



Health & Human Services and Public Safety Committee Minutes

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

Committee Attendance:

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

Councilors in Attendance:

City Staff:

Kristen Dow, Director of Health and Human Services; Bridget Rauscher, Chronic Disease Prevention Program Manager; Keith Gautreau, Fire Chief; Jason Grant, Life Safety Plan Reviewer; Anne Torregrossa, Associate Corporation Counsel; Adam Harr, Executive Assistant for Social Services.

Meeting called to order at 5:35 PM.

AGENDA ITEM 1 – Announcements

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

AGENDA ITEM 2 – Approval of Minutes

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

AGENDA ITEM 3 – Updates

- Group of service providers continues to meet to discuss unsheltered individuals in Deering Oaks Park.
 - Outreach staff noted 15 individuals this morning at 6:00 AM
 - This number climbs to 50 during the day; not everyone seen during the day needs shelter at night.
 - Outreach reminders that services are available.
 - Discussion on ordinances.
 - Not for providers to enforce.
 - Reminder that they exist and there may be a time when enforcement ramps up.
 - Pandemic Reminders
 - Mask distribution.
 - Where people experiencing homelessness can be tested.
 - PUI and Respite shelter still available as well as a hotel shelter.
 - Water and masks are available at for outreach teams at Expo.
 - Portapotties are up in Lincoln Park and one other location without much usage.

- o Trash collection continues to be an issue.
 - DPW looking to do a daily pick-up.
- o Constant need for day space.
 - Looking for places outside where people would not stay at night or an existing space that can be used during the day.
 - Staffing not expected to be an issue.
- o Councilor Chong asked about day space and if the teen center closed as well as the resource center, noting the youths he saw at demonstrations.
 - To Kristen's knowledge the teen shelter has not closed and that youth are involved in organizing efforts.
 - The operates two shelters that offer say space to individuals staying at the shelter.
- o Councilor Chong asked about the other services, specifically mailboxes and if mail distribution is continuing?
 - She does not know the details of their operation but individuals at this time appear to still be receiving mail at Preble Street.
 - At this point in time Preble Street is not able to open their space.
- o Councilor Chong asked if it possible to use the library.
 - The library is doing a phased reopening and is not able to offer space yet, but recognizes the community need.
- o Councilor Ali asked if it is known the age demographics of the youth participating in demonstrations.
 - Unknown, Kristen spoke to one of the organizers.
 - We do not shelter youth under 20 at OSS; they would go to the teen shelter.
- o Councilor Ray asked what Preble Street is currently using their space for.
 - They are preparing meals they distribute throughout the community and say they are preparing the space to be a 40-bed shelter.
 - It is a long process to make a shelter and Councilor Ray asked why over the next 2 months it is not available.
- o The group of social services providers are meeting every other day.
- o Councilor Ray asked that data on why people are not accessing services
 - Identifying barriers as we plan for the next shelter.
- o Councilor Chong said the Portland Portland Press Herald said a large number (over 60,000) of people could be facing eviction. Are we planning for contingencies base on the economy?
 - Yes:
 - Housing retention specialists at OSS are working with housed individuals talking to tenants about how they can keep their housing.
 - More housing units may become available due to evictions and seasonal housing.
 - GA is preparing for such an economic shift.
 - Are housing councilors able to meet with landlords?
 - Housing councilors do reach out to landlords.

- We were piloting a diversion program before the pandemic. How to work with landlords and family members to avoid staying in the shelter.
- Is there any specific outreach to landlords to teach how they can help renters access rental assistance?
 - Chair Ray said that this is veering towards the housing committee.
 - Councilor Ali said when people who are not able to pay their mortgages, the CARES ACT money will not allow us to pay for mortgages. Mary Davis can confirm.
 - Councilors Chong emphasized with the onus being on renters, are we doing outreach to landlords to assist their renters and acknowledged this is a housing issue, not shelter.
 - Councilor Ali said that the program is administered through the Opportunity Alliance with a simplified an application.

AGENDA ITEM 5 – Sprinklers

- Chief Gautreau summarized the process to date on updating sprinkler requirements, specifically of Additional Dwelling Units (ADU).
 - A general discussion took place February 11, 2020.
 - The Chief and Corporation Council Anne Torregrossa prepared some options for the committee.
- One of the main Council goals to provide affordable housing.
- The Committee asked what authority do we have to do versus what is required by the State?
 - 3 family dwellings must be sprinkled.
 - 1 and 2 family dwellings are not required to be sprinkled at the state level.
 - South Portland has adopted our code.
 - New buildings are sprinkled and that is non-controversial.
- This meeting will discuss existing buildings built before 2010 that is looking to add housing.
- Because the state amended Chapter 24, The City of Portland has more flexibility.
 - Allow the addition to a single-family home without the requirement to sprinkle the existing home or the addition if the dwelling isn't over 50% changed by the renovation
 - If most of the building needs to be gutted, why would you not do the life safety during the construction?
 - Allow the conversion of existing detached unit without requiring sprinklers, such as a detached garage.
 - If the entire house was renovated, a sprinkling requirement would be triggered.
- Legalizing illegal dwelling units draft policy
 - Common scenario: two family building that has an attic people are seeking to create a third unit in the attic.
 - Makes a three unit but will look at a case by case basis.
 - May not need sprinklers if all the other life and safety requirements are met such as means of egress and fire alarms.

- Not requiring to sprinkler when going from a one to two unit.
- Detached buildings that have existed for 5 years.
 - 5 years is changeable and exists so people do not build a new structure with the intention of creating a dwelling without sprinkling.
- This would clear guidance on ADUs being treated the same.
- This ordinance amendment is offered for the committee's consideration.
- Zoning code drives some life safety requirements.
 - Some may change in recode process.
 - ADU attached almost always has to be sprinkled.

Committee Questions and Discussion

- Councilor Chong asked about life safety requirements for illegal dwelling units going from one to two, could it be more cost-effective just to sprinkle illegal dwelling units added to a second floor? Are fire barriers part of life safety code too?
 - Each case is individual so Life Safety sits down with each landlord/owner to discuss options. Sometimes sprinkling is much cheaper than building an egress; this all depends on each unique situation (such as second egress requirements, fire doors etc).
- Councilor Ray confirmed that:
 - All new single-family homes must be sprinkled.
 - Adding a dwelling unit by converting part of an existing single-family home into a new unit without making major renovations to the entire building and that all the other life safety requirements are meant, are exempt from adding sprinklers.
 - Anything unit going from two to three or more will need to be sprinkled.
 - An existing detached building that has existed for at least five years can be converted without sprinkling.
 - 5 years is a good number to avoid people attempting to bypass the ordinance.
- Councilor Ray said that the communities adopting stricter ordinances and that the State of Maine does not requiring the sprinkling of one and two family homes but we do as much more dense community as does Gorham and South Portland; other communities that require it do so for subdivisions.

Public hearing opened and closed at 6:24 PM; there were no public comments.

- Chief Gautreau asked if it is a given that ADUs must meet the other life safety requirements.
 - Correct; this does not change the other requirements.

Councilor Chong moved to recommend the ordinance amendment presented. Councilor Ali seconded.

- Councilor Chong asked about an ADU not meeting a different requirement; does that trigger the entire house needing to be sprinkled or other things in life safety then?
 - Sub inspections get triggered and everything must be done for the final approval of the building permit.

- This is true for existing illegal dwelling units with no actual construction is planned.
- Anything that presents a danger to the entire property would need to be upgraded.
 - Common example: an owner lives in one unit and rents out the rest of the property; the entire building must be upgraded to meet life safety standards.
 - Life safety standards are less for two units versus 3 and above but the while building needs to be safe.

The Committee voted unanimously to recommend to the City Council for passage.

AGENDA ITEM 5 – Public Health Equity Note

- Bridget Rauscher reviewed the concept; akin to a fiscal note.
- Health impact assessment by the public health director or designated staff would use the most recent assessment to analyze potential impact.
- The process can be streamlined.

Committee questions and discussion

- Chair Ray is not sure we would need a big ordinance.
 - The fiscal note requirement was created by adding it to Council rules.
 - Corporation Council made an example and form that is required to be completed whenever something comes before the Council that costs more than \$50,000.
 - How much specificity is needed?
- What would trigger a health equity note?
 - Not needed for every tiny decision
 - What would the threshold be?
 - Larger items such as language changes to ordinance.
- Would this be health equity or impact?
 - Health impact is more broad and can be more environmental.
 - Health impact assessment would already include health equity by including social determinants of health.
- Can this be accomplished with existing staff in the department?
 - It depends what the Council is looking for; it would be challenging if it were for everything the Council sees but is definitely possible for the public health director for a higher threshold such as ordinance language changes.
- Councilor Chong said he is digesting the information and wants to be able to consider health and disparate impacts but is still processing.
 - Are there local examples?
 - There weren't huge racial disparities in the city health assessment presented to the committee in Winter.
 - There is a separate minority health report.
- Kristen sad as a whole during COVID-19, public health is woven into everything we do. There is not a department Public Health hasn't worked with.
- Councilor Ali spoke about the issue of addiction and stigma where people may not be able to seek treatment as a result; if we are providing mobile support for addiction, is it

- o He is looking for internal guidance that identifies impacts and that people are serve equitably.
 - o He does not want to rush this.
- Chair Ray is interested in equity and the health impacts of Council decisions.
 - o Like fiscal impacts, when making zoning changes, deciding particular types of housing, we consider both the health and the equity piece and this may be doable as the health assessment includes social determinants of health.
 - o Chair Ray is unclear what form the change to make is: in ordinance?
 - o Health in all policies so considering health in government decisions becomes the normal way of doing business.
- How to move forward?
 - o Additional examples of ordinance or policy.
 - Bridget to pull more.
 - o Examples of thresholds
 - Does American Public Health Association have a tool for this?

AGENDA ITEM 5 – Next Steps

- The next meeting is September 8, 2020.
 - o Smaller Shelter Zoning
 - Public Hearing.
 - TBD if ready to vote.
 - o Discuss work plan for remainder of the year.
 - Overdose Prevention Sites back on.
 - Safehouse won initially their federal case in Philadelphia and is being appealed.
 - Jen Thompson to Update.
- October have Bob Fowler, Public Health direction present on mental health.
- Councilor Chong asked if we are working with schools given the anxiety around hybrid models.
 - o Family Health program is able to reach out to schools.
 - o Schools are working with Maine DOE and CDC.
 - o Councilor Ali said the school district is still trying to figure out their plan.
 - Outreach is being done for people who do not speak English.
 - They are surveying parents for model feedback.
 - o Councilors Chong is interested in community health outreach worker involvement throughout covid.
 - They are being trained on mental health first aid as it pertains to covid.
 - o Chair Ray wants to respect the decisions of the school board with who they work with while making sure they know our public health division is a resource available to them.
- The meeting adjourned unanimously at approximately 7:07 PM.