

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 - MARCH 17, 2025

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/7619/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-March 3, 2025

PROCLAMATIONS:

Proclamation 25-24/25 Arab American Heritage Month - Sponsored by Mark Dion, Mayor

Proclamation 26-24/25 Genocide Awareness and Prevention Month - Sponsored by Mark Dion, Mayor

APPOINTMENTS:

Order 138-24/25 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>
Michael Fox	Planning Board (Filling Vacant Term)	2/28/2027

Nicholas Messina	Planning Board	2/29/2028
Kelsey Robertson	Planning Board	2/29/2028
Joseph Zamboni	Planning Board	2/29/2028
Walter Biha	Police Citizen Review Subcommittee	3/31/2028
Randall Kilty	Police Citizen Review Subcommittee (Filing Vacant Term)	3/31/2027
Rachel Schlein	Police Citizen Review Subcommittee	3/31/2028
Matthew Lax	Rent Board (District 1)	3/31/2028
Matthew Walker	Rent Board (District 2)	3/31/2028

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 139-23/24 Appointing Troy Moon to the Landcare Management Advisory Committee - Sponsored by Danielle P. West, City Manager

This order appoints Sustainability Director Troy Moon to the Landcare Management Advisory Committee (formally named Pesticide) as the City Manager's appointee. This is an annual appointment. If approved, this term will be February 1, 2025 to January 31, 2026.

Five affirmative votes are required for passage after public comment.

Order 140-24/25 Order Appointing Michael Murray to the Board of Directors of the Casco Bay Island Transit District - Sponsored by Mark Dion, Mayor

This order appoints Public Works Director Michael Murray to the Casco Bay Island Transit District Board of Directors as the Mayor's appointee. This is an annual appointment. If approved, this term will be for the calendar year 2025.

Five affirmative votes are required for passage after public comment.

CONSENT ITEMS:

Order 141-24/25 Declaring June 8, 2025 the Resurgam Music Festival - Sponsored by Danielle P. West, City Manager

The Maine Academy of Modern Music will present its fourth annual Resurgam Music Festival on Sunday June 8, 2025. The festival will take place on Portland's waterfront and will utilize the following: Amethyst Park, Moon Tide Park, Ocean Gateway, Ocean Gateway Parking lot and a small portion of the queuing lanes. Resurgam is an inclusive,

community-minded music and arts festival that will showcase Portland's creativity and youth. The event is free and open to the public.

Five affirmative votes are required for passage of items on the consent calendar after public comment.

Order 142-24/25 Declaring May 1, 2025 - April 30, 2026 the Friends of Congress Square Park In the Square Festival - Sponsored by Danielle P. West, City Manager

Since 2014, The Friends of the Congress Square Park have scheduled and organized ongoing events for Congress Square Park. Events held in the park are free to the public and have been very well received over the past decade. Visitor attendance to the park has increased dramatically since the Friends began organizing events there. Organizers estimate more than 100,000 people have enjoyed the programming in the park since the inception of this partnership in 2014.

The event season (mainly spring, summer, and fall) includes a wide variety of community activities such as art interactions, dance performances, live music, film and community gatherings. Most events are held on Saturday days and Thursday, Friday and Sunday evenings - dances and concerts will end by 9pm. A complete calendar of events will be published on their website CongressSquarePark.org

Five affirmative votes are required for passage of items on the consent calendar after public comment.

Order 143-24/25 Granting Municipal Officers' Approval of Mandy and Matt's Cafe LLC, dba Mandy and Matt's Cafe. Application for Class I FSE with Outdoor Dining on Private Property at 1160 Forest Avenue - Sponsored by Danielle P. West, City Manager

Application was filed on 2/18/25. Location was previously Samuel's Bar and Grill. New City and State applications.

Five affirmative votes are required for passage of items on the consent calendar after public comment.

Order 144-24/25 Granting Municipal Officers' Approval of Leaven Pizzeria LLC, dba Za. Application for Class I FSE with Combined Entertainment and Outdoor Dining on Private Property at 25 Preble Street - Sponsored by Danielle P. West, City Manager

Application was filed on 2/24/25. Location was previously Slab. New City and State applications.

Five affirmative votes are required for passage of items on the consent calendar after public comment.

Order 145-24/25 Granting Municipal Officers' Approval of August Parker LLC, dba Benny's. Application for Class I FSE at 545 Congress Street - Sponsored by Danielle P. West, City Manager

Application was filed on 2/21/25. Location was previously Broken Arrow. New City and State applications.

Five affirmative votes are required for passage of items on the consent calendar after public comment.

BUDGET ITEMS:

Order 146-24/25 Appropriating Bond Proceeds and Other Funds in an Amount Not to Exceed \$41,070,000 for the City's FY2026 Capital Improvement Program - Sponsored by the Finance Committee, April Fournier, Chair

The Finance Committee met several times during 2024 and early 2025 to discuss the City's Capital Improvement Plan (CIP), changes to the current year CIP to better incorporate equity, sustainability and other City Council goals, and hear presentations from the City Manager and City staff on the overall CIP.

The Fiscal Year 2026 Capital Improvement Plan (FY26 CIP) has been in development since mid-2024. The list of 2026 CIP calls for over \$41M of new projects but only \$22.9M this total will have a net impact to debt service in the general fund operating budget. A variety of other funding sources including the enterprise funds (for sewer and stormwater projects) are being used to finance the remainder. Two orders are required related to the CIP: one authorizing the FY26 CIP bonds; and a second appropriating the proceeds and other funding sources providing City staff with spending authority for the upcoming projects. A complete listing of the projects being authorized is included within the orders.

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

Order 147-24/25 Authorizing General Obligation Bonds to Finance a Portion of the City's Fiscal Year FY26 Capital Improvement Program in an Amount Not to Exceed \$30,370,000 - Sponsored by the Finance Committee, April Fournier, Chair

This is a companion order to the bond authorization order above.

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

RESOLUTIONS:

Resolve 7-24/25 Calling for the Establishment of a Task Force on Social Housing - Sponsored by the Housing and Economic Development Committee, Pious Ali, Chair

Adoption of the Resolution would express the City's support for the creation of a Task Force on Social Housing to explore the possibility of developing a social housing program, the primary objective of which will be to study and propose a framework for government-led social housing, prioritizing permanent affordability, environmental sustainability, and inclusivity.

The proposed membership will consist of no fewer than 9 members and no more than 13 members, all of whom will be appointed by the Mayor, with input from the City Council, in accordance with Article II, Section 5(1) of the Charter. The Task Force would be supported by City staff and an independent facilitator and legal, financial, and other professional consultants paid for by the City of Portland and/or anticipated grant funding for the Task Force.

The Housing and Economic Development reviewed this items at its February 25, 2025, meeting and voted 3-0 to forward this to the City Council with a recommendation for approval.

Five affirmative votes are required for passage after public comment.

ORDERS:

Order 148-24/25 Approving the Third Amendment to the First Amended and Restated Purchase and Sale Agreement with Lambert Woods North LLC - Sponsored by the Housing and Economic Development Committee, Councilor Pious Ali, Chair

On May 10, 2022, the City entered into a Purchase and Sale Agreement with Maine Cooperative Development Partners for an affordable housing development at 622 Auburn Street, and 0 Gray Road, Falmouth.

Originally, Maine Cooperative Development Partners proposed creating limited equity housing cooperative units (“Co-ops”) at the 622 Auburn and 0 Gray Road site. All the homes would have been permanently affordable to households earning at or up to 100% AMI. The scope of the project changed. Maine Cooperative Development Partners (MCDP) assigned its rights under the original Purchase and Sale Agreement to a partnership with Preservation of Affordable Housing (POAH) and formed a new entity called Lambert Woods North LLC, which will be the eventual property owner of the property. The development proposal was amended to create 72 units of Low Income Housing Tax Credit (LIHTC) rental housing affordable at 60% of the area median income.

On December 18, 2023, the City Council approved the First Amended and Restated Purchase and Sale Agreement, which documented several changes, including the change in the name of the buyer as well as the change in the development proposal. Two additional amendments were approved to extend the closing and due diligence timelines and document the affordability requirements based on the change to a LIHTC project.

The Third Amendment, if approved by the City Council, will remove the 0 Gray Road, Falmouth parcel from the transaction. The buyer has indicated that the Falmouth parcel is unsuitable for development, as part of their development proposal. After exploring options, the buyer believes removing the Falmouth parcel from the transaction is the best option to facilitate the development on the 622 Auburn Street parcel which is on track for a construction loan closing by April 1, 2025.

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 149-24/25 Order Approving the First Amendment to the Service Provider Subcontract Between DC Management LLC, DC Blueberry LLC, Maine Immigrants' Rights Coalition, and the City of Portland - Sponsored by Danielle P. West, City Manager

This order approves the First Amendment to the Service Provider Subcontract for the emergency homeless shelter located at 166 Riverside Industrial Parkway. The amendment removes the Maine Immigrants' Rights Coalition (MIRC) as a party to the subcontract due to its inability to secure sufficient funding to continue providing services. Under this amendment, the City of Portland will continue to operate the shelter for the remainder of the three-year term.

Five affirmative votes are required for passage after public comment.

Order 150-24/25 Accepting and Appropriating a \$50,000 Grant from the State of Maine's Housing Opportunity Program for Housing Policy Evaluation Study - Sponsored by Danielle P. West, City Manager

In early 2025, the Planning & Urban Development Department was awarded a \$50,000 grant from the State of Maine's Housing Opportunity Program. This funding will support an evaluation of existing housing policies, with a particular focus on Portland's inclusionary zoning ordinance. The study will analyze trends in housing production, regulatory factors that may influence those trends, and opportunities to enhance the effectiveness of the city's housing policies within the local market. The Department is seeking City Council approval to accept and appropriate the grant funding to initiate this work.

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

Order 151-24/25 Order Approving Agreements Between The Maine Department Of Transportation and The City Of Portland Re: Improvements to Woodford Street, Route 9, Deering Avenue, and Route 25 - Sponsored by Danielle P. West, City Manager

This project is part of MaineDOT's Cyclical Pavement Resurfacing (CPR) Program. The State administers the project and typically a standard cost per mile is paid by the state. The City has requested additional Americans with Disabilities Act (ADA) work to be added to this project which will be 100% City contribution. By signing the partnership agreement, it enables MaineDOT to proceed with the project and obligates the City to pay for 0% of the original estimated project cost; the City share is estimated to be \$589,000 for the additional ADA work. The City is also obligated to pay 100% of manhole adjustments, the cost of which is estimated to be \$152,000 which are part of the Utility Agreement.

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

Order 152-24/25 Order Approving Agreements Between The Maine Department Of Transportation and The City Of Portland Re: Improvements to Route 22 (Congress Street), West Commercial Street, and Fore River Parkway - Sponsored by Danielle P. West, City Manager

This project is part of MaineDOT's Heavy Treatment Program for Arterial streets. The State administers the project and typically the majority of project costs are paid by the State and Federal government. The City has requested additional Americans with Disabilities Act (ADA) work to be added to this project which will be 100% City contribution. By signing the partnership agreement, it enables MaineDOT to proceed with the project and obligates the City to pay for 25% of the original estimated project

cost; the City share is estimated to be \$104,000. The City is also obligated to pay 100% of manhole adjustments, the cost of which is estimated to be \$86,000 and is part of the Utility Agreement.

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

Order 153-24/25 Approving the Collective Bargaining Agreement between The City of Portland and the Communications Employees Association – Sponsored by Danielle P. West, City Manager

This item approves a negotiated successor collective bargaining agreement between the City of Portland and the Communications Employees Association 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 January 13, 2025, and after having been approved by the Communications Employees Association

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

EXECUTIVE SESSION:

ADJOURNMENT: