

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 20, 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/7626/media>

PLEDGE OF ALLEGIANCE:

ROLL CALL:

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

ANNOUNCEMENTS:

RECOGNITIONS:

PRESENTATIONS:

APPROVAL OF MINUTES OF PREVIOUS MEETING:

City Council Meeting Minutes-October 6, 2025

PROCLAMATIONS:

Proclamation 12-25/26 Recognizing Jacqueline Burris for an Outstanding National Service Volunteer Award - Sponsored by Councilor Regina Phillips

APPOINTMENTS:

Order 68-25/26 Appointing Mercedes Bohaty and Val Petersen as Constables for 2025 - Sponsored by Danielle P. West, City Manager

This appointment would appoint Mercedes Bohaty, Rental Registration Inspector, and Val Petersen, Certified Code Enforcement Officer, 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.

Order 69-25/26 Appointing Directors of the Portland Widows' Wood Society for the 2025-2026 Term - Sponsored by Danielle P. West, City Manager

The Portland Widows' Wood Society provides heating and utility bill assistance to Portland residents in need who are referred to the Society by various charitable organizations and the City of Portland. This order appoints the following persons as Directors of the Portland Widows' Wood Society for the 2025-2026 term:

- John Knox
- Nancy English
- Cyrus Hagge
- Thomas Pierce
- Cheryl Hallett
- Desiree Lester
- Sheba Brown
- Alex Pringle

Five affirmative votes are required for passage after public comment.

CONSENT ITEMS:

Order 70-25/26 Granting Municipal Officers' Approval of Phoeve Maine LLC, dba Phoeve Maine. Application for Class I FSE with Outdoor Dining on Private Property at 1227 Congress Street - Sponsored by Danielle P. West, City Manager

Application was filed on 9/26/25. Establishment was previously Anania's Variety.

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

Order 71-25/26 Granting Municipal Officers' Approval of Blackbird Baking Co., LLC, dba Two Fat Cats Bakery. Application for Class III FSE at 144 State Street - Sponsored by Danielle P. West, City Manager

Application was filed on 9/17/25. This is an existing establishment adding on-premise alcohol service.

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

Order 72-25/26 Granting Municipal Officers' Approval of Wow India Fusion Restaurant and Bar LLC, dba Wow India. Application for Class I FSE at 645 Congress Street - Sponsored by Danielle P. West, City Manager

Application was filed on 9/23/25. Establishment was previously Rebel Munchies and Libations.

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

Order 73-25/26 Granting Municipal Officers' Approval of Randall-Macvane Post #142- Legion Lounge, dba American Legion Post #142. Application for Combined Entertainment at 54 Welch Street - Sponsored by Danielle P. West, City Manager

Application was filed on 9/29/25. This is an existing establishment adding entertainment.

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

RESOLUTIONS:

Resolve 3-25/26 Amending Council Rules - Sponsored by Rules Committee, Councilor Pious Ali, Chair

The Rules Committee met on June 11, 2025, and voted to forward this item to the City Council with a recommendation for approval. The proposed amendments to the City Council's Rules of Procedure change the rules regarding proclamations, the manner of speaking by members of the City Council, and referrals to committees and make minor clarifying edits.

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

UNFINISHED BUSINESS:

Order 92-23/24 Waiving the Beano/Bingo License Fee for the Veterans of Foreign Wars Post 6859 - Sponsored by Housing & Economic Development Committee, Councilor Pious Ali, Chair

If passed, this order would waive 50% of the fee associated with this annual Beano/Bingo license renewal (currently totaling \$104.00, collected annually) for the Veterans of Foreign Wars (VFW) Post 6859, a nonprofit corporation, at 687 Forest Avenue. According to Sec. 15-12.1 of City Code, "The city council may, in its discretion, waive or reduce any fee required of any nonprofit organization where the council determines the purpose of the licensed activity or the funds to be raised by the activity are of direct benefit to the citizens of the city." At the request of the applicant, staff have included a fee waiver for the Council's consideration.

This item was first read on January 3, 2024 and referred to the Housing & Economic Development Committee (HEDC) for consideration. Upon reviewing this item at their meeting on January 23, 2024, the HEDC recommended the Council grant a 50% fee waiver. Due to an administrative error, this item did not immediately return to the Council for consideration; the oversight was recently discovered by staff, resulting in the item's inclusion in tonight's agenda.

Five affirmative votes are required for passage 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. It received its first reading on October 6. Five affirmative votes are required for passage after public comment.

Order 64-25/26 Appropriating \$360,000 from the Jill C. Duson Housing Trust Fund to Lambert Woods North LLC - Sponsored by the Housing & 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. It received its first reading on October 6. Five affirmative votes are required for passage after public comment.

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 & Transportation Committee, Councilor 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. It received its first reading on October 6. Five affirmative votes are required for passage after public comment.

Order 66-25/26 Appropriating \$9,300,000 from Jetport Unrestricted Funds to Improve and Expand the Public Surface Parking Lots - Sponsored by the Sustainability & Transportation Committee, Councilor 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. It received its first reading on October 6. Five affirmative votes are required for passage after public comment.

Order 67-25/26 Amendment to Portland City Code Chapter 25 RE: Naming of Assets - Sponsored by Sustainability & 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. It received its first reading on October 6. Five affirmative votes are required for passage after public comment.

ORDERS:

Order 74-25/26 Accepting a Portion of Pomeroy Street as a Town Way - Sponsored by Danielle P. West, City Manager

Pomeroy Street has been constructed in accordance to City standards and the City has been provided a deed conveying the street to the City as it was originally dedicated to the public to accept in 1908. Public Works has completed both preliminary and final inspections of the pavement, lighting, signage, storm drain, and sewer and has determined that Pomeroy Street meets all technical standard requirements.

Five affirmative votes are required for passage after public comment.

Order 75-25/26 Accepting An Easement Deed from Chabad Lubavitch of Maine, Inc. for a Turnaround on Pomeroy Street - Sponsored by Danielle P. West, City Manager

The Department of Public Works is requesting the acceptance of a turnaround easement deed to allow for City personnel and service providers to travel over the described area at the end of Pomeroy Street in order to deliver services including snow plowing, trash removal and emergency response services. This turnaround will allow for safer, more effective operation and delivery of services to residents of Pomeroy Street.

This is a companion order to the order above.

Five affirmative votes are required for passage after public comment.

Order 76-25/26 Approving Amended and Restated Agreement with Portland Music Festival, LLC RE: Back Cove Music and Arts Festival at Payson Park - Sponsored by Housing & Economic Development Committee, Councilor Pious Ali, Chair

The Housing and Economic Development Committee met on October 15, 2025 and voted 3-1 to recommend approval of this item to the City Council.

If approved, this agreement would authorize Portland Music Festival LLC to produce the Back Cove Music and Arts Festival in Payson Park annually, for a three-year term (2026 - 2028). The entire proposed agreement can be found in the backup materials. If this agreement were to be approved, festival organizers would be required to seek a festival license, also subject to the approval of the City Council, which would include additional operational plans and details.

Five affirmative votes are required for passage after public comment.

Order 77-25/26 Accepting and Appropriating a \$30,460 Maine Department of Environmental Protection Waste Reduction Grant - Sponsored by Danielle P. West, City Manager

The Sustainability Office applied for and was awarded a waste reduction grant in the amount of \$30,460 in order to install covered kiosks at seven community compost drop-off locations and to establish an additional site on Irving St. at Heseltine Park. Accepting the grant will authorize funding for this project.

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

Order 78-25/26 Approving the Collective Bargaining Agreement Between the City of Portland and the Professional and Technical City Employee Association - Sponsored by Danielle P. West, City Manager

This item approves a negotiated successor collective bargaining agreement between the City of Portland and the Professional and Technical City Employees Association for the period of July 1, 2025, through June 30, 2028. 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 the Professional and Technical

City Employees Association.

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

Order 79-25/26 Designating the Lambert Woods South Affordable Housing Development and Tax Increment Financing District and Adopting the Municipal Development Program for the District - Sponsored by the Housing & Economic Development Committee, Councilor Pious Ali, Chair

The Housing and Economic Development Committee met on July 15, 2025, and voted 4-0 to recommend approval of this item by the City Council. On August 25, 2025, the City Council approved a one-year extension of the Purchase and Sale Agreement between the City of Portland and Maine Cooperative Development Partners, LLC (MCDP).

Maine Cooperative Development Partners, LLC (MCDP) has development approval for 90 Cooperative Housing homes in eight buildings to be built on property at 165 Lambert Street. After the transfer of the property by the City to MCDP, MCDP will transfer the property to Lambert Woods Cooperative. All the units will be affordable to households at or below 100% of the area median income (\$129,800 4-person household; \$103,850 2-person household). The project will be built in phases with 22 homes in the first phase. MCDP is requesting the City establish an Affordable Housing Tax Increment Financing (AHTIF) District with a CEA that would return to the developer 75% of the new tax revenue generated by the project for 30 years.

The proposed project would be taxable, with an estimated annual assessment of \$18,760,000. This number also represents the increased assessed value as the current or original assessed value is \$0. The estimated annual assessed value is based on the current project pro forma and development costs. An actual assessed value will be assigned to the project as it is constructed using the pricing schedules put in place at construction. Using current information, including the FY26 mil rate of .01198, the annual tax is estimated at \$224,745. TIF projections and proposed district map are included in the backup.

Seventy-five percent (75%) of the increased tax revenue would be captured and returned to the project/developer through a CEA. The remaining twenty-five percent (25%) non-captured revenue from the increased assessed value will be general fund revenue. The CEA would return approximately \$6,838,099 in captured tax revenue to the project/developer (averaged at \$227,937 annually over thirty years) to support project debt service and payment of deferred developer fees. Non-captured general fund revenues are estimated at \$2,279,366 (averaged at \$75,979 annually over thirty years).

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

Order 80-25/26 Approving the Lambert Woods South Affordable Housing Credit Enhancement Agreement with Lambert Woods Cooperative - Sponsored by the Housing & Economic Development Committee, Councilor Pious Ali, Chair.

This is a companion Order to the previous Order Designating Lambert Woods South 165 Lambert Street an Affordable Housing Development and Tax Increment Financing District and Adopting the Municipal Development Program for the District.

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

Order 81-25/26 Appropriating \$2,200,000 from the Jill C. Duson Housing Trust Fund to Lambert Woods Cooperative RE: Lambert Woods South 165 Lambert Street - Sponsored by the Housing and Economic Development Committee, Councilor Pious Ali, Chair

The Housing and Economic Development Committee met on July 15, 2025, and voted 4-0 to recommend this item for approval by the City Council.

Maine Cooperative Development Partners, LLC, (MCDP) has development approval for 90 Cooperative Housing homes in eight buildings to be built on property at 165 Lambert Street. The project will be completed in phases. The first phase will include 22 homes, a parking lot and significant right-of-way improvements (drainage, sidewalk, bus shelter, and street parking) along Washington Ave Ext. and has an estimated development budget of \$8 - 8.5 million. The proposed financing package includes bank financing, member share equity, \$1,000,000 of foundation funds a Credit Enhancement Agreement/Affordable Housing Tax Increment Financing District and a \$2.2 million loan from the City's Jill C. Duson Housing Trust Fund. After the transfer of the property by the City to MCDP, MCDP will transfer the property to Lambert Woods Cooperative.

If the City approves the funding for the first phase, construction is expected to begin in about 6 months and be completed within 10 months. After the first two buildings are occupied, MCDP will move on to secure financing that will allow the next two buildings to be constructed, and will continue with the phased construction plan until all eight buildings are completed. Later phases may be consolidated depending on financing options, strength of the market, construction costs, interest rates, etc.

The loan from the Jill C. Duson Housing Trust Fund will be in the amount of \$2.2 million dollars at 0% interest over 30 years. When the project is completed, MCDP will begin to make payments on the City loan out of surplus cash flow after repayment of the deferred developer fee or pay the loan in full through a project refinancing. See Background Section for more detailed repayment terms.

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

AMENDMENTS:

Order 82-25/26 Amented to Portland City Code Chapter 14 RE: Hotel Inclusionary Zoning - Sponsored by Planning Board, Brandon Mazer, Chair

On November 4, 2024, the City Council enacted a moratorium on new hotel development in Portland in response to concerns about the effectiveness of the City's hotel inclusionary zoning program and its relationship to housing affordability. The moratorium, which will remain in place until November 29, 2025, directed staff to evaluate the policy and bring forward recommendations for potential amendments.

Since that time, staff worked with the Greater Portland Council of Governments (GPCOG) to update the City's nexus study, presented alternatives to the Housing and Economic Development Committee, and engaged Colliers International to complete a

third-party feasibility assessment of potential fee levels. At a public hearing before the Planning Board on September 23, 2025, staff presented an amendment to the hotel inclusionary zoning ordinance, which included raising the amount of the fee-in-lieu of constructing housing units from \$4,831 to \$9,520 per hotel room and changing the alternative unit contribution option from one affordable unit per 28 rooms to one unit per 19 rooms. A motion to recommend the proposed changes to the City Council did not pass with a majority vote by the Planning Board. The Board voted 3-3 (Mazer, Silk, and Fox opposed, Robertson absent). This item is now being forwarded to the Council for a vote on the proposed amendment.

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

Order 83-25/26 Amendment to the Portland City Code Chapter 28 RE: Snow Ban Fee - Sponsored by Sustainability & Transportation Committee, Councilor Regina Phillips, Chair

At its October 8, 2025 meeting, the Sustainability & Transportation Committee unanimously recommended this item to the Council for approval.

The proposed change to Chapter 28 of the Portland City Code would increase the fine for failing to move a vehicle during winter storm parking bans from \$40.00 to \$175.00. The goal of the change is to increase compliance and improve the speed and efficiency of snow removal, and ultimately the safety and accessibility of city streets. Historically, the City has attempted to tow vehicles found to be in violation of winter storm parking bans. The total cost to reclaim a towed vehicle within 24 hours is \$210.00 (\$40 parking fine + \$35 impound fee + \$135 towing charge). However, a variety of constraints will reduce the scale of potential towing during the 2025-26 winter season, including the loss of a large-scale inbound lot at Ocean Gateway terminal, inconsistent availability of tow truck operators, insufficient capacity of tow truck operators to tow vehicles at the scale needed to be an effective deterrent, and city staffing constraints.

In connection with the proposed parking fine increase, the City would add six (6) additional snow ban parking locations where residents can relocate their cars free of charge. These locations will supplement fifteen (15) free locations previously used, and seven (7) locations (including garages) that charge a fee.

If approved, City staff would implement a communications campaign on the changes prior to winter's onset, and would enhance communications efforts with the public following the declaration of a parking ban.

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

EXECUTIVE SESSION:

ADJOURNMENT: