1. Parks Commission Meeting

    Documents:

    AGENDA 5.4.17.PDF
    PARKS COMMISSION MINUES 4.6.17.PDF
    PARKS COMMISSION MINUTES FEBRUARY 2.2.2017REVISED.PDF
    RULES OF THE PORTLAND PARKS COMMISSION REVISED 04.2017-1.PDF
    OFFSET POLICY_APRIL 28.PDF

**Commission Members:** Carol Hutchins, Craig Lapine, Cynthia Loebenstein, Diane Davison, Chair, Dory Waxman, Vice Chair, Jaime Parker, Meri Lowry, Michael Mertaugh, Nathan Robbins, Steve Morgenstein, Travis Wagner and Councilor Belinda Ray

**Parks Commission Agenda**
**May 4, 2017**
**5 PM**
**City Hall ~ 389 Congress Street ~ Room 24**

*City of Portland Commissions are not required to take public comment under FOAA and are Ordinance is silent regarding the duties of the Commission. The Commission has the discretion to not allow or allow public comment during its meetings, including the authority to limit the duration of comments. Since the Commission makes recommendations to the City Council, public comment is available at that level.*

I. General Citizen Comment Period (5 min)

II. Agenda Items (*public comment taken on action items only*)

A. Acceptance of Meeting Minutes April 6, 2017 (5 min)
- Revision to Meeting Minutes February 2, 2017 (2 min)
- Revision to Rules for Parks Commission (as approved 2.2.16) (5 min)
  - Election of Chair & Vice Chair – June

B. New Business
- Recruitment Committee Report - Travis (5 min)
- Potential Funding to Portland Urban Parks – Lucas St. Clair (25 min)

C. Communications/Updates
- Amethyst Lot Update – Bill Needelman/Sally Deluca (15 min)
- Ethan – *written report provided for preview*

D. Committee Reports (15 min)
- Annual Report & Inventory Committee - Travis
  - No Net Loss Policy - vote

E. Commissioner requests for Agenda Items (3 min)

*The Mission of the Portland Parks Commission is to advocate for the enhancement and stewardship of our parks and open spaces. Review and propose projects that impact parks and open spaces and recommend action. Foster collaboration among park users and the City. Promotes public access and enjoyment. Advocate for public and private funding for parks and open spaces. Enjoy Portland for Life*

**In attendance:** Commission Members Carol Hutchins, Craig Lapine, Cynthia Loebenstein, Diane Davison, Chair, Jaime Parker, Meri Lowry, Michael Mertaugh, Nathan Robbins, Steve Morgenstein, and Travis Wagner. City Staff Sally DeLuca, Ethan Hipple, and Alli Carroll.

**Parks Commission Agenda**
**April 6, 2017**
**5:00 PM**
**City Hall, 389 Congress Street, Room 24**
**Portland, Maine**

**I. General Citizen Comment Period**

Members of the public do not have anything to comment at this time.

**II. Agenda Items (public comment taken on action items only)**

**A. Acceptance of Meeting Minutes February 2, 2017**

Meri moved to accept the February meeting minutes. Carol seconded. Michael brought to light that Meri's comment under section B. i. was incomplete and asked her what she meant under this agenda item. Meri stated that this should say "*Meri says that Land Bank and Parks Commission Ordinances differ. Land Bank says they "will" allow public comment and Parks Commission says they "may.""* Diane asked all in favor? Passed unanimously.

**B. New Business**

**a. Recruitment Committee Report - Travis**

Chelsea Malacara was recruited by Travis and then once she sent her resume, Steve, Diane and Travis met with her. They believe that she is a great candidate for this seat because Travis knows her pretty well, she is a millennial, collegial, non-traditional student and a mother. Chelsea has experience working with volunteers and is very comfortable about doing fundraising. She also lives off the peninsula. Steve added that her experiences and attributes would mesh well with this group. Michael asked how many people have applied? An amount is not known, but Travis mentioned that Friends Groups nominate their own candidates and we recommend those we support. The Recruitment Committee is trying to help with the process. Michael questioned what the Parks Commission role really is in this process. He understood it as City Clerk posts the vacancies and people apply. Steve said to be helpful, that is all. Diane added that the Parks Commission is showing an act of interest due to the needs that we have. Travis and Steve encouraged the group that if they know anyone, feel free to suggest them. Diane moved to recommend this candidate to City Hall, Steve seconded. All in favor? Passed with two abstentions.

**b. Terms expiring**

Diane stated that five terms are expiring: Michael, Travis, Steve, Dory and herself. Diane has a strong seat at the Friends of Eastern Prom to consider, but they also serve on another City Commission. That may be a conflict. Michael will reach out to Lincoln Park folks and Travis would like to reach out to Congress Square for anyone who is interested in the vacancies. Meri suggested Craig to look towards the immigrant populations due to his connections. He would be happy to. Cynthia asked if there is a way that our terms can stagger so that a lot of brain power isn't lost in one year. Diane replied that would involve rewriting the ordinance but that should be a thought when it is time to do so.

**Jaime excused himself from the meeting at 5:34 p.m.**

c. **Annual Capital Improvements Plan Timeline**
Ethan drafted this plan up to provide a framework to how the CIP submission would flow. The reason this was created was because there was a desire for the Parks Commission to have more time to review and for Friends Groups to have more input. This schedule starts in May. At this time, Friends Groups will be reached out to and they will be given two months to review this ten-year plan and make recommendations. Diane said that this timeline is very helpful. Michael thinks that it's great that they have a definite timeframe for when it will start. One of the things that worries him is the confusion in the role of the Commission with the Parks Division. Ethan replied that the Parks Commission can make recommendations but the Division acts on it. Michael would like a clarification in the Parks Commission role and action in this process. Meri would like the Parks Commission to work in concert with the Parks Division. Michael says that he feels like the Parks Commission has a separate process in the CIP. Travis added that one of his concerns is that the Parks Commission represents major parks and there are many parks that they are not as apart of as the Division. He suggests that the Parks Commission should define their role but we should not undermine the Division. The CIP process has improved incredibly throughout Travis' time in this Commission. Ethan hears Michaels concerns and proposes that staff attaches the Parks Commission input to reflect how the Division and Commission work together.

**Steve excused himself from the meeting at 5:48 p.m.**

Sally disagreed and believed they would run the risk of making a submission against the Parks Division. Parks Commission is focused on only one piece of what the Division has to be focused on. Ethan is trying to make the Parks Commission much more involved. The Parks Commission should be working more with the Friends Groups, so that they can represent all of them instead of just relying on the members of the Commission who are part of their own groups. Michael agreed that they should have a more active role in the CIP.

**Nate entered the meeting at 5:53 p.m.**

Sally and Ethan agree that once Parks Commission and all Friends Groups come together and work through this CIP process, then we can gather a very strong ten-year plan to bring to the City Manager. To end the discussion, Nate apologized for being late but thanked City staff for their hard work because he was very excited to see this.

**C. Communications/Updates**

a. **FY18 – Operating & CIP budget update**
Sally began by explaining how in the Fiscal Year 2018 approved budget Parks, Cemeteries, and Forestry did the best. There was a huge focus on the Parks Division to help them grow. A new arborist, horticulturist, playground technician, temp. help in the cemeteries, $25,000 for park signs, a six-month intern from the Maine Conservation Corp., a Deering Oaks attendant, two park temps, a gator for the attendant, two staff members for this summer's Park and Play Recreation Program for children at Deering Oaks, $30,000 for hazardous trees in Forestry, $25,000 in hazardous trees in the Cemeteries, a zero-turn mower for Cemeteries… there is more but those are the highlights. Jon has put his best foot forward and believes that these three divisions of Parks, Recreation and Facilities belong together. Ethan added, by hiring these new staff members we can pay attention to the details in our parks and cemeteries. Everyone agrees that it is very great news! Michael would like to send a letter to the City Manager to commend him of these decisions. He would be happy to draft that letter.

Meri asked a general question of how Teka has been working out? Ethan said that they had a rough winter but last summer and fall they were doing better than expected. Currently, the Parks Division is looking at getting traffic in and out of that area more conveniently. Sally said that the Parks Division is proposing Teka with putting the seeds and corn there for sale for the fowl during the summer. Diane asked if there has been any research into not feeding the birds since it messes with their migration. Ethan said the Parks Division is thinking about putting up a sign about what is safe to feed them but more research needs to happen. Nate complimented the efforts on parks staff and their plans for improvement. He also agrees to be cautious about feeding the birds. It's a tough topic. Carol said in regards to Teka, it will be interesting when State Street goes under construction and asked when that project will begin. Ethan said they are looking at October.

Diane asked what is happening with the snow remove for Eastern Prom. Ethan said that they are coordinating that with Public Works.

Meri mentions that she loves our landfill on Ocean Ave. but wonders when the solar farm will be going in? Ethan said that it is in planning review right now and that a date has not been determined yet.

Diane asked what the panhandling project was. Ethan said that this project has been occurring in other major cities and the City is adjusting their idea for our Portland area and moving forward with it. It gives panhandlers an opportunity to work in the parks. A crew leader from social services will help our staff propose this contracted employment opportunity to panhandlers. This project will open a door for these individuals to get the help they need for their personal situations. Nate asked if the City anticipates there to be an increase in panhandling? Ethan said that there is a possibility in that. Carol asked who is paying for this project, city or state? Sally replied that it is being federally funded.

In other new business, Ethan wanted to let everyone know that the Lincoln Park Groundbreaking will be next Thursday at 4:00 p.m. Also, there will be a Western Prom public meeting on April 10th to inform the public on the project to keep the area healthy. Finally, "Walk in the Parks" is a new monthly series that will run through the summer. First event is on Urban Orchards on April 13th at East End Community Center at 5:30 p.m. Sally added that the Department is having an open house at 212 Canco Road on April 20th from 3:00 p.m. until 6:00 p.m. Then, the next day, the Department will have about seventy-five children that are in our vacation camp and others in the community help clean up a park or playground. We will also be giving away wildflowers to save the bees.

**D. Commissioner requests for Agenda Items**

Diane wanted to thank everyone again for attending the strategic planning meeting in March. In addition to that, she mentioned what will be on next month's agenda. Ethan, Sally and Diane met with Lukas St. Clare who is interested in creating a Parks Foundation for the City of Portland and he will attend to discuss that. Also, we will discuss Amethyst Lot and the "no net loss policy". Next month will probably run later than usual. Finally, remember to suggest people to the Recruitment Subcommittee. Travis also mentioned again that if anyone has comments on the no net loss policy, please email him so that the Commission is efficient in next month's meeting.

**Diane motioned to adjourn the meeting. Travis moved and Nathan seconded. Diane asked, all in favor? Passed unanimously.**

**Parks Commission Agenda**
**February 2, 2017**
**5:00 PM**
**Portland Maine City Hall**
**389 Congress Street, Room 24**

**In attendance:** Commission members Diane Davison, Cynthia Loebenstein, Meri Lowry, Belinda Ray, Jaime Parker, Travis Wagner, Dory Richards Waxman, Michael Mertaugh, and Carol Hutchins. City Staff Members: Sally DeLuca, Ethan Hipple, and Alli Carroll.

**Diane called meeting at 5:05 P.M.**

I. **General Citizen Comment Period**
George Rheault is pleased that Peppermint Park is still in discussion and thinks that a large light and security camera on the Montgomery Street side would help with security issues. Also, is wondering if things are still shifting with the CIP list. Hoping to learn more in this meeting. The Great Diamond tennis court redo is not necessary. There are hotel tennis courts around the area and the money could be put to better use. Lastly, the Fitzpatrick score board could be a great chance for a fundraising opportunity.

II. **Agenda Items**

a. **Acceptance of Meeting Minutes for January 5, 2017**
Travis motioned to accept. Meri seconded. Michael sent Alli grammatical errors that are to be corrected. Belinda mentioned that George Rheault's name is spelled wrong. Unanimously passed as amended.

b. **New Business**

i. **Allow public comment on action items**
Meri says that Land Bank and Parks Commission Ordinances differ. Land Bank says they "will" allow public comment and Parks Commission says they "may."

ii. **Establish a Parks Commission "Recruitment Committee"**
Diane motioned to have a recruitment committee. Steve and Diane would participate in it. Sally will staff it. By ~~Land Bank~~ Parks Commission ordinances, certain groups should be represented. Diane would like to do a strategic outreach so that they have an opportunity to keep the ~~committee~~ commission strong. Michael suggested that current ~~committee~~ commission members create professional profiles so that everyone can understand how each person benefits the committee and where we could use some assistance. A brief biography and photograph could be put on the Parks Commission website. Diane said they will look at strategic planning agenda.
Diane asked, all in favor? Passed unanimously.

iii. **Amend PC rules to elect PC officers**
Diane said, given that Commissioner terms run up at the end of June, she would like to suggest that they amend the ~~Land Bank~~ Parks Commission rules and do Officer elections in June so that we are ready with the new City of Portland's fiscal year and for Dory's health. Jaime moved, Travis seconded. Current Commissioners serve through June 31st, 2017. Meri would like to know if they are contemplating two or three year terms? Diane said they have not decided that. Currently, Commissioners have 3 year terms and

Officers have a 1 year term. Travis thinks it makes sense to align with everything else. Alli and Ethan will be looking into changing the rules and getting everyone a copy. Diane asked, all in favor? Passed unanimously.

c. **Communications/Updates**

i. **Councilor Ray – Fort Sumner Update**

Approved overlay with no amendments. It will come to the council on Feb 6th. It can be retroactive to the 22nd. Everyone thanked her for all of her hard work.

ii. **Ethan – FY18 – 10 year CIP process update**

Ethan said that they are trying to build a schedule that is aggressive but realistic. The CIP list is not final, but it is our recommendation that Sally will take to Jon Jennings and the City Council. Ethan met in person with a lot of staff and friend's groups. Tried to prioritize on many factors including: funds, partners, balance in different districts, and parks that do not have friend's groups. Sally praised Ethan and his staffs hard work. Ethan continued to say that $25,000 is the threshold for these projects. Sally said that what has happened in the past, is that because they have not had enough money in the operating budget, some of these things have deteriorated to the point that they have made the CIP list. For example: playgrounds. The City has thirty playgrounds and the CIP list has them on a fifteen-year cycle, so they have to do two playgrounds in one year and one in the following. Cynthia praised and thanked Ethan, Sally and city staff who worked so hard to create the list. Everyone agreed. Belinda asked who LWCF was. Ethan replied with "Land and Water Conservation Fund" which is federal money that is collected from off shore oil leases and put in a fund that is given to the states to then be used for outdoor recreation for the public.

**Jaime leaves the meeting at 5:55pm**

d. **Unfinished Committee Business**

i. **Finance Committee**

Michael said that they are trying to get together to discuss Amethyst Lot and Congress Square Park, but they have not had a chance yet.

ii. **Strategic Planning Session; discuss agenda draft & select date**

Diane suggested that the committee cancels the monthly meeting on March 2nd, 2017 and meet on Saturday, March 4th, 2017 instead. Location will be TBA. It will be held at 9:00 a.m. – 12:00 p.m. Everyone's good with it. Alli will add the meeting to the City's website so that the public is aware of it.

iii. **PC-LB meeting with Michael Goldman**

Tentatively scheduled for Feb 23rd, 2017 from 5:00 p.m. – 7:00 p.m. at City Hall Room 24. All members at this current meeting can make that date. Meri will send out questions to everyone and Michael Goldman ahead of time. In addition, Alli will be there to take notes and create a permanent guide for the committees.

e. **Commissioner requests for Agenda Items**

i. **Amethyst Lot:** Ethan says that City Staff and Stantec, the design team, have met. The process is moving pretty quickly. They have received a lot of feedback and guidance. Stantec has had great designs in other communities and they take in consideration numerous aspects. Dory asked if they have vetted everything and that everything is okay? Ethan says he is sure Stantec has and that they have a lot of great waterfront experience. That is why they were chosen. Diane agreed and mentioned that they presented very well.

**Motioned to adjourn at 6:17 P.M.** Cynthia and Dory

**Rules of the Portland Parks Commission**

**Article 1. General Provision.**

**Section 1.** These rules are supplementary to the provisions of Chapter 18, Article I of the City Code as it relates to the procedures of the Parks Commission (hereinafter, "Commission") and are adopted pursuant to the authority granted in Section 18-10(c)(1) 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 Commission shall consist of thirteen (13) members as follows: one (1) member of the City Council who is also on the Transportation, Sustainability and Energy Committee; one (1) member representing Friends of Deering Oaks; one (1) member representing Friends of the Eastern Promenade; one (1) member representing Friends of Evergreen Cemetery; and one (1) member representing Portland Trails shall be appointed for three-year terms by the city council; and seven (7) members representing the public-at-large and one (1) member representing the Land Bank Commission, who shall be appointed for three-year terms by the City Council.

**Section 2.** The officers of the Commission shall be the Chair and Vice-Chair.

**Section 3.** The Chair and Vice-Chair shall be elected annually by the Commission members at the ~~first regular meeting in January~~ monthly June Meeting. The City Council and Land Bank Commission representatives are not eligible to serve as Chair or Vice-Chair of the Commission.

**Section 4.** 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.

**Section 5.** There is no prohibition on officers serving consecutive terms in the same office.

**Article III. Meetings.**

**Section 1.** Regular meetings shall be held the 2nd Thursday of each month at 5:00 p.m. or at such other time and location of which notice is given by the Commission.

**Section 2.** Special meetings may be called by the Chair at the Chair's discretion or upon request of three (3) or more Commission members, provided that a twenty-four (24) hour notice is given to each member.

**Section 3.** Meetings of any committee or subcommittee 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 Commission may, by a majority vote, specify a date for an agenda item.

**Section 5.** The Chair shall set the agenda for regular meetings of the Commission, workshops, public hearing and other meetings.

**Article IV. Order of Business.**

All regular meetings of the Commission shall proceed as follows:

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

This order of business may be amended for any given meeting in the discretion of the Commission.

**Article V. Notice.**

Notice of meetings 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.

**Article VI. Conduct of Public Hearings**

**Section l.** The public may 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.** Fifty percent (50%) of the members of the Commission either in person or electronically shall constitute a quorum.

**Section 2.** 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 3.** Recommendations to the City Council shall include facts 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.** 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 7.** Any member with an interest, or an appearance of an interest, in a question before the Commission shall disclose or 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.

## Article VIII. 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 state of the parks report with the City Council and City Manager on the physical, economic, and social status of each of the City of Portland's parks and/or public spaces and recommendations as to those spaces.

Draft, April 28, 2017

**Parks Commission Offset Policy**: In considering a request to sell or lease (e.g., for a period of 10 years or more) any park in whole or in part or any property in whole or part under the purview of the Parks Commission, the prerequisite for such consideration for approval by the Commission will be the expectation of the requestor to present a proposal to donate park land to the city that is of equal or greater size, economic value, ecological value, and social value of the land to be sold or leased.