

## **Minutes**

### **Remote Housing and Economic Development Committee**

**April 19, 2022**

NOTE: This meeting was held via Zoom and can be viewed at this link:

<https://www.portlandmaine.gov/129/Agendas-Minutes>

These Minutes provide a record of those in attendance, general discussion taking place, and motions made.

A remote meeting of the Housing and Economic Development Committee (HEDC) of the Portland City Council was held on Tuesday, April 19, 2022, at 5:30 p.m. via Zoom. Present from the Committee were Chair Councilor Pious Ali, and members Councilors Roberto Rodriguez, and Andrew Zarro. Committee member Councilor Tae Chong could not be present. Present from the City staff were Interim Housing and Economic Development Department Director Mary Davis, Associate Corporation Counsel Michael Goldman, Interim OEO Director Angelina Jean, Licensing and Housing Safety Manager Zachary Lenhart, Chief of Staff Dena Libner, Compliance Officer Heidi McCarthy, Assistant City Manager Anne McGuire, Principal Administrative Officer Lori Paulette, and Housing Program Manager Victoria Volent.

#### **Item #2: Review and vote on April 5, 2022, draft meeting Minutes.**

On motion made by Councilor Rodriguez, seconded by Councilor Zarro, the Committee voted (3-0) (Councilor Chong absent) to accept the Minutes.

#### **Item #3: Presentation and Committee discussion regarding preliminary findings of the Analysis of Impediments to Fair Housing**

Heidi McCarthy introduced this item by noting Root Policy was hired by the City and Cumberland County to identify and evaluate barriers to fair housing in Portland and Cumberland

County as to inform the 2022-2026 Consolidated Plan. Mary Davis mentioned a final report by Root Policy will be presented later this summer to the Committee. Tonight's presentation is on preliminary findings.

Heidi Aggeler and Frankie Lewington of Root Policy presented their preliminary findings based on a resident survey, focus group discussions and interviews with members of the community and stakeholder organizations. The survey received 828 responses and the consultants spoke with nearly thirty regional stakeholders. Their slideshow presented responses regarding the housing market, perceived barriers to both housing development and accessing rental housing, and transportation system problems. Further slides included comments regarding housing challenges, challenges paying for housing, neighborhood challenges, experiences with looking for rental and homeownership units, reasons for moving when a household did not want to move, Section 8 voucher experiences, and housing discrimination experiences. Root Policy will compile this data into a report for the City and County for their review along with recommendations on how to address any identified issues.

Councilor Ali asked if the survey was statistically significant. Heidi Aggeler noted the survey was not based on a random sample as HUD requires a survey of households based on race, color, national origin, religion, sex, family status and disability reflected in the U.S. Census. Root Policy engaged specific, vulnerable populations such as voucher holders.

Councilor Rodriguez asked when the survey was conducted (during February and Mid-March of this year (available in Spanish, French, Portuguese, Somalian, and Arabic), and how will the results be utilized in the ReCode process. Mary Davis noted Root Policy will be analyzing the zoning ordinance and sharing their analysis with the Planning Department to inform the ReCode process. Heidi Aggeler indicated the results of their analysis will be used to show where ReCode rewrites would have a disproportionate impact on vulnerable populations.

Councilor Zarro asked how Portland can incentivize neighboring communities to also invest in affordable housing for a more regional approach. Heidi Aggeler noted HUD recommends a regional, collaborate approach. She also noticed as Portland leads, other communities take note and decide if they will follow. The final report from Root Policy is a good start towards discussing housing needs within the county.

Root Policy will return to the Committee when the report is finalized.

**Item #3: Overview of the Outdoor Dining Permitting and Licensing Program.**

Ms. Libner described the history of the program, particularly with the passage of the first “parklet ordinance” in April 2019; then May 2020 an emergency order in response to COVID-19 to temporarily close streets and expand outdoor commercial premises, including no cap on the number of parklets and reduction of fees, and temporary outdoor dining permits; and, September 2021, the adoption of “Open Air Portland”. During the height of the Pandemic many permits were issued, with enforcement not as strict to help businesses survive. Now, enforcement will be based on the Life Safety Code, which requires a certain number of restrooms and egress, which is causing angst for smaller establishments, while those with more real estate can accommodate the requirements.

Councilor Zarro thanked staff for their work during the Pandemic crisis for area businesses, and asked about the numbers of permits lower now than the past two years.

Mr. Lenhart noted that at the height of the Pandemic Cumberland County restricted indoor dining completely. Portland, therefore, under the Emergency Order, began to issue temporary outdoor dining permits. Before the Pandemic, outdoor dining permits were part of businesses’ license which gets renewed annually by the City. Now, with the popularity of outdoor dining, many want larger areas for such dining, which comes with regulations for restrooms and egress as noted previously. This limits the smaller establishments, particularly as

Permitting and Inspections will have stricter enforcement of the Life Safety Code as the Pandemic comes to an end.

After discussion, Chair Councilor Ali noted the Committee would like to further review and have discussion on possibly allowing outdoor dining year-round.

**Item #4: Communications – No Vote or Public Hearing Required**

- a. **See attached 2022 Committee Workplan and Schedule**
- b. **See attached Memorandum from Mary Davis Responding to Committee**

**Questions**

- c. **See attached Memorandum from ME Center for Economic Policy Re: Minimum Wage and Hazard Pay**

Ms. Davis noted that the Committee had two questions from its last discussion on possibly amending the citizen-passed referendum for minimum wage, i.e., has this been done before and what is the timeline to get this on the November ballot. Ms. Davis noted that in working with Corporation Counsel and the City Clerk, the City has not done this before, and the timeline would be a first reading in July and a second reading in August to make it on the November ballot. Staff would need to be clear on what the City Council would want on the ballot.

Councilor Zarro thanked Ms. Davis for the update, and would like to further discuss moving forward to recommend amendments to make this more appropriate for the time we are now in and perhaps bring in experts to discuss this topic.

Councilor Rodriguez noted interest to have the discussion, but would like more information on who it would impact and how this could be improved.

Chair Councilor Ali agreed that hearing from experts on this would help, as well as hearing from the business community.

Councilor Zarro noted that it is worthy to further discuss and he would send an email to Ms. Davis and the Chair on his thoughts, and any fellow Councilors' thoughts, about what could be proposed for amendments. Information about what is a living wage for Portland and its various populations perhaps could lead to a recommendation for an amended minimum wage.

Ms. Davis said that an email would be helpful to provide more focus.

On motion then made by Councilor Rodriguez, seconded by Councilor Zarro, the Committee voted 3-0 to adjourn at approximately 7:10 p.m.

Respectfully, Lori Paulette and Victoria Volent