

ETHAN K. STRIMLING (MAYOR)
BELINDA S. RAY (1)
SPENCER THIBODEAU (2)
BRIAN E. BATSON (3)
JUSTIN COSTA (4)

KIMBERLY COOK (5)
JILL C. DUSON (A/L)
PIOUS ALI (A/L)
NICHOLAS M. MAVODONES, JR. (A/L)

APRIL 22, 2019 CITY COUNCIL AGENDA

The Portland City Council will hold a Special City Council meeting at 5:30 p.m. in City Council Chambers. The Honorable Ethan K. Strimling, Mayor, will preside.

PLEDGE OF ALLEGIANCE:

ROLL CALL:

ANNOUNCEMENTS:

PRESENTATIONS:

Arts in the Chamber - Patricia Daunis-Dunning, Daunis Fine Jewelry

RECOGNITIONS:

SPECIAL MEETING:

APPROVAL OF MINUTES OF PREVIOUS MEETING:

Approval of the April 8, 2019 Draft City Council Minutes.

PROCLAMATIONS:

Proclamation 26 -18/19 Recognizing the Week of the Young Child and Starting Strong Day- Sponsored by Mayor Ethan K. Strimling.

Proclamation 27 -18/19 Supporting Gun Give Back Day- Sponsored by Mayor Ethan K. Strimling.

Proclamation 28-18/19 Honoring Michael J. Tarpinian -Sponsored Mayor Ethan K. Strimling.

Proclamation 29-18/19 Honoring Ruthann Weist, Police Department, as Employee of the Month for January 2019 - Sponsored by Mayor Ethan K. Strimling.

Proc 30-18/19 Honoring Kevin Deneault, Public Works Department, for February 2019 - Sponsored by Mayor Ethan K. Strimling, Mayor.

APPOINTMENTS:

CONSENT ITEMS:

Order 216-18/19 Declaring June 7, 8, and 9, 2019 the Summer Kickoff Weekend Festival – Sponsored by Jon P. Jennings, City Manager

This order declares June 7, 8, and 9, 2019 the Summer Kickoff Weekend Festival.

Additional details about the event are included in the agenda backup.
Five affirmative votes are required for passage of the Consent Calendar.

LICENSES:

Order 217-18/19 Approving Municipal's Officers Approval of Cocktail Mary LLC dba Cocktail Mary. Application for a Class A Lounge at 229 Congress Street - Sponsored by Jon P. Jennings, City Manager.

Cocktail Mary LLC dba Cocktail Mary. Application for a Class A Lounge at 229 Congress Street.

Application was filed on 4/1/2019. New City and State Applications. Location was previously Ramen Suzikaya.

Five affirmative votes are required for passage after public comment.

Order 218-18/19 Approving Municipal Officers' Approval of Grippy Tannins LLC dba Grippy Tannins LLC. Application for a Class III FSE at 16 Middle Street - Sponsored by Jon P. Jennings City Manager.

Grippy Tannins LLC dba Grippy Tannins LLC. Application for a Class III FSE at 16 Middle Street.

Application was filed on 4/1/2019. New City and State Applications. This is a new building.

Five affirmative votes are required for passage after public comment.

Order 219-18/19 Approving Municipal Officers' Approval of Portland Hotels Inn Inc. dba Hampton Inn & Suites. Application for a Class I-A Hotel 41+ Rooms at 1210 Brighton Avenue - Sponsored by Jon P. Jennings, City Manager.

Portland Hotels Inn Inc. dba Hampton Inn & Suites. Application for a Class I-A Hotel 41+ Rooms at 1210 Brighton Avenue.

Application was filed on 4/1/2019. New City and State Applications. Location was previously the Travelodge.

Five affirmative votes are required for passage after public comment.

BUDGET ITEMS:

Order 220-18/19 Receiving and Referring to the Finance Committee the Portland Board of Education's Fiscal Year 2020 Recommended Budget and Setting a Public Hearing Thereon - Sponsored by Jon P. Jennings, City Manager

Under this order the City Council receives the Portland Board of Public Education's proposed Fiscal Year 2020 budget and refers it to the Finance Committee for review and recommendations.

The first reading and public hearing of the Fiscal Year 2020 school budget will be held on Monday, May 6, 2019, at 5:30 p.m. at City Hall in City Council Chambers.

The second reading and City Council action on the school budget will take place Monday, May 20, 2019, at 5:30 p.m. at City Hall in City Council Chambers.

Five affirmative votes are required for passage after public comment.

COMMUNICATIONS

RESOLUTIONS:

Resolution 11-18/19 Adopting the Fiscal Year 2020 Annual Action Plan including appropriations for Community Development Block Grant Program, HOME Program, and Emergency Solutions Grant Program and certifications pertaining thereto -- Sponsored by Jon P. Jennings, City Manager

This Resolution adopts the fiscal year 2020 annual action plan and appropriates funds the identified programs. **HUD announced final funding amounts for CDBG, HOME and ESG on April 12. The amounts noted below have been updated to reflect the final numbers.**

The 2019/2020 Housing and Community Development Program will report in the Annual Action Plan to HUD a total estimated budget of \$5,003,415 funded by a Community Development Block Grant allocation of \$1,893,566 plus \$120,000 in TIF funding and \$20,000 in Cotton Street proceeds, along with \$102,242 in CDBG Housing Program Income; a HOME Consortium Program Grant allocation of \$1,020,693; HOME Program Income of \$74,887; HOME Program Recapture Funds of \$74,093; Lead Safe Housing Program Income of \$268,741; local Housing Trust Funds of \$1,268,320; and an Emergency Solutions Grant (ESG) Allocation of \$160,873.

The CDBG Annual Allocation Committee, appointed by the City Council, reviewed each application and made funding recommendations. They are given an opportunity to make a presentation to the Council, and citizens may comment on the City's plan for the use of CDBG, HOME and ESG funds. The City Manager also reviewed the Committee's recommendations and has submitted his own funding recommendations to the City Council.

As required by the City's citizen participation process, two public hearings are held each spring to consider the City's Housing and Community Development Program proposal for the ensuing year. The public hearings allow an opportunity for citizens to comment on the City's Consolidated Annual Action Plan.

This item must be read on two separate days, and two public hearings must be held in order to comply with local and federal regulations. The first reading and public hearing on this item was held on March 18, 2019. This is its second reading and public hearing. Five affirmative votes are required for passage after public comment.

UNFINISHED BUSINESS:

Order 162-18/19 Amendment to the Portland City Code Chapter 14 Re: Drive-throughs in the B-2, B-2b and B-2c Community Business Zones - Sponsored by the Planning Board, Sean Dundon, Chair

The Planning Board unanimously recommends adoption of text amendments to the B-2, B-2b and B2c zones to allow bank and pharmacy drive-throughs in all B-2 zones, but only when they are in developments that include upper story housing. Currently, drive-throughs associated with permitted uses are allowed in B-2 and B-2c as a conditional use, but no drive-throughs are allowed in the B-2b zone. This proposed amendment would allow drive-throughs in all of these zones, but only in multiple story buildings with housing above. Specifically, the proposed text amendments revise the B-2 Table of Uses to limit drive-throughs to those associated with a pharmacy or banking facility in the three B-2 zones as a conditional use. A proposed footnote in the Use Table clarifies that drive-throughs are not permitted for restaurant, bakery or other food or beverage service uses. The conditional use standards for drive-throughs are revised to only permit a drive-through (associated with a bank or pharmacy) in a building of 3 or more stories where a majority of the upper stories is devoted to 3 or more dwelling units. Screening, location of drive-throughs, and stacking capacity for safe pedestrian and vehicle circulation on and off site are included in the location standard and the other existing 5 standards are retained.

This item must be read on two separate days. It received its first reading on February 20, 2019. On March 4, 2018, it was postponed to the April 22, 2019 City Council Meeting. Five affirmative votes are required for passage after public comment.

ORDERS:

Order 221-18/19 Accepting Two Pedestrian Easements and a Quitclaim Deed Relating to the Whole Foods Building at Franklin and Somerset Streets - Sponsored by Jon P. Jennings, City Manager.

This order accepts a deed from GBD Properties, Inc. to the City of Portland for a parcel of land along Somerset and Fox Streets and acceptance of pedestrian easements for the sidewalk along Pearl Street.

Five affirmative votes are required for passage after public comment.

Order 222-18/19 Appropriating \$45,000 from the Community Support Fund for General Assistance - Sponsored by the Finance Committee, Nick Mavodones, Chair

On April 4, 2019 the Finance Committee voted unanimously (3-0) to recommend this appropriation for approval by the full City Council.

During 2015 the City Council established the Portland Community Support Fund (“the PCSF”). Beginning July 1, 2015, asylum seekers who had received General Assistance from Portland as of June 30, 2015 were entitled to receive assistance from the PCSF. In the current year (FY19) the program budget of \$200,000 has been overexpended and the City Manager and Finance Committee have both recommended utilizing \$45,000 in donations to the PCSF to cover rental payments for those currently enrolled in the program, which this order authorizes.

Staff recommends waiving the second reading and passing as an Emergency, in order to be effective immediately and provide support for rental payments. Seven votes are required to waive the second reading, and seven votes are also required for passage as an emergency, following public comment.

AMENDMENTS:

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