

1. Health And Human Services Committee April 12 2016 Meeting Agenda

Documents: [HEALTH AND HUMAN SERVICES COMMITTEE APRIL 12 2016 MEETING AGENDA.PDF](#)

2. Memo Re Amendment To Smoking Ordinance - 21 Years Old

Documents: [MEMO RE AMENDMENT TO SMOKING ORDINANCE - 21 YEARS OLD.PDF](#)

3. Long Term Shelter Stayer Memo

Documents: [LONG TERM SHELTER STAYER MEMO.PDF](#)

4. PSHHS Cmte MLSA Memo 3.23.16

Documents: [PSHHS CMTE MLSA MEMO 3.23.16 .PDF](#)

Portland, Maine



Yes. Life's good here.

Health & Human Services Committee

April 12, 2016

Room 24 Basement / City Hall

5-7 PM

AGENDA

- | | |
|--|--------------------|
| 1. Meeting Called to Order and Minutes from Previous Meeting Reviewed
Suslovic/Committee | Chair |
| 2. Increasing the Minimum Legal Sale Age of Tobacco Products
Corporation Counsel | Jennifer Thompson/ |
| 3. Housing Committee TIF Policy Revision | Dawn Stiles/HHS |
| 4. Budget Impacts on Health & Human Services Department | Dawn Stiles/HHS |

MEMORANDUM

TO: Public Safety, Health and Human Services Committee

FROM: Jennifer L. Thompson, Associate Corporation Counsel

DATE: March 29, 2016

RE: Increasing the minimum legal sale age for tobacco products to 21

I understand that the Public Safety, Health and Human Services Committee will be considering a proposal to increase the minimum legal sale age for tobacco products in the City of Portland from 18 to 21 years of age. I have been asked to outline the legal authority for this departure from State law. I do so briefly, below.

Generally speaking, Maine State statute regulates the sale of tobacco within the State. Under 22 M.R.S. § 1555-B, “[a] person may not sell, furnish, give away or offer to sell, furnish or give away a tobacco product to any person under 18 years of age.” *Id.* However, a subsequent section of the statute, section 1556, expressly recognizes the authority of municipalities such as Portland to enact regulations that are more restrictive than those enacted by the State.¹ This expressed authority, together with the usual Home Rule authority conferred on municipalities by the Maine State Constitution, therefore seems to allow the City of Portland to further restrict the sale of tobacco products.

I do note the statutory requirement that 30 days’ notice be provided by mail to “each retail tobacco licensee doing business within the municipal corporate limits. This notice must state the time, place and date of a hearing or proposed enactment and the subject matter of the proposed ordinance, regulation or amendment.” Therefore, if this Committee ultimately recommends the proposed amendment (or another ordinance that is more restrictive than state law) it will be important to provide the appropriate notice prior to consideration by the full Council.

¹ Section 1556 provides, in pertinent part: “Except as otherwise provided in this section, nothing in this chapter affects the authority of municipalities to enact ordinances or regulations that are more restrictive than this chapter.” The full text of section 1556 can be found here:
<http://www.mainelegislature.org/legis/statutes/22/title22sec1556.html>



Mary Davis

Division Director, Housing & Community Development Division

TO: Councilor Duson, Chair
Members of the Housing Committee

FROM:

CC: Jon P. Jennings, City Manager
Jeff Levine, Director, Planning and Urban Development Department
Dawn Stiles, Director, Health and Human Services Department
Michael Goldman, Associate Corporation Counsel

DATE: April 8, 2016

RE: Policy regarding new rental housing developments receiving financial assistance from the City and individuals or families currently living in a Portland shelter

SUMMARY OF ISSUE

At the direction of the City Manager, staff from the Housing and Community Development Division, Health and Human Services Department and Corporation Counsel's Office have designed a policy that would require any new rental housing development receiving assistance through Tax Increment Financing and/or a HUD HOME or CDBG subsidy from the City, be required to provide a percentage of units for individuals or families currently living in a Portland shelter.

The policy parameters are:

1. Developers receiving assistance through TIF Financing and/or HUD HOME or CDBG subsidy would be required to set aside 10% of the rental units in the development for the identified target population - individuals or families currently living in a Portland shelter. The number of required units would be rounded down to a whole number.
2. The City would be responsible for providing referrals, providing or coordinating supportive services to eligible homeless populations who become tenants of the housing, including assuring tenants qualify for the housing, providing or locating financial resources such as Section 8, General Assistance, or other resources to assist with monthly rent payment. Individual services would be dependent



Mary Davis

Division Director, Housing & Community Development Division

upon the particular requirements of the individual tenants and specific to their needs and goals, and would be subject to eligibility at the City. All tenants referred would meet income, homelessness criteria, and other requirements so as to be fully qualified for the housing. City staff would work to provide a variety of support services to assist homeless individuals enhance their self-esteem, secure housing, and work towards a self-sufficiency plan. Long term support services would be provided through collaboration with other area service providers.

3. The City would provide referrals for the project, and support services adequate to allow the success of those referrals in the housing. Thereafter, the City would commit to providing ongoing referrals as vacancies arise.
4. The Developer, their resident service coordinator and/or designated property management company would be required to notify the City when a problem arises with any tenant placed by the City.
5. At the time the financing is awarded a Memorandum of Understanding between the City and the Developer would document the services and expectations of all parties.
6. At the time of loan closing or prior to disbursement of the City's funding, the requirements would be secured by a Declaration of Covenants which will be recorded in the Cumberland County Registry of Deeds.
7. The affordability period for these requirements would remain in place for a period of time consistent with the City funding source requirements.
8. If the City does not provide referrals within **30** days for units subject to this requirement, the units could be provided to other eligible occupants. Written notice to the City would be provided in this case. Such an occurrence would not relieve the owner from making a comparable effort if and when the unit becomes vacant again.

STAFF ANALYSIS AND RECOMMENDATION

The proposed policy mirrors a current Social Service Division program. The City of Portland Family Shelter & Oxford Street Shelter provides follow-up case management services for residents who have secured permanent housing. The services that are provided are as follows: Tenant education (Good Tenant video/GA



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Division Director, Housing & Community Development Division

education; city trash pick-up/recycling); tenant/LL mediation; assist with connecting to available resources (clothing closets/food/non-food items/household furniture); employment referrals; budgeting assistance; continuation of securing goals that were originally placed on plan of care; medical (connect with a PCP/assistance filling out application for free care).

State-wide data provided by the State Department of Health and Human Services indicates that at least 50% of individuals receiving BRAP (Bridging Rental Assistance Program) assistance remain in their housing after two years and 70-80% of those receiving Shelter Plus Care assistance remain in their original housing placement for 6-12 months. An individual is considered to be successfully housed if they remain in the original placement for six months to one year without a return to homelessness.

The Social Service Division's Long Term Stayer Initiative began in April of 2015 with 60 Oxford Street specific clients, 44 of which have been housed.

Of the original 60 clients: 4 housed into Portland Housing Authorities Public housing; 8 placed into permanent housing with a Shelter Plus Care Voucher; 2 placed into permanent housing with a BRAP voucher; 3 reunited with family or friends; 5 placed in more rural areas with Home to Stay Housing Choice Vouchers; 4 moved into a supported living situation; 2 moved into housing using STEP coupons; 3 self-paid or used General Assistance for their housing; 10 moved into permanent housing with Section 8 VNED vouchers; 3 moved into project based buildings.

Out of 44 housing placements, only 2 have returned to homelessness (these clients were in the possession of Section 8 vouchers). Several of the other housed clients will soon be stably housed for almost a year.

In 2015, there were a total of 287 clients of which a total of 26 clients with Shelter Plus Care vouchers were placed into safe, stable, permanent housing with only 2 returns to homelessness. The 24 that remain housed account for 15,339 bed nights, the majority of these clients being chronically homeless and Long Term Stayers.

Staff is requesting Housing Committee approval of this policy. If the policy is adopted by the Housing Committee, it will be incorporated into the HOME Affordable Housing Development application which staff anticipates releasing on April 15th.

TO: Public Safety, Health and Human Services Committee

FROM: Public Health Division, Health and Human Services Department Staff

DATE: March 23, 2016

RE: Increasing the minimum legal sale age for tobacco products to 21

The Public Safety, Health and Human Services Committee of the Portland City Council asked Public Health Division to compile information regarding the health implications of raising the minimum legal sale age (MLSA) for tobacco products to 21. In preparation, staff reviewed the actions of other states, local municipalities, and health organizations.

Rationale for Raising the Minimum Legal Sale Age for Tobacco Products To 21

Tobacco use remains the leading cause of preventable death in the United States, killing more than 480,000 people each year. Each day in the United States, more than 3,800 youth aged 18 or younger smoke their first cigarette, and an additional 2,100 youth and young adults become daily cigarette smokers.

A March 2015 report released by the Institution of Medicine (IOM) found that increasing the MLSA for tobacco products will likely prevent or delay initiation of tobacco use by adolescents and young adults. The IOM report also found that if the MLSA were raised now, the models projected that by the time today's teenagers were adults, there would be a 3 percent decrease in the prevalence of tobacco use. Ultimately, raising the MLSA to 21 would have a substantial positive impact on public health and save lives.

Actions of States and Localities on Raising the Minimum Legal Sale Age for Tobacco Products to 21

On June 19, 2015, Hawaii became the first state to raise the tobacco sale age to 21. At least 135 localities in nine states have also raised the tobacco age to 21, including Boston, New York City and Chicago. If this ordinance change were to be approved, Portland would be the first municipality in Maine to do so.