

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)

CITY COUNCIL MEETING - NOVEMBER 1, 2021 AT 5:00 PM

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/84217109286?pwd=NzBPM2hQaDB0NWFBWmpHck1lbnRpQT09>

Passcode: 970838

Or One tap mobile :

US: +13017158592,,84217109286#,,, *970838# or +13126266799,,84217109286#,,, *970838#

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: 842 1710 9286

Passcode: 970838

International numbers available: <https://us02web.zoom.us/j/84217109286?pwd=NzBPM2hQaDB0NWFBWmpHck1lbnRpQT09>

PLEDGE OF ALLEGIANCE:

ROLL CALL:

ANNOUNCEMENTS:

RECOGNITIONS:

Recognizing Frank Clark, Chief of Police

Recognizing Jon P. Jennings, City Manager

APPROVAL OF MINUTES OF PREVIOUS MEETING:

Approval of the Draft October 18, 2021 City Council Meeting Minutes

CONSENT ITEMS:

Order 85-21/22 Approving Transfer of Funds Under 15 M.R.S. §§5824(3) and 5826(6) Re: Nicholas Leeman - Sponsored by Jon P. Jennings, City Manager

This order authorizes the City Council to approve the transfer of \$2,925.00 in forfeited assets from the State of Maine to the City of Portland in the case of the State of Maine v. Nicholas Leeman.

Order 86-21/22 Approving Transfer of Funds Under 15 M.R.S. §§5824(3) and 5826(6) Re: Justin Antonio Neves - Sponsored by Jon P. Jennings, City Manager

This order authorizes the City Council to approve the transfer of \$675.00 in forfeited assets from the State of Maine to the City of Portland in the case of the State of Maine v. Justin Antonio Neves.

Order 87-21/22 Approving Transfer of Funds Under 15 M.R.S. §§5824(3) and 5826(6) Re: Jason Boston - Sponsored by Jon P. Jennings, City Manager

This order authorizes the City Council to approve the transfer of \$7,838.00 in forfeited assets from the State of Maine to the City of Portland in the case of the State of Maine v. Jason Boston.

Five affirmative votes are required for passage of consent items after public comment.

UNFINISHED BUSINESS:

Order 81-21/22 Approving and Appropriating \$4.5 Million for Land Acquisition by the Portland International Jetport - Sponsored by Jon P. Jennings, City Manager

The Portland International Jetport is requesting approval and an appropriation of \$4.5 million from its unrestricted fund balance for the acquisition of land. The parcels proposed for acquisition were specifically noted for future purchase in the Jetport's Sustainable Airport Master Plan that was accepted by the City Council in 2016.

The purchase includes five parcels totaling 4.53 acres currently held by Toye Airport Park, LLC and Toye Realty Holdings III, LLC.

This item must be read on two separate days. It received its first reading on October 18, 2021. Five affirmative votes are required for passage after public comment.

Written Public Comment

Order 82-21/22 Approving the Homeless Services Center Ground and Building Master Leases at 654 Riverside Street - Sponsored by the Housing & Economic Development Committee, Mayor Kate Snyder, Chair, and the Finance Committee, Councilor Nicholas Mavodones, Chair

On October 5, 2021, the Housing & Economic Development Committee (HEDC) voted 4-0 to recommend to the City Council approval of these leases in substantially the form presented to them. Also, on October 7, 2021, the Finance Committee voted 3-0 to recommend to the City Council approval.

For the Homeless Services Center (HSC), a 51,690-square-foot, 200-bed facility, the cost would be capped at \$25 million for the facility construction. The \$5 million cost increase from the developer's original \$20 million proposal is due to changes required to address Planning Board approval conditions; the pandemic's impact on material costs; energy efficiency requirements associated with the Green New Deal; and site improvement expenses.

The annual rent would be fixed at \$2.701 million for 10 years, after which it would decrease by \$307,500 and include annual 2.5% escalators to \$434,489 in year 25. At the end of year 25, the City would have the option to purchase the HSC for \$1.

The \$25 million cost cap allows staff to negotiate equal or better lease terms based on additional negotiations with the developer and possible additional State of Maine and/or Cumberland County funds to support the HSC.

This item must be read on two separate days. It received its first reading on October 18, 2021. Five affirmative votes are required for passage after public comment.

Written Public Comment

Order 83-21/22 Approving the Collective Bargaining Agreement with the Police Benevolent Association (PBA) - Sponsored by Jon P. Jennings, City Manager

City staff has reached a tentative agreement with the Police Benevolent Association (PBA) which is within guidance. The PBA represents 125 police officers and detectives in the Portland Police Department.

The Union has ratified the tentative agreement and the City negotiating team recommends your support for the agreement.

Terms of the Agreement include a three (3) year contract with general wage increases of 3% effective January 3, 2021 (retroactive); 0% effective January 2, 2022 and 3% effective January 1, 2023.

Other economic agreements are as follows:

Effective January 2022 – implement the 3C retirement plan (66.6% at 25 years, no age requirement); increase the employer contribution to the 401a retirement plan, 2.5% above the current employer contribution rate; increase the 18+ year step by 2%

Article 4 Salaries – Add Traffic Investigator to the Detective pay scale

Article 4.2.2 – add DRE and Media Specialist to the part time specialty list

Article 5 Overtime – one rate for outside details set at \$52.00 per hour

Article 7 Vacations – raise the accrual cap to 200 hours but keep maximum payout at 160 hours

Establish a Retirement Health savings Account (RHSA) to be funded from employees' excess sick leave accruals

The contract term is January 1, 2021 through December 31, 2023.

The approximate total direct costs of the general wage increases are approximately one million, one hundred fifty thousand (\$1,150,000.00) dollars over the three (3) year agreement.

This item must be read on two separate days. It received its first reading on October 18, 2021. Five affirmative votes are required for passage after public comment.

Order 84-21/22 Appropriating \$14.2 Million in American Rescue Plan Act Funding - Sponsored by Jon P. Jennings, City Manager

The City of Portland has undertaken an intensive public process to solicit input from the community on priorities for the City's allocation of State and Local Fiscal Recovery Funds from the American Rescue Plan Act of 2021. The City is receiving \$46M of funding in two tranches, \$23M in 2021 and \$23M expected to be received in 2021. The first \$8.75M of funding was allocated as part of the FY22 budget process to sustain municipal services. This item allocates an additional \$14.2M of the first tranche payment.

Top priorities of the community and City Council for first tranche funding included community recreation facilities, parks and public spaces maintenance, affordable housing programs, homeless services, public health, childcare program assistance, and expansion of public restrooms. On October 7, 2021 the Finance Committee voted (3-0) to approve these funding recommendations and bring them to the full City Council. Complete details on the public outreach process, funding priorities identified, specific project recommendations and backup materials can be found in the agenda item attachments.

This item must be read on two separate days. It received its first reading on October 18, 2021. Five affirmative votes are required for passage after public comment.

Written Public Comment

AMENDMENTS:

Order 88-21/22 Amendment to Portland City Code Chapter 15 Re: Emergency Shelter License Requirements - Sponsored by the Health & Human Services and Public Safety Committee, Tae Chong, Chair

The Health & Human Services and Public Safety Committee met on September 28, 2021 and voted 2 - 0 (Ray absent) to recommend passage to the full Council.

The amendment would establish licensing requirements and enforcement provisions for emergency shelters to ensure the safety of clients and staff. These include a two-tier fee structure for small and large emergency shelters, a bed density cap of 300 beds within a one-mile radius, a 1,000-foot buffer zone between shelters, a day space requirement, and exemptions for pre-existing emergency shelters.

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

Order 89-21/22 Amendment to the Portland City Code Chapter 18 Re: Bedford Park renamed Noyes Park - Sponsored by Jon P. Jennings, City Manager

This Order would rename Bedford Park Noyes Park in recognition of the family that originally donated the land to the City to create this park in 1927. This request was made by members of the Noyes family and is supported by City staff.

Staff research determined that the name "Bedford Park" began to be used in the 1950s, but their research did not determine why or how that change was made. Additional information on the history of this property and the research conducted by staff can be found in the accompanying staff memo.

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

Written Public Comment

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