

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)

SPECIAL CITY COUNCIL MEETING - JULY 17, 2023 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/88056480256?pwd=UElKRHo4czNjditaTC9zTG9zZk1QUT09>

Passcode: 833717

Or One tap mobile :

+13092053325,,88056480256#,,, *833717# US

+13126266799,,88056480256#,,, *833717# US (Chicago)

Or Telephone:

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

+1 309 205 3325 US

+1 312 626 6799 US (Chicago)

+1 646 931 3860 US

+1 929 205 6099 US (New York)

+1 301 715 8592 US (Washington DC)

+1 305 224 1968 US

+1 360 209 5623 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)
Webinar ID: 880 5648 0256
Passcode: 833717

International numbers available: <https://portlandmaine-gov.zoom.us/j/kvfsNk6gL>

PLEDGE OF ALLEGIANCE:

ROLL CALL:

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

BUDGET ITEMS:

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. On June 5, 2023, this item was postponed to June 26, 2023 and on June 26, 2023, it was postponed to July 17, 2023, along with other municipal budget orders, to provide time for additional votes in the Maine State Legislature concerning General Assistance reimbursement levels. Seven affirmative votes are required to pass as an emergency, and no additional public comment is required.

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. On June 5, 2023, this item was postponed to June 26, 2023 and on June 26, 2023, it was postponed to July 17, 2023, along with other municipal budget orders, to provide time for additional votes in the Maine State Legislature concerning General Assistance reimbursement levels. Seven affirmative votes are required to pass as an emergency, and no additional public comment is required.

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 must be read on two separate days. It received its first reading on May 15, 2023. On June 5, 2023, this item was postponed to June 26, 2023 and on June 26, 2023, it was postponed to July 17, 2023, along with other municipal budget orders, to provide

time for additional votes in the Maine State Legislature concerning General Assistance reimbursement levels. Seven affirmative votes are required to pass as an emergency, and no additional public comment is required.

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 must be read on two separate days. It received its first reading on May 15, 2023. On June 5, 2023, this item was postponed to June 26, 2023 and on June 26, 2023, it was postponed to July 17, 2023, along with other municipal budget orders, to provide time for additional votes in the Maine State Legislature concerning General Assistance reimbursement levels. Seven affirmative votes are required to pass as an emergency, and no additional public comment is required.

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. On June 5, 2023, this item was postponed to June 26, 2023 and on June 26, 2023, it was postponed to July 17, 2023, along with other municipal budget orders, to provide time for additional votes in the Maine State Legislature concerning General Assistance reimbursement levels. Seven affirmative votes are required to pass as an emergency, and no additional public comment is required.

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 must be read on two separate days. It received its first reading on May 15, 2023. On June 5, 2023, this item was postponed to June 26, 2023 and on June 26, 2023, it was postponed to July 17, 2023, along with other municipal budget orders, to provide time for additional votes in the Maine State Legislature concerning General Assistance reimbursement levels. Seven affirmative votes are required to pass as an emergency, and no additional public comment is required.

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 must be read on two separate days. It received its first reading on May 15, 2023. On June 5, 2023, this item was postponed to June 26, 2023 and on June 26, 2023, it was postponed to July 17, 2023, along with other municipal budget orders, to provide time for additional votes in the Maine State Legislature concerning General Assistance reimbursement levels. Seven affirmative votes are required to pass as an emergency, and no additional public comment is required.

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 must be read on two separate days. It received its first reading on May 15, 2023. On June 5, 2023, this item was postponed to June 26, 2023 and on June 26, 2023, it was postponed to July 17, 2023, along with other municipal budget orders, to provide time for additional votes in the Maine State Legislature concerning General Assistance reimbursement levels. Seven affirmative votes are required to pass as an emergency, and no additional public comment is required.

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. On June 5, 2023, this item was postponed to June 26, 2023 and on June 26, 2023,

it was postponed to July 17, 2023, along with other municipal budget orders, to provide time for additional votes in the Maine State Legislature concerning General Assistance reimbursement levels. Seven affirmative votes are required to pass as an emergency, and no additional public comment is required.

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. On June 5, 2023, this item was postponed to June 26, 2023 and on June 26, 2023, it was postponed to July 17, 2023, along with other municipal budget orders, to provide time for additional votes in the Maine State Legislature concerning General Assistance reimbursement levels. Seven affirmative votes are required to pass as an emergency, and no additional public comment is required.

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. On June 5, 2023, this item was postponed to June 26, 2023 and on June 26, 2023, it was postponed to July 17, 2023, along with other municipal budget orders, to provide time for additional votes in the Maine State Legislature concerning General Assistance reimbursement levels. Seven affirmative votes are required to pass as an emergency, and no additional public comment is required.

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. On June 5, 2023, this item was postponed to June 26, 2023 and on June 26, 2023, it was postponed to July 17, 2023, along with other municipal budget orders, to provide time for additional votes in the Maine State Legislature concerning General Assistance reimbursement levels. Seven affirmative votes are required to pass as an emergency, and no additional public comment is required.

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. On June 5, 2023, this item was postponed to June 26, 2023 and on June 26, 2023, it was postponed to July 17, 2023, along with other municipal budget orders, to provide time for additional votes in the Maine State Legislature concerning General Assistance reimbursement levels. Seven affirmative votes are required to pass as an emergency, and no additional public comment is required.

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.

Amendments 1 to 3 in the back-up material were approved at the June 8, 2023 Finance Committee meeting, at which the City Manager's budget was approved, as amended, by a vote of 3-0. Amendments 4 and 5 are additional, and also in the back-up material.

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. On June 5, 2023, this item was postponed to June 26, 2023 and on June 26, 2023, it was postponed to July 17, 2023, along with other municipal budget orders, to provide time for additional votes in the Maine State Legislature concerning General Assistance reimbursement levels. Seven affirmative votes are required to pass as an emergency, and no additional public comment is required.

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. On June 5, 2023, this item was postponed to June 26, 2023 and on June 26, 2023, it was postponed to July 17, 2023, along with other municipal budget orders, to provide time for additional votes in the Maine State Legislature concerning General Assistance reimbursement levels. Seven affirmative votes are required to pass as an emergency, and no additional public comment is required.

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 is part of the Fiscal Year 2024 budget orders and received its first reading on June 5, 2023, when all other budget ordered were postponed to await the Maine Legislature's decision on increased general assistance reimbursement. On June 26, 2023, it was postponed to July 17, 2023, along with other municipal budget orders, to provide time for additional votes in the Maine State Legislature concerning General Assistance reimbursement levels. Seven affirmative votes are required to pass as an emergency.

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 is part of the Fiscal Year 2024 budget orders and received its first reading on June 5, 2023, when all other budget ordered were postponed to await the Maine Legislature's decision on increased general assistance reimbursement. On June 26, 2023, it was postponed to July 17, 2023, along with other municipal budget orders, to provide time for additional votes in the Maine State Legislature concerning General Assistance reimbursement levels. Seven affirmative votes are required to pass as an emergency.

Order 253-22/23 Approving the Amended Wage Scale to the Collective Bargaining Agreement with the City Employees' Benefit Association, American Federation of State, County and Municipal Employees, Local 1373 - Sponsored by Danielle P. West, City Manager

This item was discussed with the Finance Committee in Executive Session, and amends the negotiated collective bargaining agreement between the City and the City Employees' Benefit Association ("CEBA"), American Federation of State, County and Municipal Employees ("AFSCME") Local 1373, which is currently in effect for the period of July 1, 2021 through June 30, 2024. The proposed amendment would increase wages for unit clerks, certified nurse assistants, licensed practical nurses, registered nurses, and adult daycare services nurses effective as of July 2, 2023. This proposal is presented after previously receiving guidance from the Finance Committee in executive session and following notification of the proposed wage increases to CEBA.

To make this item, which is one of the budget items, effective July 2, 2023, the start of Fiscal Year 2024, staff is requesting that this item be passed as an emergency. Seven affirmative votes are required for passage as an emergency after public comment.

Order 254-22/23 Approving the Amended Wage Scale to the Collective Bargaining Agreement with the Professional and Technical City Employees Association - Sponsored by Danielle P. West, City Manager

This item was discussed with the Finance Committee in Executive Session, and amends the negotiated collective bargaining agreement between the City and the Professional and Technical City Employees Association (“Pro-Tech”), which is currently in effect for the period of July 3, 2022 through June 30, 2025. The proposed amendment would increase wages for principal registered nurses effective as of July 2, 2023. This proposal is presented after previously receiving guidance from the Finance Committee in executive session and following notification of the proposed wage increases to Pro-Tech.

To make this item, which is one of the budget items, effective July 2, 2023, the start of Fiscal Year 2024, staff is requesting that this item be passed as an emergency. Seven affirmative votes are required for passage as an emergency after public comment.

Order 256-22/23 Adopting Development Program for the Portland Tourism Municipal Development District - Sponsored by the Housing & Economic Development Committee, Councilor Pious Ali, Chair

The budget for Portland Tourism Development District (PTDD), as submitted by Visit Portland for FY2024 at \$2,589,071, would be funded largely from special assessments on all Portland area lodging properties with 40 or more rooms. The revenue raised through the special assessment would fund the PTDD development program expenses for FY2024. The assessment rate is based on a calendar year average short term room rental occupancy percentage and average daily rate multiplied by 1.5%, which is equal to one and one-half percent 1.5% of annual gross short-term room rental revenues. Estimated assessments for each individual lodging house would be established based on a formula using 2022 Smith Travel Report (STR) average daily room rate in Portland hotels ranging from \$146 to \$269 per night, and occupancy rate ranging from 69% to 70% based on standard industry hotel classifications, times 1.5% assessment rate. The City will collect 10% of the assessment for its administrative purposes.

Example Formula: Number of Rooms x 365 = Number of Rooms/Year x Occupancy Rate of 72.1% x Average Daily Room Rate (ADR) of \$227.66 x 1.5% (Assessment Rate).

At the Housing and Economic Development Committee meeting held on April 25, 2023, the vote was 3-1 (Rodriguez) to forward this to the City Council for approval, with Councilor Phillips noting that she favors sending this to the City Council for discussion and would confirm her vote yes or no at that meeting.

This item must be read on two separate days. It received its first reading on June 26, 2023. Five affirmative votes are required for passage after public comment.

Order 257-22/23 Establishing Implementation Assessments for Portland's Tourism Municipal Development District for Fiscal Year 2023-2024 - Sponsored by the Housing & Economic Development Committee, Councilor Pious Ali, Chair

This is a companion order to the order above establishing Portland's Tourism Municipal Development District, and the order below approving the agreement.

This item must be read on two separate days. It received its first reading on June 26, 2023. Five affirmative votes are required for passage after public comment.

Order 258-22/23 Approving the Development Program Manager Agreement between the City of Portland and Convention and Visitors' Bureau of Greater Portland Doing Business as Visit Portland - Sponsored by the Housing & Economic Development Committee, Councilor Pious Ali, Chair

This is a companion order with the two orders above.

This item must be read on two separate days. It received its first reading on June 26, 2023. Five affirmative votes are required for passage after public comment.

Order 259-22/23 Proposing an Amendment to Portland City Code Chapter 6 Re: Administrative Changes to Rent Board and Rent Control Ordinance - Sponsored by Danielle P. West, City Manager

This order proposes revisions to the Rent Control, Tenant Protections and Rent Board Ordinances. The proposed order: (1) adds exemptions from rent control for certain Rental Units including short term rentals, rentals occupied by qualified family members and Rental Units subject to certain affordable housing regulations; (2) defines operational terms consistent with the Rent Board's practice; (3) clarifies how allowable increases are applied and how banked rent is calculated; (4) explains how base rent is calculated when a Rental Unit reenters the market after being exempted or otherwise removed from the rental market for a period of time; (5) allows the Housing Safety Office to assign a designee to assist with enforcement; (6) eliminates the two-tiered late fee for registrations; (7) prescribes deadlines by which tenants must submit complaints to the Housing Safety Office about an improper rent increase or insufficient notice of a rent increase; (8) identifies instances when the 10% annual cap does not apply consistent with Rent Board practice; (9) eliminates the mediation function of the Rent Board; (10) amends the Tenants Unions' standing consistent with the standing permitted by law; (11) reduces the number of votes required by the Rent Board from four to the majority of members present (four being a quorum); and (12) allows the Rent Board to amend its rules from time to time without City Council approval.

This item must be read on two separate days. It received its first reading on June 26, 2023. Staff proposed the amendments in response to issues they have encountered in the administration and implementation of Chapter 6, and are requesting that the Council forward those along to voters for review on the November 2023 ballot. Given the City Council's reduced summer schedule, and the need to discuss the substance of these amendments further, staff recommends that this item be postponed indefinitely on July 17. Staff further recommends that the item be taken up again after a Council workshop in Spring 2024. Five votes are required to postpone indefinitely, and no public comment is required.

Order 260-22/23 Amendment to the Portland City Charter Re: Gender-Neutral Language - Sponsored by Kate Snyder, Mayor

As contemplated by the Council Resolution 13-21/22 adopted on June 6 (attached in the back-up material), this item begins the process of approving a Council-initiated Charter amendment adopting gender neutral language throughout the City Charter. Following council approval, the amendment would be submitted to the voters at the General Election on November 7, 2023.

This item must be read on two separate days. It received its first reading on June 26, 2023. Five affirmative votes are required for passage after public comment.

Order 261-22/23 Proposing an Amendment to Portland City Code Chapter 9 Re: the Citizen Initiative Process - Sponsored by Kate Snyder, Mayor

This order proposes revisions to the Initiation and Referendum provisions in Article III of Chapter 9 of the City Code. The changes include (1) limiting the initiative and people's veto processes to the City's regular municipal election in November of each year, (2) updating the administrative process to apply for a petition for an initiative or people's veto, (3) adding a requirement that a proposed ordinance be reviewed and approved by the City Clerk, in consultation with the Corporation Counsel, prior to issuing initiative petition forms to ensure that the proposed ordinance complies with certain administrative provisions in Article III of Chapter 9 of the City Code, (4) adjusting the timing requirements for filing an application and signed petition forms for an initiative to ensure that the initiative process is completed in time to be placed on the November ballot, (5) requiring that the City's Finance Director prepare a fiscal impact statement for an initiative and providing that a proposed ordinance having a fiscal impact of more than \$50,000.00 will not become effective until the later of the first July 1 after the election or the effective date stated in the proposed ordinance; (6) requiring that petitions include the full text, an objective title and summary, and a fiscal impact statement for the proposed ordinance and that petition circulators provide voters an opportunity to review that information before signing, (7) updating petition circulator verification requirements to be consistent with Maine law (8) allowing the City Council, by vote of six of its members, to amend or repeal an ordinance approved through the initiative process 18 months after the effective date of the ordinance, and (9) revising the existing language to ensure internal consistency and other non-substantive changes.

Once approved by the City Council, the proposed amendment, which revises City Code approved by referendum, would be submitted to voters at the General Election on November 7, 2023.

This item must be read on two separate days. It received its first reading on June 26, 2023. Five affirmative votes are required for passage after public comment.

ORDERS:

Order 5-23/24 Setting a Public Hearing on Citizen Initiative: An Act to Exempt Small Landlords from the Portland's Rent-Control Ordinance - Sponsored by Danielle P. West, City Manager

The Portland City Council will hold a public hearing on the attached proposed amendment to Chapter 6, Sections 6-231 and 6-232 of the Portland City Code on August 14, 2023 at 5:30 p.m. in the Council Chambers at Portland City Hall, and the amendment would be on the November 7, 2023 ballot if submission to the voters is approved by the Council.

Five affirmative votes are required for passage after public comment.

Order 6-23/24 Designating the 25 Casco Street Affordable Housing Development and Tax Increment Financing District and Adopting the Municipal Development

Program for the District - Sponsored by the Housing & Economic Development Committee, Councilor Pious Ali, Chair

During a meeting held on June 20, 2023, the Housing and Economic Development Committee voted (3-0, Councilor Philips recused herself), to forward this item to the City Council with a recommendation for passage conditioned upon the final underwriting recommendation and evidence of site control.

Equity Community Center (ECC) is proposing to construct a five-story building with 45 rental units for low-income households at 25 Casco Street. ECC is requesting financial assistance from the City in the form of Affordable Housing Tax Increment Financing (AHTIF) to assist with the cost of the project. If approved, the AHTIF financing would be provided through a Credit Enhancement Agreement at 50% of the increased taxable value currently estimated at an average of \$62,910 annually over 30 years.

The project will include 12 studio (8 at 50% of the area median income (AMI) and 4 at 60% AMI), 34 one-bedroom (21 at 50% AMI and 13 at 60% AMI) and, 8 two-bedroom apartments (4 at 50% AMI and 4 at 60% AMI). Of the 54 units, 21 would be reserved for households earning at or below 60 AMI (i.e. \$56,800 for two people) while the remaining 33 units would be reserved for households earning at or below 50% AMI (i.e. \$47,350 for two people). The property would feature a commercial suite, laundry room, lobby, trash room and bike storage. The building would meet or exceed Portland's Green Building Ordinance.

This project is seeking a 9% Low Income Housing Tax Credit (LIHTC) and tax-exempt debt with MaineHousing contingent upon a reduction in the operating costs through a tax increment financing program that provides for a minimum of 50% of the projects annual property tax revenue to be returned to the developer.

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

Order 7-23/24 Approving the Credit Enhancement Agreement with Equality Community LP - Sponsored by the Housing & Economic Development Committee, Councilor Pious Ali, Chair

During a meeting held on June 20, 2023, the Housing and Economic Development Committee voted (3-0, Council Phillips recused herself) to forward this item to the City Council with a recommendation for passage conditions upon final underwriting approval and site control.

This is a companion order to the order above.

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

Order 8-23/24 Accepting and Appropriating a \$20,000 Donation and \$30,000 Grant for the Lincoln Park Fence Project - Sponsored by Danielle P. West, City Manager

In 2022, the City was awarded a Certified Local Government (CLG) Grant of \$30,000 by the Maine Historic Preservation Commission (MHPC) to support Phase 1 of the restoration of the Lincoln Park Fence along Pearl Street. The Friends of Lincoln Park intend to gift the City of Portland \$20,000 to provide the necessary 40% matching funds required by the grant, with a Memorandum of Understanding between the City and the Friends of Lincoln Park governing the donation terms. But the donation and the grant

would be approved under this order.

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

AMENDMENTS:

Order 9-23/24 Amendment to the Traffic Schedule Re: 2-Hour Parking on Fore Street between Atlantic and St. Lawrence Streets - Sponsored by Sustainability & Transportation Committee, Andrew Zarro, Chair

In accordance with the administrative process for residents seeking changes to parking restrictions, a valid petition to introduce time-restricted parking on one block of Fore Street, between Atlantic Street and St. Lawrence Street was submitted for consideration on March 13, 2023. On June 14, 2023, the Sustainability & Transportation Committee voted (3-0) to recommend this proposal to the Council for consideration.

If approved, this order would amend the traffic schedule to introduce two-hour parking limits on this section of Fore Street between the hours of 9:00 AM and 6:00 PM. Vehicles with Zone 4 residential parking permits would be exempt from this restriction.

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

Order 10-23/24 Amendment to Zoning Map Amendment Re: R-5a Residential for 900 Ocean Avenue and Adjacent Parcels - Sponsored by the Planning Board, Brandon Mazer, Chair

On May 9, 2023, the Planning Board voted (5-0; Stanley and Chan absent) to find the proposed zoning map amendment from R-3 Residential to R-5a Residential to be consistent with the Comprehensive Plan for the City of Portland. The Planning Board recommends to the City Council adoption of the zoning map amendment for the area of land that includes 900 Ocean Avenue and parcels 416A A001001, 416A A002001, and 416A A003000. The proposed zoning map amendment application was submitted by Ocean Avenue Residential, LLC. The change from R-3 to R-5a would permit greater density that would accommodate existing natural site amenities.

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

Order 11-23/24 Amendment to Portland City Charter Re: Filing Nomination Petitions, and Acceptance of Nomination - Sponsored by Ashley Rand, City Clerk

This amendment is a result of previous Chapter 9 workshop discussions, to allow for nomination petitions to become available earlier to align with the recent adopted Clean Elections Ordinance.

This amendment requires the City Clerk to make nomination petitions available 155 days prior to the election rather than the current 127 days and requires nomination petitions to be turned in no later than 99 days prior to the election. The amendment also removes the earliest date a candidate can file nomination petitions, allowing a candidate to file once the candidate has received the required number of signatures. If approved by the City Council, it would be placed on the ballot on November 7, 2023.

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

ADJOURNMENT:

