

KATE SNYDER (MAYOR)
BELINDA S. RAY (1)
SPENCER THIBODEAU (2)
TAE Y. CHONG (3)
JUSTIN COSTA (4)

KIMBERLY COOK (5)
JILL C. DUSON (A/L)
PIOUS ALI (A/L)
NICHOLAS M. MAVODONES, JR. (A/L)

JANUARY 22, 2020 CITY COUNCIL AGENDA

The Portland City Council will hold the Regular City Council Meeting at 5:30 p.m. in City Council Chambers, City Hall. The Honorable Kate Snyder, Mayor, will preside.

PLEDGE OF ALLEGIANCE:

ROLL CALL:

ANNOUNCEMENTS:

RECOGNITIONS:

PRESENTATIONS:

Presentation to Jennifer Thompson, Associate Corporation Counsel, by the Board of Harbor Commissioners, Port of Portland, Maine, in appreciation for her work as Counselor to the Board from 2017 to 2019.

ANNUAL MEETING:

SPECIAL MEETING:

APPROVAL OF MINUTES OF PREVIOUS MEETING:

Approval of the January 6, 2020 Draft City Council Minutes.

PROCLAMATIONS:

APPOINTMENTS:

CONSENT ITEMS:

**Order 112-19/20 Declaring Sundays on the Boulevard Festival Days in 2020 -
Sponsored by Jon P. Jennings, City Manager**

This order declares Sundays on the Boulevard as a weekly festival event with Baxter Boulevard from Vannah Avenue to the entrance of Payson Park closed to traffic every Sunday, from May 3, 2020 to October 11, 2020, 9:00 a.m. to 4:00 p.m., in order to allow the public to use that portion of the street as recreational space.

There will be no Sunday on the Boulevard on October 4, 2020, when the Maine Marathon will be held on Baxter Boulevard.

Additional details about the event are included in the agenda backup.

**Order 113-19/20 Declaring March 15, 2020 the St. Patrick's Day Parade Festival -
Sponsored by Jon P. Jennings, City Manager**

This order declares March 15, 2020 the St. Patrick's Day Parade festival, to be held on Commercial Street from Center Street to Franklin Street from 11:45 a.m. to 1:00 p.m.

Additional details about the event are included in the agenda backup.

**Order 114-19/20 Declaring April 26, 2020 the Portland 10-Miler Festival -
Sponsored by Jon P. Jennings, City Manager**

The Portland 10-Miler will be held Sunday, April 26, 2020. Baxter Boulevard and a portion of Fore Street and the Eastern Promenade are part of the race course and will be closed to vehicles.

Additional details about the event are included in the agenda backup.

Five affirmative votes are required for passage of the Consent Calendar.

LICENSES:

Order 115-19/20 Granting Municipal Officers' Approval of Dos Naciones LLC dba Dos Naciones Mexican & Salvadorian. Application for a Class I FSE at 649 Congress Street - Sponsored by Jon P. Jennings, City Manager

Dos Naciones LLC dba Dos Naciones Mexican & Salvadorian. Application for a Class I FSE at 649 Congress Street.

Application was filed on 12/23/2019. New City and State applications. Location was previously Local Sprouts.

Five affirmative votes are required for passage after public comment.

Order 116-19/20 Granting Municipal Officers' Approval of Little Giant, LLC dba Little Giant. Application for a Class I FSE at 211 Danforth Street - Sponsored by Jon P. Jennings, City Manager

Little Giant, LLC dba Little Giant. Application for a Class I FSE at 211 Danforth Street.

Application was filed on 12/20/2019. New City and State applications. Change of ownership of an existing business.

Five affirmative votes are required for passage after public comment.

Order 117-19/20 Granting Municipal Officers' Approval of Miranda Restaurant Group dba Via Vecchia. Application for Outdoor Dining on Public Property at 10 Dana Street - Sponsored by Jon P. Jennings, City Manager

Miranda Restaurant Group dba Via Vecchia. Application for Outdoor Dining on Public Property at 10 Dana Street.

Application was filed on 12/30/2019. New City applications. Applicant has a pending Class XI License.

Five affirmative votes are required for passage after public comment

Order 118-19/20 Granting Municipal Officers' Approval of Miranda Restaurant Group dba Via Vecchia. Application for Indoor Entertainment at 10 Dana Street - Sponsored by Jon P. Jennings, City Manager

Miranda Restaurant Group dba Via Vecchia. Application for Indoor Entertainment at 10 Dana Street.

Application was filed on 12/30/2019. Applicant has a pending Class XI License. Business is located in Downtown Entertainment Overlay District within 100 feet of another establishment with an entertainment license. Staff recommends that the application be DENIED, as the business does not meet the dispersal requirements of Portland City Code Section 14-330.13.

Five affirmative votes are required for passage after public comment.

BUDGET ITEMS:

COMMUNICATIONS:

RESOLUTIONS:

UNFINISHED BUSINESS:

Order 108-19/20 Accepting and Appropriating a \$15,000 Grant From the Sam L. Cohen Foundation for the English Speakers of Other Languages Collaborative Project - Sponsored by Jon P. Jennings, City Manager

This order accepts and appropriates a grant from the Sam L. Cohen Foundation to the City of Portland for \$15,000 for the English Speakers of Other Languages (ESOL) collaborative project.

The Sam L. Cohen Foundation grant to the City funds part of the ESOL Collaborative Initiative, Portland's main ESOL project, which involves Portland Adult Education, Hope House ESL Program, Learning Works, the YMCA, In Her Presence, the Immigrant Welcome Center, the Salvation Army, and the Children's Museum of Maine.

The Portland Office of Economic Opportunity coordinates the efforts of the Collaborative, whose mission is to improve the rate at which ESOL students and learners in the City of Portland reach English proficiency (as defined by a common assessment standard/metric) by enhancing the project's collaborative approach, where gaps and duplication of service are mitigated, and by improving individual and collective learning results.

This item must be read on two separate days. It was given a first reading on January 6, 2020. Five affirmative votes are required for passage after public comment.

Order 109-19/20 Approving and Appropriating Federal Aviation Administration Airport Improvement Program Entitlement and Discretionary Grants - Sponsored by Jon P. Jennings, City Manager

The Federal Aviation Administration issues grants to fund eligible safety and capacity projects at airports nationwide through the Airport Improvement Program (AIP). This program is funded through federal taxes on commercial air fares and on aviation fuel taxes. The amount of entitlement funding allocated to each airport is based on the annual number of enplaned commercial passengers the airport handled in the prior calendar year. This year the Portland International Jetport has AIP entitlement funding totaling \$4.12 million based upon 1,062,873 enplaned passengers in 2018. In addition to entitlement funding the Jetport is also seeking AIP discretionary funding of \$1.35 million in federal FY 2020. Two projects have been planned this year which include: the construction of Taxiway B to connect Runway 36 to 29; and the construction of a Runway 11 bypass taxiway and realignment of the vehicle service road. The Taxiway B construction project was originally scheduled for last construction season, but was delayed to this federal fiscal year due high construction costs last year. These projects will be procured under two separate construction contracts with a total engineer estimated cost for both projects of \$6.07 million.

The AIP funding amount for these projects of \$5.46 million is 90% of the total cost for the projects. The balance of \$610,000 is covered locally through the Jetport's operating budget and through state funding of 5% of AIP project costs.

This item must be read on two separate days. It was given a first reading on January 6, 2019. Five affirmative votes are required for passage after public comment.

Order 110-19/20 Appropriating \$545,000 for the Design of Surface Parking Expansion and Relocation of Administrative Offices at the Portland International Jetport - Sponsored by Jon P. Jennings, City Manager

The Portland International Jetport is requesting an appropriation of \$545,000 from its unrestricted fund balance to commence design on the following two projects:

1. Design for expansion of surface parking lot(s), \$223,000; and
2. Design to relocate administrative offices in terminal building, \$322,000.

The Jetport has experienced significant growth over the past 24 months, with total passengers up more than 310,000 or nearly 17% in this time frame. This growth has resulted in the need to develop plans for additional surface parking and for relocating the existing administrative offices. The relocation of the existing administrative offices will provide more space for future passenger amenities and services within the gate concourse.

This item must be read on two separate days. It was given a first reading on January 6, 2020. Five affirmative votes are required for passage after public comment.

Order 111-19/20 Amendment to Zoning Map Re: Harvard Street - Sponsored by the Planning Board, Sean Dundon, Chair

The Planning Board unanimously recommends the proposed rezoning from Residential R-3 to Residential R-5 for the properties at 109 Harvard Street. The Planning Board voted 6-0 on November 26, 2019 to forward this zone change to the City Council for approval. The Board extended the zone change to include the ten (10) single-family home lots abutting the site on Harvard Street.

The developer proposes to redevelop the existing site into a twenty (20) duplex development lots within the neighborhood. The proposed zoning map amendment would enable the applicant to construct approximately a forty (40) residential units. The intent and purpose of the rezoning is for the proposed development to have smaller-scaled residential lots, for higher residential density.

This item must be read on two separate days. It was given a first reading on January 6, 2020. Five affirmative votes are required for passage after public comment.

ORDERS:

Order 119-19/20 Amending the 2016 Annual Report and 2017 Budget Plan of the Portland Public Art Committee - Sponsored by Jon P. Jennings, City Manager

On December 18, 2019, the Portland Public Art Committee voted to approve the revised budget for the “Passing the Torch” artwork commission and forward it to the City Council for approval. This revision to its Fiscal Year 2017 Budget Plan reallocates \$48,000 from the Amethyst Lot Public Art to go towards this Deering's Corner Roundabout Artwork selected by the Committee.

Five affirmative votes are required for passage after public comment.

Order 120-19/20 Approving the Modification to Agreements between the Maine Department of Transportation, Portland Area Comprehensive Transportation System and Portland Re: Congress St. Signal & Intersection Improvements - Sponsored by Jon P. Jennings, City Manager

Both the proposed two-party and modification of three-party agreements obligate the Maine Department of Transportation (MaineDOT), Portland Area Comprehensive Transportation System (PACTS) and the City of Portland to update traffic signal controls, technology and communications and construct a number of new signal structures and related Americans with Disabilities Act (ADA) ramps. The work will allow for this section of Congress Street to be transit priority ready.

The two-party and modification to 3-party agreements obligate the City to pay \$317,518.34, or 25% of the total cost of the project estimated at \$1,270,073.37 and an additional \$3,200 for sewer/manhole adjustments. This is \$158,955.84 increase of municipal funds due to high bid pricing.

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

AMENDMENTS:

6:00 P.M. PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS:

EXECUTIVE SESSION: