

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 - MARCH 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, March 1, 2021 at 5:00 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

Allow your computer to install the free Zoom app to get the best meeting experience. If you are unable to attend live, a recording will be uploaded to portlandmaine.gov/livestream the next day. If you leave a public comment, you will need to use the "raise your hand" feature. To raise your hand via 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/81646839028?pwd=cU1xbHBzRHhIR2N4cWYzV2dTckZLQT09>

Passcode: 190324

Or iPhone one-tap :

US: +19292056099,,81646839028#,,,,*190324# or +13017158592,,81646839028#,,,,*190324#

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 +1 202 8782 or +1 346 248 7799

Webinar ID: 816 4683 9028

Passcode: 190324

International numbers available: <https://us02web.zoom.us/j/81646839028?pwd=cU1xbHBzRHhIR2N4cWYzV2dTckZLQT09>

PLEDGE OF ALLEGIANCE:

ROLL CALL:

ANNOUNCEMENTS:

APPROVAL OF MINUTES OF PREVIOUS MEETING:

Approval of the Draft February 22, 2021 City Council Meeting Minutes

APPOINTMENTS:

Order 174-20/21 Appointing Curtis Bohlen and Douglas Roncarati to the Long Creek Watershed Management District Board of Directors - Sponsored by Jon P. Jennings, City Manager

The bylaws of the Long Creek Watershed Management District Governing Board calls for two (2) positions on its Board of Directors to be representatives from the City of Portland, as appointed by Council.

The bylaws also require that one of the representatives be a municipal official or employee, and the other be either a private Participating Landowner or representative of a private Participating Landowner. If a Parcel is located in the City of Portland or a representative of a non-profit corporation with an interest in the Long Creek Watershed.

Currently, Doug Roncarati, Stormwater Coordinator for the Water Resources Division of Portland's Department of Public Works, serves as the municipal representative; Curtis Bohlen, Director of the Long Creek Bay Estuary Partnership, serves as the nonprofit representative. Both are seeking reappointment to the LCWMD Board of Directors.

The Long Creek Watershed Management District (LCWMD) was created in 2009 by an inter-local agreement between the municipalities of South Portland, Portland, Westbrook and Scarborough. Its purpose is to oversee the implementation of the Long Creek Watershed Restoration Plan to meet the Department of Environmental Protection Agency requirements.

Five affirmative votes are required for passage after public comment.

COMMUNICATIONS:

Com 27-20/21 Communication on the City of Portland's Needle Exchange Program - Sponsored by Jon P. Jennings, City Manager

Com 28-20/21 Regarding the 2021/2022 Plan for Portland's Outdoor Dining & Retail Program - Sponsored by Jon P. Jennings, City Manager

UNFINISHED BUSINESS:

Order 171-20/21 Accepting and Appropriating Two Donations Totaling \$85,000 to the Dougherty Field Skatepark Expansion Project - Sponsored by Jon P. Jennings, City Manager

This order accepts and appropriates two donations totaling \$85,000 to the Dougherty Field Skatepark Expansion project.

This item must be read on two separate days. It received its first reading on February 22, 2021. Five affirmative votes are required for passage after public comment.

Order 172-20/21 Accepting and appropriating a \$20,000 Donation from the Portland Parks Conservancy for the Portland Youth Corps - Sponsored by Jon P. Jennings, City Manager

This item accepts and appropriates a \$20,000 donation from the Portland Parks Conservancy for the Portland Youth Corps, a collaborative program of the Parks, Recreation and Facilities Department, the Portland Parks Conservancy (PPC), and Maine Audubon.

This item must be read on two separate days. It received its first reading on February 22, 2021. Five affirmative votes are required for passage after public comment.

Order 173-20/21 Accepting and Appropriating a \$20,000 Donation for Improvements at East End Beach - Sponsored by Jon P. Jennings, City Manager

This item accepts and appropriates a \$20,000 donation from the Friends of the Eastern Promenade for a series of improvements to expand public access for small boat launching (kayak, canoe, stand up paddleboard) at East End Beach.

This item must be read on two separate days. It received its first reading on February 22, 2021. Five affirmative votes are required for passage after public comment.

ORDERS:

Order 175-20/21 Granting an Easement Deed to FirstLight Fiber, Inc. in Freshman Alley - Sponsored by Jon P. Jennings, City Manager

This item approves an easement for FirstLight Fiber Inc. so a buried fiber optic line can be installed and used within Portland High School, specifically at this time to serve a health clinic within Portland High School with higher speed communications services by means of a buried fiber optic communication line to be installed in Freshman Alley.

Five affirmative votes are required for passage after public comment.

Order 176-20/21 Authorizing General Obligation Bonds to Finance a Portion of the City's Fiscal Year 2022 Capital Improvement Program in an Amount not to Exceed \$17,775,802 - Sponsored by the Finance Committee, Nicholas M. Mavodones, Jr., Chair

The Finance Committee met on February 25, 2021 and voted unanimously (3-0) to forward the bond authorization and appropriation orders to the City Council for approval.

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

The following items were reviewed by the Finance Committee as part of its review of the FY22 Capital Improvement (CIP) and CIP process.

Link to FY22 Water Resources Capital Improvement Plan Presentation

https://drive.google.com/file/d/1A6bWshDxSAwE7me_5oyUL6imt5TdtVMh/view?usp=sharing

Link to full video from January 28, 2021 Finance Committee meeting:

https://townhallstreams.com/stream.php?location_id=42&id=34947

Link to Capital Improvement 101 slide presentation from January 28, 2021:

<https://docs.google.com/presentation/d/1nBfukR73sOSaQulh2mc9KIBprKYpEBzCQDWRuiYLaCk/edit?usp=s>

Link to FY22 City Manager Recommended CIP Presentation from February 11, 2021:

<https://docs.google.com/presentation/d/1TgFrzQJjfOyl9f-El7AwCw5ShHYaQclHGfdAGEc5oh8/edit?usp=sharin>

Order 177-20/21 Appropriating Bond Proceeds and other Funds in an Amount not to Exceed \$23,964,841 for the City's Fiscal Year 2021 Capital Improvement Program - Sponsored by the Finance Committee, Nicholas M. Mavodones, Jr., Chair

This is a companion order to Order 176-20/21, above.

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

AMENDMENTS:

Order 178-20/21 Amendment to Portland City Code Chapter 14 Re: The Jill C. Duson Housing Trust Fund - Sponsored by the Housing & Economic Development Committee, Councilor Spivey, Councilor Thibodeau, Chair and the Portland Planning Board, Brandon Mazer, Chair

During the December 7, 2020, City Council Inauguration Meeting, Mayor Kate Snyder announced the honor and recognition of Councilor Jill Duson's contribution to housing, including "...helping to create a municipal environment conducive to the development of affordable and low income eligible housing." She asked the Housing & Economic Development Committee to review a request to rename the Housing Trust Fund the "Jill C. Duson Housing Trust Fund".

The Housing & Economic Development Committee met on January 5, 2021 and voted unanimously (Ali absent) to support this recommendation. The Portland Planning Board met on February 23, 2021 and voted (5-0-2; Chann and Dunfey abstained) to recommend the text amendment renaming the City's Housing Trust Fund as the *Jill C. Duson Housing Trust Fund*.

The Housing Trust Fund Ordinance is located in the City Code, Chapter 14, Article 18.3. A copy of the marked revised version of the code which reflects the name change is enclosed in backup materials for Council approval.

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

Order 179-20/21 Traffic Schedule Amendment Re: Limiting Parking on Both Sides of Waverly Street to One Hour - Sponsored by Jon P. Jennings, City Manager

In October 2020, the City Manager's office received a petition, signed by over 60% of households and businesses with frontage on Waverly Street, requesting that parking on both sides of the street be permanently restricted to one hour.

Petitioners indicated to staff that this request is intended to address a shortage of on-street parking available to Waverly Street residents, as well as the congestion resulting from a high demand for on-street parking.

On October 21, 2021, the Sustainability & Transportation Committee approved the petition for the consideration of the full City Council (3-0). The Committee also requested that any 15-minute parallel parking spots on Waverly Street be maintained, to which staff agreed.

Waverly Street is a two-way street of about 25 feet in width. It is located within Residential Parking District 12. As such, residents who apply for and receive residential parking permits would be exempt from the requested restrictions.

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

Order 180-20/21 Amendment to Portland City Code Chapter 14 Re: Lot Coverage Provision B-3 Zone - Sponsored by the Portland Planning Board, Brandon Mazer, Chair

On January 26, 2021, the Portland Planning Board voted 7-0 to approve the text amendments in the following order (Order 180-20/21 and Order 181-20/21) to facilitate a development at 100 Federal Street.

This B-3 text amendment to the Land Use Code (Sec. 14-7, Table 7-E, Mixed-Use Zone Dimensional Standards) will clarify the definition of maximum floor area allowed above 125 feet in height.

The current zoning language is not clear as to whether the allowed 10,000-square-foot lot coverage is net or gross. The amendment clarifies that the intention is to allow a useable floor plate at heights greater than 125', which will add 500 square feet of flexibility for circulation and similar uninhabitable areas of the floor plan.

This amendment will also maintain a consistent definition of "floor area" as gross throughout the entirety of Chapter 14.

This order and the one following advance the proposal by applicant RedFern Downtown LLC for the development of an 18-story, 180,000-square-foot, mixed-use building with 266 residential units, ground floor commercial space, amenity spaces for the residents, and 21 surface parking spaces at 201 Federal W.

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

Order 181-20/21 Downtown Height Map Amendment Re: Maximum Height and Architectural Eligibility for 200 Federal Street - Sponsored by the Portland Planning Board, Brandon Mazer, Chair

Orders 180-20/21 and 181-20/21 are companion orders related to a proposed development at 201 Federal Street.

This item amends the Downtown Height Overlay Map to remove the architectural cap designation and increase the maximum height from 150 feet to 190 feet.

The Downtown Height Overlay map dictates the allowable heights within the B-3 zone and is specified block by block depending on the context. This amendment would maintain the same overall maximum height allowed within this block, but would make housing development more feasible by removing the Architectural Cap designation. Removing this designation allows for the ability to provide habitable area.

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: