

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 - OCTOBER 7, 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.

To watch the meeting remotely, please visit <https://portlandme.portal.civicclerk.com/event/7362/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-September 16, 2024

PROCLAMATIONS:

**Proclamation 13-24/25 Remembrance of the Atrocities of October 7, 2023 -
Sponsored by Mark Dion, Mayor**

**Proclamation 14-24/25 Recognizing October 14, 2024 as Indigenous Peoples' Day -
Sponsored by Mark Dion, Mayor**

**Proclamation 15-24/25 Recognizing October 10, 2024 as Black Brewers Day -
Sponsored by Pious Ali, City Councilor**

CONSENT ITEMS:

Order 58-24/25 Granting Municipal Officers' Approval of Custom House Limited LLC, dba The Downtown Social. Application for Class XI Restaurant/Lounge with Outdoor Dining on Private Property and Combined Entertainment at 128 Free Street - Sponsored by Danielle P. West, City Manager

Application was filed on 8/29/24. Location was previously Dogfish. New City and State applications.

Five affirmative votes are required for passage after public comment.

Order 59-24/25 Granting Municipal Officers' Approval of Miller Project LLC, dba Mash Tun. Application for XI Restaurant/Lounge with Outdoor Dining on Public Property at 29 Wharf Street - Sponsored by Danielle P. West, City Manager

Application was filed on 9/12/24. This is a change of ownership of an existing establishment. New City and State applications.

Five affirmative votes are required for passage after public comment.

Order 60-24/25 Granting Municipal Officers' Approval of Portland Community Squash, dba Portland Community Squash Cafe. Application for Class IV/V Non-Profit Club with Catering with Outdoor Dining on Public Property at 66 Noyes Street - Sponsored by Danielle P. West, City Manager

Application was filed on 9/16/24. This is an existing establishment adding alcohol service. New City and State applications.

Five affirmative votes are required for passage after public comment.

RESOLUTIONS:

Resolve 2-24/25 Return the Two-Way Operation on State and High Streets - Sponsored by the Sustainability and Transportation Committee, Regina Phillips, Chair

The Department of Public Works, following two meetings with the Council's Sustainability and Transportation Committee (S&T – 5/8/24 & 9/11/24), as well as a general public meeting (9/5/24), has been directed by S&T to seek a Resolution from the Council to do the following:

1. Approve a reversion of State and High to their original (pre-1972) two-way operation; and
2. Pursue a Two-Party Agreement to partner with MaineDOT in order to modify and fund additional work in association with MaineDOT WIN 02756.00, the State and High Signal Replacement Project.

The approval for the reversion will provide change in the Traffic Schedule pending a two-way reversion project. In addition, the approval to proceed with a Two-Party Agreement between MaineDOT and the City of Portland will allow the City to work with the Department on providing additional work in its signal project to facilitate two-way traffic flow and improve active transportation facilities. This approval will also provide DPW with the needed support from elected officials to provide any other design support services during project development that may be required.

At this time, the project is at concept stage. It is anticipated that design will proceed in 2025, with the State Right-of-Way (ROW) process being completed in 2026, and construction possibly beginning in 2027.

Five affirmative votes are required for passage after public comment.

Resolve 3-24/25 Approving Eco Maine Revenue Bond Financing - Sponsored by Danielle P. West, City Manager

This resolution is to comply with the Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA). EcoMaine is a quasi-municipal organization that plans to borrow money to purchase new recycling equipment to replace a 30 year old system that is past the end of its useful life. The recycling facility is in Portland and TEFRA states that a municipal officer, in this case the City Council, needs to sign off that Portland agrees with this project.

Five affirmative votes are required for passage after public comment.

ORDERS:

Order 61-23/24 Approving First Amendment to Stadium Use Agreement for Use and Occupancy of James J. Fitzpatrick Stadium by Hearts of Pine LLC - Sponsored by Danielle P. West, City Manager

The City and Hearts of Pine LLC (the "Club") are parties to a Stadium Use Agreement for a professional soccer team at Fitzpatrick Stadium.

In the months since the Council approved the agreement, the Club has discovered that the existing field does not meet United Soccer Leagues (USL) standards, which exceed those normally applied to recreational fields. If approved, this item would amend the existing agreement to allow the Club, at its own expense, to install a new turf field at Fitzpatrick Stadium.

The Club plans to replace the existing field, which has sewn-in lines, with a plain green field that requires lines to be painted and removed from time to time. Because the periodic painting requires more maintenance than a field with sewn-in lines, the Club will be responsible for the cost of painting and removing lines as needed throughout the initial term of the agreement, which goes through the fall of 2029. The amendment to the agreement includes language to ensure that the painting process does not adversely impact the use of the field by the schools and other Fitzpatrick users. The amendment also replaces the original list of improvements that the Club plans to make with an updated and expanded list. The list is attached as Exhibit A to the agreement and includes \$2,500,000- \$3,000,000 in improvements.

Five affirmative votes are required for passage after public comment.

Order 62-24/25 Appropriating \$936,479.26 in Opioid Settlement Funds to the Department of Health and Human Services for Three Opioid Remediation Programs - Sponsored by Health & Human Services & Public Safety Committee, April Fournier, Chair

On September 10, 2024, the HHS & PS Committee voted unanimously to support this item and recommend it to the Council for approval.

If approved by the City Council, these funds would be combined with \$450,000 in opioid settlement funding accepted by the City Council as part of the FY25 budget process. The total amount of approximately \$1.38 million would be used to fund up to three specific programs, as funds allow. These programs are listed below in priority order and as described in the order itself:

- Syringe Redemption Program

- Day Space
- On-Peninsula Methadone Treatment Program

City staff plan to operate the syringe redemption pilot program at an estimated annual cost of \$52,000. Staff would solicit proposals for the operation of a day space and/or methadone treatment program via an RFP process.

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

Order 63-24/25 Appropriating \$5,630,000 in Funds for the Kiwanis Pool Replacement Project - Sponsored by Danielle P. West, City Manager

This agenda item appropriates \$5.63M of additional funding necessary to complete the Kiwanis Pool Replacement project. The project had stalled after bid prices came in higher than the original estimate. The Finance Committee requested that staff identify funding to close the gap and complete the project. This order appropriates future proceeds from an anticipated \$1M in private donations and \$4.63M of interest income.

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

ADJOURNMENT: