



Currently, municipal candidates for public office are required to file just two campaign finance reports in the ten months prior to a November election: one in mid July, and one eleven days before the election.

At the state level, candidates for public office are required to file these two reports as well as a 42-day pre-election campaign finance report.

While state law exempts municipal candidates from the 42-day pre-election campaign finance reporting requirement, municipalities are free to enact additional requirements beyond what is mandated in state law. In the interest of ensuring transparency and openness in government at all levels, it makes sense for candidates for municipal office to meet the same reporting requirements as candidates for state office.

To add this reporting requirement for Portland municipal candidates, an amendment to the City Charter is required. The proposed amendment would add the following language (underlined below) to the City Charter:

#### **Article IV**

#### **Section 11. State election laws applicable.**

The laws of the state in Title 21-A of the Revised Statutes relating to the qualifications of electors, registration, the manner of voting, the duties of election officials, and all other particulars in respect to preparation for conducting and managing elections, so far as they may be applicable, shall govern all municipal elections in the City of Portland, except as otherwise provided herein.

In addition to the reports required for municipal candidates by Title 21-A of the Maine Revised Statutes, 42-day pre-election reports must be filed by municipal candidates no later than 11:59 p.m. on the 42nd day before the date on which a general election is held and must be complete as of the 49th day before that date.

Nothing in this charter shall prohibit the use of electronic or revised voting methods and procedures to the extent authorized by state and/or federal law. (Referenda 11/4/08).

Because this amendment does not make a change to the City's governance structure as outlined in the City Charter, it can be made at the Council level subject to voter approval. This amendment does not require the formation of a Charter Commission or the opening of the Charter.

This amendment does not contain any provisions that are prohibited by the federal or state constitution or the general laws of the State of Maine (see 30-A M.R.S. section 2103(5)(D) and 2104(5)(B)).

If approved by the Council, this amendment will be put to voters for approval at the November 2018 election.

This item must be read on two separate days. It was given a first reading on July 16, 2018. Five affirmative votes are required for passage after public comment.

**Order 29-18/19  
(Tab 36)**

**Order Placing Charter Amendment on November 6, 2018, Municipal Ballot Re: Immigrant Voting – Sponsored by Councilor Pious Ali and Mayor Ethan K. Strimling.**

Currently, legal immigrants, refugees and asylees in Portland, who are also legal residents of the city, are not allowed to vote in municipal elections. This, despite the fact that many have children in our schools, almost all pay income, sales and/or property taxes, and many have lived in our city for years as they await the federal bureaucracy to grant citizenship.

In the interest of enhancing residential participation in municipal affairs and ultimately making Portland a more welcoming city to our newest immigrants, refugees, and asylees, it makes sense to expand voting rights to all legal residents.

To add this allowance an amendment to the City Charter is required. The proposed amendment would add the following language to the City Charter:

**Article IV**

Section 12. Qualification to vote

Any other provision in this charter notwithstanding, legal immigrants who are residents of Portland and 18 years old or older on the date of any municipal election shall be allowed to register to vote and vote in municipal elections. In order to register, a legal immigrant shall provide proof of identity, age and residency, pursuant to title 21-A and legal status according to standards established by the city clerk. Such persons shall not have the right to run for and hold an elected municipal office.

Because this amendment does not make a change to the City's governance structure as outlined in the City Charter, it can be made at the Council level subject to voter approval. This amendment does not require the formation of a Charter Commission or the opening of the Charter (see legal opinion from Corporation Counsel, Gary Wood, August 18, 2010, which is included the agenda backup).

If approved by the Council, this amendment will be put to voters for approval at the November 2018 election.

This amendment does not contain any provisions that are prohibited by the federal or state constitution (see legal opinion from Corporation Counsel, Gary Wood, August 18, 2010, which is included in the agenda backup).

This item must be read on two separate days. It was given a first reading on July 16, 2018. Five affirmative votes are required for passage after public comment.

**Order 49-17/18  
(Tab 37)**

**Order Appropriating \$2.11 Million of 0 Hancock Street Sale Proceeds - Sponsored by the Finance Committee. Councilor Nicholas M. Mavodones, Chair.**

The Finance Committee met on August 2, 2018 and voted XXXX to forward this item to the City Council with a recommendation for passage.

On August 21, 2017, the City Council approved a \$3.3 million purchase and sale agreement with 0 Hancock Street, LLC for the sale of 48,000 square feet of the City-owned Thames Street property along the Eastern Waterfront. In October 2017, groundbreaking occurred on the 100,000 square foot, 4-story mixed-use development that will serve as the world headquarters of WEX with additional retail space.

The full \$3.3M of property sale proceeds were collected in fiscal year 2018. The City does not typically budget for significant amounts of property sale revenue, so this inflow of funding is above and beyond the FY18 budgeted revenues and will result in an increase in fund balance above the recommended level. Upon initial discussion of the Finance Committee the Finance Director is formally requesting that the Finance Committee and City Council vote to appropriate \$2.11M of these funds the following purposes:

- \$1,000,000 to support the rehabilitation of the Allen Avenue Fire Station
- \$1,000,000 to support the Housing Trust Fund
- \$110,000 to support the Climate Action Plan - the joint venture with South Portland

This item must be read on two separate days. It was given a first reading at today's 4:00 p.m. Council meeting. Five affirmative votes are required for passage after public comment.

**ORDERS:**

**Order 50-18/19  
(Tab 38)**

**Order Approving Collective the Bargaining Agreement with the Firefighters Local 740, International Association of Firefighters – Sponsored by Jon P. Jennings, City Manager.**

Staff has reached a tentative agreement with the Local 740, International Association of Firefighters on a successor one (1) year contract. The prior contract expired on December 31, 2017.

Local 740 have ratified the tentative agreement and the administration is seeking your support for the agreement. The tentative agreement is within guidance received from the Council. This order will require a second reading.

The substantive changes to the expired collective bargaining agreement and the cost summary are included in the agenda backup.

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

**Order 51-18/19  
(Tab 39)**

**Order Approving a Three-Party Partnership Agreement between the City of Portland, Maine Department of Transportation, and Portland Area Comprehensive Transportation System Re: Brighton Avenue (Route 25) Multi-Modal Project – Sponsored by Jon P. Jennings, City Manager.**

This project has been developed through the Portland Area Comprehensive Transportation System Complex Projects process. The scope of work is planned to include replacement of signal equipment at six intersections, including ramp and American Disabilities Act (ADA) modifications, bicycle detection and transit priority as needed, sidewalk rehabilitation to bring sidewalks into good condition and ADA compliance, and mill and fill paving, and provision of enhanced bicycle facilities along Route 25. Modifications in the Rosemont area as needed to support the proposed METRO Husky Lane. The project includes elements of Preservation (roadway and sidewalks) and Modernization (traffic/pedestrian/transit priority signals, roadway/bikeway striping-pavement markings, transit stop upgrades, and achieving ADA compliance along Brighton Avenue).

Approving and signing this agreement would confirm the City's intent to undertake this project and pay 25% of the total project cost. The total estimated cost for preliminary engineering and Right-of-Way is \$195,000. The City's share would be \$48,750.

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

**Order 52-18/19  
(Tab 40)**

**Order Approving the Allocation and Appropriation of \$300,000 from the Housing Trust Fund Re: Avesta Housing Development Corporation 977 Brighton Avenue Apartments – Sponsored by the Housing Committee, Councilor Jill C. Duson, Chair.**

The Housing Committee met on July 31, 2018 and voted 2-0 (Cook absent) to forward this item to the City Council with a recommendation for passage.

The Housing Trust fund is established by Section 14-489 of the City's Code of Ordinances. Section 14-489 (e) states that "the city council shall adopt a housing trust fund annual plan" and that the "housing committee of the city council or such other committee as the council shall designate shall conduct public hearings on the recommended plan and refer the matter to the council for action." The 2018 Annual Plan, which was adopted by the City Council on June 18, 2018 (Order 263 17/18), established the priorities in which the current balance of the Housing Trust Fund will be allocated.

The Housing Trust Fund balance is \$1,223,320.80 as of July 27, 2018.

A Notice of Funding Availability was published on June 29 and applications for Housing Trust Funds were accepted as of July 1. Three applications have been received as of Friday, July 27.

- (1) Portland Housing Authority Front Street, Request: \$1,435,174, less any HOME funding

Justification:

- a) The PHA Front Street project is a priority under the 2018 Annual Plan
- b) Eligible Activity: new construction of affordable rental housing
- c) Utilizing multiple federal, state and local resources to fund the project
- d) Per unit contribution does not exceed \$15,000/unit
- e) 77% of units affordable to households at or below 50% of the area median income

- (2) Avesta 977 Brighton Avenue, Request \$300,000, less any HOME funding

Justification:

- a) Eligible Activity: new construction of affordable rental housing
- b) Utilizing multiple federal, state and local resources to fund the project
- c) Per unit contribution does not exceed \$15,000/unit
- d) 60% of units affordable to households at or below 50% of the area median income
- e) The proposed use of City funds and the timing of the investment of City funds make this project better suited for Housing Trust Fund financing.

- (3) 178 Kennebec Street, Request \$370,000, less any HOME funding

Justification:

- a) Eligible Activity: new construction of affordable rental housing
- b) Utilizing multiple federal, state and local resources to fund the project
- c) Per unit contribution does not exceed \$15,000/unit
- d) 35% of units affordable to households at or below 50% of the area median income

Funding scenarios recommended by the Housing Committee are:

- (1) **If the funding available is the current balance in the Housing Trust (\$1,223,320), the Housing Committee's recommendation is as follows:**

CURRENT BALANCE IN HOUSING TRUST FUND (\$1,223,320)				
	Applicant Request	HOME Recommendations	HTF Recommendations*	Balance Remaining of Applicants Request
PHA Front Street	\$1,435,174	\$510,174	\$723,320	\$201,680
178 Kennebec Street	\$370,000	\$370,000	\$0	\$0
977 Brighton Avenue	\$300,000	\$0	\$0	\$300,000
Total	\$2,105,174	\$880,174	\$723,320	\$501,680

\*Maintains \$500,000 minimum balance

- (2) **If a portion of the proceeds of the sale of the 0 Hancock Street lot are appropriated to the Housing Trust Fund, the Housing Committee’s recommendation is as follows:**

HOUSING TRUST FUND \$2,223,320 (including portion of 0 Hancock St. Proceeds)				
	Applicant Request	HOME Recommendations	HTF Recommendations*	Balance Remaining of Applicants Request
PHA Front Street	\$1,435,174	\$510,174	\$925,000	\$0
178 Kennebec Street	\$370,000	\$370,000	\$0	\$0
977 Brighton Avenue	\$300,000	\$0	\$300,000	\$0
Total	\$2,105,174	\$880,174	\$1,225,000	\$0

**\*Maintains \$500,000 minimum balance; \$498,320 of HTF unallocated**

In addition, staff requests the ability to make adjustments to the allocation amounts as long as it is within 10% of the Committee approved allocation.

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

**Order 53-18/19  
(Tab 41)**

**Order Approving the Allocation and Appropriation of \$925,000 from the Housing Trust Fund Re: Portland Housing Development Corporation Front Street – Sponsored by the Housing Committee, Councilor Jill Duson, Chair.**

The Housing Committee met on July 31, 2018 and voted 2-0 (Cook absent) to forward this item to the City Council with a recommendation for passage.

This item is a companion order to Order 52-18/19 above.

The order authorizes financial assistance in an amount up to \$925,000 in Housing Trust Funds to the Portland Housing Development Corporation Project called Front Street.

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

**AMENDMENTS:**

**Order 54-18/19  
(Tab 42)**

**Amendment to Portland City Code Re: Housekeeping Amendments in Chapters 2 and 30 – Sponsored by Danielle West-Chuhta, Corporation.**

This amendment corrects inconsistencies or changed terms in the City Code. While reviewing the City Code business licensing fees this year, a transfer fee for taxi licenses was found that should be increased to the same amount as the issuance and administrative fee charged for renewal business license applications, which is \$35.00.

In addition, the term Deputy City Manager has been changed to Assistant City Manager, and another amendment updates the City Code to reflect that.

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