of sales:	Generated from Food: 75% Generated from Alcohol: 25%
Hours & days of operation:	Dinner Mon – Sun 5–10p.m Brunch Sat & Sun 9a–3pm

QUESTIONS	Y/N
Will full-course meals, only capable of consumption with the use of tableware, be served the entire time the establishment is open?	Y/N
If No, please explain:	
Is the establishment less than 300 feet from a school, dormitory, church or parish house, or similar establishment?	Y/N
If yes, give the distance:	
Will you have entertainment on the premises? (If yes, a Supplemental Application for Dancing & Entertainment is required.)	Y/N
Will you permit dancing on the premises?	Y/N
Will you permit dancing after 1:00 a.m.?	Y/N
Will you have outside dining? (If yes, an Outdoor Dining Application is required)	Y/N
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
If yes, please list: # of pinball machines: _____ # of amusements: _____ # of pool tables: _____	
What is your targeted opening date?	
Does the issuance of this license directly or indirectly benefit any City employee(s)?	Y/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
If Yes, please list business name(s) and location(s): Piccolo 111 Middle St. 04101	
Is any principal officer under the age of 21?	Y/N
Have applicant, partners, associates, or corporate officers ever been arrested, indicted, or convicted for any violation of law?	Y/N
If Yes, please explain:	

I/ Damian Schmidt 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 CHEF/OWNER Date 5.5.16

For more information about Liquor Licenses, see Portland City Code Chapter 15 at www.portlandmaine.gov and M.R.S.A. Title 28-A at www.maine.gov

Outdoor Dining Permit Application

If you or the property owner owes real estate or personal property taxes or user charges on any property within the City, payment arrangements must be made before permits of any kind are accepted.

Check all that apply: ☐ **New** Application for Outdoor Dining
or ☐ **Renewal** Application for Outdoor Dining
☐ Application for dining on **Private Property**
☐ Outdoor Dining in a **Public Park** ☐ If **Renewal**, are there changes to previous permit?
☐ Outdoor Dining in a **Historic District** ☐ **Yes** ☐ **No**
☐ **Petition** for Exception for Special Circumstances
☐ **Liquor License** required?
City Clerk signature for liquor license approval: _____
OR Pending Council Date: _____

Location Name & Address: Caiolas 58 Pine Street Portland 04102	**Chart** 056C **Block** 005001 **Lot**
Owner Name: ~~[redacted]~~ Damian Samsonik **Owner Phone #:** 347 581 8794	**Total Square Footage of Proposed Outdoor Dining Area:**[1] 456
Applicant *must* be owner or lessee Name: Damian Samsonik Address: 145 Hanna Ave City, State & Zip: Portland ME E-Mail: sonnetpopup@gmail.com	Fee: $80 (Public-Annual) $125 (Private 1X) Total Sq. Ft.: 456 Sq. Ft. Fee: (sq ft x $2) $_____ (sq ft x $6 for public parks) **Total Fees:** $_____ **(Permit not issued until all fees are paid)**

Current use: Outdoor space
Business name: Caiolas
Seating area dimensions: 25 x 24 (Adjusted)
How many chairs? 18 How many tables? 6-7
☒ Yes Alcohol is served.
☐ No Alcohol being served.

Who should we contact: Damian Samsonik Phone: 347 581 8794
Address: 145 Hanna Ave E Mail: Sonnetpopup@gmail.com

Please submit all of the information outlined in the Outdoor Dining Application Checklist. Failure to do so will result in the automatic denial of your permit. New applications and renewals are reviewed on an annual basis and should be submitted no later than June 1st.

In order to be sure the City fully understands the full scope of the project, the Planning and Development Department may request additional information prior to the issuance of a permit. For further information visit us on-line at www.portlandmaine.gov, stop by the Building Inspections office, room 315 City Hall or call 874-8703.

I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the Code Official's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

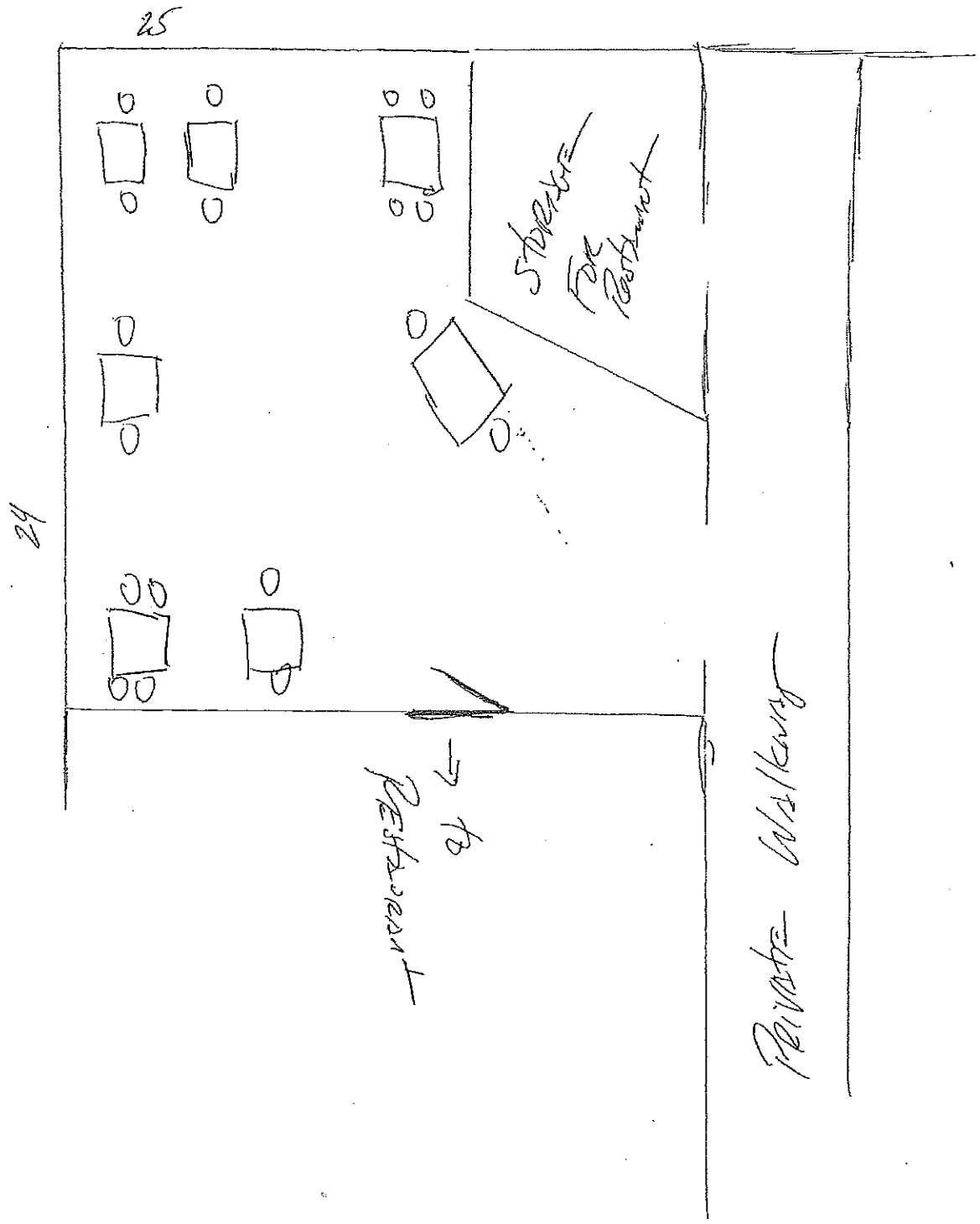
Signature of Applicant: _____ Date: 5.5.2016

[1] *In no instance shall the total square footage of dining area equal more than 10% of park space, unless the applicant receives a waiver from the Director of Parks and Recreation or his or her designee.*

Revised 04-02-15 **This is not a permit; you may not commence ANY work until the permit is issued.**

Outdoor Dining

Private Enclosed Patio



Department of Public Safety

Division

Liquor Licensing & Inspection

Promise by any person that he or she can expedite a liquor license through influence should be completely disregarded. To avoid possible financial loss an applicant, or prospective applicant, should consult with the Division before making any substantial investment in an establishment that now is, or may be, attended by a liquor license.

BUREAU USE ONLY
License No. Assigned:
Class:
Deposit Date:
Amt. Deposited:

PRESENT LICENSE EXPIRES _____

INDICATE TYPE OF PRIVILEGE: ☒ MALT ☒ SPIRITUOUS ☒ VINOUS

INDICATE TYPE OF LICENSE:

- ☒ RESTAURANT (Class I,II,III,IV)
- ☐ HOTEL-OPTINONAL FOOD (Class I-A)
- ☐ CLASS A LOUNGE (Class X)
- ☐ CLUB (Class V)
- ☐ TAVERN (Class IV)
- ☐ RESTAURANT/LOUNGE (Class XI)
- ☐ HOTEL (Class I,II,III,IV)
- ☐ CLUB-ON PREMISE CATERING (Class I)
- ☐ GOLF CLUB (Class I,II,III,IV)
- ☐ OTHER: _____

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

1. APPLICANT(S) –(Sole Proprietor, Corporation, Limited Liability Co., etc.) Bella Maine LLC DOB:	2. Business Name (D/B/A) Cafe/As
DOB:	
DOB:	Location (Street Address) 58 Pine Street
Address 145 Harris Ave	City/Town Portland State ME Zip Code 04102
	Mailing Address 58 Pine Street
City/Town Portland State ME Zip Code 04103	City/Town Portland State ME Zip Code 04102
Telephone Number 347 381 8794 Fax Number	Business Telephone Number 207.772.1110 Fax Number
Federal I.D. #	Seller Certificate #

3. If premises are a hotel, indicate number of rooms available for transient guests: NA

4. State amount of gross income from period of last license: ROOMS $ _____ FOOD $ _____ LIQUOR $ _____

5. Is applicant a corporation, limited liability company or limited partnership? YES ☒ NO ☐

complete Supplementary Questionnaire ,If YES

6. Do you permit dancing or entertainment on the licensed premises? YES ☐ NO ☒

7. If manager is to be employed, give name: Damian Sanson Hi

8. If business is NEW or under new ownership, indicate starting date: June 6

Requested inspection date: June 6 Business hours: 5pm-10pm

9. Business records are located at: 58 Pine St. Portland ME

10. Is/are applicants(s) citizens of the United States? YES ☒ NO ☐

11. Is/are applicant(s) residents of the State of Maine? YES ☒ NO ☐

12. List name, date of birth, and place of birth for all applicants, managers, and bar managers. Give maiden name, if married: Use a separate sheet of paper if necessary.

Name in Full (Print Clearly)	DOB	Place of Birth
DAMIAN SANSONETTI	2.19.77	Pittsburgh PA
Ilma Lopez	9.13.81	Caracas Venezuela

Residence address on all of the above for previous 5 years (Limit answer to city & state

QUEENS NEW YORK

13. Has/have applicant(s) or manager ever been convicted of any violation of the law, other then minor traffic violations, of any State of the United States? YES ☐ NO ☒

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

14. Will any law enforcement official benefit financially either directly or indirectly in your license, if issued? Yes ☐ No ☒ If Yes, give name: _____

15. Has/have applicant(s) formerly held a Maine liquor license? YES ☒ NO ☐

16. Does/do applicant(s) own the premises? Yes ☒ No ☐ If No give name and address of owner: _____

17. Describe in detail the premises to be licensed: (Supplemental Diagram Required) FULL SERVICE Restaurant w/ 2 dining rooms & Private Function Room

18. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services? YES ☐ NO ☒ Applied for: 5.9.16

19. 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? (xx) ft Which of the above is nearest? SCHOOL

20. 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: Northeast Bank Closed)

The Division of Liquor Licensing & Inspection 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 snch 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 ME on MAY 6, 2016
Town/City, State Date

Please sign in blue ink

Signature of Applicant or Corporate Officer(s)

DAMIAN P. SANSONETTI

Signature of Applicant or Corporate Officer(s)

State of Maine
Bureau of Alcoholic Beverages
Division of Liquor Licensing and Enforcement

For Office Use Only:
License #: _____
Date Filed: _____

Supplemental Information Required for Business Entities Who Are Licensees

For information required for Questions 1 to 4, this information is on file with the Maine Secretary of State's office and must match their record information. Please clearly complete this form in its entirety.

1. Exact legal name:
Bella Maine LLC

2. Other business name for your entity (DBA), if any:
Cabals

3. Date of filing with the Secretary of State: 5. 1. 2016

4. State in which you are formed: Maine

5. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine: _____

6. List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list the percentage ownership: (attached additional sheets as needed)

Name	Address for Previous 5 years	Date of Birth	Ownership %
Damian Sanscrit	39-89 51st Stm Woodside NY 11377	2.19.77	50%
Elma Lopez	39-89 51st st. Woodside NY 11377	9.13.81	50%

7. Is any principal person involved with the entity a law enforcement official?

Yes ☐ No ☒

8. If Yes to Question 7, please provide the name and law enforcement agency:

Name: _____ Agency: _____

9. 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 ☒

10. If Yes to Question 9, please complete the following: (attached additional sheets as needed)

Name: _____

Date of Conviction: _____

Offense: _____

Location of Conviction: _____

Disposition: _____

_____

Signature:

_____ 5.5.16
Signature of Duly Authorized Person Date

Damian P. Sansoucy
Print Name of Duly Authorized Person

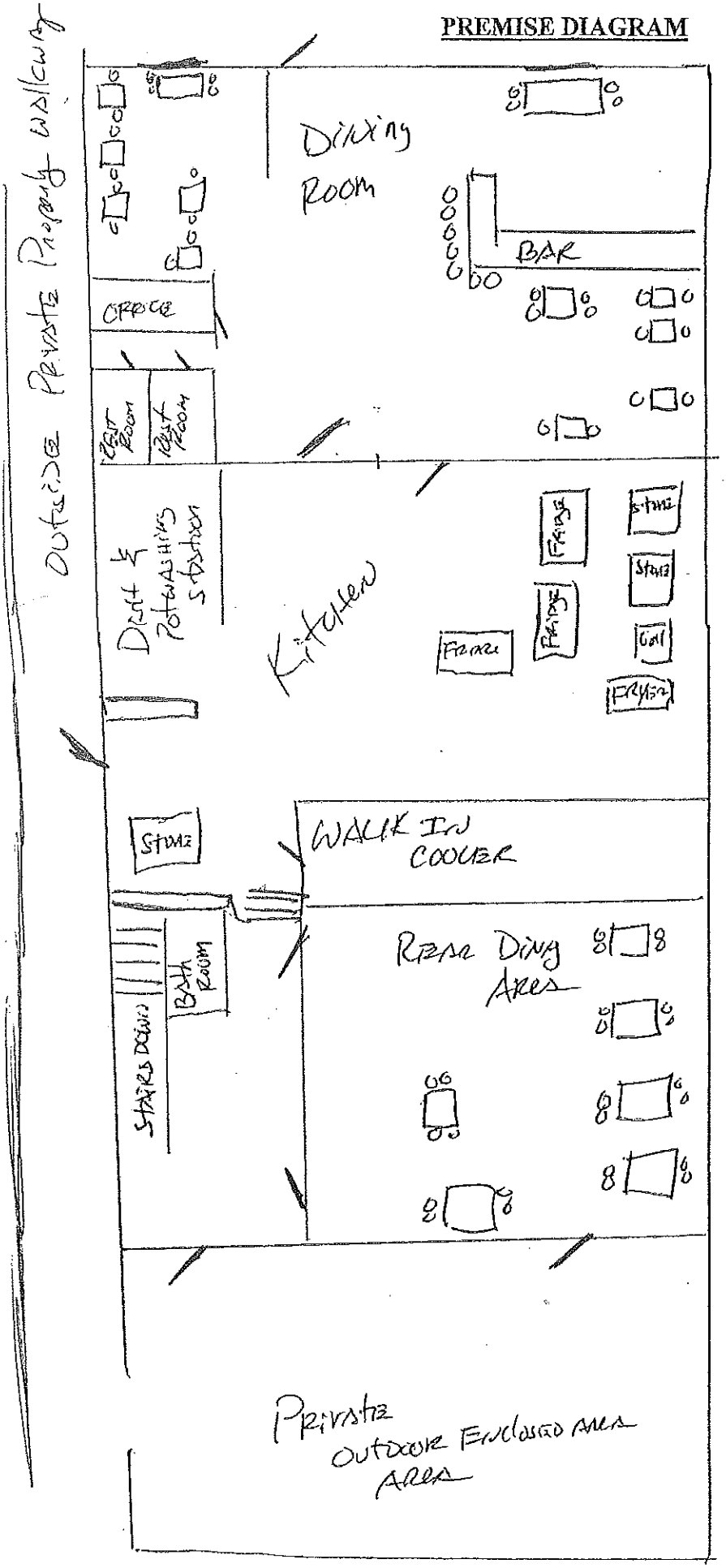
If you have questions regarding the legal name or assumed (DBA) name on file with the Secretary of State's office, please call (207) 624-7752. The SOS can only speak to the information on file with their office, not the filing of this supplemental information – please direct any questions about this form to our office at the number below.

Submit Completed Forms To:

Bureau of Alcoholic Beverages and Lottery Operations
Division of Liquor Licensing and Enforcement
164 State House Station
Augusta, Me 04333-0101
Telephone Inquiries: (207) 624-7220
Fax: (207) 287-3424
Email Inquiries: MaineLiquor@Maine.gov

Pine Street

PREMISE DIAGRAM



CAIOLA'S Dinner Menu

Chicken and Root Vegetable with Parsnip Chips and Dill

Market Lettuce with Fresh Herbs and Pickled Shallots

Caesar with Fried Spicy Oysters

Little Gem Lettuce with Bacon, Oven Roasted Tomatoes and Gorgonzola Dressing

Polenta Fries with Smoked Paprika, Cheddar Cheese and a Tomato and Red Pepper Relish

Marinated Ruby Red and Chioggia Beets with Herbed Goat Cheese, Citrus, Pistachio, and Radicchio

Maine Mussels Sautéed with Curry, Cilantro and Pineapple

Smoked Salmon and Rye Toast with Dill, Pickled Red Onion and Egg

Crispy Maine Crab Cakes with Lime Mayo, Pickled Red Onions and Market Greens

Buttermilk Fried Onion Rings with Gorgonzola and Bacon Jam

Sauteed Mushroom Bruschetta with Sherry, Garlic and Manchego

Cheese Board Served with Fruit and Nuts

Eggplant Parmesan with Spinach Salad and Grilled Olive Bread

House Made Cannelloni with Sweet Red Peppers, Onions, Spinach, Marinara, and Cream

Pork and Beef Ragu with Orecchiette, Tomato and Toasted Ricotta

Grilled Whole Branzini Provençal with Mussels, Hot Italian Sausage, Crispy Potatoes, & Greens

Paella with Grilled Chicken, Chorizo, Mussels, Clams, Shrimp, Saffron Rice, and Peas

Chicken Marsala with Roasted Shallots, Mushrooms and Rigatoni with Red Sauce

Hanger Steak with Potato Galette, Creamed Spinach Gratin and Pinot Shallots

Caiola's Burger with Bacon, Cheddar Cheese, Homemade Tater Tots and Sautéed Onions

C A I O L A ' S

Brunch Menu

Morning Breads, Pastries & Cereals

Irish Cut Oatmeal with Cinnamon Toast	6.
House Made Cinnamon and Sugar Pop Tart	3.
Almond Lemon Tea Cake with Almond Streusel	4.
Polenta, Orange and Currant Morning Cookie	3.
Jam and Chocolate Skivers with Vanilla Cream	3.
Three Pancakes with Maine Maple Syrup or Honey	6.
Warm Lost Bread with Maine Maple Syrup	7.
House Made Granola with Greek Yogurt	6.
Add ~ Fresh Fruit	2.

Eggs

The West Side ~ Two Eggs Any Style with Bacon or Sausage, Toast and Home Fries	8.
Bird's Nest ~ Two Eggs Nestled in Pullman Toast with Sausage Gravy and Roasted Sweet Potatoes	9.
Eggs Benedict ~ Two Eggs Poached with Ham, Toasted Bread, Hollandaise and Home Fries	11.
Veggie Benedict ~ Two Eggs Poached with Daily Vegetables, Toasted Bread, Hollandaise and Home Fries	11.
Eggs Tostada ~ Two Fried Eggs, Crispy Corn Tortilla, Chorizo, Black Beans, Sour Cream and Sofrito	11.

Omelettes

Omelettes ~ One choice of Cheese with Toast and Home Fries	7.
Add ~ Goat Cheese, Gorgonzola, Cheddar and Swiss, Peppers, Onions, Mushrooms, Spinach, Sundried Tomatoes, Caramelized Onions	ea 1.
Add~ Bacon, Sausage, Ham	ea 2.

Soup @ Sandwiches @ Salads

Daily Soup	5.
Cheese Board Served with Fruit and Nuts	15.
Grilled Chicken and Romaine Salad with Smoked Almond Dressing and Manchego Cheese	11.
Bacon, Egg and Spinach Salad with Gorgonzola and Fried Shallots	11.
Oyster Po Boy ~ Fried Spicy Oysters on a Grilled Roll with a Green Onion Aioli, Slaw and Potato Sticks	12.
Smoked Salmon Croque Monsieur with a Beet and Field Green Salad	12.
Caiola's Burger with Bacon, Cheddar Cheese and House Made Tater Tots	13.
Cajun Fish Tacos with Avocado, Chipotle Aioli and a Black Bean Salsa	13.

Sweet Treat

Peanut Butter and Honey Ice Cream Sundae with Warm Bananas and Praline	6.
Egg Cream	3.

Sides

Fresh Fruit Plate	6.	English Muffin	2.
Home Fries	3.	Croissant	2.
Smoked Salmon	6.	Toast	1.
Corn Tortilla	1.	Sausage	3.
Market Salad	5.	Bacon	3.
Greek Yogurt	3.	Maple Bacon	4.
Pancake	2.		

MAINE STATE BUREAU OF IDENTIFICATION
45 Commerce Drive, Suite 1 / STATE HOUSE STATION # 42
AUGUSTA, ME 04333
(207) 624-7240 (VOICE)

JANICE GARDNER
389 CONGRESS STREET
ROOM 203
PORTLAND, ME 04101

Transaction Response #: MIQ99C854523

Criminal History Record

Introduction

This criminal history record was produced in response to the following request (Produced on 2016-05-10) :

Inquiries Name(s) DAMIAN SANSONETTI (1977-02-19)

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)

JANICE GARDNER
389 CONGRESS STREET
ROOM 203
PORTLAND, ME 04101

Transaction Response #: MIQ99C854520

Criminal History Record

Introduction

This criminal history record was produced in response to the following request (Produced on 2016-05-10) :

Inquiries Name(s) ILMA LOPEZ (1981-09-13)

NO MATCH WAS FOUND FOR YOUR REQUEST.

Portland Maine | Yes. Google's good here.

Janice Gardner <jgardner@portlandmaine.gov>

Caiola's - 58 Fore St.

Gary Rogers <garyr@portlandmaine.gov> Tue, May 10, 2016 at 2:03 PM
To: "Janice Gardner (Business Licensing)" <bl@portlandmaine.gov>

Police approve

On Mon, May 9, 2016 at 3:07 PM, Janice Gardner (Business Licensing) <bl@portlandmaine.gov> wrote:
[Quoted text hidden]

--
Commander Gary Rogers
Portland Police Department
109 Middle Street
Portland, Maine 04101
(207) 874-8546

Portland, Maine | Yes. Life's good here.

Office of the City Clerk
Katherine L. Jones, CCM, City Clerk

May 17, 2016

Bella Maine LLC
Attn: Damian Sansonetti & Ilma Lopez
58 Pine St.
Portland, ME 04102

Re: Bella Maine LLC d/b/a Caiola's. Application for a Class I FSE License with Outdoor Dining on Private Property at 58 Pine St.

Dear Mr. Sansonetti & Ms. Lopez

This letter shall serve as a reminder of the Public Hearing before the Portland City Council on **Monday, June 6th, at 5:00 p.m.**, for the review of your application for a Class I FSE License with Outdoor Dining on Private Property at 58 Pine St. The meeting will take place in Council Chambers on the 2nd floor of City Hall, 389 Congress Street, Portland, ME 04101.

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 issue could be postponed.

Should you have any questions or concerns, please do not hesitate to contact our office directly at (207) 874-8557 or by email, BL@portlandmaine.gov

Sincerely,

Janice Gardner
Business License Administrator
207-874-8557
bl@portlandmaine.gov

Order 317-15/16
Tab 15 6-20-16

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

CITY OF PORTLAND
IN THE CITY COUNCIL

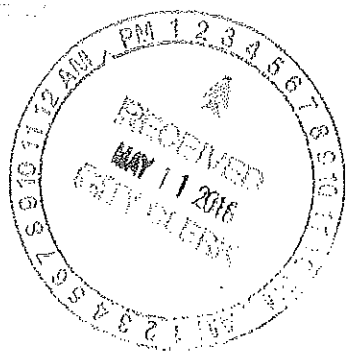
DAVID BRENERMAN (5)
JILL C. DUSON (A/L)
JON HINCK (A/L)
NICHOLAS M. MAVODONES, JR. (A/L)

ORDER
GRANTING MUNICIPAL OFFICERS' APPROVAL OF:

Tomaso's Canteen Inc. d/b/a Tomaso's Canteen. Application to add Outdoor Dining on Private Property at 18 Hampshire St.

Dear Mayor Strimling and Members of the City Council,

I am writing to seek your approval to add outdoor seating at Tomaso's Canteen, located at 18 Hampshire Street. We are looking to put four tables and 16-24 chairs in the parking lot adjacent to the building. We have a deeded right of way in the parking lot, which is part of the Bangor Savings property. We have worked out a licensing agreement with our neighbor to utilize a portion of our right of way as an outdoor patio. We plan to offer full food and beverage table service on the patio.



Thank you kindly for your consideration.

Sincerely,

Sam Minervino

Portland, Maine — Yes. Life's good here.

Office of the City Clerk • 389 Congress St. • Portland, ME 04101 • (207) 874-8557
www.portlandmaine.gov

Application for Food Service Establishment with Alcoholic Beverages License

Business Information			
Business Name (d/b/a):	TOMASO'S CANTEEN	Phone:	207 536-1285
Location Address:	18 HAMPSHIRE ST	Zip:	04101
If new, what was formerly at this location:			
Mailing Address:	18 HAMPSHIRE ST	Zip:	04101
Contact Person:	SAMUEL MINERVINO	Phone:	207 776-1015
Contact Person Email:	TOMASOS.CANTEEN@GMAIL.COM		
Manager of Establishment:	MARGARET MINERVINO Date of Birth: 3/11/86	Phone:	207 749-8199
Owner of Premises (Landlord):	NICOLINO CICCOMANCINI		
Address of Premises Owner:	43 WALTON ST	Zip:	04103

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	Zip:
TOMASO'S CANTEEN INC	18 HAMPSHIRE ST	04101

Contact Person:	SAMUEL MINERVINO	Phone:	207 776-1015

Principal Officers	Title	Date of Birth	Residence Address
SAMUEL MINERVINO	PRESIDENT	7/3/57	31 OAKLEY ST, PORTLAND, ME 04103

About Your Establishment

Class of Liquor License:	CLASS A LOUNGE
Type of food served:	BURGERS, WINGS, HADDOCK SANDWICHES
Please circle all that will be served:	(Beer) (Wine) (Liquor)
Projected percentage of sales:	Generated from Food: 40% Generated from Alcohol: 60%
Hours & days of operation:	11 AM - 1 AM, 7 DAYS

QUESTIONS	Y/N
Will full-course meals, only capable of consumption with the use of tableware, be served the entire time the establishment is open?	Y(N)
If No, please explain: FOOD CAN MOSTLY BE EATEN W/ HANDS	
Is the establishment less than 300 feet from a school, dormitory, church or parish house, or similar establishment?	Y(N)
If yes, give the distance:	
Will you have entertainment on the premises? (If yes, a Supplemental Application for Dancing & Entertainment is required.)	Y(N)
Will you permit dancing on the premises?	Y(N)
Will you permit dancing after 1:00 a.m.?	Y(N)
Will you have outside dining? (If yes, an Outdoor Dining Application is required)	(Y)N
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
If yes, please list: # of pinball machines: _____ # of amusements: _____ # of pool tables: _____	
What is your targeted opening date? OPENED NOV. 2015	
Does the issuance of this license directly or indirectly benefit any City employee(s)?	Y(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
If Yes, please list business name(s) and location(s): CURRENT LIQUOR LICENSES AT SAMUEL'S + TOMASO'S	
Is any principal officer under the age of 21?	Y(N)
Have applicant, partners, associates, or corporate officers ever been arrested, indicted, or convicted for any violation of law?	Y(N)
If Yes, please explain:	

I SAMUEL MINERVINO 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 5-16-16

For more information about Liquor Licenses, see Portland City Code Chapter 15 at www.portlandmaine.gov and M.R.S.A. Title 28-A at www.maine.gov.

Outdoor Dining Permit Application

If you or the property owner owes real estate or personal property taxes or user charges on any property within the City, payment arrangements must be made before permits of any kind are accepted.

Check all that apply: ☑ New Application for Outdoor Dining
or ☐ Renewal Application for Outdoor Dining
☐ Application for dining on Private Property
☐ Outdoor Dining in a Public Park ☐ If Renewal, are there changes to previous permit?
☐ Outdoor Dining in a Historic District ☐ Yes ☐ No
☐ Petition for Exception for Special Circumstances
☑ Liquor License required?
City Clerk signature for liquor license approval: _____
OR Pending Council Date: _____

Location Name & Address:	Chart	Block	Lot
TOMASO'S CANTEEN, 18 HAMPSHIRE ST	028	0	016

Owner Name: [redacted] NICOLINO CICCOMANCINI 207 780-0229
Owner Phone #: [redacted]

Total Square Footage of Proposed Outdoor Dining Area:[1] 280

Applicant *must* be owner or lessee
Name: SAMUEL MINERVINO
Address: 31 OAKLEY ST
City, State & Zip: PORTLAND, ME 04103
E-Mail: TOMASOS.CANTEEN@GMAIL.COM

Fee: $80 (Public-Annual) $125 (Private 1X)
Total Sq. Ft.: _____
Sq. Ft. Fee: (sq ft x $2) $ _____
(sq ft x $6 for public parks)
Total Fees: $ 125
(Permit not issued until all fees are paid)

Current use: BAR + GRILL
Business name: TOMASO'S CANTEEN
Seating area dimensions: 8' x 35'
How many chairs? 24 How many tables? 4
☑ Yes Alcohol is served.
☐ No Alcohol being served.

Who should we contact: SAMUEL MINERVINO Phone: 207 776-1015
Address: 31 OAKLEY ST, PORTLAND, ME 04103 E Mail: TOMASOS.CANTEEN@GMAIL.COM

Please submit all of the information outlined in the Outdoor Dining Application Checklist. Failure to do so will result in the automatic denial of your permit. New applications and renewals are reviewed on an annual basis and should be submitted no later than June 1st.

In order to be sure the City fully understands the full scope of the project, the Planning and Development Department may request additional information prior to the issuance of a permit. For further information visit us on-line at www.portlandmaine.gov, stop by the Building Inspections office, room 315 City Hall or call 874-8703.

I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the Code Official's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

Signature of Applicant: [signature] Date: 5-11-16

[1] *In no instance shall the total square footage of dining area equal more than 10% of park space, unless the applicant receives a waiver from the Director of Parks and Recreation or his or her designee.*

Revised 04-02-15 **This is not a permit; you may not commence ANY work until the permit is issued.**

Tomasso's
18 Hampshire St

8ft

Table x seats

Table x seats

Table x seats

Table x seats

35ft

4ft

Brick Loading Area

Portland Maine | Yes. Google's good here.

Janice Gardner <jgardner@portlandmaine.gov>

Tomaso's Canteen - Adding Outdoor Dining

Gary Rogers <garyr@portlandmaine.gov> Tue, May 31, 2016 at 9:23 AM
To: "Janice Gardner (Business Licensing)" <bl@portlandmaine.gov>

Police approve

On Tue, May 24, 2016 at 4:13 PM, Janice Gardner (Business Licensing) <bl@portlandmaine.gov> wrote:
[Quoted text hidden]

--
Commander Gary Rogers
Portland Police Department
109 Middle Street
Portland, Maine 04101
(207) 874-8546

Order 318-15/16
Tab 16 6-20-16

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

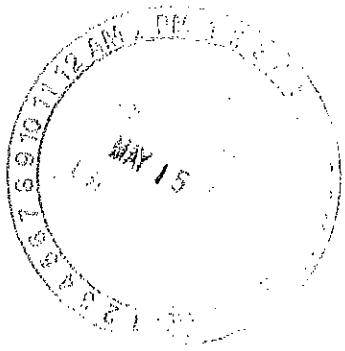
CITY OF PORTLAND
IN THE CITY COUNCIL

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

ORDER
GRANTING MUNICIPAL OFFICERS' APPROVAL OF:

Stroudwater Spirits, LLC d/b/a Stroudwater Distillery. Application for a Distillery Alcohol Service License with Outdoor Dining on Private Property, Entertainment without Dance, and Food Service Establishment without Preparation at 4 Thompson's Point Rd., Ste. 104-105.

STROUDWATER DISTILLERY



May 18, 2016

City of Portland
389 Congress Street
Portland, ME 04101

Dear Mayor and Members of the City Council;

Stroudwater Spirits, LLC is planning to open a distillery and tasting room at 4 Thompson's Point Road in Portland, ME.

We have obtained our federal TTB Distilled Spirits Plant license and are awaiting approval of our BABLO license. Our intent is to open no later than July 1, 2016 with an operational tasting room and a blending and bottling operation.

Please find attached our Application for Brewery, Winery and Distillery Alcohol Service License, along with an application for Food Service Establishment without Preparation License and a Supplemental Application for Dancing and Entertainment License.

Please let me know if you have any questions.

Best Regards;

Jeff Johnson
CEO/Founder

northstarJJ33@gmail.com
1236 CONGRESS STREET PORTLAND, ME 04102

Portland, Maine — Yes. Life's good here.

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www.portlandmaine.gov

RECEIVED
MAY 15 2016
CITY CLERK

Application for Brewery, Winery and Distillery Alcohol Service License

License expiration date concurrent with that of State of Maine Dept. of Liquor Licensing & Enforcement License.

Business Information			
Business Name (d/b/a):	STRONGWATER DISTILLERY	Phone: 207	272-7327
Location Address:	4 THOMPSON'S POINT ROAD, SUITE 104-105	Zip: PORTLAND, ME 04102	
If new, what was formerly at this location:	BUILDING HAS BEEN EMPTY FOR MANY YEARS		
Mailing Address:	1236 CONGRESS STREET, PORTLAND, ME	Zip: 04102	
Contact Person:	JEFF JOHNSON	Phone: 207	272-7327
Contact Person Email:	NORTHSTARJJ33@GMAIL.COM		
Manager of Establishment:	JEFF JOHNSON — Date of Birth: MARCH 7, 1964	Phone: 207	272-7327
Owner of Premises (Landlord):	FOREFRONT BRICK NORTH, LLC		
Address of Premises Owner:	C/O CBRE/BOULOS ASSET MANAGEMENT, ONE CANAL PLAZA, SUITE 500, PORTLAND, ME 04101	Zip:	

Sole Proprietor/Partnership Information (If Corporation, leave blank)

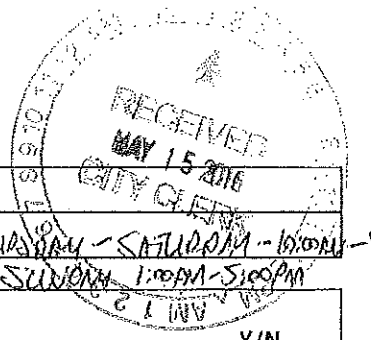
Name of Owner(s)	Date of Birth	Residence Address

Corporate/LLC/Non-Profit Organization Applicants (If Sole Proprietor or Partnership, leave blank)

Corporate Name	Corporate Mailing Address	
STRONGWATER SPIRITS, LLC	1236 CONGRESS STREET, PORTLAND, ME 04102	Zip:
Contact Person: JEFF JOHNSON	Phone: 207	272-7327

Principal Officers	Title	Date of Birth	Residence Address
JEFF JOHNSON	CEO/FOUNDER	MARCH 7, 1964	36 LIBERTY WAY, PORTLAND, ME 04103

About Your Establishment



Type of Establishment:	Brewery Winery (Distillery)
Hours & days of operation:	MONDAY – WEDNESDAY – 10:00AM – 5:00PM, THURSDAY – SATURDAY – 10:00AM – 9:00PM SUNDAY 1:00PM – 5:00PM

QUESTIONS	Y/N
Will food be made, served, and/or sold on the premise by this establishment?	(Y)/N
If yes, please submit a City of Portland Food Service Establishment license application.	
Is the establishment less than 300 feet from a school, dormitory, church or parish house, or similar establishment?	Y/(N)
If yes, give the distance:	
Will you have entertainment on the premises? (If yes, a Supplemental Application for Dancing & Entertainment is required.)	(Y)/N
Will you permit dancing on the premises?	Y/(N)
Will you permit dancing after 1:00 a.m.?	Y/(N)
Will you have outside dining? (If yes, an Outdoor Dining Application is required)	(Y)/(N)
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)
If yes, please list: # of pinball machines: _____ # of amusements: _____ # of pool tables: _____	
What is your targeted opening date? July 1, 2016	
Does the issuance of this license directly or indirectly benefit any City employee(s)?	Y/(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
If Yes, please list business name(s) and location(s): MARKET INC, dba THE POINT POT	
Is any principal officer under the age of 21?	Y/(N)
Have applicant, partners, associates, or corporate officers ever been arrested, indicted, or convicted for any violation of law?	Y/(N)
If Yes, please explain:	

I JEFF JOHNSON 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/FOUNDER Date 5/16/16

For more information about Liquor Licenses, see Portland City Code Chapter 15 at www.portlandmaine.gov and M.R.S.A. Title 28-A at www.maine.gov.

Portland, Maine | Yes. Life's good here.

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www.portlandmaine.gov

RECEIVED MAY 15 2016 CITY CLERK'S OFFICE

Application for Food Service Establishment or Community Kitchen Operator License

License expires annually on January 31st

☐ Application Fee: $35 ☐ FSE with Preparation or Community Kitchen License: $437

☐ Renewal Fee: $25 ☒ FSE without Preparation License: $172 ☐ Beer & Wine Take-Out: $395

Business Information			
Business Name (d/b/a):	STROUDWATER DISTILLERY	Phone: 207	272-7327
Location Address:	4 THOMPSON'S POINT ROAD, SUITE 104-105, PORTLAND, ME 04102	Zip:	
If new, what was formerly at this location:	BUILDING HAS BEEN EMPTY FOR MANY YEARS		
Mailing Address:	1236 CONGRESS STREET, PORTLAND, ME 04102	Zip:	
Contact Person:	JEFF JOHNSON	Phone: 207	272-7327
Contact Person Email:	NORTHSTAR1133@GMAIL.COM		
Manager of Establishment:	JEFF JOHNSON	Phone: 207	272-7327
Owner of Premises (Landlord):	FOREFRONT BRICKNORTH, LLC		
Address of Premises Owner:	C/O CBRE BOLLES ASSET MANAGEMENT, ONE CANAL PLAZA, SUITE 500, PORTLAND, ME 04101	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)

Corporate Name	Corporate Mailing Address		
STROUDWATER SPIRITS, LLC	1236 CONGRESS STREET, PORTLAND, ME 04102		
Contact Person:	JEFF JOHNSON	Phone: 207	272-7327

Principal Officers	Title	Date of Birth	Residence Address
JEFF JOHNSON	CEO/FOUNDER	MARCH 7, 1964	36 LIBERTY WAY, PORTLAND, ME 04103

About Your Establishment

Type of Food Served (include a menu):	PRE-PACKAGED / PRE-PREPARED SNACKS (MENU IS STILL IN DEVELOPMENT)
Hours & Days of Operation:	MONDAY - WEDNESDAY 10:00AM - 5:00PM, THURSDAY - SATURDAY - 10:00AM - 9:00PM SUNDAY 1:00PM - 5:00PM

Certified Food Protection Manager Certificate number & expiration date: PENDING
If this has not yet been obtained, indicate that it is pending. Please have it ready for your health inspection.

QUESTION- For Food Service Establishments ONLY:	Yes/No
Will you have entertainment on the premises? (If yes, a Supplemental Application for Dancing & Entertainment is required.)	(Y)/N
Will you permit dancing on the premises?	Y(N)
Will you permit dancing after 1:00 a.m.?	Y(N)
Will you have outside dining? (If yes, an Outdoor Dining Application is required)	(Y)N
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, jukebox)?	Y(N)
If yes, please list the number of pinball machines: _____ amusements: _____ pool tables: _____	
What is your targeted opening date? JULY 1, 2016	
Does the issuance of this license directly or indirectly benefit any City employee(s)?	Y(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)
If Yes, please list business name(s) and location(s):	
Is any principal officer under the age of 18?	Y(N)

For Community Kitchen Operators ONLY:
It is your responsibility to maintain a schedule of users and assure sufficient time for cleaning and sanitizing between uses.

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/FOUNDER Date 5/16/16

For more information about Food Service Establishments and Community Kitchens, see Portland City Code Chapter 11 at: www.portlandmaine.gov

For Administrative Use Only

Amount: _____
Date Paid: _____
CC _____ CA _____ CK _____

Amount: _____
Date Paid: _____
CC _____ CA _____ CK _____

	Request Date / Approval
FD:	_____ / _____
Health:	_____ / _____
PD:	_____ / _____
PS:	_____ / _____
Treasury:	_____ / _____
Zoning:	_____ / _____

Notes: _____

Portland, Maine — Yes. Life's good here.

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www.portlandmaine.gov

RECEIVED MAY 15 2016 CITY CLERK

Supplemental Application for Dancing and Entertainment License

License accompanies a City of Portland Food Service Establishment or Food Service Establishment with Alcohol license.

☒ Entertainment without Dancing: $281 ☐ Entertainment with Dancing: $504 ☐ After-Hours (1 a.m. to 3 a.m.): $567

Business Information			
Business Name (d/b/a):	STRONGWATER DISTILLERY	Phone: 207	272-7327
Location Address:	4 THOMPSON'S POINT ROAD, SUITE UNIT-105, PORTLAND, ME 04102	Zip:	

About Your Establishment

Describe in detail the type and nature of the business and proposed entertainment:

Will music be electric, acoustical, or both? (Circle)

Will amplification be used? (Y)N

If yes, where and at what level?

ONLY IN THE TASTING ROOM AT LOW LEVELS

Will music by played (Circle all that apply): (Inside) Outside

Will you permit dancing on the premises? Y(N)

Will you permit dancing after 1:00 a.m.? Y(N)

What is the distance to the nearest residential dwelling unit both inside and outside the building from where the entertainment will take place? OVER 175 METERS

What is your targeted opening date? JULY 1, 2016

Does the issuance of this license directly or indirectly benefit any City employee(s)? Y(N)

If Yes, list name(s) of employee(s) and department(s):

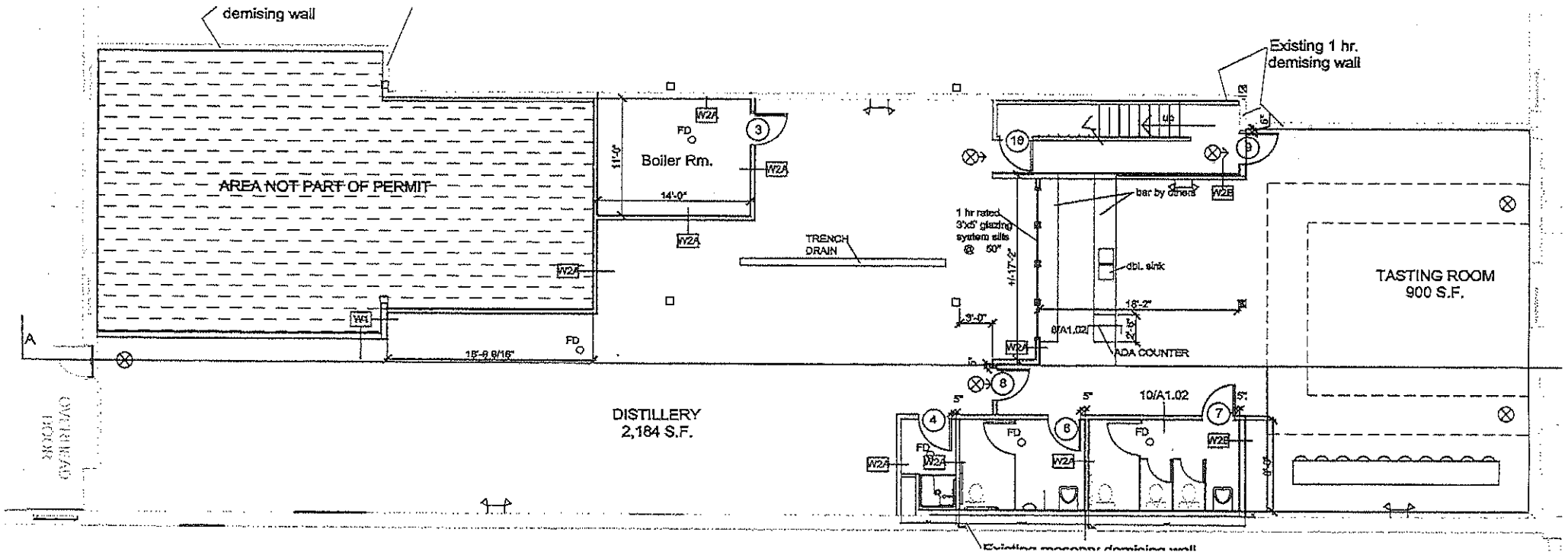
Applicant, by signature below, agrees to abide by all laws, orders, ordinances, rules and regulations governing the above license and further agrees that any misstatement of material fact may result in refusal of license or revocation, if one has been granted. Applicant agrees that all taxes and accounts pertaining to the premises will be paid prior to issuance of the license.

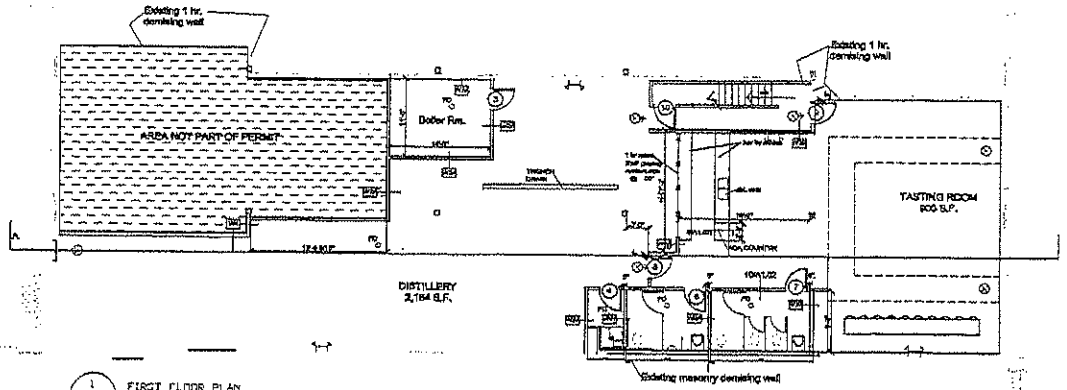
It is understood that this and any application(s) shall become public record and the applicant(s) hereby waive(s) any rights to privacy with respect thereto.

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.

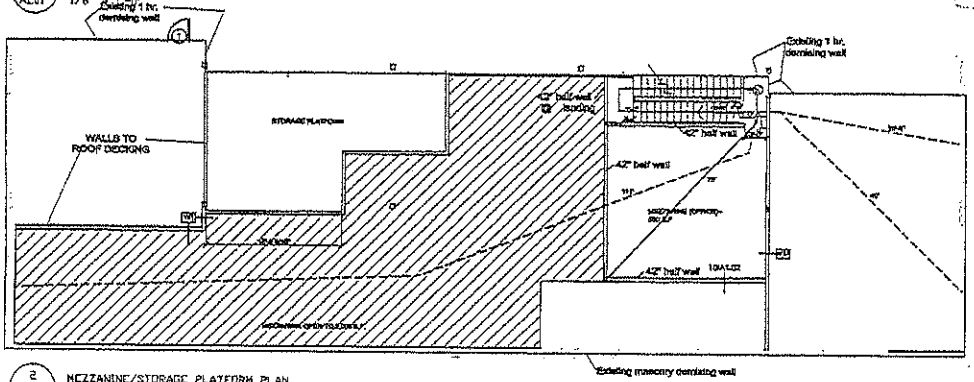
Signature _____ Title CEO/FOUNDER Date 5/16/16

For more information, refer to the City Code of Ordinance: Chapter 4 Amusements, at www.portlandmaine.gov

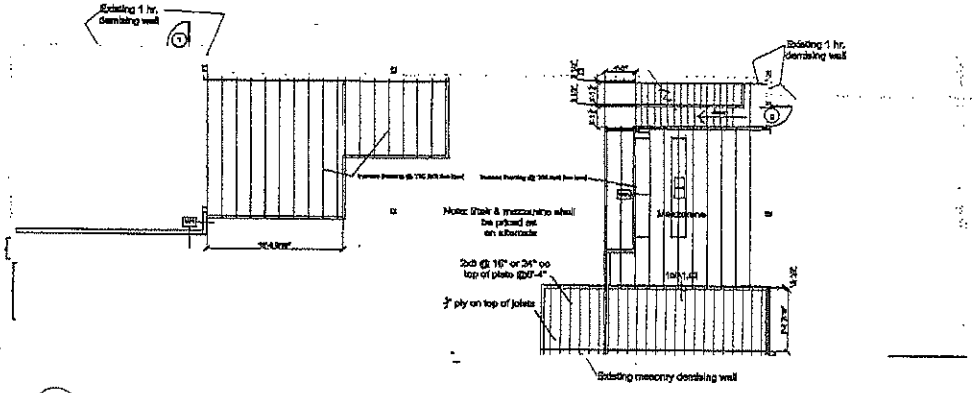

demising wall
AREA NOT PART OF PERMIT
Boiler Rm.
11'-0"
14'-0"
W2A
FD
TRENCH DRAIN
W1
18'-9 9/16"
DISTILLERY
2,184 S.F.
Existing 1 hr. demising wall
1 hr rated 3'x5' glazing system sills @ 50"
bar by others
W2E
dbl. sink
16'-2"
3'-0"
9/A1.02
2'-5"
ADA COUNTER
10/A1.02
TASTING ROOM
900 S.F.
OVERHANG ABOVE



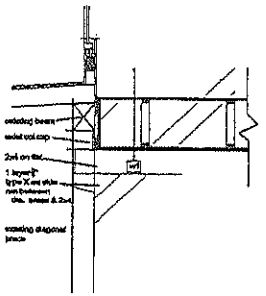
1 A1.01 FIRST FLOOR PLAN
1/8" = 1'-0"



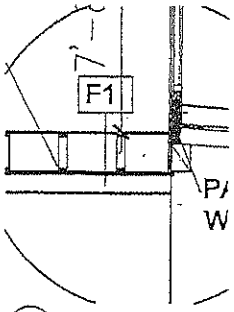
2 A1.01 MEZZANINE/STORAGE PLATFORM PLAN
1/8" = 1'-0"



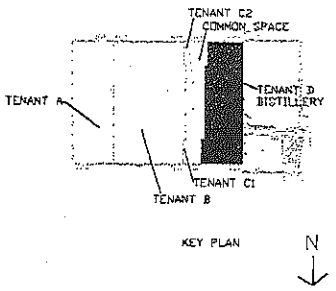
3 A1.01 MEZZANINE/CEILING FRAMING PLAN
1/8" = 1'-0"



4 A1.01 CLERESTORY SILL
1/2" = 1'-0"



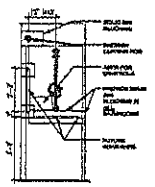
5 A1.01 CLERESTORY SILL
1/2" = 1'-0"



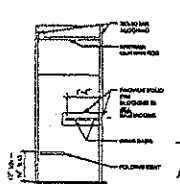
Door #	size	Mat	Rating	Hardware
2	3'-0"x7'-0"	Metal		Privacy, closer
3	3'-0"x7'-0"	Metal		Storeroom
4	3'-0"x7'-0"	Metal		Privacy,
6	3'-0"x7'-0"	Metal	45 min	Passage, Closer
7	3'-0"x7'-0"	Metal	45 min	Passage, Closer
8	3'-0"x7'-0"	metal	45 min	Exit device , Closer
9	3'-0"x7'-0"	metal	45 min	Exit device , Closer
10	size to fit	Metal		Storeroom

General notes
1. All doors in steel frames

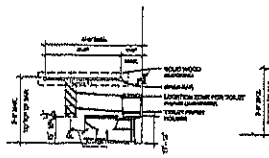
6 A1.01 DOOR SCHEDULE
1/2" = 1'-0"



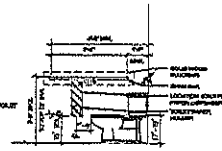
ADA SHOWER SIDE WALL OPPOSITE SEAT - ELEVATION



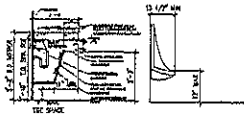
ADA SHOWER REAR WALL - ELEVATION



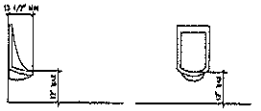
ADA WC SIDE WALL ELEVATION



ADA WC SIDE WALL ELEVATION

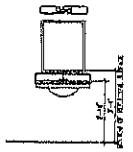


ADA LAV SECTION



ADA URINAL SECTION

ADA URINAL FRONT ELEVATION



ADA LAV FRONT ELEVATION

7 A1.01 ADA FIXTURES

ARCHITYPE
48 Union Wharf Portland, Maine 04101
(207) 772-6021 Fax (207) 772-6026

Project: BRICK NORTH DISTILLERY
THOMPSON'S POINT, PORTLAND ME

Revision	
11-20-2015	SUBMITTED FOR PERMIT
2-12-2016	RESPONSE TO BUILDING INSPECTIONS
3-4-2016	FRAMING CORRECTIONS
3-10-2016	FRAMING UPDATES

Scale: AS NOTED
Date: 11-20-2015
PLANS & SECTIONS
A1.01

Outdoor Dining Permit Application

RECEIVED
MAY 19 2016
Dept. of Building Inspections
City of Portland Maine

If you or the property owner owes real estate or personal property taxes or user charges on any property within the City, payment arrangements must be made before permits of any kind are accepted.

Check all that apply: ☒ **New** Application for Outdoor Dining
or ☐ **Renewal** Application for Outdoor Dining
☐ Application for dining on **Private Property**
☐ Outdoor Dining in a **Public Park** ☐ If **Renewal**, are there changes to previous permit?
☐ Outdoor Dining in a **Historic District** ☐ **Yes** ☒ **No**
☐ **Petition** for Exception for Special Circumstances
☐ **Liquor License** required?
City Clerk signature for liquor license approval: _____
OR Pending Council Date: 6/20/16

Location Name & Address: (1 Thompsons) STRDLOWATER DISTILLERY, 4 THOMPSONS POINT ROAD, PORTLAND 04102	**Chart** 201 **Block** A **Lot** 005
Owner Name: JEFFREY JOHNSON **Owner Phone #:** 207-272-7327	**Total Square Footage of Proposed Outdoor Dining Area:**[1] 273
Applicant *must* be owner or lessee Name: STRDLOWATER SPIRITS, LLC Address: 1236 CONGRESS STREET City, State & Zip: PORTLAND, ME 04102 E-Mail: NORTHSTAR1733@GMAIL.COM	Fee: $80 (Public-Annual) $125 (Private 1X) Total Sq. Ft.: _____ Sq. Ft. Fee: (sq ft x $2) $_____ (sq ft x $6 for public parks) **Total Fees:** $ 125.00 **(Permit not issued until all fees are paid)**

Current use: NONE
Business name: STRDLOWATER DISTILLERY
Seating area dimensions: 14' x 19.5'
How many chairs? _____ How many tables? _____
☒ **Yes** Alcohol is served.
☐ **No** Alcohol being served.

Who should we contact: JEFF JOHNSON Phone: 207-272-7327
Address: 1236 CONGRESS STREET, PORTLAND ME 04102 E Mail: NORTHSTAR1733@GMAIL.COM

Please submit all of the information outlined in the Outdoor Dining Application Checklist. Failure to do so will result in the automatic denial of your permit. New applications and renewals are reviewed on an annual basis and should be submitted no later than June 1st.

In order to be sure the City fully understands the full scope of the project, the Planning and Development Department may request additional information prior to the issuance of a permit. For further information visit us on-line at www.portlandmaine.gov, stop by the Building Inspections office, room 315 City Hall or call 874-8703.

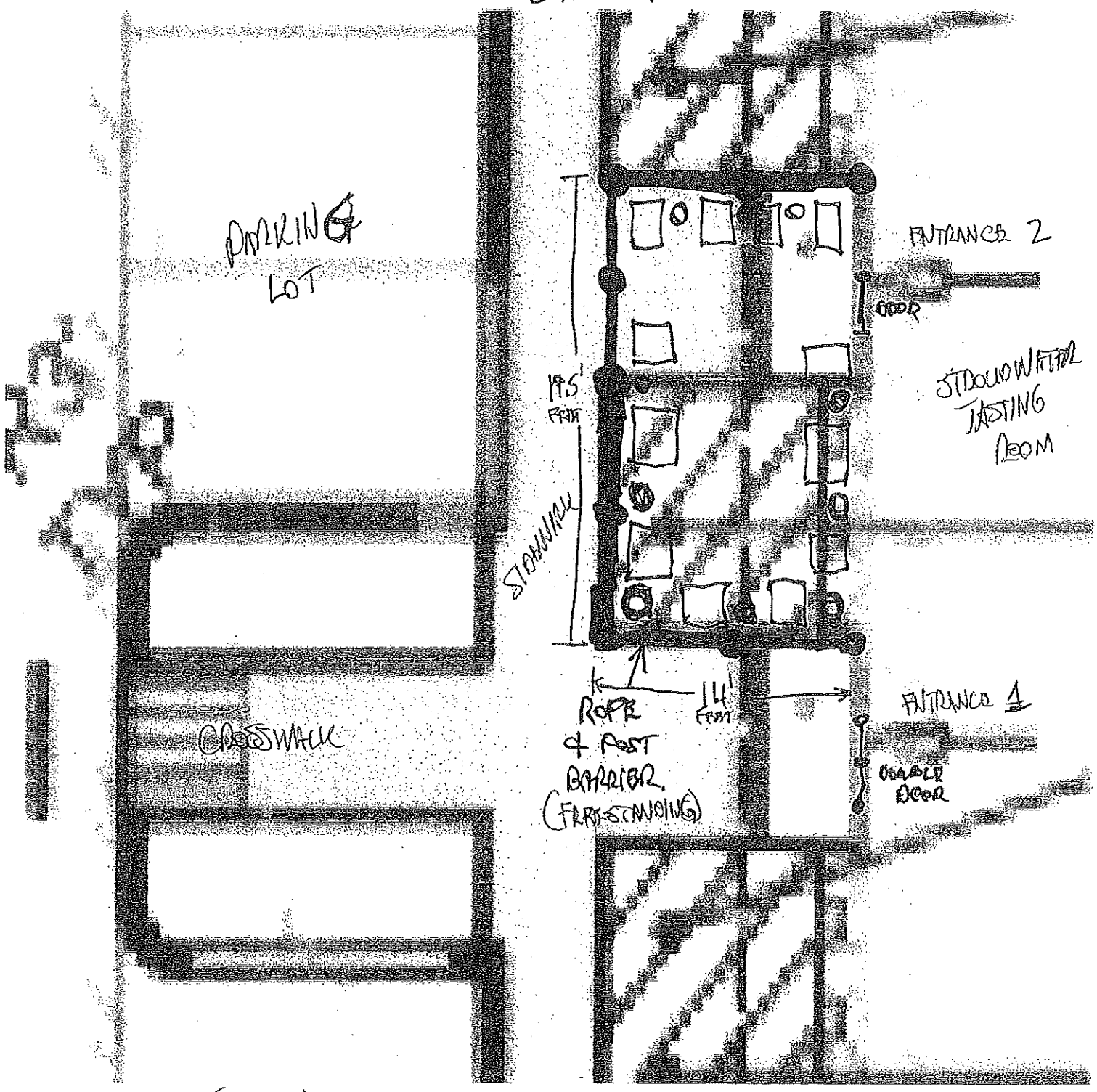
I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the Code Official's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

Signature of Applicant: _____ Date: 5/19/16

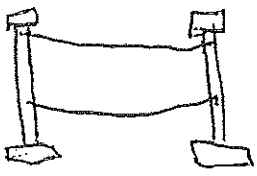
[1] *In no instance shall the total square footage of dining area equal more than 10% of park space, unless the applicant receives a waiver from the Director of Parks and Recreation or his or her designee.*

Revised 04-02-15 **This is not a permit; you may not commence ANY work until the permit is issued.**

STROUDWATER DISTILLERY PATIO - 273 SQF



BARRIER SOLUTION



- CHAIR - 12

- TABLE - 10

MAINE STATE BUREAU OF IDENTIFICATION
45 Commerce Drive, Suite 1 / STATE HOUSE STATION # 42
AUGUSTA, ME 04333
(207) 624-7240 (VOICE)

JANICE GARDNER
389 CONGRESS STREET
ROOM 203
PORTLAND, ME 04101

Transaction Response #: MIQ99C871057

Criminal History Record

Introduction

This criminal history record was produced in response to the following request (Produced on 2016-05-24) :

Inquiries Name(s) JEFF JOHNSON (1964-03-07)

NO MATCH WAS FOUND FOR YOUR REQUEST.

Portland Maine | Yes. Google's good here.

Janice Gardner <jgardner@portlandmaine.gov>

Stroudwater Distillery - 4 Thompson's Point, Ste. 104-105

Gary Rogers <garyr@portlandmaine.gov> Fri, May 27, 2016 at 11:47 AM
To: "Janice Gardner (Business Licensing)" <bl@portlandmaine.gov>

Police approve

On Tue, May 24, 2016 at 3:41 PM, Janice Gardner (Business Licensing) <bl@portlandmaine.gov> wrote:
[Quoted text hidden]

--
Commander Gary Rogers
Portland Police Department
109 Middle Street
Portland, Maine 04101
(207) 874-8546

Order 319-15/16
Tab 17 6-20-16

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

CITY OF PORTLAND
IN THE CITY COUNCIL

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

ORDER
GRANTING MUNICIPAL OFFICERS' APPROVAL OF:

Sip of Europe LLC d/b/a Sip of Europe. Application to add Class III (Wine) License at 229 Congress St.

Sip of Europe, LLC

229 Congress street

Portland, ME 04101

To the Mayor and City Council Members

This letter expresses my intention to add wine cocktails to the existing coffee&tea&shakes menu of a café-creperia, located at 229 Congress street, Portland, ME.

My café is located in a popular district with authentic restaurants which offer great food and fantastic non-alcohol and alcohol drinks. I would like to be included to the existing route of wine connoisseurs offering European themed wine drinks as well as Mimosas for the brunch time. It will be a wonderful small step of mine to the European practices of cafes, where everyone could pick a great "people-watching spot", have a dessert or a nice light snack enjoying themselves or their company with a glass of Sangria and relaxing music.

I am excited to contribute to the Neighborhood with my own vision of good wine and wine drinks.

Please accept this application for a class III – Vinous Only (restaurant) license. The food for the customers is available at all times.

Thank you for your consideration and time.

Iuliia Stolkner

President/ Owner

Portland, Maine — Yes. Life's good here.

Office of the City Clerk • 389 Congress St. • Portland, ME 04101 • (207) 874-8557
www.portlandmaine.gov

RECEIVED
MAY 16 2016
CITY CLERK

Application for Food Service Establishment with Alcoholic Beverages License

Business Information			
Business Name (d/b/a):	Sip of Europe, LLC	Phone:	207 3707535
Location Address:	229 Congress street	Zip:	04101-3609
If new, what was formerly at this location:			
Mailing Address:	SACO, 91 LINCOLN Rd	Zip:	04072
Contact Person:	IULIIA SHOLKNER	Phone:	207-5906147
Contact Person Email:	YULIA.SHOLKNER@GMAIL.COM		
Manager of Establishment:	IULIIA SHOLKNER Date of Birth: 09/10/91	Phone:	207-5906147
Owner of Premises (Landlord):	195 Portland Portfolio I LLC		
Address of Premises Owner:	773 Congress street	Zip:	04102

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
Sip of Europe LLC	91 LINCOLN road, SACO, ME Zip: 04072

Contact Person:	IULIIA SHOLKNER	Phone:	207-590-6147

Principal Officers	Title	Date of Birth	Residence Address
IULIIA SHOLKNER	President	09/10/1991	ME, SACO, 91 LINCOLN rd, 04072

About Your Establishment

Class of Liquor License:	III (wine only)
Type of food served:	crêpes
Please circle all that will be served:	Beer (Wine) Liquor
Projected percentage of sales:	Generated from Food: 90% Generated from Alcohol: 10%
Hours & days of operation:	Tu-Fr: 9AM-8 pM; Sa-Su 8-8

QUESTIONS	Y/N
Will full-course meals, only capable of consumption with the use of tableware, be served the entire time the establishment is open?	Y/(N)
If No, please explain: Even though crepes are consumed with fork and knife, they could be served in a to-go crepe holder which does not require table ware	
Is the establishment less than 300 feet from a school, dormitory, church or parish house, or similar establishment?	Y/(N)
If yes, give the distance:	
Will you have entertainment on the premises? (If yes, a Supplemental Application for Dancing & Entertainment is required.)	Y/(N)
Will you permit dancing on the premises?	Y/(N)
Will you permit dancing after 1:00 a.m.?	Y/(N)
Will you have outside dining? (If yes, an Outdoor Dining Application is required)	Y/(N)
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)
If yes, please list: # of pinball machines: _____ # of amusements: _____ # of pool tables: _____	
What is your targeted opening date?	
Does the issuance of this license directly or indirectly benefit any City employee(s)?	Y/(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
If Yes, please list business name(s) and location(s): At 229 Congress street food service establishment	
Is any principal officer under the age of 21?	Y/(N)
Have applicant, partners, associates, or corporate officers ever been arrested, indicted, or convicted for any violation of law?	Y/(N)
If Yes, please explain:	

I Dulia Stoltzer 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 Dulia Title President Date 05/16/16

For more information about Liquor Licenses, see Portland City Code Chapter 15 at www.portlandmaine.gov and M.R.S.A. Title 28-A at www.maine.gov.

BUREAU OF ALCOHOLIC BEVERAGES
DIVISION OF LIQUOR LICENSING & ENFORCEMENT
8 STATE HOUSE STATION
AUGUSTA, ME 04333-0008

DEPARTMENT USE ONLY	
LICENSE NUMBER:	CLASS:
DEPOSIT DATE	
AMT. DEPOSITED:	BY:
CK/MO/CASH:	

Promise by any person that he or she can expedite a liquor license through influence should be completely disregarded.

To avoid possible financial loss an applicant, or prospective applicant, should consult with the Division before making any substantial investment in an establishment that now is, or may be, attended by a liquor license.

PRESENT LICENSE EXPIRES_____

INDICATE TYPE OF PRIVILEGE: ☐ MALT ☐ SPIRITUOUS ☑ VINOUS

INDICATE TYPE OF LICENSE:

☑ RESTAURANT (Class I,II,III,IV) ☐ RESTAURANT/LOUNGE (Class XI)
☐ HOTEL-OPTINONAL FOOD (Class I-A) ☐ HOTEL (Class I,II,III,IV)
☐ CLASS A LOUNGE (Class X) ☐ CLUB-ON PREMISE CATERING (Class I)
☐ CLUB (Class V) ☐ GOLF CLUB (Class I,II,III,IV)
☐ TAVERN (Class IV) ☐ OTHER: _____

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

1. APPLICANT(S) –(Sole Proprietor, Corporation, Limited Liability Co., etc.)	2. Business Name (D/B/A)
Sip of Europe LLC DOB:	Sip of Europe, LLC
DOB:	
DOB:	Location (Street Address) 229 Congress Street
Address 229 Congress Street	City/Town Portland State ME 04101 Zip Code
	Mailing Address 91 Lincoln Road
City/Town Portland State ME Zip Code 04101	City/Town Saco State ME Zip Code 04072
Telephone Number 207-3907535 Fax Number	Business Telephone Number 207-3907535 Fax Number
Federal I.D. # 47-4032254	Seller Certificate #

EMAIL ADDRESS: YULIA.SOLOVYOVA@GMAIL.COM

3. If premises is a hotel, indicate number of rooms available for transient guests: _____
4. State amount of gross income from period of last license: ROOMS $ _____ FOOD $ _____ LIQUOR $_____

3. If premises is a hotel, indicate number of rooms available for transient guests: _____
4. State amount of gross income from period of last license: ROOMS $ _____ FOOD $ _____ LIQUOR $_____
NO Is applicant a corporation, limited liability company or limited partnership? YES

If YES, complete Supplementary Questionnaire

For Office Use Only:
License #: Date Filed:

6. Do you permit dancing or entertainment on the licensed premises? YES NO
7. If manager to be employed, give name: IULIIA STOLKNER
8. If now in business NEW or under new ownership, indicate starting date: _____
Requested inception date: 24-th of June Business hours: 9AM-8PM
9. Business records are located at: home, 91 LINCOLN Rd, SACO, ME
10. Is/are applicants(s) citizens of the United States? YES NO
NO Is/are applicant(s) residents of the State of Maine? YES 11

12. List name, date of birth, and place of birth for all applicants, managers, and bar managers. Give maiden name, if married: Use a separate sheet of paper if necessary.

Name in Full (Print Clearly)	DOB	Place of Birth
IULIIA STOLKNER (YULIA IVANOVA)	03/10/91	ROSTOV-ON-DON
Residence address on all of the above for previous 5 years (Limit answer to city & state		
IULIIA STOLKNER : Feb 2015 - NOW : USA, ME, SACO, 91 LINCOLN Rd, 04072		
till Feb 2015 : RUSSIA, St. Petersburg, Ligovsky pr. 105, ap. 17		

13. Has/have applicant(s) or manager ever been convicted of any violation of the law, other then minor traffic violations, of any State of the United States? YES NO
Name: _____ Date of Conviction: _____
Offense: _____ Location: _____
Disposition: _____

14. Will any law enforcement official benefit financially either directly in your license, if issued?
Yes No If Yes, give name: _____

15. Has/have applicant(s) formerly held a Maine liquor license? YES NO

16. Does/do applicant(s) own the premises? Yes No If No give name and address of owner: I-95 PORTLAND PORTFOLIO I LLC

17. Describe in detail the premises to be licensed: (Supplemental Diagram Required) cafe, serving coffee, tea, shakes and savory and sweet crepes

18. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services?
YES NO Applied for: _____

19. 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? 0.2 Miles Which of the above is nearest? Church

20. 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: relatives

The Division of Liquor Licensing & Inspection 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, ME on 16th of May, 2016
Town/City, State Date

Please sign in blue ink

Signature of Applicant or Corporate Officer(s)

Signature of Applicant or Corporate Officer(s)

Julia Stolkwer
Print Name

Print Name

NOTICE – SPECIAL ATTENTION

All applications for NEW or RENEWAL liquor licenses must contact their Municipal Officials or the County Commissioners in unincorporated places for approval of their application for liquor licenses prior to submitting them to the bureau.

THIS APPROVAL EXPIRES IN 60 DAYS.

FEE SCHEDULE

Class I Spirituous, Vinous and Malt $ 900.00
CLASS I: 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.

Class I-A Spirituous, Vinous and Malt, Optional Food (Hotels Only) $1,100.00
CLASS I-A: Hotels only that do not serve three meals a day.

Class II Spirituous Only $ 550.00
CLASS II: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; and Vessels.

Class III Vinous Only $ 220.00
CLASS III: 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.

Class IV Malt Liquor Only $ 220.00
CLASS IV: 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.

Class V Spirituous, Vinous and Malt (Clubs without Catering, Bed & Breakfasts) $ 495.00
CLASS V: Clubs without catering privileges.

Class X Spirituous, Vinous and Malt – Class A Lounge $2,200.00
CLASS X: Class A Lounge

Class XI Spirituous, Vinous and Malt – Restaurant Lounge $1,500.00
CLASS XI: Restaurant/Lounge; and OTB.

FILING FEE $ 10.00
UNORGANIZED TERRITORIES $10.00 filing fee shall be paid directly to County Treasurer. All applicants in unorganized territories shall submit along with their application evidence of payment to the County Treasurer.

All fees must accompany application, made payable to the **Treasurer of Maine.** This application must be completed and mailed to Bureau of Alcoholic Beverages and Lottery Operations, Division of Liquor Licensing and Enforcement, 8 State House Station, Augusta ME 04333-0008. Payments by check subject to penalty provided by Title 28A, MRS, Section 3-B.

State of Maine
Bureau of Alcoholic Beverages
Division of Liquor Licensing and
Enforcement

Supplemental Information Required for Business Entities Who Are Licensees

For information required for Questions 1 to 4, this information is on file with the Maine Secretary of State's office and must match their record information. Please clearly complete this form in its entirety.

1. Exact legal name: Sip of Europe, LLC

2. Other business name for your entity (DBA), if any: DBA Sip of Europe

3. Date of filing with the Secretary of State: 04/19/16

4. State in which you are formed: MAINE

5. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine:

6. List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list the percentage ownership: (attached additional sheets as needed)

Name	Address for Previous 5 years	Date of Birth	Ownership %
Iuliia Stolkova	Feb 2015 - Now: ME, SACO, 91 LINCOLN Road, 04072;	09/10/91	100
	before Feb 2015: Russia, St. Petersburg, Ligovsky pr. 105, ap. 17		

7. Is any principal person involved with the entity a law enforcement official? Yes (No)

8. If Yes to Question 7, please provide the name and law enforcement agency:

Name: _

Agency: _

Agency: _

9. 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)

10. If Yes to Question 9, please complete the following: (attached additional sheets as needed)
Name:
Date of Conviction:

Offense:

Location of Conviction:

Disposition: _

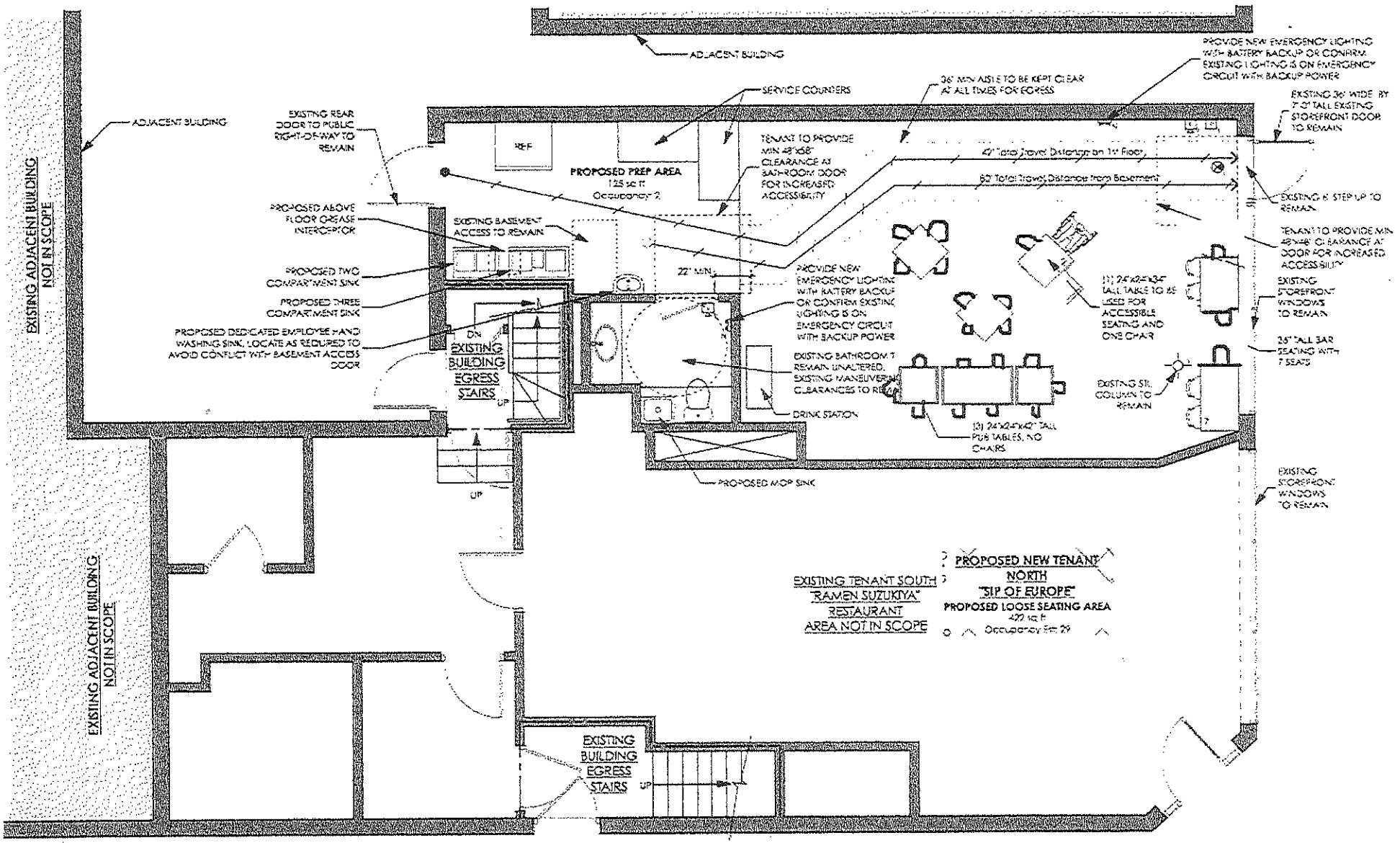
Signature: [signature]

Signature of Duly Authorized Person Date 05/10/16

Print Name of Duly Authorized Person Julia Stoltzer

If you have questions regarding the legal name or assumed (DBA) name on file with the Secretary of State's office, please call (207) 624-7752. The SOS can only speak to the information on file with their office, not the filing of this supplemental information – please direct any questions about this form to our office at the number below.

Submit Completed Forms To: Bureau of Alcoholic Beverages and Lottery
Operations Division of Liquor Licensing Enforcement
8 State House Station Augusta, Me 04333-0008
Telephone Inquiries: (207) 624-7220
Fax: (207) 287-3434
Email Inquiries: MaineLiquor@Maine.gov


EXISTING ADJACENT BUILDING NOT IN SCOPE
ADJACENT BUILDING
EXISTING REAR DOOR TO PUBLIC RIGHT-OF-WAY TO REMAIN
SERVICE COUNTERS
36" MIN AISLE TO BE KEPT CLEAR AT ALL TIMES FOR EGRESS
PROVIDE NEW EMERGENCY LIGHTING WITH BATTERY BACKUP OR CONFIRM EXISTING LIGHTING IS ON EMERGENCY CIRCUIT WITH BACKUP POWER
EXISTING 36" WIDE BY 7'-0" TALL EXISTING STOREFRONT DOOR TO REMAIN
REF
PROPOSED PREP AREA
125 sq ft
Occupancy 2
TENANT TO PROVIDE MIN 48"x68" CLEARANCE AT BATHROOM DOOR FOR INCREASED ACCESSIBILITY
47' Total Travel Distance on 1st Floor
62' Total Travel Distance from Basement
EXISTING 6" STEP UP TO REMAIN
PROPOSED ABOVE FLOOR GREASE INTERCEPTOR
EXISTING BASEMENT ACCESS TO REMAIN
TENANT TO PROVIDE MIN 48"x48" CLEARANCE AT DOOR FOR INCREASED ACCESSIBILITY
PROPOSED TWO COMPARTMENT SINK
22" MIN
PROVIDE NEW EMERGENCY LIGHTING WITH BATTERY BACKUP OR CONFIRM EXISTING LIGHTING IS ON EMERGENCY CIRCUIT WITH BACKUP POWER
(1) 24"x24"x34" TALL TABLE TO BE USED FOR ACCESSIBLE SEATING AND ONE CHAIR
EXISTING STOREFRONT WINDOWS TO REMAIN
PROPOSED THREE COMPARTMENT SINK
PROPOSED DEDICATED EMPLOYEE HAND WASHING SINK, LOCATE AS REQUIRED TO AVOID CONFLICT WITH BASEMENT ACCESS DOOR
DN
EXISTING BUILDING EGRESS STAIRS
UP
EXISTING BATHROOM TO REMAIN UNALTERED. EXISTING MANEUVERING CLEARANCES TO REMAIN
25" TALL BAR SEATING WITH 7 SEATS
DRINK STATION
EXISTING STL COLUMN TO REMAIN
(3) 24"x24"x40" TALL PUB TABLES, NO CHAIRS
PROPOSED MOP SINK
EXISTING STOREFRONT WINDOWS TO REMAIN
EXISTING ADJACENT BUILDING NOT IN SCOPE
EXISTING TENANT SOUTH "RAMEN SUZUKIYA" RESTAURANT AREA NOT IN SCOPE
PROPOSED NEW TENANT NORTH "SIP OF EUROPE"
PROPOSED LOOSE SEATING AREA
492 sq ft
Occupancy For 29
EXISTING BUILDING EGRESS STAIRS
UP

Crêpes

Gluten free crepes (made with almond milk, gluten free King Arthur flour, gluten free baking soda) **cost 0.75$ extra.** Available on Saturdays and Sundays also upon request. Send your inquiry to **sipofeurope@gmail.com at least 3hours in advance.**

Sweet

- **Plain $4.25**
- **Cinnamon & sugar $4.25** (best-seller!)
- **With sauce only** (chocolate/caramel) **$4.25**
- **With maple syrup** or **honey** or **jam** (strawberry or blueberry) or **condensed milk $4.5**
- **Lemon power** (freshly squeezed lemon juice with powdered sugar) **$4.95** (best-seller!)
- **Peanut butter $4.85**
- **Nutella** (a looooot of Nutella) **$4.85**
- **Baklava** (honey with walnuts) **$5.00** (best-seller!)
- **Banana-Nutella or Strawberry-Nutella** (a looooot of Nutella and the whole banana or lots of strawberries) **$5.50**
- **Strawberry-Banana-Nutella** (all the above plus juicy strawberries) **$5.75** (best-seller!)

- **NEW! Chocolate dream** - cocoa batter with chocolate put in between the layers. Decorated with chocolate sauce & condensed milk & whipped cream **$5.75** goes well with STRAWBERRIES and BANANA

Each crepe is decorated with powdered sugar and whipped cream. Nutella crepes have sprinkles of chocolate sauce. **You can customize any crepe the way you like it!**

You can add the following items to make the crêpes **TASTIER:**

- **Maple syrup** or **honey** or **jam** (strawberry or blueberry) or **condensed milk $0.25**
- **Walnuts $0.5**
- **Peanut butter $0.5**
- **Strawberry $0.7**
- **Banana $0.7**
- **Bacon pieces** (popular with Maple syrup) **$0.5**
- **Scoop of ice-cream** (vanilla or chocolate) **$0.7**

Three and more added items will have a discount of $0.3

Savory

- **Cheese** (full of melting mozzarella cheese) **$5.00**
- **NEW! Tomato&Co** - tomato,pepper,greens,olives, pesto... **$5.50**
- **NEW! Chipolllino-** unexpected combination of dill and onion batter with melting Parmesan... Good on it's own **$5.50**
- **Mustard of Ham** or **Turkey** or **Roast Beef with cheese** (also full of melting mozzarella cheese, served with Dijon mustard and your choice of cold cuts) **$5.75**
- **NEW! Italian fiesta** - spinach, tomato, a lot of mozzarella, pesto combined in a flavor dance!Decorated with balsamic glaze **$6.50**
- **Super salmon** (sliced salmon with cream cheese and dill) **$6.75. Add DILL&ONION yum BATTER for $1**

- You can add the following items to make the crêpes **TASTIER (Plain crepe costs $4.25):**
- **Crumbled goat cheese** or **Pesto $0.75**
- **Sliced tomato** or **Pepper $0.6**
- **Baby arugula** or **Baby spinach $0.4**
- **Sliced black** or **Green olives $0.4**
- **Capers $0.4**
- **Bacon pieces $0.5**

Three and more added items will have a discount of $0.3

Each crepe has freshly ground pepper and is decorated with sprinkles of Blue Cheese sauce/ Ranch/ Honey Mustard or Balsamic glaze

Average waiting time per order is 4-6 minutes, please, be patient

Please, inform about any allergies **prior to your order**. The crepes may contain traces of honey, peanut butter, wheat

MAINE STATE BUREAU OF IDENTIFICATION
45 Commerce Drive, Suite 1 / STATE HOUSE STATION # 42
AUGUSTA, ME 04333
(207) 624-7240 (VOICE)

JANICE GARDNER
389 CONGRESS STREET
ROOM 203
PORTLAND, ME 04101

Transaction Response #: MIQ99C871050

Criminal History Record

Introduction

This criminal history record was produced in response to the following request (Produced on 2016-05-24) :

Inquiries Name(s) IULIA STOLKNER (1991-09-10)

NO MATCH WAS FOUND FOR YOUR REQUEST.

Portland Maine | Yes. Google's good here.

Janice Gardner <jgardner@portlandmaine.gov>

Sip of Europe - 229 Congress St.

Gary Rogers <garyr@portlandmaine.gov> Fri, May 27, 2016 at 11:41 AM
To: "Janice Gardner (Business Licensing)" <bl@portlandmaine.gov>

Police approve

On Tue, May 24, 2016 at 2:55 PM, Janice Gardner (Business Licensing) <bl@portlandmaine.gov> wrote:
[Quoted text hidden]

--
Commander Gary Rogers
Portland Police Department
109 Middle Street
Portland, Maine 04101
(207) 874-8546

Order 320-15/16
Tab 18 6-20-16

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

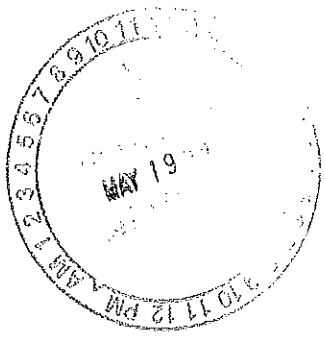
CITY OF PORTLAND
IN THE CITY COUNCIL

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

ORDER
GRANTING MUNICIPAL OFFICERS' APPROVAL OF:

Hanover Street Studios, LLC d/b/a Apohadion Theater. Application for a Class III & IV (Wine & Beer) License with Entertainment with Dance at 107 Hanover St.

Hanover Street Studios, LLC
d/b/a Apohadion Theater
107 Hanover St
Portland, ME 04101



TO: City of Portland
Honorable Mayor and Members of the City Council

Dear Mayor and Members of the City Council,

Hanover Street Studios, LLC is applying for a business license to operate the Apohadion Theater, a performing arts and exhibition space at 107 Hanover Street in the West Bayside neighborhood. The theater will be open to the public roughly three times a week for performances of live music and theater, as well as for gallery openings for visual art. It is the intention of the partners to operate a small bar serving beer, wine, and snacks during these events.

The theater is also home to the art and music studios of the five partners involved in the LLC. The studios are located in the back of the theater.

The Apohadion Theater will serve a variety of audiences, as the partners all have varying musical specialties: from singer-songwriter to jazz, classical to reggae, and all partners are well entrenched in the Portland arts community and beyond. The size of the space allows for an intimate connection between performers and audience members.

Thank you for your consideration.
Best,

Jerusha Robinson, partner
Hanover Street Studios, LLC

Portland, Maine | Yes. Life's good here.

Office of the City Clerk • 389 Congress St. • Portland, ME 04101 • (207) 874-8557

Application for Food Service Establishment with Alcoholic Beverages License

Business Information			
Business Name (d/b/a):	Apohadion Theater	Phone:	207 838-1899
Location Address:	107 Hanover St, Portland ME	Zip:	04101
If new, what was formerly at this location:			
Mailing Address:	107 Hanover St, Portland ME	Zip:	04101
Contact Person:	Jerusha Robinson	Phone:	207 838-1899
Contact Person Email:	jerusharobinson@gmail.com		
Manager of Establishment:	Greg Jamie	Phone:	516 280-8578
Owner of Premises (Landlord):	Jennifer Furman		
Address of Premises Owner:	28 Willow Lane Portland ME	Zip:	04102

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		
Hanover Street Studios, LLC	107 Hanover St, Portland ME	Zip:	04101
Contact Person: Jerusha Robinson		Phone:	207 838-1899

Principal Officers	Title	Date of Birth	Residence Address
Patrick Corrigan	partner	05/05/69	61 India St Portland ME 04101
David Noyes	partner	03/22/73	202 Coyle St Apt 2, Portland ME 04103
Greegory Jamie	partner	04/12/82	224 Spring St Apt 3, Portland ME 04102
Jeremy Robinson	partner	07/11/74	41 Sawyer St Apt 1, Portland ME 04103
Jerusha Robinson	partner	09/20/76	41 Sawyer St Apt 1, Portland ME 04103

About Your Establishment

Class of Liquor License:	CLASS III + IV
Type of food served:	PRE-PACKAGED SNACKS
Please circle all that will be served:	(Beer) (Wine) Liquor
Projected percentage of sales:	Generated from Food: 10% Generated from Alcohol: 90%
Hours & days of operation:	3 days/week (varies), 7p-1a

QUESTIONS	Y/N
Will full-course meals, only capable of consumption with the use of tableware, be served the entire time the establishment is open?	Y(N)
If No, please explain: only pre-packaged snacks will be available	
Is the establishment less than 300 feet from a school, dormitory, church or parish house, or similar establishment?	Y/(N)
If yes, give the distance:	
Will you have entertainment on the premises? (If yes, a Supplemental Application for Dancing & Entertainment is required.)	(Y)N
Will you permit dancing on the premises?	(Y)N
Will you permit dancing after 1:00 a.m.?	Y(N)
Will you have outside dining? (If yes, an Outdoor Dining Application is required)	Y(N)
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)
If yes, please list: # of pinball machines: _____ # of amusements: _____ # of pool tables: _____	
What is your targeted opening date?	Aug 1, 2016
Does the issuance of this license directly or indirectly benefit any City employee(s)?	Y(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
If Yes, please list business name(s) and location(s): Local 188, 685 Congress Portland; Sonny's, 83 Exchange St Portland; Salvage BBQ, 919 Congress Portland	
Is any principal officer under the age of 21?	Y(N)
Have applicant, partners, associates, or corporate officers ever been arrested, indicted, or convicted for any violation of law?	Y(N)
If Yes, please explain:	

I Jerusha Robinson 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 Partner Date 5/13/16

For more information about Liquor Licenses, see Portland City Code Chapter 15 at www.portlandmaine.gov and M.R.S.A. Title 28-A at www.maine.gov

Portland, Maine | Yes. Life's good here.

Office of the City Clerk • 389 Congress St. • Portland, ME 04101 • (207) 874-8557
www.portlandmaine.gov

MAY 19 2016

Supplemental Application for Dancing and Entertainment License

License accompanies a City of Portland Food Service Establishment or Food Service Establishment with Alcohol license.

☐ Entertainment without Dancing: $270 ☒ Entertainment with Dancing: $485 ☐ After-Hours (1 a.m. to 3 a.m.): $545

Business Information			
Business Name (d/b/a):	Apohadion Theater	Phone:	207 838-1899
Location Address:	107 Hanover St, Portland, ME	Zip:	04101

About Your Establishment

Describe in detail the type and nature of the business and proposed entertainment: This will be a music and arts venue, with live musicians and bands, traveling as well as local, and exhibition space for visual art.	
Will music be electric, acoustical, or (both)? (Circle)	
Will amplification be used?	(Y)N
If yes, where and at what level? On stage and less than 92 decibels	
Will music by played (Circle all that apply): (Inside) Outside	
Will you permit dancing on the premises?	(Y)N
Will you permit dancing after 1:00 a.m.?	Y(N)
What is the distance to the nearest residential dwelling unit both inside and outside the building from where the entertainment will take place? approx 450 feet (.1 mile)	
What is your targeted opening date?	Aug 1, 2016
Does the Issuance of this license directly or indirectly benefit any City employee(s)?	Y(N)
If Yes, list name(s) of employee(s) and department(s):	

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.

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 Partner Date 5/13/16

For more information, refer to the City Code of Ordinance: Chapter 4 Amusements, at www.portlandmaine.gov

Department of Public Safety

Division

Liquor Licensing & Inspection

Promise by any person that he or she can expedite a liquor license through influence should be completely disregarded. To avoid possible financial loss an applicant, or prospective applicant, should consult with the Division before making any substantial investment in an establishment that now is, or may be, attended by a liquor license.

BUREAU USE ONLY
License No. Assigned:
Class:
Deposit Date:
Amt. Deposited:

PRESENT LICENSE EXPIRES _____

INDICATE TYPE OF PRIVILEGE: ف (MALT) ف SPIRITUOUS ف (VINOUS)

INDICATE TYPE OF LICENSE:

ف RESTAURANT (Class I,II,III,IV)
ف HOTEL-OPTINONAL FOOD (Class I-A)
ف CLASS A LOUNGE (Class X)
ف CLUB (Class V)
ف TAVERN (Class IV)
ف RESTAURANT/LOUNGE (Class XI)
ف HOTEL (Class I,II,III,IV)
ف CLUB-ON PREMISE CATERING (Class I)
ف GOLF CLUB (Class I,II,III,IV)
ف (OTHER) PERFORMING ARTS CENTER

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

1. APPLICANT(S) –(Sole Proprietor, Corporation, Limited Liability Co., etc.) Hanover Street Studios, LLC DOB:	2. Business Name (D/B/A) Apohadion Theatre
DOB:	
DOB:	Location (Street Address) 107 Hanover St
Address 107 Hanover St.	City/Town Portland State ME Zip Code 04101
	Mailing Address 107 Hanover St
City/Town Portland State ME Zip Code 04101	City/Town Portland State ME Zip Code 04101
Telephone Number 207 838-1899 Fax Number	Business Telephone Number 207 838-1899 Fax Number
Federal I.D. # 81-1890472	Seller Certificate # 117 91 37

3. If premises are a hotel, indicate number of rooms available for transient guests: _____
4. State amount of gross income from period of last license: ROOMS $ _____ FOOD $ _____ LIQUOR $_____
5. Is applicant a corporation, limited liability company or limited partnership? (YES) ف NO ف

complete Supplementary Questionnaire ,If YES

6. Do you permit dancing or entertainment on the licensed premises? (YES) ف NO ف
7. If manager is to be employed, give name: _____
8. If business is NEW or under new ownership, indicate starting date: Aug 1, 2016
   Requested inspection date: July 15, 2016 Business hours: 7p-1a, days vary, but approx. 3 days/week.
9. Business records are located at: 107 Hanover St Portland ME 04101
10. Is/are applicants(s) citizens of the United States? (YES) ف NO ف

11. Is/are applicant(s) residents of the State of Maine? YES NO

12. List name, date of birth, and place of birth for all applicants, managers, and bar managers. Give maiden name, if married: Use a separate sheet of paper if necessary.

Name in Full (Print Clearly)	DOB	Place of Birth
Patrick Corrigan	05/05/69	Woonsocket RI
David Noyes	03/22/73	Portland ME
Gregory Jamie	04/12/82	Mineola NY

Residence address on all of the above for previous 5 years (Limit answer to city & state

P. Corrigan + David Noyes: Portland ME; Greg Jamie: Portland ME

Jeremy + Jerusha Robinson: Biddeford, ME + Portland, ME

13. Has/have applicant(s) or manager ever been convicted of any violation of the law, other then minor traffic violations, of any State of the United States? YES NO

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

14. Will any law enforcement official benefit financially either directly or indirectly in your license, if issued? Yes No If Yes, give name: _____

15. Has/have applicant(s) formerly held a Maine liquor license? YES NO Two partners have, but not the LLC itself.

16. Does/do applicant(s) own the premises? Yes No If No give name and address of owner: _____

17. Describe in detail the premises to be licensed: (Supplemental Diagram Required) a sectioned-off area for on-premise consumption (bar)

18. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services? YES NO Applied for 5/27/16

19. 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? .5 mi Which of the above is nearest? Church

20. 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: We received a grant from the Kindling Fund for arts + music programming.

The Division of Liquor Licensing & Inspection 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, ME (Town/City, State) on May 19 (Date), 2016

Please sign in blue ink

Signature of Applicant or Corporate Officer(s)

Jerusha Anne Robinson

Signature of Applicant or Corporate Officer(s)

State of Maine
Bureau of Alcoholic Beverages
Division of Liquor Licensing and Enforcement

Supplemental Information Required for Business Entities Who Are Licensees

For Office Use Only:
License #:
Date Filed:

For information required for Questions 1 to 4, this information is on file with the Maine Secretary of State's office and must match their record information. Please clearly complete this form in its entirety.

1. Exact legal name:
Hanover Street Studios, LLC

2. Other business name for your entity (DBA), if any:
Apohadion Theater

3. Date of filing with the Secretary of State: 3/17/16

4. State in which you are formed: Maine

5. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine: _____

6. List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list the percentage ownership: (attached additional sheets as needed)

Name	Address for Previous 5 years	Date of Birth	Ownership %
Patrick Corrigan	61 India St Portland ME 04101	05/05/69	20
David Noyes	202 Conle St Apt 2 Portland 04103 16 Hersey St Portland 04103	03/22/73	20
Gregory Jamie	224 Spring St Apt 3 Portland ME 04102 5 Mayo St " " 04101 37 Danforth St South portland 04106	4/12/82	20
Jeremy Robinson	41 Sawyer St Apt 1 Portland ME 04103 59 Center St Apt 2 Biddeford ME 04005	7/11/74	20
Jennsha Robinson	Same as Jeremy Robinson	9/20/76	20

cont on back

7. Is any principal person involved with the entity a law enforcement official?

Yes ☐ No ☒

8. If Yes to Question 7, please provide the name and law enforcement agency:

Name: _____ Agency: _____

9. 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 ☒

10. If Yes to Question 9, please complete the following: (attached additional sheets as needed)

Name: _____

Date of Conviction: _____

Offense: _____

Location of Conviction: _____

Disposition: _____

_____

Signature:

_____ 5/18/16

Signature of Duly Authorized Person Date

Jerusha Anne Robinson

Print Name of Duly Authorized Person

If you have questions regarding the legal name or assumed (DBA) name on file with the Secretary of State's office, please call (207) 624-7752. The SOS can only speak to the information on file with their office, not the filing of this supplemental information – please direct any questions about this form to our office at the number below.

Submit Completed Forms To:

Bureau of Alcoholic Beverages and Lottery Operations
Division of Liquor Licensing and Enforcement
164 State House Station
Augusta, Me 04333-0101
Telephone Inquiries: (207) 624-7220
Fax: (207) 287-3424
Email Inquiries: MaineLiquor@Maine.gov

SUMMARY:
- This project is a change of use for a 2,310sqft of tenant space in a 20,750sq ft building comprised of varies business and mercantile uses. Tenant space currently permitted as a space for jukebox repair and sales, new use will be 5 artist studios, and an accessory performance space. The performance space will be under 750sqft thus the space will be a B type occupancy.

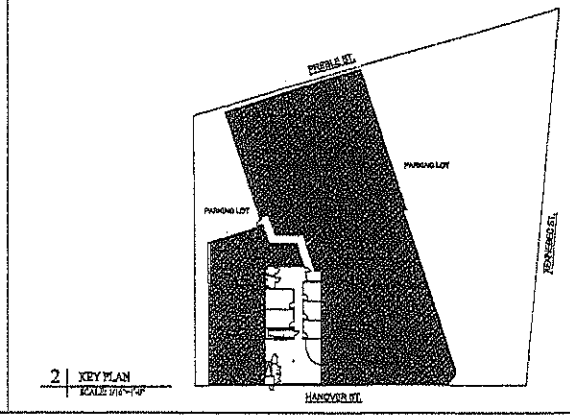
Building is multi use non-separated and sprinkled.
Emergency egress lighting for tenant space to be updated per drawings.

IBC 2009

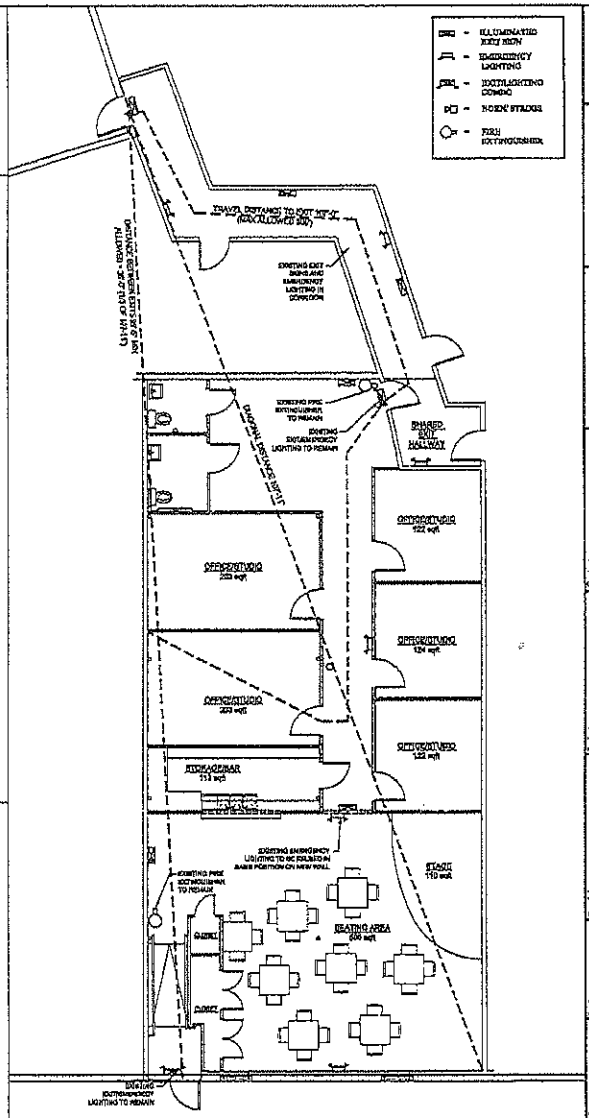
CHAPTER 3:
304.1 - Artist Studio = Occupancy B (Business)
303.1.3 - Accessory Performance Space is assembly but classified as Group B per exception 3 (less than 750sqft)
CHAPTER 5:
503 - Building is mixed use non-separated, primary use B
504.2 - Fully sprinkled allows 3 stories and 36,000sqft area (57,000sqft since building is 1 story)
508.4 - Neighboring spaces are Electronic Parts store (M) and Audio Recording Studio (B) No separation required.
CHAPTER 6:
602.3 - Construction type IIIB - Concrete block exterior walls with unprotected interior steel frame.
CHAPTER 9:
903.2 - Sprinkler system currently installed.
906 - Fire Extinguishers to remain as currently located by exits.
CHAPTER 10:
1004.1.1 Occupant Load
OFFICE/STUDIO SPACE = 667sqft
- occupancy load 100sqft/person = 9
TABLE + CHAIR SEATING/STAGE = 705 sqft
- occupancy load 15sqft/person = 47
TOTAL OCCUPANCY LOAD = 56
1008.1.5 - Landing Provided at entry ramp
1008.1.9 - Exit door hardware to meet this section. Door hardware to be levare except at store front, existing push pull hardware to remain.
1008.1.10 - Panic hardware not required.
1010 - Ramp at entry to meet this section, as shown in details.
1011 - Current exit signs to remain, and additional exit signs added per drawings.
1012 - Handrail details for ramp shown in drawings.
1015.1 - Occupant Load of 56 for Group B (greater than 49) requires 2 means of egress.
1015.2.1 - Distance between exits greater than 1/3 (sprinkled) the diagonal of the space.
1016.1 - Minimum travel distance is 300ft (sprinkled).
1015.1 - Corridor rating for Group B over 30 occupant load and sprinkled is 0 hours.
1019.2 - Minimum corridor width 44".
1016.4 - Dead End corridor can not exceed 50'.
1027.1 - Exit discharge requirements are met at both exits.

NFPA 101

CHAPTER 6
6.1.2.1 Seating and stage area occupancy is Assembly but less than 49 people thus classified as Business.
6.1.11 - Artist Studios - classified as Business
6.1.14.1.3 - Non separated
6.2.2.3 - Ordinary Hazard
CHAPTER 7
7.2.1 - Doors shall comply with this section.
7.2.2.4.1 - Handrails at ramp shall comply with this section (see ramp details).
7.2.5.4 - Ramp shall comply with this section (see ramp details).
7.3.1.2 - Occupant Load
Artist Studio Space = 667sqft
- occupancy load (Business Use) 100sqft/person = 9
Performance Space and Stage = 705 sqft
- occupancy load (Assembly Use: Less Concentrated Use / stage) 15sqft/person = 47
TOTAL OCCUPANCY LOAD = 56
7.4.1.1 - Two means of egress shall be provided.
7.5.1.3.3 - The Exits shall be separated by a minimum of 1/3 of the overall diagonal of the space.
CHAPTER 8
8.2.1.2 - Construction Type shall be II (200)
CHAPTER 9 Business Occupancies
38.2.2.2.2 - Locks on entrance/exit doors shall comply.
38.2.2.6 - Ramp complies (see details)
38.2.3.2 - With occupancy over 50 people the clear width of corridor and means of egress shall be 44" min.
38.2.4.3 - A single Exit is allowable per this section, however two are provided that meet all requirements to.
38.2.4.5 - A single Exit is allowable per this section, however two are provided that meet all requirements.
38.2.4.6 - A single Exit is allowable per this section, however two are provided that meet all requirements.
38.2.5.2.1 - Dead end corridors may be a maximum of 50'. (note: no dead end corridors exist in proposed layout)
38.2.5.3.2 - Common Path of Travel shall not exceed 100'.
38.2.6.3 - Travel distance to exit shall not exceed 300'
38.2.9 - Means of egress path shall be illuminated.
38.3.4.1 - A fire alarm system is not required.
38.3.5 - Fire Extinguishers provided.



2 | KEY PLAN
SCALE: 1/16"=1'-0"



1 | LIFE SAFETY PLAN
SCALE: 1/16"=1'-0"

Owner: Patrick Corrigan, 107 Hanover St, PORTLAND, MAINE (207) 450-8187

Project: 107 HANOVER ST. STUDIOS, 107 Hanover St, PORTLAND, MAINE

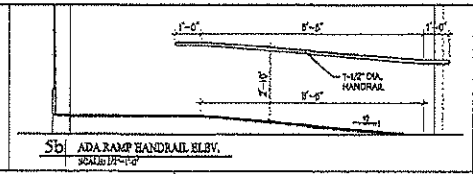
Submission: DAWGS - CODE REVIEW

Scale: AS NOTED

Date: 25 JAN 2016

LIFE SAFETY and CODE REVIEW

LS1



5b ADA RAMP HANDRAIL ELEV.
SCALE: 1/4"=1'-0"

DOOR SCHEDULE

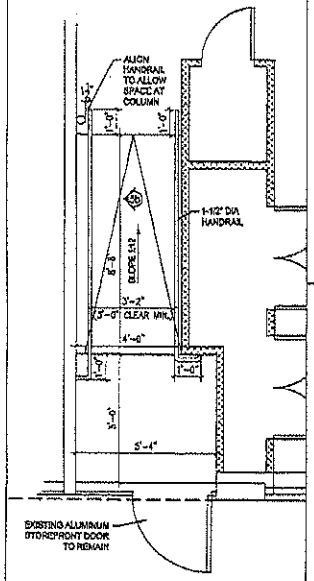
DOOR No.	NEW / EXISTING	SIZE W x H x T	DOOR Type	DOOR Material	HARDWARE	FRAME Material	RATING	REMARKS
A	NEW	3'-0" x 6'-8" x 1 3/4"	1	R. C. Oak Veh.	Lever Handle, Closer	Wood		
B	NEW	3'-0" x 6'-8" x 1 3/4"	1	Steel, Metal	Lever Handle, Kick Plate, Closer	Metal		Double-acting door
C	NEW	3'-0" x 6'-8" x 1 3/4"	1	R. C. Oak Veh.	Lever Handle, Closer	Wood		
D	NEW	3'-0" x 6'-8" x 1 3/4"	1	H.C. Wood	Knob with keyed lock	Wood		
E	NEW	(2) 2'-0" x 6'-8" x 1 3/8"	2	H.C. Wood	Knob with keyed lock	Wood		
F	EXISTING	3'-0" x 6'-8" x 1 1/2"	1	Aluminum	Push Pull Hardware, Weather Stripping, Alum Finish	Alum		Existing Door to remain
G	NEW	3'-0" x 6'-8" x 1 3/4"	1	R. C. Oak Veh.	Lever Handle, Kick Plate, Closer, push button lock	Wood		
H	NEW	3'-0" x 6'-8" x 1 3/4"	1	R. C. Oak Veh.	Lever Handle, Kick Plate, Closer, push button lock	Wood		

TYPE 1 TYPE 2

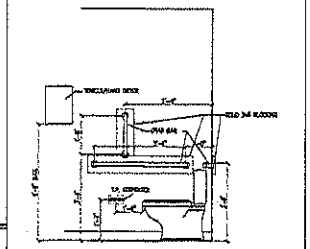
ILLUMINATED EXIT SIGN
EMERGENCY LIGHTING
EXIT/LIGHTING COMBO
HORN/STROBE
EXIT EXTINGUISHER

NEW 2x4 AND 2x6 OVP WALL TO UNDERSIDE OF ROOF DECK
NEW 2x4 AND 2x6 OVP WALL 8' HIGH
EXISTING WALL

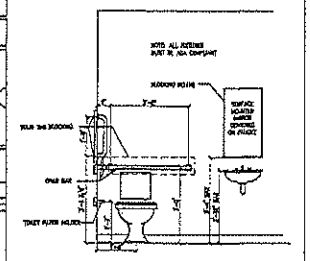
OFF CENTER/OFFICE SPACE = 640sqft.
= occupancy load 100sqft/person = 6
TABLE + CHAIR SEATING/DECK = 700 sqft.
= occupancy load 15sqft/person = 47
TOTAL OCCUPANCY LOAD = 54



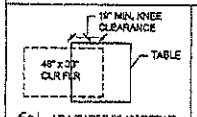
5a ADA RAMP PLAN
SCALE: 1/2"=1'-0"



4a ADA BATHROOM ELEVATION DETAILS
SCALE: 1/2"=1'-0"

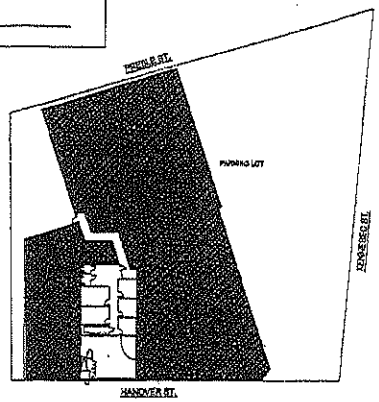


4b ADA BATHROOM ELEVATION DETAILS
SCALE: 1/2"=1'-0"

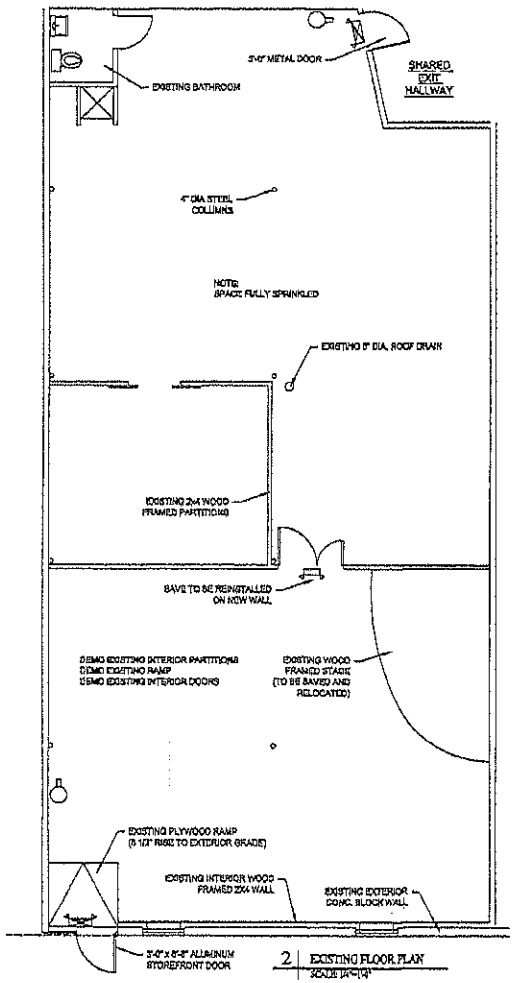


6a ADA TABLE PLAN DETAIL
SCALE: 3/4"=1'-0"

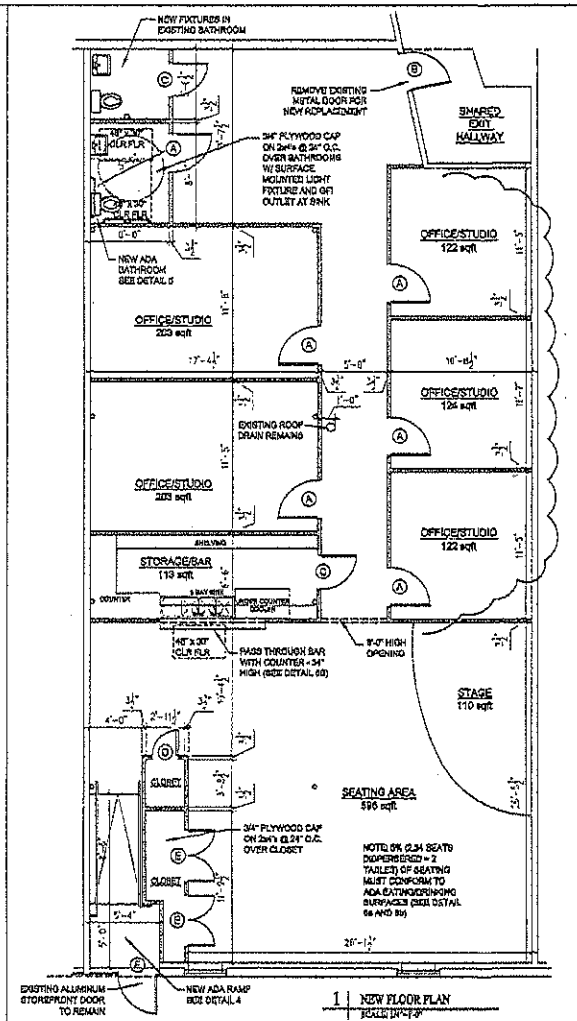
6b ADA TABLE/BAR SECTION
SCALE: 3/4"=1'-0"



3 KEY PLAN
SCALE: 1/16"=1'-0"



2 EXISTING FLOOR PLAN
SCALE: 1/4"=1'-0"



1 NEW FLOOR PLAN
SCALE: 1/4"=1'-0"

Patrick Corrigan
107 Hanover St.
PORTLAND, MAINE
(207) 450-9187

Project: 107 HANOVER ST. STUDIOS
107 Hanover St. PORTLAND, MAINE

Revisions: 04/08/16 - CODES REVIEW

Scale: AS NOTED

Date: 25 JAN 2016

EXISTING SPACE and PROPOSED FIT-UP

A1

APOHADION THEATER
SAMPLE MENU

Chips
(from Vintage Maine Kitchen based in Freeport Maine)

Popcorn
(from Little Ladds based in Cornith Maine)

Crumb Tarts
(from Oats Any Time based in Newport Maine)

Tea
(from Homegrown Herb and Tea based in Portland Maine)

Portland Maine | Yes. Google's good here.

Janice Gardner <jgardner@portlandmaine.gov>

Apohadion Theater - 107 Hanover St.

Gary Rogers <garyr@portlandmaine.gov> Fri, May 27, 2016 at 11:10 AM
To: "Janice Gardner (Business Licensing)" <bl@portlandmaine.gov>

Police approve

On Tue, May 24, 2016 at 11:24 AM, Janice Gardner (Business Licensing) <bl@portlandmaine.gov> wrote:
[Quoted text hidden]

--
Commander Gary Rogers
Portland Police Department
109 Middle Street
Portland, Maine 04101
(207) 874-8546

Order 321-15/16
Tab 19 6-28-16

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

CITY OF PORTLAND
IN THE CITY COUNCIL

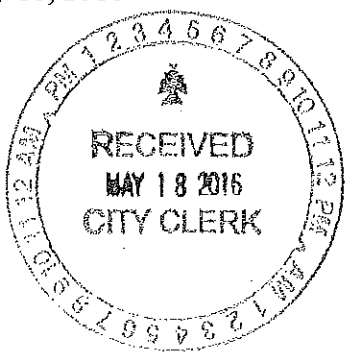
DAVID BRENERMAN (5)
JILL C. DUSON (A/L)
JON HINCK (A/L)
NICHOLAS M. MAVODONES, JR. (A/L)

ORDER
GRANTING MUNICIPAL OFFICERS' APPROVAL OF:

Scales LLC d/b/a Scales. Application to add Outdoor Dining on Private Property at 68-70 Commercial St.

Dana Street
Scales Restaurant
68 Commercial St

May 16, 2016



Mayor
Members of City Council
City of Portland

Dear Sirs,

As the owner of Scales restaurant, I would like to apply for a permit to provide seasonal patio seating outside of, and contiguous to, the restaurant. We would use it to serve both lunch and dinner during the summer months.

The area is defined by a 24' by 40' rectangle that sits between two buildings on Maine Wharf. The addresses of the buildings are as follows: building A is 68 Commercial St. and building B is 72 Commercial St. The area is privately owned and is described in our lease. This area would be fenced off, and access to the patio would come solely from the restaurant interior.

Please see attached diagrams.

Thank you,

Dana Street

Portland, Maine | Yes. Life's good here.

Office of the City Clerk • 389 Congress St. • Portland, ME 04101 • (207) 874-8557

RECEIVED
MAY 18 2016
CITY CLERK

Application for Food Service Establishment with Alcoholic Beverages License

Business Information			
Business Name (d/b/a):	Scales LLC	Phone: 207	805-0444
Location Address:	68 Commercial Street Portland, ME Zip: 04101		
If new, what was formerly at this location:	N/A		
Mailing Address:	72 Commercial St Bldg # 5 Portland ME Zip: 04101		
Contact Person:	Jay Serrano	Phone: 207	786-4224
Contact Person Email:	~~JSE~~ jserrano@streetdining.com		
Manager of Establishment:	Michael Burke	Phone: 207	805-0444
Owner of Premises (Landlord):	Maine Wharf LLC		
Address of Premises Owner:	P.O. Box 535 Buxton, ME Zip: 04093		

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		
Scales LLC	72 Commercial St Bldg 5 Portland, ME Zip: 04101		
Contact Person:	Cindy Thayer	Phone: 207	761-0380

Principal Officers	Title	Date of Birth	Residence Address
Dana Street	President	11/5/47	110 Park St, Portland, ME 04101
Victor Leon	Secretary	8/27/48	577 Bridge Street, Dedham, MA 02026
Sam Hayward	N/A	2/4/49	102 Brown's Point Rd. Bowdoinham, ME 04008

About Your Establishment

Class of Liquor License:	Class I Restaurant / Catering
Type of food served:	Traditional Seafood + Land Fare
Please circle all that will be served:	(Beer) (Wine) (Liquor)
Projected percentage of sales:	Generated from Food: 73% Generated from Alcohol: 27%
Hours & days of operation:	11-2:30 5-10:30 7days/week

QUESTIONS	Y/N
Will full-course meals, only capable of consumption with the use of tableware, be served the entire time the establishment is open?	(Y)/N
If No, please explain: We are potentially thinking of serving Raw Bar Between 2:30-5	
Is the establishment less than 300 feet from a school, dormitory, church or parish house, or similar establishment?	Y/(N)
If yes, give the distance:	
Will you have entertainment on the premises? (If yes, a Supplemental Application for Dancing & Entertainment is required.)	Y(N)
Will you permit dancing on the premises?	Y(N)
Will you permit dancing after 1:00 a.m.?	Y(N)
Will you have outside dining? (If yes, an Outdoor Dining Application is required)	(Y)/N
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)
If yes, please list: # of pinball machines: _____ # of amusements: _____ # of pool tables: _____	
What is your targeted opening date?	
Does the Issuance of this license directly or indirectly benefit any City employee(s)?	Y(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
If Yes, please list business name(s) and location(s): Dana Street / Victor Leon / Sam Hayward - Dana Street / Victor Leon - Street 'i Company 33 wharf St. Portland Fore Street 288 Fore St, Portland	
Is any principal officer under the age of 21?	Y(N)
Have applicant, partners, associates, or corporate officers ever been arrested, indicted, or convicted for any violation of law?	Y/(N)
If Yes, please explain:	

I Dana Street 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 Pres Date 5 16 16

For more information about Liquor Licenses, see Portland City Code Chapter 15 at www.portlandmaine.gov and M.R.S.A. Title 28-A at www.maine.gov

Outdoor Dining Permit Application

If you or the property owner owes real estate or personal property taxes or user charges on any property within the City, payment arrangements must be made before permits of any kind are accepted.

Check all that apply: ☑ **New** Application for Outdoor Dining
or ☐ **Renewal** Application for Outdoor Dining
☑ Application for dining on **Private Property**
☐ Outdoor Dining in a **Public Park** ☐ If **Renewal,** are there changes to previous permit?
☐ Outdoor Dining in a **Historic District** ☐ Yes ☐ No
☐ **Petition** for Exception for Special Circumstances
☐ **Liquor License** required?
City Clerk signature for liquor license approval: _____
DRB Landing Council Date: 6/20/16

Location Name & Address: Scales Restaurant 68 Commercial St, Portland, ME 04101	**Chart** 30	**Block** P	**Lot** 1
Owner Name: Dana Street **Owner Phone #:** 207-318-9100	**Total Square Footage of Proposed Outdoor Dining Area:**[1] 914		
Applicant *must* be owner or lessee Name: Dana Street Address: 110 Park Street City, State & Zip: Portland, ME 04101 E-Mail: Dstreet@streetdining.com	Fee: $80 (Public-Annual) $125 (Private-1X) Total Sq. Ft.: 914 Sq. Ft. Fee: (sq ft x $2) $ 1828 (sq ft x $6 for public parks) **Total Fees:** $ 1953 **(Permit not issued until all fees are paid)**		

Current use: N/A
Business name: Scales
Seating area dimensions: 110 x 14
How many chairs? 24 How many tables? 6
☑ Yes Alcohol is served.
☐ No Alcohol being served.

Who should we contact: Jay Serrano Phone: 207 756-4229
Address: 68 Commercial Street, Portland, ME 04101 E Mail: jserrano@streetdining.com

Please submit all of the information outlined in the Outdoor Dining Application Checklist. Failure to do so will result in the automatic denial of your permit. New applications and renewals are reviewed on an annual basis and should be submitted no later than June 1st.

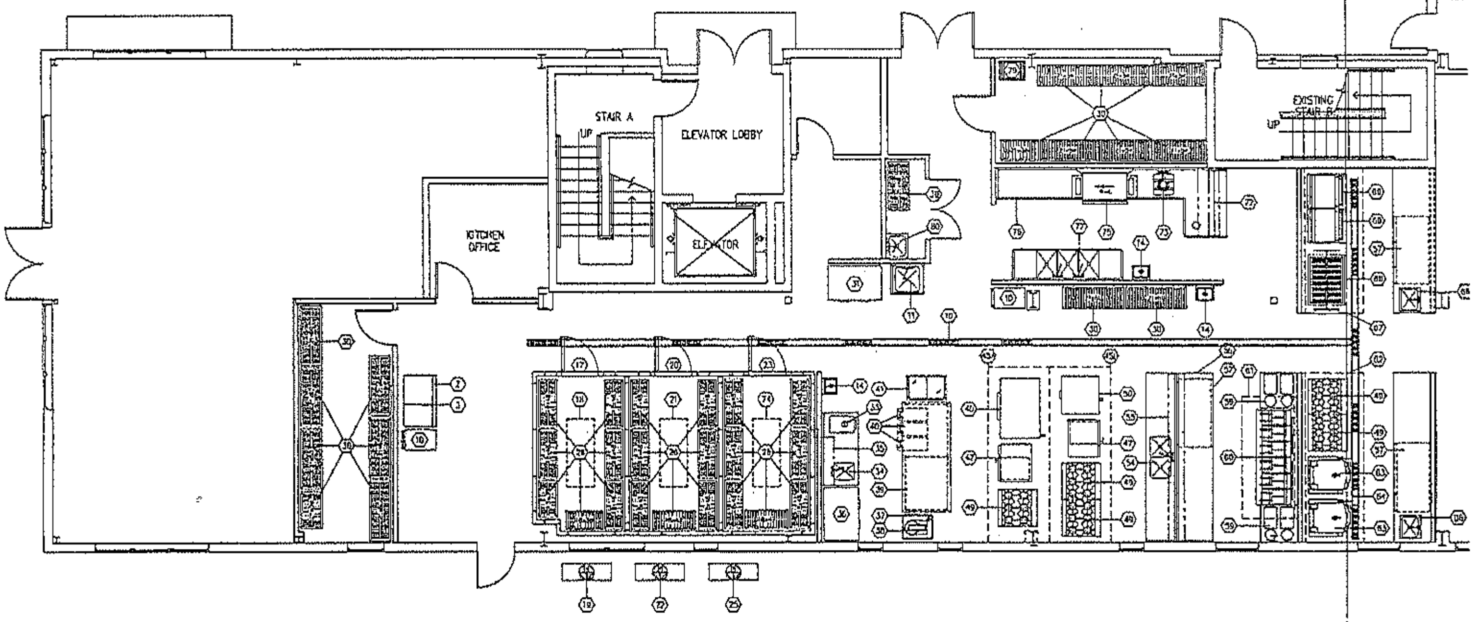
In order to be sure the City fully understands the full scope of the project, the Planning and Development Department may request additional information prior to the issuance of a permit. For further information visit us on-line at www.portlandmaine.gov, stop by the Building Inspections office, room 315 City Hall or call 874-8703.

I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the Code Official's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

Signature of Applicant: _____ Date: 5 16 16

[1] *In no instance shall the total square footage of dining area equal more than 10% of park space, unless the applicant receives a waiver from the Director of Parks and Recreation or his or her designee.*

 This is not a permit; you may not commence ANY work until the permit is issued.



1 | FIRST FLOOR PLAN

EQUIPMENT SCHEDULE

NO.	QTY	DESCRIPTION
1	—	— SPARE NUMBER —
2	1	ICE STORAGE BIN
3	1	ICE CUBER
4	—	— SPARE NUMBER —
5	—	— SPARE NUMBER —
6	—	— SPARE NUMBER —
7	—	— SPARE NUMBER —
8	—	— SPARE NUMBER —
9	—	— SPARE NUMBER —
10	2	UTILITY CART
11	1	SINK, 1-COMPARTMENT
12	—	— SPARE NUMBER —
13	—	— SPARE NUMBER —
14	3	HAND SINK
15	—	— SPARE NUMBER —
16	1	FLOOR TROUGH
17	1	WALK-IN COOLER
18	1	EVAPORATOR COIL, COOLER
19	1	COMPRESSOR, COOLER
20	1	WALK-IN COOLER
21	1	EVAPORATOR COIL, COOLER
22	1	COMPRESSOR, COOLER
23	1	WALK-IN COOLER
24	1	EVAPORATOR COIL, COOLER
25	1	COMPRESSOR, COOLER
26	21	SHELVING UNIT
27	—	— SPARE NUMBER —
28	—	— SPARE NUMBER —
29	—	— SPARE NUMBER —
30	17	SHELVING UNIT
31	1	FREEZER, 2-SECTION
32	—	— SPARE NUMBER —
33	1	BATCH ICE CREAM FREEZER
34	1	WORK TABLE W/SINK
35	2	WALL SHELF
36	1	REFRIGERATOR, 2-SECTION
37	1	MIXER STAND
38	1	MIXER, 20-QUART
39	1	WORK TABLE, WOOD TOP
40	3	INGREDIENT BIN
41	1	ICE CREAM DIPPING CABINET
42	—	— SPARE NUMBER —
43	—	— SPARE NUMBER —
44	—	— SPARE NUMBER —
45	1	EXHAUST HOOD
46	1	OVEN, PIZZA
47	2	[illegible]-OVEN, DOUBLE
48	—	— SPARE NUMBER —
49	5	RANGE, 6-BURNER
50	1	OVEN, CONVECTION, GAS
51	—	— SPARE NUMBER —
52	—	— SPARE NUMBER —
53	—	— SPARE NUMBER —
54	1	WORK TABLE W/SINKS
55	1	[illegible], DOUBLE
56	1	WORK TABLE
57	3	REFRIGERATOR, UNDERCOUNTER
58	—	— SPARE NUMBER —
59	2	HEATING CABINET
60	1	FRYER BATTERY W/BUILT-IN FILTER
61	1	EXHAUST HOOD
62	1	EXHAUST HOOD
63	2	TILTING SKILLET, 30-GALLON
64	—	— SPARE NUMBER —
65	—	— SPARE NUMBER —
66	2	SINK, 1-COMPARTMENT, DROP-IN
67	1	EXHAUST HOOD
68	1	[illegible] GRILL
69	2	[illegible]
70	—	— SPARE NUMBER —
71	—	— SPARE NUMBER —
72	1	DISHTABLE, SOILED
73	1	DISPOSER
74	—	— SPARE NUMBER —
75	1	DISHWASHER, CONVEYOR-TYPE
76	1	DISHTABLE, CLEAN
77	1	SINK, 3-COMPARTMENT
78	—	— SPARE NUMBER —
79	1	SHEET PAN RACK
80	1	MOP SINK
81	—	— SPARE NUMBER —
82	—	— SPARE NUMBER —
83	—	— SPARE NUMBER —
84	—	— SPARE NUMBER —
85	2	UNDERBAR, HAND SINK
86	2	UNDERBAR, ICE BIN
87	2	UNDERBAR, SPEED RAIL
88	2	UNDERBAR, DRY WASTE CHUTE
89	2	UNDERBAR, BLENDER STATION
90	2	UNDERBAR, [illegible]/GLASS RACK
91	2	UNDERBAR, SINK, 3-COMP
92	2	REFRIGERATED SANDWICH UNIT
93	2	BACK BAR COOLER
94	2	DISHWASHER, UNDERCOUNTER
95	1	BACK BAR COOLER
96	1	WORK COUNTER
97	2	UNDERBAR, SODA GUN HOLDER
98	2	INDUCTION COOK TOP
99	1	SINK, 1-COMPARTMENT, DROP-IN

NOTES:

1. ELECTRICAL CONTRACTOR TO RUN CONTROL WIRING BETWEEN EVAPORATORS AND REMOTE CONDENSING UNITS FOR WALK-IN COOLER AND FREEZER. CO-ORDINATE WITH KITCHEN EQUIPMENT CONTRACTOR (KEC).

2. ELECTRICAL CONTRACTOR TO INSTALL SEAL-OFF FITTINGS ON ALL CONDUIT PENETRATING WALK-IN COOLER AND FREEZER.

3. ELECTRICAL CONTRACTOR TO PROVIDE 115 VOLT W/P RECEPTACLE IN FREEZER FOR DRAIN LINE HEAT TAPE. HEAT TAPE FURNISHED AND INSTALLED BY ELECTRICAL CONTRACTOR.

4. PLUMBING CONTRACTOR TO INSTALL VACUUM BREAKER, SOLENOID VALVE, AND FLOW CONTROL VALVE (FURNISHED) IN COLD WATER LINE TO DISPOSER.

5. KITCHEN EQUIPMENT CONTRACTOR TO PROVIDE GAS REGULATING VALVES FOR ALL GAS OPERATED KITCHEN EQUIPMENT.

6. FLOOR DRAIN REQUIRES FLOW RATE OF 5 G.P.M.

7. PLUMBING CONTRACTOR TO INSTALL ALL DRAINS AND FAUCETS SUPPLIED BY KITCHEN EQUIPMENT CONTRACTOR.

8. PLUMBING CONTRACTOR TO FURNISH AND INSTALL ALL INDIRECT DRAIN INTERPIPING TO FLOOR DRAINS.

9. PLUMBING CONTRACTOR TO INSTALL GAS REGULATORS ON ALL GAS EQUIPMENT. REGULATORS BY K.E.C.

10. PLUMBING CONTRACTOR TO IGNITE ALL GAS PILOTS AND ASSIST K.E.C. AND FACTORY REP'S IN START-UP AND DEMONSTRATION OF EQUIPMENT.

11. ELECTRICAL CONTRACTOR TO INTERWIRE SOLENOID VALVE AND CONTROL PANEL TO DISPOSER.

12. GENERAL CONTRACTOR TO PROVIDE ALL REQUIRED WALL BACKING AS DIRECTED BY K.E.C.

13. GENERAL CONTRACTOR TO PROVIDE ALL REQUIRED SLEEVES THROUGH BUILDING FOR REMOTE REFRIGERATION LINES. REFRIGERATION LINES BY K.E.C.

Project North
W E S

Prepared for: TEXT
Address City, State

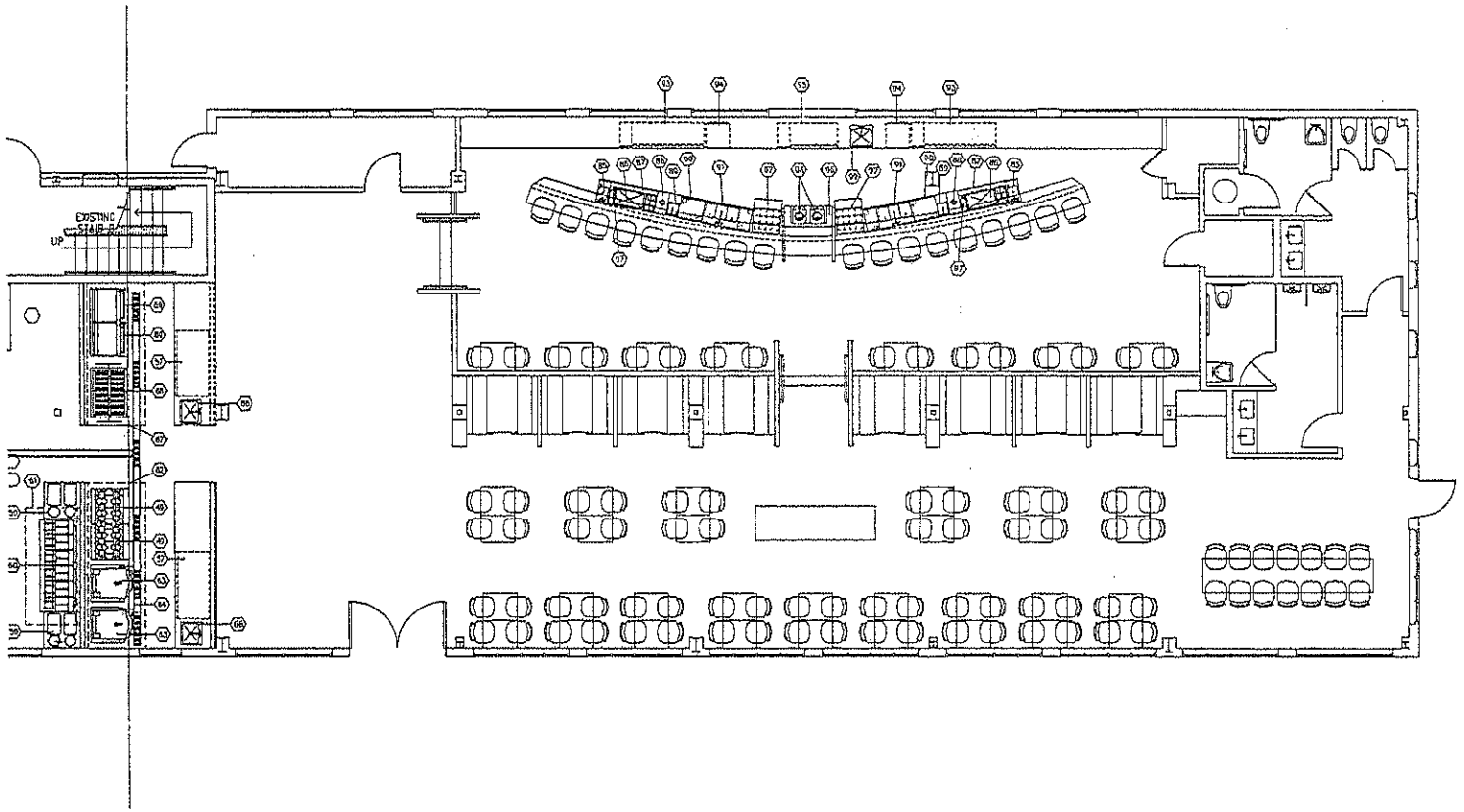
ARCHETYPE architects

Project: **Maine Wharf Restaurant**

Date: 12 Nov. 2014
Scale: 1/4" = 1'-0"

Foodservice Equipment Floor Plan & Schedule

FS-1A



1 FIRST FLOOR PLAN

Project North

W E S

Project: Maine Wharf Restaurant

Architect: ARCHETYPE Architects

Engineer

Address

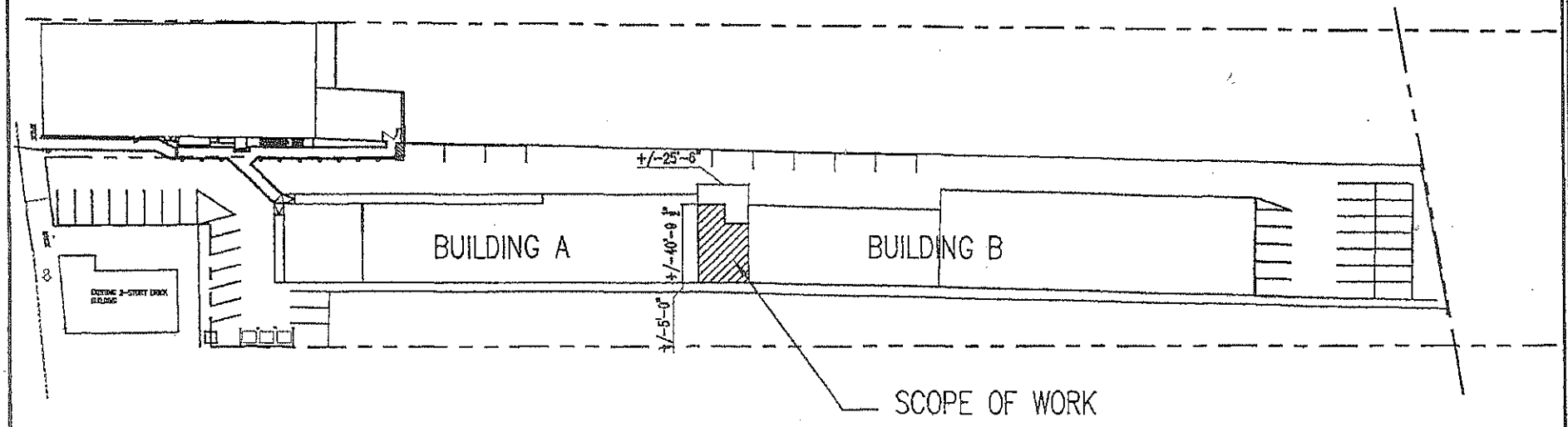
TENT

Date: 12 Nov., 2014

Scale: 1/4" = 1'-0"

Foodservice Equipment Floor Plan & Schedule

FS-1B



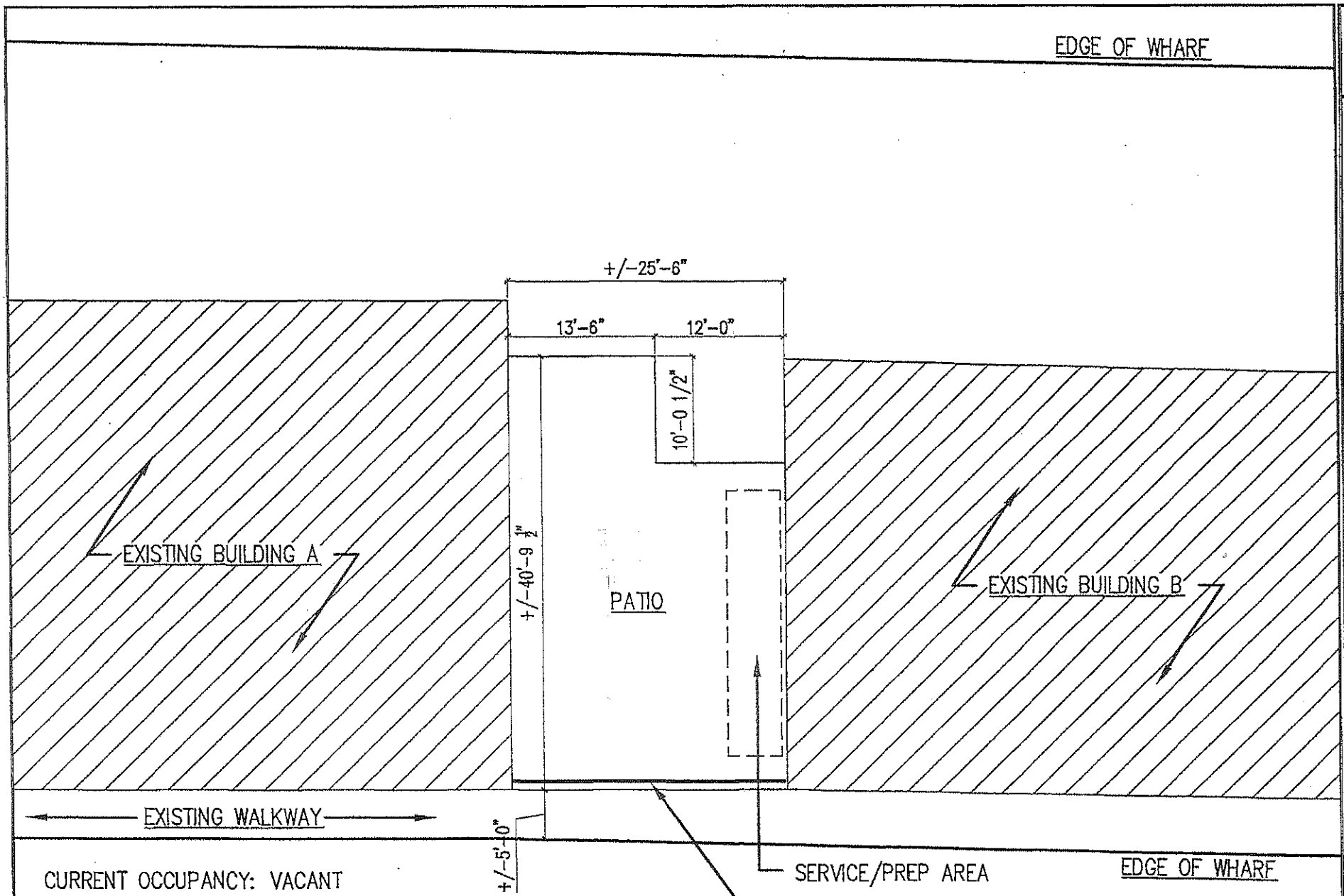
Architect
48 Union Wharf Portland, Maine 04101
(207) 772-6022 Fax (207) 772-4056

Date: 06.17.2016
Scale: NOT TO SCALE

SCALES PATIO

Project
SCALES
48 COMMERCIAL STREET
PORTLAND, MAINE

S1.00



CURRENT OCCUPANCY: VACANT
PROPOSED OCCUPANCY: ASSEMBLY (A2)
OCCUPANCY LOAD:1 PERSON PER 15 SQFT
PATIO TOTAL SQFT = 921 SQFT
750 / 15 = 50
TOTAL OCCUPANCY = 50

48 Union Wharf Portland, Maine 04101
(207) 772-5022 Fax (207) 772-4656

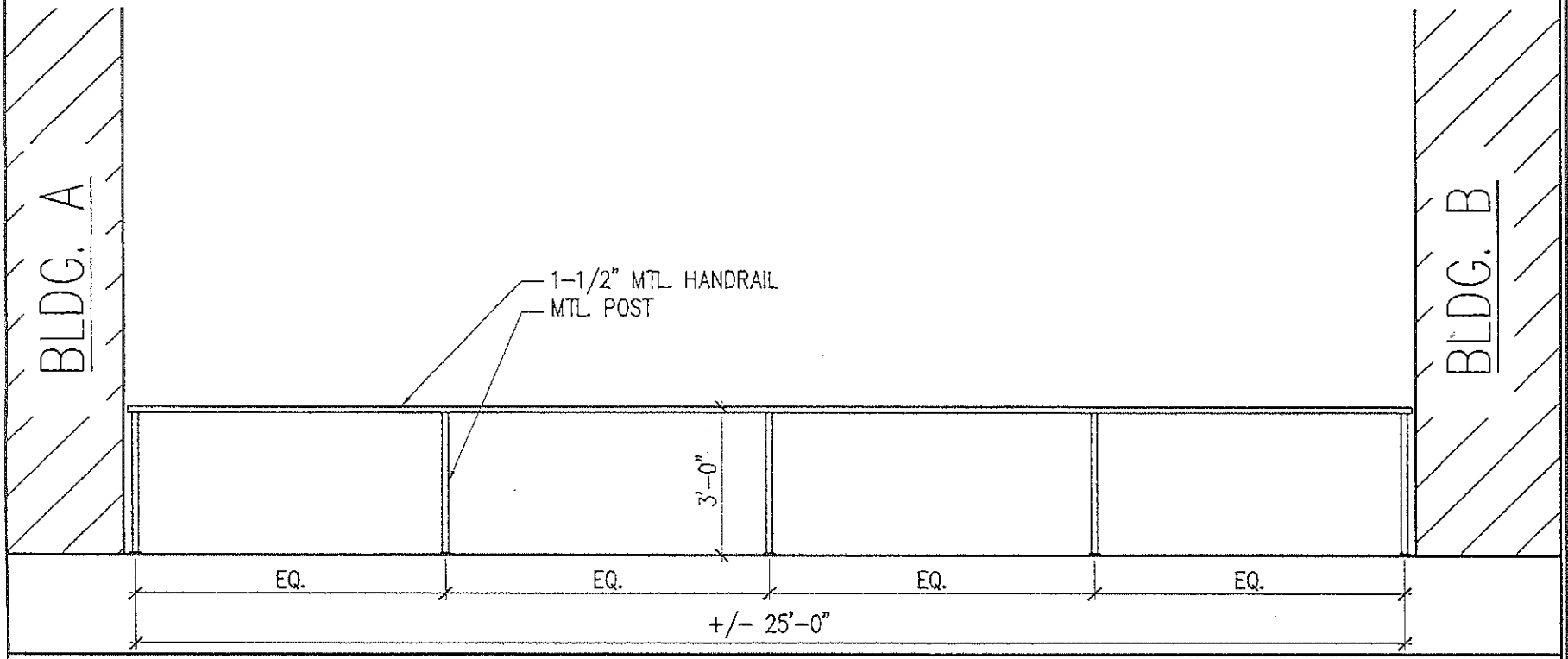
Date 06.17.2016 Scale 1/8" = 1'-0"

SCALES PATIO

SCALES

43 COMMERCIAL STREET PORTLAND, MAINE

S1.01



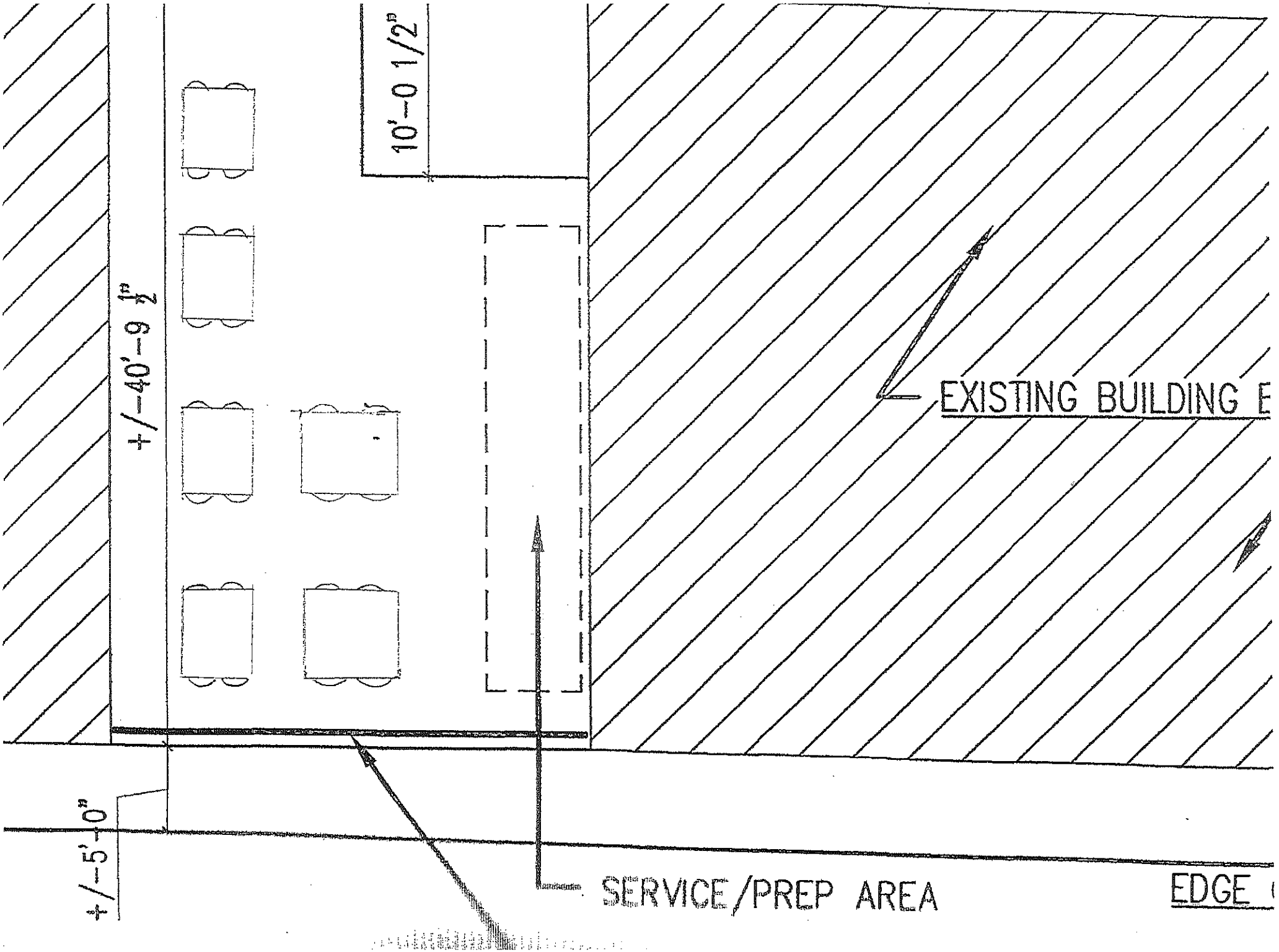
Project: SCALES
64 COMMERCIAL STREET
PORTLAND, MAINE

Date: 06.17.2016
Scale: 1/8" = 1'-0"

1 - HANDRAIL ELEVATION

Architect
48 Union Wharf Portland, Maine 04101
(207) 772-6922 Fax (207) 772-4056

S1.02


10'-0 1/2"
+/-40'-9 1/2"
EXISTING BUILDING E
+/-5'-0"
SERVICE/PREP AREA
EDGE

Portland Maine | Yes. Google's good here.

Janice Gardner <jgardner@portlandmaine.gov>

Scales - Adding Outdoor Dining

Gary Rogers <garyr@portlandmaine.gov> Fri, May 27, 2016 at 11:21 AM
To: "Janice Gardner (Business Licensing)" <bl@portlandmaine.gov>

Police approve

On Tue, May 24, 2016 at 2:21 PM, Janice Gardner (Business Licensing) <bl@portlandmaine.gov> wrote:
[Quoted text hidden]

--
Commander Gary Rogers
Portland Police Department
109 Middle Street
Portland, Maine 04101
(207) 874-8546

Resolve 9-15/16
Tab 20 6-20-16

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)

RESOLVE TO ENDORSE AND ENSURE TRANSGENDER INCLUSION IN THE CITY HEALTH CARE PLAN

WHEREAS, the federal Affordable Care Act and federal Health and Human Services rulemaking, which govern the health insurance large employers must provide to employees, have established that non-discrimination against transgender persons be a part of health care plans; and

WHEREAS, transgender healthcare is already covered by 11 percent of all large employer health insurance plans, and is also already covered by 29 percent of all jumbo employer health insurance plans, a category of employers with more than 20,000 employees; and

WHEREAS, the finalized regulations by the federal Department of Health and Human Services' Office for Civil Rights will significantly expand the coverage required to be provided to transgender individuals starting January 1, 2017; and

WHEREAS, President Barack Obama has announced that transgender federal government employees will no longer face exclusions for transgender health care services, and the federal Medicare program has adopted new rules that now provide for these services on a case by case basis, as determined to be medically necessary;

WHEREAS, more than 60 cities across the country have removed exclusions for transgender health coverage for their employees, including San Diego, Atlanta, Chicago, Detroit, Buffalo, Cincinnati, Philadelphia, as well as our New England neighbors in Boston, Cambridge, Worcester, Providence, and Burlington; and

WHEREAS, the City of Portland seeks to attract and retain the best and brightest employees, and joining the ranks of employers offering competitive and non-discriminatory health care benefits advances that goal; and

WHEREAS, the Portland City Council desires to make clear its support for health care services for transgender people in order to protect the health, safety and the quality of the life for all the residents in the City; and

WHEREAS, the Portland City Council seeks to ensure that all City employees health care needs are addressed; and

WHEREAS, the Portland City Council supports the provision of health care services for all transgender people in the City of Portland; and

WHEREAS, it is the public policy of the City of Portland to prohibit discrimination against transgender people; and

NOW THEREFORE, BE IT RESOLVED, that the City Council hereby endorses and encourages the City Manager or his/her designee to fully implement the amendment to the City's health care plan by ensuring that the exclusions therein for transgender health care services are removed for City employees.

Order 265B-15/16
Tab 21 6-20-16

Order 265-15/16
Amended to divide the order into Forest Avenue Amendments, Order 265A, Washington Avenue Amendments, Order 265B: 7-2 (Thibodeau, Suslovic) on 6/6/2016
Passage as an Emergency of Forest Avenue Amendments, Order 265A: 9-0 on 6/6/2016
Effective 6/6/2016
Washington Avenue Amendments, Order 265B, postponed to June 20, 2016: 7-2 (Suslovic, Hinck) on 6/6/2016

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

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

TRAFFIC SCHEDULE AMENDMENTS
RE: WASHINGTON AVENUE TRAFFIC

ORDERED, that the City of Portland's Traffic Schedule be and hereby is amended as follows:

Deleted: **Washington Avenue** - From a point 110 feet easterly of Ocean Avenue to Presumpscot Street Parking is prohibited between the hours of 7:00 A.M. and 9:00 A.M. **Schedule III – Restricted Parking**

Added: **Washington Avenue** – Southside - From a point 110 feet easterly of Ocean Avenue to a point 82 feet easterly of West Kidder Street. – **Schedule I – No Parking**

Added: **Washington Avenue**– Southside- From Johansen Street to Presumpscot Street - **Schedule I –No Parking**

Deleted: **Washington Avenue** - Northside - From a point 80 feet westerly of Presumpscot Street to a point 145 feet easterly of Ray Street. Parking prohibited between the hours of 4:00 P.M. to 6:00 P.M. **Schedule VII - Restricted Parking**

Added: **Washington Avenue**– Northside - From Presumpscot Street to a point 170 feet westerly of Presumpscot Street – **Schedule 1 – No Parking**

Added: **Washington Avenue** – Northside - From Ocean Avenue to a point 145 feet easterly of Ray Street. Parking prohibited between the hours of 4:00 P.M. to

6:00 P.M.

Schedule VII – Restricted Parking

Deleted: **Washington Avenue** - Northside - From a point 28 feet easterly of Oakley Street to a point 25 feet westerly of Oakley Street. **Schedule I – No Parking**

Added: **Washington Avenue**– Northside - From a point 177 feet easterly of Oakley Street to Ocean Avenue – **Schedule 1 – No Parking**

MEMORANDUM
City Council Agenda Item

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

FROM: **Bruce Hyman, Transportation Program Manager**

DATE: **6/13/2016**

SUBJECT: **Endorse** Amendment to Traffic Schedule - Washington Avenue

SPONSOR: Jon Jennings, City Manager

COUNCIL MEETING DATE ACTION IS REQUESTED:
1st reading_____5/16/2016_____ Final Action__ 6/13/2016____

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

Staff is seeking amendments to the traffic schedule on Washington Avenue in order to finalize the design plans for a paving project scheduled for construction in mid-July.

This is a two-read item; its first reading was 6/6/13. The Washington Avenue portion of the order was bifurcated from the Forest Avenue portion and postponed until the 6/20/16 Council meeting.

The changes to parking are also being taken to enable an expansion of the bicycle lane network on Washington Avenue.

PRESENTATION: None

I. ONE SENTENCE SUMMARY

The Department of Urban Planning & Development is seeking Traffic Schedule changes to parking from Presumpscot Street to Ocean Avenue to enable bike lanes to be striped as part of the paving project that will commence on Washington Avenue in July 2016.

II. AGENDA DESCRIPTION

Staff is seeking Council endorsement to amend the Traffic Schedule in certain locations on Washington Avenue to facilitate active transportation improvements in conjunction with paving projects to reduce the financial impact and to accomplish the changes in a timely manner.

II. BACKGROUND

The Portland Area Comprehensive Transportation System (PACTS), the regional Metropolitan Planning Organization (MPO), funded a planning study entitled the Bike Network Expansion for the feasibility and implementation of the 2009 Regional Bicycle & Pedestrian Plan Update and the Pedestrian and Bicycle Chapter of the 2012 Portland Comprehensive Plan. Significant data collection was performed including parking and traffic counts and analysis of crash data on Washington Avenue.

There are also several blocks of Washington Avenue that have low-parking utilization based on parking counts that can be allocated to other uses to increase the transportation efficiency on these key travel corridors.

City staff coordinated a working group session with the public and stakeholders to develop the proposed street cross sections and produced concept layouts for Washington Avenue. City staff then held public meetings on April 12, 2016 and May 5th, 2016 to gather public input on the proposed pavement marking and parking changes. Staff determined there was a sufficient amount of public support to move forward and took the public's comments into account to finalize the proposed designs and have determined that changes to the Traffic Schedule are essential to the implementation of the proposed roadway reconfigurations.

IV. INTENDED RESULT AND OR COUNCIL GOAL ADDRESSED

Amendments to the Traffic Schedule will allow new roadway reconfigurations to be implemented as part of a paving project on Washington Avenue to increase transportation options and efficiency on a major travel corridor in Portland.

V. FINANCIAL IMPACT

There will be minimal costs associated with additional striping and signage on Washington Avenue which will be covered by an upcoming paving project.

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

Based on seven parking counts on Washington Avenue, average parking utilization is approximately 1.5% in the morning and less than 2% in the evening due to the availability of off-street parking at residential homes. Replacing the underutilized parking in key locations with high quality bicycle facilities on Washington Avenue will allow for the street space to be used more efficiently and actively providing a new transportation option along a major travel corridor in Portland.

There were also 35 bicycle crashes from 2005-2015 on the Washington Avenue corridor as a whole from Allen Avenue to Veranda Street. Cyclists are currently using the existing

parking lanes as bike lanes because there is such low parking demand and utilization. When cyclists encounter a parked car they have to go out into the travel lane to go around the vehicle. Striping buffered bike lanes on Washington Avenue would allow for more predictability and thus a safer environment for cyclists and vehicles on this roadway.

VII. RECOMMENDATION

Staff is recommending the Council endorse amendments to the Traffic Schedule to allow for the reconfiguration of Washington Avenue by removing parking in strategic locations (from Ocean Avenue to Presumpscot Street) in order to mitigate existing safety issues and increase transportation options on this major corridor. Parking would be retained in areas with demand including the frontage of St. Peter's Church and between Oakley Street and Presumpscot Street.

VIII. LIST ATTACHMENTS

1) **Washington Avenue layouts: proposed bicycle lane concept**
2) **Washington Avenue layout: shared lane marking alternative (6/13/16)**

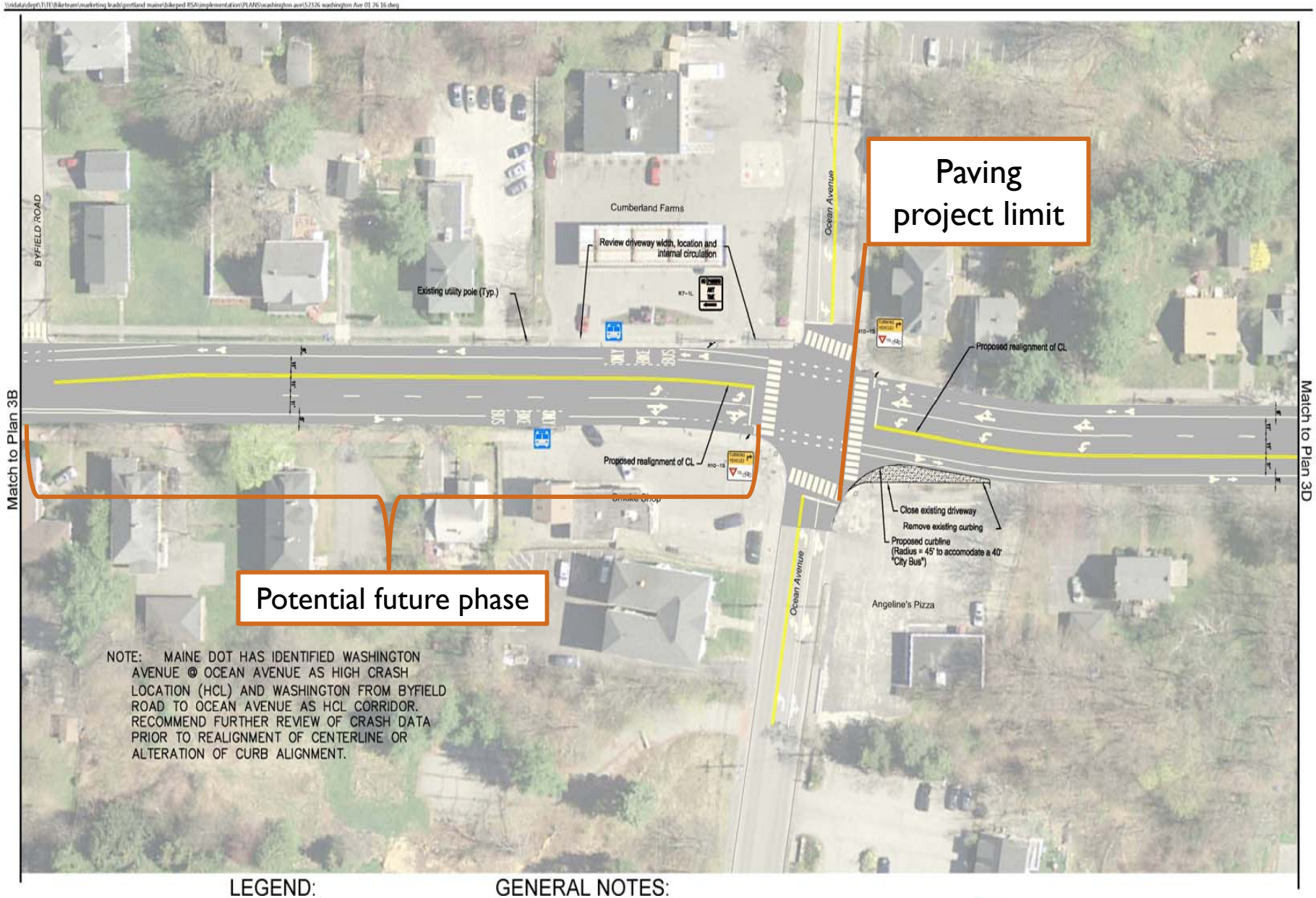
Prepared by: Kristine Keeney (updated by Bruce Hyman)
Date: 5/2/16 rev. 6/13/16

Bean/agendarequestmemo/rev 11/2015

PROPOSED STRIPING CHANGES TO WASHINGTON AVENUE

From Ocean Avenue to Presumpscot Street

Transportation Division



LEGEND:

EXISTING TRANSIT STOPS

GENERAL NOTES:

1. BUS/BIKE TURN LANE LENGTH NOMINAL 50'
2. BIKE LANE BUFFER DISCONTINUED ON APPROACH TO RIGHT TURNS TO SIDE STREETS TO COMPLY WITH MAINE STATUTE TITLE 29-A, CHAPTER 19 / 2060 "TURNING AT INTERSECTIONS".
3. PHOTO BASE MAP: WORLD IMAGERY (ESRI)

0 30 60 Feet

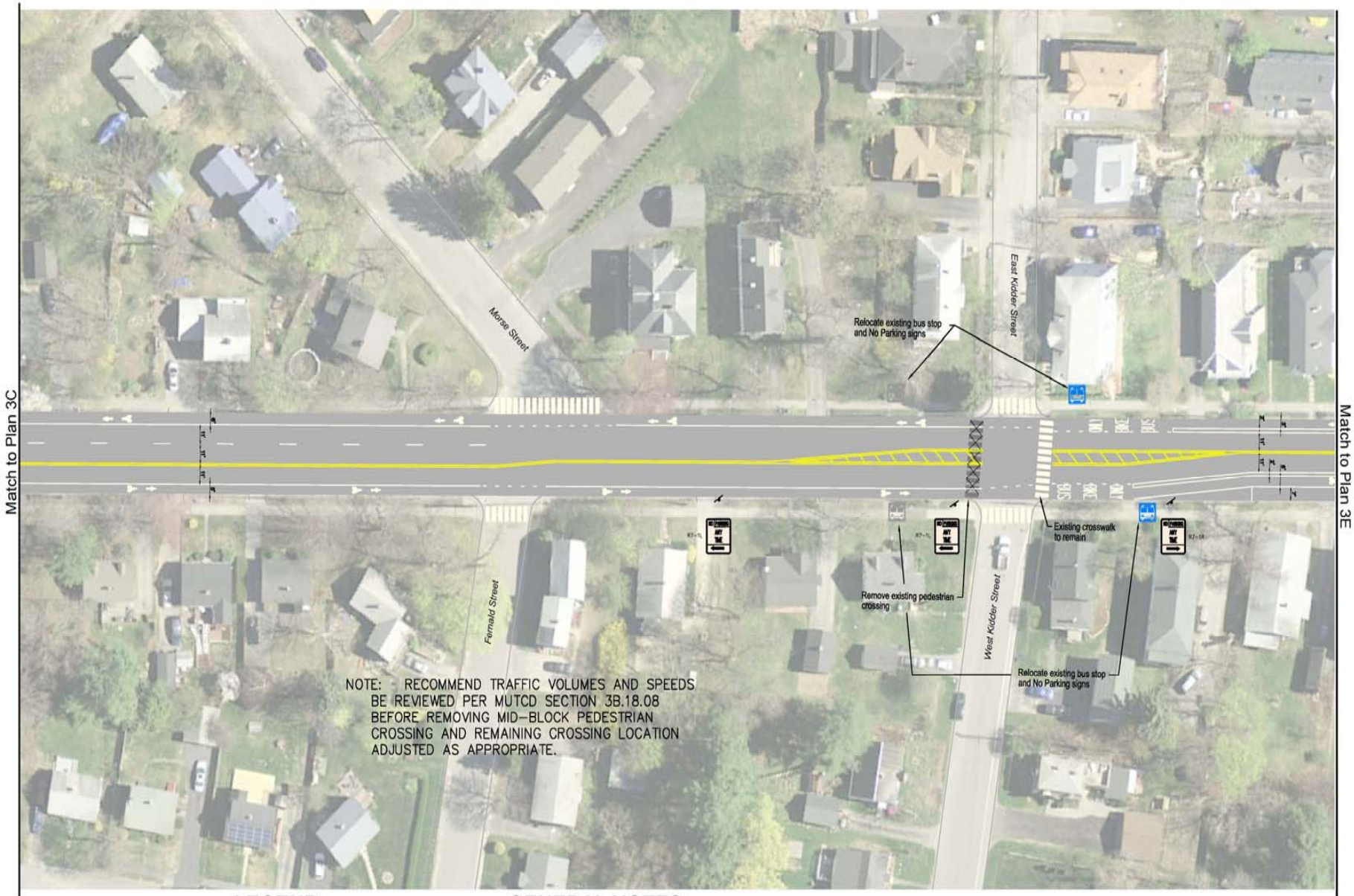
vhb

Project Plan
Washington Avenue@ Ocean Avenue
Portland, Maine
1/26/16

Plan 3C

NOT FOR CONSTRUCTION

C:\Users\jw\Desktop\Washington & Presumpscott\160322_Wash Ave Striping Plan on Aerial Survey1.dwg



LEGEND:

EXISTING TRANSIT STOPS

GENERAL NOTES:

1. BUS/BIKE TURN LANE LENGTH NOMINAL 50'
2. BIKE LANE BUFFER DISCONTINUED ON APPROACH TO RIGHT TURNS TO SIDE STREETS TO COMPLY WITH MAINE STATUTE TITLE 29-A, CHAPTER 19 / 2060 "TURNING AT INTERSECTIONS".
3. PHOTO BASE MAP: WORLD IMAGERY (ESRI)

0 30 60 Feet

vhb

Project Plan
Washington Avenue@ Ocean Avenue
Portland, Maine
1/26/16

Plan 3D

NOT FOR CONSTRUCTION

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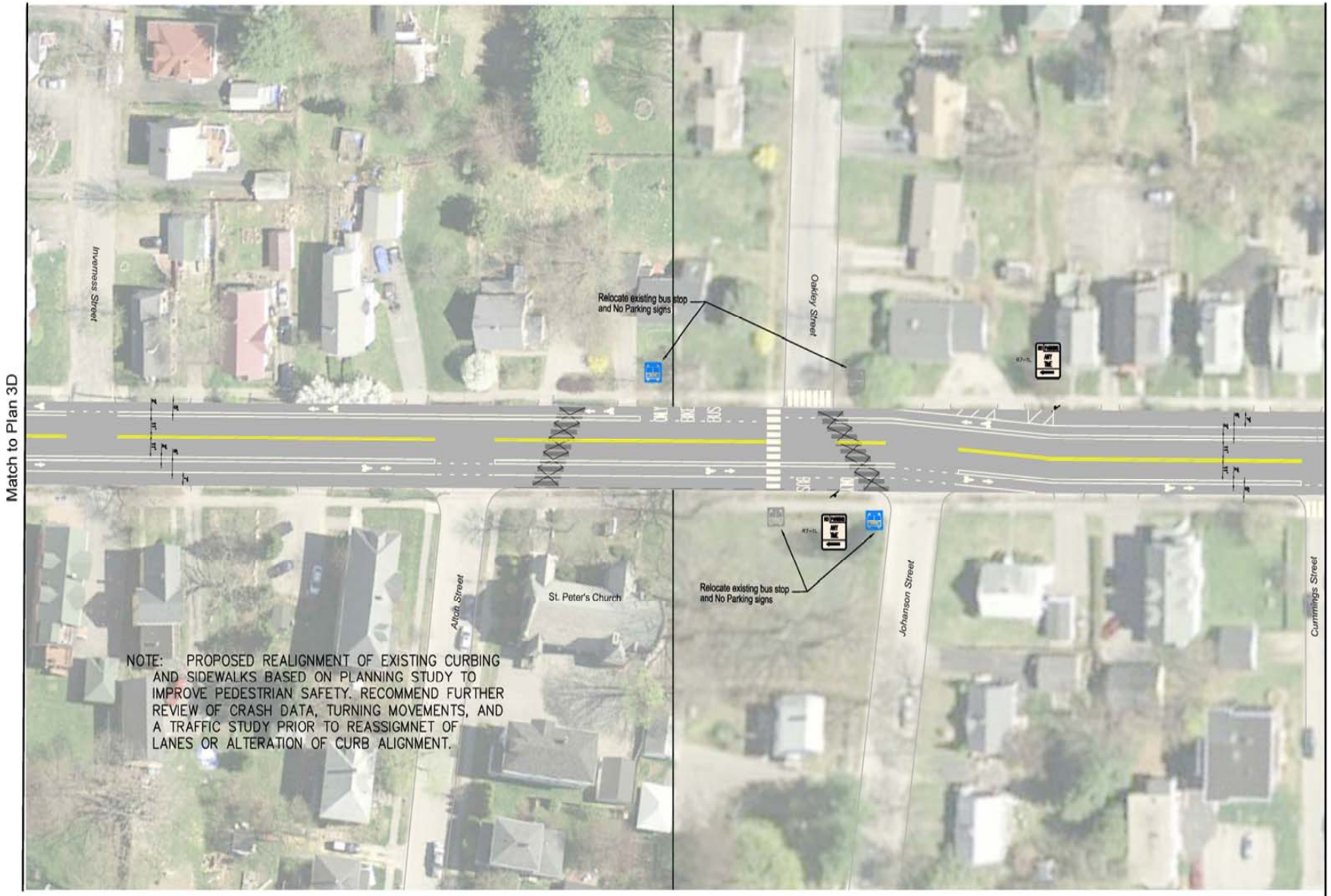


LEGEND:

EXISTING TRANSIT STOPS

GENERAL NOTES:

1. BUS/BIKE TURN LANE LENGTH NOMINAL 50'
2. BIKE LANE BUFFER DISCONTINUED ON APPROACH TO RIGHT TURNS TO SIDE STREETS TO COMPLY WITH MAINE STATUTE TITLE 29–A, CHAPTER 19 / 2060 "TURNING AT INTERSECTIONS".
3. PHOTO BASE MAP: WORLD IMAGERY (ESRI)

0 30 60 Feet

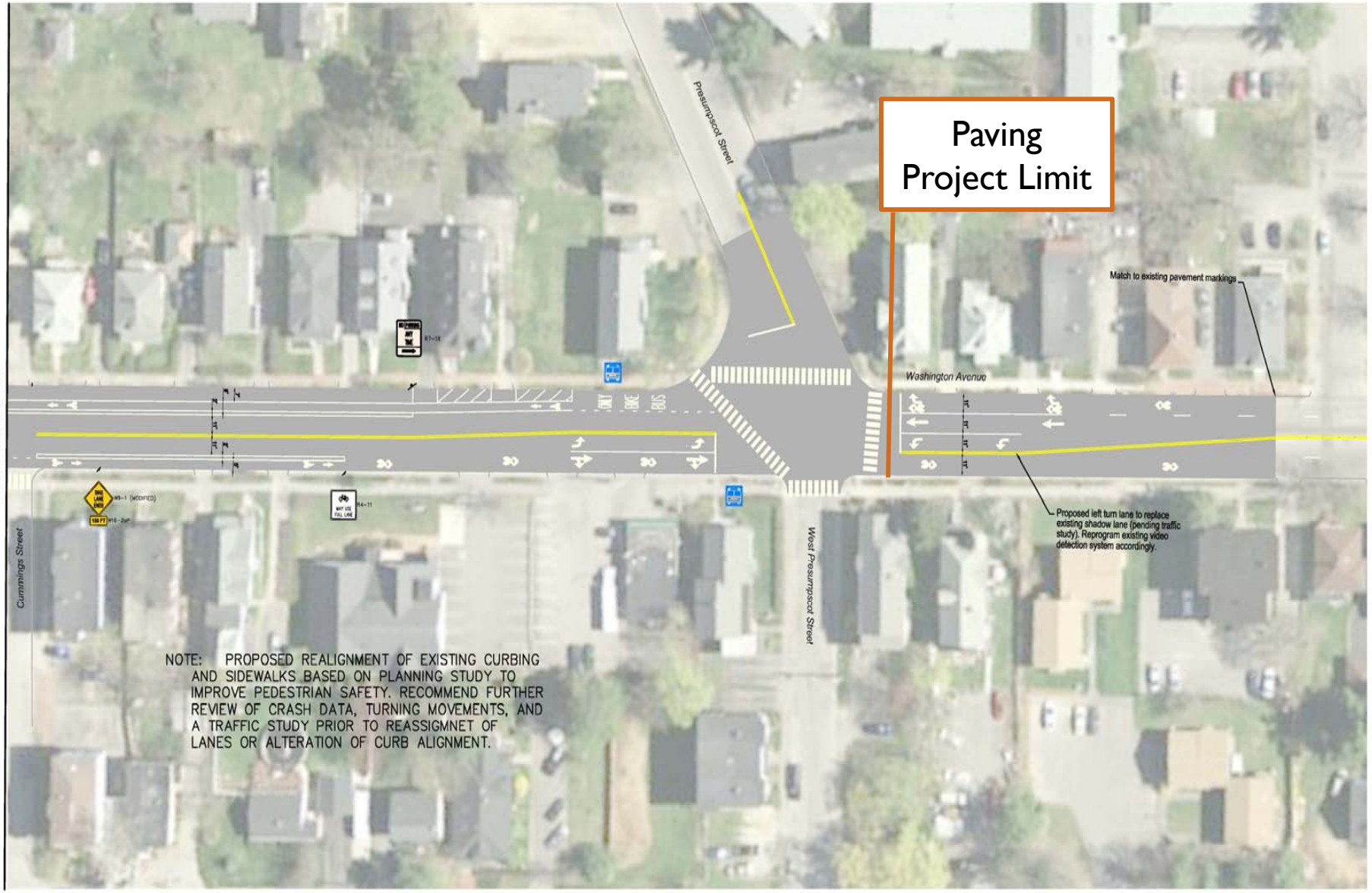
vhb

Project Plan
Washington Avenue@ Ocean Avenue
Portland, Maine
1/26/16

PLAN 3E

NOT FOR CONSTRUCTION

C:\Users\jwl\Desktop\Washington & Presumpscott\VHB FT P\washington Ave BL - Copy.dwg



Match to Plan 3E

LEGEND:

EXISTING TRANSIT STOPS

0 30 60 Feet

GENERAL NOTES:

1. BUS/BIKE TURN LANE LENGTH NOMINAL 50'
2. BIKE LANE BUFFER DISCONTINUED ON APPROACH TO RIGHT TURNS TO SIDE STREETS TO COMPLY WITH MAINE STATUTE TITLE 29–A, CHAPTER 19 / 2060 "TURNING AT INTERSECTIONS".
3. PHOTO BASE MAP: WORLD IMAGERY (ESRI)

vhb

Project Plan **PLAN 4**
Washington Avenue@ Presumpscot Street
Portland, Maine
1/26/16 NOT FOR CONSTRUCTION

Washington Avenue: Presumpscot St to Ocean Avenue
Shared Lane Marking Bikeway Alternative

Oakley St
Johansen St
Alton St
Cummings St
Presumpscot St
W Presump.
0 40 80 160 Feet
N

Ocean Ave
Morse St
Fernald St
E. Kidder St
W. Kidder St
Inverness St
N

Note: Shared Lane Markings (Sharrows) are shown with red borders for illustration/visibility purposes only. Actual placement and locations of SLMs would be determined in the field.

Shared Lane Marking

DRAFT June 13, 2016 Transportation Division
Dept. of Planning and Urban Development

Order 298 - 15/16
~~Tab 37 — 6-6-16~~
Tab 22 6-20-16

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 ADOPTING DEVELOPMENT PROGRAM FOR PORTLAND DOWNTOWN FOR FISCAL YEAR 2016-2017

ORDERED, pursuant to 30-A M.R.S. Section 5224, after public hearing, the City Council of the City of Portland hereby adopts the Development Program submitted by the City Manager, a copy of which is attached hereto, for the Downtown Improvement District, Inc. doing business as Portland Downtown for fiscal year 2016-2017.

Economic Development Department
Gregory A. Mitchell, Director

MEMORANDUM

TO: **Mayor and Members of the City Council**

FROM: **Greg Mitchell, Economic Development Director**

DATE: **May 18, 2016**

SUBJECT: **Portland Downtown/Annual Assessment Documents**

1. Order Adopting Development Program for PD;
2. Order Establishing Yearly Assessments; and,
3. Order Authorizing Master Agreement and Supplemental Services Agreement

SPONSOR: Jon P. Jennings, City Manager

COUNCIL MEETING DATE ACTION IS REQUESTED:
June 6, 2016, for a first reading; June 20, 2016 for a second reading, public hearing, and vote.

Can action be taken at a later date? No

If no, why not? This item needs to be acted upon prior to the start of the City's FY2017.

PRESENTATION: Casey Gilbert, Portland Downtown Executive Director/5 Minutes

I. ONE SENTENCE SUMMARY

Annually each June, the City Council authorizes the City Manager to execute documents necessary for the continued operation of Portland Downtown (formerly known as Portland's Downtown District).

II. AGENDA DESCRIPTION

City Council authorization of documents are needed for the continued operation of Portland Downtown (PD). These documents include (1) Adopting Development Program for the PD for FY2017; (2) Assessing Maintenance and Implementation Assessments in the PD District for FY2017; (3) authorizing the Master Agreement for work to be done by PD; and (4) authorizing the Supplemental Services Agreement for work to be done by the City.

III. BACKGROUND

The PD District was originally established by the City Council on March 16, 1992. Since then, in June annually for the following fiscal year starting July 1, City Council authorization of these documents is needed.

IV. INTENDED RESULT OR COUNCIL GOAL ADDRESSED

The intended result is for the PD to have a yearly development program adopted by the City Council, have assessment fees levied to property owners in the District in order for the PD to continue its program of services to support downtown cleanliness, safety, and events, and to formalize agreements between the PD and the City for services. The City departments, which are involved in the provision of services to the PD, have reviewed and approved this year's Master Agreement and Supplemental Services Agreement.

V. FINANCIAL IMPACT

This year's assessment of $749,143 will come from special assessments on all real estate in the PD to fund PD Development Program expenses for the period July 1, 2016 to June 30, 2017. ***The mill rate to raise this assessment is .92 cents per $1,000 of property value, which has been the same rate for the past seven years.***

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

City staff have reviewed the documents are recommend City Council approval.

VII. RECOMMENDATION

City Staff recommends the City Council approve the three Orders as presented.

VIII. LIST OF ATTACHMENTS

1. PD Development Program for FY17;
2. Listing of Property Owners and Assessment in PD District;
3. Master Agreement; and,
4. Supplemental Services Agreement

Mayor Strimling and City Councilors
May 2016

Portland Downtown, formerly Portland's Downtown District (PDD), has had a very productive year and continues to work to on our core mission of "...maintaining a clean and safe downtown while building and promoting a vibrant business, residential and tourism destination." We rolled out our new name and new logo with a brand launch in October, as well as the launch of our updated website, portlandmaine.com. With our new branding has come increased visibility for the organization and the opportunity to increase our engagement with the community.

The City of Portland has faced an unprecedented level of growth activity over the past year, and along with growth comes a lot of changes, including higher density, diversity, and economic expansion. Portland Downtown has continued to engage all the constituents to address the changing needs of Portland. Our focus for 2016-2017 is to continue executing our mission by ensuring that Portland Downtown can not only weather, but thrive, in the changing landscape before us.

With new Executive Director Casey Gilbert at Portland Downtown, the organization has continued its outreach, with more boots on the ground Downtown. This year we added a new Marketing and Communications Coordinator to the team, who has been using his extensive skill set to promote Portland Downtown. We also created a new position, Downtown Experience Liaison (DEL), which will enable the organization to better connect with business owners and stakeholders. The DEL will gather feedback and help to ensure that our stakeholders concerns are being heard and turning that feedback into action.

The Board committees have grown with increased attendance and interconnectivity with the greater Downtown community. We continue to work with property owners, city departments and community organizations to address ongoing issues such as parking, transportation, graffiti removal, recycling, homelessness, open space, nuisance crime, and safety. We are working together to achieve our strategic goals as outlined in our 5-year Strategic Plan.

Collaboration with other local organizations like Creative Portland, the Chamber of Commerce, METRO, and the Convention and Visitors Bureau continues, enabling us to reach out for input from all constituents in the Downtown Area. More recently, we have been collaborating with newer active organizations such as the Bicycle Coalition of Maine and Portland Buy Local, as well as educational institutions (USM and MECA). These are the organizations that are helping Portland Downtown to get in touch with the

trends that are driving the changing economic development and popularity of Portland, Maine as both a tourist destination as well as a great place to live.

This past year, Portland Downtown's expanded Police Cadet Program during the summer season was a great success, and we intend to continue with the expanded program for summer 2016. We received very positive feedback regarding the expanded program, with reports of increased visibility adding to the sense of security in the Downtown Area.

Our committees, with extensive public meetings and collaborations with Portland Downtown constituents, have presented two recommendation letters to the City Manager regarding "hot button" issues we hear about constantly - downtown Parking and Transportation Needs and Sound Ordinance Issues. Our recommendations not only provide feedback from balanced representation downtown, but they also offer back end support for the City from Portland Downtown to implement recommendations and execute changes proposed.

All of these Portland Downtown efforts help to improve and support the Portland brand – Yes, Life's Good Here. We look forward to continuing for 2016-2017.

We are very proud of the strengthened working relationship we have with the City of Portland, both staff and elected officials, and look forward to continuing that relationship to accomplish our mission which we could not do without such support.

Sincerely,

Denine Leeman
Board Chair, Portland Downtown

Order 299-15/16
~~Tab 38 6-6-16~~
Tab 23 6-20-16

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 ASSESSING MAINTENANCE AND IMPLEMENTATION ASSESSMENTS FOR PORTLAND DOWNTOWN FOR FISCAL YEAR 2016-2017

ORDERED, pursuant to 30-A M.R.S. § 5228, after public hearing thereon, that the sum of $749,143 be raised and appropriated from the special assessments on all real estate situated within the boundaries of the Downtown Improvement District, Inc. doing business as Portland Downtown ("Portland Downtown") to fund maintenance and implementation costs for such district for the period beginning July 1, 2016 and ending on June 30, 2017; and

BE IT FURTHER ORDERED, that the said sum be assessed on all real estate within the Portland Downtown district in the amounts set forth on the "List of Maintenance and Implementation assessments" which is attached hereto; and

BE IT FURTHER ORDERED, that the said assessments shall be due July 1, 2016 and payable to the City of Portland at the same time that taxes on other real estate are due; and

BE IT FURTHER ORDERED, that the interest on unpaid assessments shall be at the same rate as interest on other unpaid real estate taxes; and

BE IT FURTHER ORDERED, that the said assessments are hereby committed to the tax collector of the City of Portland for collection, pursuant to 30-A M.R.S.A. § 5228(5); and

BE IT FURTHER ORDERED, that the tax collector is hereby authorized and directed to take all necessary action for the collection of said assessment.

PARCEL ID	ST. NO.	STREET	OWNER	OWNER CONT.	TAXABLE VALUE	ASSESSMENT
037 F012001	41	BROWN ST	MHS INC		$171,290	$158
037 I002404	15	BROWN ST	PARKER MARK		$351,500	$323
037 I007001	11	BROWN ST	OOBLECK LLC		$840,300	$773
037 D004001	48	BROWN ST	OCEAN GATE LLC		$874,090	$804
037 F002001	45	BROWN ST	477 TIME & TEMPERATURE LLC		$2,547,200	$2,343
037 I002206	15	BROWN ST	MCILVAIN JOHN &	ELIZABETH S MCILVAIN TRUSTEES	$153,600	$141
037 I002207	15	BROWN ST	CONWAY NANCY ANN TRUSTEE		$160,400	$148
037 I002204	15	BROWN ST	SINGER ROBERT B TRUSTEE		$185,100	$170
037 I002301	15	BROWN ST	BARBERA SUSAN		$189,800	$175
037 I002202	15	BROWN ST	MACEACHERN ALLISON SCOTT		$199,100	$183
037 I002201	15	BROWN ST	HUNTER BEVERLY C &	HAROLD G HUNTER	$201,800	$186
037 I002305	15	BROWN ST	COFFIN KATHLEEN M		$205,900	$189
037 I002302	15	BROWN ST	ANDREOLI HELEN L		$209,300	$193
037 I002105	15	BROWN ST	ADLER JANICE B		$220,200	$203
037 I002304	15	BROWN ST	MOORE BRIAN D		$224,100	$206
037 I002205	15	BROWN ST	207 INVESTS I LLC		$229,300	$211
037 I002104	15	BROWN ST	O'SULLIVAN MICHAEL &	ALAN J LEWIS JTS	$242,400	$223
037 I002306	15	BROWN ST	HUNT RYAN ETAL		$246,400	$227
037 I002203	15	BROWN ST	ESCH TREVOR S &	JESSICA P ESCH JTS	$252,000	$232
037 I002303	15	BROWN ST	BAUMAN PATRICIA J TRUSTEE		$270,300	$249
037 I002307	15	BROWN ST	DOCTOROFF MARK G		$283,100	$260
037 I002208	15	BROWN ST	DOCTOROFF MARK G		$311,800	$287
037 I002401	15	BROWN ST	EWING DANIELLE M		$336,900	$310
037 I002402	15	BROWN ST	TIEMAN JAMES S		$347,900	$320
037 I002405	15	BROWN ST	GREENEWALT CHARLOTTE		$384,500	$354
037 I002403	15	BROWN ST	AVERBACH GRETA H &	JAMES M POPKIN JTS	$400,100	$368
037 I002406	15	BROWN ST	MCGORRILL DONNA T		$454,300	$418
032 I007001	0	CANAL PLAZA	COW PLAZA 1 LLC		$70,700	$65
032 I033001	2	CANAL PLAZA	COW PLAZA 2 LLC		$4,650,300	$4,278
032 I023001	3	CANAL PLAZA	COW PLAZA 3 LLC		$7,027,400	$6,465
032 I036001	1	CANAL PLAZA	COW PLAZA 1 LLC		$15,976,800	$14,699
037 D001001	45	CASCO ST	FORTY FIVE CASCO STREET LLC		$730,100	$672
037 C010001	16	CASCO ST	SOMALUZO LLC		$740,700	$681
037 D023001	15	CASCO ST	15 CASCO STREET LLC		$973,000	$895
037 C006001	18	CASCO ST	SHEPLEY LLC		$2,629,600	$2,419
037 D007001	37	CASCO ST	QUIRK SHIRLEY F ETALS		$3,203,200	$2,947
038 E009106	70	CENTER ST	APPLE REAL ESTATE	HOLDING LLC	$179,300	$165
038 E009G08	70	CENTER ST	MAINE BUSINESS SERVICES INC		$181,700	$167
038 E009G07	70	CENTER ST	TCG PROPERTIES LLC		$184,900	$170
038 E009204	70	CENTER ST	F & H REALTY PARTNERSHIP		$194,600	$179
038 E009105	70	CENTER ST	MITCHELL JOHN D	THE STAPLES SCHOOL	$196,000	$180
038 E009205	70	CENTER ST	F & H REALTY PARTNERSHIP		$202,300	$186
038 E009305	70	CENTER ST	MCKERSIE FAMILY LLC		$202,900	$187
038 E009304	70	CENTER ST	EAST COAST CONSTRUCTION AND	CONSULTING LLC	$203,900	$188
038 C030001	59	CENTER ST	B & B REAL ESTATE LLC		$333,600	$307
038 E009401	70	CENTER ST	ALDER RUN DEVELOPMENT	COMPANY LLC	$352,300	$324
037 I012001	104	CENTER ST	482 CONGRESS LP		$372,360	$343
038 E012001	52	CENTER ST	PICTURE ISLAND INC		$413,000	$380
038 E030001	58	CENTER ST	STEELE DANIEL L		$500,630	$461
027 F009001	121	CENTER ST	TEDLUM ASSOCIATES LLC		$1,489,300	$1,370
027 C011001	15	CHESTNUT ST	BOODILLY LLC		$1,809,800	$1,665
027 C01002E	21	CHESTNUT ST	JORDAN CARA A		$146,100	$134
027 C01003S	21	CHESTNUT ST	OGDEN JOANNE &	BONNIE B MACINNIS JTS	$149,400	$137
027 C0102SE	21	CHESTNUT ST	COSTELLO JAMES J		$156,800	$144
027 C01002S	21	CHESTNUT ST	MORREL VICTOR &	MARY ELIZABETH MORREL JTS	$161,100	$148
027 C010001	21	CHESTNUT ST	PROPERTYONE LLC		$163,800	$151
027 C0102NW	21	CHESTNUT ST	DUNDAR ERGUN		$164,300	$151
027 C01003E	21	CHESTNUT ST	CASTANEA PRIME LLC		$164,400	$151
027 C01003W	21	CHESTNUT ST	VANHOEWYK JOHN VN VET &	DEBORAH VANHOEWYK JTS	$164,500	$151
027 C0103SE	21	CHESTNUT ST	CASTANEA PRIME LLC		$164,500	$151
027 C0104SE	21	CHESTNUT ST	PATEL TANAY M		$169,300	$156
027 C01002N	21	CHESTNUT ST	FLETCHER JEFFREY A &	MELANIE C FLETCHER JTS	$169,500	$156
027 C01002W	21	CHESTNUT ST	TISZENKEL KEITH		$169,500	$156
027 C01003N	21	CHESTNUT ST	TILTON GARRETT K &	VICTORIA POWERS JTS	$170,500	$157
027 C01005E	21	CHESTNUT ST	NAQUI ALI &	MUNIRA Z NAQUI JTS	$178,400	$164
027 C01004E	21	CHESTNUT ST	HOEFLER HEIDI		$180,500	$166
027 C01004S	21	CHESTNUT ST	KAUFMANN CHARLES L		$180,500	$166
027 C0103NW	21	CHESTNUT ST	MCCALLY MICHAEL &	CHRISTINE CASSEL TRUSTEES	$181,400	$167
027 C0105SE	21	CHESTNUT ST	NAQUI ALI &	MUNIRA NAQUI JTS	$181,800	$167
027 C01004N	21	CHESTNUT ST	MCDEVITT MARION JEAN		$186,600	$172
027 C0106SE	21	CHESTNUT ST	EISENBERG AVNER &	JULIE GOELL JTS	$189,600	$174
027 C01006S	21	CHESTNUT ST	SCHWELLENBACH JAMES C &	LORRAINE D SCHWELLENBACH JTS	$191,300	$176
027 C01005S	21	CHESTNUT ST	NAQUI MUNIRA Z		$193,400	$178
027 C002001	17	CHESTNUT ST	17 CHESTNUT STREET LLC		$195,200	$180
027 C0104NW	21	CHESTNUT ST	FRAZER LORINDA JANE TRUSTEE		$196,800	$181
027 C010002	21	CHESTNUT ST	CHESTNUT STREET LOFTS LLC		$199,000	$183
027 C01006N	21	CHESTNUT ST	KRUG ROBERT E WWII VET BLIND &	AURELIA C SCOTT JTS	$201,600	$185
027 C01004W	21	CHESTNUT ST	NYGAARD DANTON D &	LESLIE J ANDERSON JTS	$201,600	$185
027 C01006E	21	CHESTNUT ST	HAMM LARRY F &	DOROTHY J HAMM JTS	$206,300	$190
027 C0106NW	21	CHESTNUT ST	MCCULLEY CLYDE &	SUSAN MCCULLEY JTS	$207,400	$191
027 C01005N	21	CHESTNUT ST	YINDRA SARA R		$208,000	$191
027 C01007N	21	CHESTNUT ST	GREENLEAF NANCY P		$211,500	$195
027 C01006W	21	CHESTNUT ST	BARRY PRUDENCE B		$211,600	$195
027 C0105NW	21	CHESTNUT ST	FULLAM CHARLOTTE		$219,000	$201
027 C01005W	21	CHESTNUT ST	CURTIN TERESA ANN &	CHARLES JOHN SHAW JTS	$223,000	$205

PARCEL ID	ST. NO.	STREET	OWNER	OWNER CONT.	TAXABLE VALUE	ASSESSMENT
027 C01007S	21	CHESTNUT ST	MCFAUL RICHARD C &	SUZANNE K VERMILYA JTS	$246,300	$227
027 C01007E	21	CHESTNUT ST	HARDING ALICIA &	MARTIN MARGULIS JTS	$251,400	$231
027 C01007W	21	CHESTNUT ST	PORTA NEIL		$251,600	$231
027 C01008W	21	CHESTNUT ST	BUSQUE PETER J		$312,900	$288
027 C01008N	21	CHESTNUT ST	COTSIRILOS STEPHANIE G		$320,100	$294
027 C01008S	21	CHESTNUT ST	WILLIAMS IAN &	SALLY WILLIAMS JTS	$325,000	$299
027 F024001	28	CITY CTR	BROWN J B & SONS		$323,600	$298
027 F023001	30	CITY CTR	RODWAY PETER E &	MAURA H RODWAY JTS	$329,900	$304
032 P004002	6	CITY CTR	H & A PROPERTY GROUP LLC		$368,000	$339
027 F026001	26	CITY CTR	BROWN J B & SONS		$627,700	$577
027 F027001	24	CITY CTR	BROWN J B & SONS		$906,800	$834
032 P017001	10	CITY CTR	MINA BUILDING LLC		$977,400	$899
032 P003001	4	CITY CTR	FOUR CITY CENTER	PROPERTIES LLC	$1,010,400	$930
032 P004001	6	CITY CTR	SIX CITY CENTER LLC		$1,934,600	$1,780
032 P001001	2	CITY CTR	MDA LLC		$3,327,900	$3,062
032 L002001	1	CITY CTR	ONE CITY CENTER ASSOCIATES LLC		$29,070,000	$26,744
031 L038001	230	COMMERCIAL ST	PROPRIETORS OF UNION WHARF		$45,130	$42
038 G00204A	269	COMMERCIAL ST	SERNOFFSKY SUSAN		$109,000	$100
038 G00202E	269	COMMERCIAL ST	DEVILLIER JACQUES K		$124,900	$115
038 G00204D	269	COMMERCIAL ST	KIMBLE ELLEN SUE		$127,200	$117
038 G00203B	269	COMMERCIAL ST	RICE LEE P		$133,900	$123
038 G00202A	269	COMMERCIAL ST	GOSSELIN EUGENE D &	DIANE H GOSSELIN JTS	$135,200	$124
038 G00202B	269	COMMERCIAL ST	MARR JEAN		$137,600	$127
038 G00203D	269	COMMERCIAL ST	HUDON WILFRED R		$140,400	$129
038 G00203A	269	COMMERCIAL ST	ALBEE PETER J		$140,900	$130
038 G00204E	269	COMMERCIAL ST	LOWRY KATE		$141,900	$131
038 G00202D	269	COMMERCIAL ST	CUMMING JEAN S &	VIRGIL CUMMING JTS	$143,600	$132
038 G00203F	269	COMMERCIAL ST	TUCKER HAROLD W III		$143,900	$132
038 G00202F	269	COMMERCIAL ST	SERAICHICK SUSAN ETAL		$147,600	$136
038 G00204F	269	COMMERCIAL ST	WONG ROCKET &	LILLIANA M ACUNA JTS	$149,000	$137
038 G00204B	269	COMMERCIAL ST	KIRKHAM JOHN C &	JENNIFER L MROWKA JTS	$150,000	$138
038 G00202C	269	COMMERCIAL ST	GREEN DESIGN LLC		$150,500	$138
038 G00205F	269	COMMERCIAL ST	MANN CHRISTIANA E		$150,500	$138
038 G00203C	269	COMMERCIAL ST	NORCHI CHARLES H		$151,400	$139
038 G00205C	269	COMMERCIAL ST	CALDWELL ROBERT A		$155,000	$143
038 G00205A	269	COMMERCIAL ST	BERG ERIC O JR TRUSTEE	OF ERIC O BERG REVOCABLE TRUST	$160,100	$147
038 G00204C	269	COMMERCIAL ST	MCDEVITT JOHN J IV		$168,100	$155
038 G00203E	269	COMMERCIAL ST	CONKLIN HENRY C		$170,000	$156
038 G00205E	269	COMMERCIAL ST	FLAHERTY CHRISTOPHER F		$173,800	$160
038 G00205B	269	COMMERCIAL ST	TARBOX JEFFERY H		$174,500	$161
038 G00205D	269	COMMERCIAL ST	MINKIN BARRY &	CHRISTINA VERRASTRO JTS	$198,800	$183
032 U003001	185	COMMERCIAL ST	COMPARK LLC		$217,280	$200
031 K103001	218	COMMERCIAL ST	PROPRIETORS OF UNION WHARF		$239,080	$220
038 G002271	269	COMMERCIAL ST	JKC LLC		$257,100	$237
030 A101001	90	COMMERCIAL ST	PROPRIETORS OF CUSTOM HOUSE	WHARF ATTN GE MACGOWAN JR	$269,400	$248
040 E003007	311	COMMERCIAL ST	KRUITHOFF CATHERINE H &	WAYNE A KRUITOFF TRUSTEE	$274,600	$253
038 G002267	269	COMMERCIAL ST	MCNULTY BEVIN A		$280,300	$258
040 E003003	311	COMMERCIAL ST	SMITH JANEW W TRUSTEE		$283,600	$261
040 E003002	311	COMMERCIAL ST	BANKS MICHAEL D		$286,800	$264
040 E003013	311	COMMERCIAL ST	PARDI KATHLEEN A		$335,100	$308
040 E003008	311	COMMERCIAL ST	JR SEELY COMPANY LLC		$343,100	$316
040 E003011	311	COMMERCIAL ST	CLANCY PAUL		$358,500	$330
040 E003009	311	COMMERCIAL ST	KROON THOMAS J &	MARIANNE M KROON TRUSTEES	$377,500	$347
040 E003012	311	COMMERCIAL ST	PIPER JOHN M &	REBECCA A WEI JTS	$395,000	$363
040 E003014	311	COMMERCIAL ST	SIMARK ACQUISITIONS LLC		$397,900	$366
029 D002001	121	COMMERCIAL ST	MAD COW LLC		$401,200	$369
040 E003004	311	COMMERCIAL ST	LEVIN-MARTIN MINDY F &	ROGER L MARTIN JTS	$412,900	$380
040 E003006	311	COMMERCIAL ST	JR SEELY COMPANY LLC		$420,100	$386
040 E003001	311	COMMERCIAL ST	JR SEELY COMPANY LLC		$428,500	$394
040 E003005	311	COMMERCIAL ST	ATLANTIC PROPERTIES LLC		$495,600	$456
040 E003010	311	COMMERCIAL ST	BROWN DOUGLAS W		$511,800	$471
030 D005001	84	COMMERCIAL ST	FINLEY JAMES R &	DALE W WEEKS	$537,500	$495
032 V002001	205	COMMERCIAL ST	LANDFALL LLC		$695,800	$640
029 D001001	129	COMMERCIAL ST	RSB LIMITED LIABILITY COMPANY		$781,200	$719
030 A005001	94	COMMERCIAL ST	BMC INC		$1,127,400	$1,037
041 A015001	260	COMMERCIAL ST	WATERFRONT MAINE BT LLC		$1,194,800	$1,099
032 S004001	161	COMMERCIAL ST	ROB DOG REALTY LLC		$1,265,900	$1,165
040 E00300R	311	COMMERCIAL ST	TIQA LEGACY LLC		$1,314,100	$1,209
038 F004001	241	COMMERCIAL ST	SLM PROPERTIES INC		$1,586,800	$1,460
029 D003001	111	COMMERCIAL ST	BLANCHARD BLOCK LLC		$1,773,500	$1,632
032 V008001	225	COMMERCIAL ST	225 COMMERCIAL ST ASSOC INC		$2,043,400	$1,880
031 L034001	250	COMMERCIAL ST	CM WATERFRONT PROPERTIES LLC		$2,111,800	$1,943
032 V004001	211	COMMERCIAL ST	GRANITE FACE LLC		$2,205,900	$2,029
030 H004001	136	COMMERCIAL ST	CARROLL BLOCK LLC		$2,249,700	$2,070
032 V005001	217	COMMERCIAL ST	217 COMMERCIAL STREET	ASSOCIATES INC	$2,637,500	$2,427
038 F006001	245	COMMERCIAL ST	CASCO VIEW HOLDINGS LLC		$4,007,900	$3,687
030 H001001	144	COMMERCIAL ST	DIMILLO ARLENE ETALS TRUSTEES		$4,339,000	$3,992
030 C001001	100	COMMERCIAL ST	SOLEY WHARF LLC		$5,557,100	$5,113
040 F009001	305	COMMERCIAL ST	BAXTER PLACE LLC		$6,327,600	$5,821
029 S001001	145	COMMERCIAL ST	FLEMING CREEK LLC ETALS		$6,509,400	$5,989
029 K003001	57	COMMERCIAL ST	OLYMPIA EQUITY INVESTORS V LLC		$10,717,000	$9,860
040 E00300H	311	COMMERCIAL ST	JBB HOSPITALITY I LLC		$12,301,600	$11,317
037 E003001	10	CONGRESS SQ	PLAZA ASSOCIATES AT CONGRESS	SQUARE LP	$10,029,900	$9,228
037 E002001	585	CONGRESS ST	HAMMOND HEIRS LLC		$60,900	$56
037 F018001	481	CONGRESS ST	477 TIME & TEMPERATURE LLC		$77,500	$71

PARCEL ID	ST. NO.	STREET	OWNER	OWNER CONT.	TAXABLE VALUE	ASSESSMENT
037 E002002	585	CONGRESS ST	HAMMOND HEIRS LLC		$132,100	$122
037 G012001	584	CONGRESS ST	CORNER FREAK LLC		$137,000	$126
046 C012001	673	CONGRESS ST	DOUKAS ANDREW J		$142,700	$131
046 D027001	629	CONGRESS ST	BURNHAM ARMS ANNEX LLC		$160,400	$148
046 C013001	671	CONGRESS ST	DOUKAS ANDREW J &	WILLIAM B DOUKAS JTS	$169,900	$156
037 H011001	500	CONGRESS ST	MATERIAL OBJECTS		$177,800	$164
037 G007001	576	CONGRESS ST	574 ASSOCIATES LLC		$185,800	$171
037 H011002	500	CONGRESS ST	BARBA NANCY L		$188,600	$174
037 G008001	574	CONGRESS ST	574 ASSOCIATES LLC		$191,800	$176
037 C01702D	547	CONGRESS ST	WHEELER-BERTA FRANCES H TRUSTEE		$204,700	$188
037 G006001	578	CONGRESS ST	578 CONGRESS LLC		$219,400	$202
046 D028001	625	CONGRESS ST	BURNHAM ARMS ANNEX LLC		$227,500	$209
046 D018001	653	CONGRESS ST	RICE GEOFFREY TRUSTEE		$235,600	$217
039 A010001	606	CONGRESS ST	RICE GEOFFREY I		$248,200	$228
039 A038001	612	CONGRESS ST	BLUE BAY LLC		$282,400	$260
037 A042001	559	CONGRESS ST	HER LLC		$287,700	$265
039 A009001	608	CONGRESS ST	19 SOUTH STREET LLC		$289,700	$267
037 G004001	582	CONGRESS ST	CORNER FREAK LLC		$298,500	$275
037 I005001	486	CONGRESS ST	BARTHE DONNA		$316,000	$291
037 A044001	553	CONGRESS ST	ROCCO HOLDINGS LLC		$325,100	$299
039 A008001	610	CONGRESS ST	19 SOUTH STREET LLC		$328,800	$302
037 A043001	555	CONGRESS ST	CORRYMORE ZELLERTON LLC		$355,600	$327
046 C011001	675	CONGRESS ST	DOUKAS WILLIAM B		$367,700	$338
037 A045001	575	CONGRESS ST	571 ENTERPRISES LLC		$402,200	$370
037 H005003	536	CONGRESS ST	SPACE GALLERY		$422,600	$389
045 A001001	660	CONGRESS ST	A K LONGFELLOW LLC		$458,500	$422
037 D024001	519	CONGRESS ST	MAINE CHARITABLE MECHANIC	ASSOC	$459,000	$422
045 A034001	664	CONGRESS ST	RANS LLC		$464,900	$428
037 H001001	550	CONGRESS ST	NEVERMORE LLC		$480,400	$442
037 G005001	580	CONGRESS ST	BBB INC		$536,300	$493
037 G009001	570	CONGRESS ST	PRIDE RALPH H TRUSTEE		$542,700	$499
045 A035001	670	CONGRESS ST	LONGFELLOW SQUARE	PARTNERS LLC	$611,700	$563
037 E002003	585	CONGRESS ST	PAUL'S BOUTIQUE LLC		$627,200	$577
037 I001001	498	CONGRESS ST	BEAVER BLOCK LLC		$648,500	$597
037 E002004	585	CONGRESS ST	HAMMOND HEIRS LLC		$768,100	$707
037 G001001	594	CONGRESS ST	FITZGIBBONS VIRGINIA S &	LEE F STREET TRUSTEE	$802,600	$738
039 A001001	626	CONGRESS ST	PARK WONBAE &	IP BOON PARK JTS	$810,700	$746
037 H009001	516	CONGRESS ST	PACHIOS BROTHERS II LLC		$834,200	$767
045 A002001	656	CONGRESS ST	RICE GEOFFREY I		$843,000	$776
037 C016001	551	CONGRESS ST	551 CONGRESS STREET LLC		$848,900	$781
037 F018002	481	CONGRESS ST	477 TIME & TEMPERATURE LLC		$850,300	$782
039 A013001	600	CONGRESS ST	RICE GEOFFREY I		$878,100	$808
039 A002001	622	CONGRESS ST	WAYNE ENTERPISES LLC		$913,300	$840
037 I004001	480	CONGRESS ST	SCIOTO DARBY INVESTMENTS INC		$983,700	$905
039 A005001	616	CONGRESS ST	614 CONGRESS STREET LLC		$1,029,200	$947
037 H013001	504	CONGRESS ST	KAPLAN 504 LLC		$1,176,200	$1,082
037 F017001	489	CONGRESS ST	MHS INC		$1,226,800	$1,129
027 B007001	415	CONGRESS ST	ASHBY TEAM LLC		$1,769,100	$1,628
037 A038001	565	CONGRESS ST	PACHIOS BROTHERS I LLC &	LACONIA LLC	$1,821,300	$1,676
046 C019001	667	CONGRESS ST	REDFERN LONGFELLOW LLC		$1,870,000	$1,720
046 D026001	633	CONGRESS ST	BURNHAM ARMS LLC		$2,218,100	$2,041
027 D001001	385	CONGRESS ST	METRO MEDIA PROPERTIES LLC		$2,349,540	$2,162
046 D029001	619	CONGRESS ST	BAXTER LIBRARY LP		$2,502,600	$2,302
027 B002001	443	CONGRESS ST	JJR 443 CONGRESS LLC		$2,973,400	$2,736
037 I003001	482	CONGRESS ST	482 CONGRESS LP		$3,125,600	$2,876
027 B004001	439	CONGRESS ST	METROPOLITAN APARTMENTS LLC		$3,734,300	$3,436
037 H010001	510	CONGRESS ST	CENTER CITY PLAZA ASSOC		$3,762,600	$3,462
046 D022001	645	CONGRESS ST	BAYSIDE MAINE LLC		$3,783,700	$3,481
027 A015001	465	CONGRESS ST	5 MONUMENT SQUARE LLC		$4,928,900	$4,535
037 G014001	562	CONGRESS ST	TERBAX REALTY INC		$5,095,800	$4,688
045 A003001	638	CONGRESS ST	638 CONGRESS STREET	PARTNERS LLC	$5,101,800	$4,694
046 D021001	655	CONGRESS ST	TRELAWNY 657 LLC		$5,222,500	$4,805
037 F022001	477	CONGRESS ST	477 TIME & TEMPERATURE LLC		$5,280,500	$4,858
032 G001001	396	CONGRESS ST	A & M PARTNERS INC		$9,329,900	$8,584
037 D002001	511	CONGRESS ST	OCEAN GATE LLC		$9,511,500	$8,751
032 C001001	390	CONGRESS ST	PRESS HOTEL LLC		$10,929,700	$10,055
037 C01702B	547	CONGRESS ST	LIPPMANN AMY TRUSTEE		$123,900	$114
037 C01702E	547	CONGRESS ST	MONTMINY SHANE A		$128,500	$118
037 C01702A	547	CONGRESS ST	MARTIN ROGER		$132,100	$122
037 C01701A	545	CONGRESS ST	R & J 545 PARTNERS LLC		$142,800	$131
037 H002003	540	CONGRESS ST	540 CONGRESS STREET LLC		$142,900	$131
037 H002005	540	CONGRESS ST	540 CONGRESS STREET LLC		$142,900	$131
037 H002004	540	CONGRESS ST	540 CONGRESS STREET LLC		$145,400	$134
037 C01701B	545	CONGRESS ST	R & J 545 PARTNERS LLC		$150,900	$139
037 C01702C	547	CONGRESS ST	SARASON JULIE		$155,500	$143
037 C01704B	547	CONGRESS ST	GRANO ROBERT C TRUSTEE		$160,200	$147
037 H002006	540	CONGRESS ST	540 CONGRESS STREET LLC		$160,700	$148
037 C01701C	545	CONGRESS ST	R & J 545 PARTNERS LLC		$161,700	$149
037 C01704A	547	CONGRESS ST	FITZPATRICK SUSAN E		$192,900	$177
037 C01703B	547	CONGRESS ST	FOREMAN BROCK &	LESLIE E FOREMAN JTS	$194,400	$179
037 C01703A	547	CONGRESS ST	BOURKE PATRICK J IV		$201,700	$186
037 I002101	490	CONGRESS ST	GRACE LLC		$232,600	$214
037 C01703C	547	CONGRESS ST	PACKARD JEFFREY G &	RICHARD H PACKARD JTS	$251,800	$232
037 C01705B	547	CONGRESS ST	BLISSFUL BOUND LLC		$254,100	$234
037 I002102	492	CONGRESS ST	ZILKHA MICHAEL S		$260,600	$240

PARCEL ID	ST. NO.	STREET	OWNER	OWNER CONT.	TAXABLE VALUE	ASSESSMENT
037 C01704C	547	CONGRESS ST	TYSON BRUCE &	ANDREA TYSON JTS	$270,800	$249
037 C014509	531	CONGRESS ST	HEGA REALTY LLC		$310,900	$286
037 C014502	531	CONGRESS ST	HEGA REALTY LLC		$336,500	$310
037 C014506	531	CONGRESS ST	HEGA REALTY LLC		$396,800	$365
037 C014507	531	CONGRESS ST	HEGA REALTY LLC		$397,600	$366
037 C014501	531	CONGRESS ST	WILLIAMS DEBORAH J &	IGOR PROKOPIW JTS	$433,300	$399
037 C014510	531	CONGRESS ST	SEASIDE PARTNERS LLC		$439,600	$404
037 C014503	531	CONGRESS ST	SHOREY LINDA J &	JOHN DECKER JTS	$491,400	$452
037 C014508	531	CONGRESS ST	HEGA REALTY LLC		$539,500	$496
037 C01705A	547	CONGRESS ST	HENRY MICHAEL T &	JAIME COHEN JTS	$592,400	$545
037 C014505	531	CONGRESS ST	WALBRIDGE HOYT &	STEPHANIE BACON JTS	$601,500	$553
037 C017006	547	CONGRESS ST	MOULTON THOMAS W		$638,000	$587
037 C014504	531	CONGRESS ST	HEGA REALTY LLC		$806,600	$742
037 C014100	531	CONGRESS ST	HEGA REALTY LLC		$1,388,800	$1,278
037 C014300	531	CONGRESS ST	HEGA REALTY LLC		$1,639,100	$1,508
037 C014400	531	CONGRESS ST	HEGA REALTY LLC		$1,753,700	$1,613
037 C014200	531	CONGRESS ST	HEGA REALTY LLC		$2,068,100	$1,903
037 H002002	540	CONGRESS ST	540 CONGRESS STREET LLC		$2,152,700	$1,980
038 C009001	24	COTTON ST	CASCO VIEW HOLDINGS III LLC		$729,500	$671
038 C012001	8	COTTON ST	CASCO VIEW HOLDINGS III LLC		$1,862,500	$1,714
038 F019001	19	CROSS ST	CASCO VIEW HOLDINGS II LLC		$7,127,700	$6,557
037 D003001	360	CUMBERLAND AVE	53-57 ALLEN AVE	LIMITED LIABILITY COMPANY	$465,800	$429
037 B001001	380	CUMBERLAND AVE	THREE EIGHTY CUMBERLAND	ASSOCIATES LLC	$1,807,000	$1,662
037 F009001	338	CUMBERLAND AVE	THREE FORTY ASSOCIATES LLC		$1,811,700	$1,667
027 A001001	320	CUMBERLAND AVE	25 PREBLE STREET LLC		$6,259,500	$5,759
029 K001001	7	CUSTOM HOUSE ST	OLYMPIA EQUITY	INVESTORS IV LLC	$5,902,300	$5,430
032 U005001	7	DANA ST	TRANSMAINE		$665,700	$612
032 U004001	1	DANA ST	ONE DANA LLC		$902,700	$830
032 V001001	10	DANA ST	10 DANA STREET LLC		$1,254,500	$1,154
040 B028001	1	DANFORTH ST	GIOBBI ARCHIE S &	MATILDA M JTS	$394,000	$362
040 D002001	10	DANFORTH ST	WRIGHT-RYAN REAL ESTATE LLC		$1,003,100	$923
040 D001001	20	DANFORTH ST	BROWN J B & SONS		$2,818,400	$2,593
032 I040001	44	EXCHANGE ST	COW PLAZA I LLC		$247,500	$228
032 F014001	1	EXCHANGE ST	ELEVEN EXCHANGE LLC		$517,600	$476
032 E004001	49	EXCHANGE ST	PALACCI JOSEPH A TRUSTEE		$567,400	$522
032 H006001	92	EXCHANGE ST	MAINESCAPE PROPERTIES LLC		$568,300	$523
032 I006001	50	EXCHANGE ST	FITZGIBBONS VIRGINIA S &	LEE F STREET TRUSTEES	$593,000	$546
032 F012001	5	EXCHANGE ST	ELEVEN EXCHANGE LLC		$619,500	$570
032 I011001	30	EXCHANGE ST	MAINELAND REAL ESTATE	CONSULTANTS LLC	$683,100	$628
032 H007001	88	EXCHANGE ST	RIVENDELL REAL ESTATE LLC		$718,200	$661
032 H002001	106	EXCHANGE ST	RICH BUILDING LLC		$721,500	$664
032 H003001	102	EXCHANGE ST	PALACCI JOSEPH		$848,700	$781
032 D001001	107	EXCHANGE ST	TOP OF EXCHANGE LLC		$918,700	$845
032 I010001	34	EXCHANGE ST	PALACCI SION &	JOSEPH PALACCI	$932,000	$857
032 E008001	39	EXCHANGE ST	PALACCI JOSEPH A TRUSTEE		$949,600	$874
032 E009001	31	EXCHANGE ST	B & C LIMITED		$1,027,000	$945
032 H001001	110	EXCHANGE ST	ONETEN EXCHANGE LLC		$1,176,600	$1,082
032 E002001	53	EXCHANGE ST	PALACCI JOSEPH A TRUSTEE		$1,176,800	$1,083
032 F010001	9	EXCHANGE ST	ELEVEN EXCHANGE LLC		$1,421,700	$1,308
032 D003001	93	EXCHANGE ST	TOP OF EXCHANGE LLC		$1,430,600	$1,316
032 I002001	52	EXCHANGE ST	OLD PORT ARMS		$1,557,200	$1,433
032 I008001	44	EXCHANGE ST	44 EXCHANGE STREET LLC		$1,679,900	$1,546
032 H008001	80	EXCHANGE ST	MURAL ASSOCIATES		$1,795,300	$1,652
032 D002001	97	EXCHANGE ST	TOP OF EXCHANGE LLC		$1,959,500	$1,803
032 E005001	45	EXCHANGE ST	45 EXCHANGE STREET LLC		$2,130,900	$1,960
032 I012001	10	EXCHANGE ST	10 EXCHANGE PROPERTIES LLC		$2,133,700	$1,963
032 D004001	85	EXCHANGE ST	TOP OF EXCHANGE LLC		$2,548,400	$2,345
032 E001001	57	EXCHANGE ST	57 EXCHANGE STREET LLC		$2,906,700	$2,674
029 K0060B3	300	FORE ST	OLYMPIA EQUITY	INVESTORS IV LLC	$70,000	$64
032 I041002	401	FORE ST	BANGOR SAVINGS BANK		$85,000	$78
029 K0060B2	300	FORE ST	OLYMPIA EQUITY	INVESTORS IV LLC	$98,000	$90
032 J00400B	396	FORE ST	BEER GUYS LLC		$151,600	$139
032 J004001	396	FORE ST	BEER GUYS LLC		$166,400	$153
032 J004002	396	FORE ST	BEER GUYS LLC		$180,300	$166
032 J004003	396	FORE ST	BEER GUYS LLC		$228,300	$210
032 J005003	398	FORE ST	INGALLS ROGER E		$271,600	$250
032 J005004	398	FORE ST	INGALLS ROGER E		$271,600	$250
032 J005002	398	FORE ST	FORE STREET PROPERTIES	LIMITED PARTNERSHIP	$300,000	$276
029 E012001	277	FORE ST	287 FORE STREET LLC		$321,580	$296
029 C002001	336	FORE ST	DOCK FORE INC		$348,000	$320
032 J005001	398	FORE ST	FORE STREET PARTNERSHIP	LIMITED PARTNERSHIP	$375,100	$345
029 C003001	334	FORE ST	PORT CITY APARTMENTS		$401,100	$369
032 R003001	432	FORE ST	DREAM PORT 3 LLC		$423,200	$389
029 C005001	330	FORE ST	J & R VENTURES LLC		$445,700	$410
032 N011001	422	FORE ST	HARDING RICHARD B ETAL		$450,100	$414
032 F008001	375	FORE ST	ELEVEN EXCHANGE LLC		$451,000	$415
032 F007001	375	FORE ST	ELEVEN EXCHANGE LLC		$467,200	$430
032 R004001	434	FORE ST	DREAM PORT 3 LLC		$493,300	$454
032 N009001	414	FORE ST	GOULD COMPANY LLC		$601,300	$553
032 F013001	379	FORE ST	ELEVEN EXCHANGE LLC		$648,800	$597
038 G007001	508	FORE ST	NORTH RIVER IV LLC		$701,800	$646
032 R001001	428	FORE ST	428 FORE STREET LLC		$756,200	$696
029 E007001	291	FORE ST	291 FORE STREET LLC		$812,000	$747
032 N012001	424	FORE ST	SOLETSKY LIMITED LIABILITY CO		$828,700	$762
032 N010001	416	FORE ST	416 FORE STREET LLC		$845,300	$778

PARCEL ID	ST. NO.	STREET	OWNER	OWNER CONT.	TAXABLE VALUE	ASSESSMENT
032 J002001	392	FORE ST	PFEFFER RICHARD A &	J EDWARD STEBBINS	$864,600	$795
032 F005001	363	FORE ST	ELEVEN EXCHANGE LLC		$883,400	$813
032 I018001	395	FORE ST	395 FORE STREET LLC		$912,300	$839
032 R008001	446	FORE ST	DREAM PORT 3 LLC		$1,000,500	$920
029 K002001	288	FORE ST	EAST BROWN COW LIMITED	LIABILITY COMPANY	$1,103,000	$1,015
032 J001001	386	FORE ST	386 FORE STREET LLC		$1,197,900	$1,102
032 R007001	436	FORE ST	DREAM PORT 3 LLC		$1,275,000	$1,173
038 F008001	470	FORE ST	DICTAR ASSOCIATES II		$2,148,000	$1,976
032 S001001	366	FORE ST	MCGEE CHARLES T &	RICHARD P HERRERA TR	$2,321,400	$2,136
038 F009002	468	FORE ST	DICTAR ASSOCIATES II		$2,360,900	$2,172
038 G001001	486	FORE ST	NORTH RIVER IV LLC		$3,257,600	$2,997
038 B003001	481	FORE ST	NORTH RIVER IV LLC		$3,634,900	$3,344
032 I041001	425	FORE ST	COW PLAZA GARAGE LLC		$5,931,300	$5,457
038 F009001	468	FORE ST	HARBOR PLAZA ASSOCIATES II		$7,658,200	$7,046
032 I042001	433	FORE ST	COW PLAZA HOTEL LLC		$12,367,300	$11,378
029 C001005	340	FORE ST	ADB REALTY LLC		$65,900	$61
029 B004011	341	FORE ST	BOOTHBY SQUARE PROPERTIES LLC		$118,100	$109
029 C001001	340	FORE ST	ADB REATLY LLC		$120,000	$110
029 C006005	320	FORE ST	FORE STREET INVESTMENTS LLC		$122,100	$112
029 B004007	341	FORE ST	ALAGIC SUAD		$125,700	$116
029 B004002	341	FORE ST	O'CONNOR DENNIS R III &	BARBARA M O'CONNOR JTS	$127,400	$117
029 C001002	340	FORE ST	HAYEK LEE-ANN C TRUSTEE		$128,000	$118
029 B004005	341	FORE ST	PENDERS JOHN F IV		$128,600	$118
029 B004008	341	FORE ST	DALTON JENNIFER L		$129,900	$120
029 B004006	341	FORE ST	KELLER BENJAMIN R		$134,100	$123
029 C006006	320	FORE ST	FORE STREET INVESTMENTS LLC		$138,200	$127
029 B004001	341	FORE ST	JACKSON MICHAEL		$140,700	$129
029 B004004	341	FORE ST	CHILDS DONNA W		$140,700	$129
029 C001004	340	FORE ST	ABD REALTY LLC		$141,500	$130
029 B004003	341	FORE ST	ROSE JOHN &	HEATHER ROSE JTS	$146,800	$135
029 C006003	320	FORE ST	FORE STREET INVESTMENTS LLC		$162,100	$149
029 C006004	320	FORE ST	FORE STREET INVESTMENTS LLC		$167,700	$154
029 B004010	341	FORE ST	BOOTHBY SQUARE PROPERTIES LLC		$180,000	$166
029 C001003	340	FORE ST	207 INVESTS LLC		$220,000	$202
029 C006007	320	FORE ST	FORE STREET INVESTEMENTS LLC		$392,100	$361
029 B004009	341	FORE ST	KNECHT GERALD C		$397,500	$366
029 K006001	300	FORE ST	OLYMPIA EQUITY	INVESTORS IV LLC	$497,800	$458
029 K005001	280	FORE ST	OLYMPIA EQUITY	INVESTORS V-P LLC	$12,880,800	$11,850
037 E005001	32	FOREST AVE	RB PORTLAND LLC		$162,900	$150
037 E005002	32	FOREST AVE	PLAZA ASSOCIATES AT CONGRESS	SQUARE LP	$175,560	$162
037 E004001	28	FOREST AVE	PLAZA ASSOCIATES AT CONGRESS	SQUARE LP	$197,750	$182
037 A046001	7	FOREST AVE	D & D PARTNERS LLC		$372,500	$343
037 A033001	11	FOREST AVE	PACHIOS BROTHERS I LLC &	LACONIA LLC	$499,480	$460
037 A022001	25	FOREST AVE	PORTLAND STAGE COMPANY		$822,900	$757
037 A012001	39	FOREST AVE	39 LLC		$2,957,100	$2,721
037 A001001	45	FOREST AVE	NORTHERN NEW ENGLAND	TELEPHONE OPERATIONS LLC	$10,420,800	$9,587
039 C0010GB	110	FREE ST	MAINEHEALTH		$43,300	$40
027 F028001	41	FREE ST	TEDLUM ASSOCIATES LLC		$117,920	$108
039 C001302	110	FREE ST	MAINEHEALTH		$239,500	$220
039 B007001	128	FREE ST	ARCAND PROPERTIES LLC		$305,000	$281
037 I009001	59	FREE ST	JBG & H ASSOCIATES		$448,260	$412
037 G010001	133	FREE ST	HUBBARD'S APTS INC		$532,700	$490
039 B008001	120	FREE ST	MAINEHEALTH		$586,840	$540
039 B004001	130	FREE ST	MAINEHEALTH		$723,380	$666
039 C00101B	110	FREE ST	MAINEHEALTH		$730,800	$672
038 A001002	10	FREE ST	JB BROWN & SONS		$833,100	$766
039 C00101C	110	FREE ST	MAINEHEALTH		$1,032,900	$950
038 I018001	46	FREE ST	JB BORWN & SONS		$2,359,200	$2,170
038 A005001	22	FREE ST	JB BROWN & SONS		$2,585,200	$2,378
038 A001001	10	FREE ST	JBG&H ASSOCIATES		$2,933,800	$2,699
027 F029001	23	FREE ST	ONE CITY CENTER ASSOCIATES LLC		$6,584,700	$6,058
029 C006002	1	GOLD ST	ADNERB PROPERTIES LLC		$154,800	$142
029 C006001	3	GOLD ST	MAINE BODYWORKS LLC		$157,000	$144
039 A016001	122	HIGH ST	PACIFIC & SOUTHERN COMPANY INC		$79,500	$73
039 A035001	110	HIGH ST	ONE HUNDRED AND TEN HIGH ST	LIMITED LIABILITY COMPANY	$382,800	$352
039 A037001	106	HIGH ST	THIDWICK LLC		$416,200	$383
039 E008001	93	HIGH ST	GREATER PORTLAND	LANDMARKS INC	$730,600	$672
039 A016002	122	HIGH ST	PACIFIC AND SOUTHERN LLC		$813,050	$748
039 A027001	116	HIGH ST	CUMBERLAND CLUB		$1,317,200	$1,212
039 A017001	128	HIGH ST	PACIFIC & SOUTHERN COMPANY INC		$2,817,500	$2,592
046 D031001	142	HIGH ST	CROSTONE PORTLAND LLC		$4,127,000	$3,797
037 E006009	173	HIGH ST	181 HIGH STREET LLC		$8,309,400	$7,645
037 E007001	157	HIGH ST	RB PORTLAND LLC		$30,607,400	$28,159
029 O003001	43	MARKET ST	PORTLAND REGENCY INC		$285,520	$263
032 F003001	30	MARKET ST	E L C INC		$511,600	$471
032 F002001	36	MARKET ST	36 MARKET ST		$661,600	$609
032 F001001	42	MARKET ST	OCEAN BLOCK ASSOCIATES		$809,900	$745
032 E010001	46	MARKET ST	MARKET MILK PARTNERS LLC		$888,400	$817
028 K001001	77	MARKET ST	85 MARKET STREET LLC		$1,647,500	$1,516
028 K003001	75	MARKET ST	WHOLLY COW LLC		$3,643,900	$3,352
029 A001P02	150	MIDDLE ST	GIUSTRA BETSY M TRUSTEE		$5,100	$5
029 A001P01	150	MIDDLE ST	DUNKERLY MARY V		$10,100	$9
029 A001P04	150	MIDDLE ST	MIRS PROPERTIES LLC		$10,100	$9
029 A001P05	150	MIDDLE ST	MIRS PROPERTIES LLC		$10,100	$9
029 A001P06	150	MIDDLE ST	IN FIRM GROUP THE		$10,100	$9

PARCEL ID	ST. NO.	STREET	OWNER	OWNER CONT.	TAXABLE VALUE	ASSESSMENT
029 A001P07	150	MIDDLE ST	IN FIRM GROUP THE		$10,100	$9
029 A001P08	150	MIDDLE ST	GIARRAPUTO CYNTHIA R &	JOHN P FARRELL JTS	$10,100	$9
029 A001P09	150	MIDDLE ST	MCGOLDRICK RICHARD J		$10,100	$9
029 A001P10	150	MIDDLE ST	FRANK JANE C		$10,100	$9
029 A001P11	150	MIDDLE ST	FRANK PATRICK J JR		$10,100	$9
029 A001P12	150	MIDDLE ST	INFIRM GROUP		$10,100	$9
029 A001P13	150	MIDDLE ST	MILLS S PETER		$10,100	$9
029 A001P14	150	MIDDLE ST	ERNEST PAUL W &	CARMELIA G ERNEST JTS	$10,100	$9
029 A001P15	150	MIDDLE ST	BIXBY DOUGLAS B &	KATHLEEN F WHITE JTS	$10,100	$9
029 A001P16	150	MIDDLE ST	MACBRIDE JENNIFER L		$10,100	$9
029 A001P17	150	MIDDLE ST	CAMP PETER S		$10,100	$9
029 A001P18	150	MIDDLE ST	CEDRONE RONALD M		$10,100	$9
029 A001P19	150	MIDDLE ST	CEDRONE RONALD M		$10,100	$9
029 A001P20	150	MIDDLE ST	THORNTON JAMES M		$10,100	$9
029 A001P21	150	MIDDLE ST	DUNKERLY ALLAN S &	MARY V DUNKERLY JTS	$10,100	$9
029 A001P22	150	MIDDLE ST	MIRS PROPERTIES LLC		$10,100	$9
029 A001P23	150	MIDDLE ST	MIRS PROPERTIES LLC		$10,100	$9
029 A001P24	150	MIDDLE ST	MIRS PROPERTIES LLC		$10,100	$9
029 A001P25	150	MIDDLE ST	MIRS PROPERTIES LLC		$10,100	$9
029 A001P26	150	MIDDLE ST	MIRS PROPERTIES LLC		$10,100	$9
029 A001P27	150	MIDDLE ST	HARDING WILLIAM TRUSTEE		$10,100	$9
029 A001P28	150	MIDDLE ST	SHIPYARD INC		$10,100	$9
029 A001P29	150	MIDDLE ST	SHIPYARD INC		$10,100	$9
029 A001P03	150	MIDDLE ST	LINDQUIST PETER R &	SARAH RUEF-LINDQUIST JTS	$10,400	$10
032 I038001	182	MIDDLE ST	MIDDLE STREET HOLDINGS LLC		$53,700	$49
029 A00102I	150	MIDDLE ST	BOEPPLE ELIZABETH A		$134,600	$124
029 A00102J	150	MIDDLE ST	MILLS S PETER		$137,100	$126
029 A00103J	150	MIDDLE ST	WALTER MARIA L TRUSTEE		$137,100	$126
029 A00104J	150	MIDDLE ST	GREENZWEIG NEIL TRUSTEE		$137,100	$126
029 A00103H	150	MIDDLE ST	HENDERSON HAROLD L &	RACHEL C HENDERSON JTS	$140,800	$130
029 A00102G	150	MIDDLE ST	COHEN ARTHUR C & THELMA JTS		$143,300	$132
029 A00103G	150	MIDDLE ST	M & B 101 INC		$143,300	$132
029 A00104G	150	MIDDLE ST	GIARRAPUTO CYNTHIA R &	JOHN P FARRELL JTS	$143,300	$132
029 A00103I	150	MIDDLE ST	HARDING WILLIAM TRUSTEE		$149,600	$138
029 A00104I	150	MIDDLE ST	KOSTA KATHERINE C		$149,600	$138
029 A00102B	150	MIDDLE ST	COTSIRILOS BORLAND LLC		$150,800	$139
029 A00103B	150	MIDDLE ST	LINDQUIST PETER R &	SARAH RUEF-LINDQUIST JTS	$150,800	$139
029 A00104B	150	MIDDLE ST	FISHER LAURIE		$150,800	$139
029 A00102D	150	MIDDLE ST	WILK BRIAN &	LINDA WILK JTS	$153,400	$141
029 A00103D	150	MIDDLE ST	THORNTON JAMES M		$153,400	$141
029 A00104D	150	MIDDLE ST	GUTWIN JOHN D &	LENORA GUTWIN JTS	$153,400	$141
029 A00104H	150	MIDDLE ST	ASM PROPERTIES LLC		$155,800	$143
029 A00102C	150	MIDDLE ST	MEIL JOAN F &	HENRY MEIL JTS	$158,900	$146
029 A00103C	150	MIDDLE ST	BELL KEVIN P &	SUSAN F BELL JTS	$158,900	$146
029 A00104C	150	MIDDLE ST	CAMP PETER S		$158,900	$146
029 A00102K	150	MIDDLE ST	MILLS S PETER		$160,900	$148
029 A00103K	150	MIDDLE ST	MACBRIDE JENNIFER L		$160,900	$148
029 A00104K	150	MIDDLE ST	GIOVINE DONATO &	MARIAGRAZIA ZANARDI JTS	$160,900	$148
029 A00102A	150	MIDDLE ST	FRANK PATRICK J JR		$163,400	$150
029 A00102H	150	MIDDLE ST	JOHNS F ARTHUR T		$163,400	$150
029 A00102F	150	MIDDLE ST	FRANK JANE C		$166,800	$153
029 A00103F	150	MIDDLE ST	M & B 101 INC		$166,800	$153
029 A00104F	150	MIDDLE ST	GUILLAUME RAYMOND		$166,800	$153
029 A00102E	150	MIDDLE ST	ERNEST PAUL W &	CARMELIA G ERNEST JTS	$167,400	$154
029 A00103E	150	MIDDLE ST	MANGIARACINE KEVIN &	KATHLEEN A MANGIARACINE JTS	$167,400	$154
029 A00104E	150	MIDDLE ST	GIUSTRA BETSY M TRUSTEE		$167,400	$154
029 A00103A	150	MIDDLE ST	MOUMENE MISSOUM &	ELIZABETH MOUMENE JTS	$178,400	$164
029 A00104A	150	MIDDLE ST	BIXBY DOUGLAS B &	KATHLEEN F WHITE JTS	$178,400	$164
029 A0010BA	150	MIDDLE ST	242 NEWRY PARTNERS	LIMITED PARTNERSHIP	$188,500	$173
029 A0010BB	150	MIDDLE ST	242 NEWRY PARTNERS	LIMITED PARTNERSHIP	$188,500	$173
028 N010001	111	MIDDLE ST	VENTURE III HOLDINGS LLC		$200,100	$184
032 H016004	183	MIDDLE ST	SLEEPY HOLLOW DEVELOPMENT INC		$258,360	$238
029 A00101C	150	MIDDLE ST	IN FIRM GROUP THE		$290,700	$267
032 H01604B	183	MIDDLE ST	ITM REALTY II LLC		$291,340	$268
029 A00101A	150	MIDDLE ST	CEDRONE RONALD M		$328,300	$302
029 A00101B	150	MIDDLE ST	GOLDEN PEGGY		$329,700	$303
032 H016002	183	MIDDLE ST	LEWIS SAUL & ASSOCIATES PC		$549,700	$506
032 H016003	183	MIDDLE ST	MORRISSWITZER-BUILDING	FOR HEALTH LLC	$549,700	$506
028 N009001	115	MIDDLE ST	BROTHERS THREE LLC		$648,300	$596
032 H016001	183	MIDDLE ST	SHOEMAKER LLC		$683,900	$629
029 A00105A	150	MIDDLE ST	MIRS PROPERTIES LLC		$799,300	$735
029 O002001	164	MIDDLE ST	164 REALTY LLC		$1,232,900	$1,134
032 I001001	178	MIDDLE ST	MIDDLE STREET HOLDINGS LLC		$1,963,200	$1,806
032 H022001	193	MIDDLE ST	SAVI REALTY LLC		$2,004,200	$1,844
028 L007001	131	MIDDLE ST	RACKLEFF BLOCK LLC		$2,168,800	$1,995
028 M005001	121	MIDDLE ST	123 LLC		$2,738,300	$2,519
032 I021001	182	MIDDLE ST	MIDDLE STREET HOLDINGS LLC		$3,508,600	$3,228
029 E001001	130	MIDDLE ST	ELC LIMITED LIABILITY COMPANY		$5,763,200	$5,302
029 E026001	100	MIDDLE ST	ALBANY ROAD-PORTLAND LLC		$16,178,000	$14,884
029 E006001	100	MIDDLE ST	ALBANY ROAD-PORTLAND LLC		$17,130,000	$15,760
029 A00101D	150	MIDDLE ST	IN FIRM GROUP THE		$290,700	$267
029 A00105B	150	MIDDLE ST	DUNKERLY ALLAN S TRUSTEE		$402,900	$371
029 O004001	11	MILK ST	PORTLAND REGENCY INC		$112,080	$103
032 F009001	30	MILK ST	OCEAN BLOCK ASSOCIATES		$1,313,700	$1,209
029 B002001	4	MILK ST	4 MILK MHR LLC		$1,502,300	$1,382

PARCEL ID	ST. NO.	STREET	OWNER	OWNER CONT.	TAXABLE VALUE	ASSESSMENT
029 A003001	5	MILK ST	MILK STREET ASSOCIATES LLC		$2,561,900	$2,357
029 R001001	20	MILK ST	PORTLAND REGENCY INC		$7,901,900	$7,270
027 F014001	0	MONUMENT SQ	TWO MONUMENT WAY ASSOCIATES		$31,700	$29
027 F004001	6	MONUMENT SQ	PARCHEGGIO LLC		$187,000	$172
027 F005001	18	MONUMENT SQ	18 MONUMENT SQUARE LLC		$574,700	$529
027 F006001	16	MONUMENT SQ	MCCURTAIN BRADLEY C		$706,700	$650
027 F003001	22	MONUMENT SQ	22 MONUMENT SQUARE LLC		$1,679,700	$1,545
027 F001001	50	MONUMENT SQ	50 MONUMENT LLC		$3,166,400	$2,913
032 K012001	1	MONUMENT SQ	FINARD MURRAY W TR		$13,058,800	$12,014
032 K001001	2	MONUMENT SQ	800 NORTHERN CORP		$15,107,800	$13,899
027 F002005	28	MONUMENT SQ	28 MSQ LLC		$116,300	$107
027 F002003	28	MONUMENT SQ	28 MSQ LLC		$232,300	$214
027 F002004	28	MONUMENT SQ	28 MSQ LLC		$246,300	$227
027 F002002	28	MONUMENT SQ	STODDARD ROBERT B &	ELIZABETH W SODDARD JTS	$551,600	$507
027 F002001	28	MONUMENT SQ	BUDDE SCOTT &	CHARLOTTE F COLE JTS	$755,900	$695
027 F011001	1	MONUMENT WAY	EAST END CORP		$3,465,500	$3,188
032 S003001	7	MOULTON ST	7-9 MOULTON LLC		$283,300	$261
032 S005001	5	MOULTON ST	MOULTON STREET REALTY LLC		$1,924,200	$1,770
032 T004001	4	MOULTON ST	ADRIENNE-JANE INCORPORATED		$3,521,700	$3,240
037 H025001	57	OAK ST	NEKOIE BAHMAN &	CATHERINE E JTS	$77,300	$71
037 H014005	51	OAK ST	MAINE COLLEGE OF ART		$116,560	$107
037 H014001	51	OAK ST	MAINE COLLEGE OF ART		$155,430	$143
037 H014003	51	OAK ST	MAINE COLLEGE OF ART		$159,130	$146
039 B011002	44	OAK ST	44 OAK STREET LLC		$191,100	$176
039 B011003	44	OAK ST	44 OAK STREET LLC		$195,500	$180
037 B013001	95	OAK ST	NORTHERN NEW ENGLAND	TELEPHONE OPERATIONS LLC	$209,880	$193
039 B011001	44	OAK ST	44 OAK STREET LLC		$335,900	$309
037 C008001	81	OAK ST	HEGA REALTY LLC		$338,940	$312
037 A023001	84	OAK ST	NORTHEAST REALTY INC		$341,500	$314
039 B011004	44	OAK ST	KEON MICHAEL P		$702,900	$647
037 A035001	72	OAK ST	AVESTA OAK STREET LP		$2,196,400	$2,021
028 L00503A	75	PEARL ST	WOODMAN BUILDING	ASSOCIATES LLC	$352,000	$324
028 L00504A	75	PEARL ST	WOODMAN BUILDING	ASSOCIATES LLC	$352,000	$324
028 L00502B	75	PEARL ST	WOODMAN BUILDING	ASSOCIATES LLC	$449,000	$413
028 L00503B	75	PEARL ST	WOODMAN BUILDING	ASSOCIATES LLC	$461,900	$425
028 L00502A	75	PEARL ST	WOODMAN BUILDING	ASSOCIATES LLC	$571,300	$526
028 L00504B	75	PEARL ST	WOODMAN BUILDING	ASSOCIATES LLC	$571,300	$526
028 L005001	75	PEARL ST	WBFM LLC		$1,020,700	$939
028 K002001	66	PEARL ST	LEADER PROPERTIES LLC		$4,244,800	$3,905
029 E016001	31	PEARL ST	130 LIMITED LIABILITY COMPAMY		$4,790,700	$4,407
029 E009001	25	PEARL ST	25 PEARL MHR LLC		$14,588,600	$13,422
021 A001001	119	PEARL ST	PEARL CUMBERLAND LLC		$4,265,900	$3,925
038 X001001	9	PLEASANT ST	7-19 PLEASANT STREET LLC		$11,760	$11
040 B015001	10	PLEASANT ST	GIOBBI CARLO JR		$15,100	$14
040 B017001	4	PLEASANT ST	GIOBBI ARCHIE S &	MATILDA M JTS	$46,020	$42
038 E021001	9	PLEASANT ST	7-19 PLEASANT STREET LLC		$79,990	$74
040 B013001	14	PLEASANT ST	GIOBBI CARLO JR		$250,700	$231
038 E020001	7	PLEASANT ST	7-19 PLEASANT STREET LLC		$392,200	$361
038 E019001	1	PLEASANT ST	MH & RB LLC		$696,700	$641
038 E023001	15	PLEASANT ST	7-19 PLEASANT STREET LLC		$811,000	$746
038 B001007	1	PORTLAND SQ	PS ONE REALTY LLC		$12,323,400	$11,338
038 B001001	1	PORTLAND SQ	NORTH RIVER IV LLC		$15,876,300	$14,606
038 B002001	2	PORTLAND SQ	NORTH RIVER IV LLC		$26,105,600	$24,017
027 A014001	7	PREBLE ST	5 MONUMENT SQUARE LLC		$57,050	$52
037 F007001	24	PREBLE ST	24 PREBLE STREET LLC		$1,221,800	$1,124
037 F023001	22	PREBLE ST	477 TIME & TEMPERATURE LLC		$2,153,900	$1,982
037 F005001	28	PREBLE ST	EARL APARTMENTS LLC		$2,442,400	$2,247
037 C004001	0	SHEPLEY ST	OCEAN GATE LLC		$204,630	$188
037 C001001	0	SHEPLEY ST	OCEAN GATE LLC		$322,700	$297
037 B015001	11	SHEPLEY ST	11 SHEPLEY STREET	ASSOCIATES LLC	$1,669,800	$1,536
029 O001047	99	SILVER ST	MANCHESTER CATHLEEN A &	KATIE J MANCHESTER JTS	$91,900	$85
029 O001037	99	SILVER ST	KINSMAN JESSICA A		$94,900	$87
029 O001212	99	SILVER ST	SILVER VICTORIA J		$96,100	$88
029 O001049	99	SILVER ST	DEVINE DEREK		$97,500	$90
029 O001B01	99	SILVER ST	BUCK TRACY J		$100,000	$92
029 O001B02	99	SILVER ST	JOHNSON BEN A		$100,000	$92
029 O001211	99	SILVER ST	GINTER DAVID R		$101,600	$93
029 O001048	99	SILVER ST	PEEL BRUCE H		$102,700	$94
029 O001036	99	SILVER ST	HAAG DARYA I		$102,900	$95
029 O001038	99	SILVER ST	ZURKAN WILLIAM K		$104,100	$96
029 O001210	99	SILVER ST	LINCOLN STREET PROPERTIES LLC		$105,500	$97
029 O001213	99	SILVER ST	PROSSER JAMES G		$105,600	$97
029 O001025	99	SILVER ST	LINCOLN STREET PROERTIES LLC		$106,800	$98
029 O001410	99	SILVER ST	CHANDLER PETER H JR		$109,000	$100
029 O001026	99	SILVER ST	FISCHER CHRISTOPHER E		$110,000	$101
029 O001039	99	SILVER ST	LEDUC SANDRA J & SOREL &	KENNETH J JTS	$112,600	$104
029 O001021	99	SILVER ST	THOMS DEBORAH L		$113,100	$104
029 O001024	99	SILVER ST	LEDDY JENNIFER M		$114,700	$106
029 O001310	99	SILVER ST	HEALY ROBERT E &	CATHERINE B HEALY JTS	$115,100	$106
029 O001012	99	SILVER ST	TOZESKI DAVID P		$115,600	$106
029 O001011	99	SILVER ST	ARENSBERG LEE C TRUSTEE		$120,400	$111
029 O001013	99	SILVER ST	HOLSTEIN ERIC B &	CLAIRE S WASSERMAN JTS	$121,100	$111
029 O001031	99	SILVER ST	BRAGDON BENJAMIN		$123,800	$114
029 O001032	99	SILVER ST	BOROWSKI ROBERT B		$125,500	$115
029 O001033	99	SILVER ST	MURPHY KAREN &	JOHN MAKEY JTS	$125,500	$115

PARCEL ID	ST. NO.	STREET	OWNER	OWNER CONT.	TAXABLE VALUE	ASSESSMENT
029 O001034	99	SILVER ST	BERG HENRY T TRUSTEE		$125,500	$115
029 O001035	99	SILVER ST	DODERER WILLIAM K		$125,500	$115
029 O001045	99	SILVER ST	DG CONDO 4 LLC		$125,500	$115
029 O001046	99	SILVER ST	VAN PEURSEM CORINNE M		$125,500	$115
029 O001044	99	SILVER ST	LITTLEJOHN CLIFTON T		$126,900	$117
029 O001029	99	SILVER ST	COUSINS DAVID A		$127,900	$118
029 O001041	99	SILVER ST	LINCOLN STREET PROPERTIES LLC		$129,100	$119
029 O001042	99	SILVER ST	KINGRA MICHAEL R &	KATHERINE D SZUM JTS	$129,100	$119
029 O001028	99	SILVER ST	FLOECKHER PETER W &	SARAH B MAXNER JTS	$130,500	$120
029 O001043	99	SILVER ST	BHANDARI AMEESH M &	PHYLIS BHANDARI JTS	$138,400	$127
029 O001023	99	SILVER ST	JENKINS COLBY LAWRENCE		$140,200	$129
029 O001501	99	SILVER ST	KATZ JAMES &	CHARLOTTE KASSAB JTS	$389,600	$358
029 O001502	99	SILVER ST	PEAK 5 EQUITIES LLC		$406,200	$374
029 B001001	37	SILVER ST	WITT-T LLC		$520,400	$479
029 B003001	25	SILVER ST	PORTLAND REGENCY INC		$600,550	$553
039 E010001	88	SPRING ST	LAFAYETTE PORTLAND LLC		$17,438,200	$16,043
055 E037001	190	STATE ST	HUCKSTER'S ROW PROPERTIES LLC		$676,800	$623
055 E039001	188	STATE ST	LONGFELLOW SQUARE	PARTNERS LLC	$1,165,700	$1,072
032 H005002	0	TEMPLE ST	11 TEMPLE MHR LLC		$2,590,200	$2,383
032 I039001	40	UNION ST	CENTRAL MAINE POWER CO	LOCAL TAX	$1,289,200	$1,186
032 V012001	1	UNION ST	237 COMMERCIAL STREET LLC		$1,717,000	$1,580
031 L135001	1	UNION WHARF	PROPRIETORS OF UNION WHARF		$1,351,100	$1,243
032 V015001	42	WHARF ST	DREAM PORT 3 LLC		$381,200	$351
032 V014001	50	WHARF ST	DREAM PORT 3 LLC		$802,600	$738
032 V016001	34	WHARF ST	GVF PROPERTIES LLC		$369,600	$340
040 E001001	40	YORK ST	BROWN J B & SONS		$667,900	$614
040 F011001	14	YORK ST	BROWN J B & SONS		$2,264,000	$2,083
Totals:					**$814,286,460**	$749,144

Order 300-15/16
~~Tab 39 6-6-16~~
Tab 24 6-20-16

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 APPROVING AND AUTHORIZING THE CITY MANAGER TO ENTER INTO MASTER AGREEMENT AND SUPPLEMENTAL SERVICES AGREEMENT WITH PORTLAND DOWNTOWN

ORDERED, that the City Manager is hereby authorized to enter into a Master Agreement, with the Baseline Services provided in Exhibit B, with the Downtown Improvement District, Inc., doing business as Portland Downtown, to carry out the Development Plan for the Downtown Improvement District, Inc. for the period from and after July 1, 2016 and ending June 30, 2017, said agreement to be substantially in the form attached;

BE IT FURTHER ORDERED, that the City Manager is authorized to enter into a Supplemental Services Agreement, substantially in the form attached, with the Downtown Improvement District, Inc. doing business as Portland Downtown to implement Supplemental Public Works Services as approved in the Fiscal Year 2017 Appropriation Resolve.

MASTER AGREEMENT

BETWEEN THE CITY OF

PORTLAND AND

DOWNTOWN IMPROVEMENT DISTRICT, INC.
D/b/a PORTLAND DOWNTOWN DISTRICT

AGREEMENT made by and between the **CITY OF PORTLAND**, a municipal corporation of the State of Maine, hereinafter referred to as the **"CITY"** and the **DOWNTOWN IMPROVEMENT DISTRICT, INC., d/b/a PORTLAND DOWNTOWN**, a Maine non-profit corporation, having its office and place of business at Portland, Maine, and doing business as "Portland Downtown", hereinafter referred to as the **''CORPORATION".**

WHEREAS, the **CITY** has established a Downtown Improvement District; and

WHEREAS, the **CITY** desires to have certain services performed by the **CORPORATION**, as described in this Agreement, within the **CITY's** Downtown Improvement District (hereinafter referred to as the ''District''; and

WHEREAS, the **CITY** desires to contract with the **CORPORATION** for the provision of certain services to be provided in the District;

NOW, THEREFORE, in consideration of the covenants herein contained, the parties hereto mutually agree as follows:

ARTICLE I. FINANCIAL CONSIDERATIONS

1. The **CITY** will levy development district assessments on property in the District, as authorized by the City Council and permitted by law. **CITY**-owned property, as well as property which is tax exempt under Maine law, shall not be assessed by the **CITY**.

2. For the period commencing July 1, 2016 and ending June 30, 2017 the City will pay the **CORPORATION** in two (2) installments, to reflect the assessments collected by the City, less the **CITY**'s direct and indirect costs, such as, but not limited to, postage, publication, lien costs and costs of delinquent collection. Installment payments will be made on September 30, 2016 and March 31, 2017.

3. The **CITY** may adjust such payments, after an advisory consultation with representatives of the **CORPORATION** either: (i) in order to equal the net assessments collected; or (ii) in the event of any challenge to the assessments which includes a request for a refund, to withhold such amounts as the Director of Finance may deem necessary to protect the City from any order or judgment requiring it to make a refund.

   In addition to the foregoing, the **CITY** will pay in a lump sum, within thirty (30) days from the close of the fiscal year, any amount assessed in a prior year, but collected in a subsequent year. Said payment by **CITY** shall be in the amount of the net assessment collected as provided herein, less any amounts remaining to be reimbursed under a prior year Master Agreement or Supplemental Services Agreement with the **CITY**. **CITY** will provide the **CORPORATION** with written detail as to any deductions taken from payments under this paragraph.

4. Advancements made hereunder shall be reimbursed to the **CITY** from receipts from development district assessments, net of any of the costs referred to in Paragraph 2.

5. Notwithstanding the foregoing, **CORPORATION** agrees that it will neither encumber funds which it anticipates receiving from development district assessments nor incur expenditures in anticipation of receipt of such funds except in accord with the line items in the budget attached hereto as Exhibit A, or any subsequent amendments thereto approved by the **CITY**.

6. The **CITY** and the **CORPORATION** have accepted the **CORPORATION's** budget in Exhibit A, covering the period beginning on July 1, 2016, and ending on June 30, 2017, with estimated District revenues from the assessments in the amount of $749,143.

7. The parties agree that the acceptance of the budget by the **CITY** is for planning purposes only and does not obligate the **CITY** to pay the **CORPORATION** said amounts. **CORPORATION** specifically acknowledges the **CITY's** right to either terminate or reduce its payments as provided in Paragraph 2.

8. The **CORPORATION** will provide the Director of Finance with an annual certified financial statement in a form acceptable to him, including, but not limited to, a statement of its cash position. At a minimum, the statement shall list all income and expenses, and shall be provided to the Finance Director within six (6) months after the fiscal year ends.

9. The Director of Finance of the City of Portland will advise the **CORPORATION**, from month to month, of the amounts the **CITY** has collected from the assessments referred to herein, so that the **CORPORATION** can amend its budget to conform with the amount of money which may be available to it from the net proceeds of the development district assessments.

10. The **CITY** will maintain the level of "Basic Services" described in the memorandum which is attached hereto as Exhibit B.

11. The **CORPORATION** shall have reasonable access to the **CITY's** assessment collection records, and the **CITY** shall have reasonable access to the **CORPORATION's** books and records.

12. The Director of Finance shall determine the net amount

collected by the City from development district assessments. In determining such amount, he shall deduct from the amounts so collected all costs (whether direct or indirect) incurred by the **CITY** both in establishing and also in administering the development district; all costs of assessments and collections; and, if the **CITY** should collect interest on delinquent assessments, such interest shall not be included in the "net amount collected".

13. The Director of Finance shall determine the "net amount collected from development district assessments" as well as the amount to be withheld by the **CITY** in the event of a challenge which includes a request for a refund. The **CORPORATION** may appeal his determination within fourteen (14) days to the **CITY** Manager whose decision will be final.

ARTICLE II. SERVICES

A. ORGANIZATION OF CORPORATION.

The **CORPORATION** will:

1. Provide staff and administrative services for supervision of the daily activities and public space management of the District.

2. Establish positions for administration and management of the program; recruit, hire, and pay and otherwise supervise the work force necessary to implement this charge.

3. Establish a corporate Board of Directors whose members fairly represent a cross section of taxpayers in the District.

4. Establish a mechanism for resolving any dispute to the kind and level of services which may arise between the **CORPORATION** and persons subject to development district assessments regarding the kind and level of services provided by the **CORPORATION**.

5. Provide liaison between the **CITY**, the District, property owners, civic groups, interested persons, and other groups and individuals, as directed by the

CITY Manager and necessary to insure the successful implementation of District services.

6. Maintain all minutes and records of proceedings as may be required.

B. SERVICES AUTHORIZED TO BE PROVIDED BY CORPORATION.

The **CORPORATION** is authorized to provide the following services to supplement the **CITY's** "Basic Services" as described in Exhibit B.

1. Decorate and beautify public places in the District.

2. Sponsor and promote public events to take place on or in public places in the District.

3. Advertise and promote non-profit, cultural, educational and commercial business activities in the District.

4. Maintain information and directional signing for the District in accordance with applicable City codes and ordinances.

5. Improve public relations, generating favorable publicity for, and enhancing economic growth in, the District.

6. Manage vending activities, kiosks and information booths.

7. Sweep and clean sidewalks in the District.

8. Clean and erase graffiti.

9. Maintain vegetation and greenery in the public areas.

10. Remove trash and litter.

11. Wash, maintain and relocate street furniture, trash cans, drinking fountains, street lanterns, telephones and undertake minor repairs to street furniture.

12. Remove snow.

13. Provide for security of public areas.

14. Carry out the downtown improvement program authorized and approved by the **CITY** Council as set forth in this Agreement.

C. AUTHORITY OF CORPORATION.

Nothing in this Agreement shall be construed to limit the **CORPORATION**'s general powers, as set forth in the Maine Nonprofit Corporation Act, Title 13-B of the Maine Revised Statutes Annotated.

ARTICLE III. TERM OF AGREEMENT

This Agreement shall commence on July 1, 2016, and continue through, June 30, 2017.

ARTICLE IV. TERMINATION

This Agreement may be terminated by either party for good cause. Good cause shall be deemed to be found by the **CITY** at such time as the **CORPORATION's** performance under this Agreement has been determined in the exclusive judgment of the **CITY** Manager to be unsatisfactory which determination shall not be unreasonable.

If the **CORPORATION** should fail to perform any material covenant, obligation or agreement hereunder for a period of thirty (30) days after written notice from the **CITY** Manager specifying such failure, then, upon expiration of the thirty (30) day period, the **CITY** Manager may provide the **CORPORATION** with notice of his intention to terminate the Agreement as provided herein.

The **CORPORATION** shall have a ninety (90) day period, computed from the date of receipt of the notice of intent to terminate, within which to provide satisfactory service. In the event the **CITY** Manager should determine, at the expiration of the ninety (90) day period, that the **CORPORATION's** performance is still unsatisfactory and declare that the Agreement is terminated, the **CORPORATION** shall have the right to appeal his decision to the City Council.

The appeal to the **CITY** Council shall be filed with the **CITY** Manager within seven (7) business days from the date the **CORPORATION** receives the notice of termination.

The terms and conditions of this Agreement shall remain in full force and effect and binding on both parties until the **CITY** Council has acted on the appeal.

The **CORPORATION** shall be deemed to have good cause to terminate this Agreement if (i) the **CITY**, pursuant to the provisions of Article I, should reduce its anticipated payments by more than 20% of the amount it would otherwise have paid during the periods from July 1, 2016 to December 31, 2016, and January 1, 2017 to June 30, 2017; (ii) if the **CITY** should be more than 30 days in arrears in any payment due hereunder; or(iii) the **CITY** should fail to maintain "Basic Services", as that phrase is defined herein, in a material and substantial way.

In the event the **CORPORATION** should have "good cause" to terminate this Agreement, its relief shall be limited solely to termination of this Agreement, and it shall not be entitled to damages of any kind nor to equitable relief.

Nothing herein shall be construed as giving the **CORPORATION** the right to perform the work contemplated under this Agreement beyond the time when the **CORPORATION's** services become unsatisfactory as determined by the **CITY** Manager, following the ninety (90) day notice period, or, in the event of an appeal, beyond the time the **CITY** Council has affirmed the **CITY** Manager's decision. In case the **CORPORATION** should be discharged before all the services contemplated hereunder have been completed, or the services for any reason should be stopped, either because of the expiration of the term hereof or because of the inability of the **CORPORATION** to fulfill its obligations under this Agreement, the **CORPORATION** shall be reimbursed for all services satisfactorily performed to the date of termination in accordance with Article II hereof. After notice of termination and completion of the appeal process, the **CORPORATION** shall:

A. With respect to existing activities, take only such actions as the **CITY** Manager shall direct;

B. Assign to the **CITY** in the manner, at the times and only to the extent the **CITY**, acting by and through its

CITY Manager, may direct it to do so, all the rights, title and interest of the **CORPORATION** in and to all existing orders and agreements.

C. To the extent rights, title and interests of the **CORPORATION** in and to existing orders and agreements may be assigned to the **CITY** and accepted by it; obligations incurred on or after such assignment will be assumed by the **CITY**. Otherwise, the **CORPORATION** shall settle all outstanding liabilities and all claims arising out of any terminated orders or agreements.

D. Deliver to the **CITY**, in the manner, at the times and to the extent directed by the **CITY** Manager, all documents and data produced by the **CORPORATION** as part of or in connection with the work.

ARTICLE V. ASSIGNMENT

The **CORPORATION** covenants and agrees that it will neither assign nor transfer any rights hereunder, either in whole or in part, without first obtaining the prior written consent of the **CITY**.

ARTICLE VI. AREA COVERED

The services will be provided by the **CORPORATION** in the area designated by the **CITY** Council as the Downtown Improvement District of the **CITY** (hereinafter the "District"). A description and map thereof are attached as Exhibits C and D respectively and incorporated herein.

ARTICLE VII. STANDARD OF PERFORMANCE

All services performed under this Agreement either by or on behalf of the **CORPORATION** shall be performed in a good, workmanlike fashion to the reasonable satisfaction of the **CITY** Manager. All Basic Services performed by or on behalf of the City pursuant to Exhibit B shall be performed in a good, workmanlike fashion to the reasonable satisfaction of the Portland Downtown Board of Directors.

ARTICLE VIII. MANAGEMENT OF PERFORMANCE

The **CITY**'s Director of Public Works and/or designee and

the **CORPORATION'S** Executive Director and/or designee agree to meet and communicate on a monthly basis using a standard meeting agenda format to address regular topic reviews, including but not limited to quality control in service delivery, updated information on service activities, programs and projects. These services are detailed in this Agreement, its Exhibits, and also in the Supplemental Services Agreement executed contemporaneously with this Master Agreement - and its Exhibit(s).

ARTICLE IX. COMPLIANCE WITH LAW

The **CORPORATION** will comply with all applicable provisions of Federal, State, and local law, including, but not limited to, the Civil Rights Act of 1964, in its performance under this Agreement. The **CORPORATION** shall include a similar provision in each of its subcontracts.

ARTICLE X. INDEMNIFICATION

The **CORPORATION** shall, at its own cost and expense, defend, indemnify, and hold harmless the **CITY**, its officers, agents, and employees, from and against the following:

(a) to the fullest extent permitted by law, the **CORPORATION** shall indemnify and hold harmless the **CITY**, its officers and employees, from and against all claims, damages, losses, and expenses, just or unjust, including but not limited to costs of defense, including attorney's fees, arising out of or resulting from the performance of this Agreement, provided that any such claims, damage, loss or expense is: (1) attributable to bodily injury, sickness, disease, or death, or to injury to or destruction of tangible property, including the loss or use thereof; and (2)is caused in whole or in part by any negligent act or omission of the **CORPORATION**, anyone directly or indirectly employed by it, or anyone for whose act it may be liable;

(b) all claims and liens of the **CORPORATION's** consultants, subcontractors, and their laborers, mechanics, materialmen, and/or suppliers.

Such obligation shall not be construed either to negate or abridge any other obligation of indemnification, and shall not be limited by any provision for insurance contained in this Agreement.

ARTICLE XI. INSURANCE

Neither the **CORPORATION** nor any of its subcontractors shall commence work under this Agreement until they have provided the insurance coverage required by this Agreement and such coverage has been approved by the **CITY**.

(a) Workers' Compensation Insurance. The **CORPORATION** and its subcontractors shall procure and maintain, at their own expense, and show evidence to the **CITY** of Workers' Compensation Coverage, as well as Employer's Liability Coverage, for their employees. All such policies which are in any way related to the services to be provided hereunder and which are secured and maintained by the **CORPORATION** or any subcontractors shall include clauses requiring that each underwriter shall waive all of its rights of recovery under subrogation or otherwise against the **CITY**. The City shall be named as an additional insured in all such policies.

(b) Prior to the execution of this Agreement, **CORPORATION** will procure and maintain Public Liability Insurance coverage and Automobile Insurance coverage in amounts of not less than Four Hundred Thousand Dollars ($400,000) combined single limit for bodily injury, death, and property damage, naming the **CITY** as an additional insured on the certificate, in this way: certificate must say either: A) "the policy actually been endorsed to name the City of Portland as an Additional Insured" and a copy of the endorsement must come to the City of Portland with the certificate, or B) "the policy already includes an endorsement, such as the General Liability Expansion Endorsement, by which the City of Portland is, in fact, automatically made an additional insured."A Certificate which merely has a box checked under ''Addl Insr'', or the like, or which merely states The City of Portland is named as an Additional Insured, will not be acceptable.

(c) Deductible Amount. The **CORPORATION** and its subcontractors, as applicable, will reimburse the **CITY** for any amounts the **CITY** may be required to pay and hold **CITY** harmless from the cost of any losses for which the **CORPORATION** or its subcontractors are responsible and to which a deductible amount may apply. The deductible amount in any such policy may not exceed Two Thousand

Five Hundred Dollars ($2,500.00) without the written consent of the **CITY**.

(d) Certificate of Insurance. The **CORPORATION** and its subcontractors will provide the **CITY** with either certificates of insurance or certified copies of the applicable policies, showing that they have complied with these provisions, and such certificates shall provide that thirty (30) days' written notice of non-renewal, material modification, or cancellation must be given to the **CITY**, prior to the effective date of such non-renewal, material modification, or cancellation.

(e) Claims-made Policies. Claims-made policies will not be accepted.

ARTICLE XII. INDEPENDENT CONTRACTOR

The **CORPORATION** either has or will secure, at its own expense, all personnel, materials, and equipment required to perform its obligation under this Agreement. Its personnel shall neither include any employee of the **CITY** nor shall such personnel be deemed to have any contractual relationship with the **CITY** by virtue of this Agreement. This Agreement does not prohibit either the **CORPORATION** or the **CITY** from entering into any contractual relationship. The **CORPORATION**, agreeing expressly that its status is that of an independent contractor, further, agrees that no such personnel shall represent or hold himself or herself out to be an officer or employee of the **CITY** either by reason of this Agreement or by reason of his/her employment by the **CORPORATION** or its subcontractors.

ARTICLE XIII. SUBCONTRACTS

The **CORPORATION** may, after thirty (30) days' notice in advance to the **CITY** Manager of its intention to do so, and with his approval, which shall not be unreasonably withheld, subcontract with third parties for the provision of part or all of the public services, including, but not limited to, security services, trash and litter removal, and snow removal, under this Agreement. The **CORPORATION** shall provide the **CITY** with copies of any third party contracts and with any insurance certificates required under this Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of this _____ day of June, 2016.

WITNESS **CITY OF PORTLAND**

_____ By:_____
Jon P. Jennings
Its City Manager

WITNESS **DOWNTOWN IMPROVEMENT DISTRICT, INC. d/b/a PORTLAND DOWNTOWN**

_____ By:_____
Denine Leeman
Its Board Chairman

Approved as to Form:_____ (Corporation Counsel)

Approved as to Funds:_____ (Finance Department)

EXHIBIT A

PORTLAND DOWNTOWN DRAFT BUDGET FY16-17

Income		
ASSESSMENT INCOME	$	749,143
EVENT INCOME		
LIGHT UP YOUR HOLIDAYS		
LUYH SPONSORSHIPS	$	10,000
SHOP FOR A CAUSE	$	5,000
MERRY MADNESS		
MERRY MADNESS TICKET SALES	$	10,000
MERRY MADNESS SPONSORSHIP	$	5,000
Total LIGHT UP YOUR HOLIDAYS	$	30,000
SUMMER KICK OFF WEEKEND		
SPONSORSHIPS	$	5,000
OPF INCOME	$	50,000
SUMMER SHOP FOR A CAUSE	$	2,500
Total EVENT INCOME	$	102,500
MARKETING/ADVERTISING INCOME	$	2,500
DOWNTOWN WORKER APPRECIATION DAY	$	1,200
GRANT INCOME	$	5,000
P&W INCOME	$	1,000
POLICE AWARDS BANQUET	$	5,000
Total Income	**$**	**866,343**
Expense		
BANK SERVICE CHARGES	$	100
BOARD/COMMITTEE MEETINGS	$	2,000
CLEANING	$	3,000
CONFERENCES/PROF DEV	$	6,000
CONTRACT LABOR	$	3,000
COMPUTER/COPIER MAINTENANCE	$	2,000
DUES AND SUBS	$	2,400
EMPLOYEE COSTS		
HEALTH/DENTAL INSURANCE	$	30,000
LIFE & DISABILITY INSURANCE	$	3,500
PAYROLL PROCESSING FEE	$	1,000
PAYROLL TAX EXPENSE	$	18,500
Total EMPLOYEE COSTS	$	53,000
EMPLOYEE PARKING & BUS	$	4,800
EQUIPMENT EXPENSE	$	1,000
INSURANCE		
DIRECTORS & OFFICERS	$	600
GENERAL LIABILITY	$	400
LIQUOR LIABILITY	$	1,000
SPECIAL EVENTS INSURANCE	$	6,500

WORKERS COMPENSATION	$	1,200
Total INSURANCE	**$**	**9,700**
POSTAGE	$	3,000
PROFESSIONAL FEES		
ACCOUNTING	$	7,000
COMPUTERS	$	500
LEGAL	$	1,000
Total PROFESSIONAL FEES	**$**	**8,500**
RENT		
CAM CHARGES	$	8,000
RENT	$	17,000
Total RENT	**$**	**25,000**
SALARIES AND WAGES	$	189,000
BONUS & INCENTIVES	$	15,000
Total SALARIES AND WAGES	**$**	**204,000**
SUPPLIES	$	4,000
TAXES-PROPERTY	$	900
UTILITIES		
TELEPHONE & INTERNET	$	3,000
ELECTRIC	$	1,600
GAS	$	1,500
Total UTILITIES	$	6,100
Total Expense	**$**	**338,500**

Other Expense		
ANNUAL STAKEHOLDER + VOLUNTEER APPRECIATION	$	1,500
DOWNTOWN WORKER APPRECIATION DAY	$	1,200
GENERAL MARKETING	$	15,000
GRAFFITI REMOVAL	$	12,000
GUIDES		
WAGES	$	10,000
PAYROLL TAX	$	1,000
GENERAL	$	400
TELEPHONE	$	200
UNIFORMS	$	350
Total GUIDES	$	11,950
HOLIDAY LIGHTS	$	41,000
HOMETEAM	$	5,000
LIGHT UP YOUR HOLIDAYS		
TREE LIGHTING: MARKETING	$	3,500
TREE LIGHTING: PERFORMERS	$	3,500
TREE LIGHTING: SECURITY	$	1,200
TREE LIGHTING: STAGE	$	3,000
SHOP FOR CAUSE DONATION	$	5,000
RETAIL EVENTS	$	1,000

WAGON RIDES	$	6,500
MERRY MADNESS		
MARKETING	$	2,000
EVENT	$	6,000
Total LIGHT UP YOUR HOLIDAYS	$	**31,700**
SUMMER KICK OFF WEEKEND		
OPF MARKETING	$	5,000
OPF PERMITS	$	10,000
OPF SECURITY	$	4,000
OPF ELECTRICIAN	$	7,000
OPF EVENTS MANAGER	$	5,000
OPF MISC (golf carts, etc)	$	2,000
SUMMER SHOP FOR A CAUSE DONATION	$	2,500
Total OLD PORT FESTIVAL	$	**35,500**
PARK AND WORK	$	1,000
POLICE CADET PROGRAM EXPENSE	$	18,000
SPONSORHSIPS/PARTNERSHIPS	$	2,000
SUPPLEMENTAL SERVICES CONTRACT	$	352,000
WEBSITE DEVELOPMENT	$	1,500
Total Other Expense	$	**527,850**
TOTAL EXPENSE	$	**866,350**

EXHIBIT B TO MASTER AGREEMENT
(BASELINE SERVICES)

MEMORANDUM RELATED TO THE PROVISION OF CERTAIN SERVICES BY THE CITY OF PORTLAND

(July 1, 2016 - June 30, 2017)

This Memorandum relating to the provision of certain services attempts to define the baseline of City services agreed to be provided by the City to the area defined and designated as the Downtown Improvement District as passed by the City Council on March 16, 1992 (Council Order #306, as amended on February 22, 1995, by Council Order #185). This Memorandum is not binding upon the current City Council or any future City Council, but rather is a definition of the City's intent and good faith to provide services to the Downtown Improvement District zone.

It is generally understood that the City shall not reduce any of these usual and normal baseline services, thus requiring the same services to be provided by the Downtown Improvement District, Inc. (d/b/a Portland Downtown (PD) or its successors, unless these reductions are part of an overall reduction of City services provided by various departments to the City as a whole.

MAINTENANCE SERVICES.

Whereas it is the intention of any downtown improvement district maintenance program to complement existing City services currently provided with a supplementary program of cleaning and/or maintenance, the following information shall comprise the baseline of City services to be provided at City expense. Unless otherwise noted, services to be provided by the City shall apply only to the area(s) considered part of the public way.

1) Horticultural Program.

In all public areas within the downtown improvement district zone, the City's Parks and Recreation Department will maintain and improve the condition of all flower urns and other flowerbeds, trees, tree wells, bushes, plantings and other like horticultural amenities. Such activity shall include the initial planting, timely and appropriate maintenance,

preventative and otherwise, and expeditious replacement of any damaged, destroyed or diseased horticultural products, including grass, flowers, and trees. Specific areas of attention will include Longfellow Square, Congress Square, Monument Square, Tommy's Park, Post Office Park, Boothby Square, and any other public park, square or space which may be developed in the future.

2) Green Space Maintenance.

The City shall execute a green space maintenance program including mowing of all public grassed areas within the District.

3) Downtown Blitz.

Each year the City shall undertake a dedicated effort to repair, repaint, replace and correct any defects, deficiencies or problems in the district. Items of focus shall include light and utility poles, sidewalks, curbstones, trashcans, benches, signs, crosswalk markings, traffic signals, tree wells, planters, benches, trees, kiosks, shelters, bollards, and any other amenity that is now or at some point in the future may be installed. This program will be undertaken as early as possible each spring and conclude as rapidly as possible. Performance of some activities, i.e. painting, will take place annually as conditions permit. Major capital activity or the reconstruction and/or repair of significant infrastructure (street paving, sewer work, etc.) would not be considered part of this blitz program.

4) Sidewalk Repair.

To the extent it is funded, the City will undertake an on-going sidewalk repair program to re-grout existing sidewalks and replace bituminous sidewalk repairs with permanent repairs.

5) Street Sweeping.

All streets or parts thereof included in the downtown improvement district zone will be swept from curb line to curb line once per week.

6) Trash Removal.

Daily and when necessary emptying of all public trash receptacles in the downtown improvement district zone and disposal of resulting waste.

7) Holiday Decorations.

Installation and removal of downtown Holiday decorations throughout the District to include Christmas trees at Monument Square and City Hall Plaza, string lights on light poles and common area trees such as Tommy's Park, and banners as agreed by the City and PDD, and provide for electrical energy related costs.

8) Snow Plowing.

The City will plow and remove snow as necessary from all streets and parts thereof in the downtown improvement district zone.

9) Streetscape Amenity Maintenance.

The City will repair and correct any defects, deficiencies or problems in the district as necessary. Items of focus include light and utility poles, sidewalks, curbstones, trashcans, signs, crosswalk markings, traffic signals, tree wells, planters, benches, trees, kiosks, shelters, bollards, and any other amenity that are now or at some point in the future may be installed. All repairs, etc. will take place within a reasonable time after notice of need.

10) Lighting.

Maintenance and replacement of all street lights and traffic signals and payment for necessary electrical energy.

11) Graffiti removal on public property.

12) Prioritization

PD shall have the opportunity to participate with City staff from the Department of Public Works in the prioritization of all proposed capital improvement projects within the District including, but not limited to, tree well reconstruction and sidewalk repairs. PD officials recognize that City staff also work closely with the City Manager's office and the City Council for project priorities.

POLICE SERVICES.

1) A minimum of four uniformed patrol officers will intersect all or part of the downtown improvement district area. The actual number of officers will vary depending upon time of day and day of week. During periods when calls for service are typically at their peak, the number of officers assigned will increase significantly, for example during weekend evenings and the summer months. This increase will include foot and bicycle patrols. Officers will be supported with additional personnel (supervisors, detectives, evidence technicians) as necessary.

2) As long as the Senior Lead Officer Program is in effect, at least one Senior Lead Officer will be assigned to the Downtown Improvement District area.

3) From the Friday following Thanksgiving to New Year's Day, patrol efforts will be supplemented by use of a foot patrol. The number of officers and hours of the assignment is dependent upon staffing levels. Every effort will be made to assign two officers during those hours that retail shops are open.

OTHER MUNICIPAL SERVICES.

Whereas it is the intention of any downtown improvement district program to complement existing City services currently provided by departments or divisions, other than those described above, with supplemental services, the following information shall comprise the baseline of other City services to be provided at City expense.

1) Coordination of the use of downtown's public spaces within the District.

2) Coordination and staffing City services required for events occurring in downtown Portland.

3) As previously existing events, the City will provide necessary services to support the annual Tree Lighting Ceremony and the annual one-day Old Port Festival within the boundaries established by City Council order #168-21/13; to wit: the area bordered by Congress, Pearl, Commercial, Center, Union and Temple Streets and including both sidewalks of Commercial Street with no costs charged to the PDD for these events.

Exhibit C

Description of Portland's Downtown District

Beginning at Longfellow Square, at the southwesterly corner of Congress Street and State Street, easterly along Congress Street to High Street;

Thence northwesterly along High Street to Deering Street;

Thence along the easterly side of High Street to Cumberland Avenue;

Thence along the southerly side of Cumberland Avenue, beginning at High Street, to the Franklin Street Arterial:

Thence along the westerly side of the Franklin Street Arterial to Congress Street; and

Thence along the westerly side of Congress Street to Myrtle Street;

Thence along the westerly side of Market Street to the southerly side of Newbury Street;

Thence easterly along Newbury Street to the westerly side of the Franklin Street Arterial;

Thence along the westerly side of the Franklin Street Arterial to the southerly side of Commercial Street; thence along Commercial Street to the easterly side of Cross Street;

Thence along the northerly side of Commercial Street to Maple Street;

Thence along the easterly side of Maple Street from Commercial Street to the southerly side of Danforth Street;

Thence along the southerly side of Danforth Street in an easterly direction to York Street;

Thence northeasterly to the intersection of Center Street, York Street, and Pleasant Street;

Thence westerly along Pleasant Street from its intersection with Center Street to a passage way, situated at number 15 Pleasant Street according to the street numbering plan as shown on Chart 38, Block E, Lot 23 of the Assessor's Maps on file at Portland City Hall; and

Thence along the easterly side of South Street from number 13 South Street according to the street numbering plan as shown on Chart 38, Block E, Lot 10 of the Assessor's Maps on file at Portland City Hall, to the northerly side of Spring Street;

Thence along the northerly side of Spring Street in a westerly direction to Oak Street;

Thence along the westerly side of Oak Street to its intersection with Pleasant Street;

Thence along Pleasant Street in a westerly direction to the easterly side of High Street; and

Thence along the northerly side of High Street to its intersection with Congress Street.

Downtown District

CITY of PORTLAND, MAINE

June, 2015

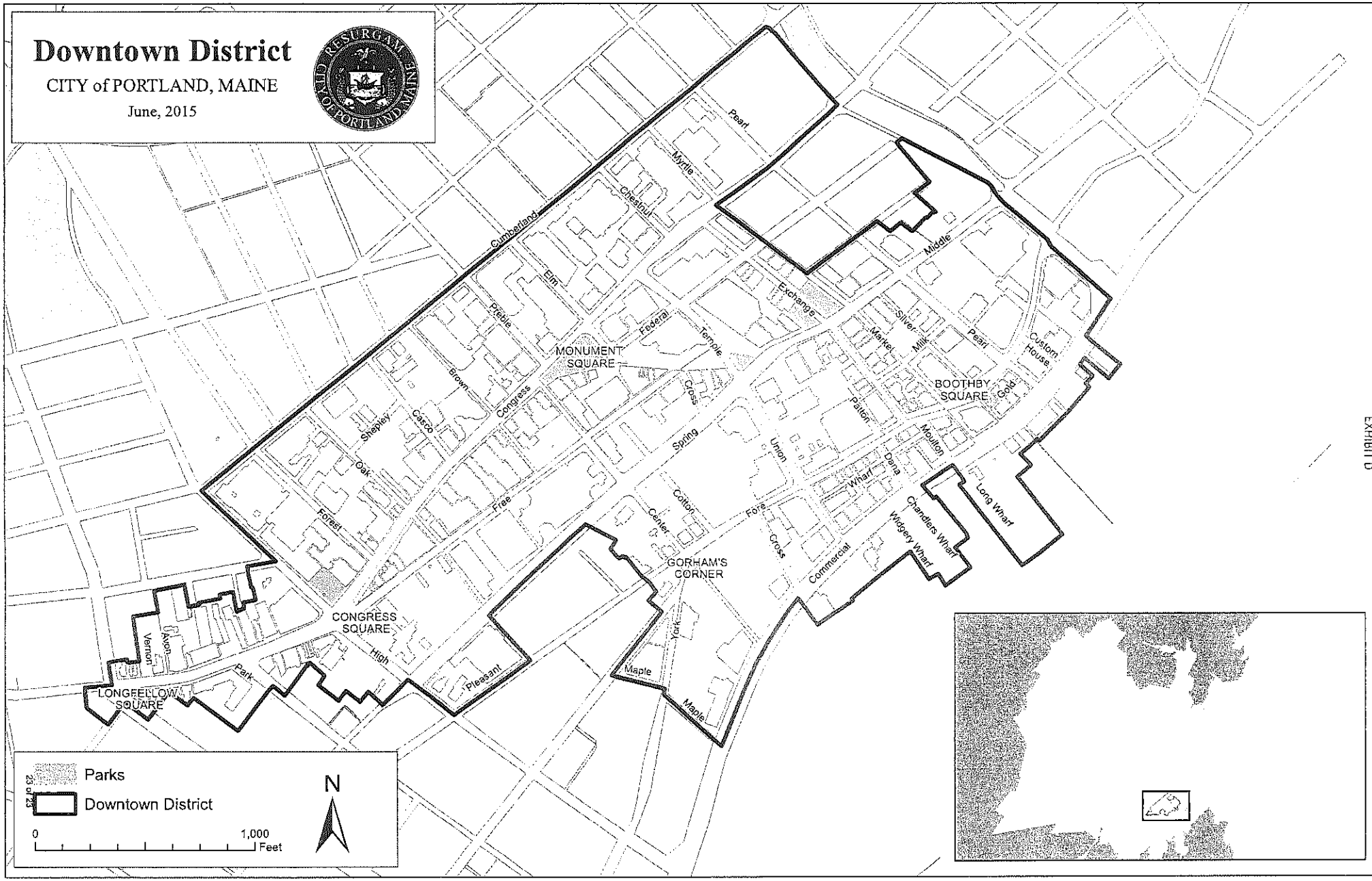


EXHIBIT D

SUPPLEMENTAL SERVICES AGREEMENT BETWEEN

DOWNTOWN IMPROVEMENT DISTRICT d/b/a
PORTLAND DOWNTOWN

AND

CITY OF PORTLAND

AGREEMENT made this _____ day of June, 2016, by and between the City of Portland, a municipal corporation duly organized under the laws of the State of Maine, Cumberland County (hereinafter the "**City**") and the Downtown Improvement District Corporation, d/b/a Portland Downtown, a Maine non-profit corporation, having its office and place of business at 549 Congress Street, Portland, Maine (hereinafter the "**PD**").

W.I.T.N.E.S.S.E.T.H.

WHEREAS, the **City** and **PD** entered into a Master Agreement of even date establishing mutual rights and responsibilities for the provision of services in the Downtown Improvement District (hereinafter the "District"); and

WHEREAS, said Master Agreement established the Baseline Services to be provided by **City** in the District; and

WHEREAS, **PD** wishes to contract with the **City** to have the **City** provide, on a flexible basis depending upon funds available, Supplemental Maintenance Services in addition to those in the Master Agreement;

NOW THEREFORE, the parties do hereby agree as follows:

1. Supplemental Services: The **City** shall provide the following Personnel and Services (hereinafter the "Supplemental Services") in the District in addition to the Baseline Services provided in the Master Agreement:

1.1. Personnel:

One PD Steward One Public Works Supervisor	Days	52 Weeks
Three Maintenance Workers	Days	52 Weeks
Two Laborers	Days	Seasonal

1.2. Persons providing Supplemental Services hereunder shall be assigned by the **City** after providing reasonable opportunity to **PD** for requests for service. Such persons are not required to be employees of the **City**. Such persons shall not, however, be considered to be employees of **PD** and **PD** is not intended, nor shall it be deemed to be, a joint employer with **City**. As between the **City** and **PD**, **City** shall be responsible for all aspects of employment for all persons supplied by **City** pursuant to this Agreement, including compensation, liability and workers compensation coverage, employment taxes and any applicable fees.

1.3 Services to be provided are:

*Transportation and set-up of materials and equipment for planned special events activities of **PD** (with proper notification to coordinator) for a minimum of five events per fiscal year.

*Litter patrol, collection and disposal on streets, sidewalks, and public areas within the District.

*Graffiti removal from City property within 5 days of notification.

*Removal of posters (at a minimum of monthly).

*Cleaning and painting of all furniture and fixtures twice a year minimum.

*Sidewalk will be swept on a daily basis, weather and season permitting.

*Cleaning of tree wells at a minimum of once per month.

*Weed control in support of other City departments performing 'basic services'

*Snow clearance at crosswalks and from sidewalks during curb to curb snow removal

*Installation of Holiday decoration in the District as agreed with PD, in addition to those described in the Baseline Services provided in the Master Agreement, including electrical energy costs

* Maintenance and cleaning of Visitor's Booth and (In) Tommy's Park at least once per month during season (May-October)

*Clean and maintain the bathrooms, located in the Fore Street Garage and Spring Street Garage buildings, when the bathrooms are open to the public, cleaning to occur no later than 9am on days the bathrooms are open to the public.

1.3.1. **PD** Sidewalk Snow Plowing Program. All property owners in the District assessment area are responsible for maintaining their sidewalks in the winter pursuant to Portland City Code §§25-173(C) and 25-174(C), including snow removal from their property line to the street gutter and ice control.

1.3.2. Following a snow storm, the **City** will provide a clear walkway no less than the width of a Holder's capability. To the extent reasonable, the **City** will clear the sidewalk area but it is not the intent of the parties that the **City** will clear the snow from the full width of the sidewalk area. The City will provide ice control to the extent possible. If weather conditions are so severe that the area cannot be plowed due to equipment capability, the **City,** in its discretion, may choose to Delay, clearing of the sidewalks, but must complete the work within 24 hours of the storm being complete.

1.3.3. Management of Supplemental Services. The City's Public Works Director and/or Designee and PD's Executive Director and/or Designee (Downtown Experience Liaison) agree to meet

and communicate on a monthly basis with meeting agendas to ensure quality control in service delivery is meeting expectations; providing updated information on service activities, programs and projects. The Public Works Department will provide a staff contact to PD for direct communications, which is identified as the Districting Supervisor and PD Supervisor. A point of contact for PD officials is the PD Supervisor and District Coordinator. Conversely, the City of Portland Department of Public Works looks to the PD Executive Director or designee as the City's point of contact on all issues involving PD matters. A complete work plan and list of Services provided under this FY2017 agreement is provided in Exhibit A hereto.

2. Term: The term of this Agreement is from July 1, 2016 through June 30, 2017.

3. Budget and Payment: In consideration for these Supplemental Services, **PD** agrees to pay the **City**, in equal quarterly installments, for all Supplemental Services provided hereunder the total sum of $351,210 for FY2016. The **City** shall bill and **PD** shall pay the **City** beginning July 1, 2016, a quarterly payment of $87,803.

3.1. In the event **PD** requests services from **City** in addition to those included herein, **City** shall have the option, in its sole discretion to provide such services, with payment to be made by **PD** for any such services on a Time and Materials basis, or such other basis as the parties may agree in writing. "Time" as used herein shall mean all of the **City**'s employee costs, i.e. hourly wages or salary. "Materials" as used herein shall mean the actual cost to the **City** of equipment, materials and/or supplies provided or used, with no additional markup.

4. Modifications: It is understood and agreed by the parties that **City** has adopted an expenditure budget which includes the cost of these Supplemental Services and has adopted a revenue budget which provides for

the reimbursement of such costs by **PD** as provided hereunder. In the event that either **PD** or the **City** anticipates that there will be insufficient revenues to pay for such Supplemental Services, said party will notify the other party of the anticipated shortfall, and the parties agree to meet promptly and confer to modify the level of Supplemental Services which the **City** is able to provide. It shall be the responsibility of **PD** to notify **City** as soon as reasonably possible if such Supplemental Services need to be modified or adjusted for anticipated revenue shortfalls or modifications. In the event of a revenue shortfall, the **City** will have no obligation to provide Services in excess of **PD** funds available to reimburse **City**; however, **City** will have the right, but not the obligation, to continue to provide Supplemental Services to the extent provided in the **City** budget even in the event of a revenue shortfall. The parties agree to memorialize in writing any changes in the monthly payments due under Section 3 above.

4.1. Either party may terminate or modify this Agreement in the event of a budget shortfall upon no less than Sixty (60) days prior written notice to the other party.

4.2. In the event Supplemental Services are terminated for any reason by either party, it shall be in **City**'s discretion as to whether it will continue or resume providing such Supplemental Services.

4.3. **PD** agrees to give the City Manager or the Manager's designee advance written notice of any formal meeting of its Directors or Officers at which modification of the current year Supplemental Services budget is to be discussed or considered, and to permit the attendance of **City** representative at such meeting. **City** and **PD** agree to provide copies of draft budgets for the upcoming fiscal year reasonably in advance of any final decision by **PD** or the **City** as to said budget, and the parties agree to meet and confer in regard to such budgets.

5. **City**'s representative in regard to provision of Supplemental Services hereunder is the City Manager or the Manager's designee.

IN WITNESS WHEREOF, the **City** and **PD** have signed this Agreement through their authorized representatives as of the day and date above written.

Witness:

City of Portland

_____

By:_____
Jon P. Jennings
Its City Manager

Witness:

Downtown Improvement District d/b/a Portland Downtown

_____

By:_____
Denine Leeman
Its Board Chair

Approved as to Form:_____
(Corporation Counsel)

Approved as to Funds:_____
(Finance Department)

Order 301 - 15/16
~~Tab 30 — 6-6-16~~
Tab 25 6-20-16

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

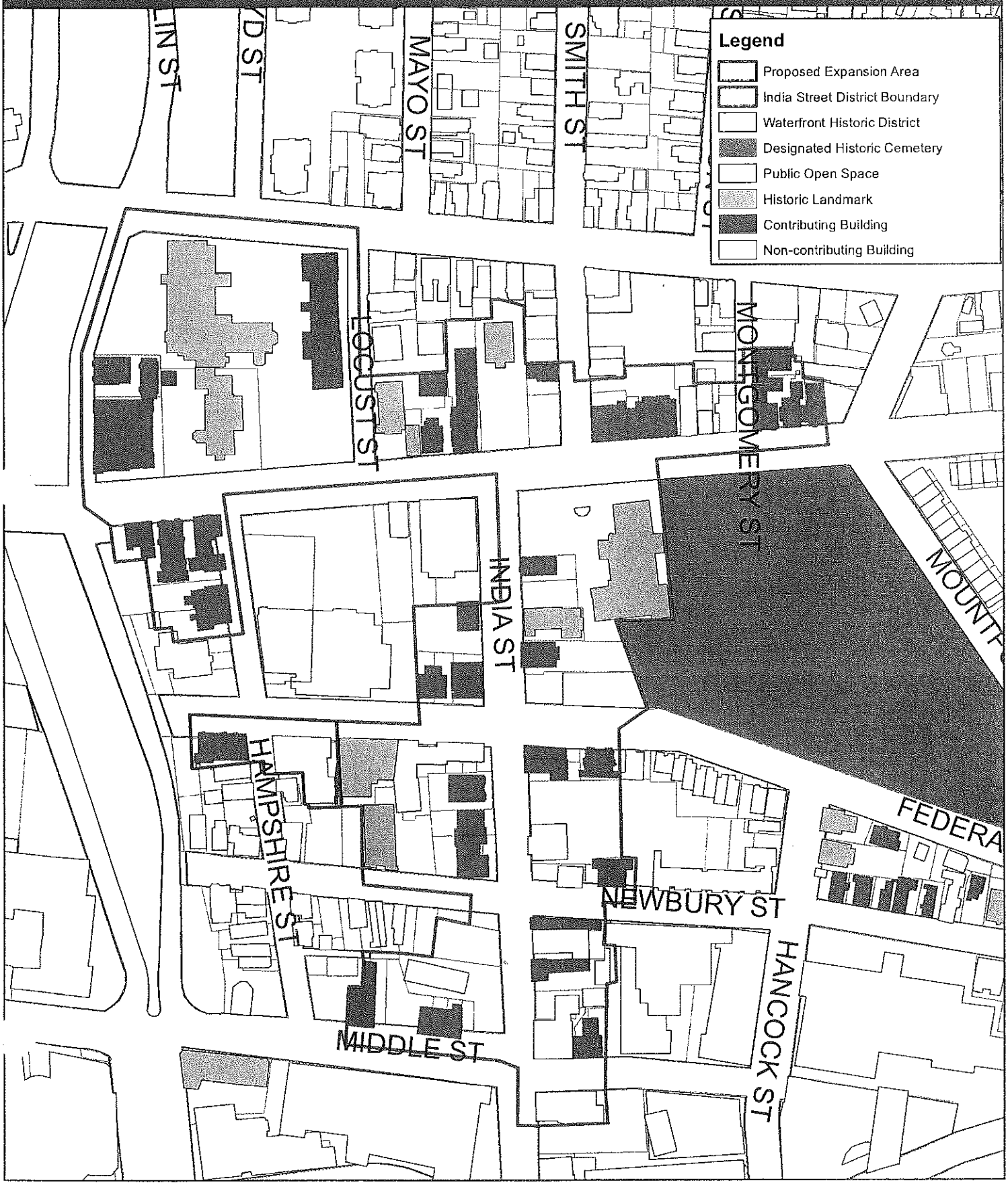
DAVID H. BRENERMAN (5)
JILL C. DUSON (A/L)
JON HINCK (A/L)
NICHOLAS M. MAVODONES, JR (A/L)

ORDER AMENDING THE DESIGNATION OF INDIA STREET AS A HISTORIC DISTRICT AND THE MAP OF HISTORIC DISTRICTS BY EXPANDING ITS BOUNDARY

ORDERED that, pursuant to Chapter 14, Section 622, the Portland City Council by Order 79-15/16 designated India Street, as the India Street Historic District, and now amends that designation to include 88, 96 and 100 Federal Street; and

BE IT FURTHER ORDERED, that the map of Historic Districts with Landmarks and Historic Landscape Districts is hereby amended with the western boundary as set forth on the attached map.

INDIA STREET HISTORIC DISTRICT



MEMORANDUM
City Council Agenda Item

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

FROM: Jeff Levine, Director of Planning & Urban Development

DATE: May 17, 2016

SUBJECT: India Street Historic District Map Amendment

SPONSOR: Planning Board and Historic Preservation Board
(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 June 6 **Final Action** June 20
Can action be taken at a later date: X **Yes** ____ **No (If no why not?)**

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

Jeff Levine, Director of Planning & Urban Development
Brief presentation (5 minutes)

I. ONE SENTENCE SUMMARY

Pursuant to a request by M & D Federal LLC, owner of 96 and 100 Federal Street, the Historic Preservation Board and Planning Board are recommending that the western boundary of the recently-designated India Street Historic District be extended to include three additional properties on the south side of Federal Street: 88, 96 and 100 Federal. The request was prompted by the M & D Federal LLC's desire to take advantage of historic tax credits, which requires that the property be located within a certified local historic district.

Area proposed to be added to India Street Historic district shown in pink. Current district boundary shown in orange.

II. AGENDA DESCRIPTION

The Historic Preservation Board and Planning Board are recommending that the western boundary of the India Street Historic District be extended to include 88, 96 and 100 Federal Street. The recommendation is pursuant to a request by the new owners of 96 and 100 Federal who wish to take advantage of state and federal historic tax credits to rehabilitate the three story historic brick apartment building at 96 Federal. In order to be eligible for historic tax credits, the building must be located within a certified local historic district and be found to be a "contributing" building within the district. (Individual listing in the National Register also qualifies a property owner for tax credits, but in this case the building is not individually eligible for the National Register.) To avoid a noncontiguous district and meet applicable National Park Service requirements for district boundary delineation, the Planning Board and Historic Preservation are recommending that 88 and 100 Federal be added to the district as well. As with all other buildings within the current India Street Historic District, the three buildings have been classified according to their preservation status: 88 Federal (1965), noncontributing; 96 Federal (1867), contributing; 100 Federal (1867), contributing. Exterior alterations and/or additions to contributing buildings are subject to review under the historic preservation ordinance's Standards for Review of Alterations. Noncontributing structures may be demolished as-of-right, however any replacement development would be subject to the historic preservation ordinance's new construction standards.

III. BACKGROUND

The three buildings proposed for inclusion in the India Street Historic District are located immediately west of the existing district boundary. (Currently, the district ends at St. Peter's Church on the south side of Federal Street.) All three buildings are well-documented, as they were surveyed as part of a comprehensive architectural survey of the neighborhood at the start of the India Street neighborhood planning process. The buildings were also classified (contributing/noncontributing) at that time. The buildings were originally proposed for inclusion in the India Street Historic District boundary, but were removed along with other historic residential properties when the decision was made to recommend a smaller district focused on commercial and institutional properties.

Note that one of the arguments made during the designation process for limiting the size of the district was that property owners interested in taking advantage of tax credits could get their buildings individually listed in the National Register of Historic Places, thus qualifying their rehab for the credit. As the 96 Federal Street property owner's experience has pointed out, this assumption is not always correct. Individual listing in the National Register requires that a building exhibit a higher level of significance. Inclusion in a historic district as a contributing structure is the more expeditious avenue to qualifying for historic tax credits.

Note that the Catholic Diocese of Maine, which owns the noncontributing building at 88 Federal, has not objected to including their building within the proposed expanded district.

IV. INTENDED RESULT AND/ OR COUNCIL GOAL ADDRESSED

Expansion of the district will make it possible for the owner of 96 Federal, M & D Federal LLC, to access state and federal historic tax credits for the building's rehabilitation. Long term, the two identified contributing structures added to the district will be protected and enhanced under the provisions of Portland's historic preservation ordinance. If the existing noncontributing structure at 88 Federal is replaced at some point in the future, the historic preservation ordinance's new construction standards will ensure a design solution that is compatible with surrounding historic structures.

IV. FINANCIAL IMPACT

Not applicable.

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

Although M & D Federal LLC's initial interest was in finding a designation solution for 96 Federal only, adding it to the India Street Historic District required consideration of the buildings in its immediate vicinity, especially since 96 Federal does not immediately abut the district boundary. Separating the current boundary and 96 Federal is a one-story structure at 88 Federal owned by the Catholic Diocese of Maine. 88 Federal, built circa 1965, was identified as a "noncontributing" structure in the architectural survey of the neighborhood. Although 88 Federal would be classified as a noncontributing structure in a reconfigured India Street district, it needs to be included in the expansion nonetheless in order to avoid a non-contiguous historic district. (The National Park Service does not allow for non-contiguous historic districts except under very specific circumstances.)

Maine Historic Preservation Commission staff also indicated that based on their evaluation, the residential structure on the west side of 96 Federal would also need to be included in any district expansion. Although 100 Federal Street, a triple decker, has lost some of its architectural character due to previous renovations, it is representative of the vernacular housing that characterized much of the India Street neighborhood and retains its essential form and key architectural features. Its alterations are readily reversible (see 1924 photo) and it is the westernmost extant historic structure on the south side of its Federal Street block. In consideration of all these factors, MHPC expressed the view that the building would also need to be included in order for the expanded district to be certified by the National Park Service. The developer has indicated that they may pursue historic tax credits for 100 Federal in the future.

VI. RECOMMENDATION

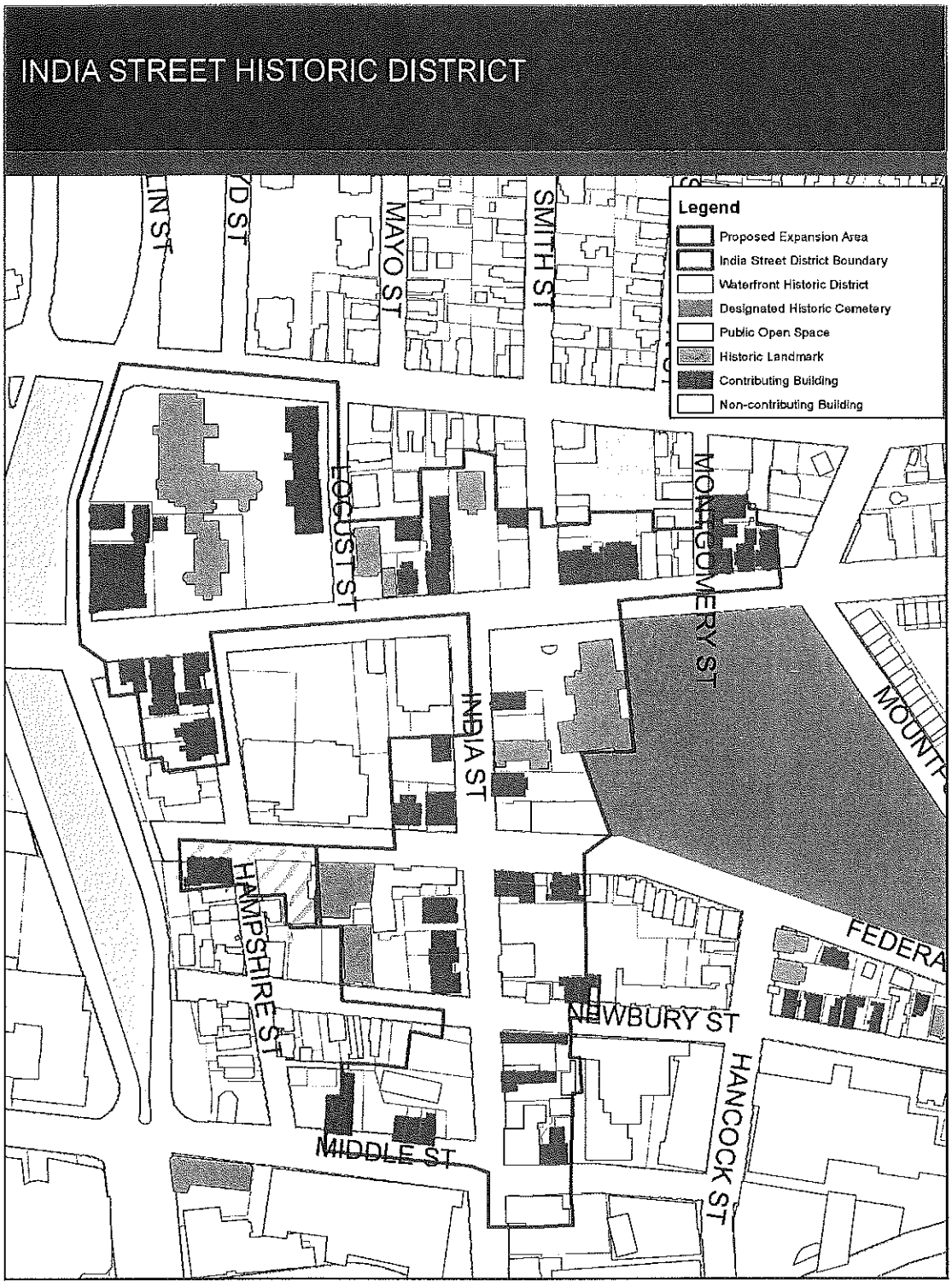
Planning and Historic Preservation staff recommend expansion of the district.

VIII. LIST ATTACHMENTS

1. Map of proposed historic district expansion
2. Architectural survey forms with current and 1924 photos of subject properties.
3. Letter of request from Dan Black, representing owner of 96 and 100 Federal Street

Prepared by: Deb Andrews, Historic Preservation Program Manager
Date: May 17, 2016

Bean/agendarequestmemo/rev 11/2015



Proposed Expansion of India Street Historic District

Classifications of Added Properties:

88 Federal – Noncontributing
96 Federal – Contributing
100 Federal - Contributing

Daniel Black
M&D Federal LLC
11 Cleeve Street, Apt. 1
Portland, Maine 04101

March 31, 2016

Elizabeth Boepple
Chairwoman
Planning Board
City of Portland
389 Congress Street
Portland, Maine 04101

Dear Chairwoman Boepple & the Planning Board,

We are writing to request an expansion in the India Street Historic District along Federal Street on the south side of the street, in an easterly direction, to encompass properties up to and including 100 Federal Street.

We, M&D Federal LLC, are the new owners of 96 and 100 Federal and have spent the last four months, hiring consultants, working on research and negotiations with MHPC, trying to get 96 Federal individually listed to no avail. We are eager to begin the restoration of these properties and are interested in pursuing Federal and State Historic Tax Credits for 96 Federal to make the project feasible. There is also a possibility that we would pursue credits for 100 Federal Street at a future time as well.

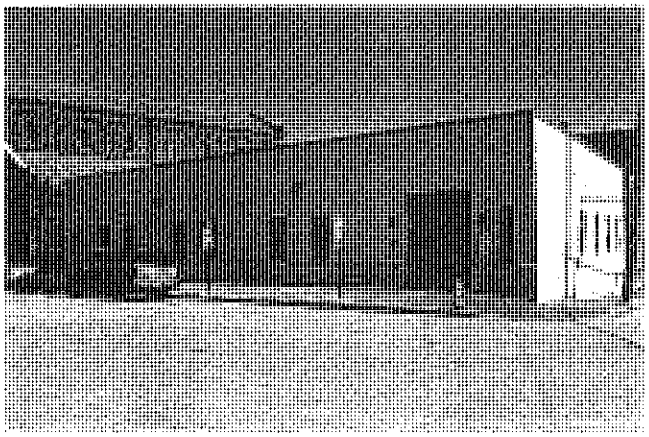
Please consider our request and be in touch with any questions.

Sincerely,

Daniel Black
Managing Partner
M&D Federal LLC

88 Federal Street
Noncontributing

Taliento's Federal Street Supermarket, ca. 1965



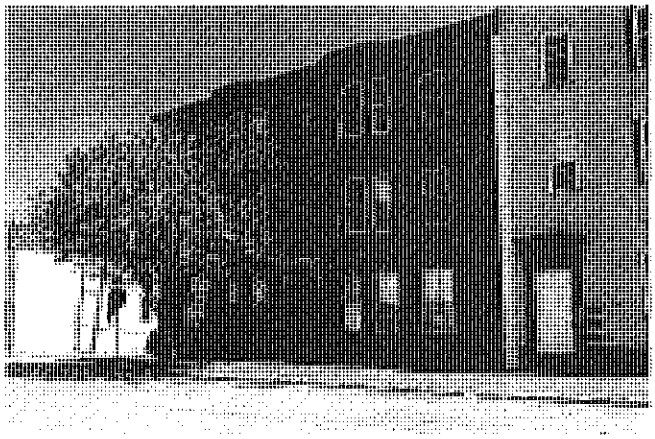
Architectural Description

The building at 88 Federal Street is a simple utilitarian one story box. The foundation is irregular in plan and abuts the sidewalk along both Federal and Hampshire Streets. A three foot tall length of concrete foundation appears along the length of the Federal Street facade while no foundation material is visible along Hampshire Street. The building appears to be clad in painted stucco, perhaps over concrete block walls. The Federal Street facade is six bays with a deeply recessed flush metal door at the first bay; a separated pair of one-over-one metal double hung windows at the second, third and fourth bays; an oversized, garage-door-like punched opening which has been infilled at the fifth bay and a narrow, vertically proportioned single pane fixed metal window at the sixth bay. The secondary Hampshire Street elevation has four one-over-one double hung metal windows positioned near the rear. The facades are capped with a wide band of painted metal roof flashing.

Historical Narrative

The City of Portland assessment records indicate this commercial building was built 1951. In the 1950s, Dominic Taliento owned several three-story buildings on the site that he altered to accommodate his grocery store. After 1964, the existing masonry building was constructed. It is occupied in 2013 by Pine Tree Legal Assistance.

96 Federal Street *Josiah Duran Block, 1867 (3rd story added 1909 – 1924)*
Contributing



Architectural Description

The three story, seven bay apartment building at 96 Federal Street rests on a rectangular brick foundation that abuts the sidewalk along Federal and Hampshire. The building is separated from its neighbor at 100 Federal by one foot. The entry appears at the central bay and is accessed by two brick stairs. The original, Italianate hood remains with its elaborately carved brackets. The entry door is slightly recessed in an alcove that has brick returns and a shallow arched ceiling. A modern wood replacement door with two small lights at the top and four panels below sits within a flat stock surround with an infilled transom panel above. To either side of the entry at bays two, three, five and six, a pair of original two-over-one wood double hung windows appears on center with a two story bay window above. Each of these four, separate windows sits within its own narrow masonry opening with a three course corbelled shallow arched lintel and projecting wooden sill. The windows retain their painted wood casings and brick mouldings. The upper two levels are five bays wide with a two story bay window appearing at the second and fourth bays. These bays retain all of their original fabric including large central two-over-one wood double hung windows, narrow one-over-one wood double hungs at the flanking walls, wood panels beneath all the windows and large, built-up frieze at the top. All remaining bays at each level contain a single two-over-one wood double hung set within the same masonry opening with decorative lintel. The original projecting cornice remains and is capped with the metal flashing that terminates the roofing system. The flat roof is likely clad in a membrane.

Historical Narrative

Josiah Duran was a grocer who, at the time of the 1880 census, suffered from paralysis. This is what would eventually kill him in 1887, at the ripe old age of 75.

In 1895, Frederick A. Lord, a furniture painter, lived in the house with his wife Lucy. They moved out sometime between 1905 and 1910, relocating to Neal Street. Frederick died in 1914.

Third story added between 1909 and 1924. By 1912, the building housed six families. In 1920, one of those families was that of Abram Schwartz, the building's owner and a shoemaker with "U.S. Fortification" (1920 Census). The Schwartzes lived in the building until the late 1920s.

Another family living there in 1920 was that of George Cady, a fireman with the Fire Department. Living with him and his wife were a son, a sailor on a steamboat, a daughter, and her husband, also a

fireman. Young Samuel Rubinoff, age 25, and his wife Rose, also lived in one of the apartments with their two babies. Samuel owned a picture framing shop. The couple immigrated from Lithuania in 1914. Frederick Ledou also lived in the building. He had immigrated from France in about 1890 and worked as a laborer in a shoe factory to support his family of five. Daughter Irene, 21, clerked in a department store to help out.

In 1930, tenants included Eli Lerman, a truckman for a furniture store, and his family. Hyman Lerman, an iron collector, and Benny Brenerman, a laborer in an iron shop. All three men hailed from Russia and had immigrated in the early 20th century.

Hyman Lerman was still living in the apartment in 1940. Another family was that of Mary Marotto, widow, and her six children. Mary worked as a stitcher in a pants factory (Kadish Brothers on Middle Street) along with one of her daughters, Virginia DePalmer.

1950, residents included Wilma Libby (who married Sam Ricci in 1953; the couple moved to Hancock Street), Antonio Morotto, and Hyman Lerman, who lived here and had a junk business on the premises.

100 Federal Street *William H. Swett House, 1867 (Altered 1909 – 1924)*

Architectural Description

The three bay, side entry, triple-decker residential building at 100 Federal Street rests on a rectangular brick foundation that abuts the sidewalk. The building is separated from its neighbor at 96 Federal by one foot. The entry appears at the first bay and is accessed by two wooden stairs. The original, diminutive hood remains with its carved brackets. The door is a modern embossed metal replacement with six embossed panels and the door surround is painted flat stock wood with the original single pane transom. The second and third bay are one-over-one vinyl replacement double hung windows with vinyl casings and sills. The second and third level of the building are two bays with a two story, elevated bay appearing to the right. The two story bay features a large one-over-one vinyl double hung at the center with two flanking, smaller vinyl double hung window at each of its two levels. The corner bay boards of the bay windows are clad in metal. The first bay at the second and third floor levels are slightly out of alignment with the entry and each contain a single one-over-one vinyl double hung. The side elevation facing west is six bays deep with five equally spaced windows and a door at the sixth bay. These secondary doors access the three story attached wooden deck. Walls are clad with vinyl siding. The original cornice profile appears to be retained under metal cap flashing. The flat roof is likely clad in a membrane.

Historical Narrative

William H. Swett was a hack driver who died in 1883. His widow, Mary, lived in the house until 1904 when she died at the age of 89.

Altered between 1909 and 1924. In 1920, there were three apartments in the house. The heads of each household were John. J. Golding, Rev. Myer Levinson, and Hyman Finkelman. Myer Levinson was a clergyman in the synagogue and worked in a slaughterhouse. He and his wife Rachel lived in their apartment here until 1923. Hyman Finkelman was a junk dealer. He owned the building in 1920, along with several others in the city, including the building on Pearl Street that the Hebrew School purchased from him in 1919 for the sum of $11,500.[1] He had immigrated from Russia in 1907, bringing his family (wife Bessie, and

[1] Benjamin Band, *Portland Jewry: Its Growth and Development* (Portland, ME: Jewish Historical Society, 1955), 28.

their two children at the time, Samuel and Esther) over in 1913. Golding owned a tailor shop. All three families were Yiddish speakers.

In 1930, residents included Lewis Litowsky, his Yiddish-speaking, Scottish wife Rita (or Rina), and their three children. Lewis owned a bakery and his son David worked there as a clerk. Hyman Norken and his family lived in another of the apartments. He taught at the Hebrew School.

Hyman and Celia Norken still lived in their apartment in 1940 and Hyman still taught Hebrew. Frank Quinto of Spain, a janitor at a dress factory, lived in another apartment with his wife Victoria of Italy, a stitcher in a dress factory. They had two young daughters.

In 1950, Antonette Piscopo lived here and worked out of her home as a dressmaker.

Order 303-15/16
~~Tab 42 6-6-16~~
Tab 26 6-20-16

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)

AMENDMENT TO PORTLAND CITY CODE
CHAPTER 17 (OFFENSES, MISCELLANEOUS PROVISIONS)
RE: SALE OF TOBACCO PRODUCTS TO
PERSONS UNDER 21 YEARS OF AGE PROHIBITED

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

1. *That Chapter 17, Section 17-84 of the Portland City Code is hereby amended to read as follows:*

Sec. 17-84. Sale of tobacco products to people under 21 prohibited.

~~Reserved.~~ (a) Notwithstanding the provisions of 22 M.R.S. §1555-B(2) and in accordance with 22 M.R.S. 1556, in the City of Portland, no individual, corporation, partnership, unincorporated association or other entity may sell, furnish, give away or offer to sell, furnish or give away a tobacco product to any individual under 21 years of age.

(b) No individual, corporation, partnership, unincorporated association or other entity may sell or permit the sale of tobacco products in the City of Portland unless a clearly visible notice is posted at the location where tobacco products are available for purchase. The City of Portland shall provide this notice, which shall state "No person under the age of 21 may purchase tobacco products," legibly printed in letters at least one-half inch high.

(c) The City of Portland's Public Health Division Director or his or her designee(s) shall have the primary responsibility for enforcement of this section and may conduct random, unannounced inspections at locations where tobacco products are sold to test and ensure compliance with this ordinance.

(d) A violation of this section shall be a civil violation subject to the general penalty provisions of section 1-15 of this Code.

MEMORANDUM
City Council Agenda Item

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

FROM: **Dawn Stiles**

DATE: **May 18, 2016**

SUBJECT: **Increase in legal age to purchase tobacco**

SPONSOR: HHS Committee – May 10, 2016, Unanimous Vote to Send to Council
(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____June 6, 2016__ Final Action__June 20_____

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

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

I. ONE SENTENCE SUMMARY – This item would change legal age to purchase tobacco to 21 in the Portland City tobacco ordinance. A notice of the change in the ordinance and date of council meeting was sent to retailers on May 19, 2016.

II. AGENDA DESCRIPTION

III. BACKGROUND Research shows that the majority of smokers begin smoking in their teens or earlier. This request seeks to increase the age at which individuals can purchase tobacco products thus preventing tobacco addiction.

IV. INTENDED RESULT AND OR COUNCIL GOAL ADDRESSED
Reduction in those addicted to tobacco

V. FINANCIAL IMPACT
None anticipated

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

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS
Prepared by: Dawn Stiles

Date: 5/18/2016
Bean/agendarequestmemo/rev 11/2015

Order 304-15/16
~~Tab 43 6-6-16~~
Tab 27 6-20-16

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)

AMENDMENT TO PORTLAND CITY CODE
CHAPTER 11 FOOD AND FOOD HANDLERS
RE: FOOD TRUCKS AND COMMUNITY KITCHENS

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

That Article II, Sections 11-4 and 11-13 of the Portland City Code are hereby amended to read as follows:

Sec. 11-4. Amendments.

The Maine State Food Code 2013: Food Code adopted by section 11-1 is amended and modified in the following respects.

(a) Section 1.201.10.B shall be amended as follows:

...

(b) Section 1.201.10.B shall be amended to add the following:

> *Base station* shall mean a location used by a mobile food service establishment for the disposal of liquid/solid waste, re-filling of water tanks and the storage of food, supplies, and equipment. A base station is permissible for one or more of these purposes. However, the *preparation of food* or *ware washing* is not permissible unless it is a licensed commercial kitchen. ~~which shall be considered part of the food service establishment for the purpose of determining compliance with this article. The mobile unit and base station shall comply with all of the requirements of this article except those relating to toilet facilities, and the additional requirements herein set forth except as herein prescribed.~~

Food pantries shall mean an organization or entity that acquires, stores and distributes food to the needy in their community. Food pantries are typically supported by community food drives, umbrella organizations, as well as grocery stores, local agriculture, food manufacturers and other distributors. All items are pre-packaged, properly labeled, and no food preparation occurs. If bulk food packages are divided, they shall be in properly labeled, food safe containers.

Food processing establishment shall mean a commercial establishment in which food is processed or otherwise prepared and packaged only for sale to food service establishments and other retail outlets.

Ice cream truck shall mean a motorized vehicle utilized for the sale of prewrapped or prepackaged ice cream or frozen yogurt or ice cream or frozen yogurt products or novelties.

Innholder shall mean and include any person offering to the public, generally, lodgings and food as the occasion requires where the person rents out four (4) or more rooms or cottages.

Mobile food service establishment shall mean and include only a food service establishment on wheels that transports and sells food; ~~capable of movement over public or private ways which has all utilities and facilities contained within the unit regardless of whether it needs an outside power source or not which has no fixed location for the operation or transaction of business;~~ and ~~which~~ is moved ~~from one (1)~~ location to a different location not less ~~frequently~~ than once every twelve (12) hours. ~~in any twenty-four (24) hour period in order to serve persons otherwise present at such locations at such times~~. For purposes of this ordinance, mobile food service establishments include ~~, but are not limited to,~~ pushcarts, food vending trucks/trailers and ice cream trucks. These

establishments shall meet the rules and regulations specific to their type.

...

Sec. 11-13. CommissaryCommunity kitchens.

(a) A *commissary* ~~community kitchen~~ shall mean a kitchen, licensed pursuant to this chapter, whichthat is utilized by onetwo or more entities to receive, store and prepare food for service off-site or delivery and does not qualify for any other City food service license. Examples include, but are not limited to, kitchens preparing food for catering, mobile units, meal delivery services, vending machines and central production for multiple establishments, such as chain restaurants. ~~at differing times for preparation of food to serve to the public off-site.~~

(b) Not more than one entity may utilize the *commissary*~~community kitchen~~ at one time. ~~Any time more than one entity is utilizing a kitchen licensed pursuant to this chapter,~~ Tthere must be ~~a~~ sufficient ~~reasonable amount of~~ time built in to the schedule for ~~to ensure the kitchen is~~ cleaning and sanitizing, ~~ed~~ prior to the next use.

(c) Schedule and records: If the commissary is used by more than one entity, then a~~The~~ schedule ~~of the use of the community kitchen~~ shall be prominently displayed in a conspicuous location at all times and ~~all associated records shall be~~ available for review by the health inspector ~~at all times~~.

~~(d) License required: Each entity utilizing a community kitchen shall procure a community kitchen license from the Department of Permitting and Inspections.~~

MEMORANDUM
City Council Agenda Item

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

FROM: **Dawn Stiles**
DATE: **May 18, 2016**

SUBJECT: **Chapter 11 Food and Food Handlers**

SPONSOR: HHS Committee – May 10, 2016 – Unanimous vote to send to Council
(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__June 6, 2016___ Final Action___June 20, 2016_____

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

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

I. ONE SENTENCE SUMMARY - Brings consistency and simplifies definitions and eliminates fees.

II. AGENDA DESCRIPTION

III. BACKGROUND

Purveyors of food for sale are regulated by the state and city. The definitions for: Base Station; Mobile Food Service Establishment and Community Kitchen have been simplified and brought in line with the Maine Food Code. There were also two fees that are being eliminated because of redundancy.

IV. INTENDED RESULT AND OR COUNCIL GOAL ADDRESSED
Ease regulatory burden and simplify licensing.

V. FINANCIAL IMPACT
$ 2,000.

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

The base station fee is redundant to the mobile license fee. We are collecting the license fees twice from the same business. The annual amount collected from the base station fee is less than $ 2,000. and is supported by the Clerk's Office.

The community kitchen user fee is redundant and has never been collected.

VII. RECOMMENDATION – Passage by Council

VIII. LIST ATTACHMENTS

Prepared by: Dawn Stiles Date: 5/18/2016
Bean/agendarequestmemo/rev 11/2015

Health & Human Services Department
Dawn Stiles, Director

Public Health Division
Toho Soma, MPH, Director

To: City Council
From: Michael Russell, Environmental Health & Safety, Program Manager
Cc: Toho Soma, Public Health Division, Director
Dawn Stiles, Health and Human Services Department, Director
Subject: Revisions to Chapter 11 – Food and Food Handlers
Date: May 12, 2016

I would like to clarify the following issues:

- Base Station Definition and Fee – Simplifies the definition and eliminates an unnecessary fee without compromising public health. Food preparation is required to take place in a licensed kitchen and is inspected for the food with preparation license. This fee is unnecessary.

- Mobile Food Service Establishment – Simplifies the definition of what qualifies as a mobile food service establishment.

- Community Kitchen and Community Kitchen User Fee – Changes the term and definition of Community Kitchen to Commissary for consistency with the Maine Food Code and eliminates an unnecessary fee. This change alleviates confusion about inconsistent local and state terms and definitions. The Community Kitchen User fee is redundant because a mobile food service establishment or catering license fee is already paid.

Update

A few programmatic highlights:

- 98% of all food service establishments have been inspected at least once in the past year.
- 96% of restaurant owners found the Health Inspectors to be fair, respectful and informative in a recent survey.
- The first Baseline Risk Factor Study was recently completed. This allows us to monitor foodborne illness and injury trends, and in collaboration with the industry, intervene to lower their occurrence.
- There continues to be significant interest in starting food industry businesses in Portland.

Chapter 11 FOOD AND FOOD HANDLERS*

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*Cross reference(s)—Reinspection fees, Ch. 15; Farmers markets, Ch. 21.
State law reference(s)--Foods and drugs, 22 M.R.S.A. § 2151 et seq.

Art. I. In General, §§ 11-1--11-15
Art. II. Food Service Establishments, §§ 11-16--11-49
Div. 1. Generally, §§ 11-16--11-45

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*Editor's Note: Pursuant to Council Order 94-12/13 passed on 11/19/12 Chapter 11 was repealed in its entirety and replaced with the following language, as amended by Order 208-14/15, passed on 4/27/2015.

ARTICLE I. IN GENERAL

Sec. 11-1. Adoption of Maine State Food Code 2013: Food Code.

There is hereby adopted for the purpose of prescribing regulations to safeguard public health and provide to consumers food that is safe, unadulterated, and honestly presented, a code known as the Maine State Food Code 2013 (hereinafter "Food Code") recommended by the health authority, being particularly the 2013 edition thereof and the whole thereof except for such portions, as are deleted, modified or amended by section 11-4 and which code shall be controlling within the limits of the City.
(Ord. No. 94-12/13, 11-19-12, Ord. 208-14/15, 4-27-2015)

Sec. 11-2. Copies on file with the Department of Permitting and Inspections.

Pursuant to Title 30-A M.R.S.A. §3003, at least three (3) copies of the Maine State Food Code as adopted by reference by Section 11-1 above, have been and shall be on file in the office of the Department of Permitting and Inspections for for public inspection and use.
(Ord. No. 94-12/13, 11-19-12; Ord. No. 165-15/16, 3-7-2016)

Sec. 11-3. Definitions.

Wherever the words "regulatory authority" are used in the Food Code, they should be held to mean the health inspector of the City of Portland or his or her duly authorized representative.

Wherever the word "municipality" is used in the Food Code, it

ARTICLE II. FOOD SERVICE ESTABLISHMENTS

DIVISION 1. GENERALLY

Sec. 11-4. Amendments.

The Maine State Food Code 2013: Food Code adopted by section 11-1 is amended and modified in the following respects.

(a) Section 1.201.10.B shall be amended as follows:

Approved shall mean acceptable to the city health inspector as meeting the requirements of this article and conforming to good public health practices.

Food service establishment shall include any permanent, temporary or mobile establishment including any restaurant; caterer; innholder; buffet; lunchroom; grill room; lunch counter; tavern; dining room of a hotel; coffee shop; cafeteria; sandwich shop; soda fountain; in plant feeding establishment; private club; church feeding facility; school feeding facility; institutional feeding establishment; tea room; theater refreshment stand; grocery store; meat market; retail bakery store; delicatessen; bottle club; community kitchen; shelter; food pantry; or any other establishment where food or drink is prepared, served, kept, or stored for retail sale on-site. This definition shall not include as food service establishments private homes with permanent guests.

Imminent health hazard means a significant threat or danger to health that is considered to exist when there is evidence sufficient to show that a product, practice, circumstance, or event creates a situation that requires immediate correction or cessation of operation to prevent injury based on: (a) The number of potential injuries, and (b) The nature, severity, and duration of the anticipated injury. Imminent Health Hazard includes, but is not limited to, the following: (1) an extended loss of water supply, (2) an extended power outage, (3) flood water or sewer back-up into the establishment, (4) fire, (5) a lack of hot water

(minimum temperature of 100F for handwashing and 110F for warewashing) or (6) any other violation(s) that has/have the potential to pose an imminent threat to public health. Maine Food Code October 2013 Page 11 Failure to include other violations in this definition shall not be construed as a determination that other violations may not, in light of the circumstances, be found to pose an imminent health hazard.

Temporary food service establishment shall mean any food service establishment which operates for a temporary period of time in connection with a fair, carnival, circus, public exhibition or similar transitory gathering. There shall be two (2) types of temporary food service establishment licenses: one (1) shall be for those establishments that sell unopened prepackaged food, with a license period not to exceed three (3) months, and the other license shall be for establishments that sell or serve either food that is not prepackaged or prepackaged food that is opened prior to its sale, including the opening of one (1) or more prepackaged items for the purpose of providing free samples, with a license period not to exceed two (2) weeks.

(b) Section 1.201.10.B shall be amended to add the following:

Base station shall mean a location used by a mobile food service establishment for the disposal of liquid/solid waste, re-filling of water tanks and the storage of food, supplies, and equipment. A base station is permissible for one or more of these purposes. However, the *preparation of food* or *ware washing* is not permissible unless it is a licensed commercial kitchen. ~~which shall be considered part of the food service establishment for the purpose of determining compliance with this article. The mobile unit and base station shall comply with all of the requirements of this article except those relating to toilet facilities, and the additional requirements herein set forth except as herein prescribed.~~

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Food pantries shall mean an organization or entity that acquires, stores and distributes food to the needy in their community. Food pantries are typically supported by community food drives, umbrella organizations, as well as grocery stores, local agriculture, food manufacturers and other distributors. All items are pre-packaged, properly labeled, and no food preparation occurs. If bulk food

packages are divided, they shall be in properly labeled, food safe containers.

Food processing establishment shall mean a commercial establishment in which food is processed or otherwise prepared and packaged only for sale to food service establishments and other retail outlets.

Ice cream truck shall mean a motorized vehicle utilized for the sale of prewrapped or prepackaged ice cream or frozen yogurt or ice cream or frozen yogurt products or novelties.

Innholder shall mean and include any person offering to the public, generally, lodgings and food as the occasion requires where the person rents out four (4) or more rooms or cottages.

Mobile food service establishment shall mean and include only a food service establishment on wheels that transports and sells food; ~~capable of movement over public or private ways which has all utilities and facilities contained within the unit regardless of whether it needs an outside power source or not which has no fixed location for the operation or transaction of business~~; and ~~which~~ is moved ~~from one (1) location~~ to a different location not ~~less frequently~~ than once every twelve (12) hours. ~~in any twenty-four (24) hour period in order to serve persons otherwise present at such locations at such times~~. For purposes of this ordinance, mobile food service establishments include ~~, but are not limited to,~~ pushcarts, food vending trucks/trailers and ice cream trucks. These establishments shall meet the rules and regulations specific to their type.

Shelters shall mean an establishment providing temporary housing and meals for those in difficult domestic situations, as well as for homeless families and individuals. In addition many shelters provide referrals to other social service agencies. Shelters are often considered agencies of larger food banks or food share operations.

Stationary food vending unit shall mean any vending unit from which food products are sold and which is licensed for one (1) location on private property and conducts all of its sales from that one (1) location.

(c) Section 1.201.10.B shall be amended to delete the following definitions:

Adulterated, Easily cleanable, Employee, Equipment, Food, Food-contact surface, Kitchenware, Poisonous or toxic materials, Potentially hazardous food, Sealed, Molluscan shellfish, Single-service articles, Tableware, and Utensil.

(d) Section 3-603.11.B shall be amended as follows:

(B) Disclosure shall include:

(1) A description of the animal-derived Foods, such as "oysters on the halfshell (raw oysters)," "raw-Egg Caesar salad," and "hamburgers (can be cooked to order)" with an asterisk to a footnote that states that the items are served raw or undercooked, or contain (or may contain) raw or undercooked ingredients; or

(2) Identification of the animal-derived Foods by asterisking them to a footnote that states that the items are served raw or undercooked, or contain (or may contain) raw or undercooked ingredients.

(C) A reminder shall include asterisking the animal-derived Foods requiring Disclosure to a footnote that states:

(2) Consuming raw or undercooked Meats, Poultry, seafood, shellfish, or Eggs may increase your Risk of foodborne illness.

(Ord. No. 94-12/13, 11-19-12, Ord. 208-14/15, 4-27-2015)

Sec. 11-5. Contaminated items of food or drink.

No person shall knowingly sell, offer for sale, or hold for sale in the city any unwholesome, stale, putrid, diseased, or otherwise contaminated items of food or drink, and shall make such immediate disposition of all items found in such condition as shall be ordered by the health authority.

(Ord. No. 94-12/13, 11-19-12)

State law reference(s)--Sale or possession of unwholesome food or drink, 17 M.R.S.A. § 3451 et seq.

Sec. 11-6. Application to food prepared outside city.

No person shall sell or bring into the city food prepared outside the city for sale by a food service establishment unless such food is prepared and handled in accordance with the requirements of this article. In determining whether such food is prepared or handled in accordance with the requirements of this article, the health inspector, shall accept reports from responsible authorities in such jurisdiction that such location complies with the provisions of this article.
(Ord. No. 94-12/13, 11-19-12)

Sec. 11-7. Right to enter.

The health inspector shall be permitted to enter any food service establishment during business hours for the purpose of making inspections and of copying any and all records of food purchases and payrolls. It shall be the duty of every person responsible for the management or control of such establishment to afford free access to every part of such establishment and to render all aid and assistance necessary to enable the health authority to make a full, thorough and complete examination thereof to determine compliance with this article. Records of purchases of food shall be held for a period of three (3) months following the date of purchase either at the food service establishment or at another place where they are customarily kept and shall be made available to the health authority at the food service establishment within a reasonable time upon request.
(Ord. No. 94-12/13, 11-19-12)

Sec. 11-8. Handwashing facilities.

Handwashing sinks with hot and cold running water shall be provided in or convenient to toilet rooms and in no instance more than twenty five (25) feet from and easily accessible to the toilet room. Soap and sanitary towels or other approved drying facilities in suitable holders or dispensers shall be provided. Common towels are prohibited. No person shall resume work after using the toilet room without first washing his or her hands. If such handwashing sink is not located within ten (10) feet of the entrance to all food preparation rooms or areas, additional handwashing sinks with hot and cold running water, soap, and sanitary towels shall be provided in or within twenty five (25) feet and easily accessible to such food preparation rooms or areas. Durable, legible signs shall be posted conspicuously at each handwashing facility used by employees directing them to wash their hands before returning to work. Dishwashing vats, vegetable sinks and pot sinks shall not be approved as handwashing facilities for employees. Any self-closing, or metered faucet used shall be designed to provide a flow of water for at least fifteen (15) seconds without the need to reactivate

the faucet. Steam mixing valves are prohibited. Spring type faucets which require two (2) hands to operate are prohibited.
(Ord. No. 94-12/13, 11-19-12)

Sec. 11-9. Three-bay sink.

A three-bay sink shall be provided for such manual cleaning; each compartment shall be equipped with hot and cold running water and large enough to permit complete immersion of the largest utensil, and must be within twenty five (25) feet of and easily accessible to the food preparation area.
(Ord. No. 94-12/13, 11-19-12)

Sec. 11-10. Certified Food Protection Managers.

(a) A food service establishment must have at least one employee granted supervisory and management responsibility designated a Certified Food Protection Manager (CFPM) as defined in Section 1.201.10.B of Maine State Food Code 2013: Food Code adopted in Section 11-1, above. Proof of CFPM certification is required as follows:

1. Prior to the issuance of any new license required by Chapter 15;
2. Prior to the renewal of any license required by Chapter 15.
3. Within 60 days of the date when a CFPM leaves employment;
4. At the time of any inspection by the City's Health Inspector.

(b) Proof of compliance with the requirements of this section shall be provided to the City Food Inspector. Prior to the issuance of any license required by Chapter 15, the City Food Inspector must certify to the Department of Permitting and Inspections that the requirements of this Section have been met. Failure to provide proof of compliance with the requirements of this Section will be subject to a denial, suspension or revocation of a license in accordance with the provisions of Chapter 15. In addition to license suspension or revocation, violations of subsection 11-10(a)(3)& (4), above, shall result in a penalty to the violator of $150.00.

Sec. 11-11. Ice cream trucks.

All ice cream trucks shall comply with the following:

(a) *General regulations.* All ice cream trucks shall comply with all requirements of section 11-35, including the requirements for a base station, and all other requirements of this article except those relating to toilet facilities, in addition to the requirements set forth in this section.

(b) *Permitted sales locations.* Ice cream trucks shall be limited to sales on or from public rights-of-way in city parks where vending is allowed or in residential zones only, where such public rights-of-way have a posted speed limit of twenty-five (25) miles per hour or less.

(c) *Sales prohibited.* No ice cream truck shall stop at any time for the purpose of making sales if such stop is located within five hundred (500) feet of a licensed food service establishment.

(d) *Length of stop.* No ice cream truck shall stop on a public right-of-way in a residential zone for more than fifteen (15) minutes. An ice cream truck shall operate its four-way flashers whenever stopped.

(e) *Manner of stops.* Ice cream trucks shall pull over to the side of the public right-of-way as far as practicable when stopping for the purpose of selling. In no event shall an ice cream truck stop for the purpose of selling if such a stop prevents the passage of other motor vehicles on the public right-of-way.

(f) *Hours of operation.* Ice cream trucks shall only operate from 11:00 a.m. until 8:00 p.m.

(g) *License, insurance required.* Each ice cream truck shall be required to be separately licensed under this article and to provide to the Department of Permitting and Inspections evidence of public liability insurance in an amount of not less than four hundred thousand dollars ($400,000.00) as amended, with the city named as an

additional insured on the policy.

(h) *Cost of licenses and expiration date.* The cost of a license for an ice cream truck and base station and the expiration date for such licenses shall be the same as those established in section 15-13 for a mobile food service establishment license and a base station license. Each base station shall be required to have one (1) base station license, even if more than one (1) truck utilizes the same base station.

(i) *Passengers prohibited.* No ice cream truck shall carry any passenger not employed by or related to the license holder or driver.

(Ord. No. 94-12/13, 11-19-12; Ord. No. 165-15/16, 3-7-2016)

Sec. 11-12. Stationary food vending unit.

A stationary food vending unit shall be subject to the following regulations:

(a) Only nonalcoholic beverages and prepackaged foods shall be sold from a stationary food vending unit, and there shall be no cooking in or near the unit.

(b) An applicant for a stationary food vending unit license shall provide the Department of Permitting and Inspections, in addition to any other information required by chapter 15, with acceptable proof of ownership or control of the property upon which the unit will be located. Such proof shall consist of a deed, lease or other written agreement.

(c) An applicant for a stationary food vending unit license shall submit the following information for review by the health authority:

1. A plan for waste disposal;

2. A plan for disposal of liquid waste, which shall not be allowed to run into the ground; and

3. A plan for provision of restrooms for employees;

4. The precise location and manner of proposed or

existing electrical hookups, which must be done by a licensed master electrician, or the type and location of other proposed or existing power sources.

(d) No stationary food vending unit shall be located within sixty-five (65) feet of any other licensed food establishment, including street vending units and mobile food service units.

(e) The fees and the expiration date for a stationary food vending unit license shall be the same as those established in chapter 15 of this Code for mobile food service establishments, except that no base station or fee for a base station shall be required.

(f) The location of any stationary food vending unit shall be subject to the applicable requirements of articles III and V of chapter 14 of this Code.

(Ord. No. 94-12/13, 11-19-12; Ord. No. 165-15/16, 3-7-2016)

Sec. 11-13. CommissaryCommunity kitchens.

(a) A *commissary* community kitchen shall mean a kitchen, licensed pursuant to this chapter, whichthat is utilized by onetwo or more entities to receive, store and prepare food for service off-site or delivery and does not qualify for any other City food service license. Examples include, but are not limited to, kitchens preparing food for catering, mobile units, meal delivery services, vending machines and central production for multiple establishments, such as chain restaurants. at differing times for preparation of food to serve to the public off-site.

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(b) Not more than one entity may utilize the *commissary*community kitchen at one time. Any time more than one entity is utilizing a kitchen licensed pursuant to this chapter, Tthere must be a sufficient reasonable amount of time built in to the schedule for to ensure the kitchen is cleaning and sanitizing,ed prior to the next use.

(c) Schedule and records: If the commissary is used by more than one entity, then aThe schedule of the use of the community kitchen shall be prominently displayed in a conspicuous location at all times and all associated records shall be available for review by the health inspector at all times.

~~(d) License required: Each entity utilizing a community kitchen shall procure a community kitchen license from the Department of Permitting and Inspections.~~
~~(Ord. No. 94-12/13, 11-19-12; Ord. No. 165-15/16, 3-7-2016)~~

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Sec. 11-14. Penalties.

Following the issuance of a failed inspection notice and an order to correct violations, the health inspector will reinspect the premises at a fee of seventy five dollars ($75.00); if the follow-up inspection results in another failed inspection, the violator will be charged a second re-inspection fee of one hundred fifty dollars ($150.00). If the third reinspection results in a failed inspection, the third and each subsequent follow-up reinspection will result in a three hundred dollar ($300.00) per reinspection charge. In addition, upon the third failed reinspection, the health inspector may order the establishment closed until the establishment yields a passing inspection.

The requirements set forth in this section shall apply to the entire chapter.
(Ord. No. 94-12/13, 11-19-12)

Sec. 11-15. Reserved.
Sec. 11-16. Reserved.
Sec. 11-17. Reserved.
Sec. 11-18. Reserved.
Sec. 11-19. Reserved.
Sec. 11-20. Reserved.
Sec. 11-21. Reserved.

DIVISION 2. LICENSE*

***Cross reference(s)**--Licenses and permits generally, Ch. 15.

Sec. 11-22. License Required.

No person shall operate any food service establishment within the city unless licensed to do so by the city.
(Ord. No. 94-12/13, 11-19-12)

Sec. 11-23. Pre-Operational Inspection.

All applications for food service establishment licenses must be accompanied by a certification, issued by the Health Inspector, certifying that the food service establishment has undergone a Pre-Operational Inspection and successfully demonstrated compliance with the provisions of this Chapter. The fee for the Pre-Operational Inspection required by this section shall be $150.00.
(Ord. 208-14/15, 4-27-2015)

Sec. 11-24. Hearing.

A hearing shall be held upon any original and any renewal application for a license required by this division.
(Ord. No. 94-12/13, 11-19-12)

Sec. 11-25. Suspensions and revocations.

Licenses shall be suspended or revoked pursuant to chapter 15, except that a license which has been suspended may be reinstated by the Department of Permitting and Inspections upon application, in writing, from the holder if the health inspector certifies to the Department of Permitting and Inspections that he or she has reinspected the premises and the condition for which the suspension was imposed has been corrected.
(Ord. No. 94-12/13, 11-19-12; Ord. No. 165-15/16, 3-7-2016)

Sec. 11-26. General provisions to apply.

Except to the extent that this division contains a contrary provision, all provisions of chapter 15 shall be additional to the provisions of this division.
(Ord. No. 94-12/13, 11-19-12)

Sec. 11-27 thru 11-45 Reserved

Order 322-15/16
Tab 28 6-20-16

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)

AMENDMENT TO PORTLAND CITY CODE
CHAPTER 14 LAND USE, ARTICLE III
Re: Food Trucks

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

That Chapter 14, Sections 14-154 and 14-301 of the Portland City Code are hereby amended to read as follows:

Sec. 14-154. Permitted uses.

The following uses are permitted uses within the recreation and open space zone, subject to the development standards contained herein:

(a) Municipal parks, public open spaces, picnic areas, playgrounds and play lots;

...

(o) Wind energy systems, as defined and allowed in Article X, Alternative Energy;

(p) Street vendors licensed pursuant to Chapter 19 ~~as a result of a competitive bid process conducted pursuant to Chapter 2 of the City Code~~; and

(q) Events, activities, and uses licensed by the city, including but not limited to markets, festivals, café seating, concerts, and other gatherings.

...

Sec.14-301. Permitted uses.

Subject to a determination that the proposed use meets the standards of section 14-300.1. (no adverse impact on marine uses), the following uses are permitted in the Eastern Waterfront Port Zone:

(a) *Marine passenger:*

...

(c) *Commercial:*

1. Professional, business, government, and general office located in upper floors of structures existing as of September 18, 2006.

2. Temporary events, except festivals as otherwise governed under section 14-301I3 below.

   Buildings, piers and lands within the EWPZ may be used for temporary public and private events including but not limited to exhibitions, conferences, meetings, and trade shows under the following conditions:

   a. Temporary events occupying more than 10,000 square feet of building or outdoor space shall not exceed a combined total of sixty (60) days between May 1st to October 31st;

   b. No temporary event may continue for more than 14 days of continuous operation;

   c. Any temporary event that anticipates more than 5,000 people in attendance on any single day must provide and be subject to a parking management plan. The parking management plan must be submitted for the review and approval of the public works authority at least 60 days prior to the first day of the event.

3. Festivals subject to City license.

4. Street vendors licensed pursuant to Chapter 19~~ as a result of a competitive bid process conducted pursuant to Chapter 2 of the City Code~~.

(d) *Public:*

...

MEMORANDUM
City Council Agenda Item

DISTRIBUTE TO:	City Manager, Mayor, Anita LaChance, Sonia Bean, Danielle West-Chuhta, Nancy English, Julianne Sullivan
FROM:	Tuck O'Brien, City Planning Director, Planning and Urban Development Department
DATE:	June 6, 2016
SUBJECT:	Text Amendments to Land Use Code related allowance of Food Truck as permitted uses in the ROS and EWPZ Zones
SPONSOR:	Elizabeth Boepple, Chair, Planning Board

COUNCIL MEETING DATE ACTION IS REQUESTED:
1st reading June 20, 2016 Final Action

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

PRESENTATION: Tuck O'Brien, 1minute presentation

I. ONE SENTENCE SUMMARY

Upon the Council's request to review the text amendments pertaining to the elimination of the City's RFP process for Food Trucks, the Planning Board recommends the proposed revisions to the ordinance as written which would allow Food Trucks as permitted uses in the ROS and EWPZ subject to City's Food Truck regulations.

II. AGENDA DESCRIPTION

This item asks Council to consider changes to Chapter 14 to amend references to Chapter 2 of the City Code relating to these food trucks. Specifically, the removal of a requirement for a competitive bid process as prerequisite for food trucks being allowed uses in the "Open Space and Recreation" and "Eastern Waterfront Port" zones. To date the food truck program has been very successful and as such the impetus for the competitive process to manage access is no longer needed. In addition, this process was time consuming and placed additional financial burdens both on the businesses and the City.

III. BACKGROUND

In the fall of 2011, the City of Portland received coverage in the Portland Press Herald reporting that food trucks were not a permitted use in the city ("Food Trucks Could be Coming to Portland," PPH, 9/8/2011). At the time, the city had a number of pushcart-based "street vendors" in operation under Chapter 19 Peddlers and Solicitors of the city's ordinance, but the city's ordinance did not

explicitly address food trucks. Several local organizations, including Creative Portland, jumped behind the food truck issue, advocating that the city adapt its policies to accommodate "kitchens on wheels."

In response, the city assembled a Food Truck Task Force in early 2012 to discuss changes to the regulations governing food trucks in the city. The Task Force included representatives of the city's restaurant industry, the Portland Downtown District, the Portland Regional Chamber, and food truck operators (see Attachment 1). The Task Force considered parking, permitting, noise, and competition issues, and ultimately developed a series of recommendations in the spring of this year. The Task Force made recommendations regarding hours of operation, location of operation, fees, and licensing.

In 2012, the Planning Board adopted changes to the Zoning Ordinance to allow food trucks as permitted uses but limited to the use of food trucks in the ROS and Eastern Waterfront Port zones to food trucks selected by the City through an RFP process.

III. INTENDED RESULT AND OR COUNCIL GOAL ADDRESSED

Create more efficient permitting process. Simplification of the requirements for Food Trucks will reduce the regulatory burden on these entrepreneurs.

V. FINANCIAL IMPACT

There will be no estimated financial impact.

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

VII. RECOMMENDATION

The Planning Board's unanimous recommendation (Boepple absent) was that the proposed revisions to Land Use Code be approved as written.

VIII. LIST ATTACHMENTS

Prepared by: Tuck O'Brien, City Planning Director
Date: June 6, 2016

PLANNING BOARD REPORT
PORTLAND, MAINE

Text Amendment to the R-OS and EWPZ Zones
to amend Street Vendors as Permitted Uses
Zoning Text Amendment
City of Portland, Applicant

Submitted to: Portland Planning Board Public Hearing Date: May 24, 2016	Prepared by Tuck O'Brien, Planning Director Date: May 20, 2016

I. INTRODUCTION

In the fall of 2011, the City of Portland received coverage in the *Portland Press Herald* reporting that food trucks were not a permitted use in the city ("Food Trucks Could be Coming to Portland," *PPH,* 9/8/2011). At the time, the city had a number of pushcart-based "street vendors" in operation under Chapter 19 Peddlers and Solicitors of the city's ordinance, but the city's ordinance did not explicitly address food trucks. Several local organizations, including Creative Portland, jumped behind the food truck issue, advocating that the city adapt its policies to accommodate "kitchens on wheels."

In response, the city assembled a Food Truck Task Force in early 2012 to discuss changes to the regulations governing food trucks in the city. The Task Force included representatives of the city's restaurant industry, the Portland Downtown District, the Portland Regional Chamber, and food truck operators (see Attachment 1). The Task Force considered parking, permitting, noise, and competition issues, and ultimately developed a series of recommendations in the spring of this year. The Task Force made recommendations regarding hours of operation, location of operation, fees, and licensing.

In 2012, the Planning Board adopted changes to the Zoning Ordinance to allow food trucks as permitted uses but limited to the use of food trucks in the ROS and Eastern Waterfront Port zones to food trucks selected by the City through an RFP process.

This item asks the Planning Board to consider changes to Chapter 14 to amend references to Chapter 2 of the City Code relating to these food trucks. Specifically, the removal of a requirement for a competitive bid process as prerequisite for food trucks being allowed uses in the "Open Space and Recreation" and "Eastern Waterfront Port" zones. To date the food truck program has been very successful and as such the impetus for the competitive process to manage access is no longer needed. In addition, this process was time consuming and placed additional financial burdens both on the businesses and the City. The proposed revisions to the Zoning Ordinance are before the Planning Board for a recommendation to City Council.

II. CURRENT RELEVANT ZONING AND PROPOSED AMENDMENT

Section 14-154 Permitted Uses of the R-OS zone currently reads:

" (p) Street vendors licensed pursuant to Chapter 19 as a result of a competitive bid process conducted pursuant to Chapter 2 of the City Code;"

The City is proposing the following revision:

"(p) Street vendors licensed pursuant to Chapter 19"

Additionally, Section 14-301 Permitted Uses of the Eastern Waterfront zone currently reads:

"4. Street vendors licensed pursuant to Chapter 19 as a result of a competitive bid process conducted pursuant to Chapter 2 of the City Code."

The City is proposing the following revision:

"4. Street vendors licensed pursuant to Chapter 19."

These changes reflect similar changes to the City's Food Truck Rules and Regulations which currently read:

"c. City Parks:

- On city streets or in city-owned parking lots in city parks, if granted a license through the competitive bid process or RFP process described in Chapter 2, Sections 2-301 through 2-314 of the Portland City Code. "

And as revised will read:

"c. City Parks:

- On designated areas of city streets or in city-owned parking lots in city parks."

III. COMPREHENSIVE PLAN

The permission of food trucks, as small independent entrepreneurs, within certain zones of the city is consistent with the City of Portland's Comprehensive Plan. The Vision element of the Comprehensive Plan states that the City should:

- Strive for innovation and bold initiatives that increase the livability and quality of life in Portland.
- Support a dynamic downtown that embraces an intertwining of uses, including residential, business, retail, institutional, service, and arts and cultural uses.
- Capitalize on Portland's economic assets and develop a strong economy based upon traditional industries, a strong retail and office center, and emergent opportunities in industry, business, and coastal commerce.

Further, the economic development goals of the Comprehensive Plan emphasize creativity and responsiveness to emerging industries. The goals from the 1994 Industry and Commerce Plan include making Portland attractive to new businesses and creating "thoughtful flexibility for emerging industries" (38).

Portland's Comprehensive Plan also cites being "creative, responsive, and work[ing] hard to retain existing businesses" as an explicit goal of the Industry and Commerce Plan (38). It should

be noted that the Food Truck Task Force grappled at length with the issue of competition, and whether food trucks would represent an encroachment upon established "bricks and mortar" restaurants in those districts where zone changes are suggested. As a product of this concern, the Task Force suggested separation requirements in order to prevent food trucks from operating too close to existing food establishments.

IV. STAFF RECOMMENDATION

The staff supports a positive recommendation from the Planning Board regarding the several changes required in the Land Use Code to expand the zones under which street vendors are explicitly permitted.

V. PROPOSED MOTION

Based on the material provided in this report , public testimony, a review of applicable policies, and other information the Planning Board finds that the proposed text amendment to the R-OS and EWPZ zones to **allow street vendors as a permitted use [is or is not]** consistent with the Comprehensive Plan and recommends adoption of the proposed amendments to the City Council.

Attachments

A. Proposed Text Amendments

Attachment A

Sec. 14154. Permitted uses.

The following uses are permitted uses within the recreation and open space zone, subject to the development standards contained herein:

(a) Municipal parks, public open spaces, picnic areas, playgrounds and play lots;

(b) Cemeteries;

(c) Arboretums;

(d) Golf courses, excluding miniature golf;

(e) Boat landings, beaches, and marinas for public uses;

(f) Outdoor ballfields and public athletic fields;

(g) Swimming pools and tennis courts;

(h) Picnic groves and areas;

(i) Natural parks and scenic overlooks;

(j) Hiking, walking, bicycling or crosscountry ski trails;

(k) Community gardens for cultivation by and for city residents;

(l) Sewage pumping stations and sewage treatment facilities;

(m) Sports complexes;

(n) Accessory uses, including structures or buildings of less than two thousand five hundred (2,500) square feet of floor area;

(o) Wind energy systems, as defined and allowed in Article X, Alternative Energy;

(p) Street vendors licensed pursuant to Chapter 19~~ as a result of a competitive bid process conducted pursuant to Chapter 2 of the City Code~~; and

(q) Events, activities, and uses licensed by the city, including but not limited to markets, festivals, café seating, concerts, and other gatherings.

(Ord. No. 23281, § 602.7B.2, 111681; Ord. No. 6091, § 1, 8591; Ord. No. 187-01/02, § 3, 4-17-02; Ord. No. 33-11/12, 1-18-12; Ord.No. 10-12/13, 7-16-12; Ord. No. 221-13/14, 6-2-14)

...

Sec.14-301. Permitted uses.

Subject to a determination that the proposed use meets the standards of section 14-300.1. (no adverse impact on marine uses), the following uses are permitted in the Eastern Waterfront Port Zone:

(a) *Marine passenger:*

1. Intermodal marine passenger facilities;

2. Cruise ship home port and port of call berthing and support;

3. International and domestic ferries.

(b) *Marine commercial:*

1. Transient and long-term commercial berthing;

2. Marine-related warehousing;

3. Marine related construction, manufacturing, fabrication, salvage and repair;

4. Storage and repair of fishing equipment;

5. Ship and other marine vessel construction, building, servicing, and repair;

6. Boat and marine equipment storage;

7. Harbor and marine supplies and services, chandleries, and ship supply such as fueling and bunkering of vessels;

8. Public, non-profit, or commercial marine transportation and excursion services, including captained charter services, sport fishing and water taxis;

9. Ship and off-shore support services, including but not limited to tug boats, pilot boats, and chandleries;

10. Facilities for marine pollution control, oil spill cleanup, and servicing of marine sanitation devices;

11. Marinas located east of the eastern boundary of the parcel of land owned by the City of Portland pursuant to a deed from the State of Maine dated February 1982 and recorded in the Cumberland County Registry of Deeds at Book 4916, Page 26;

12. Marine office, including but not limited to offices of owners of marinas, wharves or their agents, and naval architects, and seafood brokers.

(c) *Commercial:*

1. Professional, business, government, and general office located in upper floors of structures existing as of September 18, 2006.

***Editor's Note**—On-site parking for non-marine commercial uses are permitted as conditional uses ubject to the provisions of section 14-301.1. (conditional uses, parking) below.

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2. Temporary events, except festivals as otherwise governed under section 14-301I3 below.

Buildings, piers and lands within the EWPZ may be used for temporary public and private events including but not limited to exhibitions, conferences, meetings, and trade shows under the following conditions:

a. Temporary events occupying more than 10,000 square feet of building or outdoor space shall not exceed a combined total of sixty (60) days between May 1st to October 31st;

b. No temporary event may continue for more than 14 days of continuous operation;

c. Any temporary event that anticipates more than 5,000 people in attendance on any single day must provide and be subject to a parking management plan. The parking management plan must be submitted for the review and approval of the public works authority at least 60 days prior to the first day of the event.

2. Festivals subject to City license.

4. Street vendors licensed pursuant to Chapter 19 ~~as a result of a competitive bid process conducted pursuant to Chapter 2 of the City Code~~.

(d) *Public:*

1. Fire, police and emergency services;

2. Governmental agency emergency operations/crisis centers; 3. Research, military and visiting attraction vessel berthing;

4. Landscaped pedestrian parks, plazas and other similar outdoor pedestrian spaces, including without limitation pedestrian and/or bicycle trails.

(e) *Other:*

1. Wind energy systems, as defined and allowed in Article X, Alternative Energy;

2. A facility for non-profit organizations whose facility may include offices, classrooms, equipment, equipment rentals, storage, and bathrooms for the public.

(Ord. No. 297-05/06, 9-18-06; Ord. No. 33-11/12, 1-18-12; Ord. No. 262-13/14, 6-16-14; Ord. 184-14/15, 6-1-2015)