

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 2 - AUGUST 19, 2024 AT 5:30PM

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/7274/media>

PLEDGE OF ALLEGIANCE:

ROLL CALL:

5:30 P.M. PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS:

ANNOUNCEMENTS:

APPROVAL OF MINUTES OF PREVIOUS MEETING:

APPOINTMENTS:

Order 36-24/25 Appointing Councilor Pious Ali to the Maine Municipal Association Executive Committee - Sponsored by Danielle P. West, City Manager

The City of Portland appoints two members to the Maine Municipal Association (MMA) annually. Councilor Pious Ali is seeking approval to serve on the MMA Executive Committee. If approved, this would be a governance role and not an advocacy role. The role would include overseeing the business end of MMA, such as operations and insurances (excluding the Health Trust).

Five affirmative votes are required for passage after public comment.

CONSENT ITEMS:

Order 37-24/25 Declaring September 22, 2024 the Water Lantern Festival - Sponsored by Danielle P. West, City Manager

The Water Lantern Festival is an event to promote peace, community, connection, and love. It brings together families, friends, and strangers to celebrate their lives, freedoms, and the planet. The event consists of music from the stage, food trucks, artisans, and games in which participants take in the environment leading up to the lantern launch.

Five affirmative votes are required for passage after public comment.

ORDERS:

Order 38-24/25 Designating 42 Atlantic Street an Affordable Housing Development District and Tax Increment Financing District and Adopting the Municipal Development Program for the District - Sponsored by the Housing and Economic Development Committee, Councilor Pious Ali, Chair

During a meeting held on July 16, 2024, the Housing and Economic Development Committee voted (3-0) to forward this item to the City Council with a recommendation for passage.

LB Atlantic LLC is proposing to demolish the former American Legion building at 42 Atlantic Street to construct a four-story elevator-assisted building with 30 rental units for low-income households. LB Atlantic LLC is requesting financial assistance from the City in the form of Affordable Housing Tax Increment Financing (AHTIF) to support the cashflow of the project. If approved, the AHTIF would be provided through a Credit Enhancement Agreement at 75% of the increased taxable value currently estimated at an average of \$44,852 annually for 30 years.

42 Atlantic Street would include 14 studio, 8 two-bedroom, and 8 three-bedroom apartments. Of the 30 units, 12 would be reserved for households earning at or below 60% AMI (i.e. \$61,200 for a two-person household), and 18 would be reserved for households earning at or below 50% AMI (i.e. \$44,650 for a one-person household). Three units (10% of the total units) would be set aside for people who have been experiencing homelessness. Another three units (10% of the total units) would be set aside for households with special needs (i.e. domestic violence survivors, individuals with mental health diagnosis). LB Atlantic LLC intends to seek six Section 8 Project-Based Vouchers from MaineHousing. The property would include a laundry room, community room, bicycle room, maintenance room, and a tenant storage room. After completion, the project would be managed by Preservation Management, Inc. LB Atlantic LLC is in discussions with two area non-profits about a partnership to assist tenants with special needs. The new apartments would meet or exceed Portland's Green Building Ordinance. Construction would begin April 2025 and be completed by October 2026.

This item must be read on two separate days. Staff is requesting that the second reading be waived, which requires seven affirmative votes. Staff also requests that this item be passed as an emergency. Seven votes are required for passage as an emergency following public comment.

Order 39-24/25 Approving the 42 Atlantic Street Affordable Housing Credit Enhancement Agreement with LB Atlantic LLC - Sponsored by the Housing and Economic Development Committee, Councilor Pious Ali, Chair

During a meeting held on July 16, 2024, the Housing and Economic Development Committee voted (3-0) to forward this item to the City Council with a recommendation for passage.

This is a companion order to the order above.

This item must be read on two separate days. Staff is requesting that the second reading

be waived, which requires seven affirmative votes. Staff also requests that this item be passed as an emergency. Seven votes are required for passage as an emergency following public comment.

Order 40-24/25 Order Accepting and Appropriating \$50,000 in Assistance to Firefighters Grant Funding from the Federal Emergency Management Agency - Sponsored by Danielle P. West, City Manager

The Federal Emergency Management Agency has awarded the Portland Fire Department a \$50,000 grant for a part-time contract employee to assist with the treatment and care of the Portland Fire Department employees and their families.

This item must be read on two separate days. Staff is requesting that the second reading be waived, which requires seven affirmative votes. Staff also requests that this item be passed as an emergency. Seven votes are required for passage as an emergency following public comment.

Order 41-24/25 Approving Three-Party Partnership Agreements Between the City of Portland, the Maine Department of Transportation, and the Portland Area Comprehensive Transportation System RE: Improvements to Riverside Street and Washington Avenue - Sponsored by Danielle P. West, City Manager

These agreements, between MaineDOT and the City of Portland (2-party agreement), as well as between MaineDOT, the City of Portland, and PACTS (3-party agreement), obligates MaineDOT to mill and fill Riverside Street and Washington Avenue Ext., 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 a portion of the work as its municipal share. The original agreements were approved and signed in April 2024. MaineDOT subsequently updated their estimates and modified the agreements to account for increased unit pricing. The City also asked for additional PACTS money to help cover these increased costs but there was still a shortfall which required an increase to the municipal share. The estimated updated amount of municipal share and the difference from the original estimate for each project are as follows:

Riverside Street - \$177,750 original estimate, \$265,024 updated estimate – increase of \$87,274. The project is now a 30/70 municipal/PACTS split.

Ocean Avenue - \$133,000 as the 25% municipal share; this street was accurately estimated originally, and the estimate was not modified; the project remains a 25/75 municipal/PACTS split

Washington Avenue Ext. - \$81,000 original estimate, \$210,685 updated estimate – increase of \$129,685. The project is now a 43/57 municipal/PACTS split

The updated estimated City share for all three streets is \$608,709; \$470,000 will come from a FY25 CIP account requested for these projects. The remaining \$138,709 will come from a paving rehab account approved in FY25.

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

Order 42-24/25 Accepting and Appropriating a \$90,000 Donation and a \$30,000 Grant for the Lincoln Park Fence Project - Sponsored by Danielle P. West, Manager

On May 1, 2024 the City of Portland was awarded a Certified Local Government (CLG) grant by the Maine Historic Preservation Commission (MHPC) in the amount of \$30,000 to support Phase 2 of restoration of the Lincoln Park Fence along Pearl Street.

The Friends of Lincoln Park (The Friends) intend to gift the City of Portland \$30,000 to provide the necessary matching funds required by the grant. Parks and Recreation will provide the remaining \$7,569 of the project cost from existing funds dedicated to restoration of the Lincoln Park Fence.

In July of 2024, The Friends announced that they had been able to raise an additional \$60,000 to go towards the cost of Phase III of restoration of the Lincoln Park Fence along Pearl Street. Parks and Recreation will provide the remaining \$767 of the project cost. This combination of grant, gifts, and Parks funds will complete restoration of the Lincoln Park Fence along Pearl Street.

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

AMENDMENTS:

Order 43-24/25 Amendment to the Portland City Code Chapter 6 RE: National Electric Code - Sponsored by Danielle P. West, City Manager

Effective July 1, 2024, the Electrician's Examining Board adopted the 2023 edition of the National Electrical Code ("NEC"), as well as a revised Chapter 120 of the Board rules which sets the amendments and exclusions to the 2023 NEC. Section 6-98 of the City Code has adopted the 2020 edition of the NEC, and the proposed change updates the version of the NEC adopted by the City to conform to State requirements.

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

EXECUTIVE SESSION:

ADJOURNMENT: