

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 - JANUARY 19, 2022 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:

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/81813936988?pwd=V0FJNk51cEtwNEs1ZTNMUUdGMG5adz09>

Passcode: 112769

Or One tap mobile :

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253 215 8782 or +1 346 248 7799

Webinar ID: 818 1393 6988

Passcode: 112769

International numbers available: <https://us02web.zoom.us/j/81813936988>

PLEDGE OF ALLEGIANCE:

ROLL CALL:

ANNOUNCEMENTS:

APPROVAL OF MINUTES OF PREVIOUS MEETING:

Approval of the draft January 3, 2022 City Council Meeting Minutes

LICENSES:

Order 133-21/22 Granting Municipal Officers' Approval of Mack Bar Inc, dba Blackstone's. Application for Class A Lounge with Indoor Entertainment at 6 Pine Street - Sponsored by Danielle West, Interim City Manager

Application was filed on 12/27/21. New City and State applications. Existing establishment changing liquor classification.

Five affirmative votes are required for passage after public comment.

Order 134-21/22 Granting Municipal Officers' Approval of HTLV Portland TRS LLC, dba The Press Hotel. Application for Class IA Inn (41+ rooms) with Indoor Entertainment at 119 Exchange Street - Sponsored by Danielle West, Interim City Manager

Application was filed on 12/27/21. New City and State applications. New owner of an existing business.

Five affirmative votes are required for passage after public comment.

COMMUNICATIONS:

COM 12-21/22 Homelessness and Emergency Shelter Update by Kristen Dow, Health & Human Services Director

As a communication this item requires no public comment or formal Council action.

UNFINISHED BUSINESS:

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 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.

This item must be read on two separate days. It received its first reading on November 1, 2021. On November 15, 2021, it was approved by a vote of 7-1 (Zarro). On December 6, a motion to reconsider passed 9-0, and this item was also postponed to January 19, 2022

to accommodate a workshop on this topic. Public comment has already been taken on this item. Five affirmative votes are required for passage.

Written Public Comment on Order 88-21/22

Order 132-21/22 Amendment of Portland City Code Chapter 14 Re: Eastern Waterfront Port Zone Marina Food Service - Sponsored by the Planning Board, Brandon Mazer, Chair

On November 23, 2021, the Planning Board voted 4-1 that the proposed zoning text amendment was consistent with the Comprehensive Plan for the City of Portland.

Portland Foreside Development Company is requesting to amend the Waterfront Chapter (Article 10) of the Land Use Code to permit limited restaurant and food service uses where associated with a marina within the EWPZ. The proposed amendments would limit the overall floor area of such use to 1,000 square feet, and limit any outdoor components of the use to within 100 feet of the marina office building. This amendment would also remove the existing prohibition on restaurants and food service uses within 25 feet of the pier edge.

This item must be read on two separate days. It received its first reading on January 3, 2022. Five affirmative votes are required for passage after public comment.

Written Public Comment on Order 132-21/22

ORDERS:

Order 135-21/22 Adopting the 2022 Cumberland County Hazard Mitigation Plan - Sponsored by Danielle P. West, Interim City Manager

Cumberland County's Hazard Mitigation plan must be approved by all municipalities by February 25th in order for the plan to gain final approval from the Federal Emergency Management Agency. There is no cost to the communities by adopting this Plan. If a municipality does not adopt this Plan, however, it will lose access to valuable pre-disaster mitigation funding that could save money on mitigation projects. A town would not be eligible for that funding until the next Five Year Plan is approved in 2027.

Cumberland County wrote the 2022 Cumberland County Hazard Mitigation Plan with input from several City of Portland departments throughout the process. The Plan identifies natural disaster risks and vulnerabilities that are common in Cumberland County and outlines long-term strategies for protecting people and property from natural disasters. Mitigation plans are crucial to breaking the cycle of disaster damage and reconstruction.

The County releases a new Plan every five years; the Portland City Council adopted and signed the 2017 Hazard Mitigation Plan in December 2016.

Five affirmative votes are required for passage after public comment.

Order 136-21/22 Accepting the 2021 Annual Land Bank Report - Sponsored by Danielle P. West, Interim City Manager

The Portland Land Bank Commission is required by City Ordinance to submit an annual report that details the commission's activity over the past year, its yearly budget, and a registry of conservation properties.

Five affirmative votes are required for passage after public comment.

Order 137-21/22 Approving and Appropriating a Federal Aviation Administration Airport Improvement Program Federal Fiscal Year 2022 Entitlement and Discretionary Grant - Sponsored by Danielle P. West, Interim City Manager

The Federal Aviation Administration issues grants to fund eligible safety and capacity projects at airports nationwide through the Airport Improvement Program (AIP). This program is funded through federal taxes on commercial air fares and on aviation fuel. The amount of entitlement funding allocated to each airport is based on the annual number of enplaned commercial passengers the airport handled in the prior calendar year. Due to the pandemic, the FAA is allowing entitlement funds to be based on 2019 passenger enplanements since for most airports, including the Jetport, 2019 passenger enplanements were significantly higher than 2020. For federal fiscal year 2022, the Portland International Jetport will be allocated AIP entitlement funding totaling \$4.15 million based upon 1,088,728 enplaned passengers in calendar year 2019. In addition to entitlement funding, the Jetport is also seeking AIP discretionary funding of \$8.24 million in federal fiscal year 2022. The full AIP grant of \$12.39 million combined with \$1.38 million in matching funds split equally between the Jetport and the state of Maine will fund the total \$13.77 million cost to rehabilitate the Jetport's primary runway 11/29.

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

AMENDMENTS:

Order 138-21/22 Amendment to Portland City Code Chapter 17 Re: Sale of Flavored Tobacco Products Prohibited - Sponsored by the Health & Human Services and Public Safety Committee, Councilor Tae Chong, Chair

The Health & Human Services and Public Safety Committee met on November 9, 2021 and voted 3 - 0 to recommend passage to the full Council.

The amendment would define and ban the sale of flavored tobacco and nicotine products, including natural, synthetic, and menthol tobacco products, with the ban enforced by the City's Public Health Director.

The Health & Human Services Committee also voted that the amendment should be effective June 1, 2022 to be consistent with one approved by the Bangor City Council. Bangor, Maine is the first municipality in the state of Maine to adopt a full flavor ban ordinance. Additionally, this will give ample time for the Portland Public Health's Tobacco Prevention Team to develop and disseminate a retailer campaign and other educational resources.

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

Written Public Comment on Order 138-21/22

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