

MARK DION (MAYOR)
PIOUS ALI (A/L)
APRIL FOURNIER (A/L)
ROBERTO RODRÍGUEZ (A/L)



ANNA TREVORROW (1)
VICTORIA L. PELLETIER (2)
REGINA L. PHILLIPS (3)
ANNA BULLETT (4)
KATE SYKES (5)

CITY COUNCIL MEETING - MARCH 4, 2024 AT 5:00 PM

The Portland City Council will hold a City Council Meeting in Council Chambers. The Honorable Mark Dion, 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).

The City Council will conduct this meeting from Council Chambers, located on the second floor of City Hall.

To watch the meeting remotely, please visit <https://portlandme.portal.civicclerk.com/event/6486/media>

PLEDGE OF ALLEGIANCE:

ROLL CALL:

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

ANNOUNCEMENTS:

APPROVAL OF MINUTES OF PREVIOUS MEETING:

City Council Meeting Minutes-February 26, 2024

APPOINTMENTS:

**Order 138-23/24 Appointing Constables for the Public Works Department for 2024
- Sponsored by Danielle P. West, City Manager**

The Department of Public Works employs Scott Ballard, Sarah Colton and Joe Higgins as Solid Waste employees who can provide services in the enforcement of city ordinances including those regarding the misuse of trash receptacles for domestic waste, and illegal dumping. In order for these employees to have the authority to serve legal process and to enforce the ordinances, they must be appointed as a constable by the City Council. The Department of Public Works is hereby requesting that these employees be appointed as a constable.

The authority provided by this order is limited. No constable is authorized to make arrests or carry a gun.

Five affirmative votes are required for passage after public comment.

Order 139-23/24 Appointing Regina Phillips as Member of the Creative Portland Corporation Board - Sponsored by Mark Dion, Mayor

This Order would appoint Regina Phillips to the Board of Directors for Creative Portland Corporation in place of Anna Bullett.

Five affirmative votes are required for passage after public comment.

LICENSES:

Order 140-23/24 Granting Municipal Officers' Approval of Forest City Billiards LLC, dba Forest City Billiards. Application for Class A Restaurant/Lounge at 272 Saint John Street - Sponsored by Danielle P. West, City Manager

Application was filed on 2/9/24. Location was previously American Pool and Billiards. New City and State applications.

Five affirmative votes are required for passage after public comment.

Order 141-23/24 Granting Municipal Officers' Approval of Longfellow Properties LLC, dba Five of Clubs/Twinflower. Application for Class 1A (41+ rooms Innholder) at 754 Congress Street - Sponsored by Danielle P. West, City Manager

Application was filed on 2/12/24. Location was previously Express Mart. New City and State applications.

Five affirmative votes are required for passage after public comment.

UNFINISHED BUSINESS:

Order 135-23/24 Accepting and Appropriating a \$50,000 Bequest from the Franklin Lawrence II Estate for Evergreen Cemetery Maintenance - Sponsored by Danielle P. West, City Manager

In his last will and testament, Franklin Lawrence II, left Evergreen Cemetery of Portland, Maine a sum of \$50,000 to be used for its maintenance fund.

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

Order 136-23/24 Accepting and Appropriating a \$25,000 Grant from the Maine Community Foundation for Western Cemetery Improvements - Sponsored by Danielle P. West, City Manager

The Stewards of Western Cemetery, acting in the interest of the cemetery, have applied for and been awarded a \$25,000 grant from the Maine Community Fund. The grant and subsequent, privately raised funds are intended to fund several improvements to Western Cemetery including but not limited to:

- Construction of a tool house on a location approved by the Parks, Recreation, and Facilities Department and the Historic Preservation Board.
- Installation of a water source to aid in ongoing restoration efforts.
- Relocation of an existing flag pole to make way for the proposed tool house.
- Efforts to bring access to the cemetery into compliance with ADA standards.

- A historically appropriate fence along the Western Prom boundary of the cemetery.

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

Order 137-23/24 Amendment to Portland City Code Chapter 9 Re: Peaks Island Council Nomination Petition Deadlines - Sponsored by Ashley Rand, City Clerk

This item will align the filing of nomination petitions and acceptance of nomination for Peaks Island Council to the Charter Changes that were made to Article IV. Elections, Section 6. The Charter amendment was sent to voters in November 2023 and approved. This ordinance amendment will allow the Peaks Island nomination petitions to be the same.

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

ORDERS:

Order 142-23/24 Setting Public Hearings on Fiscal Year 2024-2025 Annual Action Plan and Appropriations for Community Development Block Grant Program, HOME Program, and Emergency Solutions Grant Program - Sponsored by Danielle P. West, City Manager

The United States Housing and Urban Development Department (HUD) requires that the City create an annual plan outlining the proposed activities and use of funding for the Community Development Block Grant (CDBG), Emergency Solutions Grant (ESG), and HOME funding. In addition, as required under our HUD approved citizen participation process, public hearings are held each spring to consider the City's Housing and Community Development Program proposal for the ensuing year. The CDBG Annual Allocation Committee, appointed by the City Council, reviewed each CDBG application and made funding recommendations. They are given an opportunity to make a presentation to the Council at the first public hearing and citizens may comment on the City's annual plan for the use of the CDBG, HOME and ESG funds at both public hearings. This order sets the dates for the public hearings required for the Annual Action Plan allocation process. The public hearings will be held on March 18, 2024 and April 8, 2024 at a City Council Meeting to be held at 5:00 pm.

Five affirmative votes are required for passage after public comment.

Order 143-23/24 Approving and Appropriating Federal Aviation Administration Grants, State of Maine Matching Grants, and Portland International Jetport Unrestricted Matching Funds - Sponsored by Danielle P. West, City Manager

The Federal Aviation Administration (FAA) issues grants to fund eligible safety, capacity, and terminal improvements to airports through several nationwide grant programs authorized under federal law. This item accepts and appropriates approximately \$24.55 million in FAA federal grant funding to be awarded to the Jetport, \$1.29 million in state of Maine matching funds, and \$4.33 million in Jetport unrestricted funds to cover matching and ineligible project costs. The allocation from each grant program and funding source is listed below.

- FAA Airport Improvement Program (AIP) \$ 9.92 million
- FAA Airport Infrastructure Grant (AIG) \$ 4.22 million
- FAA Competitive Airport Terminal Program (ATP) \$ 10.41 million
- State of Maine matching funds \$ 1.29 million
- Jetport unrestricted fund balance matching and ineligible \$ 4.33 million

The Jetport will use this appropriation, totaling \$30.17 million, to complete the following projects:

- Taxiway A reconstruction;
- Installation of passenger boarding bridges at gates 11, 12, and 13;
- New gate concourse restrooms, pet relief area, and expanded seating areas;
- Purchase of airfield snow removal equipment;
- Security gate exit only portal; and
- Perimeter fence and gate upgrades.

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

Order 144-23/24 Authorizing General Obligation Bonds to Finance a Portion of the City's Fiscal Year 2025 Capital Improvement Program in an Amount not to Exceed \$19,040,000 - Sponsored by the Finance Committee, Anna Trevorow, Chair

The Finance Committee has reviewed the Capital Improvement Plan (CIP) at their 2024 meetings to date and is scheduled to vote March 14, 2024 on the attached recommended funding appropriation and bond authorization orders.

The Fiscal Year 2025 Capital Improvement Plan (FY25 CIP) has been in development since early 2023. The FY25 CIP will not increase net debt service related to CIP projects in future City budgets as it was sized to simply offset other CIP debt being retired. The list of 2025 CIP calls for \$28,510,000 of new projects but only \$12,100,000 of this total will have a net impact to debt service in the general fund operating budget. A variety of other funding sources including the enterprise funds (for sewer and stormwater projects) are being used to finance the remainder. The \$12M was a borrowing target set by Finance staff in order to simply offset general fund CIP being retired. An additional \$6,940,000 of new general obligation bonds will be repaid via sewer user fees and stormwater service charges and the remaining nearly \$9.5M will be funded via a variety of other funding sources including reallocation of one FY24 CIP project which is no longer moving forward, impact fees, and assigned surplus fund balance. Two orders are required related to the CIP: one authorizing the FY25 CIP bonds; and a second appropriating the proceeds and other funding sources providing City staff with spending authority for the upcoming projects. Complete details are included in the additional attachments to this agenda item.

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

Order 145-23/24 Appropriating Bond Proceeds and other Funds in an Amount not to Exceed \$28,510,000 for the City's Fiscal Year 2025 Capital Improvement Program - Sponsored by the Finance Committee, Anna Trevorow, Chair

This is a companion order to the bond authorization order above.

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

EXECUTIVE SESSION:

ADJOURNMENT: