

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 - MAY 6, 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/6488/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-April 22, 2024

PROCLAMATIONS:

Proclamation 22-23/24 Recognizing the Maine Celtics for Their Success in the 2023-2024 Season - Sponsored by Mark Dion, Mayor

Proclamation 23-23/24 Recognizing the 55th Anniversary of Municipal Clerks Week from May 5, 2024 to May 11, 2024 - Sponsored by Mark Dion, Mayor

Proclamation 24-23/24 Recognizing May 19 to May 25, 2024 as Arbor Week - Sponsored by Mark Dion, Mayor

Proclamation 25-23/24 Recognizing the Month of May as Building Safety Month - Sponsored by Mark Dion, Mayor

Proclamation 26-23/24 Recognizing the Month of May as National Bike Month - Sponsored by Mark Dion, Mayor

Proclamation 27-23/24 Recognizing May 5 as Missing and Murdered Indigenous Women Day - Sponsored by Mark Dion, Mayor

CONSENT ITEMS:

Order 182-23/24 Granting Municipal Officers' Approval of Ronin Restaurant Group LLC, dba Mr. Tuna. Application for Outdoor Dining on Private Property at 83 Middle Street - Sponsored by Danielle P. West, City Manager

Application was filed on 4/22/24. New establishment adding Outdoor Dining on Private Property. New City and State applications.

Five affirmative votes are required for passage after public comment.

Order 183-23/24 Granting Municipal Officers' Approval of Shivbaba Corp, dba Tandoor Indian Restaurant. Application for Outdoor Dining on Private Property at 88 Exchange Street - Sponsored by Danielle P. West, City Manager

Application was filed on 4/5/24. Existing establishment adding Outdoor Dining on Public Property. New City and State applications.

Five affirmative votes are required for passage after public comment.

Order 184-23/24 Granting Municipal Officers' Approval of Perfect Pie LLC, dba Pizzaiolo. Application for Class XI Restaurant/Lounge with Indoor Entertainment at 360 Cumberland Avenue - Sponsored by Danielle P. West, City Manager

Application was filed on 4/8/24. Existing establishment adding alcohol service and Indoor Entertainment. New City and State applications.

Five affirmative votes are required for passage after public comment.

Order 185-23/24 Granting Municipal Officers' Approval of 3DD LLC, dba Three Dollar Dewey's. Application for Outdoor Dining on Private Property at 241 Commercial Street - Sponsored by Danielle P. West, City Manager

Application was filed on 4/15/24. Existing establishment adding Outdoor Dining on Private Property. New City and State applications.

Five affirmative votes are required for passage after public comment.

BUDGET ITEMS:

THE CITY COUNCIL WILL HOLD A FIRST READ ON THE FISCAL YEAR 2025 SCHOOL BUDGET AT THIS COUNCIL MEETING (MAY 6, 2024) AND WILL ACCEPT PUBLIC COMMENT. THE SECOND READ AND A PUBLIC HEARING ON THE SCHOOL BUDGET WILL BE HELD ON MAY 20, 2024 AT 5:00 PM.

The City Council Finance Committee voted on April 25, 2024 to recommend passage of FY25 School Board Recommended Budget as presented by Superintendent Scallon in the amount of \$154,045,767.00. Passed 2-0 (Bullett absent).

Order 186-23/24 Approving State/Local EPS Funding Allocation for Public Education from Kindergarten to Grade 12 for Portland Public Schools for Fiscal Year 2025 - Sponsored by the Finance Committee, Anna Trevorrow, Chair

The following School Budget Orders are required by 20A M.R.S. §15690 in order to comply with what is known as LD1, a set of state laws passed to control increases in property taxes.

This order provides \$103,071,962 as the amount determined by state law to be the minimum amount the city must appropriate in order to receive the full amount of state funding under the Essential Programs and Services Funding Act.

This order requires the city to raise \$83,930,456 as the city's contribution to the total cost of funding public education from K12 as described in the EPS law. The City's tax levy based on the budget submitted by the Portland Board of Public Education for the total for school budget programs of \$154,045,767 will be \$119,402,624.

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

Order 187-23/24 Approving Non-State Funded School Construction Debt Service for Portland Schools for Fiscal Year 2025 - Sponsored by the Finance Committee, Anna Trevorror, Chair

Nonstate funded debt service is the amount of money needed for the annual payments on the City's longterm debt for major capital school construction projects and portions of school construction projects that are not approved for state funding. The bonding of this longterm debt was previously approved by the voters or the City Council.

This order appropriates \$368,211 for the annual payments on debt service previously approved by the voters or the City Council for nonstate (local only) funded school construction projects. The state no longer includes minor capital projects in this calculation.

The \$368,211 is in addition to the funds appropriated as the EPS required local share (amount of the city's contribution to the total cost of funding public education from kindergarten to grade 12).

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

Order 188-23/24 Raising and Appropriating Additional Local Funds for Portland Schools for Fiscal Year 2025 - Sponsored by the Finance Committee, Anna Trevorror, Chair

This order appropriates \$33,035,012 in additional city funds over and above regional Essential Programs and Services amount and the nonstate funded debt service amount.

This exceeds the EPS funding model by \$33,035,012 and is needed to cover the School Department's costs that the state's funding model does not recognize or recognize fully, including costs to maintain class size; Special Education costs; Regular Instruction costs; Facilities Maintenance costs to address deferred maintenance; technology costs; transportation costs; professional development costs; debt service for pension obligation; and debt service capital renovation costs.

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

Order 189-23/24 Approving Total School Operating Budget For Portland Schools for Fiscal Year 2025 - Sponsored by the Finance Committee, Anna Trevorror, Chair

This order is required by 20A M.R.S.A. §15690(4)(A). It sets the School Budget required by state law. On April 25, 2024 the City Council Finance Committee met and voted 2-0 (Bullet absent) to recommend a \$0 reduction in the school budget in the amount of \$145,401,723.

That is the amount based on the budget submitted by the Portland Board of Public Education. This will be sent to the voters for approval at a citywide Referendum Election on June 11, 2024. \$117,333,679 of the \$145,401,723 would come from property taxes, \$23,436,217 would come from state subsidy, and \$4,631,827 from other revenues.

This order does not provide money unless the other General Fund budget orders are passed.

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

Order 190-23/24 Appropriating and Raising Funds for Adult Education for Fiscal Year 2025 as required by the Maine Revised Statutes, Title 20-a M.R.S §8603-a(1) - Sponsored by the Finance Committee, Anna Trevorrow, Chair

This order appropriates \$3,070,168 for Adult Education for Fiscal Year 2024-2025 and raises the sum of \$2,068,945 as the local share with authorization to expend any additional, incidental, or miscellaneous receipts in the interest and for the well-being of the adult education program.

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

Order 191-23/24 to Raise and Appropriate Local Funds for Food Service in the Portland Public Schools for Fiscal Year 2025 - Sponsored by the Finance Committee, Anna Trevorrow, Chair

This order raises and appropriates \$0 for the Food Service Program for Fiscal Year 2024-2025. The Portland School Department is authorized to expend any unexpended balances and additional, incidental or miscellaneous receipts in the interest and for the well-being of the food service program.

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

Order 192-23/24 Authorizing the Disposition of Any Additional State Subsidy Received for Portland Schools in Fiscal Year 2025 - Sponsored by the Finance Committee, Anna Trevorrow, Chair

Disposition of Any Additional State Subsidy Received: In the event that Portland Public Schools receives more state education subsidy than the amount included in its budget, the City authorizes the Portland Board of Education to use all or part of the additional state subsidy to increase expenditures for school purposes in cost center categories approved by the Portland Board of Education, subject only to approval by the City Council.

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

UNFINISHED BUSINESS:

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. It received its first reading on April 22. Five affirmative votes are required for passage after public comment.

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. It received its first reading on April 22. Five affirmative votes are required for passage after public comment.

EXECUTIVE SESSION:

ADJOURNMENT: