

KATE SNYDER (MAYOR)
ANNA TREVORROW (1)
VICTORIA L. PELLETIER (2)
TAE Y. CHONG (3)
ANDREW ZARRO (4)

MARK N. DION (5)
APRIL FOURNIER (A/L)
PIOUS ALI (A/L)
ROBERTO RODRÍGUEZ (A/L)

CITY COUNCIL MEETING - DECEMBER 6, 2021 AT 6:30 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:

The Portland City Council will hold a meeting on December 6, 2021. 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/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:

APPROVAL OF MINUTES OF PRIOR MEETING:

Approval of the November 15, 2021 Draft City Council Meeting Minutes.

APPOINTMENTS:

**Order 104-21/22 Appointing Members to Various Boards and Commissions -
Sponsored by the Nominating Committee, Councilor Pious Ali, Chair**

Name	Board and Committee	Expiration
Janice Hastings	CDBG	09/30/2024
Barbara Ginley	CDBG	09/30/2024
Elinor Higgins	CDBG	09/30/2024
Maggie Stanley	Planning Board	02/28/2025
Sean Murphy	Planning Board	02/28/2025
Justin Barker	Planning Board	02/28/2025
Josef Kijewski	Rent Board D-2	03/30/2022
Maile Buker	Creative Portland	11/30/2024
William Sedlack	Zoning Board of Appeals	12/31/2024
Joseph Zamboni	Zoning Board of Appeals	12/31/2024
Jared Falcon	Zoning Board of Appeals	12/31/2024
Eleanor Sears	Parks Commission	06/30/2024
Julia Tate	Historic Preservation	11/30/2024
Will Sedlack	Rental Housing Advisory Committee	03/30/2023
Lambertus Jongerden	Harbor Commission	12/31/2024
Daniel Haley	Harbor Commission	12/31/2024

Five affirmative votes are required for passage after public comment.

COMMUNICATIONS:

COM 6-21/22 Special Election by Katherine L. Jones, City Clerk

UNFINISHED BUSINESS:

**Reconsideration of 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**

This item is being reconsidered at the request of Councilor Pious Ali. Five affirmative votes are required for reconsideration.

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 Council voted in favor of passage (7-1, Zarro) on November 15, 2021.

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.

In the event that reconsideration is approved, it is expected that a motion to postpone deliberation on Order 88 to January 19, 2022 will be made to accommodate a workshop on this topic. Five affirmative votes are required for passage of a motion to postpone. Public comment will not be taken on either the motion to reconsider or any motion to postpone unless at least seven (7) Councilors vote to suspend the Council's rules.

Written Public Comment

Order 111-21/22 Extending for 180 days the Moratorium for Emergency Shelters in the Bayside Neighborhood - Sponsored by Kate Snyder, Mayor

This item proposes extending the current moratorium on new emergency shelters in Bayside, which is set to expire by its terms on December 14. The moratorium was put in place in June following the Council's finding that the City's existing ordinances regulating emergency shelters in Bayside are inadequate to protect the Bayside neighborhood from myriad public health & safety issues from the further concentration of emergency shelters in that neighborhood. The moratorium put a hold on new shelters in Bayside while the City worked to develop and enact a licensing ordinance to address those public health and safety issues. Reconsideration of the shelter licensing ordinance approved by the council on November 15 (Order 88-21/22) will result in a continuation of the circumstances that necessitated the moratorium (a lack of licensing). If the Council votes to approve reconsideration and wishes to extend the moratorium, staff recommends that this item be adopted and effective immediately to avoid any lapse - by waiving the second read (7 votes) and by passing as an emergency (7 votes).

An extension of the moratorium beyond December 14 need only be considered if the Council votes to reconsider the shelter licensing ordinance adopted on November 15. If reconsideration of Order 88-21/22 is not approved, then renewal of the moratorium likely is not needed. In that instance, staff recommends postponing this order indefinitely.

Order 98-21/22 Accepting and Appropriating a \$50,000 Donation from the Friends of Congress Square - Sponsored by Danielle West, Interim City Manager

Order to accept a financial donation of \$50,000 from the Friends of Congress Square to be used towards Congress Square Redesign Phase-B Construction.

The Congress Square Redesign project is a large-scale renovation of a major public space in the heart of the Portland Arts District. Phase I of the redesign includes reconfiguration

of the intersection and sidewalks and is anticipated to begin in 2022. Phase II includes the completion of construction documentation building upon the Design Development work that was approved in 2018.

This item must be read on two separate days. It received its first reading on November 15, 2021. Five affirmative votes are required for passage after public comment.

ORDERS:

Order 105-21/22 Approving an Easement Deed to Central Maine Power for a new Pole at Longfellow School - Sponsored by Danielle P. West, Interim City Manager

Renovations at Portland's Longfellow School require upgrades to the electrical capacity and internal distribution system to meet the demands of 21st Century learning and current code as part of the local taxpayer-supported renovation of Longfellow School. The existing transformer is in a basement vault, which is not supported by Central Maine Power and circuits frequently trip negatively impacting teaching and learning. This easement allows Central Maine Power to install a new pole to accommodate the new service.

Staff is requesting emergency passage to allow installation before the ground freezes. Seven affirmative votes are required for passage as an emergency after public comment.

Order 106-21/22 Confirming the Maine Public Employees Retirement System Special Plan 3C for Certain Union Employees - Sponsored by Danielle P. West, Interim City Manager

This order confirms the retirement benefit changes for police and fire department members that were previously approved in the respective collective bargaining agreements. The Maine Public Employee Retirement System has requested the order be effective immediately to allow changes in the system before the first of the new year.

Seven affirmative votes are required for passage as an emergency after public comment.

Order 107-21/22 Accepting and Appropriating a \$75,000 United States Department of Justice Grant for Law Enforcement Accreditation - Sponsored by Danielle West, Interim City Manager

This item accepts and appropriates a \$75,000 grant awarded to the Police Department by the U.S. Department of Justice Community Policing Development (CPD) Accreditation Program. The CPD grant program is intended to improve police services by developing the capacity of law enforcement to implement community policing strategies, with guidance on promising practices through the development and testing of innovative strategies; knowledge about effective practices and outcomes; and support for new, creative approaches to preventing crime and promoting safe communities.

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

Order 108-21/22 Accepting and Appropriating a \$132,004 U.S. Department of Justice Grant for a De-escalation Training Program - Sponsored by Danielle West, Interim City Manager

This item accepts and appropriates a \$132,004 grant awarded to the Police Department by the U.S. Department of Justice Community Policing Development De-Escalation Training Program.

The CPD grant program is intended to improve police services by developing the capacity of law enforcement to implement community policing strategies, with guidance on promising practices through the development and testing of innovative strategies; knowledge about effective practices and outcomes; and support for new, creative approaches to preventing crime and promoting safe communities.

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

AMENDMENTS:

Order 109-21/22 Amendment to Portland City Code Chapter 33 Re: Service Employees - Sponsored by Jen Thompson, Acting Corporation Counsel

This amendment seeks to update Chapter 33 of Portland City Code so that it conforms to State statute regarding changes to the definition of service employees. Currently, both State statute and City Code define service employees as any employee engaged in an occupation in which the employee customarily and regularly receives more than \$30 a month in tips. On January 1, 2022, amendments to the State statute will take effect and change the definition to \$100 a month in tips.

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

Order 110-21/22 Traffic Schedule Amendment - Alder Street Traffic Change - Sponsored by Danielle P. West, Interim City Manager

As part of the improvements to Somerset and Kennebec Streets, the section of Alder Street between Preble and Oxford is proposed to change from two-way to one-way southbound (uphill) in order to facilitate safer vehicle movements, faster emergency response and allow for additional on-street parking. The requested Council action would allow the direction of traffic to be changed.

Plowing would be difficult without this change; the new infrastructure now complete is designed with this traffic change in its plan. Large emergency vehicles would also be better accommodated.

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

7:00 P.M. PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS:

ADJOURNMENT