

City of Portland, Maine

Public Safety/Health & Human Services Committee

December 9, 2014
5:30 PM
Room 209, City Hall

Meeting Agenda

1. Review And Accept Minutes From October 14 Meeting

Documents: [OCTOBER 14 2014 MEETING MINUTES.PDF](#)

2. Brief Update On Inspections Task Force - - - - Julie Sullivan

Documents: [FIRE-CODE TASK FORCE UPDATE.PDF](#), [FIRE-CODE INSPECTIONS TASK FORCE MEMBERSHIP LIST.PDF](#), [FIRE-CODE INSPECTIONS TASK FORCE WORKPLAN.PDF](#)

3. General Assistance Monthly Update - - - - Dawn Stiles, HHS Director & Bob Duranleau Of Social Services

Documents: [GENERAL ASSISTANCE UPDATE - 1ST QUARTER FACT SHEET.PDF](#)

- 3.I. GENERAL ASSISTANCE UPDATE - 1ST QUARTER FACT SHEET -- CORRECTED

Documents: [GENERAL ASSISTANCE UPDATE - 1ST QUARTER FACT SHEET -- CORRECTED.PDF](#)

4. Review And Set Work-Plan For 2015

Documents: [2015 TENTATIVE WORKPLAN.PDF](#)

Public Comment Will Not Be Taken On These Items



**City of Portland, Maine
Public Safety / Health & Human Services Committee
October 14, 2014**

Meeting Minutes

Committee Attendance: Chair Suslovic, Councilor Leeman, Councilor Duson

City Staff Attendance: Sheila Hill-Christian, Interim City Manager; Julianne Sullivan, HHS; Chief Sauschuck, PPD; Trish McAllister; Bob Duranleau, Social Services

Meeting Called to Order and Minutes from September Accepted

Meeting was called to order at approximately 5:32 PM by Chair Suslovic and a motion was made and seconded by Vice Chair Leeman. Chair Suslovic announced that Councilor Coyne was unable to attend this meeting and noted that it was his last meeting (there is no November meeting of this Committee) as he is not running for re-election. Chair Suslovic thanked Councilor Coyne for his service to the City of Portland. Chair Suslovic additionally noted this was Vice Chair Leeman's final meeting as she is also not seeking re-election. The Chair thanked Councilor Leeman for her tenure and service to the City of Portland.

AGENDA ITEM 2 – Buffer Zone Update

The Chair provided an overview of the steps and process leading to this buffer zone update. Trish McAllister outlined her memo provided to the committee reference analysis of the Massachusetts law and New York Ordinance addressing safe access to health care. She offered to answer any questions Councilors may have regarding her recommendations. Trish also provided an update to the Committee that the office of Corporation Counsel received a memo from Planned Parenthood of Northern New England (PPNNE) about an hour or so before this scheduled meeting. Trish said the email was also sent to Committee members. Trish confirmed that Corporation Counsel quickly read through the memo that cites alternatives in San Francisco, California and more locally in Burlington, Vermont. In light of this recent memo from Planned Parenthood, Corporation Counsel does not change their recommendation following receipt of this memo.

The Chair summarized his understanding of the recommendation not to pursue a local ordinance change and rather to focus efforts on the Portland Legislative Committee pursuing a change at the State Legislative level.

The Chair requested an update/refreshers regarding private injunctions related to buffer zones. Trish noted that the courts upheld private injunctions and indicated that suits between private entities seem to have much more success than those that involve the government. Trish recognized that the challenges in those cases as described by Planned Parenthood's memo are certainly just and real, but they may see more success.

The Chair opened the discussion to committee members. Councilor Duson asked the committee to allow PPNNE to speak about their memo. With the Chair in support of this motion, Nicole Clegg, Vice President of Public Policy for PPNNE thanked the committee for the opportunity. Nicole agreed the State remedy is

ideal noting that elections may have a negative impact on their ability to move forward at the State Legislative level. Nicole said that injunctions are very challenging and stated that PPNNE is committed to keeping all of their options open but in the meantime they are very much hoping for local action and support as they continue to partner with the City of Portland to provide safe access to health care.

Councilor Duson expressed that she supports legislative committee action and appreciates the partnership with PPNNE. She would like to keep local options on the table and said that she is very committed on this issue. **She would also like to partner on tracking options and asked the City and PPNNE to work together on this. Councilor Duson asked that the City and PPNNE document all instances and work to be proactive to keep bullying out of our City.** She would like to keep working at this to set an example for the Community and anyone thinking of coming to Portland.

The Chair thanked staff, volunteers and patients for bringing their concerns forward and expressed a sincere thanks to Trish McAllister, Corporation Counsel, Chief Sauschuck and the Police Department for being “in the middle” and doing a great job. **The Chair will join Councilor Duson in advancing this issue at the State level. Corporation Counsel and the Police Department will continue to monitor local and national decisions and incidents. The Chair would like a communication to the full Council that no local ordinance will be pursued, but this item will be added to the legislative committee agenda and staff will monitor local and national incidents.** Councilor Duson outlined PPNNE’s role and thanked them for their work. The Chair assumed staff and the City would work closely with PPNNE on this work moving forward.

AGENDA ITEM # 3 – Mayor’s Food Initiative

Julie Sullivan, Acting Health & Human Services Dept Director and Public Health Division Director, provided an update on the Mayor’s Food Initiative, noting its 2012 creation, its mission and highlighting committee actions. Several projects received significant grant funding including a summer meals program, a research project related to student and parent perceptions of school food programs, a partnership expanding opportunities for community gardening and food policy review.

Councilor Duson would like to see a fiscal report that includes City staff commitments to these projects. She would also like to see sustainability efforts in place for when grant funding runs out.

The Chair asked about coordination with GPCOG to review funding opportunities for sustainability and asked how we make sure we’re not stretching staff resources.

Sheila noted that she had this conversation with the Mayor, who has planned to address this issue at a council workshop.

Councilor Leeman asked for a list of all task forces and said that when a task force has completed its task, it should disband and any leftover work would be incorporated into a council committee’s workload.

AGENDA ITEM # 4 – Public Health Update

Julie Sullivan provided an update on this agenda item. The State Department of Health and Human Services proposed the elimination of State Public Health nurses noting that Portland already has public health nurses. Julie explained there is a strong difference in the level of services provided between State public nurses and municipal public nurses. A discussion was had regarding the City taking public nursing on as a contract and it was decided that was not a viable option. The City has since asked the State to consider an RFP process. There are currently 8-10 nurses at the State level.

Infectious Disease positions are currently open at the State level and remain vacant. Concerns are high regarding the State's response capabilities. Julie did assure the committee that her staff are in regular communication with counterparts at the State level and that she believes the City and its staff are proactive and capable to respond, but lack that coordination with the State due to the current administration not filling vacant positions. Julie noted that Fire Chief LaMoria, the City's Emergency Management Director is coordinating a great proactive response at a local level with Maine Med.

Julie announced the addition of a dentist in the family health program. The Healthcare for the homeless program is scaling down. Dental coverage is down to two days per week; behavioral health coverage is down to 3 days a week and the program will stop seeing patients on November 18th.

There have been 572 Food service inspections in FY14. Portland's program is getting good attention from the FDA.

The minority health program's insurance statistics are showing demographic populations who have mainecare. Public health will be targeting efforts with community partners for the upcoming enrollment period.

The India Street STD clinic is very busy and is at risk of losing State funding.

Flu clinics have been very successful.

Chair Suslovic praised those involved with the food safety program and said this has been a job extremely well done. There have been remarkably few complaints and very professional inspections. He noted there have been protests in other communities. Julie thanked her excellent staff and said the department appreciates the working partnerships with businesses to make this program work.

Councilor Duson appreciates the quarterly update and supports the RFP for public nursing. Councilor Duson questions the cost of classroom programs. Julie said there is no cost, the US Department of Education provides sufficient funding and the teachers are the ones moving the progress forward, but it is a very collaborative effort involving training with community counseling partnerships. **Councilor Duson would like to attend some part of this if she could.**

Councilor Duson asked the cost of the dentists and asked if Portland can bill for those costs. Julie said yes. **Councilor Duson also asked if immigrant status comes in to play.** Julie said, not yet.

Councilor Duson was curious if the restaurant program is self sustaining – do fees cover costs and can she see an assessment? Julie responded there is currently no fee for inspection and the license fee goes to business licensing.

Councilor Duson asked what happens when the grant money runs out for the demonstration project. Julie responded they are hoping Mainecare or MaineHealth will pick up the bill. Community care team patient criteria is very specific (which is a challenge).

Chair Suslovic commented that he appreciated the focus on sharps disposal updates provided in back-up material and he appreciates the continued work on this. **Chair Suslovic would like these complaints tracked on public and private property. He noted public services or the police department could track these instances.**

Chair Suslovic commended that he is deeply concerned about erosion at the State level to respond to public health emergencies like tuberculosis. **He asked what the City's response should be and said he's not sure the City can blame the State for this and said Portland can do more.**

Sheila noted the City's conversations have been pushed to the State level. Julie noted a collaborative effort has urged the State to fill vacant positions, but it is her understanding that the applicants for the position aren't there. Julie said that Portland is prepared for a CDC response, but is not prepared for the State's "coordination" which is lacking. **The Chair asked if the State can take us more seriously. Sheila said they are, but applicants are not applying for vacant positions.**

AGENDA ITEMS # 5 – 7 Point Plan Update

Chair Suslovic gave an overview of the 7 Point Plan to End Homelessness that was implemented in the spring of 2013 and is broken up into 1) Case Management, 2) Rapid Rehousing, 3) Increased Outreach, 4) Zoning Constraints, 5) Special Population Housing, 6) Housing First and 7) Regional Approach.

Julie provided an overview of the 7 point plan as described in backup materials.

Chair Suslovic opened the floor to questions noting budget implications are eye opening and disturbing. **Councilor Duson asked for staff to provide options for GA potential loss.**

Chair Suslovic said job well done on case management. Oxford Street Shelter just about on the line for projections – job well done. He said the HOME team has always been praised but a low priority at budget time and he **would like to move more money to the HOME team as it relates to fire/medcu/PD response. The Chair also echoed Duson's concerns re: GA reimbursement and pointed out the loss is not related to the current lawsuit. He asked if the audit doesn't go our way, when does that impact our budget.**

Bob Duranleau from social services explained the hearing process and said that funding is currently happening. Rob Parritt, Shelter director at Oxford was present and available for questions as well.

The Chair asked if the 7 point plan was going well for folks and Sheila Hill-Christian noted the vouchers are not working and the new director at Oxford found housing placement in Portland is difficult. They are working with landlords to find a way for vouchers to work.

Councilor Leeman asked what the issue was with finding housing outside Portland. The issue was described as a manpower issue because services are located in Portland and many evaluate based on their status.

Chair Suslovic said he was frustrated by Bayside housing being declined as an option. Councilor Leeman was frustrated having this conversation and looks for analysis on if additional units would actually impact the system and community – we need a comprehensive review of the effect of providing services.

Councilor Duson said the home team funding is co-funded and that she supports partner funding vs. the City footing the bill.

Chair Suslovic suggested shifting strategy in placement of frequent guests saying there would be fewer placements but a larger impact on successes.

Rob Parritt agreed on a data driven response and focus of resources. Chair Suslovic appreciated a data driven response.

Councilor Leeman asked if this will level out at some point or are we just moving them in and out of shelters. Chair Suslovic asked what these numbers tell us.

To answer the Chair's question, Sheila Hill-Christian told the members she forwarded the Committee members a memo written by Mark Swann, Executive Director of Preble Street, regarding budget implications at the end of the 7 point plan related to cuts in general assistance at the State level. There

was some confusion regarding the memo itself as it was received by City staff just prior to the beginning of the committee meeting. The committee members were not prepared to discuss the content of the memo, having not had a chance to review the document in its entirety.

Mark Swann spoke before the Committee and let them know that he and Sheila had an initial meeting to discuss a consolidation model involving Portland shelters. Mark made a proposal of “starting from scratch” regarding a particular parcel of land. **Councilor Leeman requested a copy of the memo.** Chair Suslovic thought we’re trying to end homelessness but knows it does exist and said the former public works facility is being considered for this purpose.

Mark Swann said there is currently a conversation taking place to consolidate Oxford and Preble Street shelters. Funding is currently going toward space management instead of the staff’s professional capabilities and meeting the goals of the 7 point plan. He proposed vacating oxford, selling Preble, finding another location to build a shelter on purpose (vs. using a pre-existing space) and limited staff with focused purposed to leverage services and help save dollars and resources.

Councilor Leeman asked for a sense of sq. footage. Swann replied, combine the shelter and soup kitchen and Preble is approximately 24,000 square feet and Oxford is about 16,000 square feet.

Chair Suslovic understands a purpose built shelter could equal current sizes and save money. He wondered if one facility could house services with varying populations. Swann replied that yes we could combine (women, children, youth).

Leeman questioned startup funding and Swann replied they’re already paying a lot. He agrees this concept is a bold effort but private donors have expressed interest.

Duson asked if this is just for men. Swann replied that women are still at Oxford Street.

Duson anticipated this concept would put Preble and Oxford back on the real estate market, which Swann said helps the project. Leeman questioned moving this to another neighborhood.

Sheila wanted to keep the committee updated on these conversations because of the funding and planning in other areas.

Chair Suslovic said this is only the start of a conversation and the good news is that shelter numbers are going down. The GA loss is bad news. If operations become more efficient to fund successes, this is a compelling reason to look at options transparently and slowly. The Chair asked if the committee was interested in pursuing this conversations. Councilor Duson tried to clarify the location in question and supports exploring the option with limited staff resources with appropriate parties.

Councilor Leeman has no issues with discussion but is missing detail, cost/benefit to the City. How to deal with this all in a more fiscally responsible way comparing those that pay for services to those needing services. The Chair appreciates the discussion and notes this proposal is not site specific. He was curious about Oxford’s lease and property may not be available in the future. Chair supports continued conversations possibly leading to public review. Duson supports additional review.

Chair asked if Sheila had the feedback she needed – she said yes.

AGENDA ITEM # 6 – Report On Marijuana

Chief Sauschuck introduced Richard Bianculli, the Police Department’s new neighborhood prosecutor.

The Chief provided a regular update as directed in the November 2013 ordinance allowing legalized possession for those 21 years of age and older.

The Council enacted this on December 6th, 2013 and the Mayor is required to provide a report in October of each year. That 10 month period is the timeline for these statistics. Anything less than 2.5oz is a civil offense with no arrest. From Dec 6 to date there were 48 citations to 46 people. Of the 66k calls for

service that the PD answers, 48 of those were civil violations for marijuana. 14 of 48 citations were not affected by the ordinance. Of 34 of the violations, 12 were involved with other offenses. The Chief further discussed a similar breakdown of those calls for service. He concluded that in the cases he reviewed of those 48 citations, he was comfortable that officers were using good judgment.

Chair Suslovic asked that the memo be forwarded to the council. The Chief said yes and he will also be presenting this information to the full council at the next meeting as the Mayor's update and the Mayor has seen the memo and data.

AGENDA ITEM #7 – Police Department Update

The Interim City Manager forwarded the Chief's full PowerPoint presentation to the Committee members. The PowerPoint was presented by the Chief to a public group gathered by the NAACP at the City's public library prior to this meeting.

The Chief addressed specific question related to militarization of the police department through a quick discussion before the committee. The Chair asked if there are any questions about the slides. Councilor Duson said she didn't look at the full presentation but asked if the PSHHS Committee will get a full presentation. She did think there was value in the committee being present for this presentation and this is something to put out a public notice on. Chief Sauschuck said he is happy to answer a specific question. Councilor Duson said this was an opportunity to reinforce community policing through SOP's. Policy work has created opportunity to have a reassuring conversations on that topic but may not be a priority.

Chair Suslovic wanted to reflect on policy reflecting on community and PSHHS committee has historically been proactive on this issue re: survey showed high trust in the police department. He was curious to see figures per department reflecting Portland's demographics today.

Chair noted the first Monday in December does not have a quorum. Councilor Duson will bring this up in January about community policing practices and the outstanding Chief and standards he brings to the department. Duson wanted to find a place to have these conversations, maybe a forum on the police department's philosophy of community policing. Councilor Leeman thinks the PD response is exemplary. Duson responded she has heard complaints in the communities.

Leeman motioned to adjourn. Councilor Duson seconded the motion and the meeting adjourned at 8:10pm.



To: Public Safety, Health & Human Services Committee
From: Julie Sullivan, Fire/Code Inspections Task Force Staff Member
Date: December 8, 2014
Re: Brief Update on the newly created Fire/Code Inspections Task Force

The Task Force was created by Acting City Manager Sheila Hill-Christian following the tragic Noyes St. Fire. The purpose is to identify and prioritize any changes may need to be made regarding City ordinances/codes, roles and responsibilities, and staffing; recommendations from existing studies; and recommendations to be presented to the Public Safety Health & Human Services Committee in February. I am serving as staff to the committee.

Phase I is an internal technical review with Rich Bianculli (PD/Corp Counsel), Keith Gautreau (Fire), Sheila Hill-Christian, Tammy Munson (Building Inspections), Jon Rioux (Building Inspections), Tuck O'Brien (Planning Board), Jay Fleming (Technical Advisor - Boston Fire Dept), and myself. We are meeting three times in December for this phase.

Phase II adds external stakeholders: Julie Gregor (PHA), Carleton Winslow (Southern Maine Landlord Assn), Crandall Toothaker (Southern Maine Landlord Assn), Katie McGovern (Tenants' rights - Pine Tree Legal Assistance). We will be meeting four times in January and possibly once in early February.

We will have recommendations on possible changes to City ordinances/codes; roles, responsibilities, and staffing; and public as well as targeted education campaigns.

Portland Fire/Code Task Force Membership

12/3/2014

First	Last	Organization	Title	Task Force Role
Rich	Bianculli	City	Neighborhood Prosecutor	PD/Corp Counsel
Jay	Fleming	Boston Fire Dept	Deputy Chief	Technical Consultant
Keith	Gautreau	City	Deputy Chief, Fire Dept	Fire Dept
Julie	Gregor	Portland Housing Authority	Inspection Supervisor for the HUD	PHA
Sheila	Hill-Christian	City	Acting City Manager	City Manager
Katie	McGovern	Pine Tree Legal Assistance	Title	Tenant Issues
Tammy	Munson	City	Division Director, Inspections	Code Enforcement
Tuck	O'Brien	Portland Planning Board	Chairman	Planning Board
Jon	Rioux	City	Deputy Director, Inspections	Code Enforcement
Julie	Sullivan	City	Acting Chief of Staff	Staff
Crandall	Toothaker	Southern Maine Landlord Assn		Landlord
Carleton	Winslow	Southern Maine Landlord Assn		Landlord

Fire and Building Codes Task Force
Work Plan
12/8/2014

Phase I - Internal	
Task	Date
Review current fire and building codes: what are we required to do?	3-Dec
What are we currently doing? What falls under Fire and what under Planning Inspections? What works and doesn't work?	10-Dec
Draft Fire and Planning Inspections statements of purpose; draft roles, requirements, staffing.	17-Dec
Phase II - Internal and External	
Review initial findings.	5-Jan
Review and prioritize recommendations from prior studies/reports.	12-Jan
Review and prioritize recommendations from prior studies/reports.	26-Jan
Develop recommendations	29-Jan
Finalize - if need be	week of Feb 2

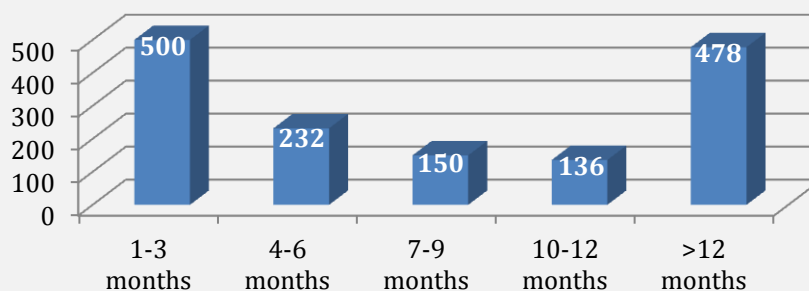
GENERAL ASSISTANCE FACT SHEET

FY 2015 – QUARTER 1 (JULY 01 – SEPTEMBER 30, 2014)

- 1,496 Total Unduplicated Cases for a total of 2,427 Unduplicated Individuals
- 370 Total Unduplicated Families
- 1,126 Total Unduplicated Singles
- 419 Total Intake/New Cases – 138 Visa Holders (33%)
- 1,101 Average Cases per Month
- 700 Households receive rental assistance on a monthly basis for an average of 1,200 individuals
- 800 Households receive food assistance on a monthly basis for an average of 1,410 individuals

EXPENDITURES

Rent		\$1,282,832	50%
Emergency Shelter		\$715,299	28%
<i>Oxford Street</i>	<i>\$445,335</i>		
<i>Family Shelter</i>	<i>\$48,013</i>		
<i>All other community shelters</i>	<i>\$221,950</i>		
Food		\$367,935	15%
Non-food (<i>personal items</i>)		\$60,484	2%
Other (<i>diapers, prescriptions, utilities</i>)		\$122,650	5%
TOTAL		<u>\$2,549,200</u>	

Length of Assistance
(total cases)

CITY OF PORTLAND

**GENERAL ASSISTANCE
DHHS REIMBURSEMENT BILLED TO STATE**

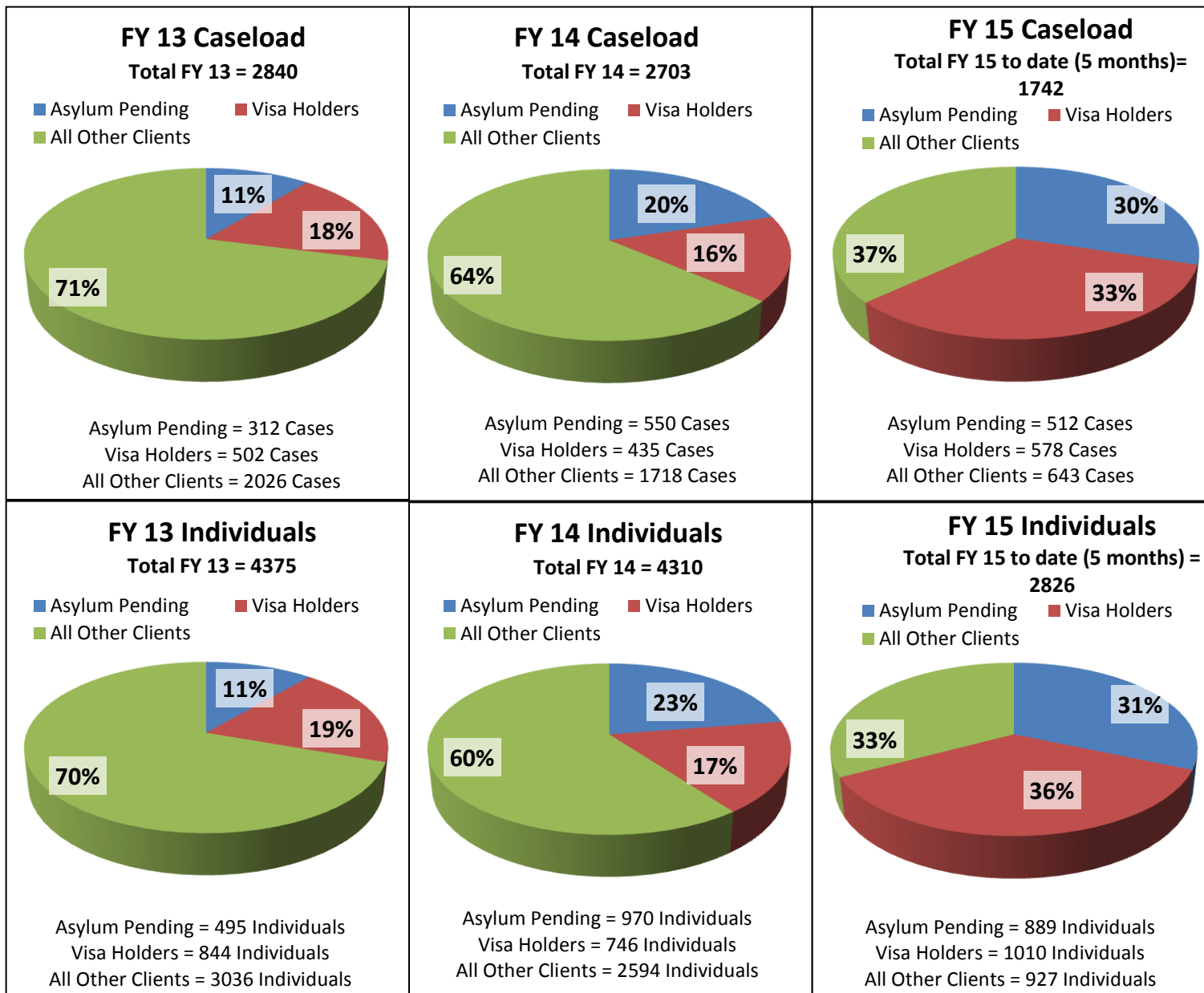
FY 2015 – QUARTER 1 (JULY 01 – SEPTEMBER 30, 2014)

TOTAL EXPENDITURES: \$2,549,200

	Total Expenditures	Billed - Documented (at 50%)	Billed - Undocumented (Asylum Seekers) (at 50%)
July	\$850,670	\$279,611	\$145,724
August	\$867,470	\$291,545	\$142,190
September	<u>\$831,060</u>	<u>\$278,449</u>	<u>\$250,567</u>
Total	<u><u>\$2,549,200</u></u>	\$849,605	\$538,481

Unduplicated Cases	921	575
Unduplicated Individuals	1,425	1,002

**CITY OF PORTLAND
GENERAL ASSISTANCE
ASYLUM PENDING, VISA HOLDERS, ALL OTHERS
UNDUPLICATED CASELOAD AND INDIVIDUALS
FY 13, FY 14 & FY 15 to date (07/01/2014-11/30/2014)**



CITY OF PORTLAND

GENERAL ASSISTANCE FACT SHEET

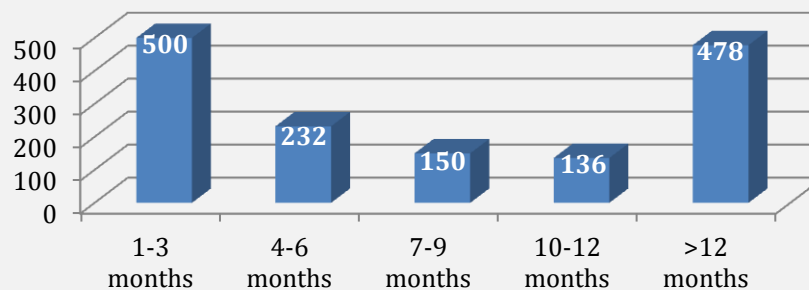
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(total cases)**



CITY OF PORTLAND

**GENERAL ASSISTANCE
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September	<u>\$831,060</u>	<u>\$278,449</u>	<u>\$137,081</u>
Total	<u><u>\$2,549,200</u></u>	\$849,553	\$427,668

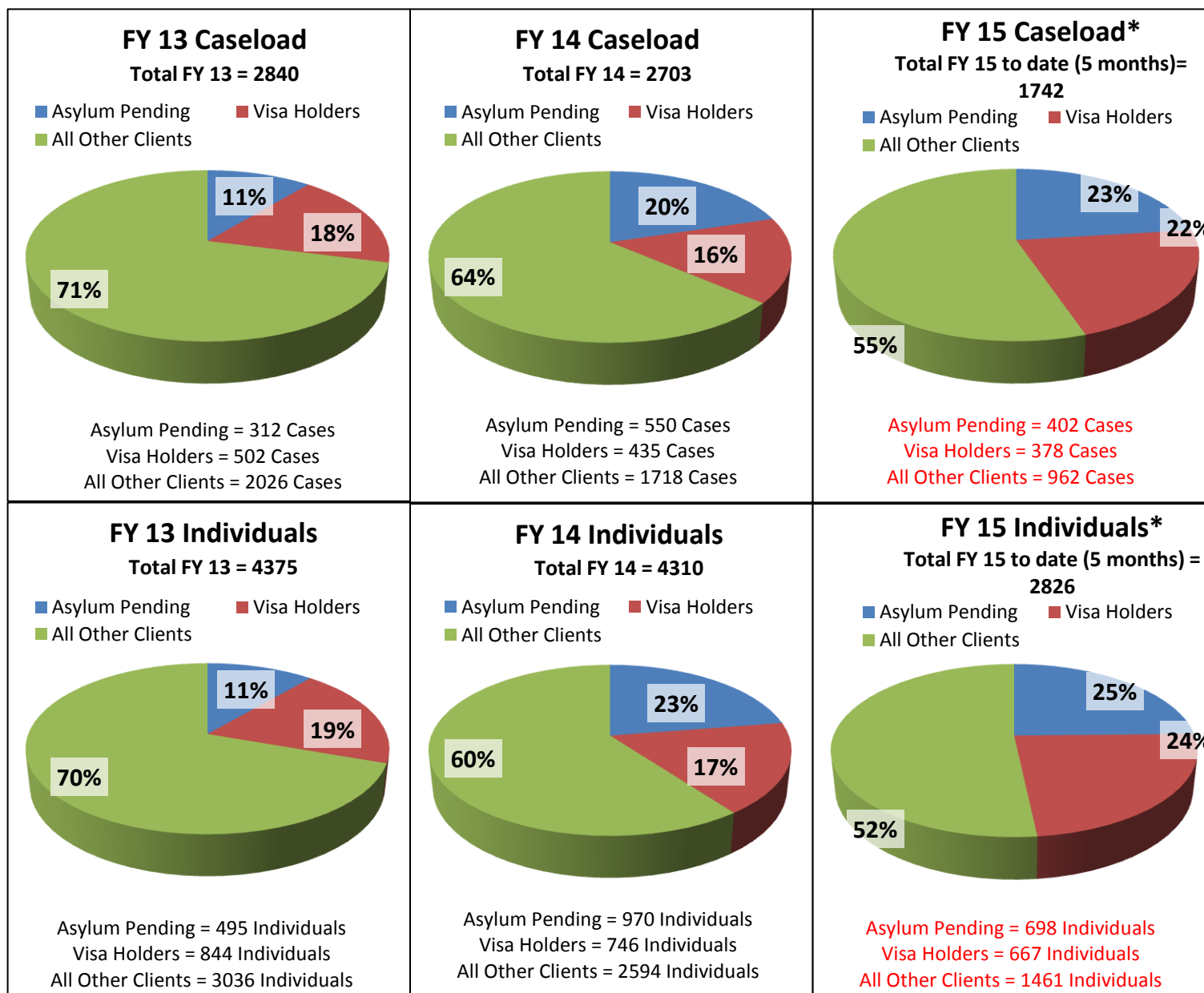
Unduplicated Cases	921	575
Unduplicated Individuals	1,425	1,002

While these cases are unduplicated in each billing category (Documented v. Undocumented), they may be duplicated between categories. An individual may be documented for one voucher paid, but not for the next, depending on the dates of their visits and dates of vouchers being billed and paid.

Example:

Case 98765 is granted assistance on July 3 for \$400. Their I94 expires on July 20. The case is granted assistance again on August 3 for \$350. This case will show in both Documented (\$400) and Undocumented (\$350).

**CITY OF PORTLAND
GENERAL ASSISTANCE
ASYLUM PENDING, VISA HOLDERS, ALL OTHERS
UNDUPLICATED CASELOAD AND INDIVIDUALS
FY 13, FY 14 & FY 15 to date (07/01/2014-11/30/2014)**





Public Safety, Health & Human Services Committee
December 9, 2014; 5:30pm
At
Room 209 at City Hall

2015 WORKPLAN (In no particular order)

1. Broad based task force conversation
 - a. Elder affairs - demographics, housing, hoarding
 - b. Healthcare
 - c. Minimum wage
 - d. Food
 - e. Substance abuse
 - f. Duseon mentioned seeing templates for entrance and exit strategies for the establishment of committees to include priorities.
2. Police department update
3. 2014 review
4. Needles Improperly Discarded Update: call numbers and locations
5. Smoking ordinance – e-cigarettes/signage/consistent enforcement
6. Public Health updates
7. Fire Department updates
8. Noise Ordinance review
9. Neighborhood Accountability Board – Neighborhood Prosecutor
10. Quarterly Update on the Mayor's Substance Abuse Sub-committee
11. Barron Center Plan to Create a Plan on the Future – integrated city plan, the role of the city, Avesta, state, strategic plan on elderly population, funding and potential consultant
12. Communications System Replacement update
13. Ask Committee if they're interested in switching the meeting room to rm 209 to allow planning to use Council Chambers for their meetings (typically largely attended).
14. City Council asked that PSHHS develop a tracking and reporting mechanism for CT notices issued by constables. Reason for CT notice issued should be included. This item added following 11.17.14 Council meeting.

Pending

- Median Strip Construction- mentioned by Ed with a future conversation with Neighborhood Prosecutor and Mike Bobinsky
- Habitat for Humanity- donate tax acquired property for housing projects, Doug used to sit on the tax acquired property committee
- Neighborhood Accountability Board – Neighborhood Prosecutor