

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 22, 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/6499/media>

PLEDGE OF ALLEGIANCE:

ROLL CALL:

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

ANNOUNCEMENTS:

Announcing The Maine Historic Preservation Commission's National Register of Historic Places - By Mark Dion, Mayor

APPROVAL OF MINUTES OF PREVIOUS MEETING:

City Council Meeting Minutes- April 8, 2024

PROCLAMATIONS:

Proclamation 19-23/24 Recognizing May 2024 as Asian/Pacific American Heritage Month - Sponsored by Mark Dion, Mayor

Proclamation 20-23/24 Declaring May 2, 2024 as the National Day of Prayer - Sponsored by Mark Dion, Mayor

APPOINTMENTS:

Order 167-23/24 Appointing Wardens and Ward Clerks for the 2024-2025 Election Year - Sponsored by Ashley Rand, City Clerk

This order appoints Wardens and Ward Clerks for the 2024-2025 Election Year, whose names are listed in the attachment.

Five affirmative votes are required for passage after public comment.

Order 168-23/24 Appointing Election Clerks for 2024 to 2026 - Sponsored by Ashley Rand, City Clerk

This order appoints the Election Clerks for a term beginning on May 1, 2024 and expiring on April 30, 2026. Please see the order for the list of names.

Five affirmative votes are required for passage after public comment.

CONSENT ITEMS:

Order 169-23/24 Declaring May 1, 2024 - April 30, 2025 the Friends of Congress Square Park In the Square Festival - Sponsored by Danielle P. West, City Manager

Since 2014, the Friends of the Congress Square Park have scheduled and organized ongoing events for Congress Square Park. Events held in the park are free to the public and have been very well received over the past decade. Visitor attendance to the park has increased dramatically since the Friends began organizing events there. Organizers estimate more than 100,000 people have enjoyed the programming in the park since the inception of this partnership in 2014.

The event season (mainly spring, summer and fall) includes a wide variety of community activities such as art interactions, dance performances, live music, film and community gatherings. Most events are held on Saturday days and Thursday, Friday and Sunday evenings - dances and concerts will end by 9 pm. A complete calendar of events will be published on their website CongressSquarePark.org.

Five affirmative votes are required for passage after public comment.

Order 170-23/24 Declaring Sundays on the Boulevard Festival Days in 2024 - Sponsored by Danielle P. West, City Manager

Since 2014, Portland City Council has approved the closing of Baxter Boulevard from Vannah Avenue to Catafalque Drive (the east entrance to Payson Park) to vehicular traffic on Sundays (9:00am-4:00pm) in order to facilitate “Sundays on the Boulevard”.

The “Sundays on the Boulevard” committee would like to continue the tradition of offering this recreational opportunity to the public and requests permission to close the boulevard on Sundays, starting on May 5, 2024, through September 29, 2024, with a time frame of 9:00am – 4:00pm.

To facilitate the closure, city staff will erect barricades across Baxter Boulevard.

For “Sundays on the Boulevard,” streets listed below will be closed to vehicular traffic on Sundays, from 9am – 4pm: Baxter Blvd. - from Vannah Ave. to Catafalque Dr. (Payson Park east entrance). Payson Park, west entrance road - from the tip of the Grass Triangle (by the softball field) to Baxter Boulevard.

Five affirmative votes are required for passage after public comment.

Order 171-23/24 Declaring June 8, 2024 the Shipyard Old Port Half Marathon and 5K Festival - Sponsored by Danielle P. West, City Manager

The Shipyard Old Port Half Marathon & 5K has been held in the City for 13 years. This year's race is expected to draw an estimated 4500 participants. This is a for-profit event

that benefits local non-profits including A Running Passion from its proceeds.

Due to new restrictions enacted by the Maine State Police and Maine Department of Transportation, the race is no longer allowed to include the temporary closure of highway offramps. The race organizers have worked directly with City Staff to establish a new race route to accommodate those restrictions. The organizers are also working with businesses throughout the Old Port and the Waterfront, including those along Center Street, Fore Street, Middle Street and Commercial Street, to inform them about expected impacts and to develop contingency plans.

Five affirmative votes are required for passage after public comment.

Order 172-23/24 Declaring July 27, 2024 the 22nd Annual Greater Portland Festival of Nations - Sponsored by Danielle P. West, City Manager

This will be the 22nd Annual Festival of Nations held at Deering Oaks Park. The festival is organized by Women In Need Industries and the Mugadi Foundation & co-sponsored by the City of Portland. The event showcases Maine's ethnic diversity. The festival features music, food, cultural exhibits, children's activities and folk art from many nations around the world. Admission is free. Refreshments, crafts, artwork and other items will be for sale. The festival is held rain or shine.

Five affirmative votes are required for passage after public comment.

LICENSES:

Order 173-23/24 Granting Municipal Officers' Approval of Oscar Pizza LLC, dba Otto. Application for Indoor Entertainment at 225 Congress Street - Sponsored by Danielle P. West, City Manager

Application was filed on 4/1/24. Existing establishment adding Indoor Entertainment. New City application.

Five affirmative votes are required for passage after public comment.

Order 174-23/24 Granting Municipal Officers' Approval of Pizza Pie On The Fly LLC, dba Noble. Application for Class I FSE with Outdoor Dining on Private Property at 476 Stevens Avenue - Sponsored by Danielle P. West, City Manager

Application was filed on 4/1/24. Location was previously Elsmere BBQ and Wood Grill. New City and State applications.

Five affirmative votes are required for passage after public comment.

Order 175-23/24 Granting Municipal Officers' Approval of Battery Steele Brewing LLC, dba Battery Steele Brewing. Application for Indoor Entertainment at 1 Industrial Way #13 - Sponsored by Danielle P. West, City Manager

Application was filed on 3/29/24. Existing Establishment adding Indoor Entertainment. New City application.

Five affirmative votes are required for passage after public comment.

Order 176-23/24 Granting Municipal Officers' Approval of Newsclapes Brewing Inc, dba Newsclapes Brewing. Application for Class I FSE with Combined Entertainment and Outdoor Dining on Private Property at 163 Washington Avenue - Sponsored by Danielle P. West, City Manager

Application was filed on 3/20/24. License classification change of existing establishment. New City and State applications.

Five affirmative votes are required for passage after public comment.

Order 177-23/24 Granting Municipal Officers' Approval of Paella Seafood LLC, dba Paella Seafood. Application for Class III & IV with Outdoor Dining on Private Property at 865 Forest Avenue - Sponsored by Danielle P. West, City Manager

Application was filed on 3/20/24. Location was previously Piaziola. New City and State applications.

Five affirmative votes are required for passage after public comment.

BUDGET ITEMS:

Order 178-22/23 Receiving and Referring to the Finance Committee the Portland Board of Public Education's Fiscal Year 2025 Budget Estimate and Setting a Public Hearing Thereon - Sponsored by Danielle P. West, City Manager

Under this order, the City Council receives the Portland Board of Public Education's proposed Fiscal Year 2025 budget and refers it to the Finance Committee for review and recommendations. The Portland Board of Public Education took a final vote on the budget at its April 9, 2024 meeting.

The first reading and public hearing of the Fiscal Year 2025 school budget will be held on Monday, May 6, 2024, during the City Council meeting.

The second reading, public hearing and City Council action on the school budget will take place Monday, May 20, 2024, during the City Council meeting.

Five affirmative votes are required for passage after public comment.

UNFINISHED BUSINESS:

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 and

was postponed to April 22 on April 8. Five affirmative votes are required for passage after public comment.

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. It received its first reading on April 8. Five affirmative votes are required for passage after public comment.

ORDERS:

Order 179-23/24 Approving a Substantial Amendment to the Home American Rescue Plan Allocation Plan - Sponsored by the Housing and Economic Development Committee, Council Pious Ali, Chair

The Housing and Economic Development Committee met on March 19, 2024, and voted 3-0 (Phillips absent) to recommend City Council approval of the Substantial Amendment to the HOME-ARP Allocation Plan. The Health and Human Services & Public Safety Committee met on March 26 and received a presentation on the proposed amendment. No action was taken by the Health and Human Services & Public Safety Committee.

The American Rescue Plan (ARP) appropriated funds for the U.S. Department of Housing and Urban Development (HUD) to distribute under the HOME Investment Partnership Program (HOME). The Cumberland County HOME Consortium, a partnership between the City of Portland and Cumberland County, received a \$3,594,143 allocation from the HOME-ARP program. The HOME-ARP program is intended to provide affordable rental housing, tenant-based rental assistance, supportive housing services, and non-congregate shelter development, and other resources to folks experiencing homelessness and other vulnerable populations. The City of Portland and Cumberland County's HOME-ARP Allocation Plan was approved by HUD on May 1, 2023.

The primary objective of the HOME-ARP Substantial Amendment is to better align the distribution of HOME-ARP funds in accordance with the priority needs of individuals and families who are experiencing or at risk of experiencing homelessness. Changes included in the Substantial Amendment will ensure that these one-time funds are used to provide housing, resources, and support to those experiencing homelessness in Cumberland County and the City of Portland. The HOME-ARP Substantial Amendment first, incorporates a preference for folks experiencing homelessness (Qualifying Population 1) for the Development of Affordable Rental Housing; second, defines a referral method for these new rental units created with HOME-ARP funding; and third, reallocates funding from the Acquisition and Development of Non-Congregate Shelter to

Supportive Services.

Five affirmative votes are required for passage after public comment.

Order 180-23/24 Regarding Application to Reclassify 142 Free Street as a Noncontributing Structure in the Congress Street Historic District - Sponsored by the Planning Board, Brandon Mazer, Chair

On February 27, 2024, the Planning Board voted 5-1 (Smith recused) to recommend retaining the contributing classification for the building at 142 Free Street located within the Congress Street Historic District. The Planning Board's deliberations and recommendations were pursuant to the unanimous 5-0 (Paquin Gould recused) recommendation of the Historic Preservation Board on November 1, 2023 to retain the contributing classification as well as the materials and documentation submitted by the applicant, public comment, and the information provided at the public hearing.

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

AMENDMENTS:

Order 181-23/24 Amendment to Portland City Code Chapter 14 RE: Floodplain Management - Sponsored by the Planning Board, Brandon Mazer, Chair

On March 26, 2024, the Planning Board unanimously recommended a set of zoning text amendments to the City Council (7-0) that correspond to revisions to the State of Maine's model floodplain ordinance and the adoption of new FEMA Flood Insurance Rate Maps (FIRMs) for Cumberland County. Amendments to the City's ordinance are required to maintain the City's standing in the National Flood Insurance Program (NFIP). The deadline for the adoption of text amendments reflecting the state's model ordinance and the FEMA FIRMs is June 20, 2024. The proposed amendments as recommended by the Planning Board include changes to Articles 3 and 12 of the City's land use code.

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

EXECUTIVE SESSION:

ADJOURNMENT: