

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 - JUNE 7, 2021

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

ZOOM INFORMATION:

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/84217109286?pwd=NzBPM2hQaDB0NWFBWmpHck1lbnRpQT09>

Passcode: 970838

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PLEDGE OF ALLEGIANCE:

ROLL CALL:

ANNOUNCEMENTS:

APPROVAL OF MINUTES OF PREVIOUS MEETING:

Approval of the draft May 17, 2021 City Council Meeting Minutes

PROCLAMATIONS:

**Proclamation 15-20/21 Recognizing June 2021 as LGBTQ+ Pride Month -
Sponsored by Kate Snyder, Mayor**

CONSENT ITEMS:

**Order 261-20/21 Appointing Members to Various Board and Commissions -
Sponsored by the Nominating Committee, Councilor Pious Ali, Chair**

The Nominating Committee met on May 19 and May 24, 2021 and interviewed for the following seats: two (2) applicants for the Fish Exchange Seat A; 10 applicants for the Portland Public Art Committee; eight (8) applicants for the Police Citizen Review Subcommittee; four (4) applicants for the Rental Housing Advisory Committee; eight (8) applicants for the Land Bank Commission; two (2) applicants for the Civil Service Employment Committee.

After interviews were completed the Nominating Committee voted (4-0) to send the following for recommendation:

Jess Lipton, Portland Public Art Committee, Exp. 06/30/2024
Danielle Gagnon, Portland Public Art Committee, Exp. 06/30/2024
Tim Smith, Police Citizen Review Subcommittee, Exp. 03/30/2024
Anne Hardcastle, Police Citizen Review Subcommittee, Exp. 03/24/2024
Avis Leavitt, Fish Exchange A, Exp. 10/31/2024
Meredith Cook, Rental Housing Advisory Committee, Exp. 03/30/2024
Christopher Marot, Rental Housing Advisory Committee, Exp. 03/30/2024
Wendy Harmon, Rental Housing Advisory Committee, Exp. 03/30/2024
Jeremy Lock, Rental Housing Advisory Committee, Exp. 03/30/2024
Patrizia Bailey, Land Bank Commission, Exp. 06/30/2024
Daniel Herzlinger, Land Bank Commission, Exp. 06/30/2024
Jayne Foley, Land Bank Commission, Exp. 06/30/2024
Robert Foster, Land Bank Commission, Exp. 06/30/2023
Alan Freedman, Civil Service Employment Commission, Exp. 06/30/2024
Elaine Edwards, Civil Service Employment Commission, Exp. 06/30/2024

Five affirmative votes are required for passage after public comment.

**Order 262-20/21 Declaring June 17 to October 31, 2021 the In the Square Festival -
Sponsored by Jon P. Jennings, City Manager**

Friends of the Congress Square Park are requesting to organize and host events at the Park. The event season, April to October, will include a wide variety of community activities such as art interactions, dance performances, live music, films and community gatherings.

Order 263-20/21 Approving Residential Parking Permit Extension Re: Islander Parking - Sponsored by Jon P. Jennings, City Manager

This order has been passed annually to provide parking for island residents on the mainland.

Specifically, it maintains 10 spaces on Hancock Street and 12 spaces on Thames Street for all-day parking by island residents with parking stickers in spaces with otherwise time-limited parking.

The order also maintains 42 parking spaces on the north side of Marginal Way, from the Park & Ride Lot to Cove Street, in the Island Residential Zone. This order, if passed, would expire on June 30, 2022.

Order 264-20/21 Declaring July 13, 2021 the Portland Greendrinks Festival - Sponsored by Jon P. Jennings, City Manager

Portland Greendrinks, a volunteer-managed, nonprofit social networking group built around a common interest in the natural environment, has requested approval to hold their July gathering at the new waterfront park on Thames Street at Amethyst Lot.

The organization is working with Portland Parks Conservancy and the City of Portland to plan the event, which will benefit the Portland Parks Conservancy.

Beer and hard cider will be served to age 21+ attendees. A 21+ Beer Garden (fenced-in area) will be set up in the park, staffed with security personnel from the City's Public Assembly Facilities Division. Portland Parks Conservancy will cover the cost of city staff and materials.

The space will be reserved from 4:00 p.m. to 9:00 p.m., with the event running from 5:30 p.m. to 8:00 p.m. A small public announcement system will be used for announcement and background music.

Greendrinks events have been held on public parkland in the past, including Deering Oaks (2013) and Fort Allen Park (2019).

Order 265-20/21 Authorizing City Application for Federal Funds to Dredge Public and Private Berthing and Vessel Support Resources and to Develop a Confined Aquatic Disposal Cell in Portland Harbor - Sponsored by Jon P. Jennings, City Manager

This order grants Council approval of the City's application for federal funding for the dredging of the Portland Harbor and development of a Confined Aquatic Disposal (CAD) Cell. While Council approval is not required per the City Charter, it is a requirement of the grant application process.

The City is seeking funding via the Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Transportation Discretionary Grant program to implement planned public and private dredging projects in Portland Harbor. Dredging vessel support areas will provide safe and full tide access to berthing, loading, and marine support services. Dredging will also remove and dispose of sediment impacted by historic industrial activities and non-point source pollution.

These sediments will be responsibly disposed of in a Confined Aquatic Disposal (CAD) cell, to be constructed within Portland Harbor as a component of the project. The City of Portland will be the lead applicant for RAISE project funds, with the City of South Portland as co-applicant and critical support provided by the Portland Harbor Commission (PHC) and the Maine Department of Transportation (MaineDOT).

The applicants seek \$24,000,000 in RAISE funding. Federal funds will be matched by a \$3,000,000 commitment by MaineDOT. A balance of \$3,000,000 will be needed from Portland Harbor property owners benefitting from the dredge - including the City of Portland. Property owner contributions will be in the form of “tipping fees” to be allocated on a per cubic yard of sediment dredged, currently estimated at \$12.50/cubic yard.

The City of Portland is proposed to be the fiscal agent for the RAISE grant, and the City Council is also asked to commit to the City’s administering the grant, contracting the project, collecting the private contributions, and allocating the City’s tipping fees - currently estimated at \$650,000. The City’s financial commitment, if approved, will be allocated from future year Waterfront Tax Increment Financing Funds.

Five affirmative votes are required for passage of the Consent Calendar following public comment.

Order 283-20/21 Appointing Constables for the Jetport and the Fire Department - Sponsored by Jon P. Jennings, City Manager

This order appoints Chris Bellefeuille at the Portland International Jetport and Jon Belanger at the Portland Fire Department constables for the 2021 calendar year.

These constables are not allowed to carry a firearm, concealed or unconcealed, in the performance of duties, or to make arrests or issue parking tickets.

Five affirmative votes are required for passage after public comment.

LICENSES:

Order 266-20/21 Granting Municipal Officers' Approval of Washington Baths LLC dba Washington Baths. Application for a Class III & IV FSE with Outdoor Dining on Private Property at 145 Washington Avenue - Sponsored by Jon P. Jennings, City Manager

Application was filed on 5/3/2021. New City applications. Applicant currently holds a Class III & IV FSE at this location.

Five affirmative votes are required for passage after public comment.

Order 267-20/21 Granting Municipal Officers' Approval of LB Kitchen LLC dba LB Kitchen. Application for a Class III & IV FSE with Outdoor Dining on Private Property and Public Property at 249 Congress Street - Sponsored by Jon P. Jennings, City Manager

Application was filed on 5/5/2021. New City applications. Applicant currently holds a Class III & IV FSE with Outdoor Dining on Private Property at this location.

Five affirmative votes are required for passage after public comment.

Order 268-20/21 Granting Municipal Officers' Approval of NPCC LLC dba Aloft Hotel Portland. Application for a Class IA FSE at 379 Commercial Street - Sponsored by Jon P. Jennings, City Manager

Application was filed on 5/3/2021. New City and State applications.

Five affirmative votes are required for passage after public comment.

Order 269-20/21 Granting Municipal Officers' Approval of Mark Barrasso dba Anthony's Italian Kitchen. Application for a Class III & IV FSE with Indoor Entertainment and Outdoor Dining on Public Property at 151 Middle Street - Sponsored by Jon P. Jennings, City Manager

Application was filed on 5/3/2021. New City and State applications. Applicant currently holds a FSE with Prep at this location.

Five affirmative votes are required for passage after public comment.

Order 270-20/21 Granting Municipal Officers' Approval of City of Portland dba Congress Square Park. Application for an Outdoor Entertainment license at 8 Congress Square - Sponsored by Jon P. Jennings, City Manager

Application was filed on 5/5/2021. New City applications.

Five affirmative votes are required for passage after public comment.

Order 271-20/21 Granting Municipal Officers' Approval of Friends & Family, Inc. dba Friends & Family. Application for a Class III & IV with Outdoor Dining on Public Property at 593 Congress Street - Sponsored by Jon P. Jennings, City Manager

Application was filed on 5/13/2021. New City and State applications. Location was previously Vinland.

Five affirmative votes are required for passage after public comment.

Order 272-20/21 Granting Municipal Officers' Approval of Rosemont Market Inc dba Rosemont Market. Application for a Class III & IV at 42 Resurgam Place - Sponsored by Jon P. Jennings, City Manager

Application was filed on 5/17/2021. New City and State applications. Location was previously Cellardoor Winery.

Five affirmative votes are required for passage after public comment.

Order 273-20/21 Granting Municipal Officers' Approval of The Club at Riverside LLC dba The Club at Riverside. Application for a Class I FSE with Combined Entertainment and Outdoor Dining on Private Property at 1158 Riverside Street - Sponsored by Jon P. Jennings, City Manager

Application was filed on 5/17/2021. New City and State applications. Location was previously Riverside Grill.

Five affirmative votes are required for passage after public comment.

Order 274-20/21 Granting Municipal Officers' Approval of Local Food 1, LLC dba Lupita's Taqueria. Application for a Class I FSE with Indoor Entertainment at 15 Exchange Street - Sponsored by Jon P. Jennings, City Manager

Application was filed on 5/17/2021. New City and State applications. Applicant currently holds a Class III & IV FSE with Indoor Entertainment at this location under the name B Good.

Five affirmative votes are required for passage after public comment.

Order 275-20/21 Granting Municipal Officers' Approval of Altwater Holdings LLC, dba Sagamore Hill Lounge. Application for a Class A Lounge with Outdoor Dining on Public Property at 150 Park Street - Sponsored by Jon P. Jennings, City Manager

Application was filed on 5/14/2021. New City and State applications. Applicant currently holds a Class XI FSE with Outdoor Dining on Private Property.

Five affirmative votes are required for passage after public comment.

Order 276-20/21 Granting Municipal Officers' Approval of Brickyard Hollow Brewing Co. dba Brickyard Hollow Brewing Co. Application for a Class XI FSE at 9 Commercial Street - Sponsored by Jon P. Jennings, City Manager

Application was filed on 5/5/2021. New City and State applications. Location was previously Arabica Coffee.

Five affirmative votes are required for passage after public comment.

Order 277-20/21 Granting Municipal Officers' Approval of The Whiskey Barrel LLC dba The Yard. Renewal application for a Combined Entertainment License at 82 Hanover Street - Sponsored by Jon P. Jennings, City Manager

Application was filed on 5/11/2021. Applicant currently holds a Class XI FSE with Combined Entertainment and Outdoor Dining on Private Property.

Five affirmative votes are required for passage after public comment.

BUDGET ITEMS:

COUNCIL ACTION ON THE MUNICIPAL BUDGET WILL TAKE PLACE AFTER PUBLIC COMMENT. PUBLIC COMMENT AND FIRST READS OF ALL MUNICIPAL BUDGET ORDERS TOOK PLACE MAY 17, 2021.

Order 248-20/21 Approving Fiscal Year 2022 Administrative Fees in the Permitting & Inspections and Parks Recreation & Facilities Departments - Sponsored by Jon P. Jennings, City Manager

This order authorizes certain administrative charges in the Permitting & Inspections (Electrical Fees) and Parks, Recreation & Facilities (Athletic Facilities & Aquatics) Departments.

This item must be read on two separate days. It received its first reading on May 17, 2021. Five affirmative votes are required for passage after public comment.

Order 249-20/21 Authorizing City Manager to Enter into Certain Agreements to Implement the Fiscal Year 2022 Human Resources and Certain Fringe Benefits Budgets - Sponsored by Jon P. Jennings, City Manager

This order authorizes the City Manager to enter into standard agreements and amendments to standard agreements with providers of services for Fiscal Year 2022 in order to implement portions of human resources, medical, workers' compensation, and liability budgets.

This item must be read on two separate days. It received its first reading on May 17, 2021. Five affirmative votes are required for passage after public comment.

Order 250-20/21 Re: Fiscal Year 2022 Self--Insured Liability Program - Sponsored by Jon P. Jennings, City Manager

This order establishes the limit of the City's liability as \$400,000 as required by the Maine Tort Claims Act and states the City's commitment to "self-insure" for such liability by approving funds for this purpose.

Five affirmative votes are required for passage.

Order 251-20/21 Authorizing the Director of Parks, Recreation and Facilities to Set Fees and Enter Rental Agreements for City Facilities - Sponsored by Jon P. Jennings, City Manager

This order would authorize the Director of Parks, Recreation and Facilities or their designee to sign rental contracts and set associated fees. This authorization is required annually.

Staff has historically set fees and signed rental agreements for City facilities such as Merrill Auditorium, the Portland Exposition Building and Ocean Gateway. These facilities host hundreds of events annually, and fees are determined based on the unique staffing levels and services they require.

The City's Legal Department has created a standard rental agreement. Any changes to the terms of standard agreement, other than pricing, are reviewed by legal prior to being changed.

Venues/programs overseen by this Department are run in a business-like manner and need the flexibility to offer specials and adjust pricing based on market conditions. This order will further reaffirm the practice of these fees being set administratively.

Five affirmative votes are required for passage after public comment.

Order 252-20/21 Authorizing the City Manager to Enter into Certain Agreements to Implement Fiscal Year 2022 Health and Human Services Budget – Sponsored by Jon P. Jennings, City Manager

This order authorizes the City Manager to enter into standard agreements and amendments to those standard agreements to receive reimbursement for services by the Health and Human Services Department.

In addition, the City enters into agreements with service providers and landlords to provide services for department programs.

This item must be read on two separate days. It received its first reading on May 17, 2021. Five affirmative votes are required for passage after public comment.

Order 253-20/21 Authorizing Corporation Counsel to Undertake Civil Actions to Collect Delinquent Personal Property Taxes - Sponsored by Jon P. Jennings, City Manager

This item will give Corporation Counsel a standing authorization to undertake civil actions to collect any delinquent personal property taxes that arise during the course of the fiscal year.

Otherwise it would be necessary for the City Council to specifically authorize each individual legal action. This general authorization will take the place of the case-by-case approach.

Five affirmative votes are required for passage.

Order 254-20/21 Authorizing Non-Union Wage Adjustment - Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr. Chair

This Order authorizes the City Manager to utilize a 2.0% Cost of Living Adjustment (COLA) for pay adjustments for non-union employees and approves the new pay plan.

This item must be read on two separate days. It received its first reading on May 17, 2021. Five affirmative votes are required for passage after public comment.

**Order 255--20/21 Designating Fiscal Year 2022 Funds for Specific Island Services -
Sponsored by Jon P. Jennings, City Manager**

The municipal budget includes \$40,000 for use on Peaks Island in addition to the funds used to pay for direct and indirect city services. Pursuant to a request from the Peaks Island Council these funds will be used as follows in FY22:

Item A: Peaks Island Summer Bike Ticket Program \$500

Item B: PI Needs-Based Boat Tickets \$3,000

Item C: PI Portland Public Middle & High School Student Boat Passes \$4,500

Item D: PI Full Time College Students (Portland Area) 3 Monthly Stickers \$450

Item E: PI Children Attending Private Schools Vouchers \$400

Item F: PI ITS (Island "Taxi"): Island Transportation System \$20,984

Item G: PI PITEA (Heating): Peaks Island Tax & Energy Assistance \$5,300

Item H: PI PEAT: Peaks Island Environmental Team Visitor Education Materials \$860

Item I: PI Administrative Expenses \$2,006

Item J: Fifth Maine Museum - Window Replacement \$2,000

TOTAL: \$40,000

This item must be read on two separate days. It received its first reading on May 17, 2021. Five affirmative votes are required for passage after public comment.

Order 256-20/21 Amendment to Portland City Code RE: Various Fee Increases for Fiscal Year 2022 - Sponsored by Jon P. Jennings, City Manager

Amends the following fees in Chapter 24 in §24-72 and §24-84:

(a) The proposed sewer rate for July 1, 2021 is \$11.80 per hundred cubic feet (hcf), up from the October 1, 2020 rate of \$11.15 hcf.

Chapter 24	Description	Current Fee	Proposed Fee
Sewers			
<i>Sec. 24--72</i>	Sanitary sewer user charges		
24--72 (c)	Sewer user fees \$	\$11.15/hcf	\$11.80/ hcf

(b) The proposed stormwater rate for July 1, 2021 is \$7.00 per 1,200 sf of impervious surface area, up from the October 1, 2020 rate of \$6.75.

Chapter 24	Description	Current Fee	Proposed Fee
Stormwater			
<i>Sec. 24--84(a)</i>	Stormwater Service Charge		
	Stormwater Service Charge \$	\$6.75 per 1,200 sf impervious surface area	\$7.00 per 1200 sf impervious surface area

This item must be read on two separate days. It received its first reading on May 17, 2021. Five affirmative votes are required for passage after public comment.

Order 257-20/21 Fiscal Year 2021--2022 Appropriation Resolve - Sponsored by Jon P. Jennings, City Manager

The Appropriation Resolve contains the City Manager's recommended budget for Fiscal Year 2022 for general municipal purposes in the amount of \$268,216,301. In addition, it contains the Portland Board of Education's recommended budget for FY2022 for school purposes in the amount of \$125,154,700.

The Finance Committee voted unanimously (3-0) at its May 20, 2021 meeting to forward the FY22 City Manager's Recommended budget to the full City Council for approval.

The tax levy based upon the City Manager's recommended budget is \$91,014,931 and \$100,582,406 for the Portland Board of Education's recommended School Budget. The Portland Board of Education's recommended School Budget and the City Manager's budget recommendations for municipal purposes results in a combined tax levy of \$191,597,337 for Fiscal Year 2022.

The Appropriation Resolve also directs the Assessor of Taxes to assess a tax upon all real and personal property liable to be taxed as of April 1, 2021 and sets 30 Days after Tax Commitment 2021 as the tax due date, which may be paid in two installments due 30 Days after Tax Commitment 2021, and on March 18, 2022.

The delinquency rate of interest is set at 6.0% per year, and the abatement rate of interest is set at 2.0% per year.

This item must be read on two separate days. It received its first reading on May 17, 2021. Five affirmative votes are required for passage after public comment.

RESOLUTIONS:

Res 10-20/21 Recommending Increased Frequency of Property Revaluations for the City of Portland - Sponsored by Kate Snyder, Mayor

This Resolution recommends that the City conduct property revaluations, and budget the funding for them, every five years. The City has just completed its first revaluation in the past fifteen years, which has created inequities in the tax burden of its property owners.

Five affirmative votes are required for passage after public comment.

UNFINISHED BUSINESS:

Order 259-20/21 Authorizing 6th Amendment to the Downtown Transit Oriented Development and Omnibus Tax Increment Financing District to Increase Funding to Creative Portland - Sponsored by Spencer Thibodeau, Chair, Housing & Economic Development Committee

The Housing and Economic Development Committee (HEDC) reviewed Creative Portland Board's request for additional Downtown TOD TIF funding and recommended, on a vote of 4-0 on March 16, 2021, to forward this to the City Council for approval.

Creative Portland (CP) Board President Kate Anker presented the Board's request to the HEDC at their March 2nd and 16th meetings for increased funding for CP programs and services. It is noted that the Housing and Economic Development Department includes two full-time positions which provide staff support to the CP Board. The CP Board's request is for the City of Portland to fund the entire costs for the two full-time staff positions assigned to the Board and for the City to redirect the historic level of funding of \$100,000 along with a \$55,000 increase to support programs and services outlined in the attached CP Board request.

The Downtown TOD TIF currently has a cap of \$100,000 annually to support CP. Historically, TIF funding only supported staff costs. The Proposed TIF District Amendment would establish a minimum annual level of funding for CP in the amount of \$155,000 to support CP programs and services. See below funding table:

CP Funding Table		
Timeframe and Use	Source	Total
Existing – City Staff Costs	\$100,000 – DT TOD TIF \$40,000 – DT TOD TIF	\$140,000
CP Board Request: - City Staff Costs - CP Programs and Services	\$140,000 – TIF \$155,000 – DT TOD TIF	\$295,000

This item must be read on two separate days. It received its first reading on May 17, 2021. Five affirmative votes are required for passage after public comment.

Staff recommends that this item be postponed to September 8, 2021 (the first meeting in September) so that a City Council workshop can be scheduled in order to discuss the implications of the proposed TIF amendment and potential one-time use of FY22 fund balance in more detail.

Order 260-20/21 Establishing a 180-Day Moratorium on New Shelters in the Bayside Neighborhood - Sponsored by Tae Chong, Chair, Health & Human Services and Public Safety Committee

The Health & Human Services and Public Safety Committee met on May 11, 2021 and voted 3-0 to recommend passage to the full Council to take effect immediately as an emergency measure.

This moratorium would prevent new permanent emergency shelters and expansions of existing shelters in the Bayside neighborhood for 180 days while the Health & Human Services and Public Safety Committee finalizes its recommendation for an emergency shelter licensing scheme.

This item must be read on two separate days. It received its first reading on May 17, 2021. Five affirmative votes are required for passage after public comment.

Order 261A-20/21 Traffic Schedule Amendment Re: New 30-Minute Parking Spaces at 132 Marginal Way - Sponsored by Jon P. Jennings, City Manager

As part of improvements to 132 Marginal Way, a private developer is updating the upper floors of the current multi-use building to 1-and 2-bedroom units, and desires more turnover spaces on-street for first-floor commercial space. The requested Council action would allow the development to add seven (7) 30-minute parking spaces to an area that is currently an esplanade.

This item must be read on two separate days. It received its first reading on May 17, 2021. Five affirmative votes are required for passage after public comment..

ORDERS:

Order 278-20/21 Approving and Authorizing Maine Department of Transportation and City of Portland Land Exchange Agreement Re: International Marine Terminal - Sponsored by Councilor Spencer Thibodeau, Chair, Housing & Economic Development Committee

This item would approve the Land Exchange Agreement between the Maine Department of Transportation (MaineDOT) and the City. On May 18, the Housing & Economic Development Committee voted (4-0) to recommend approval of this agreement to the City Council.

The City and MaineDOT properties are determined to be of equivalent value, so no money will change hands. This agreement provides for an exchange as follows:

City of Portland Properties to Exchange with MaineDOT

International Marine Terminal Property: Currently leased to the Maine Port Authority.

Cliff Island Wharf: The State owns all public wharfs in Casco Bay. Transferring this responsibility to the State relieves the City of all financial maintenance responsibility for this Wharf in the future.

MaineDOT Properties to Exchange with the City

Wye Property along County Way: This is a 10-acre site with known environmental issues, which City staff feel can be managed to support site development in the future. Land of this size on the Peninsula is scarce.

Park & Ride Lot (on Marginal Way, adjacent to Miss Portland Diner): The City's intended future use of this property is to support transportation activities.

Former Union Branch Rail Corridor (from Forest Avenue to Park Street, including the railroad bridge): City ownership and MaineDOT commitment to construct a multi-use trail will complete a major trail connection throughout the City.

The Maine Port Authority (MPA) and MaineDOT began leasing the International Marine Terminal (IMT) from the City in 2009. Since that time, the MPA and MaineDOT have dramatically expanded the footprint of the IMT by acquiring adjacent property and have constructed numerous improvements. In 2018, MaineDOT approached the City regarding this land exchange.

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

Order 279-20/21 Approving Modification Three to an Agreement between Portland and the Maine Department of Transportation re: Congress Street Traffic Signals - Sponsored by Jon P. Jennings, City Manager

This project is a Locally Administered Project (LAP) where the City administers the project and receives funding from the State. It will modernize the traffic control architecture to the newest standard available along Congress from Fore River Parkway to Stevens Avenue.

Due to the cost of the awarded bid, the Portland Area Comprehensive Transportation System (PACTS) is providing an additional \$127,800 toward the project and the City is providing an additional \$255,839.

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

Order 280-20/21 Approving Modification 1 to the Agreement Between Portland and the Maine Department of Transportation re: Congress Square Intersection Improvements - Sponsored by Jon P. Jennings, City Manager

The original project agreement with the Maine Department of Transportation (MaineDOT) approved by the Council by Order 32-19/20 on September 4, 2019, with Work Identification Number 024293.00, included costs related to the project design only. This order seeks to modify that agreement to now include construction costs.

The Congress Square Intersection Improvement Project will provide safety and mobility improvements to the intersection of Congress Street/High Street/Free Street, including improved intersection alignment, shorter and more intuitive pedestrian crossings, and new signal equipment.

The project will improve safety and mobility for all modes by improving signal timing and vehicle detection, reducing crosswalk lengths, and expanding pedestrian plazas.

The updated agreement increases the City's share from \$61,540 to \$1,654,138.00, and increases MaineDOT's share from \$38,460 to \$1,000,000.00.

This item must be read on two separate days. Staff is requesting that the second reading be waived, which requires seven affirmative votes. Staff also requests that this item be passed as an emergency. Passage as an emergency requires seven votes, following public comment.

Order 281-20/21 Approving and Authorizing First Letter Agreement with Developers Collaborative for the Homeless Service Center Project on Riverside Street - Sponsored by Councilor Spencer Thibodeau, Chair, Housing & Economic Development Committee

The Housing and Economic Development Committee, on May 18, 2021, selected Developers Collaborative to be the developer for the Riverside Street HSC. A copy of the Developers Collaborative (DC) HSC Proposal is enclosed.

Step one for the HSC is to prepare conceptual site and building design plans, along with handling a public engagement process to include working with the City Health and Human Services Committee, City staff, HSC facility partners, and the general public. To begin this process, DC proposes entering into the Proposed First Letter Agreement (copy attached). The First Letter Agreement Scope of Work includes:

- Conceptual Site and Building Design along with the Public Process.
- Due Diligence. Project feasibility in design, site constraints, permitting, and financing.
- Deliverables. Formulate a financing, partnership, and phasing strategy that best fits the circumstances.
- Compensation and additional items. DC and third-party consultants will receive no compensation for the scope of work included in the First Letter Agreement for a period of sixty days (60) days.

Next steps include:

- Second Letter of Agreement is proposed to provide for City payment of and/or reimbursement for Developer fees and third-party costs related to the HSC Project.
- Ground Lease/Master Lease. Following the Second Letter of Agreement, a Ground Lease/Master Lease between the parties is proposed to include the final terms of the partnership.

Five affirmative votes are required for passage after public comment.

AMENDMENTS:

Order 282-20/21 Amendment To Zoning Map from B-1 to B-2b for Jeffrey Curran at 163 Washington Avenue - Sponsored by Brandon Mazer, Chair, Portland Planning Board

The applicant seeks a zoning map amendment for a property at 163 Washington Avenue. The property is currently zoned B-1 Neighborhood Business; the application seeks a zoning change to B-2b Community Business.

At their review on April 13, the Planning Board determined that the proposing zoning map amendment was not consistent with the Comprehensive Plan for the City of Portland (0-7).

The applicant seeks this map amendment to allow for the conversion of the first floor in the existing building at 163 Washington Avenue into a brewery with a tasting area, which is not a permitted use in the B-1 zone.

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: