

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)

SPECIAL CITY COUNCIL MEETING - APRIL 28, 2025 (HYBRID)

The Portland City Council will hold a City Council Meeting in Council Chambers and via Zoom. 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, and via Zoom pursuant to the Remote Meeting Policy adopted by the Portland City Council. A recording will be available in the [Agenda Center](#) following the meeting.

For public comment via Zoom, you will need to use the "raise your hand" feature. To raise your hand via the telephone, please hit *9. You will be unmuted by the host when it is time for public comment.

To join this meeting remotely, please visit: <https://portlandmaine.gov.zoom.us/j/81114228884?pwd=bjHvOixYFFy9Jjdzq5FbpqabKd8pDa.1>

PLEDGE OF ALLEGIANCE:

ROLL CALL:

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

ANNOUNCEMENTS:

ANNUAL MEETING:

Annual Meeting of the Corporator of the Portland Fish Pier Authority

Pursuant to the Bylaws of the Portland Fish Pier Authority (PFPA), the Portland City Council, as Corporator of the Portland Fish Pier Authority shall hold its annual meeting on the third Monday of April.

This year's Annual Meeting Agenda includes:

1. Receiving as a communication the attached Portland Fish Pier Authority 2025 Summary of Activity and Financial Statement;
2. Transacting other business as may be deemed necessary.

APPROVAL OF MINUTES OF PREVIOUS MEETING:

City Council Meeting - April 14, 2025

PROCLAMATIONS:

Proclamation 31-24/25 Recognizing the 56th Anniversary of Municipal Clerks Week from May 4, 2025 to May 10, 2025 - Sponsored by Mark Dion, Mayor

Proclamation 32-24/25 Recognizing May 2025 Asian American, Native Hawaiian, and Pacific Islander Heritage Month - Sponsored by Mark Dion, Mayor

APPOINTMENTS:

Order 168-24/25 Appointing Warden and Ward Clerks for the 2025-2026 Election Year - Sponsored by Ashley Rand, City Clerk

This order appoints Wardens and Ward Clerks for the 2025-2026 Election Year, whose names are listed in the attachment.

This is an annual appointment, required by City Charter.

Five affirmative votes are required for passage after public comment.

CONSENT ITEMS:

Order 169-24/25 Declaring July 4, 2025 the July 4th Festival - Sponsored by Danielle P. West, City Manager

The City of Portland is prepared to host a fireworks display on the 4th of July again this year. The City has sponsored the July 4th Fireworks and activities on the Eastern Promenade for a number of years. The display will be held on Friday, July 4th in its usual spot on the Eastern Promenade with the fireworks set to go off at approximately 9:15pm. A rain date is scheduled for Saturday, July 5th.

Like last year, the celebration will be based around the fireworks display presented by Central Maine Pyrotechnics. There will be a musical performance by the Casco Bay Wind Symphony from 7:00pm - 9:00pm in the middle parking lot on Cutter Street. The City will be managing food vendors as has happened in the past. Approved and licensed vendors and food trucks will be allowed to operate in the designated area of the Festival Zone on Eastern Promenade roadway (between Congress Street and Morning Street).

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

Order 170-24/25 Granting Municipal Officers' Approval of Bread and Friends LLC, dba Bread and Friends. Application for Outdoor Dining on Public Property at 505 Fore Street - Sponsored by Danielle P. West, City Manager

Application was filed on 4/7/25. Existing Class III & IV establishment adding outdoor dining on public property dining.

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

Order 171-24/25 Granting Municipal Officers' Approval of Board and Batten LLC, dba Jerome's. Application for Outdoor Dining on Public Property at 223 Congress Street - Sponsored by Danielle P. West, City Manager

Application was filed on 4/4/25. Existing Class A Lounge establishment adding outdoor dining on public property dining.

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

Order 172-24/25 Granting Municipal Officers' Approval of Bodkin Enterprises LLC, dba Hot Liquor Tank. Application for Class XI Restaurant/Lounge at 43 Wharf Street - Sponsored by Danielle P. West, City Manager

Application was filed on 4/8/25. Change of ownership of an existing establishment.

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

BUDGET ITEMS:

Order 173-24/25 Receiving and Referring to the Finance Committee the Portland Board of Public Education's Fiscal Year 2026 Budget Estimate and Setting a Public Hearing Thereon - Sponsored by Danielle P. West, City Manager

Under this order, the City Council receives the Portland Board of Public Education's proposed Fiscal Year 2026 budget and refers it to the Finance Committee for review and recommendations. The Portland Board of Public Education took a final vote on the budget at its April 8, 2025 meeting.

The first reading and public hearing of the Fiscal Year 2026 school budget will be held on Monday, May 5, 2025, during the City Council meeting.

The second reading, public hearing and City Council action on the school budget will take place Monday, May 19, 2025, during the City Council meeting.

Five affirmative votes are required for passage after public comment.

RESOLUTIONS:

Resolve 9-24/25 Adopting the Fiscal Year 2025-2026 Annual Action Plan Including Appropriations for the Community Development Block Grant Program, HOME Program, and Emergency Solutions Grant Programs and Certifications Pertaining Thereto - Sponsored by Danielle P. West, City Manager

The 2025-2026 Housing and Community Development Program Annual Action Plan reports to the U.S. Department of Housing and Urban Development (HUD) a total estimated budget of \$7,830,113 (Community Development Block Grant ("CDBG") Entitlement Funds \$1,833,541; CDBG Contingency Funds \$142,545; \$120,000 Downtown TIF funding; \$20,000 Cotton St proceeds; HOME Program Grant \$839,923; Program Income and Recapture \$131,660; Lead Safe Housing Program Income \$122,744; local Housing Trust Fund \$863,559; HOME-ARP \$3,594,143; \$161,998 Emergency Solutions Grant ("ESG") funds).

The CDBG Annual Allocation Committee, appointed by the City Council, reviewed each application and made funding recommendations that will be presented to the Council. The City Manager reviewed the Committee's recommendations and submitted her funding recommendations to the Council. The Housing and Economic Development Committee reviewed the Housing Program Budget at their meeting on February 25, 2025, and voted unanimously (3-0) to recommend City Council approval of the budget.

The City's public participation process requires two public hearings to consider the City's Housing and Community Development Program proposal. The hearings allow the public to comment on the City's Consolidated Annual Action Plan. Public hearings for FY25 are set for April 28 and May 5. People who wish to speak may do so once; they may not speak at both public hearings.

This item must be read on two separate days. This is its first reading and first public hearing. At the second public hearing on May 5, five affirmative votes are required for passage after public comment.

UNFINISHED BUSINESS:

Order 161-24/25 Accepting and Appropriating a \$96,400 State of Maine Community Paramedicine Grant for the Portland Fire Department - Sponsored by Danielle P. West, City Manager

If approved, this grant in the amount of \$96,400 will be used by the Fire Department to expand community paramedicine services. Part of this funding will allow all providers on the Mobile Medical Outreach team, Portland's "Community Paramedics," to attend classes and become certified as Community Paramedics

This item must be read on two separate days. It received its first reading on April 14. Five affirmative votes are required for passage after public comment.

Order 162-24/25 Accepting and Appropriating a \$53,332.79 Donation from the Portland Parks Conservancy for the Portland Youth Corps - Sponsored by Danielle P. West, City Manager

If approved, this order would accept and appropriate a donation of \$53,332.79 from the Portland Parks Conservancy for the Portland Youth Corps, a City-run program that promotes personal and professional growth through community service, environmental stewardship, and hands-on conservation opportunities within Portland's parks and green spaces. This is the fourth year this grant has been given.

The program is run by City staff and engages young people of diverse backgrounds in hands-on service projects such as habitat restoration, tree planting, trail construction, and other outdoor work. The corps members receive a stipend for participation. The program runs during the Spring, Summer, and Fall seasons, and annually, over 50 young people take part. This donation from the Portland Parks Conservancy covers the cost of all supplies and trips as well as a portion of the Recreation Programmer II Naturalist, who is the leader of the program.

This item must be read on two separate days. It received its first reading on April 14. Five affirmative votes are required for passage after public comment.

Order 163-24/25 Accepting and Appropriating a \$60,000 John T. Gorman Foundation Grant for the Portland Professional Connectors Program - Sponsored by Danielle P. West, City Manager

City Council approval is requested to accept and appropriate a \$60,000 grant from the John T. Gorman Foundation to assist with the costs of relaunching the Portland Professional Connectors (PPC) program. The Housing and Economic Development Department's Office of Economic Opportunity has been in the process of relaunching the PPC program and contacted the John T. Gorman Foundation for financial support. The Foundation is interested and supportive of the program and is committing \$60,000 to fund the PPC program. The program is anticipated to launch September 2025 and is a strategic initiative designed to support job seekers in developing critical networking, interpersonal skills, and the social capital so important to access career advancement opportunities and economic mobility.

This item must be read on two separate days. It received its first reading on April 14. Five affirmative votes are required for passage after public comment.

Order 164-24/25 Accepting and Appropriating a \$205,000 Greater Portland Council of Governments United States Environmental Protection Agency Brownfields Sub-Grant for Clean-up of a Stockpile of Contaminated Soil at Fitzpatrick Stadium - Sponsored by Danielle P. West, City Manager

City Council approval is requested to accept and appropriate \$205,000 in Brownfield cleanup sub-grant funding from the Greater Portland Council of Governments (GPCOG) for the transport and off-site disposal of a stockpile of contaminated soil at Fitzpatrick Stadium. While the Hearts of Pine soccer team was making planned upgrades to the Stadium, approximately 850 cubic yards of contaminated soil was unearthed, and is currently in a fenced-off and covered stockpile near the parking lot. The City will use this grant from GPCOG to dispose of the contaminated soil at an off-site licensed receiving facility.

This item must be read on two separate days. It received its first reading on April 14. Five affirmative votes are required for passage after public comment.

Order 165-24/25 Establishing a 180-Day Moratorium on Theater and Performance Hall Projects with a Capacity Exceeding 2000 People in the City of Portland - Sponsored by Councilors Anna Bullett and Wesley Pelletier

If passed, this moratorium would prohibit new theaters and performance halls with a capacity exceeding 2,000 people for 180 days while the Housing and Economic Development Committee reviews and recommends amendments to the City Code to address concerns related to the impact of large entertainment venues on public parking, traffic congestion, public safety, and other City infrastructure. This moratorium would apply retroactively to December 1, 2024.

This item must be read on two separate days. It received its first reading on April 14. Five affirmative votes are required for passage after public comment.

Order 166-24/25 Accepting and Appropriating at \$10,000 Maine Bureau of Highway Safety Grant - Sponsored by Danielle P. West, City Manager

This item accepts and appropriates a \$10,000 grant awarded to the Police Department by the Maine Department of Highway Safety. This award will fund pedestrian safety enforcement details in the City.

This item must be read on two separate days. It received its first reading on April 14 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 167-24/25 Amendment to Portland City Code Chapter 9 RE: Proportional Ranked Choice Voting - Sponsored by Ashley Rand, City Clerk

This is an amendment to Chapter 9: Proportional Ranked Choice Voting Sections 9-2 & 9-3. This would be amending the whole-vote transfer approach to the fractional transfer approach to distribute any surplus votes. Rather than transferring the whole vote associated with whichever ballots happen to be processed last, tabulation software transfers a fraction of every vote assigned to a winning candidate. Fractional transfer ensures that each ballot is treated equitably, and that the outcome of the election will never depend on the order of the ballots.

This item must be read on two separate days. It received its first reading on April 14. Five affirmative votes are required for passage after public comment.

ORDERS:

Order 174-24/25 Accepting and Appropriating a \$28,000 Gulf of Maine Research Institute Community Resilience Education Project Grant - Sponsored by Danielle P. West, City Manager

The order accepts and appropriates \$28,000 from the Gulf of Maine Research Institute to support the development of a project to educate the community about climate hazards and community adaptation and resilience strategies.

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

Order 175-24/25 Approving the Collective Bargaining Agreement between The City of Portland and Portland Police Superior Officers Association, Fraternal Order of Police Lodge ME 109 - Sponsored by Danielle P. West, City Manager

This item approves a negotiated successor collective bargaining agreement between the City of Portland and the Portland Police Superior Officers Association, Fraternal Order of Police Lodge ME 109, for the period of January 1, 2025, through December 31, 2027. This proposal is presented after previously receiving guidance from the City Council executive sessions held on January 13 and March 31, 2025, and after having been approved by the Portland Police Superior Officers Association.

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

Order 176-24/25 Accepting and Appropriating a \$5,995.00 Donation from Paul Rollins for the Police Department Dive Team - Sponsored by Danielle P. West, City Manager

If approved, this donation would be used to fund specialized equipment for the Portland Police Department's (PPD) Dive Team. Specifically, the donated funds would be used for the purchase of an Aqua Eye handheld sonar for the Dive Team's use. The Aqua Eye is a handheld, all-weather device that uses sonar to identify anomalies in the water column that are consistent with a submerged body.

The Dive Team conducts search and recovery operations for victims of motor vehicle crashes, homicides, and other water-related deaths. The team also conducts searches for evidence in criminal investigations.

The donor, Paul Rollins, owner of Rollins Scuba Associates in South Portland, is the team's civilian administrator.

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

Order 177-24/25 Extending for 180 Days the Moratorium on New Hotel Projects in the City of Portland Established by Order 77-24/25 - Sponsored by Councilor Kate Sykes and Councilor Pious Ali

On November 4, 2024, the City Council passed Order 77-24/25, which established a 180-day moratorium on new hotel projects. The moratorium expires on June 2, 2025. The moratorium was put in place following the Council's finding that the current hotel inclusionary zoning ordinance (the "Hotel IZ Ordinance") is inadequate to ensure sufficient affordable housing for hotel employees and to otherwise prevent a worsening of the housing crisis in Portland. As required by the moratorium order, the Housing and Economic Development Committee met on April 15, 2025, and considered a presentation by Planning staff for potential amendments to the Hotel IZ Ordinance and gave Planning staff guidance for further research on the matter and preparing draft amendments to the ordinance for the Planning Board's consideration. Staff anticipate presenting amendments to the Planning Board in June, which means that the moratorium will expire before the Planning Board and City Council have an opportunity to consider the proposed amendments. Because the problems that gave rise to the ordinance still exist (i.e. the Hotel IZ Ordinance is inadequate to ensure sufficient affordable housing for hotel employees) and because the City is making reasonable progress to alleviate the problem by actively pursuing changes to the ordinance in accordance with the order, the Housing and Economic Development Committee voted 4-0 to recommend that the Council extend the moratorium for an additional 180 days pursuant to 30-A MRS 4356(2).

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

AMENDMENTS:

Order 178-24/25 Amendment to Portland City Code Chapters 15 and 30 Re: Vehicles for Hire - Sponsored by the Sustainability and Transportation Committee, Regina Phillips, Chair

On September 11, 2024, the Sustainability and Transportation Committee reviewed and recommended the attached revisions to Chapter 30. The proposed changes would require

non-motorized and most motorized multi-seat bicycles used for commercial purposes to be licensed with the City.

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

EXECUTIVE SESSION:

ADJOURNMENT: