

CITY OF PORTLAND, MAINE

Standing Committee on Sustainability and Transportation

Councilor Spencer Thibodeau (D2), Chair

Councilor Belinda Ray (D1)

Councilor Jill Duson (At large)

Minutes June 19, 2019

Members Present: Councilor Thibodeau, Councilor Ray, Councilor Duson

Staff Present: Troy Moon, Ashley Krulik, Mike Murray

Meeting was called to order at 5:30 PM. Councilor Duson moves to approve the minutes from May 15, 2019. Councilor Ray, seconded. All those in favor of approving 3-0 with one typo revision.

Sustainability Program Updates

Troy Moon reviewed the items on the Sustainability Program Update memo.

Ocean Ave solar farm testing to be done on wells in August.

Amendments to Chapter 12 of City Code, Garbage, Waste and Junk re: banning plastic straws and plastic bags

Councilor Batson presented memo and proposed amendment. Will not be discussing plastic bags based on recent State legislature.

- Aligns with City goals to reduce greenhouse gas emissions
- Opportunity to step up as a leader to inspire other municipalities in the state

Mr. Moon presented background materials.

- Communities across the country have taken up this issue -
 - Bans in communities in California, Florida, Seattle, and more
 - Limitations on straws across the country and on cruise lines

Public Comment:

- Melissa Gates, Northeast Regional Manager Surfrider Foundation - working to stop pollution at the source.
 - Vermont has passed comprehensive single use plastics policy - straws available upon request
 - New Hampshire bill did not pass
 - Would like Portland to consider a ban on all single use plastic straws, and use natural material straws as an alternative
 - Biodegradable plastic straws are not up to snuff yet
 - Estimated that every American uses 1.5 straws per day

- A regulation at the local level will influence consumers to think about their behaviors
 - A voluntary program is not enough
- Maggie Wolf, 28 St. Lawrence
 - Will pass along news to Phoebe who has been involved in this conversation in the past

Councilor Ray

- Is there an organization that would certify a biodegradable straw once they are up to snuff? Ms. Gates: Not exactly, requires education and proper disposal. Mr. Moon: Things that are allegedly biodegradable will not biodegrade if they do not end up in a composting facility.
 - Sounds like we could not add that biodegradable straws could be added to the ordinance if they are ever certified by X.
- Do we need to add anything to ordinance to allow people to bring their own straws? If there a health inspection issue? Mr. Moon - not that we are aware of but will get confirmation from health department. Ordinance as written bans plastic straws in beaches and parks.
- How could we enforce not using straws at beaches and parks? Councilor Batson: Beaches are a bigger issue because straws end up in the ocean. Mr. Moon: Precedent communities are all beach communities and ordinances have been implemented because of impact on water. Councilor Batson: do other ordinances specifically ban use on beaches?
- Given that we aren't banning juice boxes that come with a straw, how do we handle those at the beach? Councilor Batson: It would be on the citizen to dispose of that straw appropriately.
- What is the transition period? Mr. Moon - up to the committee to determine.
- We should ask the schools if they would like an exemption or not.
- Add in language about providing natural straws in restaurants when requested
 - Mr. Moon: Amend language to ban plastic straws and offer natural straws upon request? You don't need to make the change, let's consider that change.

Councilor Thibodeau

- Question on Vermont law - why did they end up with straws on request vs. ban? - Ms. Gates - It was political, Vermont bill did not change much during review process.
- Will need to vote in July to allow for some wordsmithing
- Need to discuss exemptions for beverage providers around pre-packaged drinks that come with straws and packages of straws sold by beverage providers.
- Need to request straws at restaurant, but still available to buy at a grocery store. Mr. Batson: Yes.
- Should we discuss additional single use items or stay narrowly focused? Decision to stay narrowly focused.

Councilor Duson

- Can we establish a plan to analyze the effectiveness of the ordinance? Mr. Moon - yes. Many similar ordinances have a reporting mechanism and we can reference those.
- Good straightforward, compact proposal that we can make minor revisions to
- Do I need to toss my plastic reusable straws when this ordinance goes into effect? Need to discuss.
- Need to consider point of sale signage
- Offer a straw disposal day?

Councilor Thibodeau: next steps will be to schedule July workshop and a vote. Send communication to schools, Chamber of Commerce and Portland Downtown.

Councilor Batson: Like suggestions of contacting schools and organized events to get rid of straws - could donate them to dental and medical organizations that need the straws.

Amendments to Chapter 30 of City Code, Vehicles for Hire, re: Golf Carts

Mike Murray presented memo.

Steve Anderson, Chair of Transportation Committee of Peaks Island Council, presented.

- Thank you for listening as golf carts impact our quality of life
- Community met to develop 11 actionable recommendations related to rental golf carts
- Most carts are older gas powered carts and not efficient or environmentally friendly
- Asking City to move forward 11 recommendations and 5 clarifying enhancements

Public Comment:

- Steve Clayman, 960 Seashore Ave - have lived on Peaks for 11 years. On a summer day, golf carts are frequent and noisy. Ask committee to take into consideration the quality of life on the island. Great opportunity to find a solution that addresses carbon footprint, noise and pollution. Golf carts degrade Peaks experience for all.
- Joann Mac Issac - 499 Island Ave - have lived on Peaks for 60 years. Always welcomed daytrippers. Rental golf carts have become very problematic. Welcome economic growth. Would like to step back and think about how it affects the quality of Peaks. Safety and environmental hazard. Tourism will continue to grow, but feels that the max number of golf carts has been reached and would like to cap number.
- Ron Delucia - Peaks Island - approximately 50 rental golf carts. Observed 68 golf carts pass by in 20 minutes. Golf carts are big polluters. The fabric of the island is being destroyed. The pollution, smell and fumes from golf carts drive people into their homes. Rental golf carts not provide a service for anyone on the island. Would like Council to consider reducing the number of rental golf carts, switching to electric and limiting rental time.
- Ann Carlson - has lived on Peaks Island for over 15 years and have never seen such a mess as there is now from the golf carts driving around. There is a golf cart inundation.

Would prefer to not have any rental golf carts. Heartbroken about what is happening on the island. Would like to see a minimal amount of golf carts operated by owners of property on Peaks Island.

- Deborah Montgomery - summer resident of Peaks Island - in addition to fossil fuels and noise, there are safety issues. Amazed that no one has gotten seriously injured. Not nice Peaks, it's crazy Peaks.
- Fred Summers - Peaks Island - asked a few weeks ago where they could rent the "go carts" which highlights how they are viewed. Golf cart companies are run with minimal regulation and residents are bearing the burden. Would like to achieve some balance.
- Judy Walsh - Peaks Island - have discussed nuisance, pollution, and safety. There is no way to identify golf cart users to report. Cannot see number of the cart or the rental agency from a distance. There needs to be a better way to label the carts in order to file complaints and leverage some control.

Councilor Ray

- Where are we with electric scooters, segways, etc? Councilor Thibodeau: prohibited in City. Have talked with electric scooter provider but nothing has been brought forward.
 - Need to be proactive on that front to avoid future issue of electric conveyances as being viewed as "go carts"
- How are we going to accomplish the City inspecting all golf carts? Mr. Murray: the inspection would be for compliance and would be done through business licencing office or island Officers could do that inspection. Would be yearly.
- Increase size of golf cart identification labels. Mr. Murray: proposed size came from taxi regulation.
 - Propose amendment to increase size to 5 inches.
 - Councilor Thibodeau: suggest size of identification part of rules and regulations that are enforced.
 - Send forward with expectation of providing amendment for size at Council.
 - Councilor Duson: agree that 1.5 inches is too small. Need to consider regulations.
- What is the difference between registration and license? Mr. Murray: The licensing of the cart is basically the licensing of the business. If there are multiple vehicles put out by one owner, owner pays for each vehicle. No value on licenses. City Manager can cap number of carts and number of operators. Can cap number of carts per island.
- Thank you to the Peaks Island Council for doing a tremendous job on this issue. Lots of public outreach and sessions to create comprehensive proposal.

Councilor Duson

- Would not be favorable toward adding language that requires City Manager involvement given that Peaks Island Council works directly with Portland City Council. Should not delegate a non-elected official to have authority on these issues. Encourage informal consultation and communication between Peaks Island Council and City staff. Based on this, encourage committee to not add language in red to Article B1 and Article B2.

- Recommendations from Peak Island Council approved during Peaks Island Council meeting? Mr. Anderson: Suggested changes dated June 18, 2019 were put together by Peaks Island Council Transportation Committee and have not gone to the full Peaks Island Council to vote. Mr. Murray: Memo from December has been voted on by the Peaks Island Council.
- Article D2 - staff proposal is adequate, not necessary for City to set up extra licensing authority
- Article E3 - need to determine what size of the letters is visible

Councilor Thibodeau

- Article A-1: wording is somewhat confusing - flag for corporation counsel to review
- Article B-2: agree with Councilor Duson
- Business license - do not want to create a valuable license - require registration and City review
- Size of the letters - 1.5 inches too small
- Email from Mike's Carts - operates 29 carts, 6 are electric. Change a third of carts to electric each year. Expect to be fully electric by 2024 season.

Councilor Ray moves to make a motion to forward along to City Council.

- Amendments:
 - Determine appropriate size of letters/numbers
 - Have corporation counsel review wording of public property piece of Article A-1

Councilor Thibodeau: need to make sure that everyone is on the same page regarding the effective date.

Councilor Duson: need to alert cart operators of effective date.

Councilor Duson seconded. Approved 3-0.

Keep current July meeting date as is.

Motion was made by Councilor Ray to adjourn the meeting at 7:09 pm. Motion was seconded by Councilor Duson. All in favor. 3-0.