

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)

SPECIAL CITY COUNCIL MEETING - APRIL 8, 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 and also 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. 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/83403839525?pwd=NGVISUFicnVzRzIITFBKL0pOcjlRTUT09>

Passcode: 888951

Or One tap mobile :

+19292056099,,83403839525#,,,*888951# US (New York)

+16469313860,,83403839525#,,,*888951# US

Or Telephone:

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

+1 929 205 6099 US (New York)

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+1 312 626 6799 US (Chicago)

+1 301 715 8592 US (Washington DC)

Webinar ID: 834 0383 9525

Passcode: 888951

PLEDGE OF ALLEGIANCE:

ROLL CALL:

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

APPROVAL OF MINUTES OF PREVIOUS MEETING:

City Council Meeting- March 18, 2024

PROCLAMATIONS:

Proclamation 17-23/24 Recognizing April 8-12, 2024 as Telecommunicator Appreciation Week - Sponsored by Mark Dion, Mayor

Proclamation 18-23/24 Recognizing April 2024 as Arab American Heritage Month - Sponsored by Mark Dion, Mayor

LICENSES:

Order 157-23/24 Granting Municipal Officers' Approval of Low Key LLC, dba Low Key. Application for Class X Lounge with Outdoor Dining on Public Property at 89 Congress Street - Sponsored by Danielle P. West, City Manager 157

Application was filed on 2/27/24. Location was previously Blue Spoon. New City and State applications.

Five affirmative votes are required for passage after public comment.

Order 158-23/24 Granting Municipal Officers' Approval of Lucky Sevens LLC, dba Bar Publica. Application for Class A Restaurant/Lounge with Outdoor Dining on Private Property at 82 Hanover Street - Sponsored by Danielle P. West, City Manager

Application was filed on 3/1/24. Location was previously The Yard. New City and State applications.

Five affirmative votes are required for passage after public comment.

Order 159-23/24 Granting Municipal Officers' Approval of Novel LLC, dba Novel. Application for Outdoor Dining on Private Property at 643 Congress Street - Sponsored by Danielle P. West, City Manager

Application was filed on 3/7/24. Existing establishment adding outdoor dining on private property. New City and State applications.

Five affirmative votes are required for passage after public comment.

Order 160-23/24 Granting Municipal Officers' Approval of Baba's LLC, dba Baba's. Application for Class I FSE at 79 Island Avenue - Sponsored by Danielle P. West, City Manager

Application was filed on 3/8/24. Location was previously Sweet Creamery. New City and State applications.

Five affirmative votes are required for passage after public comment.

Order 161-23/24 Granting Municipal Officers' Approval of Uncle Luckys LLC, dba Lucky Cheetah. Application for Class I FSE at 11 Moulton Street - Sponsored by Danielle P. West, City Manager

Application was filed on 3/14/24. Location was previously Old Port Tavern. New City and State applications.

Five affirmative votes are required for passage after public comment.

Order 162-23/24 Granting Municipal Officers' Approval of 123 CZ LLC, dba Porttown Public House. Application for Outdoor Dining on Public Property at 123 Commercial Street - Sponsored by Danielle P. West, City Manager

Application was filed on 3/13/24. Existing establishment adding outdoor dining on public property. New City and State applications.

Five affirmative votes are required for passage after public comment.

Order 163-23/24 Granting Municipal Officers' Approval of Will & Girl LLC, dba Thistle & Grouse. Application for Outdoor Dining on Private Property at 10 Cotton Street - Sponsored by Danielle P. West, City Manager

Application was filed on 2/15/24. Existing establishment adding outdoor dining on private property. New City and State applications.

Five affirmative votes are required for passage after public comment.

Order 164-23/24 Granting Municipal Officers' Approval of Duckfat LLC, dba Duckfat. Application for Class III & IV FSE with Parklet and Outdoor Dining on Public Property at 43 Middle Street - Sponsored by Danielle P. West, City Manager

Application was filed on 3/13/24. Ownership change of existing establishment. New City and State applications.

Five affirmative votes are required for passage after public comment.

RESOLUTIONS:

Resolve 8-23/24 Adopting the Fiscal Year 2024-2025 Annual Action Plan Including Appropriations for Community Development Block Grant Program, HOME Program, and Emergency Solutions Grant Program and Certifications Pertaining Thereto - Sponsored by Danielle P. West, City Manager

The 2024-2025 Housing and Community Development Program Annual Action Plan reports to the U.S. Department of Housing and Urban Development (HUD) a total estimated budget of \$6,957,515 (Community Development Block Grant ("CDBG") Entitlement Funds and Program Income \$1,898,188, \$120,000 Downtown TIF funding, \$20,000 Cotton St proceeds, HOME Program Grant \$1,037,237, Program Income and Recapture \$92,956; Lead Safe Housing Program Income \$18,825; local Housing Trust Fund \$2,065,297; \$162,241 Emergency Solutions Grant ("ESG") funds).

The CDBG Annual Allocation Committee, appointed by the City Council, reviewed each application and made funding recommendations that will be presented to the Council. The City Manager reviewed the Committee's recommendations and submitted her funding recommendations to the Council. The Housing and Economic Development Committee reviewed the Affordable Housing budgets. The Emergency Shelter Assessment Committee reviewed the ESG budget. Please see attachments for additional details about individual program funding.

The City's public participation process requires two public hearings to consider the City's Housing and Community Development Program proposal. The hearings allow the public to comment on the City's Consolidated Annual Action Plan. Public hearings for FY25 are set for March 18 and April 8. People who wish to speak may do so one time;

they may not speak at both public hearings.

This item must be read on two separate days. It received its first reading on March 18. Five affirmative votes are required for passage after public comment.

UNFINISHED BUSINESS:

Order 151-23/24 Accepting and Appropriating a \$64,000 Grant from the Maine Department of Transportation for the Bicycle/Pedestrian Program on Forest Avenue - Sponsored by Danielle P. West, City Manager

Endorsing this award will enter the City of Portland into a LAP agreement with MaineDOT for the design and right-of-way process associated with enhanced pedestrian crossings on Forest Avenue. The requested Council action is to accept this municipal award and agree to this effort being a Locally Administered Project (LAP). The estimated Planning Level Project Cost totals \$80,000, of which \$64,000 (80%) would be Federally Funded and \$16,000 (20%) would be required as a Local Match.

This item must be read on two separate days. It received its first reading on March 18. Five affirmative votes are required for passage after public comment.

Order 152-23/24 Approving Agreements Between the Maine Department of Transportation, Portland Area Comprehensive Transportation System, and Portland re: Improvements to Riverside Street, Ocean Avenue, and Washington Avenue - Sponsored by Danielle P. West, City Manager

These agreements, between MaineDOT and the City of Portland, as well as between MaineDOT, the City of Portland, and PACTS, obligates MaineDOT to mill and fill Riverside Street, Ocean Avenue, and Washington Avenue Ext., adjust the City's sanitary sewer manhole frames and covers within the project limits, as necessary, update and/or install new pedestrian curb ramps to meet ADA requirements, and all appurtenances to complete paving on these roads. The agreements obligate the City to pay MaineDOT for 25% of the work as its municipal share, and 100% for manhole adjustments from a water resources fund. The estimated amount of municipal share for each project are as follows:

- Riverside Street - \$177,750 as the 25% municipal share and \$39,600 for manhole adjustments
- Ocean Avenue - \$133,000 as the 25% municipal share and \$43,200 for manhole adjustments
- Washington Avenue Ext. - \$81,000 as the 25% municipal share and \$23,400 for manhole adjustments. The estimated City share for all three streets is \$391,750 requested as CIP accounts for these streets and \$106,200 from a water resources account.

This item must be read on two separate days. It received its first reading on March 18. To make this item effective immediately, 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 153-23/24 Approving the Service Contract between the Maine Historic Preservation Commission and the City of Portland and Accepting and

Appropriating a Pass-through Grant in the Amount of \$9,153 to the Lions Club of Peaks Island - Sponsored by Danielle P. West, City Manager

On November 8, 2023 the City of Portland was awarded a Certified Local Government (CLG) grant by the Maine Historic Preservation Commission (MHPC). This order authorizes the City Manager to enter into a Service Contract with the MHPC, which will allow the City to administer the grant as a pass through grant in the amount of \$9,153 for the Lions Club of Peaks Island to complete a condition assessment of the Greenwood Gardens Playhouse. The Lions will provide \$6,102 in matching funds.

This item must be read on two separate days. It received its first reading on March 18. Five affirmative votes are required for passage after public comment.

Order 154-23/24 Approving the Service Contract Between the Maine Historic Preservation Commission and the City of Portland and Accepting and Appropriating a Pass-Through Grant in the Amount of \$15,000 to the First Parish Church - Sponsored by Danielle P. West, City Manager

On November 8, 2023 the City of Portland was awarded a Certified Local Government (CLG) grant by the Maine Historic Preservation Commission (MHPC). This order authorizes the City Manager to enter into a Service Contract with the MHPC, which will allow the City to administer the grant as a pass through grant in the amount of \$15,000 for First Parish Church to complete a condition assessment of the church front steps and retaining wall. First Parish Church will provide \$11,000 in matching funds.

This item must be read on two separate days. It received its first reading on March 18. Five affirmative votes are required for passage after public comment.

Order 155-23/24 Traffic Schedule Amendment Re: Removing Time Limited Parking on Kenwood Street - Sponsored by Sustainability & Transportation Committee, Councilor Regina Phillips, Chair

This order removes the current time limited parking on Kenwood Street. The Sustainability and Transportation Committee reviewed this item on February 14, 2024 and voted 3-0 to recommend it to the City Council.

This item must be read on two separate days. It received its first reading on March 18. Five affirmative votes are required for passage after public comment.

Order 156-23/24 Amendment to the Portland City Code Chapter 6 Re: Repeal Rental Housing Advisory Committee - Sponsored by the Housing and Economic Development Committee, Councilor Pious Ali, Chair

The Housing and Economic Development Committee (HEDC) met on February 27, 2024, and voted 4-0 to forward this item to the City Council for consideration. The proposed amendment would repeal Chapter 6, Section 225 regarding the Rental Housing Advisory Committee.

Members of the Rental Housing Advisory Committee (RHAC) met on February 15, 2024, and voted 5-1-1 to forward a memo to the Housing and Economic Development Committee with a recommendation to dissolve the Rental Housing Advisory Committee. A copy of the RHAC memo is included in the meeting backup.

The Rental Housing Advisory Committee was formed prior to the Rent Board, which was created through a citizens' referendum. Both the Rental Housing Advisory Committee and the Rent Board are tasked with recommending changes regarding landlord/tenant policies and issues in the City of Portland. However, the Rent Board's jurisdiction and authority are more robust when compared to the duties of the Rental Housing Advisory Committee. There is a potential for redundancy in the work of both groups that could lead to a duplication of efforts or policy recommendations that conflict.

This item must be read on two separate days. It received its first reading on March 18. Five affirmative votes are required for passage after public comment.

ORDERS:

Order 166-23/24 Receiving and Referring City Manager's Fiscal Year 2025 Municipal Budget to the Finance Committee and Setting Date of Public Hearing on the Fiscal Year 2025 Municipal Budget and Fiscal Year 2025 Appropriation Resolve - Sponsored by Danielle P. West, City Manager

Under this order, the City Council receives the City Manager's proposed budget and refers it to the Finance Committee for review. The Finance Committee will review the budget at its next meeting, scheduled for April 9, 2024. A Finance Committee public hearing on the budget is also scheduled for April 30, 2024.

The first read of the FY25 Appropriation Resolve and Public Hearing is scheduled for the May 6, 2026 City Council meeting.

Five affirmative votes are required for passage. Public comment will be limited to the referral action only.

Order 165-23/24 Approving the Agreement Between the Maine Department of Transportation, Portland Area Comprehensive Transportation System, and Portland RE: Improvements to Canco Road - Sponsored by Danielle P. West, City Manager

This project is part of the Municipal Partnership Initiative (MPI) Program; the City administers the project and typically receives a portion of funding from the state MPO. By signing the partnership agreement, it enables the City to proceed with the project and obligates PACTS to pay \$250,000 or 30% and the City to pay for 70% of the original estimated project cost; the City share is estimated to be \$580,000 and will come from FY 2025 budget.

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

EXECUTIVE SESSION:

ADJOURNMENT: