

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)

SPECIAL CITY COUNCIL MEETING - FEBRUARY 28, 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.

This meeting will be held remotely pursuant to the Remote Meeting Policy adopted by the Portland City Council and as authorized under 1 M.R.S. 403-B because of the existence of an emergency or urgent issue that requires the committee to meet by remote methods. 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 available in the [Agenda Center](#) following the meeting.

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://portlandmaine-gov.zoom.us/j/81813936988?pwd=V0FJNk51cEtwNEs1ZTNMUUdGMG5adz09>
Passcode: 112769

Or One tap mobile :

US: +19292056099,,81813936988#,,,*,112769# or
+13017158592,,81813936988#,,,*,112769#

Or Telephone:

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

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

Webinar ID: 818 1393 6988

Passcode: 112769

International numbers available: <https://portlandmaine-gov.zoom.us/j/kdL3evbtBR>

PLEDGE OF ALLEGIANCE:

ROLL CALL:

ANNOUNCEMENTS:

APPROVAL OF MINUTES OF PREVIOUS MEETING:

Approval of the Draft February 7, 2022 City Council Meeting Minutes

APPOINTMENTS:

Order 146-21/22 Confirming the Appointment of Kari L. Twaite as Associate Corporation Counsel - Sponsored by Acting Corporation Counsel Jen Thompson

Attorney Kari L. Twaite has extensive regulatory experience, including with enforcement, rule and ordinance interpretation and drafting, and an excellent sense of what it means to work for a governmental entity given that she has spent several years of her career working for the federal government. This order would confirm her appointment and set her salary at \$106,671.

Five affirmative votes are required for passage after public comment.

COMMUNICATIONS:

Com 13-21/22 Appointing Members of the Re-Appportionment Committee - Sponsored by Kate Snyder, Mayor

By this communication, Mayor Snyder creates the Reapportionment Committee, which will work to formulate preliminary proposals and prepare a recommendation to the City Council for the shifting of the precinct lines in response to Census data and changes made at the State level to House and Senate Districts. Any proposed changes would be made in the form of an amendment to Chapter 9 of the City Code and would require consideration and approval by the full Council.

The Mayor has appointed the following to the Reapportionment Committee to address this reapportioning issue:

Councilor April Fournier, City Councilor At-Large
Councilor Pious Ali, City Councilor At-Large
Katherine Jones, City Clerk
Melissa Cowie, Deputy City Clerk,
Paul Riley, Elections Administrator
Jen Thompson, Acting Corporation Counsel
Jon Giles, Survey, GIS & Archives Manager, Dep't of Public Works
Thea Youngs, GIS Mapping Specialist, Dep't of Public Works

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

UNFINISHED BUSINESS:

Order 143-21/22 Approving the Collective Bargaining Agreement with the American Federation of State, County and Municipal Employees (AFSCME) Local 481-07 Supervisors - Sponsored by Danielle West, Interim City Manager

City staff has reached a tentative three (3) year agreement with AFSCME Supervisors representing approximately 38 supervisors and foremen. The tentative agreement is within guidance received from Council on July 27, 2021.

The parties have tentatively agreed to a three (3) year contract with general wage increases as follows:

2% effective retroactive to July 4, 2021

2.5% effective July 3, 2022

3% effective July 2, 2023

In addition, the City has agreed to implement a longevity step at sixteen plus (16+) years upon Council vote of approval of the new contract and a twenty plus (20+) year step effective July 3, 2022. The City will also implement Earned Paid Leave in accordance with 26 M.R.S. Sec 637.

Other economic items include:

- Adding Juneteenth as a recognized holiday and changing Columbus Day to Indigenous People's Day
- Adding \$.10 per hour increase to shift differentials
- Increase to standby pay
- Adding Fleet Services supervisors & foreman to the uniform rental agreement

The contract term is July 2, 2021 through June 30, 2024. The total direct cost of the general wage increase and other economic impacts is approximately \$370,000.00. Other language changes which do not have a financial impact have also been agreed to. The Supervisors members have ratified the three (3) year agreement.

This item must be read on two separate days. It received its first reading on February 7, 2022. Five affirmative votes are required for passage after public comment.

Order 145-21/22 Amendment to the Portland City Code Chapter 33 Re: Hazard Pay in Effect during Mask Mandate - Sponsored by Councilor Victoria Pelletier

This amendment to the Portland City Code would institute a "Hazard Pay" of 1.5 times the City's minimum wage for work performed when the City of Portland's Public Face Covering Mandate (Portland City Code Chapter 17, Article XII) is in effect. This amendment would be retroactive to February 7, 2022.

This item must be read on two separate days. It received its first reading on February 7, 2022. Five affirmative votes are required for passage after public comment.

Written Public Comment on Order 145-21/22

ORDERS:

Order 147-21/22 Extending Charter Review Commission Deadlines - Sponsored by Danielle West, Interim City Manager

Under State law (30-A MRS S2103(5)(E)), the City Council “may extend the time limits for the preparation and submission of preliminary and final reports of the charter commission for up to 24 months after the election of the commission if the extension is necessary to:

(1) Properly complete the reports;” The Charter Commission and its several Committees have been diligently carrying out their work on numerous proposals for Charter revisions with the intent to meet deadlines that would allow the Commission to place the resulting Charter revision questions on the November 2022 ballot. However, the number and scope of the revision proposals requested by the public at the Commission’s initial public hearing require an extension of time to properly draft those proposals in the format and language of the Charter and to complete the preliminary and final reports that would contain and accompany these proposals, while still meeting the deadline for the November 2022 election ballot.

At the request of the Charter Review Commission, this item moves the deadline for the preliminary Charter Review Commission report to the City Council from March 8, 2022 to on or before May 9, 2022, and the final report deadline from June 8, 2022 to on or before July 11, 2022.

Five affirmative votes are required for passage of a resolution after public comment.

Order 148-21/22 Approving the Housing and Urban Development Citizen Participation Plan for the City of Portland - Sponsored by the Housing & Economic Development Committee, Councilor Pious Ali, Chair

The Housing & Economic Development Committee reviewed and approved the changes on January 18, 2022 and voted (4-0) to forward the item to council for approval.

The Citizen Participation Plan is a required document that outlines the methods and procedures by which the City will communicate with the public regarding the federal programs administered by the Housing and Community Development Division (HCD). These programs include, but are not limited to, programs administered by the U.S. Department of Housing and Urban Development, such as the Community Development Block Grant Program (CDBG), HOME Program, and Emergency Solutions Grant Program (ESG). Federal requirements necessitate updates to the Citizen Participation Plan to increase accessibility for low-income individuals and those with limited English proficiency; additional changes are also proposed.

Five affirmative votes are required for passage after public comment.

Order 149-21/22 Setting the Public Hearings on 2022-2026 Housing and Urban Development Five-Year Consolidated Plan, Fiscal Year 2023 Annual Action Plan and Appropriations for Community Development Block Grant Program, HOME Program, and Emergency Solutions Grant Program - Sponsored by Danielle P. West, Interim City Manager

The United States Housing and Urban Development Department (HUD) requires that the City create a Consolidated Plan outlining the needs, goals, and proposed activities for Community Development Block Grant (CDBG), Emergency Solutions Grant (ESG), and HOME funding. It is revised every five years to reflect the changing needs and priorities of the community. During the approval process, HUD requires the City to provide at least two opportunities for the public to comment on the proposed Consolidated Plan.

In addition, as required under our HUD approved citizen participation process, Public Hearings are held each spring to consider the City's Housing and Community Development Program proposal for the ensuing year. The CDBG Annual Allocation Committee, appointed by the Council, reviewed each application and made funding recommendations. They are given an opportunity to make a presentation to the Council at this meeting, and citizens may comment on the City's annual plan for the use of CDBG, HOME and ESG funds.

Public Hearings will be held on March 21, 2022 and on April 11, 2022 at a City Council Meeting to be held at 5:00 pm.

Five affirmative votes are required for passage after public comment.

Order 150-21/22 Approving the Purchase and Sale Agreement with Dorothy Hale for Property at 834 Riverside Street, Accepting a \$23,000 Donation from Allagash Brewing Company for that Purchase, and Placing that Land in the Portland Land Bank - Sponsored by Danielle P. West, Interim City Manager

This order would approve the Hale Parcel at 834 Riverside Street Purchase and Sale Agreement for land to be added to the Portland Land Bank, to protect the ecological, historical, and scenic values of the park. The acquisition was approved by the Land Bank Commission by a vote of 8-0 on February 9th 2022, and will use a donation from Allagash Brewery Company of \$23,000 and \$27,000 from the Land Bank Fund.

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

Written Public Comment on Order 150-21/22

Order 151-21/22 Traffic Schedule Amendment Re: 101 York Street - Sponsored by Danielle P. West, Interim City Manager

The City Council is being asked to approve a reassignment of the five (5) on-street parking spaces in front of 101 York Street. Currently, these five (5) spaces are unrestricted and the owner of 101 York Street stated that there are many cars that park here for extended periods of time. The City's recommendation is to have the two (2) spaces adjacent to the parking garage at 101 York Street be 30-minute commercial loading zones between 9 AM to 12 PM and 2-hour parking from 12 PM to 5 PM. The remaining three (3) spaces will be 2-hour spaces.

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

Order 152-21/22 Approving the Agreements between the Maine Department of Transportation and the City of Portland Re: Forest Avenue Paving -- Sponsored by Danielle P. West, Interim City Manager

This agreement, between the Maine Department of Transportation (MaineDOT) and the City of Portland, obligates MaineDOT to mill and fill Forest Avenue, update and/or install new pedestrian curb ramps to meet ADA requirements, and all appurtenances when MaineDOT's contractor paves Forest Avenue. The agreement obligates the City to pay for 25% of the work as its municipal share, or an estimated \$65,575.00. A separate Utility Agreement for the approximately \$16,800 cost to adjust the manhole frame and covers will be paid from an already funded Water Resources account.

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

AMENDMENTS:

Order 153-21/22 Amendment to Portland City Code Chapter 14 Re: Height Bonus in India Street Form-Based Code Zone - Sponsored by the Planning Board, Maggie Stanley, Chair

On January 11, 2022, the Portland Planning Board unanimously voted 6-0 (Smith recused) to recommend to the City Council adoption of the text amendment to allow a height bonus in the Urban Active Subdistrict along Commercial Street within the India Street Form-Based Code Zone. Maine Public Broadcasting Corporation applied for this zoning text amendment to allow for an additional floor for a future building at 35 Commercial Street.

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

Written Public Comment on Order 153-21/22

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

ADJOURNMENT: