

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 - SEPTEMBER 16, 2024 AT 5:00PM

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.

<https://portlandme.portal.civicclerk.com/event/7307/media>

PLEDGE OF ALLEGIANCE:

ROLL CALL:

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

ANNOUNCEMENTS:

SPECIAL MEETING:

Special Meeting of the Corporator of the Portland Development Corporation

Order 49-24/25 Amending the Portland Development Corporation's Business Assistance Program for Job Creation Guidelines - Sponsored by Mark Dion, Chair of Legislative and Nominating Committee

At the Portland Development Corporation Board meeting held on August 15, 2024, it reviewed proposed amendments to the CDBG Business Assistance Grant Program for Job Creation and voted 7-0 to forward the amendments to the City Council for approval.

The substantive modifications to this program are:

1. Part-time jobs will now be eligible (only full-time jobs were eligible in prior programs, leading to challenges);
2. Employers must maintain the job for one year (new jobs had to be “permanent” in previous programs, leading to challenges with verification); and,
3. Eligible uses have been limited to just working capital, equipment, and machinery (additional uses such as renovation and construction triggered burdensome reporting requirements).

Five affirmative votes are required for passage after public comment.

Order 50-24/25 Authorizing Participation in the Maine Funding Network Program Hosted by the Finance Authority of Maine - Sponsored by Mark Dion, Chair of Legislative and Nominating Committee

This Agenda item proposes participation in the Maine Funding Network which is hosted by the Finance Authority of Maine (FAME).

As a lender of commercial loan funds that were originally capitalized by FAME, the City of Portland/Portland Development Corporation has been invited to participate in a new online funding portal, called the Maine Funding Network. The network launched in June and is accessed at www.maineftundingnetwork.com.

The mission of the Maine Funding Network is to improve the experience of current and future Maine businesses by serving as a centralized gateway that will simplify the process of navigating and applying to the state’s public and nonprofit funding organizations, including the City of Portland/Portland Development Corporation’s loans. This common application portal is intended to standardize applications, foster collaboration between FAME lenders including the City of Portland/Portland Development Corporation, and remove barriers for applicants.

The Portland Development Corporation Board of Directors met on April 18, 2024, and reviewed this item and voted 6-0 to forward this item to the City Council with a recommendation for approval.

Five affirmative votes are required for passage after public comment.

Order 51-24/25 Appointing Directors to the Board of the Portland Development Corporation - Sponsored by Mark Dion, Chair of Legislative and Nominating Committee

If passed, this order would appoint the following individuals to various boards and commissions:

<u>Name</u>	<u>Board or Committee</u>	<u>Expiration of Term</u>
Matthew Buonopane	Portland Development Corporation	9/30/2027
Eamonn Dundon	Portland Development Corporation	9/30/2027
Scott Kleiman	Portland Development Corporation	9/30/2027
Beverly Werber	Portland Development Corporation	9/30/2027
Nikki Yanok	Portland Development Corporation	9/30/2027

Five affirmative votes are required for passage after public comment.

Special Meeting of the Corporator of the Portland Fish Pier Authority (Merged with Fish Exchange)

Order 52-24/25 Appointing Directors to the Board of the Portland Fish Pier Authority - Sponsored by Mark Dion, Chair of Legislative and Nominating Committee

If passed, this order would appoint the following individuals to the Portland Fish Pier Authority:

<u>Name</u>	<u>Board or Committee</u>	<u>Expiration of Term</u>
John Arnold	Portland Fish Pier Authority (Class D, At-large)	10/31/2027
Tracy Pearce	Portland Fish Pier Authority (Class A Director)	10/31/2027

Five affirmative votes are required for passage after public comment.

APPROVAL OF MINUTES OF PREVIOUS MEETING:

Special City Council Meeting- September 4, 2024

PROCLAMATIONS:

Proclamation 8-24/25 Celebrating the Portland Symphony Orchestra's 100th Anniversary Season - Sponsored by Mark Dion, Mayor

Proclamation 9-24/25 Recognizing Together Reaching Unity (TruSports) for the Commitment to the Youth of Our Community - Sponsored by Mark Dion, Mayor

Proclamation 10-24/25 Recognizing September 15 - October 15, 2024 as Hispanic Heritage Month - Sponsored by Mark Dion, Mayor

Proclamation 11-24/25 Recognizing September 30 as the National Day of Remembrance for U.S. Indian Boarding Schools - Sponsored by Mark Dion, Mayor

Poclamation 12-24/25 Recognizing Septer 23-29, 2024 as Diaper Need Awareness Week - Sponsored by Mark Dion, Mayor

APPOINTMENTS:

Order 53-24/25 Order Appointing Members to Various Boards & Committees - Sponsored by Mark Dion, Chair of Legislative and Nominating Committee

If passed, this order would appoint the following individuals to various boards and commissions:

<u>Name</u>	<u>Board or Committee</u>	<u>Expiration of Term</u>
Eric Larsson	Board of Assessment Review	9/30/2027
Kim Vandermeulen	CDBG	9/30/2027
Natalie King	CDBG	9/30/2027
Michael Hutchins	Historic Preservation	11/30/2027

Marie Gray	Parks Commission (Friends of Deering Oaks Park)	6/30/2027
Joey Brunelle	Police Citizen Review Board	3/31/2026
Tim Wells	Portland Housing Authority (Filing Vacant Term)	6/30/2025
Diane Herrmann	Portland Housing Authority (Filing Vacant Term)	6/30/2027
Cody Austin Sims	Rent Board	3/31/2027

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.

CONSENT ITEMS:

Order 54-24/25 Declaring October 6, 2024 the 33rd Annual Maine Marathon, Half Marathon and Relay Festival - Sponsored by Danielle P. West, City Manager

This will be the 33rd running of the Maine Marathon. The number of registered runners this year is expected to reach 3,500, with approximately 800 anticipated spectators lining much of the sidewalks, parks and pathways along the race route.

Five affirmative votes are required for passage after public comment.

Order 55-24/25 Granting Municipal Officers' Approval of Blue Portland Maine Inc, dba Blue Portland Maine. Application for Auditorium with Indoor Entertainment at 650 Congress Street - Sponsored by Danielle P. West, City Manager

Application was filed on 8/28/24. Location was previously 'Blue'. New City and State applications.

Five affirmative votes are required for passage after public comment.

Order 56-24/25 Granting Municipal Officers' Approval of Roasty's LLC, dba Roasty's. Application for Class III & IV FSE at 642 Congress Street - Sponsored by Danielle P. West, City Manager

Application was filed on 8/27/24. Location was previously 'Ada's Pasta'. New City and State applications.

Five affirmative votes are required for passage after public comment.

COMMUNICATIONS:

Communication 2-24/25 Consolidated Annual Performance and Evaluation Report (CAPER) for HUD-funded Programs - Greg Watson, Housing Economic Development Director

The Consolidated Annual Performance and Evaluation Report (CAPER) outlines accomplishments and expenditures within a given program year for HUD-funded programs including CDBG, ESG, and HOME. This required report is presented to

Housing and Urban Development (HUD) no later than 90 days after the program year ends on June 30. Although there is a 15-day public comment period for this report, no council action is required.

The CAPER is a companion to the Annual Action Plan, which is presented for Council action annually in April or May. The Annual Action Plan lists the activities and actions the City plans to take throughout the program year, while the CAPER reports on those actions. Although the CAPER technically represents only a specific program year, the expenditures listed may represent several program years, as some activities (such as construction or development) may not be completed within the program year in which it was awarded.

As a communication, this item requires no public comment or formal Council action.

UNFINISHED BUSINESS:

Order 45-24/25 Appropriating \$1,080,000 from the Jill C. Duson Housing Trust Fund to YFO Resource Hub LP RE: 337 Cumberland Avenue - Sponsored by the Housing and Economic Development Committee, Councilor Pious Ali, Chair

The Housing and Economic Development Committee met on August 20, 2024 and voted (3-0, Phillips absent) to forward this item to the City Council with a recommendation for passage.

Youth and Family Outreach (YFO), through YFO Resource Hub LP, a non-profit entity to be created, is proposing to construct a new 60-unit rental housing development which will include child care space. The site currently contains a vacant former restaurant and the chapel building that currently houses the YFO child care program, both of which will be removed to facilitate construction of the new building. The project will include 60-units, 29 of which will be affordable to households at or below 50% of the area median income (\$51,000 for a two-person household), 19 of which will be affordable to households at or below 60% of the area median income (\$61,200 for a two-person household) and 12 market rate units (including 4 studios, 24 1-bedroom, 22 2-bedroom and 10 3-bedroom).

YFO has requested assistance from the City in the form of a loan in the amount of \$1,080,000 from the Jill C. Duson Housing Trust Fund with a term of 30 years at 0% interest with repayment of 10% of cashflow above MaineHousing's required \$500/unit (as confirmed by MaineHousing underwriting), in the first five years of operations, followed by 30% of cashflow until fully retired.

An Affordable Housing Tax Increment Financing District was previously approved on this site (August 3, 2020, Order 19-20/21 and Order 20-20/21) and received a Certificate of Approval from MaineHousing on September 17, 2020. Amendments to the District, District Program and Credit Enhancement Agreement will be considered under separate Orders.

This item must be read on two separate days. It received its first reading on September 4. 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 46-24/25 Approving an Amendment to the 337 Cumberland Avenue Affordable Housing Development and Tax Increment Financing District RE: 337 Cumberland Avenue - Sponsored by the Housing and Economic Development Committee, Councilor Pious Ali, Chair

The Housing and Economic Development Committee met on August 20, 2024, and voted (3-0, Phillips absent) to forward this item to the City Council with a recommendation for passage.

Youth and Family Outreach (YFO), through YFO Resource Hub LP, a non-profit entity to be created, has proposed construction of a new 60-unit rental housing development which will include child care space. The site currently contains a vacant former restaurant and the chapel building that currently houses the YFO child care program, both of which will be removed to facilitate construction of the new building.

An Affordable Housing Tax Increment Financing District was previously approved on this site. The 337 Cumberland Avenue Affordable Housing Development Tax Increment Financing District was approved by the Portland City Council on August 3, 2020 (Order 19-20/21 and Order 20-20/21) and received a Certificate of Approval from MaineHousing on September 17, 2020. The current approved development district includes a slightly different unit mix (36 units at or below 50% of the area median income, 12 units at or below 60% of the area median income and 12 units at market rate) and will need to be amended to reflect the proposed new development program. The new development program will include 60-units, 29 of which will be affordable to households at or below 50% of the area median income (\$51,000 for a two-person household), 19 of which will be affordable to households at or below 60% of the area median income (\$61,200 for a two-person household) and 12 market rate units (including 4 studios, 24 1-bedroom, 22 2-bedroom and 10 3-bedroom). The end date of the development district is March 31, 2050.

This is a companion order to the order above.

This item must be read on two separate days. It received its first reading on September 4. 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 47-24/25 Approving an Amended Credit Enhancement Agreement the 337 Cumberland Avenue Affordable Housing Tax Increment Financing District RE: 337 Cumberland Avenue - Sponsored by the Housing and Economic Development Committee, Councilor Pious Ali, Chair.

The Housing and Economic Development Committee met on August 20, 2024, and voted (3-0, Phillips absent) to forward this item to the City Council with a recommendation for passage.

This is a companion order to the two orders above.

This item must be read on two separate days. It received its first reading on September 4. 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 48-24/24 Accepting and Appropriating a \$372,000 United States Department of Justice Assistance Grant for the Police Department Hazardous Devices Unit - Sponsored by Danielle P. West, City Manager

The Police Department has been awarded \$372,000 from the Bureau of Justice Assistance (BJA). The Police Department was invited to apply for the Byrne Discretionary Community Project Grants/Byrne Discretionary Grants Program for FY24/25 to purchase replacement equipment for the Hazardous Devices Unit (bomb squad).

This item must be read on two separate days. It received its first reading on September 4. Five affirmative votes are required for passage after public comment.

ORDERS:

Order 57-24/25 Authorizing the Appropriation of \$250,000 as the Local Match for the Reconnecting Communities and Neighborhoods Grant Application for the Design Phase of the Franklin Street Project - Sponsored by Danielle West, City Manager

The City Council is being asked to approve the use of existing impact fee funds in the total of \$250,000 in order to provide a 10% match for the MaineDOT *Reconnecting Communities and Neighborhoods* federal grant application for the Franklin Street Design phase, a \$2,500,000 total grant request. The remaining funding would be comprised of \$250,000 from MaineDOT and \$2,000,000 in federal funds, contingent upon the successful award of the grant. Franklin Street is a project for which collected impact fees may be used, as outlined in the City of Portland's *Impact Fee Study*.

This item must be read on two separate days. Staff is requesting that the second reading be waived, which requires seven affirmative votes.

EXECUTIVE SESSION:

ADJOURNMENT: