

CITY OF PORTLAND, MAINE
Standing Committee on Sustainability and Transportation
Councilor Regina Phillips, Chair
Councilor Victoria Pelletier, District 2
Councilor Anna Bullett, District 4

Agenda
May 8, 2024
5:00 PM

The Sustainability and Transportation Committee will conduct this meeting remotely via Zoom. 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.

<https://portlandmaine-gov.zoom.us/j/87554450883?pwd=djNIY0wrTkNqbKQ1bDJQdGNRZmtrdz09>

1. Review and approve minutes from April 10
 - a. Minutes from April 10, 2024
2. Sustainability Program Updates
 - a. May updates
3. Presentation and Discussion
 - a. Presentations regarding the coal pile at Cassidy Point
Presenters: Jeff Crawford, ME DEP, and staff, Sarah Southard
No public comment will be taken
 - b. State and High Feasibility Update
Presenters: Mike Murray, Director of Public Works, and Jeremiah Bartlett, Transportation Systems Engineer
No public comment will be taken
 - c. Creation of the Portland Climate Action Fund
Presenter: Troy Moon, Sustainability Director
Public comment will be taken
4. Other Business

CITY OF PORTLAND, MAINE
Committee on Sustainability and Transportation
Councilor Regina Phillips (D3), Chair
Councilor Victoria Pelletier (D2)
Councilor Anna Bullett (D4)

Draft Minutes March 13, 2024

Members Present: Councilor Phillips, Councilor Bullett

Staff Present: Troy Moon, Katie Tims, Kayley Weeks, Ben Pearson, Mark Reiland, Tatyana Vashchenko, Alex Marshall, Chris Maher

Meeting was called to order.

February 14 Minutes

The March 13, 2024 meeting minutes were approved unanimously.

Sustainability Update

Presented by Troy Moon, Katie Tims, and Kayley Weeks

Since launching DIY Electrify! The Sustainability Office has helped Portland residents buy a variety of items including: weatherization materials, cellular shades, an energy-star refrigerator, and smart thermostat. They are working on broader outreach efforts to keep spreading the word by connecting with Eldredge Lumber and Maine Hardware, who have agreed to advertise the program in their stores and on social media to raise awareness to customers. The Sustainability Office is working on forming interdepartmental relationships with Public Health and the Office of Economic Opportunity to expand our outreach within the community. Electric lawn tools, reel lawn mowers, and rechargeable power stations have been added to the list of eligible products.

Office staff are working with building owners to report energy and water usage to the City with reports due May 1 each year under the Energy and Water Use Benchmarking Ordinance. Staff will host a commercial building efficiency workshop with guests from Efficiency Maine to help building owners and property managers understand their benchmarking reports and identify actions that can be taken to improve their metrics. The workshop will be April 18th at City Hall.

On March 27, the Sustainability Office hosted their first “Landcare Lunch Break” webinar with Jason Lilley of UMaine Cooperative Extension to hear about sustainable soil management and how to conduct a soil test. This is the first in our free webinar series.

Efficiency Maine awarded a NEVI grant to Gridwealth LLC to install a DC Fast Charging facility on Marginal Way next to Miss Portland Diner. This is a location the Sustainability Office had previously explored and gotten approval from the HEDC Committee to advance. They will work with Corporation Counsel and Gridwealth to develop a site license.

On Saturday, March 16, the Sustainability Office hosted our Home Energy Expo, inviting homeowners to learn how they can save energy, reduce their carbon footprint, and save money on their energy bills. Local vendors such as Evergreen Home Performance, Horizon Homes, Green Maine Healthy Homes, Maine Solar, Efficiency Maine, green realtors, and other home efficiency experts offered the 70 people in attendance interactive workshops and demonstrations. Thank you to Friends of Woodfords Corner for their help in organizing and promoting the event!

Portland residents in the West End neighborhood are leading a “ReForest the City” native tree-planting project along with an educational campaign to spread awareness about the importance of caring for urban trees. The Sustainability Office is excited to support this effort, as it is synergistic with our climate action plan and neighborhood resilience program. On April 9, the group hosted a “Tuesday Tree Talk” with Mark Reiland, Portland's City Arborist speaking on the State of the Portland Urban Forest. If you are interested in learning more about the ReForest the City project reach out to trees@wenamaine.org to get connected.

On March 19th, the Sustainability Office had an Internal Sustainability Lunch inviting fellow colleagues to chat about some of the steps the City is taking to become more resilient and how it relates to their work.

On March 22, April 5, and April 9 our team attended the Portland Public Schools STEM Expo and got the chance to chat with high school and elementary school students about climate science and ideas for future careers.

On March 27, Troy gave a presentation as part of the Portland Public Library's Sustainability Series. The in-person presentation focused on resiliency in the face of rising waters, more extreme weather events, and new challenges on the waterfront and throughout the city.

On March 28th, Kayley attended the Maine Sustainability & Water Conference. She attended two sessions including: Balancing Forest and Farmland Protection with Renewable Energy Development, and Protecting and Accessing the Coast for Commercial Harvesters and the Public. The Keynote speaker, Susanne Moser, presented on Navigating the Psychological Challenges of a Planet Crisis.

Councilor Comment on Sustainability Update

Councilors Phillips and Bullett both shared appreciation for this presentation.

Update on Amendments to Chapter 24 and 34 of City Code Addressing Stormwater Management

Presented by Benjamin Pearson, PE, Water Resources Compliance Section Coordinator

Water Resources has created a city website called “Erosion and Sediment Control” containing information about the amendments made to Chapter 24 and 34 of the city code. Additionally, there is a form available on the website to submit any feedback in regards to the changes made.

Public Comment on Amendments to Chapter 24 and 34 of City Code Addressing Stormwater Management

Aymen Dundon, from the Portland Regional Chamber shared his appreciation to Ben and his cooperation. He also shared that he is working with the AGC to update the language in the ordinance, so that it is more clear.

Councilor Comment on Update on Amendments to Chapter 24 and 34 of City Code Addressing Stormwater Management

Councilors Phillips and Bullett both shared appreciation for Ben's presentation last month, and thanked him for the time and effort he spent connecting with the public on this issue.

Amendments to Chapter 24 and 34 of City Code Addressing Stormwater Management

The amendments were approved unanimously.

LMAC Annual Report and Recommendations

Presented by Troy Moon, Sustainability Director

Troy gave a brief overview of what is required in the landcare ordinance.

Then, updated the counselors on who currently sits on the LMAC Committee. These individuals include: Jesse O'Brien, Chair, Avery Kamila, Waiver Committee, Pricilla Skerry, Noah Tucker, Melissa Runstrom, Carol Laboissoniere, and Troy Moon, Waiver Committee.

Troy went over the responsibilities of LMAC, and he shared some outreach materials created by the committee and staff. Followed by the proposed amendments to the Landcare Ordinance. These amendments include:

1. Changing the required soil test to a "standard soil test" offered by the University of Maine Cooperative Extension.
2. Required soil tests may be done every three years rather than annually.
3. Application of organic fertilizer to gardens is permitted with a soil test highly recommended.
4. Fertilization of woody plants and shrubs is permitted so long as fertilizer is injected to the root or applied within the drip edge of the plant and incorporated into the soil.
5. Removal of the term "penetrometer" because it is not referenced in the ordinance language.

Troy also shared the amendments that are under consideration for 2024, which include:

1. Quantity of organic fertilizer allowed in one growing season.
2. Reporting requirements and information required on annual reports.
3. Credentials required for LMAC membership.
4. Other issues that arise as staff evaluate the ordinance.

These considerations will help ensure that the ordinance is most effectively promoting sustainable landcare.

Public Comment on LMAC Annual Report and Recommendations

Avery Kamilla shares her appreciation of the presentation. She expressed her concerns regarding the purpose of the committee. She shared her thoughts on opening up the committee to the public.

Councilor Comment on LMAC Annual Report and Recommendations

Councilor Phillips asked if the changes to the credentials would need to be brought to the legislative committee. Troy answered by stating that changes to committee credentials are not being changed at this time. Councilor Bullett shares her support for outreach regarding the ordinance.

LMAC Annual Report and Recommendations

The annual report and recommendations were approved unanimously

Update on Bayside Tree Planting Project

Presented by Alex Marshall, Parks Director, Tatyana Vashchenko, Project Manager, Mark Reiland, City Arborist

Tatyana and Mark shared the city's tree planting plans for 2024. Which are comprised of:

- Coop + Memorial Planting ~35
- Forestry Internal Planting ~150
- Grant + Collaborative ~35
- Bayside Tree Planting Project ~152

Parks and Rec worked with Sebago Technics to optimize the tree planting in the public sphere in the Bayside community.

There are poor site conditions including insufficient soil volume, poor soil conditions, improper planting or subsequent mounding of organic matter against trunk. Part of the plan is to enhance these site conditions, and ensure the contractor is applying proper planting practices. They are expanding existing wells, creating new wells, and filling gaps. They included an overview of planting standards. At the end of the project, someone will be approving all of the planting sites.

Councilor Comment on Update on Bayside Tree Planting Project

Councilors Phillips and Bullett both shared appreciation for all of the information and all of the work involved in planting the trees in the Bayside neighborhood. Councilor Bullett expressed her concerns for the lack of trees in the community and shared her excitement about the project. She is hopeful that the contractors are held accountable for their work. Councilor Bullett asked if there is currently any engagement going on with the community, and if anyone can be involved in the CoOp program. Mark answered clarifying that they are currently working with the Bayside Neighborhood Association, and that anyone can be involved in the CoOp program.

Bird Safe Ordinance Review

Presented by Nick Lund, Maine Audubon, Chris Maher, University of Southern Maine

Nick shared the hazards migratory birds face, and the migration patterns in Portland. Birds often collide into buildings and die, which is a massive problem. Almost one billion birds die a year from colliding with glass, which equates to a million birds per day in the US.

Bird Safe Maine was started by researchers and architects. Volunteers walk the streets of Portland everyday during migration seasons to collect data on which buildings birds are striking.

Nick shared the timeline for the Bird Safe Ordinance. The Ordinance was approved by S&T, but was unable to make it to the council in time. They would like to try again. Nick continued to go over the details of the ordinance.

Residential buildings, designated landmarks, first floor visibility, and smaller windows are exempt from the ordinance.

Councilor Comment on Bird Safe Ordinance Review

Councilors Phillips and Bullett both shared their appreciation for sharing the bird safe ordinance with the new committee. Councilor Bullett asked if there is any funding opportunity available to incentivize retrofits.

Climate Action Fund Update

Presented by Troy Moon, Sustainability Director

Troy apologized for the delay. The Sustainability Department has been working closely with the finance department, assistant city manager. The final ordinance had not been drafted. Troy hopes it will be ready by next month's meeting. The purpose of the trust fund is to promote sustainability and clean energy within the city. The fund would accept charitable donations, and benchmarking penalties would go directly into the fund.

Councilor Comment on Climate Action Fund Update

Councilor Phillips was understanding and shared her appreciation.

Work Plan

Councilor Phillips urged people to reach out to Troy to suggest additions to the work plan. Councilor Phillips suggested adding the coal pile to the work plan.

Motion to Adjournment

The motion was accepted unanimously.

Meeting Adjourned



Sustainability Updates

May 8, 2024

Energy

The Sustainability Office is still running the DIY Electrify! Program to help income qualified Portland residents access home weatherization and electrification materials. Residents have received up to \$250 rebates for items such as smart thermostats, ENERGY STAR certified refrigerators, clothes drying racks, window sealing kits, and LED light bulbs. We encourage anyone interested in the program to visit portlandmaine.gov/electrify.

Benchmarking reports were due May 1 for Portland buildings with a gross floor area of 20,000 sq ft or more and one tenant utilizing 90% of the space. Staff are continuing to work with building owners to get those reports in and improve data accuracy.

Electric Vehicles

The City of Portland will be working with the Department of Energy to create a strategic plan to transition the City fleet to zero emissions by 2040 in line with the City Council's goal to run City operations on 100% clean energy by 2040. This goal was set in 2017 and incorporated into One Climate Future. With DOE assistance, we look at which types of vehicles to prioritize and how to transition hard to electrify equipment such as plow trucks. We'll also look at City infrastructure and determine where to deploy charging infrastructure for the fleet and what types of electrical upgrades will be necessary.

Community Engagement

On April 12th, the One Climate Future team hosted Coffee and Climate with guest speakers from Sprague Energy to discuss "Our Energy Port". We discussed the past, present, and future of our energy port as we take action to mitigate climate change. All past Coffee and Climate recordings can be found on the City of Portland, ME Sustainability Office youtube channel.

The Office hosted the first Commercial Building Efficiency Workshop on April 18th with guest speakers from Efficiency Maine and the 2030 Districts Network. The goal was to connect Portland's commercial building owners with resources and financial incentives to make energy efficiency upgrades. The Office plans to host 3 more workshops over the next year and a half with funding from the Community Resilience Partnership grant program.

On April 21st, the Sustainability Office hosted a city-wide Earth Day celebration with free, family friendly activities, music, local food trucks, and even some e-bike demos! We were excited to be joined by numerous City departments, local nonprofits, and climate-minded organizations for this successful Earth Day event.

On April 23rd, Troy, Erin and Kayley met with 4th and 5th grade students from Waynelete Elementary in Deering Oaks Park to discuss what the City is doing to reach One Climate Future goals related to clean energy.

On April 24th, staff tabled at the IDEXX Sustainability Fair to spread awareness about what local municipalities and organizations are doing to mitigate the effects of climate change and how community members can get involved.

On April 25th, Kayley and Katie tabled at the City's Take Your Child to Work Day to talk with City employees and their children about the City's composting program.

On April 25th, Troy participated in a Leadership Portland workshop focused on resilience and economic development on the waterfront. We discussed the importance of the blue economy to Portland, efforts to promote business activity in coordination with the Maine International Trade Center, and threats to coastal infrastructure.

As always, visit www.oneclimatefuture.org to sign up for our once-a-month newsletter where we share information on upcoming events, programs launching, and climate action progress. We also host monthly Climate and Coffee events, which are community conversations that happen on the 2nd Friday of the month at 9 AM. You can also follow us on social media. Instagram @sustainableportlandme // FB @SustainablePortlandME

Department of Public Works

Mike Murray

Director

May 2, 2024



Councilor Regina Phillips, Chair
Sustainability and Transportation Committee

Subject: **State and High Feasibility Update**

Dear Sustainability and Transportation Committee Members,

At the request of the Committee, DPW is providing an update on the matter for the potential to convert State and High Streets back to two-way traffic, which was last the case in 1972. Please note that this is currently a very active topic, with more updates likely to come in the following months.

History of State and High Feasibility

In 2006, as part of the Portland Peninsula Traffic Plan, Chapter 9 of the report investigated various options of a two-way State and High as it related to the Deering Oaks area. Although never adopted, the report suggested that two-way State and High Streets had a level of feasibility and were recommended for further analysis.

A more formal and comprehensive feasibility study was completed in 2015, noting that two-way conversion was feasible, although it noted the following points of interest:

- 1.) Two-way conversion would require significant changes to the traffic signal system on both streets.
- 2.) Some additional delay would exist for through traffic on the Peninsula due to reduced vehicle speeds.
- 3.) Pedestrian safety would likely be improved by the reduction of vehicle speeds, and pedestrians would no longer have to contend with multiple lane threats posed by crossing two-lanes of unidirectional traffic.
- 4.) Access for local circulation and freight deliveries would be improved.
- 5.) About 30 on-street parking spaces total would be lost to provide turn lanes at new two-way intersections.
- 6.) The cost of the conversion, in 2015, was roughly estimated at approximately \$3,225,000, which included a significant standalone City signal project.

Although the study was well-received by the City Council at that time, a change in City Management resulted in no further action being taken on this topic until more recently.

Contemporary Factors Impacting State and High Streets

Since 2015, several transportation efforts and projects have emerged that are directly related to State and High Streets, making the determination of their ultimate configuration timely and important to these other areas of investment.

York Street Improvement Project: DPW has a consultant about to be under contract to design the segment of York Street between State Street and High Street. The goal of this effort will be to improve multi-modal access to this street, particularly for cyclists, given the adjacency of this section of street to the Casco Bay Bridge. Whether State and/or High Streets are one-way or two-way will likely have a significant impact on the design process.

Forest Avenue, State Street to Park Avenue Improvement Project: MaineDOT is managing an effort, funded for but not yet in design, to update Forest Avenue along Deering Oaks. Similar to York Street, this effort will be significantly impacted by any future changes to traffic flow on State and High streets.

State and High Street Signal Replacement Project: Following years of advocacy by City staff for their replacement, MaineDOT has funded a project to completely update the traffic signal system on State and High Streets. This represents a significant investment in this corridor by the state, and the largest signal project funded by MaineDOT since possibly the signals associated with the original one-way conversion of the streets in 1972. This project is currently scheduled to be constructed in 2026, according to MaineDOT's Work Plan. It should be noted that the project is currently scoped to replace the signals on State and High Streets in their current one-way configuration.

Libbytown One-Way to Two-Way: An effort with similar recommendations, making Congress and Park Avenue two-way streets, was approved by MaineDOT and is now funded with a federal construction grant.

Cross-peninsula Bicycle Access and Safety: Since 2015, additional thinking about how to increase the safety and accessibility of cross-peninsula bicycling led to a second alternative (two-way State, one-way High) being introduced to this evaluation to see how bicycle facilities might also be feasibly configured on High Street.

Feasibility Study Update – Existing Conditions

The Department of Public Works, understanding that significant investment and decision making relating to transportation assets in and around the State and High street area were at a critical point, retained the services of VHB to update the 2015 study. In addition, GPCOG completed updated intersection turning movement counts in 2023.

Traffic Volume Review: VHB reviewed the existing peak hour volumes and completed peak hour level of service analyses for the intersection. Based on a review of the traffic at each intersection and comparing it to the volumes from the 2015 study there has been a significant reduction in motor vehicle activity. Overall, there has been a reduction in peak hour volumes of an approximate average of 20%. Further, a

review conducted by VHB to the overall daily volumes and motor vehicle trends reveals a similar reduction. The City has been reviewing volumes at other locations in the City, and, overall, many other locations are seeing similar reductions in peak hour (and daily) motor vehicle activity, particularly near the West End and Munjoy Hill areas of the City.

Parking Supply and Demand Analysis: In addition, VHB conducted an updated parking analysis for the two streets. As of 2023, the total available supply of on street parking for State and High was 155 spaces on High Street and 199 spaces on State Street, for a total supply of 354 spaces. In addition, a parking occupancy count was completed in October of 2023. The results of the occupancy counts are as follows:

Table 2 On-Street Parking Occupancy Counts Summary

	Capacity	Parking Occupancy (% Occupied)	
		Wednesday October 4, 2023	Saturday October 14, 2023
High Street			
2 PM	155	95 (61%)	103 (66%)
9 PM		129 (83%)	120 (77%)
State Street			
2 PM	199	111 (56%)	136 (68%)
9 PM		188 (94%)	188 (94%)

Source: VHB conducted parking occupancy counts on Wednesday October 4, 2023 and Saturday October 14, 2023.

The occupancy counts illustrate that the peak demand for parking is in the evening, as opposed to during the day. Given the residential nature of these streets, this is to be expected. It's also worth noting that peak demand on State Street tends to be higher than that on High Street.

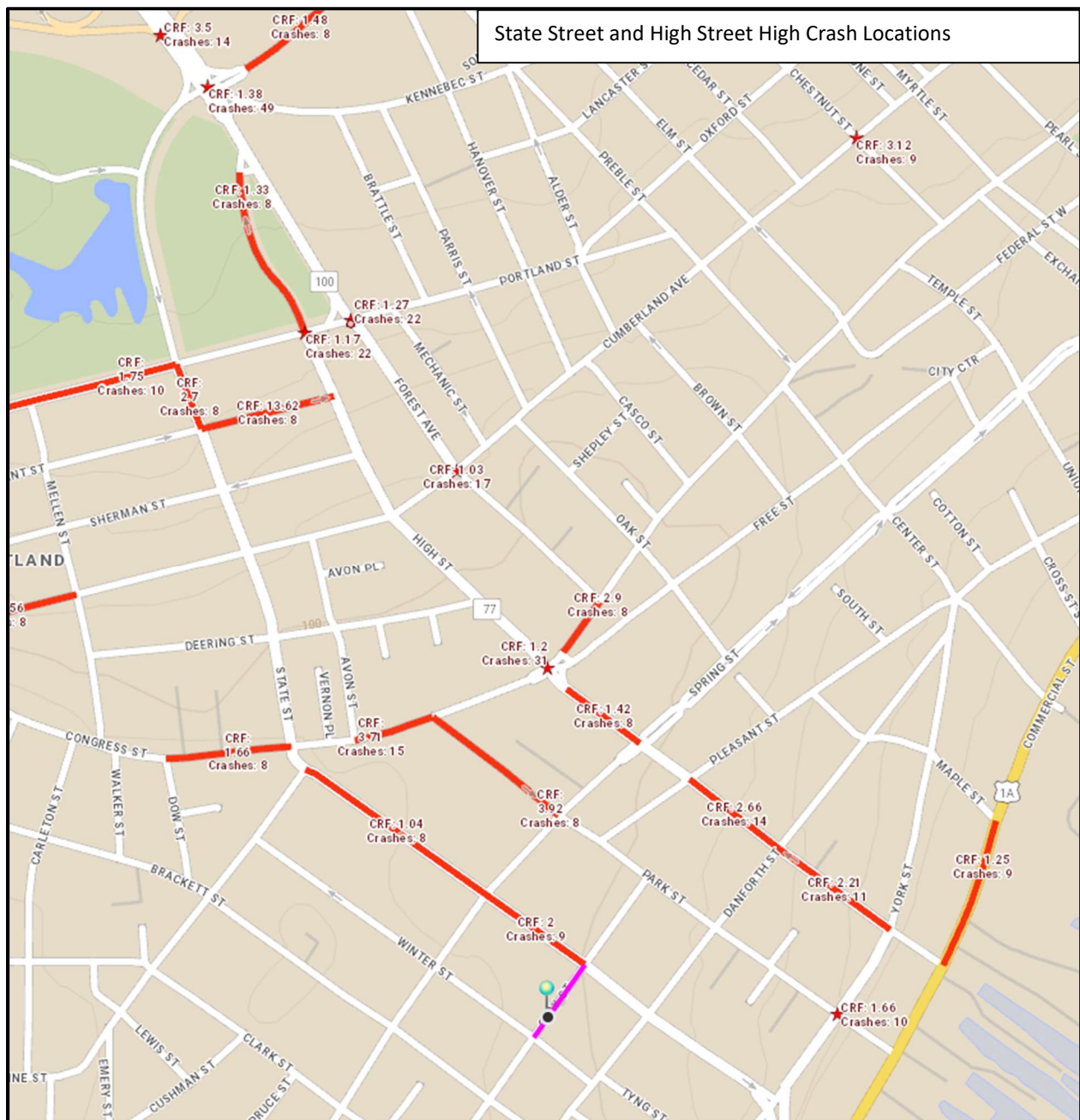
Existing Conditions Analysis

Motor Vehicle Level of Service: VHB completed a peak hour level of service analysis to ascertain delay to vehicles at the signalized intersections along State and High Street. Assigning letter grade equivalents to the motor vehicle delay, with 'A' representing little to no delay to vehicles and 'F' representing significant delay to vehicles, most intersections during both the AM and peak hours operated at either level of service 'B', 'C', or 'D', which is not generally considered much delay for vehicles in an urban center. A few locations experienced delay, such as at High Street and York Street, State Street and the Casco Bay Bridge, Congress Street and State Street, and State at Marginal and Forest.

Safety/High Crash Locations: Although not part of VHB's analysis, the City reviewed information available from MaineDOT regarding High Crash Locations. The DOT regards High Crash Locations as

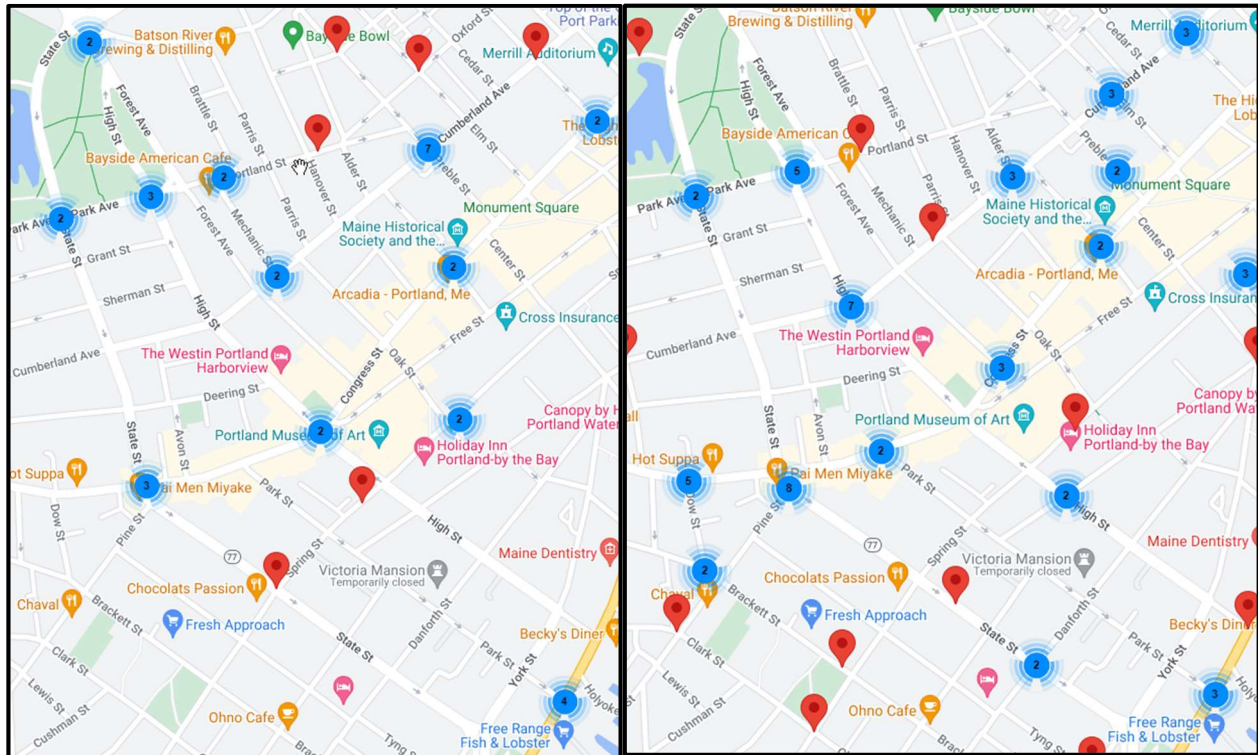
intersections or street segments that have more than eight (8) crashes in a three-year period, with a crash frequency/severity higher than that of similar locations around the state.

A graphical image of the high crash locations is in the image below, with the locations identified in red.



As can be seen in the above image, there are a significant number of locations with crash problems on State and High Streets currently. Much of State and High Streets on the harbor side of Congress Street have crash issues, as do both State and High streets near or in Deering Oaks. The intersection of State, Forest, Marginal, and Kennebec is a High Crash Location, as is the Congress Square intersection of Congress and High (although the latter is undergoing significant adjustments).

Active Transportation Crashes: In addition, a query for the past five years of crashes with active transportation users revealed some significant clusters for concern. In a five-year period, there were a number of pedestrian-related crashes, most notably at High and Park (five crashes) at High and Cumberland (seven crashes) and State and Pine (8 crashes). Bicycle crashes were most prevalent at State and Congress and High and Park (three crashes each).



2019-2023 Crashes Involving Bicycles (left) and Pedestrians (right)

While there are other areas with a greater number of bicycle crashes during this time, the rate of pedestrian crashes is relatively high relative to almost anywhere in the City. As with any one-way, multiple lane street, it's almost certainly clear that the multiple lane threat is a factor at these locations, although unlikely to be the only contributing factor. A multiple lane threat is when the travel lane closest to the pedestrian yields as they are crossing but the second lane does not.

Summary: Based on the analysis of the information, while parking is not fully utilized at any point in the day, the parking supply is close to effectively utilized on State Street in the evening periods. While vehicle mobility is well-accommodated for an urban center, it's clear based on pedestrian crashes in particular, that mobility has come at the cost of other modes.

Feasibility Study Update – Alternatives Analysis

VHB is currently focused on the alternatives analysis to revisit the two-way street concept and is close to a memorandum for City review as well as MaineDOT review. In addition, they are investigating the feasibility to convert State Street to a two-way street, keeping High Street one-way and one lane in order to accommodate bicycle lanes in the roadway.

Although the analysis is not yet completed, based on preliminary information, it does appear that two-way operations have been found to be technically feasible, similar to the 2015 finding. Given that traffic volumes are lower than they were in 2015 study this conclusion could be anticipated. There remains a number of details to finalize, such as the number and length of turning lanes, overall impacts to on-street parking, etc. It is to be expected that with lower volumes, the two-way alternatives analysis will likely result in slightly fewer losses to parking spaces than identified in the 2015 study.

Bicycle Facilities

Two-Way State and High Streets: One of the findings of the 2015 two-way study was that if on-street parking was preserved on both sides of the street, there would be insufficient space to accommodate in-street bicycle facilities. The updated study does not contradict this, as the width of these streets has not changed. However, based on field reviews, DPW staff has identified that with adjustments *outside* the current roadway, off-road cycle facilities may be an option on State Street, by slightly narrowing the very wide sidewalks and reducing the esplanade by a few feet. This configuration has not yet been fully evaluated but it would likely result in a need to remove and replace some trees, particularly on the Parkside portion of State Street. The intent would be to minimize this impact to the extent practicable. While this change would also come at some financial cost, it likely would not need significant regrading, and the required signal and access changes may be able to be incorporated into the MaineDOT signal project based on recent discussions with MaineDOT staff.

Two-Way State and One-Way High Streets: As previously noted, Planning staff requested the inclusion of a one-way High Street alternative to potentially provide lower-cost facilities for in-road cycling, as the roadway could be split up in such a way to have both a vehicle-flow bicycle lane and a contra flow (against traffic) bicycle lane. This would still require signal changes at every intersection, in order to accommodate a contra-flow lane or two-way bikeway.

Preliminary Potential Costs

As of this time, staff do not have estimates of cost associated with these changes. However, MaineDOT has indicated that they may be willing to incorporate two-way changes into their pending signal project, and the City would provide the funding for additional costs associated with mast arms and signal heads, etc. for two-way streets. Additionally, if cycle tracks were built outside of the roadway on State Street, this would clearly add costs as well.

Assuming that a mast arm and new signal heads, as well as other modifications can be added to the State and High signal project at 14 locations, DPW anticipates additional costs in the range of \$1,000,000 to \$1,500,000 that would be entirely paid for by the City. In addition, construction of off-street bicycle facilities would likely cost between \$750,000 and \$1,000,000 to construct, not accounting for tree work and replacement; it is not clear at this time whether this effort can be integrated into the state's signal project, but, again, this cost would be borne by the City. As such, a full two-way conversion that includes off-street cycle tracks may cost the City somewhere between \$1,750,000 and \$2,500,000, but this is a highly preliminary number and is almost still certainly subject to adjustment, as well as accounting for future year inflation. A significant outstanding item is whether any modifications to the Casco Bay Bridge are required; preliminary feedback suggests that other than striping and signage, these changes may be minimal and less than that identified in the original study.

Questions for the Sustainability & Transportation Committee

It is anticipated by staff that members of the S&T will be highly interested in conversion of State and High to some sort of two-way operation. It is also likely that MaineDOT's signal replacement project may represent an effective means to accomplish at least some of this work. However, there remains some important questions as the updated study moves toward conclusion:

- 1.) How strongly should integrating bicycle facilities be a consideration into final recommendations?
- 2.) What level of financial participation is the City prepared to take on for this effort? Changes to the signal system beyond the current one-way scheme and provision of bicycle facilities will almost certainly come at City cost. If there is strong interest, staff can explore various funding mechanisms, such as CIP, TIF and Transportation impact fees.

We look forward to discussing this in greater detail on May 8th.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeremiah Bartlett".

Jeremiah Bartlett, PE, PTOE
Transportation Systems Engineer

Copy: Keith Gray, DPW
Mike Murray, DPW
Bruce Hyman, Planning
Nell Donaldson, Planning

To: Councilor Phillips and members of the Sustainability and Transportation Committee
RE: Climate Action Fund

At the beginning of the current Council year, the City Council established its common goals, one of which was implementing actions from One Climate Future. A tactic identified to achieve this goal was establishing a Climate Action Fund to provide ongoing financial support for climate action in Portland. In the packet for this meeting you will find draft language for establishing this fund.

As written, the fund would dedicate certain general fund revenues to the trust. These include penalties paid for violations of sustainability related ordinances, private donations, proceeds from grants, and voluntary appropriations made by the Council. The most significant revenue source is from the sale of renewable energy credits (RECs) the City is entitled to because of our participation in several off site solar and hydroelectric projects where we own the environmental attributes. The annual value of these RECs is projected to be between \$300,000 – \$400,000 annually, once all of the contracted projects begin producing energy. This includes RECs associated with City electricity accounts, Jetport electricity accounts, and School electricity accounts. Per our agreements with the project developers, these RECs will be available to the City for 20 years beginning when the facility reaches commercial operation.

It is important to note that when an entity sells RECs, it cannot claim to be using renewable energy. The right to make that claim passes to the entity that purchases the RECs. These buyers include utilities, corporations, institutions, or other organizations seeking to achieve carbon reduction goals. Consequently, when the City sells RECs we cannot claim progress on meeting the Council's established goal to operate City government on 100% clean energy by 2040 or toward the commitment to reduce community-wide emissions 80% by 2050. However, the sale of RECs provides funding that would not otherwise be available for projects or initiatives that advance the City's climate goals and that may have additional benefits for residents and businesses, such as resilience, cleaner air, and improved infrastructure.

As drafted, the fund identifies the following as eligible expenditures for the fund:

- Operations of the Sustainability Office including staff salaries
- Grant writing support
- Consulting costs including GHG inventories, engineering studies, and energy audits
- Investment in assets that advance climate goals

- Investments in community resilience including micro-grants to support neighborhood scale actions

The amount of funding anticipated will not be adequate to fund significant building or infrastructure projects but could provide leverage to launch such projects. It could fund grant writing support to increase the odds of receiving large Federal or State grants, it could cover the costs of energy audits, or engineering analysis on building rooftops to determine their suitability for solar. It could provide stable ongoing funding to ensure staff capacity in the Sustainability Office to work on climate action.

As drafted, the ordinance would take effect on July 1, 2025. That is because revenue from the sale of RECs is built into the proposed FY24/25 budget. We would note, however, that this revenue is less than the combined salaries of the Sustainability Office team.

If the Committee votes to recommend creation of the Climate Action Trust it will next go to the Finance Committee for review. If recommended there, it would go to the full Council for consideration.

Climate Action Trust – Draft

(a) Purpose. The purpose of enacting this section is to establish a climate action trust fund within the City's general fund to facilitate implementation of the decarbonization and resilience strategies detailed in One Climate Future, the climate action plan adopted by the City Council in November, 2020 and to achieve the carbon reduction goals established by the City Council by Resolve 7-16/17, committing that municipal operations will run on 100% clean energy by 2040, Resolve 9-17/18, committing to reduce community wide emissions 80% by 2050, and Resolve 8-19/20, declaring a climate emergency and committing to prioritize climate actions within the 2030 timeframe.

(b) Establishment of the climate action trust fund. The city council hereby establishes a special revenue account under the name "City of Portland Climate Action Trust Fund." Deposits into the fund may include the following general fund revenue sources:

1. Proceeds from the sale of renewable energy credits (RECS) awarded to the City through its participation in projects resulting in the generation of electricity or thermal energy;
2. Funds appropriated to be deposited into the fund by vote of the city council;
3. Voluntary contributions of money or other liquid assets to the fund;
4. Any penalties or payments resulting from non-compliance with sustainability related ordinances including Chapter 6, Article X (Energy Benchmarking) and Chapter 34, Landcare, and/or
5. Any federal, state or private grant or loan funds provided for the purpose of beneficial electrification, energy efficiency, or for the purpose of reducing carbon emissions from municipal operations or community sources.

(c) Eligible expenditures. Eligible expenditures of funds deposited into the fund shall include:

1. Costs to operate the Sustainability Office including staff salaries, interns, public outreach and engagement, professional development, software licenses or subscriptions and other expenditures necessary to maintain the Office:
2. Costs necessary to secure grants including grant writing support and local match for grants that advance strategies in One Climate Future;
3. Consulting costs including greenhouse gas inventories, engineering studies, energy audits, and technical consulting for projects designed to reduce carbon emissions or promote community resilience;

4. Investments in assets that advance climate goals;
 5. Investment in community programs that promote resilience and carbon reduction including micro-grants for community based action, tree planting, and programs to support adoption of renewable energy and energy efficiency.
- (d) Management of the trust fund. The city manager, or a designee, shall serve as the manager of the climate action trust fund. The responsibilities of the manager, subject to the orders of the city council, shall include:
1. Maintaining the financial and other records of the climate action trust fund;
 2. Disbursing and collecting climate action trust fund monies; and
 3. Monitoring the use of monies expended and assuring compliance with the purposes of the fund and the conditions under which any portions of the fund were granted or loaned.
- (e) Climate action trust fund annual report. Each fiscal year, the City Manager or a designee may communicate to members of the City Council or City Council subcommittee a summary report detailing the deposits into the climate action trust and funds drawn from the climate action trust.
- (f) Distribution and use of the climate action trust fund's assets.
1. All distribution of principal, interest or other assets of the climate action trust fund shall be made in furtherance of the public purposes set out in this article.
 2. Funds distributed from the climate action fund require appropriation from the City Council (insert Code / Charter citation) and will be appropriated during the annual budget process.
- (g) This ordinance takes effect on July 1, 2025.



Troy Moon <thm@portlandmaine.gov>

PCAT Comment on proposed Climate Action Fund

1 message

Bill Weber <wjweber77@gmail.com>

Wed, May 8, 2024 at 8:00 AM

To: One Climate Future <sustainabilityoffice@portlandmaine.gov>, Regina Phillips <rphillips@portlandmaine.gov>, Victoria Pelletier <vpelletier@portlandmaine.gov>, abullett@portlandmaine.gov, Troy Moon <thm@portlandmaine.gov>

Cc: PCAT <portlandcat@googlegroups.com>

Tonight the Sustainability and Transportation Committee is finally taking significant action to meet the goals established in Portland's climate action plan, One Climate Future (OCF). The creation of a Climate Action Fund or Trust is a very solemn duty. The Committee and the entire City Council needs to recognize that this action will have a serious impact on the city for generations to come. I hope the Committee appreciates the gravity of this action.

As currently written in the ordinance, the Renewable Energy Certificates (RECs) generated from the [City's renewable energy projects](#) will be sold to other entities to meet their goals for reducing their greenhouse gas (GHG) emissions. Portland is in an enviable position due to the foresight of Portland's Sustainability Director and the previous City Council's commitment to OCF. I don't believe South Portland has a similar opportunity. It is extremely important that the City Council and this committee invest the money generated by selling the RECs in a responsible way.

As described in Director Moon's May 7, 2024, memo, the RECs represent an attribute of the green electricity the City is now generating from their renewable energy projects. Since previous City Councils have committed to the GHG reduction goals in One Climate Future, the only possible rationale to now sell those

attributes would be to generate substantially more savings in GHG emissions. It would be immoral to do otherwise.

From my perspective a "trust" represents a sacred commitment that is made to future generations. In this case it represents a commitment to not only the City's current residents but to our children and future generations of Portlanders. Spending the revenue from the RECs on anything that doesn't generate a material return on that investment breaks the trust. As an example, should funding from the Jill C. Dusen Housing Trust be spent on paving roads, cleaning sewers or DPW salaries? Of course not.

Money generated from selling the City's RECs can only legitimately be used for projects that have a significant impact on lowering our GHG emissions in the city. This will also have the effect of reducing fossil fuel usage and lowering utility bills for the City's residents and commercial properties. The City Council has a fiduciary responsibility to invest in projects that have a high rate of return. Therefore, it is totally inappropriate to include the following as eligible expenditures for funding:

- Salaries for Sustainability Office staff that are not dedicated to GHG reduction projects, and
- Projects related to climate resiliency or adaptation, hardening our infrastructure does not reduce GHG.

The above expenses would consume most of the money available from the RECs leaving very little to accomplish the goal of reducing GHG in the city.

Finally, I don't think it is appropriate for the management of the Fund to be left up to the City Manager or their designee. I think that would likely result in a conflict of interest. The City Council

has committed to the goals of One Climate Future, not the City Manager. The City Council should be held accountable for meeting our climate goals and should be deciding on the best way to spend the funding for the maximum return.

The Portland Climate Action Team has other ideas for how spending can be equitably achieved with community input, and we hope to engage with city staff in the future.

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Bill Weber

Portland Climate Action Team



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