

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 - NOVEMBER 21, 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/89911473409?pwd=NllpZXRiWms3Nm9HQTNwaVZSWHlhZz09>

Passcode: 115765

Or Telephone:

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

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Webinar ID: 899 1147 3409

Passcode: 115765

PLEDGE OF ALLEGIANCE:

ROLL CALL:

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

ANNOUNCEMENTS:

RECOGNITIONS:

Recognizing the Portland Police Department and Portland Fire Department for their swift, professional response to a potential active shooter at Portland High School - by Kate Snyder, Mayor

ANNUAL MEETING:

Annual Meeting of the Corporator of Creative Portland to Accept as a Communication the Annual Report of Creative Portland for FY2022

Pursuant to the Bylaws of Creative Portland (CP), the Portland City Council, as Corporator of Creative Portland, shall hold its annual meeting in the month of November each year or at a special meeting. This year's Annual Meeting Agenda includes:

1. Accepting as a Communication Item the CP FY2022 Activity and Financial Reports; and,
2. Transaction of other business as may be deemed necessary.

In addition to Creative Portland's signature program, the First Friday Art Walk, notable contributions in FY2022 included:

1. [Creative Portland Marketing Wheel: A Monthly Arts Update](#) is published as a newsletter each month. September 2022 was the target for the launch of a [new website](#) that includes free artist directory, self-guided tours, and lists of galleries, museums, creative chefs and restaurants, mural tour, a gps map of public restrooms, and the launch of a new [Creative Portland App](#) to increase access to the arts.
2. [Creative Bus Shelter Initiative](#): Received a second NEA Our Town Grant (\$25,000) for the Creative Bus Shelter Initiative Round 2, with five additional public art installations, in collaboration with METRO and GPCOG.
3. [Summer Stage Series 2022](#) - a free LIVE concert for all ages in Monument Square from 5:00 p.m. to 8:00 p.m. during [First Friday Art Walk](#).
4. The 4th Annual [Portland Arts and Culture Summit](#) held September 2022 at Cove Street Arts.
5. [Fiscal Sponsorship Program](#) - including Black-Owned Maine, East Shore Arts, Let's Record, Gulf of Maine Eco Arts, Arts at Greenwood Garden, Pecha Kucha, Portland Dance, Flukes, and Speedwell Projects.
6. The [Artist Relief Fund](#) established in March 2020, raised over \$95K and has continued to disburse awards to over 100 artists.

APPROVAL OF MINUTES OF PREVIOUS MEETING:

Special City Council Meeting Minutes - November 14, 2022

PROCLAMATIONS:

Proclamation 10-22/23 Recognizing Maine Immigrant Rights' Coalition's Work with Immigrant Communities - Sponsored by Councilor Tae Chong

CONSENT ITEMS:

Order 102-22/23 Declaring July 14 to July 26, 2023 the Payson Park Music Festival - Sponsored by Danielle P. West, Interim City Manager

The Payson Park Music Festival application proposes a 2-day, 2-stage festival in Payson Park on Saturday & Sunday, July 22 & 23, 2023. It is proposed that the Festival would be active both of these days from approximately 12:00pm to 10:00pm.

Event details are available for review in the application (enclosed in the agenda backup materials). If the application is approved, City staff will work closely with festival organizers to develop a comprehensive plan for all operations of the event including, but not limited to, site layout, traffic planning and street closures, parking, shuttle, and transportation options, security, and medical services.

Although this order allows for the closure of 10 roads, it is possible that not all of these will require closure. Their inclusion in this order is to allow for some flexibility, since the Festival organizers have not begun planning the event. Residents who live on these streets would be provided with permits so that they could continue to access these streets at any time.

Five affirmative votes are required for passage after public comment.

Written Public Comment on Order 102-22/23

COMMUNICATIONS:

Communication 13-22/23 Amending the Council Rules of Procedure for 2022-2023 - Sponsored by the Rules Committee, Councilor Mark Dion, Chair

Pursuant to Rule 31 of the Council Rules of Procedure, no rule of procedure shall be amended or repealed without notice. This communication serves as notice of the potential amendment of those rules. The Rules Committee will be reviewing the rules on November 21st and 28th, and determining what amendments, if any, are necessary. Thereafter, the Committee's recommended rules will be voted on by the full City Council at its December 5, 2022 Inauguration and meeting.

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

Communication 14-22/23 Rent Board Annual Report - By Danielle P. West, Interim City Manager

Attached is the Rent Board Annual Report as required by City Code of Ordinance Chapter 6, Section 6-263(h). It was approved by the Rent Board at the October 26 Rent Board meeting.

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

UNFINISHED BUSINESS:

Order 97-22/23 Approving Substantial Amendment to the 2022-2026 Five Year U.S. Department of Housing and Urban Development Consolidated Plan and 2022-2023 Annual Action Plan RE Allocation of Remaining FY23 Community Development Block Grant funding - Sponsored by Danielle P. West, Interim City Manager

The Portland City Council will hold a public hearing on a Substantial Amendment to the 2022-2023 U.S. Department of Housing and Urban Development (HUD) Annual Action Plan regarding the allocation of funds to two projects (1) Valley Street Park

Improvements Project (\$195,000) submitted by the Department of Parks, Recreation and Facilities and (2) Sagamore Village Pedestrian and Green Infrastructure Project (\$72,000 total: \$65,117 entitlement, \$6,883 contingency), submitted by the Department of Public Works. The FY23 CDBG allocation included \$860,989 available to fund development activities, including public infrastructure improvements. On April 11, 2022, the City Council allocated \$600,872 through the annual CDBG allocation process, leaving \$260,117 of CDBG funds unallocated. Under the HUD approved Citizen Participation Plan, the City Council can approve the use of the remaining funds by following a substantial amendment process. A 30-day public comment period as well as a notice of the November 21 public hearing on this Substantial Amendment was posted in the Portland Press Herald on October 19, 2022.

The Valley Street Park Improvements project will create 4,000 square feet of ADA-compliant internal pathways, rebuild and improve an existing basketball court, create two new play settings for young families, provide new furnishings for seating and social activity and will add twelve half beds for community garden capacity. It will improve maintenance access for continued invasive plant management and increase safety and visibility, as well as develop new space for larger community gatherings. This project will also reduce direct storm-water loads to storm-water infrastructure, expand Portland's tree canopy, link the existing trail to the sidewalk space, and create ADA parking and safer parking lot facilities for visitors.

The Sagamore Village Pedestrian and Green Infrastructure Project will improve the green storm water infrastructure, provide sustainable storm water runoff treatment and protection against flooding within the Sagamore Village neighborhood. Pedestrian improvements will provide ADA-compliant infrastructure, allowing Sagamore Village residents to travel within, in their own neighborhood and connect to neighboring amenities safely and more equitably.

This item must be read on two separate days. It received its first reading on November 14, 2022. Five affirmative votes are required for passage after public comment.

Order 98-22/23 Approving and Appropriating \$80,000 from the Land Bank Fund Toward the Purchase of North Deering Park Land and Placing that Land in the Land Bank - Sponsored by Danielle P. West, Interim City Manager

On September 8, 2021, the Land Bank Commission (LBC) voted unanimously (8/0) to recommend to the City Council the expenditure of \$80,000 towards the purchase of parcels related to North Deering Park.

This order would approve the expenditure of \$80,000 of existing Land Bank funds as the local funding match for federal and state grant funds, which would pay for the majority of the project, for the purchase of parcels 371-A047, 371-A048001 (comprised of parcels 371-A048 and 384-A011), 371-A004, 371-A020, 372-A001, 383-A010, 384-A010, collectively known as “North Deering Park”, and place those parcels totalling approximately 24 acres into the Land Bank. The park is directly abutted by Washington Avenue Extension and Ballpark Drive.

This item must be read on two separate days. It received its first reading on November 14, 2022. Five affirmative votes are required for passage after public comment.

Written Public Comment on Order 98-22/23

Order 99-22/23 Approving the Collective Bargaining Agreement with The Professional and Technical City Employee Association - Sponsored by Danielle P. West, Interim City Manager

This order is to approve the negotiated collective bargaining agreement between the City and the Professional and Technical Employees Association (Pro Tech) for the period of July 3, 2022 to June 30, 2025. This proposal is presented after previously receiving guidance from the City Council in executive session and after having reached a tentative agreement with Pro Tech, which was voted on and approved by its members.

The tentative agreement provides for a retroactive 3% general wage increase, plus adding a 10-year step to the pay plan for FY 23; a 3% general wage increase for FY 24; and a 3% general wage increase for FY 25. The proposal also adds/increases to shift differentials for the Jetport as well as the Barron Center; provides upgrades to several positions in the pay plan to ensure that employees in those positions are paid competitively and in line with their peers who are performing comparable work. Finally, the proposal adds Juneteenth as a paid holiday, implements earned paid leave, removes gender specific language and makes other minor adjustments to the agreement between the parties.

This item must be read on two separate days. It received its first reading on November 14, 2022. Five affirmative votes are required for passage after public comment.

Order 100-22/23 Appropriating \$12,850,000 in American Rescue Plan Act Funding - Sponsored by The Finance Committee, Councilor Mark Dion, Chair

On October 20, 2022, the Finance Committee voted 3-0 to forward the American Rescue Plan Act second tranche funding recommendations it had developed over several meetings, attached in the back-up material.

Over the course of 2022 the City has undertaken an intensive public process to solicit input from the community on priorities for the City's allocation of State and Local Fiscal Recovery Funds from the American Rescue Plan Act of 2021. The City is receiving \$46M of funding in two tranches, \$23M was received in 2021 and \$23M was received in 2022.

Details on the public outreach process, funding priorities identified, specific project recommendations and backup materials can be found in the agenda item attachments.

This item must be read on two separate days. It received its first reading on November 14, 2022. Five affirmative votes are required for passage after public comment.

Written Public Comment on Order 100-22/23

This is the only text that will be visible in the agenda, and should be no more than 1-2 paragraphs in length. If there has been committee action, list that as a first sentence. Please do not include read/vote requirements – this language will be added by Legal/City Manager's offices.

Order 101-22/23 Amendment to Zoning Map Re: 50 County Way from IL Low Impact Industrial to B-2 Community Business - Sponsored by the Planning Board, Maggie Stanley, Chair

On September 13, 2022, the Planning Board voted 6-0 (Barker absent) to find this proposed zoning map amendment to be consistent with the Comprehensive Plan for the City of Portland and recommends to the City Council adoption of the zoning map amendment. Cumberland County Government seeks a zoning map amendment to rezone 50 County Way from I-L Industrial Low-Impact to B-2 Community Business.

This zoning map amendment would allow the existing governmental use on the site, which is not allowed in the I-L zone, to be brought into compliance.

This item must be read on two separate days. It received its first reading on November 14, 2022. Five affirmative votes are required for passage after public comment.

ADJOURNMENT: