

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 - SEPTEMBER 18, 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/82715984589?pwd=Q212dGVNc0txTW5KQm9DNHYyQUdidz09>

Passcode: 846732

Or One tap mobile :

+13126266799,,82715984589#,,, *846732# US (Chicago)

+16469313860,,82715984589#,,, *846732# US

Or Telephone:

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

+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

+1 309 205 3325 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: 827 1598 4589

Passcode: 846732

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

PLEDGE OF ALLEGIANCE:

ROLL CALL:

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

ANNOUNCEMENTS:

APPROVAL OF MINUTES OF PREVIOUS MEETING:

Minutes from the meeting of September 6, 2023

PROCLAMATIONS:

Proclamation 4-23/24 Recognizing September 18 to September 24, 2023 as Diaper Need Awareness Week - Sponsored by Kate Snyder, Mayor

Proclamation 5-23/24 Recognizing September 30, 2023 as a Day of Remembrance for U.S. Indian Boarding Schools - Sponsored by Kate Snyder, Mayor

Proclamation 6-23/24 Proclamation Recognizing September 2023 as African Heritage Month - Sponsored by Kate Snyder, Mayor

Proclamation 7-23/24 Recognizing Rosh Hashanah and Yom Kippur 2023 - Sponsored by Pious Ali, Councilor

CONSENT ITEMS:

Order 36-23/24 Declaring October 1, 2023 the 32nd Annual Maine Marathon, Half Marathon & Relay Festival - Sponsored by Danielle P. West, City Manager

This will be the 32nd running of the Maine Marathon. The number of registered runners this year is expected to reach 3,500, with approximately 800 anticipated spectators lining much of the sidewalks, parks and pathways along the race route.

The race will take runners from Baxter Boulevard, to Washington Avenue onto Veranda Street, continuing on Route 1 and crossing over Martin's Point Bridge into Falmouth and back. Runners will both start and finish at Baxter Boulevard extension.

Five affirmative votes are required for passage after public comment.

COMMUNICATIONS:

Communication 11-23/24 Regarding the Consolidated Annual Performance and Evaluation Report (CAPER) for HUD-funded Programs - Mary Davis (Interim Director, Housing & Economic Development)

The Consolidated Annual Performance and Evaluation Report (CAPER) outlines accomplishments and expenditures within a given program year for HUD-funded programs including CDBG, ESG, and HOME. This required report is presented to

Housing and Urban Development (HUD) no later than 90 days after the program year ends on June 30. Although there is a 15-day public comment period for this report, no council action is required.

The CAPER is a companion to the Annual Action Plan, which is presented for Council action annually in April or May. The Annual Action Plan lists the activities and actions the City plans to take throughout a program year, while the CAPER reports on those actions. Although the CAPER technically represents only a specific program year, the expenditures listed may represent several program years, as some activities (such as construction or development) may not be completed within the program year in which it was awarded.

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

Communication 12-23/24 Regarding the ECRT activation at the MaineDOT parking lot on Marginal Way - Kristen Dow (Director, Health & Human Services) and Chief Keith Gautreau (Fire)

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

UNFINISHED BUSINESS:

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).

NOTE: Subsequent to the first reading on June 26, 2023, the terms of the district have been amended and the amendment is in the back-up material. The amendment, if approved, would: change the start date to January 1, 2024; limit assessments to only non-seasonal lodging properties with 40 or more rooms; base the assessment rate on a formula using June 2023 Smith Travel Report (STR) U.S. average daily room rate per hotel classification ranging from \$77 to \$379 per night and an occupancy rate of 50% multiplied by a 1.5% assessment fee; and implement the district in the 2nd half of FY2024 (Jan.-June) with an approximate budget of \$754,369, with the City receiving a 10% administrative fee.

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. On July 17, the Council postponed the item until September 6, 2023. On September 6, the Council postponed this item until September 18, 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. An amendment is in the back-up material to update the assessment list according to discussion that followed the first reading in June.

This item must be read on two separate days. It received its first reading on June 26, 2023. On July 17, the Council postponed the item until September 6, 2023. On September 6, the Council postponed this item until September 18, 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. An amendment is in the back-up material to update the Development Program Manager Agreement according to discussion that followed the first reading in June.

This item must be read on two separate days. It received its first reading on June 26, 2023. On July 17, the Council postponed the item until September 6, 2023. On September 6, the Council postponed this item until September 18, 2023. Five affirmative votes are required for passage after public comment.

Order 32-23/24 Authorizing Loans in the Amount of \$1,684,816 from the School Revolving Renovation Fund and the Issuance of the City's General Obligation Bonds Therefore - Sponsored by Danielle P. West, City Manager

This order authorizes and the companion order below appropriates funding from partially forgivable loans from the State of Maine School Revolving Renovation Fund ("SRRF"). These projects have already been approved by the City Council in prior year City Capital Improvement Plans and these loans will reduce overall cost of these projects to City taxpayers due to the element of principal forgiveness and lower debt service costs.

This item must be read on two separate days. It received its first reading on September 6, 2023. Five affirmative votes are required for passage after public comment.

Order 33-23/24 Appropriating \$1,684,816 in Loan Proceeds from the School Revolving Renovation Fund for School Renovation Projects - Sponsored by Danielle P. West, City Manager

This is a companion order with the order above, appropriating \$1,684,816 authorized from the School Revolving Renovation Fund.

This item must be read on two separate days. It received its first reading on September 6, 2023. Five affirmative votes are required for passage after public comment.

ORDERS:

Order 34-23/24 Accepting and Appropriating a \$10,000 Donation from the Congress Square Redesign Committee for Phase B of Congress Square Park - Sponsored by Danielle P. West, City Manager

The donation of \$10,000 from the Congress Square Redesign Committee would fund vital construction documents necessary to complete Phase B of the rehabilitation of Congress Square Park.

Congress Square Park is an important public resource for residents, business owners, and visitors located in the heart of Portland's Arts District. Congress Square Redesign planning efforts began in 2012. The redesign involves a multi-phase, large-scale renovation aimed at turning an underperforming, car-dominated intersection and adjacent public plazas into an active and integrated public urban amenity in one of the densest areas of Portland. The rehabilitation of this public amenity will contribute to Portland's economic vitality and enhance the quality of life for its residents, workers, and visitors, serving as a focal point for cultural activities and community programs.

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

Order 35-23/24 Accepting and Appropriating Three Maine Historic Preservation Commission Grants for the Planning Department - Sponsored by Danielle P. West, City Manager

This item accepts and appropriates three Certified Local Government (CLG) grants by the Maine Historic Preservation Commission (MHPC): \$9,500 to present a Commission Assistance and Mentoring Program (CAMP) training by the National Alliance of Preservation Commissions (NAPC) for Maine CLG staff and Commission/Board members, with no required match; \$2,400 to digitize Historic Resource Survey Forms and photographs for the West End, How House, Old Port, and Deering Street Historic Districts so that they can be made available online, with a required match of \$1,600; and \$2,313.60 to assist two staff members in attending the Nation Trust for Historic Preservation Past Forward Conference, with a required match of \$1,542.40. Planning & Urban Development Department FY24 budget funds have been budgeted for the required matches.

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

EXECUTIVE SESSION:

In accordance with 1 M.R.S.A. section 405(6)(D), City staff request that an Executive Session be held to discuss and receive guidance on the City's contract with Local 740, International Association of Firefighters, AFL-CIO.

Five affirmative votes are required to enter an Executive Session.

ADJOURNMENT: