

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)

SPECIAL CITY COUNCIL MEETING (EARLY) - JULY 19, 2021

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

To submit written public comment on an agenda item, email publiccomment@portlandmaine.gov. Submissions must be received by 12:00 pm the day of the Council meeting to guarantee their inclusion in the agenda packet. All submissions must include the commenter's name and legal address. To help ensure your comment is submitted for the correct item, please include the order number (see below).

ZOOM INFORMATION:

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/85621497951?pwd=UFFoUHdtZldieU1vVms5eFB2L25ZZz09>

Passcode: 206775

Or One tap mobile :

US: +13017158592,,85621497951#,,,,*206775# or
+13126266799,,85621497951#,,,,*206775#

Or Telephone:

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

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

Webinar ID: 856 2149 7951

Passcode: 206775

International numbers available: <https://us02web.zoom.us/j/85621497951>

PLEDGE OF ALLEGIANCE:

ROLL CALL:

ANNOUNCEMENTS:

APPROVAL OF MINUTES OF PREVIOUS MEETING:

Approval of the Draft June 21, 2021 City Council Meeting Minutes

PROCLAMATIONS:

Proc 1-21/22 Recognizing Educators Maureen Lovejoy and Jennifer Rogers -
Sponsored by Kate Snyder, Mayor

Proc 2-21/22 Recognizing the Vaccination Efforts of Healthcare Workers -
Sponsored by Kate Snyder, Mayor

CONSENT ITEMS:

Order 1-21/22 Granting a Thames Street Extension License to Northern Utilities, Inc., doing business as Unitil - Sponsored by Jon P. Jennings, City Manager

This item approves a utility license agreement to Northern Utilities, doing business as Unitil, in the newly constructed Thames Street Extension and Connector Road roadways to allow the company to maintain infrastructure already installed as part of the roadway extension project. This agreement will also allow Unitil to install additional infrastructure in the roadway. Adding any additional infrastructure would require approval from the Department of Public Works. When Thames Street Extension or the Connector Road become public right-of-ways, this agreement will be terminated and Unitil will be granted normal public right of way utility rights.

In addition to this work, Thames Street requires paving and the installation of brick sidewalk along the City lot prior to acceptance by the City of Portland.

Five affirmative votes are required for passage after public comment.

Order 2-21/22 Accepting the Public Art Committee Fiscal Year 2021 Annual Report and Fiscal Year 2022 Budget Plan - Sponsored by Kate Snyder, Mayor

At its monthly meeting on June 16, 2021, the Portland Public Art Committee voted unanimously (9-0) to recommend the FY21 Annual Report and FY22 Budget Plan for approval by Portland City Council.

In one section of the annual report and in response to the recent street mural applications, the Committee has proposed revisions to the Temporary Art Guidelines to better accommodate street mural proposals. The budget plan for the next fiscal year continues conservation of the collections, maintenance/operations, and funds towards the acquisition of Gathering Stones on the Eastern Promenade.

Five affirmative votes are required for passage after public comment.

LICENSES:

Order 3-21/22 Granting Municipal Officers' Approval of On the Rocks Cocktail Cruises LLC, dba On the Rocks Cocktail Cruises. Application for a Class I FSE at 68 Commercial Street - Sponsored by Jon P. Jennings, City Manager

Application was filed on 6/22/2021. New City and State applications.

Five affirmative votes are required for passage after public comment.

Order 4-21/22 Granting Municipal Officers' Approval of Hi Fidelity LLC, dba Hi Fidelity. Application for a Class A Lounge with Outdoor Dining on Private Property and Indoor Entertainment at 200 Anderson St, Ste 6. This license will be conditioned per zoning to state: Can offer up to, but not more than 10% of beverages produced offsite - Sponsored by Jon P. Jennings, City Manager

Application was filed on 6/28/2021. New City and State applications. Location was previously Gruit Brewing.

Five affirmative votes are required for passage after public comment.

Written Public Comment

Order 5-21/22 Granting Municipal Officers' Approval of Tokyo Sushi Ramen Inc, dba Tokyo Sushi Ramen. Application for a Class I FSE with Outdoor Dining on Private Property at 11 Brown Street - Sponsored by Jon P. Jennings, City Manager

Application was filed on 6/28/2021. New City and State applications. Location was previously BRGR Bar.

Five affirmative votes are required for passage after public comment.

Order 6-21/22 Granting Municipal Officers' Approval of Portland Harbor Hotel Associates LLC, dba Portland Harbor Hotel. Application for a Class IA Inn with Outdoor Dining on Private Property and Combined Entertainment at 468 Fore Street - Sponsored by Jon P. Jennings, City Manager

Application was filed on 6/28/2021. New City and State applications. New owner of an existing business.

Five affirmative votes are required for passage after public comment.

ORDERS:

Order 7-21/22 Approving the Agreement between the Portland Area Comprehensive Transportation System, the Maine Department of Transportation and Portland re: Forest Avenue Improvements from Marginal Way to Park Avenue - Sponsored by Jon P. Jennings, City Manager

This order will allow the Maine Department of Transportation to begin preliminary design work along Forest Avenue from Marginal Way to Park Avenue, as per the Portland Area Comprehensive Transportation System (PACTS) Smart Corridor Study Plan. The PACTS Route 302/Route 77 corridor study (i.e. the Smart Corridor Study), completed in 2018, provided numerous recommendations for Forest Avenue from Marginal Way to Park Avenue. Most significantly, the project called for a realigned High Street, shifting access to Forest Avenue slightly southerly. A realigned Kennebec Street was also recommended, as well as numerous improvements for bicycles, pedestrians, and transit. A concept plan from the report is shown in Appendix A.

The cost to the City for the preliminary design work will be no more than \$50,000.

This item must be read on two occasions. This is its first reading, with a second reading on August 16, 2021.

Order 8-21/22 Accepting and Appropriating a Grant from the Maine Department of Economic and Community Development Re: Journey Maps in Multiple Languages - Sponsored by Jon P. Jennings, City Manager

The Housing & Economic Development Department is requesting the City Council accept and appropriate a \$4,750 grant from the Maine Department of Economic and Community Development (MDECD) for use by the Office of Economic Opportunity (OEO) to enhance Economic Development and Inclusion by creating journey maps that help vulnerable populations, including limited English proficient individuals, to navigate often confusing and complex systems to secure basic needs such as English classes, food, childcare, transportation, starting a business, and several others.

A journey map is a visualization of the process that a person goes through in order to accomplish a goal; its purpose is to help communicate otherwise complex processes and systems. This grant will allow OEO to continue to create more journey maps and absorb the translation costs associated with this impactful initiative.

This item must be read on two separate days. This is its first reading, with a second reading on August 16, 2021.

Order 9-21/22 Approving the Maine Department of Transportation and City of Portland Agreement Re: Franklin Street and Marginal Way - Sponsored by Jon P. Jennings, City Manager

This item approves improvements to the busy intersection of Franklin Street and Marginal Way, with related updates administered by the City, paid for by the Maine Department of Transportation (MaineDOT), including updated and secure signal equipment, in keeping with current City design requirements for the peninsula, and new mast arms, painted black. The City is required to pay zero percent toward this project unless the outcomes exceed the \$360,000 budgeted for the work. As such, no fiscal impact note has been prepared.

This item must be read on two separate days. This is its first reading, with a second reading on August 16, 2021.

Order 10-21/22 Amending Order 233-20/21 Approving State/Local EPS Funding Allocation for Public Education from Kindergarten to Grade 12 for Portland Public Schools for Fiscal Year 2022 – Sponsored by Jon P. Jennings, City Manager

On July 6, 2021, the Portland Board of Public Education approved an item that accepts and appropriates additional State Aid To Education funds approved by the Maine Legislature in this year's supplemental budget bill.

Four School Budget orders are now before the City Council for amendment. This order adds the sum of \$1,499,155 from additional state education funding that the City will receive to decrease the amount raised from the City's contribution to the School Budget, which amount is also known as the "local cost share expectation," from \$77,010,122 to \$75,510,967.

This item must be read on two separate occasions. This is its first reading, and the second reading will be at the later meeting on July 19, 2021.

Written Public Comment

Order 11-21/22 Amending Order 236-20/21 Approving Total School Operating Budget For Portland Schools for Fiscal Year 2022 – Sponsored by Jon P. Jennings, City Manager

This item is a companion item with the orders above. The new order adds the sum of \$1,300,000 from additional state education funding that the City will receive and increases the total school budget for fiscal year 2022 from \$118,755,817 to \$120,055,817.

This item must be read on two separate occasions. This is its first reading, and the second reading will be at the later meeting on July 19, 2021.

Order 12-21/22 Amending Order 257-20/21 Fiscal Year 2021-2022 Appropriation Resolve - Sponsored by Jon P. Jennings, City Manager

This order approves the amended total sum approved for school purposes in Fiscal Year 2022, now including the additional State Aid to Education approved in the Supplemental Budget Bill from the Maine Legislature.

A new school budget referendum is not required to spend the additional state subsidy. Language adopted in the Supplemental Budget bill makes this clear:

Sec. C-8. Additional state subsidy. Notwithstanding any provision of law to the contrary and for fiscal year 2021-22 only, a school board of a school administrative unit that receives more state education subsidy than the amount included in its budget is authorized to use all or part of the additional subsidy to:

1. Increase expenditures for school purposes in cost center categories described in the Maine Revised Statutes, Title 20-A, section 1485, subsection 1 approved by the school board;
2. Increase the allocation of finances in a reserve fund approved by the school board; or
3. Decrease the local cost share expectation, as defined in section 15671-A, subsection 1, paragraph B, for local property tax payers as approved by the school board.

This item must be read on two separate occasions. This is its first reading, and the second reading will be at the later meeting on July 19, 2021.

Order 13-21/22 for a Preliminary Earmark of \$3,399,686 from Additional State Education Funding as School Debt Service Reserve – Sponsored by Jon P. Jennings, City Manager

This item is a companion item with the orders above.

On June 30th, the Maine Legislature approved a biennium budget for Fiscal Years 2022 and 2023. A significant feature of this approved budget was the inclusion of Governor Mill's Supplemental Budget. This budget increased State funding for education to the statutory 55% for the first time in history.

The net result of the addition of the supplemental budget and other state subsidy

adjustments was an additional \$6,198,841 for Portland Public Schools. The Board of Education has proposed to allocate:

- \$1.3 million to return Custodian Salaries and Benefits back to the local budget from federal relief monies.
- \$1,499,155 million to reduce property taxes in order to maintain the current combined City and School tax rate.
- The balance of \$3,399,686 to be preliminarily earmarked for a School Debt Service Reserve, subject to future approval as part of the school budget approval process.

This item must be read on two separate occasions. This is its first reading, and the second reading will be at the later meeting on July 19, 2021.

4:30 P.M. PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS: