1. Agenda

   Documents: 02.07.13 AGENDA.PDF
2. Rules

   Documents: RULESOFTHEPORTLANDLANDBANKCOMMISSION.PDF
3. Memo Murray St. Property Designation 201

   Documents: MEMOMURRAYSTPROPERTYDESIGNATION201.PDF
4. Maps

   Documents: HP15.PDF, IFFLEY ST. 301-G1 MAP.PDF
5. 01.03.13 Minutes

   Documents: 010313LANDBANKMEETING.PDF
6. Iffey St. Parcel Donation Memo 301-G

   Documents: IFFLEY ST. DONATION MEMO 301-G11.PDF

CITY OF PORTLAND, MAINE
Agenda

Landbank Commission

DATE: 2/7/2013
TIME: 5:00 PM
LOCATION: Room 24
City Hall Basement

AGENDA

1. Approval of January 3, 2013 Minutes (1 minute)
2. Review of Updated "Rules" of the Land Bank - Larry Walden (15 minutes)
   Action: Motion to Approve and Adopt
3. Re-Affirm Inclusion of Canco Road/Murray Street Property in the Land Bank Inventory - Mike Bobinsky (2 minutes)
   Action: Approve and forward to City Council
4. Re-Affirm Tax Acquired Properties List (5 minutes)
   Action: Motion to Forward to TAPC
5. Review of "Properties of Interest", Highest Priority Tier 1 - Doug Roncarati (35-45 minutes)
   Executive Session. No action required at this time. Pursuant to 1 M.R.S.A. Section 405(6)(C), the Commission will go into Executive Session to provide staff with direction related to negotiation for possible acquisition of real estate by the City
6. Adjourn Meeting
   Next Meeting Date: April 4, 2013

Rules of the Portland Landbank Commission

Article 1. General Provision.

Section 1. These rules are supplementary to the provisions of Chapter (2), Article III-A of the Municipal Code as it relates to the procedures of the Landbank Commission and are adopted pursuant to the authority granted in Section 2-42(g) of said Code.

Section 2. Roberts Rules of order shall supplement these rules and shall control procedures not covered by these rules.

Article II. Officers and Duties.

Section 1. The officers of the Commission shall be the Chair, Secretary and Treasurer as provided in Section 2-42(g) of the Municipal Code.

Section 2. The Chair, Secretary and Treasurer shall be elected annually by the voting members at the first regular meeting in January.

Section 3. The Chair shall appoint chairs and members for those committees as may be appropriate. Chairs of committees shall be appointed from voting members of the Commission.

Article III. Meetings.

Section 1. Regular meetings shall be held on the 1st Thursday every other month (except July and August) at 5:00 p.m. in City Hall or at such other time and location of which notice is given. Where a regular meeting day falls on a recognized holiday, the regular meeting shall be held on the following Thursday.

Section 2. Special meetings may be called by the Chair at the Chair's discretion or upon request of three or more Commission members, provided that a twenty-four hour notice is given each member.

Section 3. Meetings of any committee of the Commission shall be held at the call of the Commission or the committee chair or by agreement of at least two sub-committee members.

Section 4. The Chair shall set the agenda for regular meetings of the Commission, workshops, public hearing and other meetings.

Section 5. The Commission may, by a majority vote, specify a date for an agenda item.

Article IV. Order of Business.

Section 1. All regular meetings of the Commission shall proceed as follows:

a. Roll call and declaration of quorum
b. Reading and approval of minutes of the previous meeting
c. Communications
d. Unfinished Business
e. New Business
f. Adjournment

Article V. Notice.

Notice shall be given in the same manner as for City Council standing committees; i.e. by listing in the City calendar, which is distributed to the public, except that in the event of an emergency meeting, best practicable notice will be given through direct notice to the local newspaper and other media, as appropriate.

Article VI. Conduct of Public Hearings

Section l. The public will be given an opportunity to comment on any item under consideration by the Commission prior to a final Commission action on that item. Rules governing the procedure for such public comment shall be determined by the Commission.

Article VII. Deliberations, Voting, Decisions.

Section 1. The Commission may meet and deliberate at any properly called meeting, regardless of the presence of a quorum, or may continue consideration of such matter to any later meeting. However, no final action shall be taken on such a matter without a quorum being present.

Section 2. Five (5) votes shall always be required to authorize a grant or loan for acquisition of, or to recommend to the City Council the disposition of, any property interest acquired or disposed of hereunder, pursuant to Section 2-42(g).

Section 3. Recommendations to the City Council shall include findings of fact and the reason or reasons for such recommendation and shall contain a separate statement setting forth the recommendation of the Commission.

Section 4. The Commission will take no final or binding vote on a recommendation to *the City Council unless it shall first have stated its findings, reasons and conclusions at a meeting* open to the public.

Section 5. When a vote is completed it shall be in order for any member who voted in the majority, in the negative, in a tie vote, or otherwise on the prevailing side, to move for reconsideration thereof at the same or at the next regular meeting but not afterwards; and when the motion for reconsideration is decided, that vote shall not be reconsidered. No motion to reconsider a vote completed at a previous meeting shall be in order for consideration at the next regular meeting unless an item to that effect is contained on the agenda for such regular meeting or unless two-thirds of voting members consent to such reconsideration.

Section 6. Any item finally acted upon and not thereafter reconsidered shall not again be considered for a period of one year next succeeding the Commission's final action on the original item if the Commission determines it to be in the same or substantially the same form, unless two-thirds of the voting members consent to such reconsideration.

Section 7. In the event of a tie vote, the matter shall be postponed until the next meeting, where it shall be considered as unfinished business.

Section 8. Any member with an interest, or an appearance of an interest, in a question before the Commission may abstain from participation in deliberations on the question under discussion and from voting on such question, or said member may be excused from such participation and from voting on the question by majority vote of the commission. Any member with an interest, or the appearance of an interest, must disclose that interest, or appearance of an interest, in a question prior to the Commission's deliberations on that question.

Article VII. Amendment of Rules

Section 1. These rules may be amended, or suspended, by a two-thirds affirmative vote of the members of the Commission.

Section 2. The proposed amendment must be presented in writing at a regular or special Commission meeting preceding the meeting at which the vote is taken.

Article IX. Annual Report

Section 1. The Commission shall annually file a report with the City Council and City Manager consisting of, at least:

1) The Registry of all open spaces to be filed annually by the Commission under the City Code; and
2) An operating and Capital budget for all expenses and projects of the Commission required annually under the City Code.

PORTLAND MAINE

Strengthening a Remarkable City, Building a Community for Life • www.portlandmaine.gov

Public Services Department
Michael J. Bobinsky

To: Cheryl Leeman, Co- Chair
Tom Jewell, Co –Chair
Members of the Land Bank Commission

From: Michael J. Bobinsky, Director of Public Services

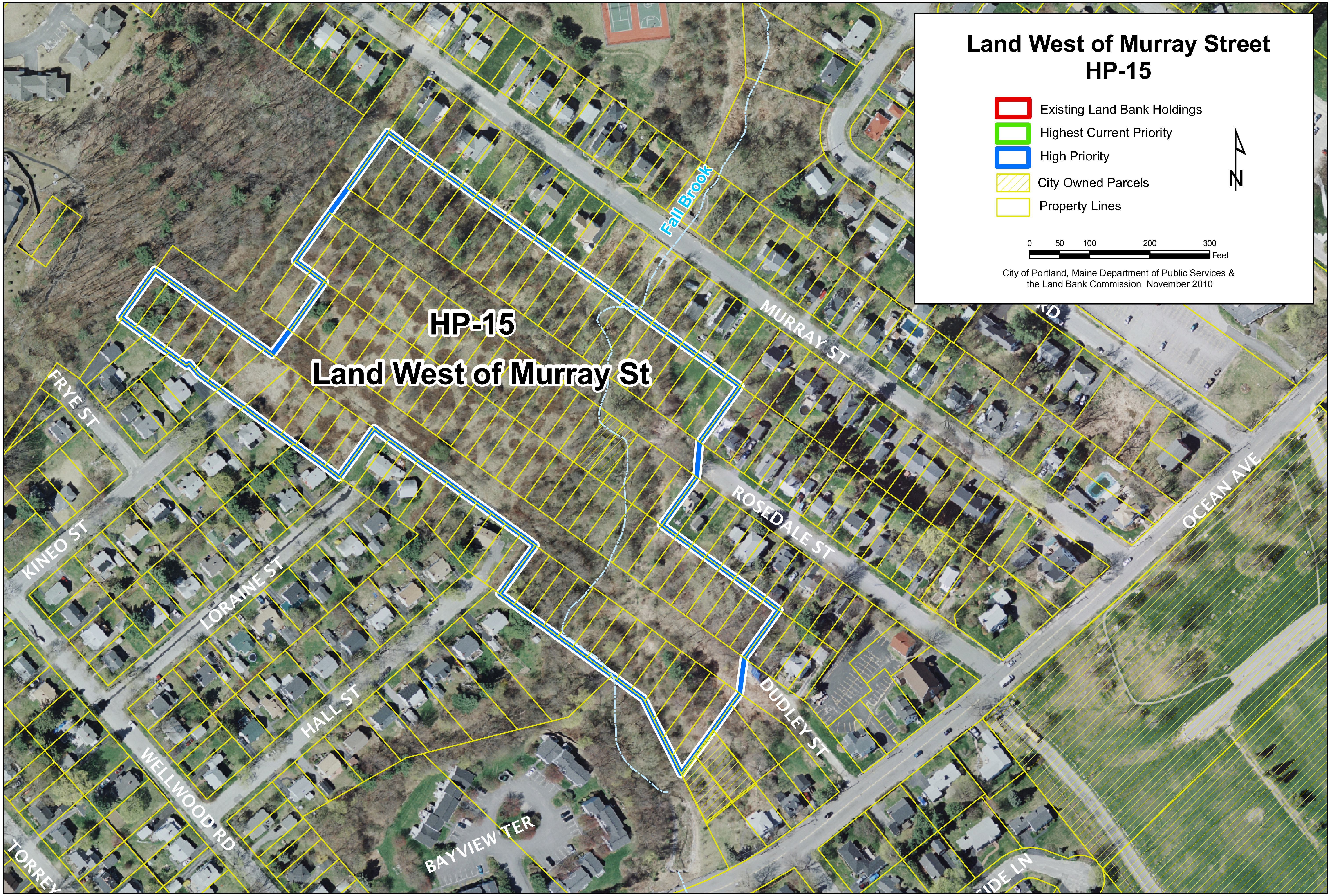
Date: January 31, 2013

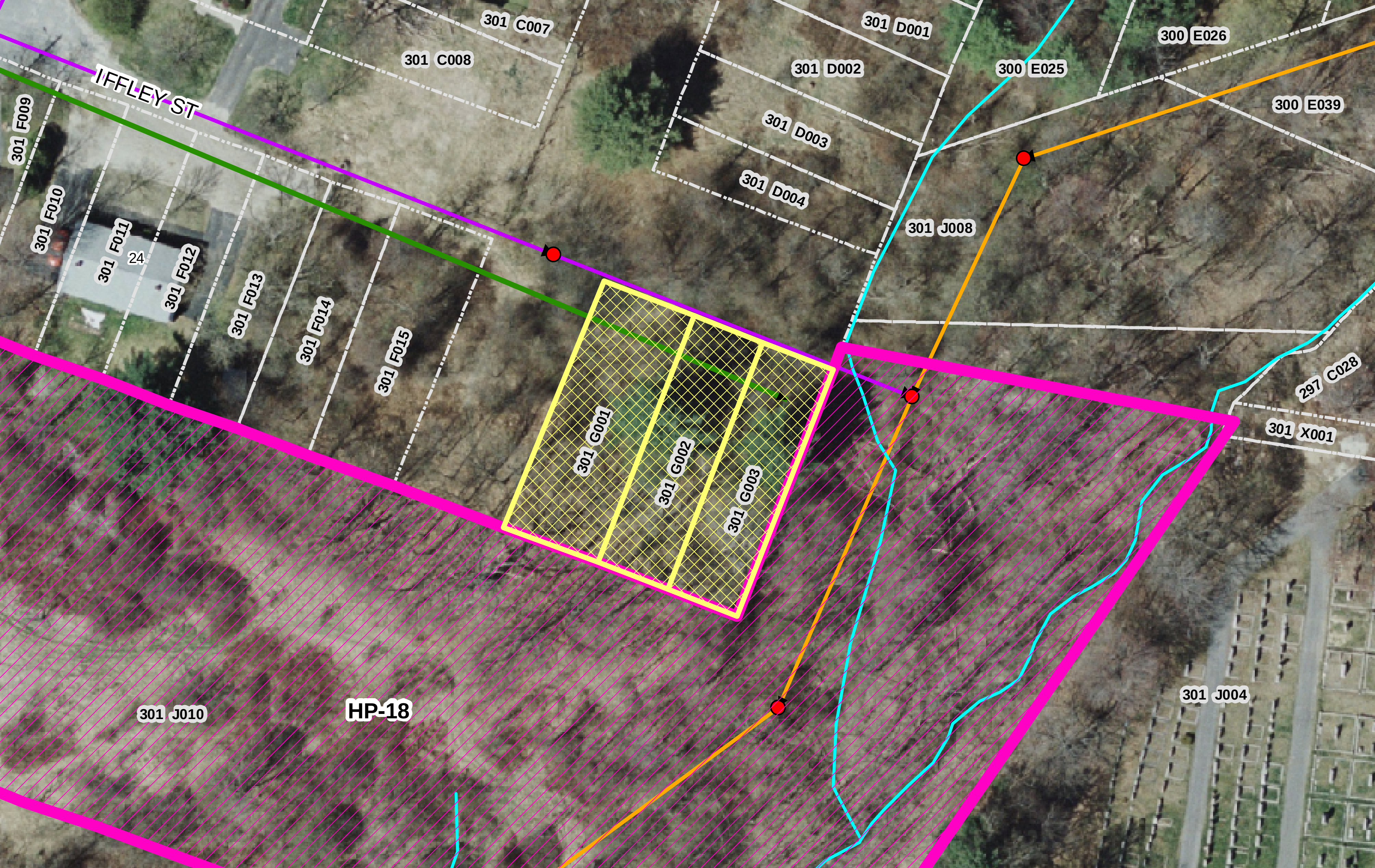
Subject: Inclusion of City Owned Property West of Murray Street Property (HP-15) in the Land Bank Inventory

As discussed at our January meeting, the Land Bank Commission proposes to designate the City owned property west of Murray Street (identified as HP-15 on the Land Bank priority listing) as part of the Land Bank inventory. (***See attached site map***.)

This proposal was also discussed after the Land Bank Commissioners conducted a site walk to the property in 2012. Based on past discussions and property review, staff concurs with this recommendation to classify this property as Land Bank property for conservation and preservation of open space. To that end, we seek formal endorsement of this recommendation at the Land Bank's February 7, 2013 Land Bank Commission meeting. If endorsed, staff will proceed to submit a formal recommendation to the City Council on behalf of the Land Bank Commission.

55 Portland Street Portland, Maine 04101-2921 Ph (207) 874-8801 Fx (207) 874-8816


Land West of Murray Street
HP-15
Existing Land Bank Holdings
Highest Current Priority
High Priority
City Owned Parcels
Property Lines
N
0 50 100 200 300
Feet
City of Portland, Maine Department of Public Services &
the Land Bank Commission November 2010
HP-15
Land West of Murray St
Fall Brook
MURRAY ST
ROSEDALE ST
DUDLEY ST
OCEAN AVE
FRYE ST
KINEO ST
LORAINE ST
HALL ST
WELLWOOD RD
BAYVIEW TER
TORREY


IFFLEY ST
301 C007
301 C008
301 D001
301 D002
301 D003
301 D004
300 E026
300 E025
300 E039
301 J008
301 F009
301 F010
301 F011
24
301 F012
301 F013
301 F014
301 F015
301 G001
301 G002
301 G003
297 C028
301 X001
301 J004
301 J010
HP-18

LAND BANK COMMISSION MEETING
Thursday, January 3, 2013
Room 24 – City Hall Basement
5:00 p.m.

ATTENDANCE: Colin Apse, Tom Jewell, co-chair; Meri Lowry, Councilor Cheryl Leeman, co-chair; Bill Mann, Colleen Tucker, Bryan Wenzell, Commission members; Michael Bobinsky, Doug Roncarati, Judith Rosen, Larry Walden, City Staff.

ROLL CALL AND DECLARATION OF A QUORUM

The meeting was called to order at 5:03 p.m. Colin Apse made a motion to accept the minutes from the October 4, 2012 meeting – second by Meri Lowry. PASSED unanimously.

NEW BUSINESS

New agenda process: Mike Bobinsky discussed the new agenda process. Agendas will have a new format by identifying the staff person making a report on an item, time allocated for the presentation/discussion and action required. The agendas will go out to Commission members in an e-mail on the Friday prior to the meeting.

Commission members will start using notebooks which will be prepared for them each meeting by staff with a hard copy of the materials being presented. These notebooks will be collected at the end of each meeting and brought to subsequent meetings with updated materials for that meeting.

The Co-Chairs of the Land Bank Commission will meet with Mike Bobinsky to establish agenda items prior to the next meeting.

OLD BUSINESS

Annual Report 2012 and 2013 Annual Plan of the Land Bank Commission: Mike Bobinsky handed out copies of the 2012 Annual Report and 2013 Annual Plan of the Land Bank Commission for review (see attached). After discussion, review and minor changes, Colleen Tucker made a motion to recommend the 2012 Annual Report and 2013 Annual Plan of the Land Bank Commission as amended to go before the full City Council for approval, second by Colin Apse. PASSED unanimously.

Tax-Acquired Properties: Doug Roncarati gave Commission members an update on the Tax-Acquired list of properties which the City owns due to tax defaults. The list is reviewed yearly by a sub-committee and recommendations are sent to the Tax Acquired Properties Committee. The FY13 list will be voted on at the February Commission meeting.

Properties of Interest: Doug Roncarati gave an update on the Land Bank's ongoing focus list which needs to be reviewed and updated. It was recommended that the Commission's Co-Chairs, Mike Bobinsky and Doug Roncarati meet to discuss the properties of interest list and provide Commission members with a revised listing that is more focused at the next meeting.

NEXT MEETING

The next meeting of the Land Bank Commission will be on Thursday, February 7, 2013 at 5:00 p.m. in Room 24, City Hall. Subsequent meetings will be held in April, June, September and November.

A motion to adjourn was made by Tom Jewell, second by Colin Apse. The meeting adjourned at 6:05 p.m.

Respectfully Submitted

Judith Rosen

Public Services Department
Michael J. Bobinsky, Director

January 31, 2013

Land Bank Commission
City of Portland, Maine

Dear Commissioners,

The owner of three small lots at the end of Iffley Street (CBL 301-G-1 to 3) has offered to donate these lots to the City. These lots are adjacent to the catalogued parcel *HP-18 Iffley Street Buffer*, as well as Capisic Brook and City-owned sewer and storm drain infrastructure. Staff at the Department of Public Services recommend that the Commission support acceptance of this land donation so these parcels may be acquired by the City for open space, stream buffer protection and access to municipal infrastructure.

Sincerely,

Douglas A. Roncarati, Jr.
Stormwater Program Coordinator
Department of Public Services