

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)

SPECIAL CITY COUNCIL MEETING - OCTOBER 17, 2022 AT 5:30 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/89911473409?pwd=NllpZXRiWms3Nm9HQTNwaVZSWHlhZz09>

Passcode: 115765

Or Telephone:

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

US: +1 309 205 3325 or +1 312 626 6799 or +1 646 931 3860 or +1 929 205 6099 or +1 301 715 8592 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 or +1 564 217 2000 or +1 669 444 9171

Webinar ID: 899 1147 3409

Passcode: 115765

PLEDGE OF ALLEGIANCE:

ROLL CALL:

SUSPENSION OF COUNCIL RULES:

City Council vote to suspend the Rules of Procedure in order to take public comment on non-agenda items at this meeting.

5:30 P.M. PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS:

RECOGNITIONS:

Recognizing Jeff Tarling on being named by the Portland Rotary Club a Paul Harris Fellow, the Highest Honor of the Rotary Club - by Kate Snyder, Mayor

APPROVAL OF MINUTES OF PREVIOUS MEETING:

Regular City Council Minutes-October 3, 2022

LICENSES:

Order 85-22/23 Granting Municipal Officers' Approval of 867 Congress LLC, dba Vena's Fizz House. Application for Class A Lounge at 867 Congress Street - Sponsored by Danielle P. West, Interim City Manager

Application was filed on 9/22/22. New City and State applications. Location was previously Port City Baptist Church.

Five affirmative votes are required for passage after public comment.

RESOLUTIONS:

Resolve 3-22/23 Supporting Naming Congress Street between North Street and Lafayette Street Donatelli Square - Sponsored by the Sustainability & Transportation Committee, Councilor Andrew Zarro, Chair

This item would support the naming of this section of Congress Street between North Street and Lafayette Street "Donatelli Square".

Five affirmative votes are required for passage of a Resolve after public comment.

UNFINISHED BUSINESS:

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. It received its first reading on October 3, 2022. Five affirmative votes are required for passage after public comment.

Written Public Comment on Order 83-22/23

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. It received its first reading on October 3, 2022. Five affirmative votes are required for passage after public comment.

ORDERS:

Order 86-22/23 Designating the Burnham and Morrill Cannery Building at 1 Beanpot Circle a Historic Landmark - Sponsored by the Historic Preservation Board, Penny Pollard, Chair

This item would designate the 1913 Burnham & Morrill Cannery Building at 1 Beanpot Circle, designed by the architectural firm of Burnham and Higgins, an Individual Landmark under the provisions of Portland's historic preservation ordinance. At its June 1, 2022 meeting, following a review of the building's history and an evaluation of its architectural significance and condition, the Historic Preservation Board found that the historic industrial structure at 1 Bean Pot Circle meets the historic preservation ordinance's minimum criteria for designation and voted (5-0) (Pollard and Turk absent) to recommend its designation as an Individual Landmark to the City Council.

The building is a fine example of an early twentieth century industrial building, and is particularly significant for its prominent location at the mouth of Back Cove and its use of concrete frame construction with contrasting brick details. It was nominated for landmark designation by its current owner, The Institute for Digital Engineering and Life Sciences (IDEALS).

Five affirmative votes are required for passage after public comment.

Written Public Comment on Order 86-22/23

Order 87-22/23 Approving a Radio System Maintenance Contract with Motorola Solutions, Inc. - Sponsored by Danielle P. West, Interim City Manager

In 2016, Motorola Solutions, Inc. provided a radio communication system update across the cities of Portland, South Portland, and the Town of Cape Elizabeth. This service is vital for not only Police, Fire and EMS operations, but also a multitude of other departments, including Public Works, Jetport, Schools, Parking, and Trades. The extant maintenance agreement expires at the end of October 2022; as technology has progressed, much of the hardware is becoming obsolete.

To ensure the maintenance and upkeep of this important regional radio system, City Council's approval is sought for the new Motorola radio maintenance and system upgrade agreement. Included is a five (5) year maintenance agreement which will ensure continuity of coverage and a five (5) year system upgrade agreement which includes three (3) physical hardware and software refreshes over the course of the five (5) year term. The final hardware refresh will occur in 2026 which will provide in-date equipment up to 2030. The first fiscal year 2023 payment would be \$281,074. The next, in Fiscal Year 2024 would be \$140,537. For each of the following four fiscal years from 2025 to 2028, the annual expenditure would be \$421,610.

This item must be read on two separate days. To ensure continued radio communication service, staff is requesting that the second reading be waived, which requires seven affirmative votes. Staff also requests that this item be passed as an emergency so that this item may take immediate effect. Seven votes are required for passage as an emergency following public comment.

Order 88-22/23 Appointing Directors of the Portland Widows' Wood Society for the 2022-2023 Term - Sponsored by Danielle P. West, Interim City Manager

The Portland Widows' Wood Society provides heating and utility bill assistance to needy Portland residents who are referred to the Society by various charitable organizations and the City of Portland. This order appoints the following persons as Directors to the Portland Widows' Wood Society for the 2022-2023 term:

John Knox
Nancy English
Henry Donovan
Cyrus Hagge
Thomas Pierce
Cheryl Hallett
Desiree Lester
Sheba Brown

Five affirmative votes are required for passage after public comment.

Order 89-22/23 Approving an Agreement between the Maine Department of Transportation and Portland Re: Modification 3 of Washington Avenue Improvements - Sponsored by Danielle P. West, Interim City Manager

The Department of Public Works requests that the City Council approve a modification to a previous agreement with the Maine Department of Transportation (MaineDOT) to fund construction of Washington Avenue from Congress Street to Oxford Street with Work Identification Number 22134. After delays and changes involving other projects, in August 17, 2022, the City received a single bid for the construction of Washington Avenue. The bid came in at \$2,950,377.04, about \$600,000 more than the engineer's estimate. In addition, the costs of the right-of-way process managed by MaineDOT also increased by over \$60,000. These cost increases are typical in the current economic and labor climate.

As such, this Modification 3 will utilize available City funds for paving, traffic signals, and sidewalks – the primary components in this project – to close the funding gap and allow this significant and long-planned project to move ahead, with \$1,176,049.12 in Portland Area Comprehensive Transportation System (PACTS) funds, and \$2,299,276.60 in City funds.

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

ADJOURNMENT: