

KATE SNYDER (MAYOR)
PIOUS ALI (A/L)
APRIL FOURNIER (A/L)
ROBERTO RODRÍGUEZ (A/L)



ANNA TREVORROW (1)
VICTORIA L. PELLETIER (2)
REGINA L. PHILLIPS (3)
ANDREW ZARRO (4)
MARK N. DION (5)

CITY COUNCIL MEETING - MAY 1, 2023 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 :

+19292056099,,84536489671#,,, *649486# US (New York)

+13017158592,,84536489671#,,, *649486# US (Washington DC)

Or Telephone:

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

+1 929 205 6099 US (New York)

+1 301 715 8592 US (Washington DC)

+1 305 224 1968 US

+1 309 205 3325 US

+1 312 626 6799 US (Chicago)

+1 646 931 3860 US

+1 386 347 5053 US

+1 507 473 4847 US

+1 564 217 2000 US

+1 669 444 9171 US

+1 669 900 6833 US (San Jose)

+1 689 278 1000 US

+1 719 359 4580 US

+1 253 205 0468 US

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 360 209 5623 US

Webinar ID: 845 3648 9671

Passcode: 649486

International numbers available: <https://portlandmaine-gov.zoom.us/j/k7A9UqyZ5>

PLEDGE OF ALLEGIANCE:

ROLL CALL:

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

ANNOUNCEMENTS:

RECOGNITIONS:

Recognizing Ryan Gorneau, Social Services Program Manager, for receiving the "Maine Welfare Director of the Year" award - Kate Snyder, Mayor

Recognizing Kevin Fahrman, Portland's Valentine's Day Bandit - Kate Snyder, Mayor

APPROVAL OF MINUTES OF PREVIOUS MEETING:

City Council Agenda Meeting Minutes from April 24, 2023

PROCLAMATIONS:

Proclamation 21-22/23 Recognizing the 54th Anniversary of Municipal Clerks Week - Sponsored by Kate Snyder, Mayor

Proclamation 22-22/23 Declaring May 5, 2023 Missing and Murdered Indigenous Women's Day - Sponsored by April Fournier, Councilor

LICENSES:

Order 189-22/23 Granting Municipal Officers' Approval of Debra Cantara, dba Maine Ballroom Dancing. Application for Indoor Entertainment at 616 Congress Street - Sponsored by Danielle P. West, Interim City Manager

Application was filed on 4/11/23. New City application.

Five affirmative votes are required for passage after public comment.

Order 190-22/23 Granting Municipal Officers' Approval of Grizzly Bear Inc, dba The Great Lost Bear. Application for Class I FSE at 540 Forest Avenue - Sponsored by Danielle P. West, Interim City Manager

Application was filed on 4/11/23. New City and State applications. Change of ownership of existing establishment.

Five affirmative votes are required for passage after public comment.

Order 191-22/23 Granting Municipal Officers' Approval of Cherished Pub, Inc, dba Cherished Pub. Application for Class I FSE with Outdoor Dining on Private

Property and Combined Entertainment at 64 Auburn Street - Sponsored by Danielle P. West, Interim City Manager

Application was filed on 4/10/23. New City and State applications. Location was previously Mr. Bagel.

Five affirmative votes are required for passage after public comment.

Order 192-22/23 Granting Municipal Officers' Approval of Hot Liquor Tank LLC, dba Hot Liquor Tank. Application for Class XI Restaurant/Lounge with Outdoor Dining on Public Property at 43 Wharf Street - Sponsored by Danielle P. West, Interim City Manager

Application was filed on 4/7/23. New City and State applications. Location was previously the Drink Exchange.

Five affirmative votes are required for passage after public comment.

Order 193-22/23 Granting Municipal Officers' Approval of Taco A Go Go LLC, dba Taco A Go Go. Application for Class I FSE with Outdoor Dining on Private Property at 0 Canal Plaza - Sponsored by Danielle P. West, Interim City Manager

Application was filed on 4/7/23. New City and State applications. Location was previously the Copperbranch.

Five affirmative votes are required for passage after public comment.

Order 194-22/23 Granting Municipal Officers' Approval of Novel LLC, dba Novel. Application for Class A Lounge with Outdoor Dining on Private Property and Indoor Entertainment at 643 Congress Street - Sponsored by Danielle P. West, Interim City Manager

Application was filed on 4/10/23. New City and State applications. Location was previously Monument.

Five affirmative votes are required for passage after public comment.

BUDGET ITEMS:

THE CITY COUNCIL WILL HOLD A FIRST READ ON THE FISCAL YEAR 2024 SCHOOL BUDGET AT THIS COUNCIL MEETING (MAY 1, 2023) AND WILL ACCEPT PUBLIC COMMENT. THE SECOND READ AND A PUBLIC HEARING ON THE SCHOOL BUDGET WILL BE HELD ON MAY 15, 2023 AT 5:00 PM.

THE REFERENDUM ON THE SCHOOL BUDGET WILL BE HELD ON TUESDAY, JUNE 13, 2023.

Order 195-22/23 Approving State/Local EPS Funding Allocation for Public Education from Kindergarten to Grade 12 for Portland Public Schools for Fiscal Year 2024 - Sponsored by the Finance Committee, Councilor Mark Dion, Chair

The following School Budget Orders are required by 20A M.R.S. §15690 in order to comply with what is known as LD1, a set of state laws passed to control increases in property taxes.

This order provides \$97,436,781 as the amount determined by state law to be the minimum amount the city must appropriate in order to receive the full amount of state funding under the Essential Programs and Services Funding Act.

This order requires the city to raise \$78,416,798 as the city's contribution to the total cost of funding public education from K12 as described in the EPS law. The City's tax levy based on the budget submitted by the Portland Board of Public Education for the total for school budget programs of \$143,810,343 will be \$110,850,008.

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

Order 196-22/23 Approving Non-State Funded School Construction Debt Service for Portland Schools for Fiscal Year 2024 - Sponsored by the Finance Committee, Councilor Mark Dion, Chair

Nonstate funded debt service is the amount of money needed for the annual payments on the City's longterm debt for major capital school construction projects and portions of school construction projects that are not approved for state funding. The bonding of this longterm debt was previously approved by the voters or the City Council.

This order appropriates \$272,722 for the annual payments on debt service previously approved by the voters or the City Council for nonstate (localonly) funded school construction projects. The state no longer includes minor capital projects in this calculation.

The \$272,722 is in addition to the funds appropriated as the EPS required local share (amount of the city's contribution to the total cost of funding public education from kindergarten to grade 12).

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

Order 197-22/23 Order Raising and Appropriating Additional Local Funds for Portland Schools for Fiscal Year 2024 - Sponsored by the Finance Committee, Councilor Mark Dion, Chair

This order appropriates \$30,238,748 in additional city funds over and above regional Essential Programs and Services amount and the nonstate funded debt service amount.

This exceeds the EPS funding model by \$30,238,748 and is needed to cover the School Department's costs that the state's funding model does not recognize or recognize fully, including costs to maintain class size; Special Education costs; Regular Instruction costs; Facilities Maintenance costs to address deferred maintenance; technology costs; transportation costs; professional development costs; debt service for pension obligation; and debt service capital renovation costs.

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

Order 198-22/23 Approving Total School Operating Budget for Portland Schools for Fiscal Year 2024 - Sponsored by the Finance Committee, Councilor Mark Dion, Chair

This order is required by 20A M.R.S.A. §15690(4)(A). It sets the School Budget required by state law. The amount recommended for approval by the Finance Committee is \$136,777,421.

That is the amount based on the budget submitted by the Portland Board of Public Education, and would be sent to the voters for approval at a citywide Referendum Election on June 13, 2023. \$108,928,268 of the \$136,777,421 would come from property taxes, \$23,225,115 would come from state subsidy, and \$4,624,038 from other revenues.

This order does not provide money unless the other General Fund budget orders are passed.

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

Order 199-22/23 Appropriating and Raising Funds for Adult Education for Fiscal Year 2024 as required by the Maine Revised Statutes, Title 20-a §8603-a(1) - Sponsored by the Finance Committee, Councilor Mark Dion, Chair

This order appropriates \$2,732,531 for Adult Education for Fiscal Year 2023-2024 and raises the sum of \$1,921,740 as the local share with authorization to expend any additional, incidental, or miscellaneous receipts in the interest and for the well-being of the adult education program.

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

Order 200-22/23 to Raise and Appropriate Local Funds for Food Service in the Portland Public Schools for Fiscal Year 2024 - Sponsored by the Finance Committee, Councilor Mark Dion, Chair.

This order raises and appropriates \$0 for the Food Service Program for Fiscal Year 2023-2024, as the program is expected to be funded in full by other revenue sources in 2023-24. By this order, the Portland School Department is authorized to expend any unexpended balances and additional, incidental or miscellaneous receipts in the interest and for the well-being of the food service program.

Five affirmative votes are required for passage after public comment. The City Council is requested to postpone final action to May 15, 2023, in order to vote on this item at the same time as the other School Budget orders.

Order 201-22/23 Order Authorizing the Disposition of Any Additional State Subsidy Received for Portland Schools in Fiscal Year 2024 Sponsored by the Finance Committee, Councilor Mark Dion, Chair

Disposition of Any Additional State Subsidy Received: In the event that Portland Public Schools receives more state education subsidy than the amount included in its budget, that the City authorizes the Portland Board of Education to use all or part of the additional state subsidy to increase expenditures for school purposes in cost center categories approved by the Portland Board of Education, subject only to approval by the City Council.

Five affirmative votes are required for passage after public comment. The City Council is requested to postpone final action to May 15, 2023, in order to vote on this item at the same time as the other School Budget orders.

UNFINISHED BUSINESS:

Order 171-22/23 Amendment to Portland City Code Chapter 9 Re: Clean Elections - Sponsored by Kate Snyder, Mayor

In November 2022, voters passed a referendum (City Charter Revision Question 3) requiring the City Council to establish and fully fund a Clean Election Fund, as well as to enact a Campaign Finance ordinance.

If passed, Article V would establish a Clean Election Fund, available on a voluntary basis to candidates for the municipal offices of mayor, city council and school board, subject to the terms and requirements of this ordinance.

If passed, Article VI would enact campaign finance requirements, including: a prohibition on business entity contributions to candidates for municipal office; a prohibition on ballot question contributions and expenditures by any entity that is substantially under foreign influence; and a directive to the City Clerk to establish a searchable, online and publicly-accessible database of registrations and campaign finance reports filed with the City Clerk.

This item must be read on two separate days. It received its first reading on April 10, 2023. On April 24, 2023, the Council postponed this item to the meeting of May 1, 2023. Five affirmative votes are required for passage after public comment.

Order 176-22/23 Appointing Members to Various Boards & Commissions - Sponsored by the Legislative/Nominating Committee, Mayor Kate Snyder, Chair

This item would appoint the following individuals to various boards and commissions for the terms listed below:

Name	Board/Committee	Expiration
Lauren Hersey	Fish Exchange	10/31/2025
Todd Morse	CDBG	9/30/2025
Melissa Runstrum	Pesticide Management Advisory	3/31/2026
Matt Walker	Rent Board (District 2)	3/31/2025

This item was postponed on April 24, 2023 to the May 1, 2023 meeting. Five affirmative votes are required for passage after public comment.

ORDERS:

Order 202-22/23 Approving Modification 1 to the Agreement between the Maine Department of Transportation and Portland re: the Union Branch Trail Connector - Sponsored by Danielle West, Interim City Manager

As part of the April 2022 land swap with MaineDOT, the City acquired the Union Branch rail corridor. MaineDOT funded the design and construction of the Union Branch Pathway from State Street to Park Avenue.

The Union Branch Connector Trail project – the subject of this MSA and modification – was separately funded by MaineDOT in 2022 to develop an extension of the pathway/pedestrian-bikeway connection from Park Avenue to the Fore River Parkway

Trail/Portland Transportation Center. This initiative was originally funded at \$40,500, \$8,100 (or 20%) of which was committed by the City of Portland.

The proposed modification increases the project budget to \$250,000, \$50,000 (or 20%) of which would be committed by the City. An additional allocation of \$40,000 was approved for this purpose as part of the FY24 CIP. Currently, no construction funding has been identified for the Union Branch Connector Trail.

Five affirmative votes are required for passage after public comment.

ADJOURNMENT: