

KATE SNYDER (MAYOR)
ANNA TREVORROW (1)
VICTORIA L. PELLETIER (2)
TAE Y. CHONG (3)
ANDREW ZARRO (4)



MARK N. DION (5)
APRIL FOURNIER (A/L)
PIOUS ALI (A/L)
ROBERTO RODRÍGUEZ (A/L)

CITY COUNCIL MEETING - OCTOBER 3, 2022 AT 5:00 PM

The Portland City Council will hold a City Council Meeting in Council Chambers. The Honorable Kate Snyder, Mayor, will preside.

To submit written public comment on an agenda item, email publiccomment@portlandmaine.gov. Submissions must be received by 12:00 pm the day before the Council meeting to guarantee their inclusion in the agenda packet. All submissions must include the commenter's name and legal address. To help ensure your comment is submitted for the correct item, please include the order number (see below).

REMOTE ACCESS INFORMATION:

The City Council will conduct this meeting from Council Chambers, located on the second floor of City Hall. The public may attend the meeting in person, however space in Council Chambers is limited. The public is therefore strongly encouraged to participate remotely via Zoom pursuant to the Remote Meeting Policy adopted by the Portland City Council. Allow your computer to install the free Zoom app to get the best meeting experience. If you are not able to attend live either in person or via Zoom, a recording will be available in the [Agenda Center](#) following the meeting.

For public comment via Zoom, you will need to use the "raise your hand" feature. To raise your hand via the telephone, please hit *9. You will be unmuted by the host when it is time for public comment.

Please click the link below to join the webinar:

<https://portlandmaine-gov.zoom.us/j/84536489671?pwd=R0NHMmlyRXdPWXVKYUNYdDBoVIU3UT09>

Passcode: 649486

Or One tap mobile :

US: +19292056099,,84536489671#,,,,*649486# or +13017158592,,84536489671#,,,,*649486#

Or Telephone:

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

US: +1 929 205 6099 or +1 301 715 8592 or +1 309 205 3325 or +1 312 626 6799 or +1 646 931 3860 or +1 564 217 2000 or +1 669 444 9171 or +1 669 900 6833 or +1 719 359 4580 or +1 253 215 8782 or +1 346 248 7799 or +1 386 347 5053

Webinar ID: 845 3648 9671

Passcode: 649486

PLEDGE OF ALLEGIANCE:

ROLL CALL:

5:00 P.M. PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS:

ANNOUNCEMENTS:

RECOGNITIONS:

Recognizing Portland International Jetport's receipt of a 2021 Airport Service Quality Award for Best Airport by Size and Region - By Kate Snyder, Mayor

APPROVAL OF MINUTES OF PREVIOUS MEETING:

City Council Meeting Minutes - September 19, 2022

PROCLAMATIONS:

Proclamation 6-22/23 Recognizing October 10, 2022 as Indigenous Peoples' Day - Sponsored by Kate Snyder, Mayor

Proclamation 7-22/23 Recognizing October 2022 as Domestic Violence Action Month - Sponsored by Kate Snyder, Mayor

Proclamation 8-22/23 Recognizing September 15 to October 15, 2022 as Hispanic Heritage Month - Sponsored by Kate Snyder, Mayor

CONSENT ITEMS:

Order 74-22/23 Setting The Time for Opening and Closing the Polls on November 8, 2022 RE: General & Municipal Election - Sponsored by Ashley Rand, City Clerk

Pursuant to 21-A M.R.S § 626, the polls shall open at 7:00am and close at 8:00pm on Tuesday, November 8, 2022 for the State General & Municipal Election.

Order 75-22/23 Establishing the Rules Committee - Sponsored by Kate Snyder, Mayor

The Mayor is establishing the Rules Committee to review the City Council Rules of Procedure and determine if any amendments or changes are recommended. This order establishing the Committee, and the communication on this agenda appointing the Committee members, starts the rules review process.

Order 76-22/23 Approving Transfer of Funds under 15 M.R.S. §§5824(3) and 5826(6) Re: Jason Boston - Sponsored by Danielle P. West, Interim City Manager

This order authorizes the City Council to approve the transfer of \$7,838.00 in forfeited assets from the State of Maine to the City of Portland from the case of the State of Maine v. Jason Boston.

The money was seized during a drug investigation conducted by the M.D.E.A. in conjunction with the Portland Police Department. The money from this forfeiture order will be deposited into the Portland Police Department's drug investigation account. The money is used to offset the costs of drug investigations, such as drug analysis, drug purchases, covert surveillance, surveillance equipment, drug training and protective gear, such as body armor. The money may also be used to support the department's Law Enforcement Addiction Advocacy Program.

Five affirmative votes are required for passage of items on the consent calendar after public comment.

LICENSES:

Order 77-22/23 Granting Municipal Officers' Approval of KMK Noodle House, dba Old Port Noodle House. Application for Class I FSE with Outdoor Dining on Public Property at 245 Commercial Street - Sponsored by Danielle P. West, Interim City Manager

Application was filed on 8/31/22. New City and State applications. Location was previously Veranda Noodle House.

Five affirmative votes are required for passage after public comment.

Order 78-22/23 Granting Municipal Officers' Approval of Eighteen Exchange LLC, dba Papi Portland. Application for Class I FSE at 10 Exchange Street - Sponsored by Danielle P. West, Interim City Manager

Application was filed on 9/7/22. New City and State applications. Location was previously LuLuLemon.

Five affirmative votes are required for passage after public comment.

Order 79-22/23 Granting Municipal Officers' Approval of Root Wild LLC, dba Root Wild. Application for Class A Lounge with Outdoor Dining on Private Property and Indoor Entertainment at 135 Washington Avenue - Sponsored by Danielle P. West, Interim City Manager

Application was filed on 9/7/22. New City and State applications. Establishment currently holds Brewery/Winery/Distillery On-Premise Consumption with Private Outdoor Dining and Indoor Entertainment.

Five affirmative votes are required for passage after public comment.

Order 80-22/23 Granting Municipal Officers' Approval of Merveille Company LLC, dba Merveille Restaurant. Application for Class I FSE at 683 Forest Avenue - Sponsored by Danielle P. West, Interim City Manager

Application was filed on 9/9/22. New City and State applications. Location was previously Shawarma & Kebab House.

Five affirmative votes are required for passage after public comment.

COMMUNICATIONS:

Communication 11-22/23 Appointing the Members of the Council Rules of Procedure Committee - by Kate Snyder, Mayor

Pursuant to the Portland City Charter, Article II, Section 5(l), the Mayor may appoint members to ad hoc committees and communicate her appointments to the City Council, which may override those appointments by a vote of at least six (6) councilors. By this communication, the Mayor appoints Councilor Dion (Chair), Councilor Ali, and Councilor Zarro to the committee that will consider amendments to the City Council Rules of Procedure.

As a communication this item requires no public comment or formal Council action.

UNFINISHED BUSINESS:

Order 73-22/23 Accepting and Appropriating a \$3,000,000 Grant from the United States Environmental Protection Agency for the City's Brownfield Revolving Loan Program - Sponsored by Danielle P. West, Interim City Manager

This would accept and appropriate \$3,000,000 in U.S. Environmental Protection Agency (EPA) Brownfields Revolving Loan Fund (RLF) grant funds. These grant funds will be used to recapitalize the City's Brownfields RLF, allowing the provision of greater assistance for remediation of both public and privately-owned Brownfields sites in Portland. According to the EPA, "A brownfield is a property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant."

This item must be read on two separate days. It received its first reading on September 19, 2022. Five affirmative votes are required for passage after public comment.

ORDERS:

Order 81-22/23 Appointing Members to Various Boards & Commissions - Sponsored by the Legislative & Nominating Committee, Councilor April Fournier, Chair

This item would appoint the following individuals to various Boards and Commissions for the terms listed below:

Rufus Brown	Fair Hearing Officer	11/30/2025
Noah Tucker	Pesticide Management Committee	3/31/2025
Gretchen Phoenix	Rental Housing Advisory Committee	3/31/2024
Bob Dunfey	Portland Housing Authority	6/30/2025
Hilary Glaus	Rent Board (District 2)	3/31/2025
Philip Mathieu	Rent Board (District 5)	3/31/2024
Lawson Condrey	CDBG	9/30/2025
Patrick Diamond	CDBG	9/30/2025
Mounir Majid	CDBG	9/30/2025
Claire Swingle	CDBG	9/30/2025
William Elting	Parks Commission	6/30/2025
Donna Gartland	Parks Commission	6/30/2025
Alison Mehlsak	Parks Commission	6/30/2025
John O'Leary	Historic Preservation	11/30/2025
Brad Miller	Historic Preservation	11/30/2025
Robert O'Brien	Historic Preservation	11/30/2025
Jeffrey Talka	Historic Preservation	11/30/2025
Kirstie Archambault	Creative Portland	11/30/2023
Eliza Ginn	Creative Portland	11/30/2025
Matt Schwach	Creative Portland	11/30/2025
Samantha Taube	Creative Portland	11/30/2025
Thomas Loureiro	Zoning Board of Appeals	12/31/2025

Five affirmative votes are required for passage after public comment.

Order 82-22/23 Approving a Central Maine Power Easement Re: EVgo Charging Station at Spring and High Streets - Sponsored by Danielle P. West, Interim City Manager

This item grants Central Maine Power access to City-owned property at the corner of Spring Street and High Street to install infrastructure to power DC fast chargers.

The City's One Climate Future plan calls for widespread adoption of electric vehicles in order to mitigate carbon emissions from transportation. Recognizing that residents and businesses will be reluctant to adopt electric vehicles unless they have accessible charging options, the City Council approved Order 160-21/22 on March 7, 2022, authorizing an agreement between the City and EVgo Services LLC (EVgo) for the deployment of four DC fast chargers and up to forty-four (44) level 2 Electric Vehicle (EV) charging stations on publicly-owned property. EVgo is now prepared to begin installation of their DC fast chargers at one of these locations, the City owned parking lot at the corner of Spring Street and High Street. The existing electrical service is not adequate to power the DC fast chargers proposed by EVgo. The technical design team at EVgo has shared the specifications and power requirements of the DCFC equipment with CMP so they can install an electrical service with the necessary capability. This easement grants CMP access to the property and grants them authority to install the necessary equipment. This will advance the City's efforts to make EV charging infrastructure more widely available to the public.

Five affirmative votes are required for passage after public comment.

Order 83-22/23 Designating the 45 Dougherty Affordable Housing Development District and Adopting the Municipal Development Program for the District - Sponsored by the Housing & Economic Development Committee, Councilor Pious Ali, Chair

During its July 19, 2022 meeting, the Housing & Economic Development Committee voted (4-0) to forward this item to the City Council with a recommendation to review and discuss the item. Specifically, the Committee requested that staff negotiate the percentage of value captured that would go back to the developer. The Committee expressed that they were comfortable with staff making a final determination on specifics and were in support of the project as a whole.

45 Dougherty LP (the Szanton Company) is proposing to construct 63 rental units at the property known as 43 & 91 Douglass Street and is requesting financial assistance from the City in the form of an Affordable Housing Tax Increment Financing District (AHTIF) and Credit Enhancement Agreement (CEA) to assist with the cost of construction of the project. The project would be called 45 Dougherty.

The project would include 35 one-bedroom, 18 two-bedroom, and 10 three-bedroom apartments. Of the 63 units, 46 would be reserved for households earning at or below 60% AMI (i.e. \$67,000 for a family of four) while the remaining 17 units would be leased at market rate.

45 Dougherty LP (the Szanton Company) is requesting Affordable Housing Tax Increment Financing (AHTIF). If approved, the AHTIF would be provided through a Credit Enhancement Agreement at 75% of the Tax Increment Revenues in Tax Years 1 through 12, declining by 3.75% annually in Tax Years 13-30 during the term of the Distric of the increased taxable value, currently estimated at a 30-year annual average of \$77,656, with an estimated total of \$2,329,683 in captured increased assessed value tax revenue returned to the project/developer to off-set project operating costs. The proposed project would be taxable with an estimated annual assessment of \$8,700,000 and estimated annual tax of \$113,013 at the current 22FY millage rate. The remaining increased taxable value, currently estimated at a 30-year annual average of \$78,224, with an estimated total of \$2,346,732, will be non-captured general fund revenue.

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

Order 84-22/23 Approving the 45 Dougherty Street Affordable Housing Credit Enhancement Agreement with 45 Dougherty LP - Sponsored by the Housing & Economic Development Committee, Councilor Pious Ali, Chair

At its July 19, 2022 meeting, the Housing & Economic Development Committee voted (4-0) to forward this item to the City Council with a recommendation to review and discuss the item.

This order is a companion to the above order.

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

ADJOURNMENT: