

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 - JUNE 5, 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>

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+1 386 347 5053 US

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+1 669 444 9171 US

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PLEDGE OF ALLEGIANCE:

ROLL CALL:

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

ANNOUNCEMENTS:

RECOGNITIONS:

Recognizing Deering Center Neighborhood Association, Board Member Bobbi Cope, and the Veterans of Foreign Wars Post 6859 for their leadership in honoring and mourning the U.S. military personnel who died while serving in the United States Armed Forces, and organizing this observation of Memorial Day 2023 - Mark Dion, Councilor

This item is to recognize the commitment of DCNA's Memorial Day Committee, led by Chair Bobbi Cope, and VFW Post 6859 in organizing the 2023 Deering Center Memorial Day Procession & Commemoration. This effort was begun in 2014 by Bobbi Cope, when she served as a Friends of Evergreen board member. In recent years, DCNA has sponsored the procession.

Recognizing Public Works employees Stan Mason and Justin Cusak for their first-place finish in the 2023 State Snow Plow Rodeo competition - Kate Snyder, Mayor

The Maine State Snow Plow Rodeo is a timed obstacle course for trucks and drivers, held annually at the Skowhegan Fairgrounds and hosted by the American Public Works Association. Portland Public Works employees Stan Mason and Justin Cusak bested 19 other municipal teams from across the State to win first place; as the top team, they will represent the State of Maine at the annual National Snow Plow Rodeo Competition in Colorado, in September.

APPROVAL OF MINUTES OF PREVIOUS MEETING:

City Council Meeting- May 15, 2023

PROCLAMATIONS:

Proclamation 28-22/23 Recognizing June 2023 as LGBTQ+ Pride Month - Sponsored by Kate Snyder, Mayor

Proclamation 29-22/23 Recognizing June 19, 2023 as Juneteenth - Sponsored by Kate Snyder, Mayor

Proclamation 30-22/23 Recognizing the Month of June 2023 as Immigrant Heritage Month - Sponsored by Pious Ali, Councilor

APPOINTMENTS:

Order 225-22/23 Appointing William Needelman a Class E Director of the Portland Fish Exchange - Sponsored by Danielle P. West, City Manager

By this order, Bill Needelman, Waterfront Coordinator with the Department of Housing and Economic Development, would be reappointed to the Board of Directors for the Portland Fish Exchange as the Class E Member representing the City Manager. Mr. Needelman has held this position since June of 2022, when he was appointed to fill a midterm vacancy; the expiration of this term would be 10/31/2024. Mr. Needelman currently serves as the Board's Vice President.

Five affirmative votes are required for passage after public comment.

Order 226-22/23 Appointing Constables for the Parks, Recreation & Facilities and Police Departments and Jetport Garage Employees for 2023 - Sponsored by Danielle P. West, City Manager

This order appoints Police Cadets Trie Yale, Gabby Daniels, Kevin Van Wert, and Julie Olsen constable, and Park Rangers Shana Tinkle, Madison Ellingsworth, Teagan Moon, Ekaterina Clarke, Corinne Couch, Maria Goodstein, and Joseph Moore constable, in order to enforce ordinances in the Portland City Code. Jetport garage SP Plus employees Shawn McGovern, Timothy Welsh, John Taylor, Brittnee Gauna, and Jo Hafford would also be appointed constables.

This appointment is effective from 12:01 a.m. on January 1, 2023 until 12:00 midnight, December 31, 2023, and is made pursuant to Portland City Code, Sections 2019 and 2019.5. Constables are not allowed to carry a firearm, concealed or unconcealed, in the performance of their duties, or to make arrests or issue parking tickets.

Five affirmative votes are required for passage after public comment.

Order 227-22/23 Confirming Governor Mills' Appointment of John Henshaw to the Board of Harbor Commissioners - Sponsored by Danielle P. West, City Manager

Consistent with state statute, P.&S. Law 1993, c. 34., the City Council is asked to provide concurrence to the appointment by Governor Janet T. Mills of John Henshaw to the Board of Harbor Commissioners for Portland Harbor.

Mr. Henshaw served as Executive Director of the Maine Port Authority and Director of Ports and Marine Transportation at MaineDOT from 2007 to 2017. He is a Past President of the North Atlantic Ports Association, and currently serves as Senior Advisor and as a member of the Advisory Board of the International Association of Maritime and Port Executives. At MaineDOT, Mr. Henshaw oversaw the Maine Pilotage Commission, CruiseMaine, and dredging projects in the state.

During his tenure at the Maine Port Authority, the Authority operated the International Marine Terminal in Portland from 2009 to 2017 and oversaw its redevelopment as an international shipping hub. In 2009, Mr. Henshaw was selected as Maritime Person of the Year by the Propeller Club, Port of Portland, Maine.

Five affirmative votes are required for passage after public comment.

CONSENT ITEMS:

Order 228-22/23 Declaring July 4, 2023 the July 4th Festival - Sponsored by Danielle P. West, City Manager

The City of Portland is prepared to host a fireworks display on the 4th of July again this year. The City has sponsored the July 4th Fireworks and activities on the Eastern Promenade for a number of years. The display will be held on Tuesday, July 4th in its usual spot on the Eastern Promenade with the fireworks set to go off at approximately 9:15pm. A rain date is scheduled for Wednesday, July 5, 2023.

Like last year, the celebration will be based around the fireworks display presented by Central Maine Pyrotechnics. There will be no musical performance, VIP Area, or ticketed element to this year's celebration. The City will not be providing or managing food vendors as has happened in the past. Approved and licensed food trucks will be allowed to operate in the designated area in the middle parking lot on Cutter Street, following Food Truck Rules and Regulations and City ordinances.

Order 229-22/23 Declaring Sundays from June 16 to September 23, 2023 the Open Air Sundays Festival on Lower Exchange Street - Sponsored by the Sustainability & Transportation Committee, Councilor Andrew Zarro, Chair

On Wednesday, May 24, 2023, the Sustainability & Transportation Committee voted (2-0, Pelletier absent) to recommend this item for Council consideration and passage.

Portland Downtown has applied for a permit to close lower Exchange Street (Middle to Fore streets) every Sunday from June 16 to September 23, 2023, in order to hold an event called 'Open Air Sundays'. It is proposed that restricting use of the roadway to pedestrians and bicyclists will benefit the community economically and socially.

Portland Downtown plans to purchase, install, and remove barricades at the Exchange and Middle and Exchange and Fore streets intersections before and after each Sunday. The organization also plans to study the performance of the street closure and produce a report in conjunction with a third party.

Portland Downtown has confirmed that, by June 5, outreach will have been conducted to businesses and property owners on lower and upper Exchange, Middle Street, Milk Street, and Fore Street, either in writing, in person, or by email. Portland Downtown also hosted a public meeting on May 31, 2023 to discuss their proposal.

City staff have confirmed that, due to the proposed schedule, no parking meter revenue will be lost as a result of the temporary closure. In addition, emergency responders have confirmed that Portland Downtown's proposal will allow sufficient emergency vehicle access to Exchange Street if needed.

Five affirmative votes are required for passage of the Consent Calendar after public comment.

LICENSES:

Order 230-22/23 Granting Municipal Officers' Approval of Kirara Inc, dba N to Tail. Application for Parklet Outdoor Dining at 29 Exchange Street - Sponsored by Danielle P. West, City Manager

Application was filed on 4/19/23. New City and State applications. Establishment currently holds a Class XI Restaurant/Lounge. Moving outdoor dining from sidewalk to closed street.

Five affirmative votes are required for passage after public comment.

Order 231-22/23 Granting Municipal Officers' Approval of Green Elephant SA Inc, dba Green Elephant Vegetarian Bistro. Application for Class III & IV FSE at 608 Congress Street - Sponsored by Danielle P. West, City Manager

Application was filed on 4/24/23. New City and State applications. Change of ownership of existing establishment.

Five affirmative votes are required for passage after public comment.

Order 232-22/23 Granting Municipal Officers' Approval of DJZ LLC, dba The Portland Beer Hub. Application for Class I FSE with Outdoor Dining on Public Property at 320 Fort Street - Sponsored by Danielle P. West, City Manager

Application was filed on 4/24/23 New City and State applications. Change of ownership of existing establishment.

Five affirmative votes are required for passage after public comment.

Order 233-22/23 Granting Municipal Officers' Approval of Scarlet Ribbons LLC, dba The Henry. Application for Indoor Entertainment at 375 Fore Street - Sponsored by Danielle P. West, City Manager

Application was filed on 4/21/23 New City application. Establishment was recently approved for Class A Lounge.

Five affirmative votes are required for passage after public comment.

Order 234-22/23 Granting Municipal Officers' Approval of Commercial Street Pub, Inc, dba Commercial Street Pub. Application for Indoor Entertainment at 129 Commercial Street - Sponsored by Danielle P. West, City Manager

Application was filed on 5/5/23. New City application. Establishment currently holds Class A Lounge.

Five affirmative votes are required for passage after public comment.

Order 235-22/23 Granting Municipal Officers' Approval of Riverton Station LLC, dba Riverton Station. Application for Outdoor Dining on Private Property at 1569 Forest Avenue - Sponsored by Danielle P. West, City Manager

Application was filed on 5/12/23. New City and State applications. Establishment currently holds a Class I FSE.

Five affirmative votes are required for passage after public comment.

Order 236-22/23 Granting Municipal Officers' Approval of Small Axe LLC, dba East Ender. Application for Class XI Restaurant/Lounge with Outdoor Dining on Public Property and Indoor Entertainment at 47 Middle Street - Sponsored by Danielle P. West, City Manager

Application was filed on 5/10/23. New City and State applications. Change of license classification. Establishment currently holds a Class I FSE.

Five affirmative votes are required for passage after public comment.

Order 237-22/23 Granting Municipal Officers' Approval of Thanh Thanh LLC, dba Thanh Thanh 2. Application for Class I FSE at 782 Forest Ave - Sponsored by Danielle P. West, City Manager

Application was filed on 5/11/23. New City and State applications. Change of ownership and upgrade of license classification of existing establishment.

Five affirmative votes are required for passage after public comment.

BUDGET ITEMS:

PUBLIC COMMENT WILL BE TAKEN AT THIS COUNCIL MEETING ON ALL MUNICIPAL BUDGET ORDERS.

THIS IS THE SECOND PUBLIC HEARING ON THE CITY BUDGET. STAFF IS REQUESTING THAT ALL BUDGET ORDERS BE POSTPONED TO JUNE 26, 2023, TO PROVIDE TIME FOR THE MAINE STATE LEGISLATURE TO DETERMINE GENERAL ASSISTANCE REIMBURSEMENT LEVELS.

Order 209-22/23 Approving Fiscal Year 2024 Administrative Fees for City Parking Garages and the Parks, Recreation, and Facilities Department - Sponsored by Danielle P. West, City Manager

This order authorizes administrative charges in the Parking Division (Elm and Spring Street Garage monthly fees) and Parks, Recreation & Facilities (Recreation and Aquatic).

This item must be read on two separate days. It received its first reading on May 15, 2023. The City Manager is requesting final consideration of the Fiscal Year 2024 budget orders be postponed to June 26, 2023, to provide time for additional votes in the Maine State Legislature concerning General Assistance reimbursement levels. A motion and second to postpone to June 26, 2023 requires five votes for passage.

Order 210-22/23 Authorizing the City Manager To Enter into Certain Agreements To Implement the Fiscal Year 2024 Human Resources and Certain Fringe Benefits Budgets - Sponsored by Danielle P. West, City Manager

This order authorizes the City Manager to enter into standard agreements and amendments to standard agreements with providers of services for Fiscal Year 2024 to implement portions of human resources, medical, workers' compensation, and liability budgets.

This item must be read on two separate days. It received its first reading on May 15, 2023. The City Manager is requesting final consideration of the Fiscal Year 2024 budget orders be postponed to June 26, 2023, to provide time for additional votes in the Maine State Legislature concerning General Assistance reimbursement levels. A motion and second to postpone to June 26, 2023 requires five votes for passage.

Order 211-22/23 Approving the Fiscal Year 2024 Self-insured Liability Program - Sponsored by Danielle P. West, City Manager

This order establishes the limit of the City's liability as \$400,000 as required by the Maine Tort Claims Act and states the City's commitment to "self-insure" for such liability by approving funds for this purpose.

This item was postponed at the May 15, 2023 City Council meeting to coincide with consideration of the Appropriation Resolve. The City Manager is requesting final consideration of the Fiscal Year 2024 budget orders be postponed to June 26, 2023, to provide time for additional votes in the Maine State Legislature concerning General Assistance reimbursement levels. A motion and second to postpone to June 26, 2023 requires five votes for passage.

Order 212-22/23 Authorizing the Director of Parks, Recreation and Facilities to Set Fees and Enter Rental Agreements for City Facilities - Sponsored by Danielle P. West, City Manager

This order would authorize the Director of Parks, Recreation and Facilities or their designee to sign rental contracts and set associated fees. This authorization is required annually.

Staff has historically set fees and signed rental agreements for City facilities including but not limited to Merrill Auditorium, the Portland Exposition Building, Ice Arena, Riverside Golf Course, Portland cemeteries, and Ocean Gateway. These facilities host hundreds of events annually, and fees are determined based on the unique staffing levels and services they require.

The City's Legal Department has created a standard rental agreement. Any changes to the terms of standard agreement, other than pricing, are reviewed by legal prior to being changed.

Venues/programs overseen by this Department are run in a business-like manner and need the flexibility to offer specials and adjust pricing based on market conditions. This order will further reaffirm the practice of these fees being set administratively.

This item was postponed at the May 15, 2023 City Council meeting to coincide with consideration of the Appropriation Resolve. The City Manager is requesting final consideration of the Fiscal Year 2024 budget orders be postponed to June 26, 2023, to provide time for additional votes in the Maine State Legislature concerning General Assistance reimbursement levels. A motion and second to postpone to June 26, 2023 requires five votes for passage.

Order 213-22/23 Authorizing the City Manager to Enter into Certain Agreements to Implement Fiscal Year 2024 Health & Human Services Budget - Sponsored by Danielle P. West, City Manager

This order authorizes the City Manager to enter into standard agreements and amendments to those standard agreements to receive reimbursement for services by the Health and Human Services Department. In addition, the City enters into agreements with service providers and landlords to provide services for department programs.

This item must be read on two separate days. It received its first reading on May 15, 2023. The City Manager is requesting final consideration of the Fiscal Year 2024 budget orders be postponed to June 26, 2023, to provide time for additional votes in the Maine

State Legislature concerning General Assistance reimbursement levels. A motion and second to postpone to June 26, 2023 requires five votes for passage.

Order 214-22/23 Authorizing the City Manager to Accept Scholarship and Trust Donations and Bequests and Enter into Trust Agreements - Sponsored by Danielle P. West, Interim City Manager

This order authorizes the City Manager to accept and appropriate existing and new scholarship trusts and to enter into standard form trust agreements as approved by Corporation Counsel.

This item was postponed to June 5, 2023 to be considered at the same time as the Appropriation Resolve. The City Manager is requesting final consideration of the Fiscal Year 2024 budget orders be postponed to June 26, 2023, to provide time for additional votes in the Maine State Legislature concerning General Assistance reimbursement levels. A motion and second to postpone to June 26, 2023 requires five votes for passage.

Order 215-22/23 Authorizing the Director of Parks, Recreation and Facilities to Accept Donations up to \$10,000 for Parks, Recreation & Facilities Department Programs and City Funds - Sponsored by Danielle P. West, City Manager

The Parks, Recreation & Facilities Department receives frequent donations for many of the programs it works on and with, like the Land Bank, the Portland Youth Corps, and the Tree Trust. This order will allow the department director to accept donations as much as \$10,000 without needing to receive approval from the City Council.

This item was postponed at the May 15, 2023 City Council meeting to coincide with consideration of the Appropriation Resolve. The City Manager is requesting final consideration of the Fiscal Year 2024 budget orders be postponed to June 26, 2023, to provide time for additional votes in the Maine State Legislature concerning General Assistance reimbursement levels. A motion and second to postpone to June 26, 2023 requires five votes for passage.

Order 216-22/23 Authorizing Corporation Counsel to Undertake Civil Actions to Collect Delinquent Personal Property Taxes - Sponsored by Danielle P. West, City Manager

This item will give Corporation Counsel a standing authorization to undertake civil actions to collect any delinquent personal property taxes that arise during the course of the fiscal year. Otherwise, it would be necessary for the City Council to specifically authorize each individual legal action. This general authorization will take the place of the case-by-case approach.

This item was postponed at the May 15, 2023 City Council meeting to coincide with consideration of the Appropriation Resolve. The City Manager is requesting final consideration of the Fiscal Year 2024 budget orders be postponed to June 26, 2023, to provide time for additional votes in the Maine State Legislature concerning General Assistance reimbursement levels. A motion and second to postpone to June 26, 2023 requires five votes for passage.

Order 217-22/23 Authorizing Non-Union Wage Adjustment - Sponsored by Danielle P. West, City Manager

This Order authorizes the City Manager to utilize a 4.0% Cost of Living Adjustment (COLA) for pay adjustments for non-union employees, elected officials, the City Clerk and Corporation Counsel.

This item must be read on two separate days. It received its first reading on May 15, 2023. The City Manager is requesting final consideration of the Fiscal Year 2024 budget orders be postponed to June 26, 2023, to provide time for additional votes in the Maine State Legislature concerning General Assistance reimbursement levels. A motion and second to postpone to June 26, 2023 requires five votes for passage.

Order 218-22/23 Designating Fiscal Year 2024 Funds for Specific Island Services - Sponsored by Danielle P. West, City Manager

The municipal budget includes \$45,000 for use on Peaks Island in addition to the funds used to pay for direct and indirect city services. Pursuant to a request from the Peaks Island Council these funds will be used as follows in FY24:

- Item A: Peaks Island Summer Bike Ticket Program \$250
- Item B: PI Needs-Based Boat Tickets \$1,000
- Item C: PI Portland Public Middle & High School Student Boat Passes \$3,500
- Item D: PI Full Time College Students (Portland Area) 3 Monthly Stickers \$300
- Item E: PI Children Attending Private Schools Vouchers \$300
- Item F: PI ITS (Island "Taxi"): Island Transportation System \$22,500
- Item G: PI PEAT (PI Environmental Team: Signage and equipment) \$2,000
- Item H: PI Administrative Expenses \$2,150
- Item I: Brackett Church (Community Arts & Play Recreation Programs) \$1,000
- Item J: Island Compost Project \$3,500
- Item K: New Brackett Church for utilities for community programs \$2,000
- Item L: Illustration Institute for Island Resident Programming \$1,500
- Item M: Fifth Maine Museum Institute Program, code compliance \$1,500
- Item N: Peaks Island Children's Workshop building repairs \$3,500

This item must be read on two separate days. It received its first reading on May 15, 2023. The City Manager is requesting final consideration of the Fiscal Year 2024 budget orders be postponed to June 26, 2023, to provide time for additional votes in the Maine State Legislature concerning General Assistance reimbursement levels. A motion and second to postpone to June 26, 2023 requires five votes for passage.

Order 219-22/23 Appropriating \$3,611,343 in Fund Balance - Sponsored by Danielle P. West, City Manager

This order appropriates \$2,850,000 from Assigned Fund Balance for pension obligation bond debt service payments due in Fiscal Year 2024. It also appropriates \$761,313 from Unassigned Fund Balance for additional Cumberland County tax payments due in Fiscal Year 2024 resulting from the County's change from a calendar to a fiscal year.

This item must be read on two separate days. It received its first reading on May 15, 2023. The City Manager is requesting final consideration of the Fiscal Year 2024 budget orders be postponed to June 26, 2023, to provide time for additional votes in the Maine State Legislature concerning General Assistance reimbursement levels. A motion and second to postpone to June 26, 2023 requires five votes for passage.

Order 220-23/24 Appropriating \$276,000 From Excess Fund for Casco Bay Island Transit District - Sponsored by Danielle P. West, City Manager

Pursuant to the agreement between the lease agreement between the City of Portland and the Casco Bay Island Transit District ("CBITD") dated October 1, 2018, this item appropriates funding from the Excess Fund in the amount of \$276,000. \$250,000 is being requested by CBITD for capital costs associated with their public transportation operations in Casco Bay and \$26,000 is being requested by the City for other mass transportation needs related to summer shuttle service from the Marginal Way Park and Ride lot to the Casco Bay Lines Ferry Terminal.

This item must be read on two separate days. It received its first reading on May 15, 2023. The City Manager is requesting final consideration of the Fiscal Year 2024 budget orders be postponed to June 26, 2023, to provide time for additional votes in the Maine State Legislature concerning General Assistance reimbursement levels. A motion and second to postpone to June 26, 2023 requires five votes for passage.

Order 221-22/23 Amendment to Portland City Code Chapters 24 and 28 Re: Various Fee Increases for Fiscal Year 2024 - Sponsored by Danielle P. West, City Manager

This amendment increases the impoundment fee associated with a "boot" immobilizing a vehicle from \$50 to \$70 (Section 28-101 of the Portland City Code). It also allows an increase in the sewer user charges from \$12.30 per hundred cubic feet of volume (hcf) to \$12.75 hcf (Section 24-72 of the Portland City Code) and an increase in the stormwater service charge from \$7.50 per one thousand two hundred (1,200) square feet of impervious surface area to \$7.75 (Section 24-84). All increases would be effective July 1, 2023, the start of Fiscal Year 2024.

This item must be read on two separate days. It received its first reading on May 15, 2023. The City Manager is requesting final consideration of the Fiscal Year 2024 budget orders be postponed to June 26, 2023, to provide time for additional votes in the Maine State Legislature concerning General Assistance reimbursement levels. A motion and second to postpone to June 26, 2023 requires five votes for passage.

Order 222-22/23 Fiscal Year 2023-2024 Appropriation Resolve - Sponsored by Danielle P. West, City Manager

The Appropriation Resolve contains the City Manager's recommended budget for Fiscal Year 2024 for general municipal purposes in the amount of \$332,799,323. In addition, it contains the Portland Board of Education's FY2024 recommended budget of \$143,810,343.

The tax levy based upon the City Manager's recommended budget is \$103,559,653 and \$110,850,008 for the Portland Board of Education's recommended School Budget. The City Manager's budget recommendations for municipal purposes and the Portland Board of Education's recommended School Budget result in a combined tax levy of 214,409,661 for Fiscal Year 2024.

The Appropriation Resolve also directs the Assessor of Taxes to assess a tax upon all real and personal property liable to be taxed as of April 1, 2023 and sets 30 Days after Tax Commitment 2023 as the tax due date, which may be paid in two installments due 30 Days after Tax Commitment 2023, and on March 15, 2024.

This item must be read on two separate days. It received its first reading on May 15, 2023. The City Manager is requesting final consideration of the Fiscal Year 2024 budget orders be postponed to June 26, 2023, to provide time for additional votes in the Maine State Legislature concerning General Assistance reimbursement levels. A motion and second to postpone to June 26, 2023 requires five votes for passage.

COMMUNICATIONS:

Com 34-22/23 Communication re: City Council's Ad Hoc Search Committee - Sponsored by Kate Snyder, Mayor

This communication is intended to clarify the purpose of the Ad Hoc Search Committee, as well as to appoint its current members.

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

Com 35-22/23 Communication regarding decommissioning of the Portland Expo as a temporary emergency shelter - Kristen Dow, Director of Health & Human Services

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

Com 36-22/23 Regarding the City of Portland Encampment Crisis Response Team - Kristen Dow, Director of Health & Human Services

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

RESOLUTIONS:

Resolve 9-22/23 Reaffirming a Sister City Relationship with Cap-Haitien, Haiti - Sponsored by Pious Ali, Councilor

On September 18, 2002, the Portland City Council voted to pass a resolution (Resolve 3-02/03) "Supporting the Establishing of a Sister City Relationship with Cap-Haitien, Haiti." This resolution seeks to reaffirm the City of Portland's commitment to that relationship.

Five affirmative votes are required for passage after public comment.

UNFINISHED BUSINESS:

Order 224-22/23 Authorizing Amendment to Downtown Transit Oriented Development and Omnibus Tax Increment Financing District to Increase Funding for Creative Portland - Sponsored by Danielle P. West, City Manager

As part of the FY24 City budget process, the Interim City Manager has recommended that Downtown Transit Oriented Development and Omnibus Tax Increment Financing District (DT TOD TIF) funding in the amount of \$200,000 be provided to Creative Portland (CP).

The Downtown TOD TIF currently has a cap of \$100,000 annually to support CP. Currently, costs associated with two full time positions assigned to support the work of the CP Board has primarily been funded through the DT TOD TIF. The Proposed TIF District Amendment would establish an annual level of funding for CP in the amount of \$200,000. CP would use the funding to support staff, programs and services. See below

funding table:

CP Funding Table		
Timeframe and Use	Source	Total
Existing – City Staff Costs - CP Programs and Services	\$172,496 – DT TOD TIF \$25,000 - DT TOD TIF	\$197,496
Budget Amendment Request: - CP Staff, Programs and Services	\$200,000 – DT TOD TIF	\$200,000

This item must be read on two separate days. It received its first reading on May 15, 2023. The City Manager is requesting final consideration of the Fiscal Year 2024 budget orders be postponed to June 26, 2023, to provide time for additional votes in the Maine State Legislature concerning General Assistance reimbursement levels. A motion and second to postpone to June 26, 2023 requires five votes for passage.

ORDERS:

Order 238-22/23 Accepting the Cumberland County and City of Portland Analysis of Impediments to Fair Housing - Sponsored by Housing & Economic Development, Councilor Pious Ali, Chair

On April 25, 2023, the Housing & Economic Development Committee voted 4-0 to forward this item to the City Council for consideration.

In 2021, the City of Portland and Cumberland County jointly engaged Root Policy, a consulting firm out of Colorado, to undertake an assessment of fair housing process to inform the 2022-2026 Consolidated Plan. Frankie Lewington and Heidi Aggeler conducted analysis of local zoning and land uses, a survey, and several focus groups to identify greatest barriers within Cumberland County and Portland. Through this process, they have created the Portland and Cumberland County Analysis of Impediments to Fair Housing.

Five affirmative votes are required for passage after public comment.

Order 239-22/23 Approving Changes to the Tax Increment Financing Policy - Sponsored by the Housing & Economic Development Committee, Councilor Pious Ali, Chair

On April 25, the Housing & Economic Development Committee voted 3-1, Phillips opposed, to forward this to the City Council for consideration.

The Portland Tax Increment Financing (TIF) Policy requires developers of affordable housing in Portland who receive Affordable Housing TIF (AHTIF) to use the greater of state prevailing wage rates and Portland minimum wage for workers during housing construction. Many of the projects receiving a TIF also have other funding sources which require the use of Davis-Bacon wages. The double requirement can be costly for developers, both in reporting time and in practice. The proposed change would allow developers who are required to use Davis-Bacon wages for other funding sources to also use these wages to meet the TIF Policy requirements.

Five affirmative votes are required for passage after public comment.

Order 240-22/23 Approving Residential Parking for Islanders - Sponsored by Danielle P. West, City Manager

This order makes permanent the previous annual extension of the Islander Residential Parking Zone with 12 spaces on Thames Street and 10 spaces on Hancock Street surrounding the AC Hotel and the new condominiums. The zone had been approved annually since 2008 while the area was being developed. This order also includes 42 parking spaces on the north side of Marginal Way between the Park & Ride Lot and Cove Street, which were added in 2019.

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

Order 241-22/23 Accepting and Appropriating a United States Environmental Protection Agency Brownfield Assessment Grant of up to \$500,000 - Sponsored by Danielle P. West, City Manager

This item accepts and appropriates \$500,000 in Brownfield Assessment Grant funding. At this time, approximately \$5,000 remains in the City's Brownfields Assessment Fund. While awaiting this new award, the City has been funding Brownfields Assessment Grant requests using closed-out United States Environmental Protection Agency (USEPA) Brownfield Program Income administered by the Portland Development Corporation. With this new award from the USEPA, the City can replenish its Brownfields Assessment Grant funding and support more environmental assessments.

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

Order 242-22/23 Adopting Development Program for Portland Downtown for Fiscal Year 2023-2024 - Sponsored by the Finance Committee, Councilor Mark Dion, Chair

The Portland Downtown District (PD) was originally established by the City Council on March 16, 1992. Since then, each year in June, for the following fiscal year starting July 1, City Council authorization to establish the special assessment and approval of the documents is needed.

For FY2024, City Council authorization is needed for the continued operation of PD, which documents include: (1) Adopting the Development Program for the PD; (2) Assessing Maintenance and Implementation Assessments in the PD District; and, (3) authorizing the Agreement for work to be done by PD and work to be done by the City.

The budget for PD is funded largely from special assessments on all real estate in the current District. The revenue raised through the special assessment will fund the PD development program expenses for FY2024. The proposed mil rate to raise this assessment is estimated at \$.67 per \$1,000 of property value in the current district in order to raise the PD Board approved budget of \$1,249,349.

Portland Downtown representatives provided a presentation to the Finance Committee at its May 23, 2023, meeting. This item must be read on two separate days. This is its first reading.

Order 243-22/23 Establishing Maintenance and Implementation Assessments for Portland Downtown for Fiscal Year 2023-2024 - Sponsored by the Finance Committee, Councilor Mark Dion, Chair

This is a companion order with the order above.

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

Order 244-22/23 Approving Agreement between the City of Portland and Portland Downtown for Fiscal Year 2023-2024 - Sponsored by the Finance Committee, Councilor Mark Dion, Chair

This is a companion order with the two orders above.

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

Order 245-22/23 Approving the Amended Wage Scale to the Collective Bargaining Agreement with the Police Benevolent Association -- Sponsored by Danielle P. West, City Manager

This item amends the negotiated collective bargaining agreement between the City and the Portland Police Benevolent Association ("PBA") which is currently in effect for the period of January 1, 2021 through December 31, 2023. The proposed amendment would increase wages for all PBA employees by 14.5% effective as of July 2, 2023, to bring wages in line with surrounding communities. This proposal is presented after previously receiving guidance from the Finance Committee in executive session on two separate occasions and following negotiations with the PBA.

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

Order 246-22/23 Approving the Amended Wage Scale to the Collective Bargaining Agreement with the Portland Police Superior Officers Association - Sponsored by Danielle P. West, City Manager

This item amends the negotiated collective bargaining agreement between the City and the Portland Police Superior Officers Association ("PPSOA") which is currently in effect for the period of January 1, 2021 through December 31, 2023. The proposed amendment would increase wages for all PPSOA employees by 14.5% effective as of July 2, 2023, in accordance with the proposed wage increases for the Portland Police Benevolent Association, and to make wages more competitive with the surrounding communities. This proposal is presented after previously receiving guidance from the Finance Committee in executive session on two separate occasions and following negotiations with the PPSOA.

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

ADJOURNMENT: