

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 - OCTOBER 6, 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/7614/media>

PLEDGE OF ALLEGIANCE:

ROLL CALL:

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

ANNOUNCEMENTS:

RECOGNITIONS:

PRESENTATIONS:

SPECIAL MEETING:

Special Meeting of the Corporator of the Portland Fish Pier Authority

Order 52-25/26 Appointing Matthew Moretti and Robert Odlin as Class C Directors of the Portland Fish Pier Authority - Sponsored by Legislative and Nominating Committee, Mayor Mark Dion, Chair

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>
Matthew Moretti	Portland Fish Pier Authority (Class C Director)	10/31/2028
Robert Odlin	Portland Fish Pier Authority (Class C Director)	10/31/2028

Five affirmative votes are required for passage after public comment.

Special Meeting of the Corporator of the Creative Portland Corporation

Order 53-25/26 Appointing Directors to the Board of the Creative Portland Corporation - Sponsored by Legislative and Nominating Committee, Mayor Mark Dion, Chair

If passed, this order would appoint the following individuals to the Creative Portland Corporation:

<u>Name</u>	<u>Board or Committee</u>	<u>Expiration of Term</u>
Mike Bove	Creative Portland Corporation	11/30/2028
Elyse Grams	Creative Portland Corporation	11/30/2028
Matthew Schwach	Creative Portland Corporation	11/30/2028

Five affirmative votes are required for passage after public comment.

Special Meeting of the Corporator of the Portland Development Corporation

Order 54-25/26 Appointing Sam Dargan to the Board of the Portland Development Corporation - Sponsored by Legislative and Nominating Committee, Mayor Mark Dion, Chair

If passed, this order would appoint the following individuals to the Portland Development Corporation:

<u>Name</u>	<u>Board or Committee</u>	<u>Expiration of Term</u>
Sam Dargan	Portland Development Corporation	9/30/2028

Five affirmative votes are required for passage after public comment.

APPROVAL OF MINUTES OF PREVIOUS MEETING:

City Council Meeting Minutes-September 15, 2025

PROCLAMATIONS:

Proclamation 9-25/26 Recognizing October 13, 2025 as Indigenous Peoples' Day - Sponsored by Mark Dion, Mayor

Proclamation 10-25/26 Recognizing October 19, 2025 as the Portland Lantern Walk - Sponsored by Mark Dion, Mayor

Proclamation 11-25/26 Recognizing October 2025 as Domestic Violence Awareness Month - Sponsored by Mark Dion, Mayor

APPOINTMENTS:

**Order 55-25/26 Appointing Members to Various Boards and Committees -
Sponsored by Legislative and Nominating Committee, Mayor Mark Dion, Chair**

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

<u>Name</u>	<u>Board or Committee</u>	<u>Expiration of Term</u>
Lee Lowry	Board of Assessment Review	9/30/2028
Kristen Dunphy	CDBG	9/30/2028
Sean Fitzpatrick	CDBG	9/30/2028
Jay Knowlton	CDBG	9/30/2029
Carly Lappas	CDBG	9/30/2029
Kristina Randall	CDBG	9/30/2029
Teale Smith	CDBG	9/30/2028
Stephen Von Vogt	Harbor Commission	12/31/2028
William (Kip) DeSerres	Historic Preservation	11/30/2028
Brad Miller	Historic Preservation	11/30/2028
Valerie Paquin-Gould	Historic Preservation	11/30/2028
Kristina Sottery	Historic Preservation	11/30/2028
Simon Thompson	Land Bank Commission (District 3)	6/30/2029
Sam Heck	Portland Housing Authority (Filing Vacant Term)	6/30/2029

Five affirmative votes are required for passage after public comment.

Order 56-25/26 Appointing Constables for the Parking Division - Sponsored by Danielle P. West, City Manager

This appointment would appoint Camden Hanscombe, Bradley MacDonald, Jane Polito, Jake Stelzner, and Derek Viger as Constables and is effective from the effective date of this order until 12:00 midnight, December 31, 2025, and is made pursuant to Portland City Code, Sections 20-19 and 20-19.5. Constables are not allowed to carry a firearm,

concealed or unconcealed, in the performance of duties, or to make arrests.

Five affirmative votes are required for passage after public comment.

CONSENT ITEMS:

Order 57-25/26 Granting Municipal Officers' Approval of Pine & Neal LLC, dba Supper Club Cocktail Lounge. Application for Combined Entertainment at 441 Congress Street - Sponsored by Danielle P. West, City Manager

Application was filed on 8/29/25. This is adding entertainment to a liquor license that was recently approved. The establishment has not opened yet.

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

Order 58-25/26 Granting Municipal Officers' Approval of Woof Play Eat, LLC, dba Woof play Eat. Application for Class XI Restaurant/Lounge at 49 Northport Drive - Sponsored by Danielle P. West, City Manager

Application was filed on 9/11/25. This is a new establishment.

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

COMMUNICATIONS:

Communication 5-25/26 Forest Avenue Unscheduled Bridge Repairs - Maine Turnpike Authority, Andre J. Briere, Executive Director

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

Communication 6-25/26 Re: Tukey's Bridge/Back Cove Trail Closure - Danielle P. West, City Manager

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

UNFINISHED BUSINESS:

Order 48 B-25/26 Accepting and Appropriating \$118,184 in Health and Wellness Grant Funding from the Maine Department of Public Safety for the Portland Police and Fire Departments - Sponsored by Danielle P. West, City Manager

Note: This item has been re-numbered as 48B to account for a numbering error.

This item accepts and appropriates \$118,184 from the State of Maine for public safety health and wellness screenings. The State of Maine Supplemental Budget 2024-2025 included funding to establish a pilot program for the purpose of reimbursement for wellness visits or specialized cardiac and metabolic screenings that specifically address the physical or mental health effects experienced by public safety employees.

This item must be read on two separate days. It received its first reading on September 15. Five affirmative votes are required for passage after public comment.

Order 49-25/26 Approving the Collective Bargaining Agreement Between the City of Portland and Labor & Trades, AFSCME Local 481-00 - Sponsored by Danielle P. West, City Manager

This item approves a negotiated successor collective bargaining agreement between the City of Portland and Labor & Trades, AFSCME Local 481-00 for the period of July 1, 2025, through December 31, 2027. This proposal is presented after previously receiving guidance from the City Council executive sessions held on January 13, March 31, and July 28, 2025, and after having been approved by Labor & Trades, AFSCME Local 481-00.

This item must be read on two separate days. It received its first reading on September 15. Five affirmative votes are required for passage after public comment.

Order 50-25/26 Accepting and Appropriating a \$22,500 Donation from the Estate of Louise Adams to the Portland Fire Department - Sponsored by Danielle P. West, City Manager

In her last will and testament, Louise Adams left \$22,500 from her estate to the Portland Fire Department as an appreciation gift for the work they do. If accepted, the Fire Department will use these funds for the establishment of a conference room at Central Station.

This item must be read on two separate days. It received its first reading on September 15. Five affirmative votes are required for passage after public comment.

Order 51-25/26 Accepting and Appropriating a \$400 Donation from Marianne Tapp to the Portland Fire Department - Sponsored by Danielle P. West, City Manager

This \$400 donation from Marianne Tapp will be allocated to Portland Fire Department, East Deering Station Engine 11, to recognize their dedicated service to the Ashton Gardens community. The funds will be used to purchase food, coffee, personal equipment, and station supplies for the crew of Engine 11.

This item must be read on two separate days. It received its first reading on September 15. Five affirmative votes are required for passage after public comment.

ORDERS:

Order 59-25/26 Accepting the Portland Public Art Committee Fiscal Year 2025 Annual Report and Fiscal Year 2026 Budget Plan - Sponsored by Danielle P. West, City Manager

On September 17, 2025, the Portland Public Art Committee voted (9-0, Levesque, Hrenko absent) to recommend the Fiscal Year (FY) 25 Annual Report and FY26 Budget Plan to the Portland City Council.

Five affirmative votes are required for passage after public comment.

Order 60-25/26 Approving Amendment to the Condominium Declaration for Dougherty Commons Unit 2 - Sponsored by the Housing and Economic Development Committee, Councilor Pious Ali, Chair

The Housing and Economic Development Committee met on September 23 and voted 3-0 to recommend approval of this item by City Council.

When the City of Portland sold the Dougherty Commons property, the deed included covenants to ensure the long-term affordability of the three projects to be developed. An issue with these covenants was discovered during the marketing of units for the Dougherty Commons Phase 2 condominium project: MaineHousing has identified a concern with providing mortgage financing to buyers because the covenants do not extinguish upon foreclosure.

Many first-time homebuyer loans are insured by lenders like MaineHousing or the FHA and are then sold on the secondary mortgage market. Affordability covenants that do not extinguish upon foreclosure are not compliant with secondary mortgage market requirements, particularly those of mortgage insurers such as the FHA and MaineHousing. To enable buyers to qualify for loans through programs like MaineHousing's First Home Program, the developers are requesting that the City of Portland allow an amendment to the Declaration of Condominium. This amendment would subordinate the affordability covenants to a MaineHousing mortgage and provide the City with a notice of right to purchase the obligations under the MaineHousing loan to maintain the affordability covenants.

Five affirmative votes are required for passage after public comment.

Order 61-25/26 Accepting and Appropriating a \$400,303 in Maine State Housing Authority Funding for a Winter Warming Emergency Shelter - Sponsored by Danielle P. West, City Manager

If approved, this item would accept and appropriate a \$400,303 grant from MaineHousing to operate an overnight winter warming shelter at 166 Riverside for the 2025-2026 season.

The warming shelter will be operated by an experienced team from the Homeless Services Center when the temperature is 15 °F or below or when snow accumulation is 10 inches or more. On days when it is activated, the shelter will be open from 7:30 PM to 6:00 AM with a capacity for 60 individuals. Expanded shuttle service will be available to and from the site.

This item must be read on two separate days. The conditions of the grant award require that the shelter be operational by November 15, 2025. In order to meet that deadline, 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 62-25/26 Approving Second Amendment to the Service Provider Subcontract Between the City, DC Management LLC, and DC Blueberry LLC - Sponsored by Danielle P. West, City Manager

This is a companion order to the order above.

If approved, this item would amend a subcontract between the City of Portland, DC Management LLC, and DC Blueberry LLC, to expand the City's operations at 66

Riverside Industrial Parkway to include an overnight winter warming shelter.

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 63-25/26 Accepting and Appropriating \$2,000,000 in United States Environmental Protection Agency Funding to the City's Brownfields Revolving Loan Fund - Sponsored by Danielle P. West

This item would accept and appropriate an additional \$2,000,000 in Brownfield cleanup funding from the USEPA to recapitalize Portland's Brownfields Revolving Loan Fund (RLF). This funding is used to remediate contaminated properties of for-profit and non-profit property owners in the City of Portland.

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

Order 64-25/26 Appropriating \$360,000 from the Jill C. Duson Housing Trust Fund to Lambert Woods North LLC - Sponsored by the Housing and Economic Development Committee, Councilor Pious Ali, Chair

The Housing and Economic Development Committee met on September 23 and vote 3-0 to recommend approval of this item to City Council.

Preservation of Affordable Housing (POAH) is requesting \$360,000 in funding for Lambert Woods North, a proposed development located on city-owned land at 622 Auburn Street (future address: 2274 Washington Avenue) and comprising 72 apartments across 6 residential buildings. The project will offer a mix of townhomes and three-story walkup apartments, with 34 one-bedroom, 10 two-bedroom, and 28 three-bedroom units. These units will be affordable for households earning up to 60% of the Area Median Income (AMI), which translates to \$62,340 for a two-person household, \$70,140 for a three-person household, and \$77,880 for a four-person household. The development is designed to be age-inclusive, serve a range of household sizes and will be managed by POAH Communities.

The developer's financial structure for this project includes Low Income Housing Tax credits as well as a City of Portland Affordable Housing Tax Increment Financing/Credit Enhancement Agreement (AHTIF/CEA) (approved by City Council in December, 2023). The AHTIF/CEA will return to the developer 75% of the increased assessed value realized as the result of the development of this project. The AHTIF revenue will be used to offset project operating costs. The project currently has a \$360,000 gap caused by the loss of 45L Energy Tax Credits and increased engineering costs. The 45L energy tax credits were recently eliminated by the federal government. Delays in closing and design changes led to increased engineering, architecture, and legal costs.

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

Order 65-25/26 Appropriating \$5,500,000 from the Portland International Jetport's Unrestricted Funds for a Battery Energy Storage System and Authorizing the Acceptance of Grants and Incentives - Sponsored by the Sustainability and Transportation Committee, Regina Phillips, Chair

On February 12, 2025 the Sustainability & Transportation Committee voted unanimously to recommend this to the City Council for approval.

This order requests the Council appropriate total funding of \$5.5 million from the Jetport's unrestricted funds for a Battery Energy Storage System (BESS) project at the Portland International Jetport. The project will offset the Jetport's electrical loads during peak annual demand hours for ISO-New England and provide needed electrical system resiliency for the Jetport during utility power outages.

The \$5.5 million cost of the project will be offset by a Federal Direct Pay Clean Electricity Investment Credit (CEIC) estimated at \$2.1 million, Efficiency Maine Trust incentives payments estimated at \$900,000, and electric bill savings (ICAP-Installed Capacity Market, transmission, and distribution) that results in a projected payback for the project of 8.6 years.

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

Order 66-25/26 Appropriating \$9.3 million from Jetport Unrestricted Funds to Improve and Expand the Public Surface Parking Lots - Sponsored by the Sustainability and Transportation Committee, Regina Phillips, Chair

On September 10, 2025 the Sustainability & Transportation Committee voted (2-0, Bullett absent) to recommend this to the City Council for approval.

This item requests a \$9.3 million appropriation to expand and improve the existing cell phone lot and gravel parking lot adjacent to Embassy Suites into a new Jetport self-park public parking lot of 667 spaces. The project will bring the existing gravel lot and partially cleared land acquired from Toye Airport Park LLC in 2021 up to current standards for lighting, stormwater treatment, pedestrian access, and landscaping. The proposed project also includes development of approximately 2.2 acres of Jetport land zoned Airport Business adjacent to the former Toye Airport Park LLC parcel for surface parking and a pad for a proposed Battery Energy Storage System (BESS) project. The project will net 265 new parking spaces.

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

AMENDMENTS:

Order 67-25/26 Amendment to Portland City Code Chapter 25 RE: Naming of Assets - Sponsored by Sustainability and Transportation Committee, Councilor Regina Phillips, Chair

At its September 10, 2025 meeting, the Sustainability & Transportation Committee unanimously recommended this item to the Council for approval.

If passed, this order would create a process by which the naming and renaming of City assets would be considered by the City Council. Among other things, this order provides a process by which members of the public can seek the naming/renaming of assets; establishes criteria by which naming/renaming proposals should be considered; and ensures meaningful community engagement throughout the process.

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

EXECUTIVE SESSION:

ADJOURNMENT: