



Health & Human Services and Public Safety Committee

Tuesday, August 11, 2020, 5:30 PM
Remote Meeting

Councilor Belinda Ray, District 1, Chair
Councilor Tae Chong, District 3
Councilor Pious Ali, At-Large

1. Announcements

a. Zoom information:

When: Aug 11, 2020 05:30 PM Eastern Time (US and Canada)

Topic: Remote HHS and Public Safety Meeting

Please click the link below to join the webinar:

<https://zoom.us/j/96464395981>

Or iPhone one-tap :

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+1 253 215 8782 or +1 346 248 7799

Webinar ID: 964 6439 5981

International numbers available: <https://zoom.us/j/96464395981>

2. Updates

a. Racial Equity Landing Page: <https://www.portlandmaine.gov/2644/Racial-Equity-Work>.

3. Review and Approval of Minutes from July 14, 2020

a. July 14, 2020 draft minutes

4. Sprinkler Requirements

a. Staff presentation

- b. Committee questions and discussion
 - c. Public Hearing
 - d. Possible vote
5. Public Health & Health Equity Note
- a. Staff presentation
 - b. Committee questions and discussion
6. Next Meeting: September 8, 2020

NOTE: Public comment will be taken at this meeting. If the committee votes to forward this proposal to the full City Council there will be further opportunities for public comment. Please feel free to send comments to members of the committee on any issue at any time via email. Councilors email addresses are available on the city website: www.portlandmaine.gov

The meeting can be watched online via livestream: www.portlandmaine.gov/livestream

Keep up to date with the new shelter design and planning process at the City's website

www.portlandmaine.gov/shelterplanning



Health & Human Services and Public Safety Committee Minutes

Tuesday, July 14, 2020, 5:30pm, Remote Meeting

Committee Attendance:

Belinda Ray, Chair (District 1), Tae Chong (District 3), Pious Ali (At-Large)

Councilors in Attendance:

Jill Duson (At-Large)

Mayor Kate Snyder

City Staff:

Kristen Dow, Director of Health and Human Services; Christine Grimando, Director of Planning and Urban Development; Adam Harr, Executive Assistant for Social Services

Meeting called to order at 5:35 PM.

AGENDA ITEM 1 – Announcements

- Kristen Dow
 - o Public Health is doing universal testing events at Portland Housing Authority Locations.
 - Tomorrow from 4:00 PM to 7:00 PM at Sagamore Village
 - Materials are translated.
 - Mercy Hospital conducting testing and community health outreach workers will offer services in multiple languages.
 - Referrals to primary care physicians.
 - Releases with Maine CDC to work to provide updates to people who test positive to provide wrap-around services.
 - Testing is planned at all Portland Housing Authority sites eventually.
 - o Councilor Chong asked if people with housing 8 vouchers will be tested or just PHA locations?
 - Kristen will follow up.
 - Councilor Duson thanked Kristen for the outreach and collaboration.
 - PHA knows who their voucher holders are and PHA could invite people to the next rounds of testing.
 - o Hope is to create a comprehensive model for community testing.
- Chair Ray announced that at the last meeting, HHS&PS started the conversation at this meeting.
 - o The minutes are available: <https://www.portlandmaine.gov/129/Agendas-Minutes>.
 - o There are answers from this committee and the full council; she sent a request for a place for all the information to be accessible.

- o This information will be made available in the next agenda.
- o Councilor Ali agreed on then need for a racial equity page linked from the homepage.

AGENDA ITEM 2 – Approval of Minutes

- Councilor Ali moved to approve the minutes, Councilor Chong seconded and the minutes were approved unanimously.

AGENDA ITEM 3 – Shelter Zoning

Christine Grimando – Director of Planning and Urban Development
<https://portlandme.civicclerk.com/Web/GenFile.aspx?ad=5992>

- January through April, 2017
 - o Review of best practices and shelter requirements
 - o Analysis considering zoning districts, transit access, conditional use criteria and how they relate to shelter zoning.
 - o Chair Ray added that the reason the committee looked at every single district was for the size of the shelter in mind, there would be a lack of adequate space.
 - How to find larger sites in the City?
 - o Planning Board holds one workshop and a public hearing in April 2017, recommends changes to City Council
- City Council Adopts Zoning Amendments June 5, 2017
 - o Consistent with what had been discussed up until that time.
- Prior to June 2017, emergency shelters were permitted in the B-3 zone as conditional uses. 2017 permitted emergency shelters in additional Business and Industrial Zones.
- Emergency shelters allowed as conditional uses in:
 - o B-3, B-3b, B-3c
 - o B-4
 - o B-5, B-5b
 - o I-L, I-Lb
 - o I-M, I-Mb
 - o I-H, I-Hb
- Expanded Conditional Use Standards
 - o Adequate space for conducting security searches

- o Centralized shelter operations office on each floor
- o Management Plan
- o Access to METRO, within ¼ mile of a line, or within ½ mile w/adequate indoor space for guests during day and strategies to help guests utilize transit.
- o On-site services Laundry, kitchen, pantry, bicycle storage, secure storage facilities
- o Outdoor space
- This conditional use always trigger planning board review, site plan review and a higher level site plan review that goes to the planning board.
- Intended to go into smaller shelter zoning.
- Smaller Shelter Zoning:
 - o Then Mayor Strimling requested HHS&PS look at smaller shelter zoning, for expansion citywide with size tiers.
 - HHS&PS made a recommendation to go to planning board.
 - o Planning board was not ready to take action at the time.
 - Licensing may have be influenced
 - Public outreach concerns
 - Compatibility of lot size concerns.
 - No recommendation either way; they did not feel that they had enough information to make a recommendation and postponed indefinitely to be reviewed to move forward a t similar time licensing is considered.
 - It has not been looked at since then.
- Chair Ray suggested adding the following documents to those included:
 - o Minutes from October 10, 2017 HHS&PS meeting.
 - Meeting discussed the use of buffer zones with the intent for zoning to go through planning board while licensing takes up buffers.
 - Small shelter zoning has remained on the work plan.
 - The committee at the time was Brian Batson, Nick Mavodones and Belinda Ray.

Committee Questions and Discussion

- Councilor Chong asked what defines a shelter; would milestone of a domestic violence shelter be included?
 - o It is a simple definition modulated by the conditional use standards.
 - Emergency Shelter: a facility providing temporary overnight shelter to homeless individuals in a dormitory style or per bed arrangement.
 - o Can a recovery home open and not call itself a shelter?
 - There is a shelter care group home definition that specific to sober houses.
 - Other definitions exist for specified needs such a s a handicapped living unit.

- Primary service is shelter and may provide services for substance use or others, but the primary intent is emergency shelter.
 - There is one domestic violence shelter in the city which is a shelter.
 - There is a program under development with a program that is not a shelter but serves people experiencing domestic violence and their children.
 - Sober group homes are programs that serve people who may have permanent housing elsewhere.
 - Shelter care group homes have a maximum occupancy of 12 people and many sober homes are operating as single-family homes that can have a capacity of 16 people.
 - Some have come in under other uses.
- Definitions will be discussed.
- There is not tracking or licensing requirements for the other uses.
- Within the continuum of care, there is blurring at the edges.
- Shelters' dedicated use is for homelessness.
- Councilor Chong asked about a hypothetical situation where people with COVID-19 need to be quarantined.
 - Where would a facility for placing people in quarantine, not for homelessness, fall?
 - Kristen said the State has contracted with a hotel for people without space to quarantine at their homes to quarantine away from people.
 - The PUI and Respite shelter the City is running is only for people experiencing homelessness.
 - Planning perspective: it is a temporary, emergency situation but if after a length of time a hotel changes how it is operating, that would start a conversation.
 - Hotels acting in this emergency capacity are still hotels until that conversation needs to happen.
- Councilor Ali asked if there is a way to see all the different definitions of shelter or related spectrum.
 - What does and does not require a license?
 - Something similar will be discussed this Fall around various types of lodging houses in addition to existing materials that can be provided to the committee.
- Mayor Snyder asked about what triggered shelter zoning being on the agenda this evening?
 - It is on the work plan. And was identified as a priority this council year for June.
 - Sober houses fell away in from originally being scheduled for April then the pandemic hit.
- Chair Ray asked if the committee would like to proceed down the track?

- o The original track of the HHS&PS committee was shelters to be possible throughout the city for equitable share of the shelter responsibility.
 - Is it worth continuing down this path?
 - If so, are the bed numbers and zones still appropriate?
 - How to handle buffers through licensing still needs to be addressed.
- o Councilor Chong is interested in moving forward and would like to see equitable distribution throughout the city.
 - This could educate the public and show the distribution of group homes throughout the city.
- o Councilor Ali agreed that there is a benefit to having smaller shelters throughout the City.
- o Chair Ray referred to the plan to end homelessness where the City-run shelter acts as a centralized intake facility and emergency shelter where the stays would be short and more specialized referrals are made.
 - Zoning change would address location of more niche shelters and that we could refer to.
- Buffer Zones
 - o Councilor Chong asked should we establish buffer zones during a pandemic?
 - Buffer for permanent shelters but not emergency temporary shelters.
 - o Councilor Chong said there is room for General Assistance reform discussion so people aren't leaving their communities to come to Portland during a pandemic.
 - o Mayor Snider is interested in the buffer zone discussion and asked Christine if there is a map that shows all of the facilities with similar uses being discussed mapped out.
 - Christian Roadman mapped out social services with special analysis
 - What can be mapped?
 - Some are not tracked or licensed for legal reasons.
 - Shelters can be mapped.
 - Christine clarified emergency shelter in definition is a permanent shelter and can be mapped but temporary shelters are not so easily mapped.
 - o The Riverton neighborhood may get some assurance if buffers would be applied universally to emergency shelters small and large to not create a new social services hub. Language in buffers:
 - By facility?
 - By bed numbers?
 - Can Christine look at different ways to create limitations that create equity and distribution?
 - Can this be ready for August or September?
 - Could this be bundled into the discussion taking place in early fall?

- A map could be ready for August.
- In addition to mapping, looking at number of beds in recovery and lodging homes.
- Do 20 and 40 beds still make sense under the recode process?
- Planning Board is voting to make recommendations on Recode Phase 1 on July 28th. It does not look at zone boundaries but address if the zones are working and reaching policy goals.
- Next Steps
 - o Definitions of non-permanent housing that do and do not require licenses.
 - Shelters do not currently require a license.
 - o Thoughts on a buffer zone.
 - o Public Hearing.

AGENDA ITEM 4 – Emergency Shelter COVID-19 Update

- Sullivan Gym Wellness Shelter
 - o 50 beds
 - o 40 individuals came from the Sullivan and placed to the EXPO and OSS
 - 17 went to Expo.
 - 23 went to OSS.
 - 3 went to Florence House.
 - 7 went to Milestone.
- No one should be at the gym tonight.
- The EXPO
 - o Able to stay through mid-September and news is forthcoming.
 - o Expo as contractual obligation in October; will be moved out by mid-September.
 - o Last night: 30 people staying at the EXPO and 47 stayed at OSS.
 - o New individuals are not entering shelter.
 - o 25 individuals have been housed since the end of March.
- Councilor Chong asked if Maine Housing money is following Sullivan Gym guests.
 - o Kristen is working with MaineHousing and will have more updates soon.
- Councilor Chong requested a proclamation to thank partners,
- Mayor Snider asked how long hotels will be funded for people to quarantine.
 - o Kristen said that is something she will discuss with MaineHousing as two family shelter facilities are empty to be available for PUI and Respite.
 - o If the Expo can be extended, will that discussion come back to this committee or the full Council
 - Kristen will discuss with the City Manager to discuss and share next steps.
- Councilor Ray asked about vacant family shelter buildings and if people are still being assisted.
 - o 17 families are staying in hotels and are continuing to be housed.
 - o 2 out of 4 Family Shelter buildings are being used for People Under Investigation (symptomatic and awaiting testing results) and respite is for people who tested positive and are recovering.
- Councilor Ray asked how many single adults are staying in hotels
 - o About 160 are staying in hotels using GA.

- Councilor Ali asked if the individuals staying at hotels are receiving services.
 - GA vouchers (noted: food, non-food, Rx)
 - Housing services
- Chair Ray asked what the budgetary impacts are. There are still rent and utilities but what is the difference between normal operations?
 - It is something being looked at as it impacts bed nights which we bill for so it affects revenue.
 - 70% GA reimbursement for hotels and the remaining 30% is being covered through other COVID-19 related funding. To date, 100% of GA hotels are covered for the time being (FEMA, State and CARES Act).
- Chair Ray asked how services are being provided.
 - Outreach through Amistad and MaineHousing.
 - Food delivery by Preble street.
 - There are regular provider calls.
- Chair Ray asked how we will sustain partnerships care as the temporary emergency funding wanes? (sustain benefits that are not just financial)
- Councilor Chong asked if we have operated GA for seven days a week before and if staff time is being reimbursed?
 - To Kristen's knowledge, it is the first time and is one of the only municipalities open seven days a week; there is a 24/7 GA hotline that is always available.
 - She is not able to speak to staffing cost reimbursement.
- Councilor Chong said he would like to see how much GA funding Portland gets and to ask if it is a State program or Portland one when looking at clients and costs. Portland should have a bigger say.
 - Councilor Ali said it is possible to discuss this with our delegation.
- Councilor Chong asked if there are racial disparities in our shelters.
 - Family Shelter had bigger positive rates than any universal testing sites which prompted testing in more communal settings.
 - Are Ethnic Community Based organizations (ECBOs) reaching out to us?
 - Councilor Ali with Councilor Duseon met with Kristen and the City Manager and expects more will reach out as testing is announced.
 - Kristen said she wants to work with different organizations and will be taking notes on what they learn from testing tomorrow.

AGENDA ITEM 5 – Next Steps

- The next meeting is August 11th.
 - Sprinklers and Public Health Note.
 - Public Health Note and possible intersection with Racial Equity Note or adding racial equity to the public health note as Councilor Ali's advocacy led the full Council to identify racism as a public health crisis.
 - Background: Victoria Morales (D): South Portland attempted to get Public Health Notes required similar to Fiscal Notes.
 - The definition is broad: what categories of public health would be included?
 - Chair Ray said Kristen would help define the scope and feasibility of adding a public health analysis to Council agenda items.

- Councilor Chong is concerned about CARES Act aid expiring supplanting the agenda.
- Councilor Ali said both are important and is open to both being on the agenda.
- Chair Ray listed work plan items; Councilor Chong said mental health is towards the top for him, citing the uptake in overdoses and other behaviors mental health impacts such as suicide.
- Kristen announced that the new Public Health Director has been selected: Bob Fowler, coming from his role as Executive Director of the Milestone Recovery.
- Councilor Ali told Kristen about the Government Alliance on Race and Equity has a racial equity impact template.
 - The American Public Health Association has Public Health Note Templates.
- Small shelter zoning comes back in September.

The meeting adjourned at approximately 7:25 PM.

Chapter 10 FIRE PREVENTION AND PROTECTION*

Sec. 10-3. Amendments.

The NFPA 101: Life Safety Code adopted by section 10-1 is added to, amended, modified and deleted in the following respects:

. . .

(h) Subsection 24.3.5.1 shall be amended to add the following language:

However, an automatic sprinkler system shall not be required for the construction of an additional dwelling unit in an existing detached one-family dwelling, unless the construction would otherwise trigger the automatic sprinkler requirements of Chapter 43, as amended.

(i) Subsection 43.7.2.3 shall be amended to add the following language:

However, the construction of a dwelling unit in a detached accessory structure is not required to comply with the automatic sprinkler requirements of Chapter 24, so long as that detached accessory structure was constructed more than five years prior to the addition of the dwelling unit and the construction does not otherwise trigger the automatic sprinkler requirements of Chapter 43, as amended.

MEMORANDUM

TO: Health and Human Services and Public Safety Committee

FROM: Fire Chief Keith Gautreau

DATE: June 3, 2020

RE: Options for Modifying Sprinkler Requirements

On November 4, 2019, the City Council voted on amendments to Chapter 10 of the City Code, which adopts NFPA 101, Life Safety Code and NFPA 1, Fire Code. One provision of those proposed amendments made it clear that if one portion of a building was required to be sprinkled, then the entire building was required to be sprinkled. This was simply to clarify for applicants a requirement that already existed, as imposed by the Maine State Fire Marshal's Office ("SFMO"). At the November meeting, the Council expressed interest in exploring these requirements further, removed the proposed language, and asked the HHS Committee to review options with respect to certain sprinkler requirements, particularly those in accessory dwelling units (ADUs).

At its February 11, 2020 meeting, the HHS Committee had an initial discussion on the topic and asked that staff bring back some proposals, as well as provide additional background information.

BACKGROUND INFORMATION

Benefits of Sprinklers in Dwellings

The benefits of sprinklers in residences is overwhelming. They result in 87% fewer civilian deaths and 27% fewer civilian injuries. They also result in 67% fewer firefighter injuries on the fireground. Additionally, sprinkled buildings also save property, with flame damage being 23% more likely to be confined to the room of origin in a sprinkled property versus a non-sprinkled property.

In light of all of these benefits, the City of Portland adopted provisions requiring that all new single family and two-family dwellings be sprinkled back in 2010.

Other Jurisdictions that Require Sprinkling in One- and Two-Family Dwellings

One of the questions asked by the Committee was to give examples of other jurisdictions that required sprinklers in one- and two-family dwellings.

The model code of NFPA 101, Life Safety Code, written by the National Fire Protection Association, requires sprinkling one- and two-family dwellings. The State of Maine, and other jurisdictions, have removed that requirement from the model code. However, there are still many jurisdictions that have left those provisions in effect, including the City of Portland. In Maine, the Town of Gorham also requires sprinkling one- and two-family dwellings, and several others require sprinklers where the dwelling is part of a subdivision, including Arundel, Lyman,

Acton, Yarmouth, Bridgton, Wells, Lebanon, and Rockland. South Portland is currently considering an ordinance to require sprinkling new one- and two-family dwellings.

Across the country, the states of California, Maryland, and the District of Columbia require sprinklers in one- and two-family dwellings, as do many other major cities.

Other Situations Where Homeowners are Required to Upgrade Systems

The Committee also asked for analogous situations where a large renovation or adding a dwelling unit would trigger additional upgrades to existing systems. There are many areas where, when a homeowner does renovations, including adding a dwelling unit, that upgrades throughout the building are required to be made. Within the life safety code this would include fire alarm systems, hardwired smoke alarms, and fire doors. The electrical code, plumbing code, and building code all also have examples of systems that must be upgraded when changes are made.

Limitations on the Council's Authority to Modify Sprinkler Requirements

There was some discussion at the previous meeting about the limitations on the City's ability to modify sprinkler requirements when adding additional dwelling units. This is more fully discussed in Anne Torregrossa's memo (attached), but basically, the SFMO requires that an entire building be sprinkled any time a building is (or becomes) three or more units. The City cannot modify that requirement, but may have more flexibility in one- and two-family dwellings.

OPTIONS AND RECOMMENDATIONS

In order to make adding additional dwelling units to existing housing more affordable to further the Council's goal of creating additional housing, staff is proposing for the Committee's consideration a change to Chapter 10 of the City Code. The proposed change which would do the following:

1. Would allow the addition of a dwelling unit to a single family home without the requirement to sprinkle either the new unit or the existing building so long as the addition of that unit does not require an addition over a certain size, and the renovation does not impact more than 50% of the building. This would allow homeowners to potentially convert existing space in their homes, such as an attic, second floor, or basement, into an additional dwelling unit without triggering a sprinkler requirement.
2. Would allow the conversion of an existing, detached accessory building into a dwelling unit without the requirement to sprinkle, so long as the accessory building has existed for at least five years, and the conversion does not constitute an addition or a renovation over 50% of that building. This would allow property

owners to add a dwelling unit to existing structures, such as a garage, a studio, or similar outbuilding.

In addition, staff is proposing a policy change to when they require sprinklers in existing, illegal dwelling units. Over the past five years, the City has worked hard to identify illegal dwelling units and bring them into compliance with the City Code. In some cases, this means a change of use permit or conditional use approval, and in other cases, dwelling units have been “legalized” through the operation of § 14-431. Many of these previously existing dwelling units have been required to be sprinkled, and most have triggered the requirement to sprinkle the entire building. In certain situations, sprinkling has not been required, as decided on a case-by-case basis by the AHJ.

Attached is a draft policy that would generally not require sprinkling in dwelling units that were created before the sprinkling requirement was put in place. This essentially puts the homeowner back in the place that he or she would have been, had they (or, more likely, their predecessor) pulled the appropriate permits at the time the dwelling unit was constructed. If the owner can prove that the unit existed prior to those sprinkling requirements going into effect, the unit will most likely not have to be sprinkled. The policy does leave some flexibility for the AHJ to require sprinklers, even in much older units, where other considerations make it prudent to do so.



CITY OF PORTLAND
Permitting and Inspections Department

Policy on Sprinkling Pre-existing Illegal Dwelling Units

This policy provides guidance as to when a sprinkler system is likely to be required in dwelling units that were previously constructed without any required permits, but that have existed for a significant amount of time. This policy applies regardless of whether the dwelling units are made legal through a change of use, conditional use approval, or a dwelling unit that is validated as non-conforming pursuant to § 14-391 of the City Code.

Whether or not a sprinkler system is likely to be required is based on the age and historical use of the dwelling unit. The City of Portland implemented the requirement to sprinkle one- and two-family dwelling units on September 16, 2010. Both the City of Portland and the State of Maine have required buildings with three or more units to be sprinkled since 2000. If a property owner can prove that the dwelling unit was constructed prior to these dates (whichever is applicable), then the City may choose to apply the sprinkler provisions that were in effect at the time that the unit was put in, rather than the current sprinkler requirements.

Practically, this means that:

- An illegal unit added to a single-family home (making it a two-family) that was constructed prior to September 16, 2010 may not need to be sprinkled. But an illegal unit created after that date will need to be sprinkled.
- An illegal unit added to a two-family home (making it a three-family) that was constructed prior to January 1, 2000 may not need to be sprinkled. An illegal unit created after that date will need to be sprinkled.
- An illegal unit added to anything greater than a two-family home that was constructed prior to January 1, 2000 may not need to be sprinkled. An illegal unit created after that date may need to be sprinkled.

Whether to apply the historical sprinkler requirements or the current is solely with the jurisdiction of the AHJ. The AHJ may determine that, due to other factors relating to the illegal unit, it is appropriate to require sprinkling, regardless of the age of that unit.

Additionally, the burden is on the applicant to prove the age of the dwelling unit to the satisfaction of the Authority Having Jurisdiction (AHJ). Examples of evidence that may be accepted include:

- Affidavits of a previous owner or resident during the relevant time period.
- Listing from a city street directory
- Tax assessment record
- Housing inspection record
- Purchase and sales agreement
- Mortgage inspection
- Public utilities record

MEMORANDUM

TO: Health and Human Services and Public Safety Committee

CC: Chief Gautreau

FROM: Anne Torregrossa

DATE: March 9, 2019

RE: Sprinkler requirements at the state and local level

At the state level, the State Fire Marshal's Office (SFMO) is tasked with adopting and enforcing rules for fire and life safety. The SFMO is also responsible for granting all sprinkler permits in the state.

Through the SFMO rules, the state has adopted the 2018 edition of NFPA 101, *Life Safety Code*, which is what the City has also adopted through its Chapter 10. The model code of NFPA 101 requires the sprinkling of all new residential dwellings and units. Although the City and several other municipalities in the state have adopted NFPA 101 without revision with respect to sprinkling requirements, the SFMO rules specifically do not adopt the NFPA 101 requirement that one- and two-family dwellings be sprinkled. This means that one- and two-families have to be sprinkled in municipalities that have adopted the full NFPA 101, including Portland, but do not have to be sprinkled in other municipalities. Apartment buildings with three or more units must be sprinkled across the state.¹

The SFMO (and the City) also interpret NFPA 101 to require that, if one unit must be sprinkled, because it is new or substantially remodeled, then the entire building must be sprinkled. The only exception is if there is a full fire wall or other acceptable separation between the new unit that requires sprinkling and the rest of the building.

As with many areas of the law, the City can be stricter, but cannot be less strict, than the state level requirements. Practically, what this means is that:

- One- and two-family dwellings in Portland are sprinkled because of local requirements only. This means that the City could modify these requirements in some fashion, for example by not requiring an ADU to be sprinkled under certain circumstances, but only if that ADU is added on to a single-family home.
- Three-family or larger dwellings are sprinkled because of both the local and state requirements. This means that, for example, sprinkling an ADU that converts a two-family to a three-family is required by the state and that cannot be modified by the City.
- The City could also modify other ordinances that indirectly impact sprinkling requirements. For example, under Chapter 14, ADUs in some zones must be built "within the principal building" or "as an attachment." Absent that requirement, an ADU in a detached structure would still have to be sprinkled, but the existing principal building would not.²

¹ This requirement applies to new and remodeled buildings.

² This modification to Chapter 14 has already been proposed as part of the recode process.

Rules & Procedure for Public Testimony

Council committees use the City Council rules for public testimony. You can find the complete rules in the *Rules of Procedure for the City Council, Rule 31. Procedure for Addressing Council*. This document is available on the City Website:

<http://www.portlandmaine.gov/DocumentCenter/View/1184>

Below is a summary of the main points:

- If you wish to speak, please raise your hand or line up.
- When you are recognized by the Chair, you will have up to three (3) minutes to offer your comments. Please begin by stating your name and where you live.
- While someone is speaking, others in attendance will not interrupt.
- There should be no expressions approval or disapproval (applause, snapping, boos, hissing).
- Remarks shall be confined to the merits of the pending item.
- The Chair may limit or cut off any commentary that is not germane or that is scurrilous, abusive, or not in accord with good order and decorum.
- Any person who shall continue to violate these rules, after warning by the Chair, may be ejected for the remainder of the meeting then in progress.

CITY OF PORTLAND
Health and Human Services
Kristen Dow, Director



MEMORANDUM

TO: Kristen Dow, Director, Health and Human Services
FROM: Bridget Rauscher & Alex Hughes, Interim Co-Directors, Public Health Division
DATE: August 6, 2020
SUBJECT: Health in All Policies - Public Health & Health Equity Note

Introduction: Health in All Policies is a collaborative approach to improving the health of all people by incorporating health considerations into decision-making across sectors and policy areas. The goal of Health in All Policies is to ensure that all decision-makers are informed about the potential impact on public health and racial equity of various policy options during the policy development process.

Background: Health in All Policies is based on the recognition that our greatest health challenges - for example, chronic illness, health inequities, climate change, and health care costs - are highly complex and often linked. Promoting healthy communities requires that we address the social determinants of health, such as transportation, education, access to healthy food and healthcare, economic opportunities, racial disparities, and more. This requires innovative solutions and a revised policy structure to advance collaboration. The environments in which people live, work, learn, and play have a tremendous impact on their health.

What is a healthy community?

- 1) Meets basic needs of all:
 - Safe, sustainable, accessible, and affordable transportation options
 - Affordable, accessible, nutritious foods, and safe drinkable water
 - Affordable, high quality, socially integrated, and location-efficient housing
 - Affordable, accessible, and high quality health care
 - Complete, safe, and livable communities including quality schools, parks and recreational facilities, child care, libraries, financial services, etc.
 - Access to affordable and safe opportunities for physical activity
 - Ability to adapt to changing environments, resilient, and prepared for emergencies
- 2) Quality and sustainability of environment:
 - Clean air, soil and water, and environments free of excessive noise
 - Tobacco/smoke-free

- Green and open spaces, including healthy lands
 - Minimized toxins, lead-exposure, greenhouse gas emissions, and waste
 - Affordable and sustainable energy use
 - Aesthetically pleasing
 - Adequate levels of economic and social development
 - Living wage, safe and healthy job opportunities for all, and a thriving economy
 - Support for healthy development of children and adolescents
- 3) Health and social equity
- Access to affordable healthcare and preventive services
 - Provide and ensure adequate public transportation for all community members
 - Equitable economic and academic opportunities for minority communities (including BIPOC and New Mainers)
- 4) Social relationships that are supportive and respectful:
- Robust social and civic engagement
 - Socially cohesive and supportive relationships, families, homes, and neighborhoods
 - Opportunities for engagement with arts, music and culture

While individual policy changes and projects can improve health outcomes and help build relationships with partners, a key element of Health in All Policies is embedding or institutionalizing Health in All Policies into the structures and processes of government. With this approach, rather than considering health and equity after decisions have been made, health considerations would be provided prior to the decision-making processes so that they are accounted for in the early stages of program development, planning, and policy making. This is important for long-term and sustainable impact, because even in places with strong support for inclusion of health and equity, champions and leaders will leave, funding sources and policy priorities can shift, and circumstances can change.

Institutionalization of Health in All Policies requires a shift in mindset for many people in government. Considerations should include both the financial costs and benefits of the health impacts of various decisions, distribution of health impacts across a population (equity), and long-term health impacts that could be significant, but may not be captured in short-term financial projections. While healthy decision-making can take place at many levels, ultimately, Health in All Policies is about creating change in government decision-making processes so that over time accounting for health considerations becomes part of the normal way of doing business. Health in All Policies provides government agencies the opportunity to think strategically about incorporating health into decision-making.

Method: A health impact assessment (HIA) is a structured approach for conducting a formal analysis of the health implications of proposed projects or policies and will be completed by the Public Health Division Director or a designee. A HIA uses an array of data sources and systematic methods while considering input from stakeholders to determine the potential effects of a proposed policy, program, or project on the health of a population and the potential health equity effects. A HIA provides recommendations on monitoring and managing those effects. The goal of the document is to inform a decision-making process in an effort to minimize adverse

health effects and optimize beneficial ones, paying particular attention to differential impacts on sub-populations.

The core stages of a Health Impact Assessment include:

- 1) Screening - Involves determining whether or not a HIA is warranted and would be useful in the decision-making process
- 2) Scoping - Collaboratively determines which health impacts to evaluate, the methods for analysis, and the work plan for completing the assessment
- 3) Assessment - Includes gathering data on existing conditions and predicting future health impacts using qualitative and quantitative research methods
- 4) Developing recommendations - Makes evidence-based recommendations to reduce negative health outcomes while promoting positive health outcomes
- 5) Reporting - Communicates findings
- 6) Monitoring and evaluation - Evaluates the impacts of a HIA on the decision and on process outcomes

Health in All Policies initiatives ideally have multiple outcomes, ranging from creating a more collaborative and health-oriented organizational culture, to promoting healthy public policy and decision-making processes, to ultimately improving population health and equity.

Sample Ordinance:

https://www.changelabsolutions.org/sites/default/files/HIAP_ModelOrdinance_FINAL_20150728.pdf

Sample Resolution:

https://www.changelabsolutions.org/sites/default/files/HIAP_ModelResolution_FINAL_20150728.pdf

Practical Sample: <http://www.richmondgov.com/CampaignHealthyRichmond/HiAP.aspx>

Sources:

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC1118057/>

http://www.phi.org/uploads/files/Health_in_All_Policies-A_Guide_for_State_and_Local_Governments.pdf