

KATE SNYDER (MAYOR)
BELINDA S. RAY (1)
SPENCER THIBODEAU (2)
TAE Y. CHONG (3)
ANDREW J. ZARRO (4)

MARK N. DION (5)
APRIL FOURNIER (A/L)
PIOUS ALI (A/L)
NICHOLAS M. MAVODONES, JR. (A/L)

REMOTE CITY COUNCIL MEETING - FEBRUARY 1, 2021

The Portland City Council will hold a City Council Meeting remotely using Zoom. The Honorable Kate Snyder, Mayor, will preside.

ZOOM INFORMATION:

The Portland City Council will hold a meeting on Monday, February 1, 2021 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. §403A, 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. For public comment, you will need to use the "raise your hand" feature. To raise your hand via the telephone, please hit *9. You will be unmuted by the host when it is time for public comment.

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/89247930118?pwd=aG1VRzI0R3BlcThMd3pxTXI4L1lFUT09>

Passcode: 454677

Or iPhone one-tap :

US: +19292056099,,89247930118#,,,*,454677# or
+13017158592,,89247930118#,,,*,454677#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 929 205 6099 or +1 301 715 8592 or +1 312 626 6799 or +1 669 900 6833 or
+1 253 215 8782 or +1 346 248 7799

Webinar ID: 892 4793 0118

Passcode: 454677

International numbers available: <https://us02web.zoom.us/j/89247930118>

PLEDGE OF ALLEGIANCE:

ROLL CALL:

ANNOUNCEMENTS:

APPROVAL OF MINUTES OF PREVIOUS MEETING:

Approval of the draft City Council January 20, 2021 meeting minutes

PROCLAMATIONS:

Proc 8-20/21 In Recognition of Black History Month - Sponsored by Kate Snyder, Mayor

Proc 9-20/21 Condemning LGBTQ Hate Crimes and Affirming Protection from Discrimination for LGBTQ Residents - Sponsored by Kate Snyder, Mayor

COMMUNICATIONS:

Com 24-20/21 A communication regarding the City of Portland's intent to intervene in PUC Docket 2011-00138: Central Maine Power Company Request for Approval of Non-Transmission Alternative (NTA) Pilot Projects for the Mid-Coast and Portland Areas - Sponsored by Jon P. Jennings, City Manager

Communication of the City's intent to intercede in PUC Docket 2011-00138 regarding Central Maine Power's request for approval to implement non-transmission alternatives for system reliability.

As a communication this item requires no public comment or formal Council action

Com 25-20/21 A communication on the renaming of City Hall's Room 24 in honor of Clifford "Kippy" Richardson - Sponsored by Jon P. Jennings, City Manager

At the recommendation of Councilor Pious Ali and with the support of the City Council and Mayor, the City Manager is renaming Room 24 in City Hall the "Clifford 'Kippy' Richardson Room" in honor of Clifford Richardson, the first black man to be elected to a municipal office in Portland.

In 1971, Mr. Richardson was elected to a seat on the school committee. After two terms on the school committee, he won a seat in 1976 representing District 3 on the Portland City Council. He served another term on the school committee from 1986-89.

As a communication this item requires no public comment or formal Council action.

UNFINISHED BUSINESS:

Order 126-20/21 Designating Munjoy Hill Historic District and Amending the Map of Historic Districts - Sponsored by the Planning Board, Brandon Mazer, Chair

On August 11, 2020, the Planning Board voted 4-3 to recommend designation of a portion of the Munjoy Hill neighborhood as a local historic district subject to the provisions of Portland's historic preservation ordinance as shown on the attached map. The intent behind the proposed Munjoy Hill historic district and landmark designations is to provide a tool to effectively steward the historic building fabric and visual character of Munjoy Hill over time. The Planning Board's deliberations and recommendation were pursuant to the unanimous recommendation of the Historic Preservation Board on November 20, 2019. The Historic Preservation Board also voted on 11/20/19 to recommend to the Council that the historic structures at 101-107 Congress, 7 Lafayette, 8-12 Montreal, 51 Monument, 21 Sheridan, and 28 Waterville be individually designated as local landmarks given their location outside the boundary of the contiguous historic district. (The Planning Board did not review the proposed landmark designations because unlike the designation review process for historic districts, recommendations for landmark designation are forwarded directly from the Historic Preservation Board to the Council.)

Two amendments, 1 and 2, sponsored by Mayor Kate Snyder that divide the order into one designating the district and another designating individual landmarks are in the back up material. An amendment 3 removing 21 Sheridan Street is also in the back up material, offered because of a noticing issue.

This item must be read on two separate days. It received its first reading on November 9, 2020. At the November 16, 2020 meeting, this item was postponed to this meeting. Five affirmative votes are required for passage after public comment.

Order 153-20/21 Approving "Modification Two" of the Agreement between the Maine Department of Transportation and the City of Portland Re: Congress Street Traffic Lights - Sponsored by Jon P. Jennings, City Manager

In February 2019, the City and State agreed to implement upgrades to traffic signals on Congress Street (between Stevens Avenue and Fore River Parkway) as a "Locally Administered Project", in which the City administers the project and the State helps to fund it.

Since the agreement was signed in February 2019, costs associated with the project have increased significantly. As a result, this modified agreement represents an increase in the amount of funding provided locally and by the State (referred to as "Modification Two" in the agreement).

The fiscal note, included in the backup materials for this item, has been updated to reflect a new impact formula. As a result, the annual fiscal impact of this project is now estimated at \$42,560 (versus \$46,504, as estimated in the original fiscal impact note).

This item must be read on two separate days. It received its first reading on January 4, 2021. On January 20, 2021, the item was postponed until February 1, 2021.

Five affirmative votes are required for passage after public comment.

Order 159-20/21 Traffic Schedule Amendment Re: No Parking West Side of Linden Street - Sponsored by Jon P. Jennings, City Manager

In August 2020, residents of Linden Street petitioned the City to prohibit parking on the west side of the street.

The petition, which is signed by one member from at least 60% of households that front on Linden Street, was verified by the City Manager's Office on August 18, 2020.

On October 21, 2020, the Sustainability & Transportation Committee unanimously voted to recommend the request be considered by the full Council body (3-0).

The reason provided by petitioners for their request is that the narrow street is unable to safely allow for parking on both sides of the street.

Staff supports petitioners' request. Linden Street is at most 25 feet wide, and traffic travels along it in both directions. Emergency vehicle access and snow removal operations will be greatly improved if parking is permitted on just one side of the street.

This item must be read on two separate days. It received its first reading on January 20, 2021. Staff is requesting emergency passage to assist with winter plowing operations. Seven affirmative votes are required for passage as an emergency after public comment.

Order 160-20/21 Traffic Schedule Amendment Re: No Parking on the West Side of Cottage Street - Sponsored by Jon P. Jennings, City Manager

In August 2020, residents of Cottage Street petitioned the City to prohibit parking on the west side of the street.

The petition, which is signed by one member from at least 60% of households that front on Cottage Street, was verified by the City Manager's Office on August 12, 2020.

On August 26, 2020, the Sustainability & Transportation Committee unanimously voted to recommend the request be considered by the full Council body (3-0).

The reason provided by petitioners for their request is that the narrow street is unable to safely allow for parking on both sides of the street.

Staff supports petitioners' request. Cottage Street is at most 25 feet wide, and traffic travels along it in both directions. Emergency vehicle access and snow removal operations will be greatly improved if parking is permitted on just one side of the street.

This item must be read on two separate days. It received its first reading on January 20, 2021. Staff is requesting emergency passage to assist with winter plowing operations. Seven affirmative votes are required for passage as an emergency after public comment.

ORDERS:

Order 161-20/21 Approving a Net Energy Billing Agreement between the Central Maine Power Company and the City of Portland - Sponsored by Jon P. Jennings, City Manager

The order approves a net energy billing agreement with Central Maine Power that amends the list of electricity accounts that receive bill credits for energy produced at the Ocean Avenue Solar array and the Riverside Golf Course array. It also authorizes the City Manager to sign the agreement.

Five affirmative votes are required for passage after public comment.

Order 162-20/21 Approving a Live Streaming Agreement between Live Barn Inc. and the City of Portland for the Troubh Ice Arena - Sponsored by Jon P. Jennings, City Manager

This item approves an agreement with LiveBarn, Inc., for the City of Portland's Troubh Ice Arena, that provides a subscription based streaming service for Troubh guests and clients to utilize.

Five affirmative votes are required for passage after public comment.

AMENDMENTS:

Order 163-20/21 Amendment to Portland City Code, Chapter 14 Re: Self-Storage Conditional Use in B-3 Downtown Business Zone - Sponsored by the Portland Planning Board, Brandon Mazer, Chair

At a public hearing on December 15 2020, the Planning Board unanimously found (5-0; 2 recused) that the proposed zoning text amendment (self-storage as a conditional use) is consistent with the Comprehensive Plan for the City of Portland.

NewHeight Redfern LLC seeks a text amendment to the B-3 Downtown Business Zone. The proposed text amendment would add self-storage as a conditional use to the B-3 zone.

The applicant seeks to pursue a large, mixed use development on the Mercy Hospital campus, including congregate care and intermediate care facilities. The adaptive reuse of the existing buildings includes the proposal to incorporate a self-storage use. While the B-3 downtown business zone allows high density multifamily housing, it does not permit intermediate care facilities or self-storage.

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

Order 164-20/21 Amendment to Zoning Map Re: R-6 to B-3 at 148 State Street - Sponsored by the Portland Planning Board, Brandon Mazer, Chair

At a public hearing on December 15 2020, the Planning Board unanimously found (5-0; 2 recused) that proposed zoning map amendment (from R-6 to B-3) is consistent with the Comprehensive Plan for the City of Portland.

This is a companion order to the Order above. NewHeight Redfern LLC seeks a zoning map amendment to facilitate development at 102, 120, and 148 State Street. The zoning map amendment would rezone twelve parcels from R-6 to B-3 zone.

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

Order 165-20/21 Amendment to Downtown Height Overlay Map Re: 148 State Street - Sponsored by the Portland Planning Board, Brandon Mazer, Chair

At a public hearing on December 15 2020, the Planning Board unanimously found (5-0; 2 recused) that proposed amendments to the Downtown Height Overlay map is consistent with the Comprehensive Plan for the City of Portland.

This is a companion order with the orders above. NewHeight Redfern LLC seeks an amendment to the Downtown Height Overlay Map. The Downtown Height Map would add twelve B-3 parcels and designate heights for those parcels.

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

Order 166-20/21 Adopting the Council Rules of Procedure for 2021 - Sponsored by the Ad Hoc Rules Committee, Councilor Spencer Thibodeau, Chair

This amendment reflects changes discussed by the Ad Hoc Rules Committee meeting at their January 22, 2021 meeting. The Committee plans to review and vote on this amendment at their February 4, 2021 meeting.

This amendment includes the following changes:

- Moving (i) City Council meetings to 5PM and (ii) the annual, inaugural meeting of the Council from 12:00 PM to 5:30 PM (possibly joining the Council and School Committee inaugurations);
- Allowing Councilors to sponsor Proclamations that are not considered "standing" (i.e. occurring annually, etc.);
- Allows the presiding officer of Council meetings to call the question when it is under debate;
- Limits Councilors' remarks to five minutes during the deliberation of any item or amendment, with the opportunity to request five additional minutes;
- Provides certainty to Council agenda items by setting the public comment period of the Council meeting from 6:00 PM - 7:00 PM at each Council meeting, while also giving the Council the ability to reopen the public comment period after considering agenda items.

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

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

EXECUTIVE SESSION: