

ETHAN K. STRIMLING (MAYOR)  
BELINDA S. RAY (1)  
SPENCER THIBODEAU (2)  
BRIAN E. BATSON (3)  
JUSTIN COSTA (4)

KIMBERLY COOK (5)  
JILL C. DUSON (A/L)  
PIOUS ALI (A/L)  
NICHOLAS M. MAVODONES, JR. (A/L)

**AGENDA**  
**SPECIAL CITY COUNCIL MEETING**  
**FEBRUARY 21, 2018**

The Portland City Council will hold a Special City Council Meeting at 6:00 p.m. in City Council Chambers, City Hall. The Honorable Ethan K. Strimling, Mayor, will preside.

**PLEDGE OF ALLEGIANCE:**

**ROLL CALL:**

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

**ANNOUNCEMENTS:**

**RECOGNITIONS:**

**APPROVAL OF MINUTES OF PREVIOUS MEETING:**

(Tab 1) February 5, 2018 Regular City Council Meeting Minutes

**PROCLAMATIONS:**

Proc 23-17/18 Proclamation Honoring Officer Jeffrey Druan as Police Officer of the  
(Tab 2) Month for December 2017 – Sponsored by Mayor Ethan K. Strimling.

Proc 24-17/18 Proclamation Honoring Barron Center Skilled Nursing Facility -  
(Tab 3) Sponsored by Mayor Ethan K. Strimling.

**APPOINTMENTS:**

Order 154-17/18 Order Appointing Members to Various Boards and Committees -  
(Tab 4) Sponsored by the Nominating Committee, Councilor Pious Ali, Chair.

The Nominating Committee met on January 31 and voted unanimously to forward this item to the City Council with a recommendation for passage.

This order appoints the following individuals to various boards and committees:

<b>Name</b>	<b>Committee</b>	<b>Term Expires</b>
Luke Beland	Police Citizen Review Subcommittee	03/30/2021
Mary Zwolinski	Police Citizen Review Subcommittee	03/30/2021
Kristin Blum	Portland Housing Authority Board	06/30/2023
Robin Tucker	Portland Housing Authority Board	06/30/2019
Julia Tate	Portland Historic Preservation Board	11/30/2018
Julie Landry Viola	Portland Development Board	09/30/2019
Briana Volk	Portland Development Board	09/30/2021
Nicole Gray	Zoning Board of Appeals	12/31/2021
David Silk	Planning Board	02/28/2021
Austin Smith	Planning Board	02/28/2021
Sean Dundon	Planning Board	02/28/2021
Lisa Bloss	Creative Portland Board	11/30/2020
Nicole Barna	Creative Portland Board	11/30/2021
Daniel McKrell	Fair Hearing Officer	11/30/2021
Marpheen S. Chann-Berry	Fair Hearing Officer	11/30/2021

Five affirmative votes are required for passage after public comment.

**Order 155-17/18  
(Tab 5)**

**Order Appointing Constables for 2018 Re: Permitting and Inspections Department – Sponsored by Jon P. Jennings, City Manager.**

This order appoints Kevin Hanscombe, Matt Sarapas, James Fahey, Jason Duval, Tom Williams and Gordon “Eric” Cobb as constables from the Permitting and Inspections Department for 2018.

The Permitting and Inspections Department enforces City Code provisions for business licensing, rental housing, building, electrical, and plumbing codes. In accordance with Maine law, certain documents can only be served by a constable or sheriff. These additional constables would enforce City Code provisions specific to food service establishments and rental housing.

These appointments are effective through December 21, 2018, and are made pursuant to Portland City Code, Sections 20-19 and 20-19.5. Constables are not allowed to carry a firearm, concealed or unconcealed, in the performance of their duties, to make arrests, or issue parking tickets.

Five affirmative votes are required for passage after public comment.

**MAYOR’S COMMENTS ON FISCAL YEAR 2019 CAPITAL IMPROVEMENT PLAN:**

Mayor Ethan K. Strimling will present his comments on the Fiscal Year 2019 Capital Improvement Plan.

**CONSENT ITEMS:**

**Order 156-17/18 (Tab 6) Order Declaring April 22, 2018 through October 31, 2018 the In the Square Festival – Sponsored by Jon P. Jennings, City Manager.**

This order declares the In the Square Festival, sponsored by the Friends of Congress Square Park, to be held weekly from April 22 through October 31, 2018. The events will include a wide variety of community activities such as art interaction, dance performances, live music, films and community gatherings. Most events will be held on Wednesdays, Fridays, and Saturdays. Dances and concerts at the park will end by 9:00 p.m. A complete calendar of events will be published by April 1, 2018 at congresssquarepark.org.

**Order 157-17/18 (Tab 7) Order Declaring the Friends of Eastern Promenade 2018 Summer Community Concert Series Festival – Sponsored by Jon P. Jennings, City Manager.**

This order declares the Friends of Eastern Promenade 2018 Summer Community Concert Series Festival to be held weekly from July 12 through August 30, 2018 from 5:00 p.m. to 9:00 p.m. The concerts will be held at the Fort Allen Park Gazebo Bandstand on Thursday evenings.

**Order 158-17/18 (Tab 8) Order Declaring July 13 to July 29, 2018 the Eurydice in the Park Festival – Sponsored by Jon P. Jennings, City Manager.**

This order declares July 13 through July 29, 2018 as the Fenix Theatre Company's Eurydice in the Park Festival to be held Fridays, Saturdays, and Sundays, July 13, 14, 15, 20, 21, 22, 27, and 29. There is no performance on Saturday, July 28. Performances are from 6:30 p.m. to 8:00 p.m. and will be staged at the Oaks reflecting pool, ravine area, and surrounding grass areas.

**Order 159-17/18 (Tab 9) Order Declaring July 14, 2018 the Dance Mile Portland 2018 Festival – Sponsored by Jon P. Jennings, City Manager.**

This order declares July 14, 2018 as Dance Mile Portland 2018 Festival to be held at Lincoln Park from 4:00 p.m. to 8:00 p.m. There will be a one-mile dance parade and walk that starts and ends in the park.

The festival will include a vendor village within the park that will sell t-shirts and noise makers for the event. From 4:00-6:30 p.m. there will be music in the park supplied by a disc jockey on a flatbed truck.

At 6:30 p.m. there will be a parade in the street. The parade will be led by the flatbed truck including the disc jockey and music. Upon returning to the park, there will be more music until 7:45 p.m. The parade route is included in the agenda backup.

Five affirmative votes are required for passage of the Consent Calendar.

**LICENSES:**

**BUDGET ITEMS:**

**COMMUNICATIONS:**

**RESOLUTIONS:**

**UNFINISHED BUSINESS:**

**Order 151-17/18  
(Tab 10)**

**Order Approving the Agreement between Portland and Maine Department of Transportation Re: Paving Allen Avenue from Summit Street to Washington Avenue and Auburn Street – Sponsored by Jon P. Jennings, City Manager.**

The City Council is being asked to approve a two-party agreement that will allow the Maine Department of Transportation and the City to construct the Allen Avenue paving project in 2018.

Approving and signing this agreement would confirm the City's intent to construct this project, pay 25% of the total project cost for paving Allen Avenue, and pay 100% of the cost to pave Washington Avenue between Allen Avenue and Auburn Street (330 ft.) and Auburn Street between Washington Avenue and Chapman Street (410 ft.)

The estimated total project cost to pave Allen Avenue is \$425,000. The City's 25% share would be \$106,250. The estimated additional cost to pave Washington Avenue and Auburn Street is \$170,000, which would be paid entirely by the City.

The total estimated City share of the project cost is \$276,250.

This item must be read on two separate days. It was given a first reading on February 5. Five affirmative votes are required for passage after public comment.

**Order 152-17/18  
(Tab 11)**

**Order Approving the Agreement between Portland, Portland Area Comprehensive Transportation System and Maine Department of Transportation Re: Paving Cumberland Avenue from Elm Street to State Street – Sponsored by Jon P. Jennings, City Manager.**

The City Council is being asked to approve a three-party partnership agreement that will allow Portland Area Comprehensive Transportation System, Maine Department of Transportation and the City to move ahead with plans to pave Cumberland Avenue between Elm Street and State Street in 2019.

Approving and signing this agreement would confirm the City's intent to undertake this project and pay 25% of the total cost. The estimated total project cost is \$397,100. The City's 25% share would be \$99,275.

This item must be read on two separate days. It was given a first reading on February 5. Five affirmative votes are required for passage after public comment.

**Order 153-17/18  
(Tab 12)**

**Order Approving the Agreement between Portland, Portland Area Comprehensive Transportation System and Maine Department of Transportation Re: Paving Danforth Street from High Street to Vaughan Street - Sponsored by Jon Jennings, City Manager.**

The City Council is being asked to approve a three-party partnership agreement, which would allow Portland Area Comprehensive Transportation System, Maine Department of Transportation, and the City to move ahead with plans to pave Danforth Street between High Street and Vaughan Street in 2019.

Approving and signing this agreement will confirm the City's intent to undertake this project and pay 25% of the total project cost. The estimated total project cost is \$706,600. The City's 25% share would be \$176,650

This item must be read on two separate days. It was given a first reading on February 5. Five affirmative votes are required for passage after public comment.

**ORDERS:**

**Order 160-17/18  
(Tab 13)**

**Order Approving the Lease of 94 Free Street and the Spring Street Garage Revenue Sharing Agreement with Portland Hockey LLC – Sponsored by the Economic Development Committee, Councilor Justin Costa, Chair.**

Since the departure of the Portland Pirates mid-2016, 2,415 square feet of available commercial ground level space located at 94 Free Street has been marketed by City staff and a commercial broker with very little commercial interest. Filling this space with the Maine Mariners supports the start-up of the ECHL team to play their games at the Cross Insurance Arena.

Additionally, an Agreement to share Maine Mariner game day revenue is proposed similar to the past City agreement with the Pirates, and current agreements with the Red Claws and Sea Dogs.

Both the Lease and the Parking Garage Revenue Sharing Agreement have been negotiated under the direction of the EDC during 2017.

Proposed Lease Agreement Highlights: The proposed term is up to fifteen years, with rental starting at \$2.00 per square foot, or \$4,830 annually, and ending at \$8.00 per square foot in years 12 to 15, or \$19,320 annually.

Proposed Parking Revenue Sharing Agreement Highlights: The proposed term is up to fifteen years to match the space Lease and Maine Mariners Lease with the Cross Insurance Arena.

The game night parking rate is \$8.00 per car for the 2018/2019 hockey season, which may be adjusted thereafter by mutual agreement.

**Revenue Share:** For the first seven (7) years, Maine Mariners to receive game day revenue minus security and City staff expenses. Starting year eight (8), game day revenue will be the lesser of the average Revenue Share for the sixth and seven year or all parking garage revenue minus security and City staff expenses. This approach is designed to increase the City's share starting in year eight if game attendance increases from previous years six and seven.

**Game Use of Garage:** Team players, coaches, and staff will receive complimentary parking passes for hockey related activities.

**Season Tickets:** Maine Mariners to provide the City four season tickets at no cost.

Five affirmative votes are required for passage after public comment.

**Order 161-17/18 Order Amending the 2002 Waterfront Tax Increment Financing District (Tab 14) by Adding the WEX Project Site and the Union Wharf Project Site to the District – Sponsored by the Economic Development Committee, Councilor Justin Costa, Chair.**

The Economic Development met on February 6, 2018 and voted 3-0 to forward this item to the City Council with a recommendation for passage.

On March 18, 2002, the Portland City Council approved the ten-year Waterfront TIF District at 1% capture the first year, followed by 100% capture for the remaining nine years, for the City to retain increased property tax revenue for specified municipal public infrastructure investment. This was followed by an amendment by the City Council on June 7, 2010, for the purposes of:

- Extending the term by 20 years, through FY2032, at the 100% capture rate;
- Reducing the number of TIF investment options;
- Authorize the use of Credit Enhancement Agreements (CEA) within the Waterfront Central Zone; and,
- Established a Sub-District and authorize a CEA with the Developer in furtherance of the Cumberland Cold Storage Project at the specified capture rates.

At this time, there are currently two projects under construction in the Waterfront TIF District that could provide additional TIF revenue for the District as of April 1, 2018, particularly the WEX office construction project at Hancock and Thames Streets, and the mixed use development at Union Wharf which includes office, restaurants, food court, and open market.

In adding these parcels to the Waterfront TIF District, the City would realize additional tax sheltering savings at approximately \$145,000 yearly for the duration of the District, over and above the estimated \$220,000 annual tax sheltering savings the District now supports.

Additional TIF proceeds for municipal use with the added TIF districts would produce an estimated \$495,000 annually, over and above the current estimated annual TIF proceeds at \$540,000.

It is noted that later this year City staff intends to recommend adding additional waterfront properties to the TIF District located on Portland's East and West End.

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

**AMENDMENTS:**

**EXECUTIVE SESSION:**

**Executive Session: Additional Guidance on AFSCME Supervisor's Contract Pursuant to 1 M.R.S. §405(6)(D) – Sponsored by Jon P. Jennings, City Manager.**