

MARK DION (MAYOR)
PIOUS ALI (A/L)
APRIL FOURNIER (A/L)
BENJAMIN GRANT (A/L)



SARAH MICHNIEWICZ (1)
WESLEY PELLETIER (2)
REGINA L. PHILLIPS (3)
ANNA BULLETT (4)
KATE SYKES (5)

CITY COUNCIL MEETING - DECEMBER 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.

To watch this meeting virtually please visit: <https://portlandme.portal.civicclerk.com/event/7368/media>

PLEDGE OF ALLEGIANCE:

ROLL CALL:

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

ANNOUNCEMENTS:

PRESENTATIONS:

State of the Schools - Portland Board of Public Education, Sarah Lentz, Chair

APPROVAL OF MINUTES OF PREVIOUS MEETING:

Special City Council Meeting-December 2, 2024 (6:00pm)

Special City Council Meeting- December 2, 2024 (6:30pm)

APPOINTMENTS:

**Order 98-24/25 Appointing and Setting Salary of Chad Johnston as Fire Chief -
Sponsored by Danielle P. West, City Manager**

Johnston joined the Portland Fire Department in 1999 and brings 25 years of experience to this leadership role. He was promoted to Lieutenant in 2006, Fire Captain in 2016, and Deputy Fire Chief in 2018. Johnston is expected to graduate with a Bachelor's Degree in Fire Administration from Columbia Southern University in February 2025. He currently holds an Associate's Degree in Fire Science from New Hampshire Community College.

If confirmed, he will earn \$133,516 annually and begin in the role on December 17.

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 99-24/25 Appointing Curtis Bohlen And Douglas Roncarati to the Long Creek Watershed Management District Board of Directors - Sponsored by Danielle P. West, City Manager

The Long Creek Watershed Management District (LCWMD) was created in 2009 by inter-local agreement among the municipalities of South Portland, Portland, Westbrook and Scarborough for the purpose of implementing the Long Creek Watershed Restoration Plan in order to meet Department of Environmental Protection Agency requirements. The Governing Board bylaws call for two (2) positions on the Board of Directors to be representatives from the City of Portland. The City of Portland's two Board of Directors positions have been consistently held by a representative from the City and a representative from a local nonprofit agency. Doug Roncarati, Stormwater Coordinator for the Water Resources Division at the Department of Public Works, serves as the municipal representative and Curtis Bohlen, Director of the Casco Bay Estuary Partnership, serves as the nonprofit representative. Both are seeking reappointment to the LCWMD Board of Directors.

Five affirmative votes are required for passage after public comment.

Order 100-24/25 Authorizing Special Council and Outside Board and Commission Appointments for 2025 - Sponsored by Mark Dion, Mayor

This order appoints City Councilors and City staff to various boards and commissions for 2025.

Five affirmative votes are required for passage after public comment.

CONSENT ITEMS:

Order 101-24/25 Granting Municipal Officers' Approval of CLBX LLC, dba Tuan Yuan Hotpot. Application for Class III & IV FSE at 29 Forest Avenue - Sponsored by Danielle P. West, City Manager

Application was filed on 11/16/24. New City and State applications.

Five affirmative votes are required for passage after public comment.

Order 102-24/25 Granting Municipal Officers' Approval of North Deering Tavern Inc., dba North Deering Tavern. Application for Class I FSE at 1349 Washington Avenue - Sponsored by Danielle P. West, City Manager

Application was filed on 11/6/24. Location was previously Parker's. New City and State applications.

Five affirmative votes are required for passage after public comment.

Order 103-24/25 Granting Municipal Officers' Approval of TPBB Inc., dba Tomaso's Pizza and Burger Bar. Application for Class I FSE with Outdoor Dining on Public Property at 51 Wharf Street - Sponsored by Danielle P. West, City Manager

Application was filed on 11/6/24. Location was previously Rathskeller on Wharf. New City and State applications.

Five affirmative votes are required for passage after public comment.

LICENSES:

Order 104-24/25 Declaring August 2 and August 3, 2025 the Portland Music and Arts Festival at Payson Park - Sponsored by Danielle P. West, City Manager

A festival declaration will allow GoodWorks Entertainment and Shore Sound Entertainment to produce the Portland Music and Arts Festival in Payson Park on August 2nd and 3rd, 2025. The two-day festival will feature national touring and local acts on two stages. Local restaurants, food trucks, artists, and vendors will also be showcased. All ballfields, tennis courts, and basketball courts will remain open to the public throughout the two days. Access to the playground will be available to the public prior to the gates opening (11am) each day. Performances are scheduled to run from 12pm - 10pm each day. The proposed capacity and anticipated attendance is 10,000 - 12,500 per day.

Five affirmative votes are required for passage after public comment.

COMMUNICATIONS:

Communication 6-24/25 Regarding the 2025 Council Common Goals - Mark Dion, Mayor

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

UNFINISHED BUSINESS:

Order 92-24/25 Accepting a Housing and Urban Development Lead Hazard Reduction Grant and Appropriating \$3,367,960 for Lead Abatement and Healthy Home Improvements in Residential Housing Throughout Cumberland County - Sponsored by Danielle P. West, City Manager

This order would provide the City Council's authorization to appropriate \$3,367,960 in U.S. Department of Housing and Urban Development (HUD) Lead Hazard Reduction and Healthy Homes Supplemental funding to abate lead paint in 110 residential units throughout Cumberland County. Grant goals include testing and abatement of 110 units and training 75 Environmental Protection Agency RRP (Renovate, Repair, Paint) certified workers. The grant makes funds available for 48 months and will expire in 2029. Housing and Community Development Staff is in the process of completing and submitting post award documents and anticipate receiving the final grant agreement in January 2025.

This item must be read on two separate days. It received its first reading on December 2. Five affirmative votes are required for passage after public comment.

Order 93-24/25 Order Accepting and Appropriating up to \$6,553,000 In Pass-Through Funding from The Maine Department of Transportation for Wharf Repair Under the Working Waterfront Resiliency Grant Program and Approving Cooperative Agreements Between The City Of Portland and The Maine Department of Transportation - Sponsored by Danielle P. West, City Manager

The City Council is asked to approve City/State Agreements with the Maine Department of Transportation to act as the fiscal sponsor for four Maine Working Waterfront Resiliency Grant Program awards granted to Maine Wharf, Custom House Wharf, Portland Pier, and Widgery Wharf. The City will act as the pass through agent for State grant funds provided to private marine infrastructure owners conducting work responding to the historic storms from January 2024. The total amount of funds provided by the State of Maine is \$6,553,000. As the pass through agent, the City of Portland will provide oversight and grant administration for the grants, but will not be contributing funds.

This item must be read on two separate days. It received its first reading on December 2. Five affirmative votes are required for passage after public comment.

Order 95-24/25 Approving the Collective Bargaining Agreement Between the City of Portland and AFSCME Local 481-07, Supervisors - Sponsored by Danielle P. West, City Manager

This item approves a negotiated successor collective bargaining agreement between the City of Portland and AFSCME Local 481-07, Supervisors, for the period of July 1, 2024 through December 31, 2026. The prior collective bargaining agreement expired on June 30, 2024. This proposal is presented after previously receiving guidance from the City Council executive sessions held on April 1 and July 29, 2024, and after having been approved by Local 481-07.

This item must be read on two separate days. It received its first reading on December 2. Five affirmative votes are required for passage after public comment.

Order 96-24/25 Approving the Collective Bargaining Agreement Between the City of Portland and The City Employees' Benefit Association AFSCME Local 1373 - Sponsored by Danielle P. West, City Manager

This item approves a negotiated successor collective bargaining agreement between the City of Portland and The City Employees' Benefit Association AFSCME Local 1373, for the period of July 1, 2024 through December 31, 2026. The prior collective bargaining agreement expired on June 30, 2024. This proposal is presented after previously receiving guidance from the City Council executive sessions held on April 1 and July 29, 2024, and after having been approved by Local 1373.

This item must be read on two separate days. It received its first reading on December 2. Five affirmative votes are required for passage after public comment.

Order 97-24/25 Approving the Energy Efficiency Conservation Grant Block Program Technical Assistance Vouchers Agreement Between The City Of Portland and The United States Department Of Energy - Sponsored by Danielle P. West, City Manager

Approving the order authorizes the City Manager to enter into an Agreement with the United States Department of Energy to provide technical assistance toward the development of a plan to transition the City fleet to zero emission vehicles in line with the Council's goal of operating the City on 100% clean energy by 2040.

This item must be read on two separate days. It received its first reading on December 2. Five affirmative votes are required for passage after public comment.

ORDERS:

Order 105-24/25 Accepting Derby Road as a Public Easement and Utility Easement - Sponsored by Danielle P. West, City Manager

This order provides the City with the necessary right, title, and interest in the paper street known as Derby Road to permit the development on a lot adjacent to Derby Road pursuant to the Planning Department's site plan approval dated July 10, 2024, and allow the applicant to install and maintain adequate sewer, water and other utility infrastructure in, on and over Derby Road to connect to the public utilities located in the nearby public way of Carlyle Road to adequately serve the proposed development of a single-family home.

Five affirmative votes are required for passage after public comment.

Order 106-24/25 Setting a Special Election Re: Portland Board of Public Education Election on June 10, 2025 - Sponsored by Ashley Rand, City Clerk

This order sets a Special Election on June 10, 2025, the same day as next regularly scheduled special election, to a vacancy on the Portland Board of Public Education. The vacancy was created by the resignation of an At-Large member of the Portland Board of Public Education who has also been elected to the Portland City Council.

Five affirmative votes are required for passage after public comment.

Order 107-24/25 Approving The Three-Year Agreement with Cumulus Global for Google Workspace - Sponsored by Danielle P. West, City Manager

The City of Portland has been working with Cumulus Cloud (dba Google Workspace) for several years, and the latest contract renewal expires in December 2024. Services provided in this contract include Gmail, Google Drive, Google calendar, Google Meet, and many other various Google applications.

This is a three-year agreement (calendar years 2025, 2025, and 2027) with a total cost of \$577,935. Funding to satisfy this contract will be requested in budgets for fiscal years 2025, 2025, and 2027. This agreement does not contain a termination for convenience option as required by Chapter 2 of the City Code, and must therefore be approved by the City Council.

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 108-24/25 Approving Amendments to the Rules of the Rent Board - Sponsored by Rent Board, Christopher (Buddy) Moore, Chair

The recent revision to Chapter 6 approved by the voters on November 8, 2022, amended Section 6-263 (i) to make any rules and standard policies adopted by the Rent Board subject to Council approval. The Rent Board approved the amended Rules at its meeting

on June 26, 2024, and voted to approve an updated MNOI worksheet at its September 25, 2024 meeting. The amended rules outline in detail what records submitted to the Rent Board will be available to the public and when notices will be given to the public. The revised MNOI worksheet includes a new disclaimer for all applicants reminding them of the public nature of Rent Board proceedings.

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

Order 109-24/25 Accepting and Appropriating a \$3,600,000 Maine Infrastructure Adaptation Grant from the Maine Department of Transportation for the Commercial Street/Portland Fish Pier Storm Drain Outfall Project - Sponsored by Danielle P. West, City Manager

Earlier this year, the City of Portland applied for and was awarded a 3.6 million dollar Maine Infrastructure Adaptation Fund (MIAF) grant from MaineDOT for the Commercial Street/Portland Fish Pier Stormwater Outfall Project. The MIAF program awarded grant funding to projects which proposed to adapt critical infrastructure to reduce climate change vulnerabilities. In total, MaineDOT awarded 25.2 million dollars to 39 different communities throughout the state for these climate adaptation projects during this award cycle.

This project will include the installation of a new 42” stormwater drain system along the westerly edge of the City’s Portland Fish Pier property and in Commercial Street from Maple Street to Center Street. If accepted, the grant will fund approximately 85% of the total anticipated project construction costs up to the 3.6 million dollar grant award amount. This project will increase the climate resilience in this section of the Commercial Street area by increasing storm sewer system capacity, improving the storm sewer system’s resilience against worsening tidal conditions and by providing the City the opportunity to complete extensive combined sewer separation in the downtown peninsula area as part of a second project phase. Upon overall completion, these projects are anticipated to significantly reduce combined sewer overflows (CSO) into Portland Harbor at Long Wharf and the Portland Fish Pier and help improve the water quality of Casco Bay and the Portland Harbor.

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

AMENDMENTS:

EXECUTIVE SESSION:

ADJOURNMENT: