

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)

REMOTE SEPTEMBER 21, 2020 CITY COUNCIL AGENDA MINUTES

ZOOM INFORMATION:

The Portland City Council will hold a remote meeting on Monday, September 21, 2020 at 5:30 PM. This meeting will take place remotely using Zoom.

Virtual meetings are allowed using emergency legislation approved by LD 2167; 1 M.R.S. §403-A, that authorizes cities and towns to conduct meetings online.

Allow your computer to install the free Zoom app to get the best meeting experience. If you are not able to attend live, a recording will be uploaded to portlandmaine.gov/livestream the next day.

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/85373296684?pwd=c0NtMzhsTlJwYVBmMjlvMUh1QlZ1UT09>

Passcode: 457670

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Webinar ID: 853 7329 6684

Passcode: 457670

PLEDGE OF ALLEGIANCE:

ROLL CALL:

Mayor Snyder called the meeting to order at 5:35. (All Councilors Present)

ANNOUNCEMENTS:

1) Mayor Snyder will name the Working Group in response to this section of the Resolution Establishing a Racial Steering Committee to Develop Recommendations in Response to Systemic Inequities:

BE IT FURTHER RESOLVED, that in addition to the Racial Equity Steering Committee, the Mayor, with input from the City Council, will appoint a working group of not more than three members to select a neutral convener to begin the planning for, and execution of a series of Community Conversations designed to illuminate issues of systemic racism in Portland, and engage community members in a robust dialogue to educate, inform, and foster positive change. These Community conversations will inform the work and recommendations of the Racial Equity Steering Committee, and will be convened and facilitated by a neutral party in collaboration with local groups, organizations, and individuals, and be supported with funding from the City

2) Mayor Snyder will provide an update in response to this section of the Resolution Establishing a Racial Steering Committee to Develop Recommendations in Response to Systemic Inequities:

BE IT FURTHER RESOLVED, that the City Council hereby requests that the Portland Public Art Committee, which is responsible for administering the Public Art Program collection, and reviewing potential gifts of art to the city's collection according the Guidelines for the Public Art Ordinance, engage in a public process in order to determine the best way(s) in which to respond to community offers of public art in support of racial equity either through a mural, banner or other form of public art within the City of Portland

APPROVAL OF MINUTES OF PREVIOUS MEETING:

Approval of the Draft September 9, 2020 City Council Minutes.

Motion was made by Councilor Ray and seconded by Councilor Chong to approve the September 9, 2020 City Council Meeting minutes. Passage 9-0.

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

BUDGET ITEMS:

Order 70-20/21 Approving Fiscal Year 2021 Administrative Fees Re: Crash Response -- Sponsored by the Finance Committee, Nicholas M. Mavodones, Jr., Chair.

Motion was made by Councilor Ray and seconded by Councilor Ali for passage. Passage 9-0.

Order 71-20/21 Authorizing City Manager to Enter into Certain Agreements to Implement the Fiscal Year 2021 Human Resources and Certain Fringe Benefits Budgets – Sponsored by the Finance Committee, Nicholas M. Mavodones, Jr., Chair

Motion was made by Councilor Mavodones and seconded by Councilor Chong for passage. Passage 9-0.

Order 72-20/21 Re: Fiscal Year 2021 Self- Insured Liability Program - Sponsored by the Finance Committee, Nicholas M. Mavodones, Jr., Chair

Motion was made by Councilor Ray and seconded by Councilor Ali for passage. Passage 9-0.

Order 73-20/21 Authorizing the Director of Parks, Recreation and Facilities to Set Fees and Enter Rental Agreements for City Facilities - Sponsored by the Finance Committee, Nicholas M. Mavodones, Jr., Chair

Motion was made by Councilor Duson and seconded by Councilor Ray for passage. Passage 9-0.

Order 74-20/21 Authorizing the City Manager to Enter into Certain Agreements to Implement Fiscal Year 2021 Health and Human Services Budget – Sponsored by the Finance Committee, Nicholas M. Mavodones, Jr., Chair

Motion was made by Councilor Costa and seconded by Councilor Ray for passage. Passage 9-0.

Order 75-20/21 Authorizing the City Manager to Accept Scholarship and Trust Donations and Bequests and Enter into Trust Agreements -- Sponsored by the Finance Committee, Nicholas M. Mavodones, Jr., Chair

Motion was made by Councilor Ray and seconded by Councilor Duson. Passage 9-0.

Order 76-20/21 Authorizing Corporation Counsel to Undertake Civil Actions to Collect Delinquent Personal Property Taxes -- Sponsored by the Finance Committee, Nicholas M. Mavodones, Jr., Chair

Motion was made by Councilor Costa and seconded by Councilor Ali for passage. Passage 9-0.

Order 77-20/21 Designating Fiscal Year 2020 Funds for Specific Island Services -- Sponsored by the Finance Committee, Nicholas M. Mavodones, Jr., Chair

Motion was made by Councilor Ray and seconded by Councilor Mavodones for passage. Passage 9-0.

Order 78-20/21 Appropriating \$340,000 from Unassigned Fund Balance for the City Revaluation Extension, Pictometry and ReCode – Sponsored by the Finance Committee, Nicholas M. Mavodones, Jr., Chair

Motion was made by Councilor Ray and seconded by Councilor Duson for passage. Passage 9-0.

RELATED ORDINANCE AMENDMENT: Order 79--2021 Amendment to Portland City Code RE: Various Fee Increases for Fiscal Year 2021 -- Sponsored by the Finance Committee, Nicholas M. Mavodones, Jr., Chair

Continuation of Order 79-20/21 Amendment to Portland City Code RE: Various Fee Increases for Fiscal Year 2021

Motion was made by Councilor Ray and seconded by Councilor Costa to amend Order 79 by changing Sec. 28-86 Parking meter rate by using the amendment prepared by the Finance Committee and located in the back up materials. Passage 5-4 (Mavodones, Cook, Thibodeau, Snyder).

Motion was made by Councilor Mavodnes and seconded by Councilor Ali for passage as amended. Passage 9-0.

APPROPRIATION RESOLVE

Order 80-20/21 Fiscal Year 2020--2021 Appropriation Resolve -- Sponsored by the Finance Committee, Nicholas M. Mavodones, Jr., Chair

Motion was made by Councilor Thibodeau to bifurcate the Finance Committee Amendment by taking out "\$7,800 Stipend for the Racial Equity Steering Committee". Passage 5-4 (Mavodones, Cook, Thibodeau, Snyder).

Motion was made by Councilor Ray and seconded by Councilor Costa to amend the Finance Committee Amendment by adding into the appropriation resolve " \$75,000 for City Council Legal Service for Charter Commission, \$75,000 for the Contractual Service for Racial Equity Steering Committee and Independent Investigation into Police Department "and to "remove \$12,000 from the City Council Budget \$8,000 from travel and \$4,000 from food". Passage 9-0.

Motion was made by Councilor Duson and seconded by Councilor Ray to amend the Finance Committee amendment by adding “\$7,800 Stipend for the Racial Equity Steering Committee”. Passage 5-4 (Mavodones, Cook, Thibodeau, Snyder).

Motion was made by Councilor Duson and seconded by Councilor Ray to bifurcate Amendment two (2) by taking out the " Funding to implement the Heritage Tree Ordinance of \$30,000" . Passage 9-0.

Motion was made by Councilor Ray and seconded by Councilor Thibodeau to amend Order 80 by adding "a sustainability associate, \$30,580 and a full time maintenance worker \$57,055 back into the budget". Passage 5-4 (Mavodones, Cook, Costa, Snyder).

Motion was made by Councilor Ray and seconded by Councilor Costa to amend Order 80 by adding in "funding to implement the Heritage Tree Ordinance of \$30,000". Motion fails 1-8 (Duson, Mavodones, Cook, Ali, Costa, Thibodeau, Chong, Snyder).

Motion was made by Councilor Thibodeau and seconded by Councilor Ray to reconsider the Vote on the amendment for "funding to implement the Heritage Tree Ordinance of \$30,000". Passage 9-0.

Motion was made by Councilor Ray and seconded by Councilor Costa to amend Order 80 by adding in "funding to implement the Heritage Tree Ordinance of \$30,000". Motion fails 2-7 (Duson, Mavodones, Cook, Ali, Costa, Chong, Snyder).

Motion was made by Councilor Ray and seconded by Councilor Duson to amend Order 80 by adding "\$56,580 to the resolve to provide funding for the City Manager to find a short term and long term solution to provide public restrooms. Passage 8-1 (Cook).

Motion was made by Councilor Ray and seconded by Councilor Thibodeau to amend Order 80 by adding "\$38,454 for funding for a special charter commission election".

Order 89-20/21 Appropriating \$500,000 from Unassigned Fund Balance to the Housing Trust Fund - Sponsored by Jon P. Jennings, City Manager

This is a first reading.

UNFINISHED BUSINESS:

Order 21-20/21 Designating the 577 Washington Avenue Affordable Housing District and Tax Increment Financing District and Adopting the Municipal Development Program for the District - Sponsored by the Housing Committee, Councilor Jill C. Duson, Chair, and the Economic Development Committee, Councilor Justin Costa, Chair.

Motion was made by Councilor Costa and seconded by Councilor Ray to amend Order 21 by "revising the TIF captured revenue to the developer from 75% to 50%. Passage 9-0.

Motion was made by Councilor Costa and seconded by Councilor Duson for passage as amended. Passage 9-0.

Order 22-20/21 Approving and Authorizing the City Manager to Enter Into the Credit Enhancement Agreement with Washington Gardens LP RE: 577 Washington Avenue. - Sponsored by the Housing Committee, Councilor Jill C. Duson, Chair and the Economic Development Committee, Councilor Justin Costa, Chair

Motion was made by Councilor Costa and seconded by Councilor Duson to amend Order 22 by adding" revised TIF captured revenue to the developer from 75% to 50%". Passage 9-0.

Motion was made by Councilor Costa and seconded by Councilor Duson for passage as amended. Passage 9-0.

Order 25-20/21 Appropriating \$400,000 in HOME Investment Partnership Program Funds to Washington Gardens, LP RE: 577 Washington Avenue - Sponsored by the Housing Committee, Councilor Jill C. Duson, Chair.

Motion was made by Councilor Duson and seconded by Councilor Costa for passage. Passage 9-0.

Order 81-20/21 Approving the Agreement between the Maine Department of Transportation and Portland Re: Pedestrian Safety Improvements on York Street - Sponsored by Jon P. Jennings, City Manager

Motion was made by Councilor Ray and seconded by Councilor Costa for passage. Passage 9-0.

Order 82-20/21 Adopting Development Program for Portland Downtown for Fiscal Year 2020-2021 - Sponsored by the Economic Development Committee, Councilor Justin Costa, Chair

Motion was made by Councilor Ray and seconded by Councilor Mavodones for passage. Passage 9-0.

Order 83-20/21 Establishing Maintenance and Implementation Assessments for Portland Downtown for Fiscal Year 2020-2021 - Sponsored by the Economic Development Committee, Councilor Justin Costa, Chair

Motion was made by Councilor Costa and seconded by Councilor Ali for passage. Passage 9-0.

Order 84-20/21 Approving Agreement between the City of Portland and Portland Downtown for Fiscal Year 2020-2021 - Sponsored by the Economic Development Committee, Councilor Justin Costa, Chair

Motion was made by Councilor Costa and seconded by Councilor Duson for passage. Passage 9-0.

Order 88-20/21 Amendment of the Portland City Code Chapters 2 and 6 Re: Moving Housing and Community Development into the Housing and Economic Development Department - Sponsored by Jon P. Jennings, City Manager

Motion was made by Councilor Duson and seconded by Councilor Ray for passage. Passage 8-0 (Ali out).

ORDERS:

Order 90-20/21 Accepting and Appropriating a Federal Emergency Management Agency Assistance to Firefighters Grant for a New Ambulance - Sponsored by Jon P. Jennings, City Manager

Motion was made by Councilor Costa and seconded by Councilor Thibodeau to waive the second reading. Passage 9-0.

Motion was made by Councilor Costa and seconded by Councilor Ali for passage as an emergency. Passage 9-0.

Order 91-20/21 Approving a Letter of Credit Agreement for the City Pension Obligation Bonds - Sponsored by Jon P. Jennings, City Manager

This is its first reading.

AMENDMENTS:

Order 92-20/21 Amendment to Zoning Map Re: the Vicinity of 879 Congress Street from R-6 to B-2b Community Business - Sponsored by the Planning Board, Brandon Mazer, Chair

This is its first reading.

Order 93-20/21 Amendment to Portland City Code Chapter 10 Re: Sprinkler System Requirement - Sponsored by the Health and Human Services & Public Safety Committee, Councilor Belinda Ray, Chair

This is its first reading.

Motion was made by Councilor Ray and seconded by Councilor Ali to adjourn. Passage 9-0, at 12:14 P.M.

A TRUE RECORD

Katherine L. Jones, City Clerk