



Commission Members:

Chair Jaime Parker, Vice Chair Jon Kachmar, Marie Gray, Zack Anchors, Eleanor Sears, Beth Rabbitt, Stephen Bentsen, Michael Catania, Cheri Musgrave, Katie Mears, William Elting, Donna Gartland, Alison Mehlsak and City Councilor Victoria Pelletier.

City of Portland **Parks Commission Agenda** **November 3, 2022 at 5:00 PM**

*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.*

To submit written public comment on an agenda item, email ParksCommission@Portlandmaine.gov. Submissions must be received by 12:00 pm the day before the Parks Commission meeting to guarantee their inclusion in the agenda packet. All submissions must include the commenter's name and legal address. To help ensure your comment is submitted for the correct item, please include the name of the agenda item (see below).

REMOTE ACCESS INFORMATION

The Parks Commission will conduct this meeting remotely via Zoom pursuant to the Remote Meeting Policy adopted by the Portland Parks Commission. Allow your computer to install the free Zoom app to get the best meeting experience. If you are not able to attend live either in person or via Zoom, a recording will be available in the [Agenda Center](#) following the meeting.

For public comment via Zoom, you will need to use the "raise your hand" feature. To raise your hand via the telephone, please hit *9. You will be unmuted by the host when it is time for public comment.

Please use the link below to join the webinar:

<https://zoom.us/j/91710859101?pwd=MUVLWTVFRG5jUFNxSHIEcTFISk8wZz09>

Passcode: **P3pperm1nt**

Or Telephone:

US: +1 301 715 8592 or +1 312 626 6799 or +1 929 205 6099

Webinar ID: 917 1085 9101

Passcode: **480730**

- I. Call to Order
- II. General Citizen Comment Period
 - a. Emailed Citizen Comment
- III. Agenda Items
 - a. Acceptance of Meeting Minutes: October 6th, 2022

- b. New Business
 - i. Commissioner Introductions
 - ii. Introducing Liz Collado, Supervising Park Ranger
 - iii. Welcome Friends of Trott Little John Park
 - iv. C3 Concert at Payson Park
- c. Old Business
- d. Communications and Updates
 - i. Parks Report
 - ii. Land Bank Commission Report
 - iii. Update on CIP timeline: CIP is still in review, anticipating updated recommendations to Parks Commission at the December 1st meeting.
 - iv. Update on Food Truck Policy: still collecting and reviewing public feedback, anticipating updated recommendations to Parks Commission at the December 1st meeting.
- e. Commissioner requests for Agenda Items
- IV. Adjournment
- V. Special Session: New Commissioner Orientation
 - a. New Commissioner Packet



Thomas Nickerson <tnickerson@portlandmaine.gov>

Food Truck Pilot Program Review

2 messages

Frank Cloutier <cloutierfrank@gmail.com>

Fri, Oct 7, 2022 at 2:43 PM

Reply-To: cloutierfrank@gmail.com

To: citymanager@portlandmaine.gov, ksnyder@portlandmaine.gov, atrevorrow@portlandmaine.gov, vpelletier@portlandmaine.gov, "tchong@portlandmaine.gov" <tchong@portlandmaine.gov>, azarro@portlandmaine.gov, "pali@portlandmaine.gov" <pali@portlandmaine.gov>, rrodriguez@portlandmaine.gov, "afournier@portlandmaine.gov" <afournier@portlandmaine.gov>, ehipple@portlandmaine.gov, amarshall@portlandmaine.gov, parkscommission@portlandmaine.gov

Please see attachment for my observations on Pilot Program 2022

**Document3.docx**

15K

Dena Libner <dlibner@portlandmaine.gov>

Tue, Oct 11, 2022 at 1:08 PM

Reply-To: dlibner@portlandmaine.gov

To: cloutierfrank@gmail.com

Cc: citymanager@portlandmaine.gov, ksnyder@portlandmaine.gov, atrevorrow@portlandmaine.gov, vpelletier@portlandmaine.gov, "tchong@portlandmaine.gov" <tchong@portlandmaine.gov>, azarro@portlandmaine.gov, "pali@portlandmaine.gov" <pali@portlandmaine.gov>, rrodriguez@portlandmaine.gov, "afournier@portlandmaine.gov" <afournier@portlandmaine.gov>, ehipple@portlandmaine.gov, amarshall@portlandmaine.gov, parkscommission@portlandmaine.gov

Mr. Cloutier,

On behalf of the City Manager, thank you for sharing your observations.

If you have time, please complete [this survey](#) to provide additional feedback on this year's food truck pilot program.

Warmly,
Dena

Dena Libner, MPA
Chief of Staff
[City of Portland](#)
[389 Congress Street](#)
Portland, Maine 04101
dlibner@portlandmaine.gov
Pronouns: she/her



city
manager's
office

[Quoted text hidden]

Danielle West
Portland Maine City Manager

Food truck season feedback

To Danielle West and all members reviewing this past summer's food truck pilot program:

I would like to thank Danielle West for her outstanding courage and sound governance regarding decisions made in May 2022 for the past seasons program. Speaking for myself and a great majority of hill residents as well as those travelling through the Promenade, the sense of order and respect is so evident. The lack of a chaotic day-in day-out carnival atmosphere, has been both a blessing to all and a milestone ending of what was implemented during covid's rage. Thank you, thank you, thank you!

Enjoying both the vitality and serenity of the beautiful Casco Bay overlook is so special a treasure and as we are more than ever aware today, worthy of its historical protection covenants. After the wise move to diverge from the special interest pressure to continue what would have been a third-year operation, I and other residents were eager to promote and encourage the vendors at the new location on Cutter Street. In June after the move, I went to the location and spoke to a couple of key vendors. I was dismayed by the tone early on. The location on Cutter Street was second rate and would not work for them. This was the beginning comments I got, and no positive vibes could be encouraged. Other comments from these vendors ranged from the lack of upper location trees providing a cooler space to the lack of a more kinetic pedestrian lane were all dooms day scenarios. Pedestrians and traffic flow would need to look for and descend a hill several hundred feet to access the new food park.

Having gone through myself, energizing and creating a food establishment; granted from the city council, Portland's first outdoor food service establishment, I was eager to suggest that as an abutter to

the previous location, I would be willing to place signage on my property directing those unfamiliar with the new locale. Portable awnings could help with shade and cool patrons when ordering. A cooperative event to thank patrons and the city with music were all met with the fact that this would all cost money and that this should not be any of their problems, as the other location afforded better prospects. It was those objecting to their previous location and the city manager that created a hardship. The idea that the hill community would have gladly helped with much of this regarding a special event, this was left unsaid. With those sobering thoughts, I left my first visit with a feeling of perceived entitlement by these vendors rather than a get up and go can-do attitude. From the perspective of a former food vendor with very little resources financially but an abundance of positivity and connectivity back in the 80s and 90s, the spirit of free enterprise had taken on a new meaning.

It has recently surfaced from some vendors that through much complaint, protest, and networking, the pilot food truck program for 2023 may be headed back to its former location. Much work has already been done by them to create this momentum with parks committee members and pilot program facilitators. The thought of that and the possibility of food trucks vendors winning through intimidation is unnerving and divisive to our community and will most likely end in conflict and unrest.

In some of the comments to the Portland Press Herald regarding food trucks, it was mentioned by some of them that their sales were off 30 to 40%. While covid is not over, the pandemic is. Ask any brick-and-mortar establishment if their business has improved or worsened during this time. It is obvious that indoor dining has resumed everywhere, not only in the city of Portland. The novelty of food truck venues, such as the Vietnamese, Vi Banh Mi, Falafel and George North Shore do better than most and its not an even score sales for all. It does not take an engineer's report or a sales audit to realize that true reality.

There are winners and losers in all food establishments, and it is not up to the government or a pilot program to insure their survival.

The Cutter Street relocation was a gift to all vendors in the 2022 season; no real blood and sweat investments were made and, maybe the pilot program for 2022 made too easy. But then again, this was instituted more as a public service during hard times. Something some of them may not fully appreciate.

Thank you for your consideration, Francis Cloutier resident of the hill and former owner and founder of Deli 1 on upper Exchange Street.



Food Truck Pilot Program

1 view



Diane Davison <dmdavison5@gmail.com>

to Kate Snyder, Anna Trevorrow, vpelletier@portlandmaine.gov, Tae Chong, Andrew Zarro, pali@portlandmaine.gov, rrodriguez@portlandmaine.gov, afournier@portlandmaine.gov, Cityn

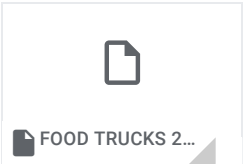
Good Afternoon . . .

Please accept my attached document for comprehensive consideration regarding the 2022 food truck pilot program and next steps for 2023.

Thank you,

Diane

207-831-4888



- ↩️

Reply all
- ↩️

Reply to author
- ➡️

Forward

FOOD TRUCKS 2023

Thank you in advance for making time to read this letter consisting of observations, facts, suggestions and questions accumulated over the 2022 summer season.

Immediately following the June 15th commencement of the 2022 pilot program, a handful of park users and residents reached out to city manager, parks and rec, and district one counselor Trevorrow with the simple request to bring all stakeholders to the table; food trucks, park and trail users, folks who use the playground, athletic fields and boat users – both motorized and non-motorized, to discuss criteria for measuring success, from all aspects not just vendor income, and how we navigate this process going into 2023 and beyond. Request denied. Instead, city officials preferred to wait till end of the season to evaluate the program's success.

Please consider the following facts related to vendors, the site:

- Food truck business thrived as the ONLY option for “dining” and gathering with friends and family during pandemic while numerous other food service businesses were forced to close, some permanently, due to this crisis.
- Vendors must acknowledge that dining indoors is back to near normal, food trucks are no longer the only game in town with the Prom the only venue and competition has returned to pre-pandemic levels.
- The city eliminated most summer street closures & pop-up restaurant sites for this very reason.
- Trucks (previously) parked on the E. Prom roadway are a safety hazard to citizens seeking to enjoy the playground, athletic facilities or even to simply stroll the sidewalk.
- The roadway location also limits the ability of emergency and delivery vehicles as well as tour buses to navigate this essential & scenic thoroughfare on Munjoy Hill.
- Among chief concerns from residence and park users is the general congestion in the formally designated food truck area from Congress to Quebec St.
- Families with small children deserve safe access to bring their children, strollers, and toddlers to the playground
- “Alt A” in the 2022 pilot program called for a maximum of 7 trucks in the Cutter St lot. The city caved under pressure from vendor(s) who did not make the cut in the lottery and DOUBLED the number of spaces allowed. 14 trucks contributes to diminished income due to increased competition.
- The 14 designated spaces were never fully utilized during the pilot program. However, boaters and paddleboarding enthusiasts were impacted by this self-serving outcome driven by vendors.
- The city waived the \$5,000 fee for food trucks on the Prom. This must be implemented in 2023.
- Elitism or entitlement does NOT define hill residents as truckers and their narrow-minded followers insist. Most residents support having trucks in the Cutter St location – but not in the roadway. Rather, this perspective defines the ego-centric, privileged operators who insist that the city must guarantee success of their business – at any and all costs to park users and taxpayers.
- Mr. Tuna's business is NOT suffering; he has replaced Miyake sushi all 8 Rosemont Markets!
- For 2 years Mr. Tuna was a habitual offender of the “no overnight parking” of food trucks on the Prom. His truck remained in position for the better part of the pandemic. He even had the audacity to put out his own cones to maintain “his” location. *Why were other vendors ok with this?*
- Mr. Tuna did not receive citations for the habitual overnight food truck parking prior to 2022.

10 tickets for Mr. T January – June 2022. 3 on the E. Prom; 2 on Cutter st. Total \$370

https://portlandme.rmcpay.com/#results?violationid=&violationnumber=&vin=&lpin=8C-5478&stateid=99&operatorid=616&plate_type_id=&devicenumber=&payment_plan_id=&single_violation=false&

Informal Poll:

During the month of September, I conducted an informal poll at the playground on my frequent walks in that area. In the most neutral way possible, I simply asked if folks were finding it any easier to access the playground; did they miss having food trucks at this site; did they have a preference for one location over the other; were they consumers? I probably spoke to 50 “parents”.

- 25% didn’t have a preference or weren’t food truck consumers.
- 65% enjoyed being closer to the ocean view; the picnic tables; being able to readily bring food to the beach; more relaxing atmosphere with the trucks “gone”; appreciate not having to navigate around trucks on the road.
- 15% felt the trucks were mistreated; “they should be allowed to park where they want”; one person became loud and angry about the pilot program.

Recommendations:

Citizens and vendors alike need to know the results for:

- The citizen survey
- The Food Truck survey
- Observations by parking division
- Parks & Rec observations of the pilot program and their resulting recommendation
- The tally of comments favoring the pilot program on Cutter street in the Press Herald story related to the survey.

This information should be made public and readily available prior to any commission, committee, or council meetings in this regard.

I respectfully urge city staff, councilors, and commission members to consider ALL citizens. The most aggressive, persistent, and often inaccurate voice(s) should not dominate (any) municipal decisions. We need open communication and ongoing dialogue to evaluate the best steps going forward into 2023 and beyond.

The Eastern Promenade park belongs to all the people of Portland and its visitors from destinations near and far. We must find a way for all uses to thrive and co-exist. Equally.

Thank you for your service.

Sincerely,

Diane Davison,
Portland

[Portland, ME. 04101](#)

Kate Snyder <ksnyder@portlandmaine.gov>

Tue, Oct 11, 2022 at 7:57 AM

Reply-To: ksnyder@portlandmaine.govTo: Sarah Auld <salauld@gmail.com>, Danielle West-Chuhta <dwest@portlandmaine.gov>, Dena Libner <dlibner@portlandmaine.gov>Cc: atrevorrow@portlandmaine.gov, vpelletier@portlandmaine.gov, tchong@portlandmaine.gov, azarro@portlandmaine.gov, pali@portlandmaine.gov, rrodriguez@portlandmaine.gov, afournier@portlandmaine.gov, citymanager@portlandmaine.gov, ehipple@portlandmaine.gov, Parkscommission@portlandmaine.gov

Thank you for taking time to write and for sharing your thoughts and opinions, Sarah and Tom.

I'm glad to see you've copied the City Manager here, as she and her team will be assessing the pilot program and making a recommendation for next year.

Kate Snyder

On Oct 11, 2022, at 7:53 AM, Sarah Auld <salauld@gmail.com> wrote:

[Quoted text hidden]



Thomas Nickerson <tnickerson@portlandmaine.gov>

Food trucks

2 messages

Sarah Auld <salauld@gmail.com>

Tue, Oct 11, 2022 at 7:53 AM

Reply-To: salauld@gmail.com

To: ksnyder@portlandmaine.gov, "atrevorrow@portlandmaine.gov" <atrevorrow@portlandmaine.gov>, "vpelletier@portlandmaine.gov" <vpelletier@portlandmaine.gov>, "tchong@portlandmaine.gov" <tchong@portlandmaine.gov>, "azarro@portlandmaine.gov" <azarro@portlandmaine.gov>, "pali@portlandmaine.gov" <pali@portlandmaine.gov>, "rrodriguez@portlandmaine.gov" <rrodriguez@portlandmaine.gov>, "afournier@portlandmaine.gov" <afournier@portlandmaine.gov>, "citymanager@portlandmaine.gov" <citymanager@portlandmaine.gov>, "ehipple@portlandmaine.gov" <ehipple@portlandmaine.gov>, "parkscommission@portlandmaine.gov" <parkscommission@portlandmaine.gov>

Dear Mayor, City Manager and Council Members,

It has been brought to our attention that the city is considering relocating the food trucks back to the Eastern Prom roadway next summer.

We regret to hear that the vendors did not like the location on Cutter Street this past summer and found the location to not be as profitable.

The link between profitability and location is debatable considering the post-pandemic economy in Portland.

The Eastern Promenade is a thoroughfare from Washington Avenue to downtown Portland, frequented by tourists and Portland families.

It is highly irregular to locate a group of food trucks on a heavily trafficked thoroughfare. Above all else this is a public safety issue.

As neighborhood residents we ask you to please consider leaving the vendors on Cutter Street. The trucks with their generators and

multiple vehicles add a chaotic, congested, atmosphere to the Eastern Prom roadway. Ultimately, the food trucks on the Eastern Promenade

are a public safety issue and we consider public safety to be a top priority of Portland city government.

We are grateful for your consideration.

Sincerely,

Sarah Auld and Tom Brokish

Auld-Brokish
43 Munjoy Street

≡

Groups

New conversation

My groups

Recent groups

All groups

Favorite groups

Starred conversations

Parks Commission

Conversations99+

Approved99+

Pending

People

Members

Pending members

Banned users

About

My membership settings

Group settings

Search

Conversations

Search conversations withi...

Settings

Grid

Portland

←

one Portland homeowner's opinion re Food Trucks3 views

Cathy Ramsdell<clramsdell@gmail.com>

to ksnyder@portlandmaine.gov, atrevorrow@portlandmaine.gov, vpelletier@portlandmaine.gov, tchong@portlandmaine.gov, Azarro@Citymanager@portlandmaine.gov, Ethan Hipple, Alex Marshall, Parkscommission@portlandmaine.gov

I am writing to you today about the issue of food trucks on the Eastern Prom. It is my opinion that our public park enterprise to utilize for making profit.

The degree to which some of the food truck owners are complaining and whining is disturbing, especially when the businesses are movable does not seem to occur to them.

Their continuing expression of entitlement has provoked in me a strong reaction, and I am now of the opinion not well to consider eliminating ALL private enterprise use of our parks. No matter what sort of fees or donations may

People should be able to enjoy these spaces without being "sold" to and without having to navigate around variou

When private commercial interests take over areas of our limited public park spaces, they are preventing people fr

Public and private have clearly differentiated meanings; let's stop conflating the two designations. I ask you to con

noncommercial purposes rather than the prioritization of private interests.

Thank you.

Cathy Ramsdell
4 Sylvia Road
Portland, Maine 04103
clramsdell@gmail.com

D

Dena Libner<dlibner@portlandmaine.gov>

to clramsdell@gmail.com, ksnyder@portlandmaine.gov, atrevorrow@portlandmaine.gov, vpelletier@portlandmaine.gov, tchong@portCitymanager@portlandmaine.gov, Ethan Hipple, Alex Marshall, Parkscommission@portlandmaine.gov

Ms. Ramsdell,

On behalf of the City Manager, thank you for your feedback. Staff will consider it as we plan for 2023.

If you have time, please complete [this survey](#) to provide additional feedback on this year's food truck pilot program.

Warmly,
Dena

https://groups.google.com/a/portlandmaine.gov/g/parkscommission/c/dPHb3xNa8CF?hl=en

Page 12

1/1



Thomas Nickerson <tnickerson@portlandmaine.gov>

Food trucks

3 messages

Debby Murray <debsterack@gmail.com>

Tue, Nov 1, 2022 at 9:27 AM

Reply-To: debsterack@gmail.com

To: citymanager@portlandmaine.gov, dwest@portlandmaine.gov, parkscommission@portlandmaine.gov

I sent a letter to the acting city manager on 9/29. I Received an acknowledgement and suggestion to fill out food truck survey (which I did).

I now see my letter is not included in the public comment packet for the upcoming meeting Thursday night.

Please include my thoughts as follows:

TO THE CITY MANAGER, and Parks Commission

I strongly oppose permitting the food trucks return to the eastern prom. For me it is a simple case of safety. The trucks block the road where small children are crossing to go to the playground. The are noisy, polluting the air with their generators running. But mostly, they narrow the two lane street and because of their size, reduce visibility. I have witnessed several screeching brakes and honking horns as cars navigated the maze of trucks.

The city bent over backwards to accommodate this problem. It waived the fee, provided a new space for the trucks on Cutter St., expanded the no. of trucks allowed and provided tables. It's been ONE season of this pilot program so too early to say "this won't work."

I really hope the city can preserve the mission of the park, keeping it safe and clean and available for the use by neighbors and visitors. The food trucks are a fun new phenomenon and I enjoy them myself but not at the expense of safety. Give the pilot program another year.

Thank you,

Debby Murray
104 North St
Portland Me 04101
Nov1, 2022

Ethan Hipple <ehipple@portlandmaine.gov>

Tue, Nov 1, 2022 at 9:54 AM

To: debsterack@gmail.com

Cc: citymanager@portlandmaine.gov, dwest@portlandmaine.gov, parkscommission@portlandmaine.gov, Alex Marshall <amarshall@portlandmaine.gov>, Thomas Nickerson <tnickerson@portlandmaine.gov>, Anne McGuire <amcguire@portlandmaine.gov>

Hi Debby,

The Parks Commission will be reviewing the Parks, Rec and Facilities Department recommendations for food trucks during their December meeting (12/1/22). After they have reviewed and provided feedback, we will forward our recommendation to the City Manager for a final decision.

Any public comment on the topic sent to the parkscommission@portlandmaine.gov email address will be included as part of that packet.

If you are interested in following this issue in the meantime, we plan to bring it to the Housing and Economic Development Committee and the Sustainability and Transportation Committee for feedback in November.

Take care,
Ethan

Ethan Hipple

Director of Parks, Recreation and Facilities Department
City of Portland, ME
212 Canco Rd, Suite A
Portland, Maine 04103
207-808-5400
ehipple@portlandmaine.gov



Parks, Rec and Facilities Instagram: [@portlandmeprf](https://www.instagram.com/portlandmeprf)
Parks, Rec and Facilities [email newsletter](#)
Sign up to receive [city news & alerts](#)
Report issues via [SeeClickFix](#)
www.portlandmaine.gov

[Quoted text hidden]

Ethan Hipple <ehipple@portlandmaine.gov>
To: Thomas Nickerson <tnickerson@portlandmaine.gov>

Tue, Nov 1, 2022 at 1:11 PM

Ethan Hipple

Director of Parks, Recreation and Facilities Department
City of Portland, ME
212 Canco Rd, Suite A
Portland, Maine 04103
207-808-5400
ehipple@portlandmaine.gov



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----- Forwarded message -----

From: **Debby Murray** <debsterack@gmail.com>
Date: Tue, Nov 1, 2022 at 12:15 PM
Subject: Re: Food trucks
To: Ethan Hipple <ehipple@portlandmaine.gov>

Ethan-

Thanks for the acknowledgement of my email. I was sorry to see my earlier letter was not included in the packet.
Debby

[Quoted text hidden]

[Quoted text hidden]

Notice: Under Maine law, documents - including e-mails - in the possession of public officials or city employees about government business may be classified as public records. There are very few exceptions. As a result, please be advised that what is written in an e-mail could be released to the public and/or the media if requested.



Thomas Nickerson <tnickerson@portlandmaine.gov>

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Ethan

Ethan Hipple

Director of Parks, Recreation and Facilities Department
 City of Portland, ME
[212 Canco Rd, Suite A](#)
[Portland, Maine 04103](#)
 207-808-5400
ehipple@portlandmaine.gov



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Ethan Hipple <ehipple@portlandmaine.gov>
 To: Thomas Nickerson <tnickerson@portlandmaine.gov>

Tue, Nov 1, 2022 at 1:11 PM

Ethan Hipple

Director of Parks, Recreation and Facilities Department
 City of Portland, ME
[212 Canco Rd, Suite A](#)
[Portland, Maine 04103](#)
 207-808-5400
ehipple@portlandmaine.gov



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Thomas Nickerson <tnickerson@portlandmaine.gov>

Thursday's agenda

8 messages

Diane Davison <dmdavison5@gmail.com>

Mon, Oct 31, 2022 at 7:50 PM

Reply-To: dmdavison5@gmail.com

To: Parkscommission@portlandmaine.gov

Cc: Ethan Hipple <ehipple@portlandmaine.gov>, Danielle West-Chuhta <dwchuhta@portlandmaine.gov>

Good Evening . . .

I'm reaching out regarding this Thursday's agenda - in particular, food trucks. I see this is simply listed as an "update" (along with CIP).

I previously understood that P&R staff would be presenting their feedback and recommendation for the 2023 season on the E. Prom.

Can you please confirm the following:

- a) Will we (the public) be hearing staff recommendations for 2023?
- b) Will public comment be taken?
- c) Have **all** letters previously sent this fall to you/PC as well as councilors be considered.
- d) Will results of both surveys (food trucks and the public) taken by the city also be presented?
- e) Will PC be making a recommendation to STC, City Manager, Council based on all of the above info . . . which is hopefully being presented for consideration.

Thank you,
Diane

Ethan Hipple <ehipple@portlandmaine.gov>

Tue, Nov 1, 2022 at 9:59 AM

Reply-To: ehipple@portlandmaine.gov

To: Diane Davison <dmdavison5@gmail.com>

Cc: Parkscommission@portlandmaine.gov, Danielle West-Chuhta <dwchuhta@portlandmaine.gov>, Alex Marshall <amarshall@portlandmaine.gov>, Anne McGuire <amcguire@portlandmaine.gov>

Hi Diane,

The Parks Commission will be reviewing the Parks, Rec and Facilities Department recommendations for food trucks during their December meeting (12/1/22). After they have reviewed and provided feedback, we will forward our recommendation to the City Manager for a final decision.

Any public comment on the topic sent to the parkscommission@portlandmaine.gov email address will be included as part of that packet.

If you are interested in following this issue in the meantime, we plan to bring it to the Housing and Economic Development Committee and the Sustainability and Transportation Committee for feedback in November.

Answers to other questions below in red.

Take care!
E

Ethan Hipple

Director of Parks, Recreation and Facilities Department

City of Portland, ME

[212 Canco Rd, Suite A](#)

[Portland, Maine 04103](#)

207-808-5400

ehipple@portlandmaine.gov



Parks, Rec and Facilities Instagram: [@portlandmeprf](#)

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On Mon, Oct 31, 2022 at 7:50 PM Diane Davison <dmdavison5@gmail.com> wrote:

Good Evening . . .

I'm reaching out regarding this Thursday's agenda - in particular, food trucks. I see this is simply listed as an "update" (along with CIP).

I previously understood that P&R staff would be presenting their feedback and recommendation for the 2023 season on the E. Prom.

Can you please confirm the following:

- a) Will we (the public) be hearing staff recommendations for 2023? Yes, during the 12/1 PC meeting, as well as Sustainability and Transportation and Housing and Economic Development Committee meetings in November.
- b) Will public comment be taken? I assume that it will be taken at the PC meeting, but ultimately is up to the chair.
- c) Have **all** letters previously sent this fall to you/PC as well as councilors be considered. Yes, and those will be shared with the PC.
- d) Will results of both surveys (food trucks and the public) taken by the city also be presented? Yes, they will be included.
- e) Will PC be making a recommendation to STC, City Manager, Council based on all of the above info . . . which is hopefully being presented for consideration. Yes, the PC will provide feedback on the Department recommendations, then the City Manager makes the final decision.

Thank you,
Diane

Diane Davison <dmdavison5@gmail.com>

Tue, Nov 1, 2022 at 1:36 PM

Reply-To: dmdavison5@gmail.com

To: Ethan Hipple <ehipple@portlandmaine.gov>

Cc: Parkscommission@portlandmaine.gov, Danielle West-Chuhta <dwchuhta@portlandmaine.gov>, Alex Marshall <amarshall@portlandmaine.gov>, Anne McGuire <amcguire@portlandmaine.gov>

Thanks for your response Ethan and for answering questions (below). What is the "update" to PC on its agenda for Thursday? Is your department recommending Cutter st for 2023 or returning to the E. Prom road?

I'm not really following the sequence or understanding why STC and HED will (now) be hearing feedback/recommendations **prior** to PC? It also appears that numerous letters sent to PC back in September are not in their packets?

What are the dates for STC and HED please? Will public comment be taken? Should people (now) be (also) forwarding their letters to these committees?

Appreciate your guidance in trying to follow this issue . . .
Diane

[Quoted text hidden]

[Quoted text hidden]

Notice: Under Maine law, documents - including e-mails - in the possession of public officials or city employees about government business may be classified as public records. There are very few exceptions. As a result, please be advised that what is written in an e-mail could be released to the public and/or the media if requested.

Ethan Hipple <ehipple@portlandmaine.gov>

Tue, Nov 1, 2022 at 6:05 PM

Reply-To: ehipple@portlandmaine.gov

To: Diane Davison <dmdavison5@gmail.com>

Cc: Parks Commission <Parkscommission@portlandmaine.gov>, Danielle West-Chuhta <dwchuhta@portlandmaine.gov>, Alex Marshall <amarshall@portlandmaine.gov>, Anne McGuire <amcguire@portlandmaine.gov>

Hi Diane,

We did not have our Department recommendation ready for this November PC meeting, so that is why it is now in December. Complex issue with a lot of moving parts, opinions, and data to analyze ;-)

Ideally, I agree that the best flow would have been to bring it to PC first, then on to HEDC and STC, but that did not work out due to timing and other priorities. Either way, the recommendation will go to PC for review before it goes to the City Manager for a final decision, taking into account all of the feedback received.

I believe that the Council Committees accepted public comment last time we brought this forward, so I don't see why they wouldn't this time around. Ultimately it will be up to the Chair.

The meetings are as follows. Times and dates may be subject to change, so best to keep an eye on the website for any changes or updates:

11/9: STC (I have heard this one may change to 11/16, so best to keep an eye on it)

11/15: HEDC

12/1: PC

Ethan Hipple

Director of Parks, Recreation and Facilities Department

City of Portland, ME

212 Canco Rd, Suite A

Portland, Maine 04103

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ehipple@portlandmaine.gov



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[Quoted text hidden]

Diane Davison <dmdavison5@gmail.com>

Tue, Nov 1, 2022 at 11:04 PM

Reply-To: dmdavison5@gmail.com

To: Ethan Hipple <ehipple@portlandmaine.gov>

Cc: Alex Marshall <amarshall@portlandmaine.gov>, Anne McGuire <amcguire@portlandmaine.gov>, Danielle West-Chuhta <dwchuhta@portlandmaine.gov>, Parks Commission <Parkscommission@portlandmaine.gov>

So.....what's the purpose of the "update" to PC on this wks agenda?

Section d. Communication & Updates;

iii Updates in the ongoing development with CIP and food trucks"

-How are these related?

At the time of the survey, people were also encouraged to send comments and suggestions for consideration. Numerous letters were sent to councilors, Danielle and PC. However, only a few appear in the PC packet.

-Where and how is this information being tracked?

-How is the public being notified of the change to PC meeting? *Food trucks were represented as being on the November schedule at the time of the survey.*

-Since both the STC & HED are council committees, will all the letters previously sent automatically be included in those packets for their November meetings?

Sorry, but it's most unfortunate and frustrating that this "process" continues to be so convoluted.

Diane

[Quoted text hidden]

Ethan Hipple <ehipple@portlandmaine.gov>

Wed, Nov 2, 2022 at 8:01 AM

Reply-To: ehipple@portlandmaine.gov

To: Diane Davison <dmdavison5@gmail.com>

Cc: Alex Marshall <amarshall@portlandmaine.gov>, Anne McGuire <amcguire@portlandmaine.gov>, Danielle West-Chuhta <dwchuhta@portlandmaine.gov>, Parks Commission <Parkscommission@portlandmaine.gov>

Food trucks are listed as an agenda item in the November meeting so that Alex can give a brief update on where we are at in the process and list the dates the people can stay engaged if they are interested. We often list topics of interest in the agenda so that staff can give a brief update and keep Commissioners in the loop.

Any public comments sent to the parkscommission@portlandmaine.gov address are added as backup to the next month's agenda. We are planning to add any food truck related letters sent since the survey to the packet (again) when the Parks Commission takes this up for review in December.

Happy to have a chat Diane if you have more questions.

E

[Quoted text hidden]

Diane Davison <dmdavison5@gmail.com>

Wed, Nov 2, 2022 at 8:17 AM

Reply-To: dmdavison5@gmail.com

To: Ethan Hipple <ehipple@portlandmaine.gov>

Cc: Alex Marshall <amarshall@portlandmaine.gov>, Anne McGuire <amcguire@portlandmaine.gov>, Danielle West-Chuhta <dwchuhta@portlandmaine.gov>, Parks Commission <Parkscommission@portlandmaine.gov>

Thanks Ethan . . .

Still not clear on how "public comment" in the form of letters sent is being tracked and considered.

-Letters previously submitted, (and encouraged by Danielle) at time of the survey, have been included with the information being considered by staff – as well as councilors – for any recommendations being made?

-Will these also be presented in the packet for STC and HED (previous question):

Since both the STC & HED are council committees, will all the letters previously sent automatically be included in those packets for their November meetings?

Diane

[Quoted text hidden]

Ethan Hipple <ehipple@portlandmaine.gov>

Wed, Nov 2, 2022 at 10:26 AM

Reply-To: ehipple@portlandmaine.gov

To: Diane Davison <dmdavison5@gmail.com>

Cc: Alex Marshall <amarshall@portlandmaine.gov>, Anne McGuire <amcguire@portlandmaine.gov>, Danielle West-Chuhta <dwchuhta@portlandmaine.gov>, Parks Commission <Parkscommission@portlandmaine.gov>

Diane, I will give you a call.

E

Ethan Hipple

Director of Parks, Recreation and Facilities Department

City of Portland, ME

212 Canco Rd, Suite A

Portland, Maine 04103

207-808-5400

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[Quoted text hidden]



Thomas Nickerson <tnickerson@portlandmaine.gov>

Eastern Promenade Park

6 messages

Julia Kirby <juliadoylekirby@gmail.com>

Mon, Sep 12, 2022 at 5:32 PM

Reply-To: juliadoylekirby@gmail.com

To: Kate Snyder <ksnyder@portlandmaine.gov>, atrevorrow@portlandmaine.gov, vpelletier@portlandmaine.gov, tchong@portlandmaine.gov, Azarro@portlandmaine.gov, pali@portlandmaine.gov, rrodriguez@portlandmaine.gov, afournier@portlandmaine.gov, Citymanager@portlandmaine.gov, ehipple@portlandmaine.gov, Parkscommission@portlandmaine.gov

Dear City Manager West , Members of City Council, Mayor Synder et. al,

Thank you for the decision to move the food trucks down to the middle parking lot on Cutter Street. I understand this decision was a trial and a compromise, and that it has had its successes and shortfalls. However, that is the very nature of compromise. No one party gets a complete win. To be completely honest with you, I was not in favor of the trucks having a semi-permanent home in the park, But, hey, I realize that is not fair, and in the spirit of compromise I have come around.

As a daily user of the eastern promenade park, and resident of Munjoy Hill, I have found the move of the food trucks to be a relief from the noise pollution, smells, overflowing trash, and impassibility of what should always be a free and accessible thoroughfare (the sidewalk). I am happy to see the tree roots and grass recovering and the view restored (and this is *everyone's view*, not just the residents who live across the street).

I am not a "whiny, vocal NIMBY" (online comment by LeeOtis, online response, *Commentary: It's all downhill for Portland food trucks on Cutter Street, Portland Press Herald, September 7, 2022*). I am a park user.

I want everyone to enjoy the park, *including* the food trucks.

What I do not agree with, nor understand from the argument put forth by the aforementioned editorial is why one stakeholder's bottom line should be prioritized over the needs and wishes of everyone else.

Also, that article needs some careful fact checking, it's riddled with falsehoods (i.e. "Further, those original complaints the city set out to rectify (trash, emissions, parking) haven't been addressed and arguably have been made worse at the new location"). The trash situation has vastly improved, not made worse.

We all want to enjoy the park - families using the playground, teams using the ball fields, pedestrians, dog walkers, picnics, beach goers, bikers, boaters etc... and it is completely unsat that one group should be given carte blanche over all over park users and the neighborhood residents.

Thank you for listening and for your careful consideration of this matter.

Sincerely,

Julia Kirby
Munjoy Hill
Emerson Street

Kate Snyder <ksnyder@portlandmaine.gov>

Tue, Sep 13, 2022 at 9:00 AM

Reply-To: ksnyder@portlandmaine.gov

To: Julia Kirby <juliadoylekirby@gmail.com>

Cc: Anna Trevorrow <atrevorrow@portlandmaine.gov>, Victoria Pelletier <vpelletier@portlandmaine.gov>, Tae Chong - City number <tchong@portlandmaine.gov>, Andrew Zarro - D4 <Azarro@portlandmaine.gov>, Pious Ali <pali@portlandmaine.gov>, Roberto Rodriguez <rrodriguez@portlandmaine.gov>, April Fournier - At Large <afournier@portlandmaine.gov>, City Manager <Citymanager@portlandmaine.gov>, Ethan Hipple <ehipple@portlandmaine.gov>, Parks Commission <Parkscommission@portlandmaine.gov>

Julia -

As always, thank you for your thoughtful input. I'm glad to see you have copied Councilors and staff here. I know city staff will be assessing the 2022 pilot and will provide that information when ready.

Kate

On Mon, Sep 12, 2022 at 5:32 PM Julia Kirby <juliadoylekirby@gmail.com> wrote:

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Julia Kirby
Munjoy Hill
Emerson Street

--
Kate Merchant Snyder, Mayor
Portland, Maine
Office: 207-874-8941

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Mark Read <akawildman@gmail.com>

Tue, Sep 13, 2022 at 1:28 PM

Reply-To: akawildman@gmail.com

To: Julia Kirby <juliadoylekirby@gmail.com>

Cc: Kate Snyder <ksnyder@portlandmaine.gov>, atrevorrow@portlandmaine.gov, vpelletier@portlandmaine.gov, tchong@portlandmaine.gov, Azarro@portlandmaine.gov, pali@portlandmaine.gov, rrodriguez@portlandmaine.gov, afournier@portlandmaine.gov, Citymanager@portlandmaine.gov, ehipple@portlandmaine.gov, Parkscommission@portlandmaine.gov

WELL SAID!

I will write my own as well. The comments on the Op-Ed were overwhelmingly against Mr. Tuna's position, FWIW. I assume the city manager and Mayor pay attention to that.

-Mark

On Mon, Sep 12, 2022 at 5:32 PM Julia Kirby <juliadoylekirby@gmail.com> wrote:

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Sincerely,

Julia Kirby
Munjoy Hill
Emerson Street

Julia Kirby <juliadoylekirby@gmail.com>

Mon, Oct 31, 2022 at 9:15 PM

Reply-To: juliadoylekirby@gmail.com

To: Citymanager@portlandmaine.gov, parks@portlandmaine.gov, Kate Snyder <ksnyder@portlandmaine.gov>, atrevorrow@portlandmaine.gov, vpelletier@portlandmaine.gov, tchong@portlandmaine.gov, Azarro@portlandmaine.gov,

pali@portlandmaine.gov, rrodriguez@portlandmaine.gov, afournier@portlandmaine.gov, ehipple@portlandmaine.gov, Parkscommission@portlandmaine.gov

Dear City Manager, Parks Department and City Council

I am resending this letter to ensure it is included in the agenda packet for the November 3 Parks Department Meeting.

Thank you for your consideration,

Julia Kirby
20 Emerson Street
Munjoy Hill

----- Forwarded message -----

From: **Julia Kirby** <juliadoylekirby@gmail.com>

Date: Mon, Sep 12, 2022 at 5:32 PM

Subject: Eastern Promenade Park

To: Kate Snyder <ksnyder@portlandmaine.gov>, <atreavorrow@portlandmaine.gov>, <vpelletier@portlandmaine.gov>, <tchong@portlandmaine.gov>, <Azarro@portlandmaine.gov>, <pali@portlandmaine.gov>, <rrodriguez@portlandmaine.gov>, <afournier@portlandmaine.gov>, <Citymanager@portlandmaine.gov>, <ehipple@portlandmaine.gov>, <Parkscommission@portlandmaine.gov>

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Thank you for listening and for your careful consideration of this matter.

Sincerely,

Julia Kirby
Munjoy Hill
Emerson Street

Kim Murray <kmurray@portlandmaine.gov>

Mon, Oct 31, 2022 at 10:21 PM

To: Thomas Nickerson <tnickerson@portlandmaine.gov>, Alex Marshall <amarshall@portlandmaine.gov>, Parks <Parks@portlandmaine.gov>

----- Forwarded message -----

From: **Julia Kirby** <juliadoylekirby@gmail.com>

Date: Monday, October 31, 2022

Subject: Fwd: Eastern Promenade Park

To: Citymanager@portlandmaine.gov, parks@portlandmaine.gov, Kate Snyder <ksnyder@portlandmaine.gov>, atrevorrow@portlandmaine.gov, vpelletier@portlandmaine.gov, tchong@portlandmaine.gov, Azarro@portlandmaine.gov, pali@portlandmaine.gov, rrodriguez@portlandmaine.gov, afournier@portlandmaine.gov, ehipple@portlandmaine.gov, Parkscommission@portlandmaine.gov

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Thank you for your consideration,

Julia Kirby
20 Emerson Street
Munjoy Hill

----- Forwarded message -----

From: **Julia Kirby** <juliadoylekirby@gmail.com>

Date: Mon, Sep 12, 2022 at 5:32 PM

Subject: Eastern Promenade Park

To: Kate Snyder <ksnyder@portlandmaine.gov>, <atrevorrow@portlandmaine.gov>, <vpelletier@portlandmaine.gov>, <tchong@portlandmaine.gov>, <Azarro@portlandmaine.gov>, <pali@portlandmaine.gov>, <rrodriguez@portlandmaine.gov>, <afournier@portlandmaine.gov>, <Citymanager@portlandmaine.gov>, <ehipple@portlandmaine.gov>, <Parkscommission@portlandmaine.gov>

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Thank you for listening and for your careful consideration of this matter.

Sincerely,

Julia Kirby
Munjoy Hill
Emerson Street

--

Kim Murray
City of Portland
Parks, Recreation and Facilities
212 Canco Rd. Suite A Portland, ME 04103
207-808-5449
kmurray@portlandmaine.gov



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"**CREATIVITY** is contagious. Pass it on." -Albert Einstein

Ethan Hipple <ehipple@portlandmaine.gov>

Tue, Nov 1, 2022 at 1:18 PM

To: Julia Kirby <juliadoylekirby@gmail.com>, Thomas Nickerson <tnickerson@portlandmaine.gov>

You've got the schedule correct!

Any public comment submitted this month will be seen by the Parks Commissioners when they read this month's agenda packet. Anything submitted after 12pm on November 2 will be seen by them in December, so it doesn't really make a difference when public comment is submitted because the Commissioners will see it either way. It is up to you when you'd like to submit it.

Take care,
Ethan

Ethan Hipple

Director of Parks, Recreation and Facilities Department

City of Portland, ME

[212 Canco Rd, Suite A](#)

[Portland, Maine 04103](#)

207-808-5400

ehipple@portlandmaine.gov



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On Tue, Nov 1, 2022 at 12:28 PM Julia Kirby <juliadoylekirby@gmail.com> wrote:

Thank you so much Ethan,

So if I am understanding correctly, at the November 3 meeting this Thursday the Parks Department will just give an update on the ongoing developments with CIP and the Food Trucks, and then at the December 1 meeting (agenda not published yet), Parks will be making its recommendations to the Park Commission.

If that is right, should stakeholders and neighbors submit comments for the 12/1 meeting (and perhaps it is not so necessary for this upcoming Thursday meeting)?

Thanks for helping me keep all of this straight, I know we all have so many meetings! Ha

Have a great day,

Julia

On Tue, Nov 1, 2022 at 12:07 PM Ethan Hipple <ehipple@portlandmaine.gov> wrote:

Hi Julia,

This should be included in the packet for Thursday's meeting. Just wanted to let you know that our Department will be presenting recommendations to the Parks Commission at the December 1 meeting if you'd like to attend or

watch.
E

Ethan Hipple

Director of Parks, Recreation and Facilities Department

City of Portland, ME

212 Canco Rd, Suite A

Portland, Maine 04103

207-808-5400

ehipple@portlandmaine.gov



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On Mon, Oct 31, 2022 at 9:15 PM Julia Kirby <juliadoylekirby@gmail.com> wrote:

Dear City Manager, Parks Department and City Council

I am resending this letter to ensure it is included in the agenda packet for the November 3 Parks Department Meeting.

Thank you for your consideration,

Julia Kirby
20 Emerson Street
Munjoy Hill

----- Forwarded message -----

From: **Julia Kirby** <juliadoylekirby@gmail.com>

Date: Mon, Sep 12, 2022 at 5:32 PM

Subject: Eastern Promenade Park

To: Kate Snyder <ksnyder@portlandmaine.gov>, <atrevorrow@portlandmaine.gov>, <vpelletier@portlandmaine.gov>, <tchong@portlandmaine.gov>, <Azarro@portlandmaine.gov>, <pali@portlandmaine.gov>, <rrodriguez@portlandmaine.gov>, <afournier@portlandmaine.gov>, <Citymanager@portlandmaine.gov>, <ehipple@portlandmaine.gov>, <Parkscommission@portlandmaine.gov>

Dear City Manager West , Members of City Council, Mayor Synder et. al,

Thank you for the decision to move the food trucks down to the middle parking lot on Cutter Street. I understand this decision was a trial and a compromise, and that it has had its successes and shortfalls. However, that is the very nature of compromise. No one party gets a complete win. To be completely honest with you, I was not in favor of the trucks having a semi-permanent home in the park, But, hey, I realize that is not fair, and in the spirit of compromise I have come around.

As a daily user of the eastern promenade park, and resident of Munjoy Hill, I have found the move of the food trucks to be a relief from the noise pollution, smells, overflowing trash, and impassibility of what should always be a free and accessible thoroughfare (the sidewalk). I am happy to see the tree roots and grass recovering

and the view restored (and this is *everyone's view*, not just the residents who live across the street).

I am not a "whiny, vocal NIMBY" (online comment by LeeOtis, online response, *Commentary: It's all downhill for Portland food trucks on Cutter Street, Portland Press Herald, September 7, 2022*). I am a park user.

I want everyone to enjoy the park, *including* the food trucks.

What I do not agree with, nor understand from the argument put forth by the aforementioned editorial is why one stakeholder's bottom line should be prioritized over the needs and wishes of everyone else.

Also, that article needs some careful fact checking, it's riddled with falsehoods (i.e. "Further, those original complaints the city set out to rectify (trash, emissions, parking) haven't been addressed and arguably have been made worse at the new location"). The trash situation has vastly improved, not made worse.

We all want to enjoy the park - families using the playground, teams using the ball fields, pedestrians, dog walkers, picnickers, beach goers, bikers, boaters etc... and it is completely unsat that one group should be given carte blanche over all over park users and the neighborhood residents.

Thank you for listening and for your careful consideration of this matter.

Sincerely,

Julia Kirby
Munjoy Hill
Emerson Street

Notice: Under Maine law, documents - including e-mails - in the possession of public officials or city employees about government business may be classified as public records. There are very few exceptions. As a result, please be advised that what is written in an e-mail could be released to the public and/or the media if requested.



Thomas Nickerson <tnickerson@portlandmaine.gov>

Fwd: Fw: food trucks on the prom

1 message

Julia Kirby <juliadoylekirby@gmail.com>

Mon, Oct 31, 2022 at 9:18 PM

Reply-To: juliadoylekirby@gmail.com

To: Kate Snyder <ksnyder@portlandmaine.gov>, atrevorrow@portlandmaine.gov, vpelletier@portlandmaine.gov, tchong@portlandmaine.gov, Azarro@portlandmaine.gov, pali@portlandmaine.gov, rrodriguez@portlandmaine.gov, afournier@portlandmaine.gov, Citymanager@portlandmaine.gov, ehipple@portlandmaine.gov, Parkscommission@portlandmaine.gov

Please include this letter below, per Kritsa's request, in the Agenda for the Parks Department meeting on November 3.

Thank you,

Julia

----- Forwarded message -----

From: **Krista Butterfield** <krista_butterfield@yahoo.com>

Date: Thu, Sep 22, 2022 at 8:30 AM

Subject: Fw: food trucks on the prom

To: Julia Kirby <juliadoylekirby@gmail.com>

if you have time to forward this to the others, please feel free...

----- Forwarded Message -----

From: Krista Butterfield <krista_butterfield@yahoo.com>

To: atrevorrow@portlandmaine.gov <atrevorrow@portlandmaine.gov>

Sent: Thursday, September 22, 2022, 08:29:57 AM EDT

Subject: food trucks on the prom

Good morning,

I know that there are so many issues facing our city right now that the debate around the location of food trucks may seem an unnecessary distraction. However, this issue goes directly to quality of life for those of us who live on the hill and must be addressed with clarity and certainty for all the stakeholders. The sooner that this is resolved, the better it will be for everyone.

First, as I am sure you know, most of us up here are not wealthy. Or elitist. Most of us do love having such a beautiful place to call home and enjoy sharing the parks and ball fields, gardens and views with all. As a community, we ask only that people treat these public spaces that happen to be in 'our back yard,' with respect for everyone using them.

The transformation of the park and the Eastern Promenade that was caused by the food truck business as the pandemic and shut downs were ending, was immense. There is no reason whatsoever that any neighborhood be inundated with the trash, traffic, and noise generated by this carnival atmosphere of multiple food trucks parked on a single street.

I respect the hard working people who run these dynamic little businesses and understand that they want to continue to exploit the location that had allowed them to grow through some strange times. Of course, with change comes change. It is time to put an end to the prospect of any daily use of the prom for the purpose of economic activity of any kind.

Thank you,

11/2/22, 11:27 AM

City of Portland Mail - Fwd: Fw: food trucks on the prom

Krista Butterfield
39 Howard Street



Thomas Nickerson <tnickerson@portlandmaine.gov>

Parks for the Public, not businesses

1 message

Maggy W <mwnola@gmail.com>

Mon, Oct 31, 2022 at 10:04 PM

Reply-To: mwnola@gmail.com

To: parkscommission@portlandmaine.gov

Cc: dwest@portlandmaine.gov

Dear members of the Parks Commission,

I am writing to you to urge you to continue to keep the food trucks off the Eastern Prom roadway. I have appreciated the diversity of food offerings from the food trucks in the past and they were a life-saver in 2020 when outside dining was the only safe way to gather outside one's "bubble" for a meal. It was wonderful to see people from all over the city getting together on the slope and enjoying the chance to be sociable again after the lockdown. I met friends there myself for food-truck sourced picnics. But over the course of 2020 and 2021, the number of food trucks and their customers grew to completely dominate the upper sidewalk for much of the day. This overpopulation of food trucks had several negative impacts on the park and on the public:

1. Trash: in 2020 and even more in 2021, the situation of the trash on the Eastern Prom became notorious. The City had to keep adding more receptacles and more daily pick-ups just to try to keep up with the Food Truck waste. The food truck vendors tried to make the claim that the overflowing receptacles were due to people bringing their picnics from elsewhere such as Whole Foods and Dunkin Donuts, but the absence of this issue in 2022 seems to indicate what we park-goers knew at the time: the food trucks generated too much garbage. It seemed last spring that the Parks Commission had planned to install new-to-Portland 300 gallon underground receptacles, which seemed premature given the uncertainty of the future locations of the trucks. To install these in a location where the crane required to empty them could operate without interfering with the trees, but still have them close enough to the food trucks to be used by the diners seems challenging.
2. Traffic dangers: we are very fortunate that nobody had been hurt yet with the Food trucks obscuring visibility of pedestrians crossing the street, especially with the Children's playground right next to the area used by the trucks. The Parks Department proposal that seemed to gain favor last spring indicated two sections where the traffic, including city buses and school buses would have to navigate lane changes for 6 months out of the year. Can the city really be recommending this crazy traffic pattern on an ongoing basis?
3. Parking: When the Food Trucks were on the roadway and using all the spaces on the park side of the street, there was already a parking crunch for families who want to take their kids to the playground - they need those parking spaces as they unload strollers and toddlers from their cars. In addition people who use the playing fields may be bringing equipment, as would the people who are using the Community Gardens. Under the proposed solution, there would be no parking on either side of the street in that section for the entire playground/playing fields and gardening season. I will add that one of the vendors had been using at least 4 parking spaces there 24/7 for most of the past two years including the winter months, and it was only after this display of entitlement was widely criticized on social media that the vendor in question moved their multiple vehicles.
4. Trees: apparently the city would create barriers to protect the trees in this area. This expense would not be necessary without the food trucks, since no other trees along the Prom have been impacted outside the food truck area.
5. Pollution: generators running up to 12 hours a day have a greenhouse gas impact which goes against Portland's One Climate Future, against the multiple Climate related Proclamations passed unanimously by the City Council over the past several years. Other cities are requiring food trucks to use more environmentally sustainable technology. It seems crazy to allow this pollution at this time of climate crisis. To allow this pollution on one of the best public walkways in the city and adjacent to a park is the antithesis of what a public park should be. Wherever the food trucks end up in 2023, they must be required to reduce their fossil fuel consumption.

The Food truck vendors have been very vocal that being on Cutter Street in 2022 has hurt their business, but there is no reason to think their business levels of 2020 and 2021 would have been sustained on the Prom roadway. In 2022, restaurants were open again and food truck sales were down everywhere for that reason. In addition the prices were up and people's discretionary spending was down due to inflation. Finally, to the casual observer, the food trucks appeared to want the new location to fail - they were not always there during their posted hours and often closed early. Many times there were fewer than 5 trucks in the lot; they had a chance to make this lot a "destination", but they did not appear to make any effort to make that happen.

Thank you for your service to Portland,

11/2/22, 11:27 AM

City of Portland Mail - Parks for the Public, not businesses

Maggy Wolf

District 1

[28 Saint Lawrence St, Apt 2](#)



Conversations



Search conversations withi...

city of
portland

Food trucks 1 view

**Sarah Auld** <salauld@gmail.com>

to ksnyder@portlandmaine.gov, atrevorrow@portlandmaine.gov, vpelletier@portlandmaine.gov, tchong@portlandmaine.gov, azarro@portlandmaine.gov, pali@portlandmaine.gov, rrodr parkscommission@portlandmaine.gov

Dear Mayor, City Manager and Council Members,

It has been brought to our attention that the city is considering relocating the food trucks back to the Eastern Prom roadway next summer.

We regret to hear that the vendors did not like the location on Cutter Street this past summer and found the location to not be as profitable.

The link between profitability and location is debatable considering the post-pandemic economy in Portland.

The Eastern Promenade is a thoroughfare from Washington Avenue to downtown Portland, frequented by tourists and Portland families.

It is highly irregular to locate a group of food trucks on a heavily trafficked thoroughfare. Above all else this is a public safety issue.

As neighborhood residents we ask you to please consider leaving the vendors on Cutter Street. The trucks with their generators and multiple vehicles add a chaotic, congested, atmosphere to the Eastern Prom roadway. Ultimately, the food trucks on the Eastern Promenade are a public safety issue and we consider public safety to be a top priority of Portland city government.

We are grateful for your consideration.

Sincerely,

Sarah Auld and Tom Brokish



We are grateful for your consideration.

Sincerely,

Sarah Auld and Tom Brokish

Auld-Brokish
43 Munjoy Street
Portland, ME. 04101



Kate Snyder <ksnyder@portlandmaine.gov>

to Sarah Auld, Danielle West-Chuhta, Dena Libner, atrevorrow@portlandmaine.gov, vpelletier@portlandmaine.gov, tchong@portlandmaine.gov, azarro@portlandmaine.gov, pali@portlandmaine.gov, Parkscommission@portlandmaine.gov

Thank you for taking time to write and for sharing your thoughts and opinions, Sarah and Tom.
I'm glad to see you've copied the City Manager here, as she and her team will be assessing the pilot program and making a recommendation for next year.
Kate Snyder

On Oct 11, 2022, at 7:53 AM, Sarah Auld <salauld@gmail.com> wrote:

...

 Reply all

 Reply to author

 Forward



Thomas Nickerson <tnickerson@portlandmaine.gov>

Deering Oaks Pond Status

3 messages

George Rheault <george.rheault@gmail.com>

Wed, Oct 5, 2022 at 12:00 PM

To: parkscommission@portlandmaine.gov, Thomas Nickerson <tnickerson@portlandmaine.gov>, Alex Marshall <amarshall@portlandmaine.gov>

Curious what is happening with Deering Oaks Pond. Since it was drained on or about the evening of September 7 (or early the next day), apparently at the request of the Portland Police Department, there is no sign it is being refilled any time soon, including by allowing stormwater accumulate in it (we have had several substantial rainstorms since the initial draining).

What exactly is going on? Extended maintenance? A way to push out the large flocks of geese? A way to politicize during election season the issue of public safety in public spaces by keeping an extended reminder of the shooting that took place there?

The Boston Parks Department had to drain the famous "Make Way for Ducklings" lagoon in the Public Gardens in the summer of 2021, but they were very good at communicating to the public what was happening and when a return to "normal" was expected. SEE ATTACHMENT.


Boston Public Garden Lagoon Update.pdf

376K

Ethan Hipple <ehipple@portlandmaine.gov>

Wed, Oct 5, 2022 at 1:19 PM

To: George Rheault <george.rheault@gmail.com>

Cc: Parks Commission <parkscommission@portlandmaine.gov>, Thomas Nickerson <tnickerson@portlandmaine.gov>, Alex Marshall <amarshall@portlandmaine.gov>

After the draining of the pond, crews have used the opportunity to conduct seasonal pond bottom maintenance, cleaning and removing the duck house, and an operation in cooperation with Avian Haven and our animal control officer to remove some domesticated ducks and get them to their proper home. Now the drain is closed and we are waiting for natural rainfall to refill the pond.

As you probably know George, there are many reasons for things and it's usually the right course to assume the best and not cast aspersions. In the future, I'd appreciate you refraining from this type of conspiracy and condescension.

You can subscribe to our informative Department monthly newsletter, and our prolific social media feeds to stay tuned on Park news and happenings. I'm very proud of the work my staff does to keep the public informed of various initiatives and projects around the city.

[Quoted text hidden]

George Rheault <george.rheault@gmail.com>

Thu, Oct 6, 2022 at 9:45 AM

To: Ethan Hipple <ehipple@portlandmaine.gov>

Cc: Parks Commission <parkscommission@portlandmaine.gov>, Thomas Nickerson <tnickerson@portlandmaine.gov>, Alex Marshall <amarshall@portlandmaine.gov>

Why didn't you communicate any of this to the public?

There is still time!

[Quoted text hidden]

[Quoted text hidden]

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BOSTON PUBLIC GARDEN LAGOON UPDATE

Last updated: August 21, 2020



PUBLISHED BY:

[Parks and Recreation \(/departments/parks-and-recreation\)](/departments/parks-and-recreation)

On Wednesday, August 19, the Boston Parks and Recreation Department began draining the Boston Public Garden Lagoon because the water has become unsafe for wildlife who inhabit the pond, particularly the ducks.

The drainage process took about 2-3 days, and the lagoon has been fully drained and sediment removal has begun. The sediment removal process will be completed by the middle of next week. Once all the sediment has been removed, our maintenance staff, supported by a lake and pond management company, will begin refilling the lagoon. We expect that the lagoon will be refilled by next weekend (the weekend of August 28 - 30).

BACKGROUND:

The unusually hot, dry summer has encouraged bacteria and algae growth in the lagoon. We believe one contributing factor to this bacteria growth is the fact that the Swan Boats are not in operation this year due to public health precautions. The Swan Boat paddle wheels typically introduce oxygen into the lagoon and create turbulence that discourages unwanted growth.

The Parks Department engaged a lake and pond management company to treat the lagoon throughout the month of July. When we saw little improvement after weeks of testing and treatment, we made the decision to fully drain the lagoon, remove sediment at the bottom, and refill it.

TAGS

Parks



Commission Members:

Chair Jaime Parker, Vice Chair Jon Kachmar, Marie Gray, Zack Anchors, Eleanor Sears, Beth Rabbitt, Stephen Bentsen, Michael Catania, Cheri Musgrave, Katie Mears and City Councilor Victoria Pelletier. **Staff:** Alex Marshall, Thomas Nickerson, Madeline Groeger.

City of Portland **Parks Commission Agenda**

October 6th, 2022

5:00 PM

On October 6th, 2022 5:00 pm, the Portland Parks Commission held a meeting using Zoom.

I. Call to Order -

II. General Citizen Comment Period (5 min)

Anne Pringle, Friends of Deering Oaks. Closing of Preble Street has caused an exodus in Deering Oaks. Overnight camping is not allowed in the park. Chronic homelessness of those who refuse to access services. Shooting in the park, stolen items. Extremely difficult situation to all those that are involved.

III. Agenda Items

- a. Acceptance of Meeting Minutes September 1st: Action Item (5 min)** Beth made the motion and Marie second. Motion to approve. Acceptance of 9/1/2022 minutes

b. New Business

- i. Department policy regarding encampments** - Alex reviewed the City policy for individuals who are experiencing homelessness. We do not allow camping to occur in Deering Oaks and Oxford Street. An ordinance is provided. Short staff of park maintainers has affected the ability to maintain DOP.

Beth Rabbitt asked, “what defines encampment?” Tenting, household belongings, overnight gear, tents... ” What is the policy when shelters are not at capacity?” No camping in any park. Current policy clean ups 2 to 3 times a week. Contract out for other efforts to clean the park. Our current staff are not able to be there every day. Collection of items policy. Items are tagged if individuals are not at site. taken to Amastad. Much of the

Marie asked, have we received any assistance from any other agencies?. Are there any other services doing outreach? Why are we not receiving additional services? Social services has not done enough to assist. We have at least 20 agencies that provide service to the homeless. Why are they not pitching in?

Katie asked, “what has the timeline on enforcement?” Alex responded, we never had this problem before the pandemic. There were smaller encampments but not to this level. 24 hour notice to encampments in the park. Pre pandemic we didn't have capacity issues in our shelters.

Elanor asked Alex to clarify if the unhoused are issues in other parks similar to DOP? Alex responded, yes but not to the capacity

Cheri said, we are doing an amazing job keeping things going in the city. She then asked if we have reached out to other areas experiencing similar agencies and municipalities? Alex has not had much feedback from other municipalities? Most of the focus is trying to take care of the staff and not burning them all out. She asked if there was anything the commission could do to thank the staff? Marie and Cheri will draft a letter to the staff and send it to Ethan and Alex.

Beth asked, if there was anything else the Parks Dept could do to assist the city? Alex answered, fiscal budgetary support to build the staffing ability. We need money in the budget to do this.

Jamie states, he supports a formal letter from the Parks Commission and funding assistance. Park workers are acting as social workers and other roles. A change in the condition that warrants additional funding. This has risen to an issue that needs to be addressed. Jamie would like the commission to be part of the additional funding source. He's not confident that the new shelter will take away this issue.

Cherie asked, if we have thought about creating part time positions to staff the parks. City has been trying to increase pay rates and stipends.

-Impacts of the unhoused on city parks and the division - Alex said, midsummer park maintainers are spending most time picking up garbage and food and human waste. Had 2 park rangers and park custodians cleaning bathrooms. 60% of time working at campsites. Working on balancing that percentage. Alex will work at supplying a report for police activity, needle pick up etc.

Katie noticed there are needle drops in some parks but not in all. How do we determine where they go? Alex stated we have slowly increased the number of sharp containers. The needle exchange is currently emptying the sharp containers. We place them in areas known for drug use. Not all needles end up in the containers. Found stuck in trees, stuck in roots, hedges in the rose garden.

- ii. **Parks Commission Areas of Focus, Strategic Conversation** - Jamie asked, What is the focus of the Parks Commission? What can we do to be effective and efficient?

Beth commented, Committee works around green space and signage.

Jamie commented, More opportunity for the committee to do more outcome driven work. For example, advocating for parks that do not have "friends groups."

Katie commented, limited data is available to make priorities for next year. Usage data. Pedestrian counters. Create surveys.

Beth commented, Community Vision, talking to schools about parks, talking to the people. Try to better understand what people want.

Elanor spoke about the underutilized parks. Be able to articulate a vision.

Jamie stated, be aware of which parks have friend groups and which do not.

Zach asked, Partner with the Parks Conservatory? What is our niche? How can we achieve our mission?

Jamie mentioned doing Park of the Month.

Stephen, feedback from park users. QR codes on Park signs. Take a picture and send a note. Point of contact. Public Survey through the city. Tator report could highlight smaller parks and getting feedback.

- iii. **Fundraising ideas** -Zach, gift catalog has been an effective fundraising tool? Alex responded that it has not raised a lot of activity.
- iv. Cheri, suggested more of a variety of price points in the catalog. Jamies is not convinced it

is a good usage of time.

- v. **Orientation process ideas** - Katie, would like to know the laws of the commission. What you can and can not do.

Cheri asked, will this be a packet of information or a dedicated meeting. Jamie supports a packet. Many new people are on the commission and need to know their parameters.

When will new commissioners be seated? Thom confirmed, no updated yet. Alex suggested extending the timeframe of the meeting when commissioners are being introduced.

- c. **Communications and Update**

- i. Parks Report- Received in meeting packet. Alex invited folks to the Payson Park meeting. 10/20/22 at 6pm Zoom.
- ii. Land Bank Report- John had nothing to report on the land bank commission.
- iii. Food Truck Pilot program survey going out this week - Alex reviewed the Food Truck survey up until next week. results will be tabulated and reviewed and a recommendation will be shared for feedback.

- e. **Commissioner requests for Agenda Items**- Jamie, asked what people are excited about, what are the items you want to discuss, project idea passion. Send along agenda items and topics.

IV. **Adjournment Motion to adjourn**

9/20/22

The Friends of Trott Little John Park (TLJP), a newly formed group under the auspices of Peaks Environmental Action Team (PEAT), a long time 501-(c)(3) nonprofit on the island, is pleased to send to you this letter of introduction. PEAT will serve as our fiscal agent and parent nonprofit organization.

Our working mission statement says, “to engage the community in supporting sustainable development of Trott Little John Park into an attractive, multi-use, recreational resource for Peaks Islanders of all ages.” We realize we are blessed, as a small community, to have this amazing natural resource available to us. We want to steward it wisely.

As you know, our Community Garden has been located in the park for many years and is well supported by the island. About five years ago, a grassroots organization, loosely organized by the Peaks Island Council and PEAT, proposed a dog park at TLJP and continued planning/fundraising with proponents of the ongoing skateboard park. This group became dormant due to Covid, funding issues, and changes in personnel. Currently, there is renewed enthusiasm and commitment from islanders to engage with the City of Portland, and the Parks Department, in a collaborative effort to revitalize these plans and work towards a new vision for the park.

Our steering committee includes islanders familiar with planning, gardening, fundraising and recreation. A formal planning process has begun, but meanwhile, we are moving forward with seasonal events in the park that will engage the community and celebrate this very special place on our island. Our first community event, an open house for islanders, is scheduled for Saturday, October 15, from 2-4 pm. Please put it on your calendars! Join with us as we introduce TLJP to islanders who may not be familiar with the park. We will have music, refreshments, tours of the land, and a brief historical presentation of the park itself.

While we remain open to a variety of ideas for the future development of this park, we hope to show respect for the past efforts, which over many years, have been directed towards the skateboard park for young people on the island, and the dog park. We hope to improve and support the present Community Garden as well. Ongoing informal surveys have identified other potential areas for development, such as a children’s forest playground, a meditation garden, a picnic area, and an outdoor senior exercise area.

As we continue to organize, meet with islanders, fundraise, and plan events, we very much would appreciate some immediate assistance from the City, specifically the Department of Public Works on the island, to assist with our ambitious plans. For example, in order for us to have a successful October Open House, the grass needs to be cut so the area can be toured, and a trash receptacle should be in place and emptied on a regular basis. We hope these requests can be agreed upon rather quickly.

We are so excited to collaborate with the Parks Department as we go forward with this very important project.

Thank you,

Anne Coughlin

Karen Friedman

Mary Ann Mitchell

Timmi Sellers

Carol Somers

Welcome to Trott Littlejohn Park

The Land

Near the center of Peaks Island lies a half-hidden 5.29 acre plot known as Trott Littlejohn Park. It is an island of natural beauty, surrounded on three sides (and therefore protected from development) by Peaks Island Land Preserve property.

Trott Littlejohn was deeded to the City of Portland for recreational use [ca. 2005]. The name honors two long time island families who once owned and farmed extensive acreage in this area. Today, woods are interspersed with open fields, native plants vie with invasive species . . . and all of this amazing natural resource cries out for thoughtful stewardship.

Current Use

Most people find themselves in the park when walking on island trails, three of which begin and end in Trott Littlejohn. The thriving Community Garden has been located at the upper entrance to the park since 2013. Small children delight in running up the sides of the partially completed skateboard park. And the informal fire pit is a popular nighttime hangout for island kids of a certain age.

The property has had minimal investment, and no plan for development. Recently, when new sewers were installed on the island, the land was used as a dumping ground for debris. One corner of the park has become an informal burying ground for island horses, other smaller pets, and a whale. Parts of a skateboard park for island youth were relocated to another corner; it still awaits funds for completion. Plans for a dog park, which had strong community support, and city buy-in, went dormant due to COVID and funding issues.

Today, Trott Littlejohn has new friends! And we need you!

Renewed enthusiasm for the future of this very special place is emerging among islanders. ***Friends of Trott Littlejohn*** has been formed, with the support of the Peaks Island Council and the Peaks Environmental Action Team, to turn enthusiasm into action. This will take thoughtful long range planning, and ongoing collaboration here on Peaks Island and between islanders and the City of Portland.

But **mostly** it will take volunteers willing to dig in—sometimes literally— to transform this space into an attractive, sustainable, multi-use recreational resource for Peaks Islanders of all ages.

Walk around the park property. Envision the possible. Decide what matters most to YOU. Take our survey, and join in!

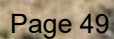
Sign up to be on the Friends of a Trott Littlejohn email list.

Watch for upcoming community conversations about the park.

Bring family and friends to upcoming seasonal events.

Pitch in: clean-up days, invasive mitigation, event-planning...there are abundant opportunities to bring your skills and enthusiasm to the tasks ahead!

Please contact: friendsofTLj@gmail.com



COME HELP US IMAGINE THE FUTURE!

The New Friends Of Trott-Littlejohn Park
Invite All Islanders to Our
First Autumnal Open House.

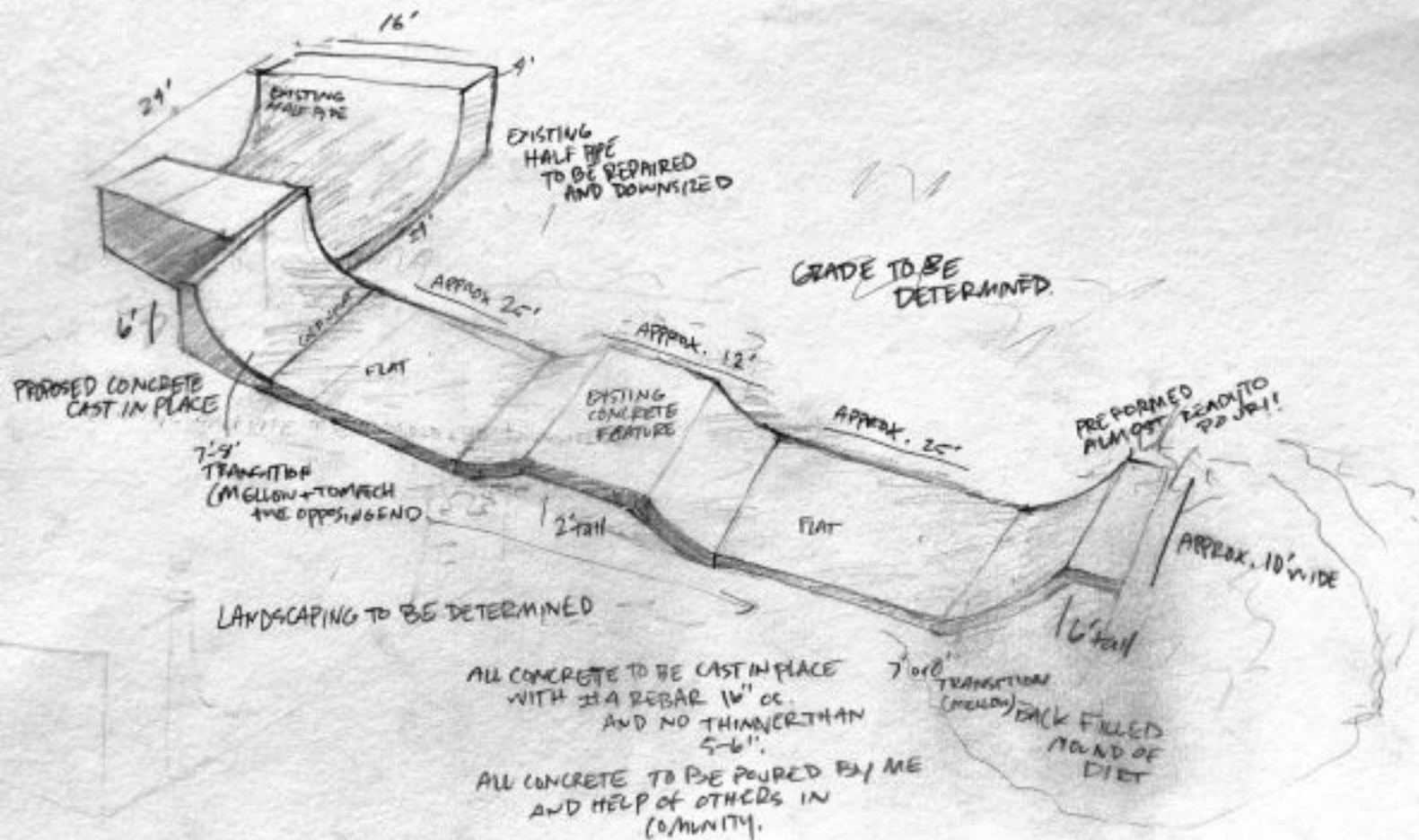


RAIN
OR
SHINE

DOGS
ON LEASHES
WELCOME

SATURDAY, OCTOBER 15, 2022, 2-4 PM
REFRESHMENTS, MUSIC,
FAMILY-FRIENDLY ACTIVITIES,
AND INFORMAL WALK-ABOUTS.
HOPE TO SEE YOU THERE!

TROTT LITTLE JOHN SKATEPARK PROJECT PROPOSAL





CITY OF PORTLAND
Parks, Recreation & Facilities Department
Ethan Hipple, Director

CITY OF PORTLAND
Parks, Recreation & Facilities Department
Alex Marshall, Parks Director

Memorandum

TO: Parks Commission and Land Bank Commission

FROM: Alex Marshall, Parks Director, Parks, Recreation and Facilities Department

SUBJECT: Parks Division Update

DATE: November 2022

Parks Division Staffing

- Vacancy: Athletic Facilities Maintenance Worker I
- Vacancy: Park Ranger
- Vacancy: Arborist III

Veranda Street Waterfront Park

The Maine Department of Transportation is finishing up the landscaping portion of this project on MDOT property. MDOT has completed their portion of the green space that will soon become a park by grading and seeding the entire space. Parks staff will work over the next year to develop a naturalized landscaping plan that will invite folks into the space. The Maine Audubon will be one of our partners in this development.

Union Branch/Libbytown Path

Two weeks ago, City Staff and Toole Design kicked off the design process for the Union Branch/Libbytown Path that will be the next extension phase of the Bayside Trail in our quest to connect to the Transportation Center and have a circular loop trail around the Peninsula. This phase will start on the backside of the Castle Parking Lot at Deering Oaks (Forest/State/Marginal Intersection) and run to the far side of the Hadlock Field Parking Lot following the existing train tracks next to I-295. Design characteristics will include a 12' paved path, lighting, improved connectivity with adjacent Park spaces, vegetation, and fencing removal and replacement.

Lyseth Playground

The Lyseth Playground is officially open for students and the community. Thanks to Parks Project Manager Bob Massengale, this playground has great amenities for the students of Lyseth Elementary School and all others who wish to recreate in the space. The surrounding pathways and diversity in play elements make this space really engaging and fun for the kids to experiment how best to make use of the space. Stay in touch on our social media for a ribbon cutting event in November.

Brentwood Community Garden Fencing Replacement

The Brentwood Community Garden volunteered their time to demo and rebuild the garden fencing the weekend of 10/22 with materials being paid for by the City. Led by Scott Segal, this team of volunteer allstars removed the fencing on Friday, built the new fence on Saturday and attached the wire mesh on Sunday. We can't thank this wonderful group enough for the work they did to complete this project.



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Parks, Recreation & Facilities Department
Ethan Hipple, Director

CITY OF PORTLAND
Parks, Recreation & Facilities Department
Alex Marshall, Parks Director

CIP Update

We have received updated submission timing of departmental CIP requests to Finance which has bumped out this communication to the December 1st meeting.

Park Projects and Department Updates

Staff are working on the following Park Improvement projects:

- Park Walkway improvements: Phase 1 of the Deering Oaks ADA walkways has been completed. Phase 2 of 3 is well on its way and should have paving done in the next month.
- Fitzpatrick Drainage Improvements: Drawings are complete. An RFP is ready to be advertised.
- Talbot School Basketball Court Reconstruction: Additional funding has been secured and the bid will be advertised in the next few weeks for a Spring/Summer 2023 completion.
- Skate Park Expansion Phase II: A design/build firm has been selected and the contract has been signed. The design and outreach portion of the project has been kicked off with a well-attended public meeting in October. <https://portland.civilspace.io/en/projects/22>
- Stroudwater Bridge: City Parks and Planning staff are working with Portland Trails and the Stroudwater Preserve Development Team to develop the plan for installation of the bridge that sits on the side of Westbrook Street before the I-95 bridge. Grant funding will be essential as City funds are limited. With volunteer help, the parks division submitted a Recreational Trails Program grant in September.
- Preble Street Field & Stormwater Project: Final design and landscaping plans are being finalized. Spring of 2023 is when the field is anticipated to return with Late Summer or Fall of 2023 as the first playable season.
- Riverton Preserve: Recreation improvement plans are in progress and will consist primarily of a trail network with other improvements. This project is intended to fulfill LWCF conversion requirements, and final approval of the improvement plan rests with the state and National Park Service, which has a public engagement process.
- Riverton Trolley Park: The LWCF grant has been submitted. We are still waiting for federal approval of the grant. The City Council has approved the \$125,000 portion of the required match and the Parks Conservancy has also concluded their fundraising efforts of the additional \$125,000+
- Western Promenade Welcome Signs: Three new historic Welcome Signs are being installed in the coming weeks
- Lower Western Prom Park Improvements: Final design improvements have been made and we are now waiting to secure additional funding to execute the entire project in the Fall of 2022 or Spring of 2023.
- Community Garden Fence and Gate Installations: We will be replacing 6 Community Garden fences and 4 sheds. We only received one bid that was substantially higher than our budget so we are revisiting funding sources and scope of work. Sheds will be replaced in tandem with the



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fencing work when that is to happen.

Packet for new Parks Commissioners



Contents:

Rules of the Portland Parks Commission
Parks Handbook
City of Portland Ordinance - Chapter 18 Parks,
Recreation, Public Buildings

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 time¹ 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 1. 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.



Parks Handbook

Portland, Maine

October 2022

Welcome and Introduction

Thank you for your interest and your involvement in Portland's parks. Portland's parks and open spaces are a treasure – an important element of who we are as a community. They anchor Portland's spectacular natural setting and offer repose and recreation for the population of Maine's largest city and for its many visitors. Portland's parks belong to all of us, and they depend upon all of us. We welcome your contribution to protecting and improving this precious legacy!

This Handbook is intended as a primer on Portland's parks and their management, with particular attention to the respective roles of elected officials, city staff, and volunteer groups – especially, parks Friends Groups and the Parks Commission. Our hope is that the information provided here will help inform and stimulate public participation in the important business of protecting and improving Portland's parks. It is especially directed to new parks and open spaces Friends Groups and to individuals that may be interested in starting such a Friends Group. We hope that this information will also be useful to other Portland residents with a particular interest in parks and open spaces – including incoming members of the Parks Commission and Portland residents who may wish to apply to serve on the Parks Commission as vacancies arise. We have tried to provide sources throughout where interested individuals can find further information on the topics addressed here.

Portland Parks Commission Portland, Maine October 2022

Jaime Parker (chair)
Jon Kachmar (vice chair)
Cheri Musgrave
Kristen Fulmer
Elenor Sears
Beth Rabbitt
Marie Gray
Zack Anchors
Stephen Bentsen
Victoria Pelletier
Katie mears
William Elting
Donna Gartland
Alison Mehlsak

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Portland's Park Legacy

Of all the cities in the United States, few can compete with Portland's unique natural setting - overlooking the rugged beauty of Casco Bay, the islands and seaway to the East, and the White Mountains to the West. Portland's parks and open spaces ensure that these priceless vistas can be enjoyed by present and future generations of Portland residents and visitors. They also offer opportunities for healthy exercise and relaxation in neighborhoods throughout the city. Among its open spaces, Portland's cemeteries offer respectful places for burial and commemoration of Portland's deceased loved ones.

Portland's parks and open spaces did not just happen. They resulted from the vision, dedication, and generosity of many Portland residents, friends, and public officials over the past two centuries.¹ Safeguarding Portland's existing parks for the benefit of future generations and creating new parks as the city continues to develop will require continuing vigilance and commitment by the citizens of Portland. Friends Groups have played an important role as advocates for Portland's parks since the creation of the first parks and open spaces friends groups in 1991². As of March 2021, there are fourteen Friends Groups for specific parks and open spaces in Portland (listed in Annex I). In addition, two organizations³ represent trails and community gardens, which are features of many of Portland's parks.

What is a Friends Group?

A Friends Group is a volunteer group of individuals who come together to protect and improve a specific park or open space. An essential characteristic of a Friends Groups for any of Portland's parks is this concern for the overall protection and improvement of a park or open space, rather than for any particular aspect or use of a park or open space. Friends groups advocate for park needs and provide ongoing operational, programmatic, or fundraising support for the park or open space that they represent. In doing so, Friends Groups work closely with the Parks, Recreation, and Facilities Department and with the Parks Commission.

Park Management

The Parks, Recreation and Facilities Department manages Portland's 77 parks and open spaces (listed in Annex II) under policies established by the elected City Council and recorded in city ordinances. The Department comprises a large and diverse workforce of full-time and part-time staff and volunteers who plan, manage, and carry out day-to-day operations for the city's parks, recreation programs, and facilities. More information about the Portland park system, staff, and programs is available on the Department's website:

¹ *Bold Vision: the Development of the Parks of Portland, Maine* (<https://www.portlandlandmarks.org/shop/bold-vision>) presents an excellent description of the history of Portland's parks.

² The Friends of Evergreen Cemetery

³ Portland Trails and Cultivating Community

<https://www.portlandmaine.gov/182/Parks-Recreation-Facilities>).

The city ordinances and regulations governing use of Portland's parks and open spaces are described in various chapters of the City Code -- particularly Chapter 18 (on Parks, Recreation, and Public Building), Chapter 7 (on Cemeteries), and Chapter 2 (on Land Bank properties).⁴

Parks Master Plans

In addition to these formal regulations, an important source of guidance on goals and priorities for Portland's parks and open spaces is the various Master Plans that have been developed through a consultative public process and adopted by the City Council. Friends Groups often play an important role in developing these master plans. Currently there are thirteen such parks and open spaces Master Plans (listed in Annex III). Most of these Master Plans are posted on the city's website at: <https://www.portlandmaine.gov/1943/Park-Master-Plans-and-Projects>.

The City-wide parks master plan entitled *Green Spaces, Blue Edges*⁵ (1993, updated in 2001) provides an overall vision for Portland's parks and open spaces. It also includes many assessments and recommendations about specific parks and open spaces. Some park-relevant assessments and recommendations are also included in the Master Plans that the city has adopted for Bayside (2000) and the Eastern Waterfront (2006), as well as the Pedestrian and Bicycle chapter in the City's *Comprehensive Plan* (2012).⁶

The Parks Commission

The Parks Commission is a volunteer body entrusted with assisting the city in oversight and stewardship over Portland's parks (<https://www.portlandmaine.gov/345/Parks-Commission>). The thirteen members of the parks Commission¹ are appointed by the City Council to serve for three-year terms. Six of the members represent specific groups: one designated City Councilor and one representative each from the Friends of Deering Oaks, Friends of the Eastern Promenade, Friends of Evergreen Cemetery, and the Land Bank Commission. The other seven commissioners are selected at large.

The mission of the Portland Parks Commission is to advocate for the enhancement and stewardship of our parks and open spaces, to review and propose projects that impact parks and open spaces and recommend appropriate action, to foster collaboration among park users and the City, to promote public access and enjoyment of our parks and open spaces, and to advocate for public and private funding for parks and open spaces. The Parks Commission holds monthly meetings that are open to the public. Representatives of Friends Groups and interested public are welcome to attend. These meetings are usually held on the first Thursday of each month at 5:00 PM in Room 24 of City Hall, but under the current pandemic restrictions they are being held remotely through public-accessible Zoom meetings. Notices of upcoming meetings, meeting agendas,

⁴ These can be accessed on the city's website: <https://www.portlandmaine.gov/131/City-Code>.

⁵ Available at: <http://www.portlandmaine.gov/DocumentCenter/View/3380/Green-Spaces-Blue-Edges>.

⁶ Available at: <https://www.portlandmaine.gov/DocumentCenter/View/18269/Portlands-Plan-2030-with-Appendices>.

minutes of prior meetings, and links for remote meeting participation are provided on the City's website: <https://www.portlandmaine.gov/345/Parks-Commission>.

One of the Parks Commission's functions is to serve as a clearinghouse between parks friends groups and the Department of Parks, Recreation, and Facilities -- particularly in the process of developing proposals for new park investments under the city's annual Capital

Improvement Plan (CIP) budget. Each year under the city's annual budget review process⁷ -- the Parks Commission make recommendations to the City Council on park improvements that it considers to be of highest priority for the annual CIP budget. The Parks Commission makes these recommendations based on explicit ranking criteria and information provided by the Parks, Recreation, and Facilities Department and Friends Groups. The Parks Commission's budget recommendations and justifications for the FY 2016 CIP are provided in Annex IV as an illustration of the types of considerations that enter into the Commission's recommendations. Consultation with the Parks Commission by Friends Groups on their proposals for park improvements can help inform the Parks Commission's annual CIP budget recommendations.

Another function of the Parks Commission is to support the formation of new parks Friends Groups and to improve Friends Groups' effectiveness by identifying best practices and promoting their spread. This Handbook is intended to help serve those purposes.

Creating a Friends Group

Friends Groups usually start as an initiative of one or a few committed individuals who have a vision for protecting and improving a park or open space that is not represented by an existing friends group, and who are willing to commit the time and effort necessary to help make that vision a reality. This initial concept is followed by efforts to involve neighbors and stakeholders in the creation of a new organization to advocate for those protections and improvements. To ensure legitimacy of the new organization, it is important that these efforts to enlist new members include a broad spectrum of current and potential park users that share the love of the place, the vision for its improvement, and the commitment to work to achieve that vision.

Here is an illustrative sequence of steps for creating a new Friends Group:

Preparation

- Reach out to existing parks Friends Groups to learn how they work and any information they can share with you.
- Inform the Parks Commission of your interest in starting a Friends Group and ask for their help in getting started.

First meeting

Designate one person to moderate the meeting and keep it focused.

- Have an agenda and take notes.

⁷ See "The City's Budget Process", below.

- Ask attendees to sign in and provide their contact information and park interest areas.
- Ask attendees to introduce themselves and describe their interests and concerns for the park.
- Introduce your concepts and ideas for the park and get feedback; identify issues and have a brainstorming session on how they may be resolved.
- Develop a list of tasks to be accomplished by the next meeting and identify who is to be responsible for accomplishing tasks.
- Set up your next meeting time and location.
- Expand potential membership by encouraging attendees to bring someone with them to the next meeting.
- Ensure you've included surrounding residents who may be interested in activities at the park/site.

Second meeting

Focus on some initial key priorities and getting down to business. Topics may include:

- Choosing a group name
- Establishing a mission and a vision
- Setting up a plan for first-year goals
- Setting up a Facebook page or simple website
- Organizing your first Friends Group program and/or event with the public
- Setting up a community outreach plan

Effective Friends Groups have a clear understanding of their purpose and what they want to accomplish. The mission statement, vision, goals and objectives of the group should align with the goals of the city as expressed in the parks Master Plans and in the operational program of the Parks, Recreation, and Facilities Department.

The mission statement should be oriented to the protection and improvement of the park, and be broad enough to accommodate an evolving work program. The vision is an image of what your park could become in ideal circumstances. Vision is what creates a focus for collaboration and motivates partners to act and donors to contribute to the effort. It also guides decision making and evaluation and creates the boundaries for partnership. Strategic objectives or goals are the actions for carrying out the mission to reach your vision. They should be small, tangible steps and tasks that help you achieve the mission. Those steps and tasks will eventually become the Friends Group's annual work plans, to be discussed, agreed, and implemented with the Parks, Recreation, and Facilities Department.

Ideally, strategic objectives should be based on an assessment of present conditions, identified needs, and proposed improvements or changes. But they needn't be elaborate to start with; they can be refined and expanded as the group acquires experience. In establishing its own mission statement and goals and objectives, it will often be helpful for the new Friends Group to refer to other Friends Groups' mission statements and goals and objectives, as well as the goals and objectives set out in the city's overall parks master plan, Green Spaces, Blue Edges

Registering your Friends Group

Most Friends Groups register with the IRS as a 501(c)3 non-profit organization. Acquiring 501(c)3 status provides advantages of tax exemption for qualified contributions and makes it easier for Friends Group officers, Board, and members to obtain protection from personal liability for any actions of the Friends Group. The IRS website (<https://www.irs.gov/charities-non-profits/application-for-recognition-of-exemption>) has detailed instructions to guide you through the steps involved in registering as a 501(c)3 non-profit organization.

Once the Friends Group has registered as a 501(c)3 organization, it should consult with an insurance professional to acquire the appropriate insurance coverage based on the group's structure and activities. Insurance policies should include at a minimum general liability insurance and coverage for directors and officers.

Friends groups are not required to incorporate, but may wish to do so in order to be eligible for other programs and potential grant sources. To incorporate, a Friends Group must develop Articles of Incorporation and register with the Maine Secretary of State (<https://www.maine.gov/sos/cec/corp/nonprofitresources.html>).

Organization of Friends Groups

Friends Groups' Boards of Directors play a crucial role in the work of all Friends Groups. Ideally, Board membership should reflect a diversity of park stakeholders, demographics, and professions, with a common commitment to the improvement of the park and a shared vision of what the park could become. Standing committees of Friends Groups can be helpful for carrying out more in-depth work on specific topics such as outreach, fundraising, event programming, and monitoring of park use, and making recommendations to the Board and membership on future decisions and actions.

Bylaws

Bylaws are rules and procedures that describe how the Friends Group conducts its meetings and activities. They are adopted by the members and can only be changed by the organization. Bylaws include a description of the organization's purpose, membership rights and qualifications, election and voting procedures, titles of officers and Board members, terms and responsibilities, and rules for amending the by-laws. Some organizations may want to make all significant decisions at membership meetings, while other organizations may delegate more responsibilities to their Board and officers. Sample Bylaws (for the Friends of the Eastern Promenade) are provided in Annex V.

Functioning as a Friends Group

In order to function effectively, Friends Groups need to maintain a close working relationship with the Parks, Recreation, and Facilities Department and maintain an active and engaged membership. The activities of Friends Groups take many forms. Some parks Friends Groups have focused on activating the park by programming events in the park. Others have concentrated on improving facilities, access, maintenance, or landscape improvements (including removal of invasive species). These collaborations typically involve a three-way partnership

between the Parks, Recreation, and Facilities Department, the Friends Group, and the Parks Commission. Friends Groups have often played a lead role or collaborated with the Parks, Recreation, and Facilities Department in developing a Master Plan for the park.

Some instances of collaboration involve a more active role for the Friends Group. Friends Groups may, for example, directly commission studies or preparation of master plans and other plans for park improvements. In rarer cases, the City may allow Friends Groups to play a more independent role in managing activities on the park site under policies, rules, and standards agreed with the Parks, Recreation and Facilities Department. An example is the City's agreement in recent years to allow the Friends of Congress Square Park to manage the programming of public events there. The terms of his agreement are recorded in a Memorandum of Understanding between the Friends of Congress Square Park and the City. This agreement is updated as necessary from time to time to reflect changes as implementation progresses.

Historic Preservation Approvals

Work involving material changes in any of the City's eleven historical districts⁸ and National Registry of Historic Places (including Deering Oaks Park, Eastern Cemetery, Eastern Promenade, Evergreen Cemetery, Fort Gorges, Lincoln Park, and Western Promenade) needs to follow historical preservation guidelines and often requires review and approval by the city's Historic Preservation Board⁹ and historic preservation staff¹⁰ in the Planning and Urban Development Department. A summary of the historic preservation guidelines and links to the city's historic preservation ordinance are provided on the city's website: <https://www.portlandmaine.gov/772/Historic-Preservation-Review-Standards>.

Financing Friends Group Activities

An important activity for all Friends Groups is to plan: a) the financing needs for their basic operational costs such as insurance premiums, website development and maintenance, and mailing and other costs of communicating with members, and b) a financing strategy to meet those needs. Only the largest Friends Groups have paid staff – usually limited to an executive director. Ideally, paid staff can more than cover their costs through the additional fund-raising that they generate. But caution is advised in engaging paid staff because the ongoing budget outlay to cover salary costs can easily consume resources that are needed for activities that directly benefit the park. In the event that paid staff are engaged, staff overhead costs should in all cases comprise a modest share of total revenues. Some Friends Groups -- the Friends of Deering Oaks is a good example -- have raised large sums for the benefit of their park without the benefit of paid staff.

Friends Groups generate funds to cover their basic operational costs in a variety of ways, including membership dues, business sponsorships, and special events such as open space tours. These activities also serve to enhance and promote the park or open space and educate the public about the organization's mission. New Friends Groups are encouraged to network with other,

⁸ <http://www.portlandmaine.gov/1626/Local-Historic-Districts>.

⁹ <https://www.portlandmaine.gov/210/Historic-Preservation-Board>

¹⁰ <https://www.portlandmaine.gov/766/Historic-Preservation-Staff>

established Friends Groups for guidance and suggestions on their fundraising strategies. The Maine Association of Nonprofits¹¹ is another valuable source of information on fundraising options and organizational suggestions for Friends Groups.

Once a Friends Group has managed to cover its operational costs, a preoccupying question for most Friends Groups is how to raise funds to meet the cost of park improvements. Sometimes a proposed activity may consist of work by Friends Group members themselves and volunteers that it organizes, requiring no special financing. But more typically Friends Group activities involve contracted work for park improvements. Most Friends Group initiatives in Portland parks involve the Friends Group raising funds for an agreed activity and transferring those funds to the city for implementation. Implementation typically involves a combination of work by Parks, Recreation, and Facilities Department staff and contracted procurement of equipment and/or services. Examples are the restoration work that was carried out recently at Fort Allen Park by the Friends of the Eastern Promenade and the City and the recent restoration of the fountain and the ongoing fence restoration at Lincoln Park by the Friends of Lincoln Park and the City. (Because both these projects involved historical parks, they also required approval by the Historical Preservation Board and historical preservation staff in the Planning and Urban Development Department.)

Cost Sharing with the City

These examples illustrate the role of Friends Groups in raising funds for City-approved projects. Funds are raised through a variety of means, including project-specific public and corporate fundraising campaigns and grant financing. Financing of the park intervention typically involves cost sharing by the Friends Group and the City, combining funds raised by the Friends Group from public donations and grants with funds from the City's annual Capital Improvement Plan (CIP) budget. Once a Friends Group has identified a potential project that it would like to propose for the park, it should discuss the proposal with the Parks, Recreation, and Facilities Department to see whether it is consistent with the City's plans for the park and whether any City funding has been planned for that activity.

Sometimes Friends Groups advocate for improvements in a park without actually contributing to the cost of implementation. But while these efforts are sometimes successful, experience has shown that Friends Groups' proposals for specific park improvements are most likely to be successful if the Friends Group is able to make a significant contribution to the cost of the improvement. There is fierce competition for the limited city budget funds that are available for capital improvements in Portland's parks. Even when there is general agreement on the desirability of a particular park improvement, it often requires a long wait before funds are actually made available under the city's CIP.

The City's Budget Process

Each year, each of the line departments of the City prepares a rolling ten-year investment

¹¹ <https://www.nonprofitmaine.org>

proposal. For investments in parks and open spaces, the Parks Commission also independently prepares its recommendations for parks and open spaces investments based on criteria that it establishes in advance and information provided by the Parks, Recreation, and Facilities Department and by various Friends Groups. The Parks Commission's CIP recommendations are forwarded to the City Manager along with the Parks, Recreation, and Facilities Department's recommendations. The City Manager then reviews the various Departmental budget requests, with particular attention to the request for the next fiscal year. After consulting with the departments to clarify any questions about their submissions, the City Manager adjusts the budget requests according to his own ranking criteria and a reckoning of the likely limits on the overall CIP for the next fiscal year. The City Manager then sends the adjusted and consolidated CIP proposal for the next fiscal year to the City Council, where it is reviewed by the Council's Finance Committee. At the same time, the Parks Commission's CIP recommendations and rationale are communicated to the City Council to take into account during its CIP deliberations. Further adjustments may be made at this stage of review by the City Council's Finance Committee. The version of the CIP budget that is ultimately recommended by the Finance Committee is then sent to the whole Council for review and approval. An illustrative timeline and ranking criteria for the Departmental budget approval process are provided in Annex VI.

Funds for a particular project are not actually available until they are approved under the annual CIP budget by the City Council and until funds for that investment are appropriated by the Finance Department. All CIP funds are borrowed in the commercial municipal bond market for varying repayment periods, depending on the expected service life of the investment. The City's borrowing capacity is limited by the size of the city's revenue base. As a result, unanticipated reductions in City revenues can lead to an unexpected reduction in the size of the CIP, as we saw in 2020 due to the impact of the Covid19 pandemic.

Memoranda of Understanding

This Handbook describes the basic parameters of partnership between Friends Groups, the Parks, Recreation and Facilities Department, and the Parks Commission in carrying out park-related initiatives. All collaborations between Friends Groups and the City which involve significant physical improvements in a park require that both parties sign a project-specific Memorandum of Understanding (MOU) describing the activities to be carried out and the roles and responsibilities of each. The MOU for the Fort Allen Park project is provided as an example in Annex VII.

Ongoing Communications

Good communication is critical for an effective organization in which members stay involved and committed. Newsletters and regular meetings are proven ways to maintain a high level of interest and participation. A yearly survey of park/open space interests and any current issues is also a good way to encourage communication and engender interest and participation. Many associations distribute their newsletters via email to members, stakeholders and community leaders

to encourage a continuing dialogue. Using the Internet to set up group email lists and/or an association website can be an especially useful tool in all of these efforts. The time and expense of a website should be well worth the effort given the savings in printing and distribution of materials versus traditional methods.

Good communication with City officials and staff is also crucial. Effective Friends Groups maintain close communications with Parks, Recreation, and Facilities management and staff on all questions relating to their park or open spaces. In addition, they maintain visibility with the City Council and City Manager's office and project a spirit of willingness, cooperation and patience in advocating for their proposed park improvements. Patience often yields eventual success, as the experience of the Friends of Lincoln Park in getting City approval for restoration of the Lincoln Park fountain and fence attests.

City of Portland Meetings

It is vitally important that Friends Groups stay abreast of city developments that potentially affect their park or open space. Once established, Friends Groups will generally receive notice of proposed changes or development proposals that directly affect their park or open space. However, there are many other government actions that may affect your park or open space directly or indirectly that will require your effort to keep informed of. By appointing a member of your Friends Group as city liaison to monitor the City of Portland meeting schedule, you can stay abreast of the decisions being made and have input into those decisions. The City website homepage¹² provides a complete weekly schedule and agendas for all City of Portland public meetings. Portland City Council meetings are generally held on the first and third Mondays of each month at 5 PM in Council Chambers at Portland City Hall (or virtually during the pandemic restrictions). The Parks Commission meets at 5:00 PM on the first Thursday of each month usually in room 24 on the lower level of City Hall. During the pandemic restrictions on public gatherings, Parks Commission meetings are held virtually, with access through the city's website: <https://www.portlandmaine.gov/345/Parks-Commission>.

¹² <https://www.portlandmaine.gov/27/Government>

PARKS FRIENDS GROUPS IN PORTLAND, MAINE

Friends of Capisic Pond

<https://www.facebook.com/FriendsOfCapisicPondPortlandMaine/>

Andy Graham, agraham43@mac.com

Friends of Congress Square Park

<https://congresssquarepark.org>

David LaCasse, loafinit@maine.rr.com

Friends of Deering Oaks

<https://www.deeringoaks.org>

<https://www.facebook.com/FriendsOfDeeringOaks/>

Anne Pringle, oldmayor@maine.rr.com

Friends of the Eastern Promenade

<https://easternpromenade.org>

<https://www.facebook.com/FriendsoftheEasternPromenade/>

Heidi Powell

Friends of Evergreen Cemetery

<https://www.facebook.com/friendsofevergreen/>

David Little, authorartist775@gmail.com

Friends of Fort Gorges

<https://friendsoffortgorges.org>

<https://www.facebook.com/fortgorges>

/ Paul Drinan, pdrinan@gmail.com

Friends of Fort Sumner Park

<https://www.facebook.com/Friends-of-Fort-Sumner-Park-1795639307350083/>

Jaye Gorham, jaye@portsidereg.com

Friends of Harborview Park

Pamela Shaw, pskhrrmail@gmail.com

Friends of Lincoln Park Frank/Sharon Reilly

<https://lovelincolnpark.org>

<https://www.facebook.com/Friends-of-Lincoln-Park-1520655631529674/>

Frank and Sharon Reilly, FSReilly@aol.com

Friends of Payson Park

<https://www.facebook.com/FriendsOfPaysonPark/>

Susan Lavigne, lavigne719@gmail.com

Friends of Riverton Trolley Park (inactive)

Spirits Alive (Eastern Cemetery)

<https://www.spiritsalive.org>

<https://www.facebook.com/spiritsalive/>

Janet Alexander, 445ray@gmail.com

Stewards of Western Cemetery (inactive)

Friends of Western Promenade

<https://www.friendsofwesternprom.org>

<https://www.facebook.com/FriendsofWesternPromenade/> Matthew Hyde, hydeng@gmail.com

PARKS IN THE CITY OF PORTLAND MAINE

Dedicated Parks Listed in both the Parks Ordinance and the Land Bank

Ordinance: Back Cove Park and Trail

Barrows Park/Baxter's Sundial

Baxter Pines

Baxter Woods

Bayside Park (also known as Stone Street Playground)

Bell Buoy Park

Belmeade Park

Capisic Pond Park

Clark Street Park

Congress Square Park

Deering Oaks Park

Dougherty Field

Eastern Promenade Park, East End Beach, Fort Allen Park

Fessenden Park

Fort Gorges

Fort Sumner Park

Fox Field/Kennedy Park

Harbor View Park and Tate-Tyng Park

Heseltine Park

Lincoln Park

Lobsterman Park

Longfellow Square

Monument Square

Munjoy South Playground

Payson Park

Peppermint Park

Pleasant Street Park

Post Office Park

Riverside Golf Course

Riverton Trolley Park (incorrectly listed as Riverton Park in the Ordinances)

Stroudwater Parks (There are 2 listed in the Ordinances)

Taylor Street Park

Tommy's Park

Western Promenade Park

Dedicated Parks Listed in the Parks Ordinance but not the Land Bank Ordinance

Andrews Square (This park consists only of a flagpole)
Bayside Trail
Bedford Park
Boothby Square
Boyd Street Gardens
Bramhall Square
Caldwell Square
Clark Street Playground
Longfellow Park
Marada Adams Playground (located at the corner of Beckett and O'Brien Streets)
Martin's Point Park
Nason's Corner Park
Pedro Field
Pleasant Street Playground
Quaker Park
South Street Playground
Tate-Tyng Playground
Trinity Park
Winslow Park

Dedicated Park Listed in the Land Bank Ordinance but not in the Parks Ordinance

University Park

CITY-APPROVED PARKS MASTER PLANS, PORTLAND MAINE

- Baxter Boulevard (no date),
- Capisic Pond Sustainability Plan(2012),
- Deering Oaks (1994),
- Dougherty Field(2008),
- Eastern Cemetery(2001),
- Eastern Promenade (2003),
- Evergreen Cemetery(1994),
- Fort Sumner Park (2006),
- Lincoln Park (2014),
- Payson Park (2000),
- Western Cemetery (2001), and
- Western Promenade (2019).

In addition to the above, there is a Master Plan for the Ocean Avenue Recreation Area (2006), which is not listed as one of Portland's parks and open spaces in either the Parks ordinance or the Land Bank ordinance. A Preservation Plan that embodies some of the same content as a Master Plan is in preparation for Fort Gorges. There is also the city-wide parks Master Plan entitled *Green Spaces, Blue Edges* (1993, updated in 2001) which includes many assessments and recommendations about specific parks and open spaces. Some park-relevant assessments and recommendations are also included in the Master Plans which the city has adopted for Bayside (2000) and the Eastern Waterfront (2006), as well as the Pedestrian and Bicycle chapter in the city's *Comprehensive Plan* (2012). Most of these Master Plans are posted on the city's website at: <https://www.portlandmaine.gov/1943/Park-Master-Plans-and-Projects>.

Annex IV

PARKS COMMISSION'S 2022 CIP RECOMMENDATIONS

Ranking Criteria:

1. progress on Congress Square Park, for which there are high expectations following the recent citizen's initiative and Council ordinance,
2. proposals for improving overall parks oversight,
3. proposals for design studies and master plans that refine cost estimates and move projects closer to implementation readiness, and
4. completion of projects that are very close to completion and embody significant costsharing.

Ranking	Originator	Activity	Amount	Comments
1	Friends of Congress Square Park	Renovation of ground-level option for Congress Square Park	\$1,033,400	Citizens' referendum and Council action underline priority. KMDG design study completed.
2	Parks Commission	Preparation of annual report	\$20,000	Proposed as recurring item for operating budget
3	Parks Commission and Friends of Deering Oaks	Recruitment of four seasonal park rangers, and staff for Deering Oaks Park "castle"		Proposed as recurring item for operating budget
4	Parks Commission	Update of Parks Master Plan, <i>Green Spaces, Blue Edges</i>	\$30,000	Preparation is to involve Friends groups, and is to include development of maintenance guidelines and associated input requirements.
5	Friends of Lincoln Park	Design study for restoration of Lincoln Park	\$20,000	To include options reflecting alternative scenarios for Franklin Street redesign.
6	Friends of Evergreen	Update of Evergreen Cemetery Master Plan	\$20,000	
7	Friends of Deering Oaks	Design study for lavatory facility for Deering Oaks Park	\$20,000	
8	Friends of Evergreen	Landscape design for Stevens Avenue site improvements	\$10,000	
9	Friends of the Eastern Prom	Completion of connection to Cousin's Memorial	\$8,500	Complements \$30,000 of private financing.
10	Spirits Alive	Completion of restoration of Victorian tool shed at Eastern Cemetery	\$18,000	Cost estimate prepared by project architect and City's Facilities Division.
11	Friends of Deering Oaks	Lighting replacement for Deering Oaks Park	\$168,000	Recommended in 1994 Master Plan. Would yield cost savings and improved efficiency, as well as esthetic benefits. Has DPS estimated cost savings?
12	West End Neighborhood Association	Outdoor furniture, playground equipment, signage, waste receptacles	Not provided	
13	Friends of Evergreen	Removal of hazardous trees and planting of new trees	\$450,000	Unhealthy trees present a public safety liability.

**SAMPLE BYLAWS
(Friends of the Eastern Promenade)**

1.1 Name. The name of the Corporation is Friends of the Eastern Promenade.

1.2 Purposes. The Corporation is organized exclusively for charitable and educational purposes within the meaning of section 501(c)(3) of the United States Internal Revenue Code. In particular, the Corporation's purposes are to preserve the significant historic public landscape, protect the environmental integrity, and enhance recreation use of the Eastern Promenade in Portland, Maine.

ARTICLE II – MEMBERS

2.1 Membership Eligibility. Membership is open to any individual over 18 years of age, or any entity, that supports the purposes of the Corporation. There shall be no separate membership classes.

2.2 Membership Dues/Donations. Members must pay annual dues as determined by the Board of Directors.

2.3 Voting Rights of Members. Each Member in good standing shall have the right to vote for the Directors of the Corporation and on any other matters submitted by the Board of Directors to the Membership, as further set forth in these Bylaws. Each Member shall have one vote; provided, however, that no more than two Members from a given household shall have the right to vote.

2.4 Membership Meetings.

a Regular meetings. Regular meetings of the Members may be held at such time and place as the Board of Directors may determine.

b Special Meetings. Special meetings of the Members may be called at any time by the President, by the Board of Directors, or by petition in writing signed by not fewer than twenty-five (25) Members of the Corporation entitled to vote and filed with the Secretary. Ten (10) days' written notice as to the time, place, and subject matter of the Special Meeting must be given to all voting members. At such Special Meetings no business shall be transacted which is not specified in the notice of the meeting.

c Annual Meetings. An Annual Meeting of members of the Corporation shall be held in every calendar year, under the direction of the Board of Directors, for the purpose of electing Board members, hearing reports and conducting such other business as may properly come before the Corporation.

d Quorum. At any meeting of the Members, ten (10) Members shall constitute a quorum. Any meeting may be adjourned by a majority of the votes cast upon the question, whether or not a quorum is present, and the meeting may be held as adjourned without further notice. When a quorum is present at any meeting, a majority of the votes properly cast by members shall decide any question.

ARTICLE III – DIRECTORS

3.1 Powers. The business and affairs of the Corporation, its supervision, control and direction, shall be conducted and managed by its Board of Directors, which shall exercise all of the powers of the Corporation. Subject to the terms and conditions of the Articles of Incorporation, and these By-laws, as amended from time to time, it is intended that the directors as referred to herein have the same rights, powers, obligations and functions as are ascribed to and imposed upon directors for non-profit corporations under applicable law. Except as otherwise specifically set forth herein, the Board of Directors may by general resolution delegate to committees and officers of the Corporation such powers as it sees fit.

3.2 Election and Composition of Board. Until the first annual meeting of the membership the incorporators shall serve as the Board of Directors. At the first annual meeting of the members of the Corporation, and at each annual meeting thereafter, the directors then in office, having due regard to the corporate mission, the city-wide and regional significance of the historic Eastern Promenade, and its constituency, shall present a slate of nominees for election by the membership to hold office until the election and qualification of their respective successors. The Board of Directors shall be maintained by such staggered elections as may be necessary to elect approximately one third of the Board every year. The number of directors shall be not less than five nor more than twenty-one (exclusive of honorary directors).

3.3 Absences; Resignation; Removal; Vacancies. A director shall make every effort to attend the regular and special meetings of the Board, and if unable to attend a meeting shall notify the president in advance. Any director who misses more than three (3) meetings annually without being excused by the president shall be notified by the president of such failure to attend and will thereafter be subject to possible removal by the Board for non-attendance. Any director may resign at any time by giving written or electronic mail notice to the President or the Board of Directors and may be removed at any time in accordance with applicable law. Any vacancy in the Board of Directors occurring during the year, including any vacancy created by an increase of the number of directors, may be filled for the unexpired portion of the term by the directors then serving, although less than a quorum, by an affirmative vote of the majority thereof, and any director so elected shall hold office until the election and qualification of a successor.

3.4 Honorary Directors. The Corporation may have an unlimited number of honorary directors who shall be entitled to notice of and the right to attend all meetings of the Board, but who shall not have the right to vote.

An honorary director shall be appointed by the Board of Directors at its discretion, with the honorary director's term of appointment to be determined by the Board.

3.5 Annual Meeting. As soon as practicable after each annual meeting of the membership, the newly elected directors shall meet for the purpose of electing officers and the transaction of other business, and if a quorum of the directors be then present, no prior notice of such meeting shall be required to be given.

3.6 Regular Meetings. The Board of Directors shall establish a schedule for regular meetings of the Board.

3.7 Special Meetings. Special meetings of the Board of Directors may be called by the President or the Secretary and must be called by either of them on the written, or digital request of one-fifth (1/5) of the members of the Board.

3.8 Notice of Meetings. Notice of all directors' meetings, except as herein otherwise

provided, shall be given either by mailing the same at least three (3) days before the meeting, or by digital means at least one (1) day before the meeting, to the usual business, residence, or digital address of the director as indicated in the Corporate records. At any meeting at which every director shall be present, even though without notice, any business may be transacted.

3.9 Quorum; Voting. At all meetings of the Board of Directors a majority of the directors shall be necessary and sufficient to constitute a quorum for the transaction of business and the act of a majority of the directors present at any meeting at which there is a quorum shall be the act of the Board of Directors. If at any meeting there is less than a quorum present, a majority of those present may adjourn the meeting from time to time without further notice to any absent director.

3.10 Informal Action by Directors. Any action required or permitted to be taken at any meeting of the Board of Directors, or of any committee thereof, may be taken without meeting, if a written consent to such action is signed by, or digital consent is received from, all members of the Board or of such committee, as the case may be, and such consent is filed with the minutes of the proceedings of the Board or committee.

3.11 Telephone Meetings. Members of the Board of Directors, or a committee of the Board, may participate in a meeting by means of a conference telephone, or similar communications equipment, if all persons participating in the meeting can hear each other at the same time. Participation in a meeting by these means constitutes presence in person at the meeting.

ARTICLE IV – OFFICERS

4.1 Executive Officers. The Executive Officers of the Corporation shall be a President and a Vice President, who shall be selected from among the Board of Directors, a Secretary, a Treasurer, and such other officers with such powers and duties not inconsistent with these By-laws as may be appointed and determined by the Board of Directors. Any two offices may be held by the same person, provided that the President shall not also be a Vice-President.

4.2 Resignation, Removal; Vacancies. Any officer may resign at any time by giving written or electronic mail notice to the President, or the Board of Directors, and may be removed from office by the vote of the directors at any time, in accordance with applicable law. In case any office of the Corporation becomes vacant by death, resignation, retirement, disqualification, or any other cause, the Board of Directors, by majority action, may select an officer to fill such vacancy.

4.3 President. The President shall preside at all meetings of the Board of Directors. The President shall have and exercise general charge and supervision of the affairs of the Corporation and shall do and perform such other duties as are customary to the office and as may be assigned to that office by the Board of Directors.

4.4 Vice President. At the request of the President, or in the event of absence or disability, the Vice President shall perform the duties and possess and exercise the powers of the President and shall perform such other duties as the Board of Directors may determine.

4.5 Secretary. The secretary shall keep the minutes of all meetings of the Board of Directors in books provided for that purpose. The Secretary shall attend to the giving and serving of all notices of the Corporation; the Secretary shall have charge of the minutes and such other records as the Board of Directors may direct, may attest to the accuracy of such books and records and shall perform such other duties as are customary to that office and as may from

time to time be directed by the President or the Board of Directors.

4.6 Treasurer. The Treasurer shall have the custody of all funds, property and securities of the Corporation, subject to such regulations as may be imposed by the Board of Directors. When necessary or proper, the Treasurer shall endorse on behalf of the Corporation for collection, checks, notes, and other obligations, and shall deposit the same to the credit of the Corporation at such bank or banks or depository as the Board of Directors may designate. The Treasurer shall, in general, perform all duties incident to the office of Treasurer, including a general supervision and control of the accounts of the Corporation, subject to the control of the Board of Directors.

4.7 Other Officers. The Board of Directors may elect or appoint any such other officers and assistant officers as they may deem necessary, who shall have such authority and perform such duties as from time to time may be prescribed by the President or by the Board of Directors.

ARTICLE V – COMMITTEES

51 Committees. The Board of Directors may also appoint from their number, or from among such other persons as the Board may see fit, such committees as the Board may determine, which shall in each case have such powers and duties as shall from time to time be prescribed by the Board. Provided, however, that every such committee have as a member at least one director from the Board. The President shall be a voting member ex officio of each committee appointed by the Board of Directors.

52 Executive Committee. There shall be an Executive Committee composed of the officers of the corporation and the committee chairs, which shall have such powers and duties as shall from time to time be prescribed by the Board.

53 Rules. Records of Proceedings. Each Committee may prescribe rules and procedures for the call and conduct of its meetings. Each Committee shall keep regular minutes of its proceedings and shall report the same to the Board of Directors and the President.

54 Standing Committees. The Board may establish such standing committees as it deems necessary or advisable. Each Standing Committee will submit to the Board an annual action plan with a budget. The Board is responsible for reviewing, approving and prioritizing the action plan of each committee.

ARTICLE VI - CORPORATE ASSETS AND EARNINGS

6.1 No part of the net earnings of the Corporation shall inure to the benefit of any member, director or Officer of the Corporation, or any private individual, excepting solely such reasonable compensation that the Corporation shall pay for services actually rendered to the corporation, or allowed by the corporation as a reasonable allowance for authorized expenditures incurred on behalf of the Corporation, and no member, director or Officer of the Corporation, or any private individual, shall be entitled to share in the distribution of any of the corporate assets on dissolution of the corporation (except that a member, director or Officer may receive property of the Corporation in exchange for fair market value compensation to the Corporation).

6.2. This corporation shall exist in perpetuity, but in the event of dissolution of the Corporation

or the termination of its activities, the assets of the Corporation remaining after the payment of all its liabilities shall be distributed exclusively to one or more organizations organized and operated exclusively for such purposes as shall then qualify as an exempt organization or organizations under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended and as a charitable, religious, eleemosynary, benevolent or educational corporation within the meaning of Title 13-B, of the Maine Revised Statutes as amended, or shall be distributed to the federal government, or to a state or local government, for a public purpose.

6.3 Notwithstanding any other provision of these Articles, the Corporation shall not carry on any other activities not permitted to be carried on by a corporation exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code of 1986, as now enacted or hereafter amended.

ARTICLE VII – MISCELLANEOUS

7.1 Corporate Seal. The Board of Directors may provide a suitable seal, containing the name of the Corporation, which seal shall be in the charge of the Secretary.

7.2 Fiscal Year. The fiscal year of the Corporation shall be the calendar year.

7.3 Records and Reports. The Corporation shall keep correct and complete records of account and of its transactions and minutes of the proceedings of its Board of Directors and of any committee. The President or the Secretary of the Corporation shall prepare or cause to be prepared annually a full and correct statement of the affairs of the Corporation, including a balance sheet and a financial statement of operations for the preceding fiscal year, which shall be submitted at the annual meetings of the Board of Directors and filed within twenty days thereafter at the principal office of the Corporation.

ARTICLE VIII – INDEMNIFICATION

8.1 Indemnification. The Corporation shall, to the full extent of its power to do so provided by law, including without limitation Section 714 of Title 13-B of the Maine Revised Statutes Annotated, indemnify any and all present and former members, officers, trustees, employees, committee members and agents of the Corporation against expenses, including attorneys' fees, judgments, fines and amounts paid in settlement actually and reasonably incurred by them in connection with any action, suit or proceeding in which they, or any of them, are made parties, or a party, by reason of their being members, or agents of the Corporation; except in relation to matters as to which any such person shall be finally adjudicated in any such action, suit or proceeding not to have acted in good faith in the reasonable belief that his or her action was in the best interest of the Corporation, or, with respect to any criminal action or proceeding, where such person is finally adjudged to have had reasonable cause to believe that his or her conduct was unlawful. Such indemnification shall be made in accordance with the procedures set forth in Maine Revised Statutes Annotated, Title 13-B, Section 714, subsection 3, as the same may be amended from time to time. Such indemnification shall not be deemed exclusive of any other rights to which those indemnified may be entitled under any other by-law, agreement, or otherwise.

ARTICLE IX AMENDMENTS

91 BY-LAWS. The Board of Directors shall have power to make, alter, amend, and repeal the By-laws of the Corporation by vote of a majority of all of the directors present at any regular or special meeting.

92 Articles of Incorporation. The members shall have power to amend the Articles of Incorporation of the Corporation by vote of a majority of the members present at any regular or special meeting; provided, the Board of Directors shall adopt a resolution setting forth the proposed amendment and direct that it be submitted to a vote at a subsequent membership meeting. Written or digital notice setting forth the proposed amendment or a summary of the changes shall be given to each member entitled to vote thereon at least ten

(10) days but not more than fifty (50) days prior to the date of the said membership meeting, said notice to be sent to the business, residence, or digital address indicated in the Corporate records.

PARKS, RECREATION, AND FACILITIES DEPARTMENT CAPITAL IMPROVEMENT PLAN TIMELINE

Project Selection Criteria

- **Legal Obligations:** Court orders, compliance with state or federal legislation
- **Park Equity:** 10 minute access to a park or trail, distribution between neighborhoods, populations served, islands, etc...
- **Compliance with Adopted Plans and Studies:** Match with city priorities
- **Impact of Service to Public:** Safety issues, improved service delivery
- **Access:** ADA access, facilities for diverse age groups
- **Departmental or Community Priority:** The project is important to a Departmental mission or community interest. Does the project meet a demonstrated need from the community?
- **Funding Source:** The project includes a match from grants, federal or state match, community fundraising
- **Budget Impact:** The project decreases operating expenses
- **User Group:** Does the project serve a diverse user group, or a particular user group that is not already well-served?
- **Prior Phases:** Projects that are a continuation of viable projects funded in past years.

May--July:

1. Department of Parks, Recreation and Facilities issues call to stakeholders (Friends and Neighborhood Groups, the schools, and the public) for project proposals.
 - a. Department of Parks, Recreation and Facilities will publicize the existing 10-year Parks Capital Improvement Plan, so that stakeholders will be aware of the current city-wide 10-year schedule of projects and prioritization.
 - b. If a stakeholder group submits more than one project for consideration, the projects should be listed in an itemized, prioritized list.
 - c. Stakeholders submitting projects not already on the 10-year Parks Capital Improvement Plan should include cost estimates from a qualified engineer, contractor or landscape architect.
2. Project Requests and cost estimates due to Department of Parks, Recreation and Facilities by July 19.

July

1. Department of Parks, Recreation and Facilities compiles and reviews project requests. Sources:
 - a. Existing 10-year Capital Improvement Plan
 - b. Unfunded requests from prior years
 - c. Portland Open Space Vision and Implementation Plan, Parks Master Plans, Facilities Master Plans, Athletic Facilities Task Force Plan, City Comprehensive Plan, and other relevant plans
 - d. Departmental knowledge and professional insight
 - e. Requests from Friends Groups, schools, and other stakeholders
2. Projects from stakeholders are submitted as requests. Department of Parks, Recreation and Facilities will review all requests and either:
 - a. Add to 10-year Parks Capital Improvement Plan according to 10-year schedule and budget parameters.

- b. File the project request if deemed inappropriate, undesirable, or unfeasible.
- 3. Department of Parks and Recreation prepares and submits 10-year Capital Improvement Plan to Parks Commission by July 31.
 - a. Includes in submission all requests from stakeholders
 - b. Includes in submission all recommended projects for upcoming fiscal year.

August—September

- 1. Parks Commission reviews project proposals for upcoming fiscal year by undertaking these steps:
 - a. Review materials submitted by the Department of Parks and Recreation (which includes requests from public stakeholders)
 - b. Conduct a public meeting(s) to hear from Friends Groups, Neighborhood Associations, and other interested stakeholders
 - c. Following public meeting(s), Parks Commission shall provide recommendations on projects being proposed for upcoming fiscal year, submitted to Department of Parks and Recreation by September 30.

October

- 1. Final review of 10-year Capital Improvement Plan by Department of Parks, Recreation and Facilities.
- 2. Backup materials prepared, quotes finalized for projects being recommended for upcoming fiscal year.
- 3. Staff input of CIP requests into City financial system by October 31.

November

- 1. Department of Parks, Recreation and Facilities submits the final Departmental recommendation to the City Manager's office; attaches the Parks Commission Recommendations.

**SAMPLE MEMORANDUM OF UNDERSTANDING
(City of Portland and the Friends of the Eastern Promenade)**

WHEREAS, the City of Portland (Portland) is a municipality under the laws of the State of Maine with a principal location at 389 Congress Street, Portland, Maine 04101 (“Portland”); and

WHEREAS, the Friends of the Eastern Promenade is a non-profit corporation under the laws of the State of Maine with a principal place of business in Portland, Maine (“Friends”); and

WHEREAS, Fort Allen Park is one of Portland’s premiere public outdoor spaces due to its historical significance, monuments and panoramic views of Casco Bay and Portland Harbor; and

WHEREAS, the Eastern Promenade Master Plan, adopted as part of Portland’s Comprehensive Plan in 2003, recommends improvements to Fort Allen Park; and

WHEREAS, the restoration of Fort Allen Park has been identified as a priority project by the Friends (hereinafter the “Fort Allen Restoration Project”); and

WHEREAS, the purpose of this Memorandum of Understanding (“MOU”) is to address the City and the Friends’ collaboration to restore Fort Allen Park; and

NOW THEREFORE, in consideration of the following, the City and the Friends hereby agree as follows:

1. The Friends and the City will establish a working group including members of the City’s Department of Public Services and the Friends to oversee the Fort Allen Restoration Project;
2. The aforementioned working group will work together collaboratively to make all decisions in connection with the Fort Allen Restoration Project. In the event, however, that there is any disagreement between the City and the Friends, the City shall have be the final decision maker with regard to all aspects of the Fort Allen Restoration Project;
3. The Fort Allen Restoration Project including, but not limited to, the development and construction phases will be conducted in accordance with the City Code and State law requirements including, but not limited to, the City’s Site Plan and Historic Preservation Ordinances;
4. The Friends shall provide funds to hire a consulting team to perform the research, planning, design, development, bidding and construction of the Fort Allen Restoration Project;
5. The Friends will pursue additional funding including, but not limited to, grants, donations and/or organizational funds for the implementation of the Fort Allen Restoration Project; and
6. The City will pursue funding including, but not limited to, capital improvement funds, grants, in-kind services and/or other financial sources, for the implementation of the Fort Allen Restoration Project;

This agreement represents the entire agreement between the Friends and the City with regard to the Fort Allen Restoration Project and supersedes and replaces all terms and conditions of any prior agreements, arrangement, negotiations and/or representations. This agreement may not be modified except for in writing executed by the Friends and the City.

Seen and Agreed to this _____ day of November, 2011.

WITNESS

FRIENDS OF THE EASTERN PROMENADE

_____Diane Davison, President

WITNESS

CITY OF PORTLAND

Danielle West, City Manager

Chapter 18 PARKS, RECREATION AND PUBLIC BUILDINGS AND GROUNDS*

*Cross reference(s)--Sports, games prohibited in cemeteries, § 7-133; land use, Ch. 14; streets, sidewalks and other public places, Ch. 25.

State law reference(s)--Parks, trees and playgrounds, 30 M.R.S.A. § 3801 et seq.

Art. IA. In General, §§ 18-1--18-10

Art. IB. Dedication of Parks and Public Grounds, §§ 18-11--18-15

Art. II. Regulations for Parks and Public Grounds, §§ 18-16--18-65

Art. III. Public Landings, §§ 18-66--18-80

Art. IV. Airport Facilities, §§ 18-81--18-85

Art. V. Waterfront Facilities §§ 18-96--18-99

ARTICLE IA. IN GENERAL

Sec. 18-1. Reserved.

Sec. 18-2. Reserved.

Sec. 18-3. Reserved.

Sec. 18-4. Reserved.

Sec. 18-5. Reserved.

Sec. 18-6. Reserved.

Sec. 18-7. Reserved.

Sec. 18-8. Reserved.

Sec. 18-9. Reserved.

Sec. 18-10. Parks Commission.

(a) *Findings.* The City Council hereby finds that:

(1) Several city parks and public grounds including, but not limited to, Deering Oaks, Eastern Promenade, Western Promenade, Baxter Woods, Baxter Pines, Riverside Golf Course, Payson Park and Stroudwater Park are already all protected by and through deed covenants and restrictions;

(2) The city's cemeteries are already protected by Chapter Seven (7) of the Portland City Code;

(3) The Land Bank has protected twenty-six (26) properties for

conservation and preservation purposes;

(4) Therefore, in order to enhance these existing protections on the city's parks and public grounds, the city council hereby amends the city's parks ordinance as follows:

(b) *Established.* There shall be a commission composed of thirteen (13) members which shall be known as "Parks Commission," hereinafter referred to as the "commission."

(c) *Composition.* One (1) member of the city council, who is on the Transportation, Sustainability and Energy Committee, shall be appointed annually by the city council. 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. Seven (7) members representing the public-at-large and one (1) member representing the Land Bank Commission shall be appointed for three-year terms by the city council. Such three-year terms shall be staggered so that no more than three (3) members representing the public-at-large are appointed in any one (1) year. All members shall serve until their successors are appointed, for a period, however, not to exceed sixty (60) days after expiration of the term. The commission may from time to time establish such subcommittees as it deems appropriate.

(d) *Duties.* The duties of the commission shall include:

- (1) Soliciting, encouraging and accepting private contributions to the city, in cash or in kind, whether by gift, trust, or subject to conditions; provided any gift in kind and that the form of any trust or conditions has been approved by the city council or is ratified by the city council;
- (2) Making recommendations to the city council as to the sale of dedicated parks and public grounds (as described in section 18-14 below) and disposition of trust funds held for parks, trails and open space;
- (3) Maintaining inventories of parks, trails and open space needs as it determines to be desirable;
- (4) Submitting an annual report to the city council regarding the state of the city's parks and public grounds and

making specific recommendations therein about suggested goals and improvements for the parks and public grounds;

- (5) Encouraging educational programs, through the schools or otherwise, in forestry education or other relevant subjects it determines to be beneficial to the parks programs of the city;
- (6) Undertaking such other activities as to enhance the parks, trails and open space programs of the city as it deems appropriate from time to time;
- (7) Conducting an annual meeting of all parks, trails and open space advocacy groups to discuss annual projects and to recommend goals and priorities for capital improvement projects to the city council; and
- (8) Adopting reasonable rules for the conduct of its meetings, which rules shall include provisions for public comment.

(Ord. No. 50-83, 6-20-83; Ord. No. 70-09/10, 10-5-09; Order 203-13/14, 5-28-2014; Ord. No. 116-14/15, 1-5-2015)

Cross reference(s)--City boards, commissions, committees, etc., § 2-31 et seq.

ARTICLE IB. DEDICATION OF PARKS AND PUBLIC GROUNDS

Sec. 18-11. Parks and Public Grounds Dedicated. The following parks and public grounds are hereby subject to the provisions within this Article:

Andrews Square;
Back Cove Park and Trail;
Barrow's Park/Baxter Sundial;
Bayside Park/Stone Street Playground;
Bayside Trail;
Baxter Pines;
Baxter Woods;
Bedford Park;
Bell Buoy Park;
Belmeade Park;
Boothby Square;
Boyd Street Gardens;
Bramhall Square;
Capisic Pond Park;

Caldwell Square;
Clark Street Park;
Congress Square (specifically the remaining 1/3 of Congress Square);
Clark Street Playground;
Deering Oaks Park;
Dougherty Field;
Eastern Promenade Park(including East End Beach and Trail);
Fessenden Park;
Fort Allen Park;
Fort Gorges;
Fort Sumner Park;
Fox Field/Kennedy Park;
Harborview View and Tate-Tyng Park and Playground;
Heseltine Park;
Lincoln Park;
Longfellow Park;
Longfellow Square;
Lobsterman Park;
Marada Adams Playground;
Martin's Point Park;
Monument Square;
Munjoy South Playground;
Nason's Corner Park;
Payson Park;
Peppermint Park;
Pedro Field;
Pleasant Street Park and Playground;
Post Office Park;
Quaker Park;
Riverside Golf Course;
Riverton Trolley Park;
South Street Playground;
Stroudwater Park (Waldo Street and Westbrook Street);
Taylor Street Park;
Tommy's Park;
Trinity Park;
Western Promenade Park; and
Winslow Park.

(Order 203-13/14, 5-28-2014)

Sec. 18-12. Use and Maintenance of Parks and Public Grounds. The City shall retain all parks and public grounds dedicated in section 18-11 predominantly in their natural, scenic, open and/or intended condition. Notwithstanding the foregoing, this provision shall not prevent the City from the following:

(a) Improving or maintaining dedicated parks and public grounds in a manner consistent with the design of the park or public ground or approved master plan;

(b) Using dedicated parks or public grounds for any of the following:

- (1) Athletic contests;
- (2) Playgrounds and/or recreational structures;
- (3) Outdoor restaurant seating;
- (4) Outdoor markets;
- (5) Outdoor performance spaces or performances;
- (6) Signs and other advertising;
- (7) Food trucks or vendors; and/or
- (8) Festivals; or

(c) Granting permits, licenses or leases (no more than one (1) year or less in length) for the use, maintenance and/or improvement of dedicated parks or public grounds.

(Order 203-13/14, 5-28-2014)

Sec. 18-13. Inalienability of Parks and Public Grounds. Except as authorized in sections 18-12 and 18-14, dedicated parks and public grounds may not be removed from the list in section 18-11, or used, sold and /or permanently disposed of for non-recreational purposes.

(Order 203-13/14, 5-28-2014)

Sec. 18-14. Disposition of Parks and Public Grounds. Any request to a council committee or the city council to add or remove a dedicated park or public ground from the list in section 18-11, sell or otherwise permanently dispose of a dedicated park or public ground for non-recreational purposes, or establish a use and/or improvement other than those listed in 18-12, shall be reviewed by the parks commission who shall provide an advisory opinion on any such request prior to review by the council committee and the city council, and shall only become effective upon review and approval by seven (7) members of the city council.

(Order 203-13/14, 5-28-2014)

Sec. 18-15. Reserved.

ARTICLE II. REGULATIONS FOR PARKS AND PUBLIC GROUNDS

Sec. 18-16. Scope.

The provisions of this article shall apply to any of the parks or public grounds belonging to or under the control of the city.
(Code 1968, § 501.1)

Sec. 18-17. Trucks prohibited.

No vehicle either loaded or unloaded, used for the transportation of freight, materials or other like commodities shall be allowed on any of the roadways of the parks or public grounds, except with the prior written consent of the parks authority; provided, however, that such vehicle owned or employed by the city may be permitted in the parks or public grounds for the purpose of maintenance or repair work.
(Code 1968, § 501.1)

Cross reference(s)--Traffic and motor vehicles, Ch. 28.

Sec. 18-18. Loitering in parks.

Except as provided below for Tommy's Park and Post Office Park, no person shall stop, loiter, be or remain in any of the parks of the city or in any of the paths, drives, streets, boulevards or roadways of the parks between the hours of 10:00 p.m. and 6:30 a.m. of the day immediately following, except for the purpose of traveling across or through such parks; nor shall any person park an automobile and remain therein between the hours of 10:00 p.m. and 6:30 a.m. of the day immediately following on any of the drives, streets, boulevards, promenades or roadways within the parks of the city, unless said person or persons has the prior written authorization of the city manager to be in said park or parks or their drives, streets, boulevards, promenades or roadways during the aforementioned hours.

No person shall stop, loiter, be or remain in Tommy's Park or Post Office Park or in any of the paths of these two parks between the hours of 1 a.m. and 6:30 a.m. on any given day, except for the purpose of traveling across or through such parks.
(Code 1968, § 711.20; Ord. No. 11-84, 6-6-84; Ord. No. 197-00, 5-1-00)

Cross reference(s)--Loitering generally, § 17-1.

Sec. 18-19. Operation of motor vehicles.

(a) No person shall operate a vehicle of any description in

any of the parks or public grounds at a rate of speed in excess of such special speed regulations as shall be posted at the entrance of the parks or public grounds; nor shall any such vehicle be driven on or over any part of such parks or public grounds except on or over duly designated roadways; nor shall any such vehicle be operated on any such roadways in the parks or public grounds by those learning to operate such vehicles, except on any such roadways or parts thereof as may be designated for such purpose by the parks authority.

(b) No person shall stop, stand, park or operate a vehicle of any description in Deering Oaks Park in violation of traffic regulations adopted by order of the city council. Upon adoption of any such order, the parks authority, through the city traffic engineer, shall post the traffic regulations in Deering Oaks Park in accordance with such order, or as such order may be later amended. All violations of this subsection (b) shall be enforced in the same manner as violations of the traffic schedule are enforced pursuant to chapter 28 of this Code.
(Code 1968, § 501.2; Ord. No. 226-94, 2-28-94)

Cross reference(s)--Traffic and motor vehicles, Ch. 28.

Sec. 18-20. Operation of buses.

No vehicle engaged in the conveyance of passengers over regular routes shall be operated on any roadways or parts thereof except those that may be designated for such purposes by the parks authority.

(Code 1968, § 501.4)

Cross reference(s)--Traffic and motor vehicles, Ch. 28; vehicles for hire, Ch. 30.

Sec. 18-21. Vandalism prohibited.

No person shall in any manner cut, mar, deface, injure or destroy any growth, structures, fences or other erections in or upon any of the parks or public grounds.

(Code 1968, § 501.5)

Sec. 18-22. Littering prohibited.

No person shall deposit or leave refuse of any kind in or upon any of the parks or public grounds except in containers specifically provided for such refuse.

(Code 1968, § 501.6)

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Cross reference(s)--Garbage, wastes and junk, Ch. 12.

Sec. 18-23. Waters regulated.

No person shall swim, bathe or wade in any fountain, pond or stream located in or upon the parks or public grounds except as specifically permitted by the parks authority, and no person shall send or throw any animal or thing in or upon the waters, or disturb or annoy any water fowl, or place any boat upon the waters, except as specifically permitted by the parks authority.
(Code 1968, § 501.7)

Sec. 18-24. Skating and sliding.

Skating or sliding shall not be permitted in any parks or public grounds, or on any waters in such parks or public grounds, unless specifically authorized by the parks authority.
(Code 1968, § 501.8)

Sec. 18-25. Mobile food service establishments.

No person shall operate a mobile food service establishment in any park or on any public grounds except in accordance with the provisions of this section.

- (a) *Permit authority.* The city manager or his designee is authorized to issue revocable, nontransferable permits for the operation of licensed mobile food service establishments in any park or on any public grounds, including but not limited to recreation areas and playing fields. Said permits may be subject to such terms and conditions as the city manager or his designee deems advisable, including restrictions on the time, place and manner of operation; however, no such permit shall be issued or remain valid without the holder's maintaining adequate public liability and other insurance coverage protecting the city at all times.
- (b) *Permit fees.* The fees for issuance of permits authorized under this section shall be the same as provided in section 25-27 for street and sidewalk occupancy permits.
- (c) *Revocation; trespass.* Permits authorized under this section may be revoked at any time by the city manager or his designee upon actual notice to the holder. Any person

who remains on or returns to any park or public grounds for the purpose of operating a mobile food service establishment without a valid permit issued under this section shall be liable for trespass.

- (d) *Exceptions.* This section shall not apply to the operation of mobile food service establishments in any park or on any public grounds by or in conjunction with the sponsor of any festival, celebration or other special event authorized by the city council.

(Ord. No. 655-84, § 1, 5-30-84)

Sec. 18-26. Reserved.
Sec. 18-27. Reserved.
Sec. 18-28. Reserved.
Sec. 18-29. Reserved.
Sec. 18-30. Reserved.
Sec. 18-31. Reserved.
Sec. 18-32. Reserved.
Sec. 18-33. Reserved.
Sec. 18-34. Reserved.
Sec. 18-35. Reserved.
Sec. 18-36. Reserved.
Sec. 18-37. Reserved.
Sec. 18-38. Reserved.
Sec. 18-39. Reserved.

Sec. 18-40. Permit required.

(a) Any person who desires to conduct or sponsor an event at a park or public ground of the city in which it could reasonably be assumed that twenty-five (25) or more persons might gather or participate shall first apply for and obtain a permit from the permitting authority as defined in section 18-41. The application for a permit shall be filed with the appropriate permitting authority no later than thirty (30) days prior to the proposed event.

(b) An application for a permit shall be accepted by the permitting authority no earlier than eighteen (18) months prior to the proposed event.

(c) Applications for permits filed less than thirty (30) days prior to the proposed event shall be subject to a late fee which shall be established by order of the city council.

(d) Events sponsored or conducted by the city shall be exempt from permitting requirements.

(e) Athletic events regulated by the recreation department are exempt from this requirement.

(f) The council shall define by order the parks and public grounds to which this permit requirement shall apply, and such order shall be kept on file in the office of recreation.*
(Ord. No. 203-91, 1-23-91; Ord. No. 56-05/06, 9-19-05)

* **Editor's note** - The list below was passed by Council Order 257-91 on 2-20-91, and amended by Council Order 54 passed on 9-19-05.

ORDERED, that the following parks and public grounds shall be subject to the permitting requirements of Section 18-40 of the Portland City Code:

Back Cove Park	Lobsterman Park
Baxter Woods	Longfellow Square
Bayside Park	Marginal Way Field
Bedford Park	Monument Square
Bell Buoy Park	Payson Park
Belmeade Park	Pleasant Street Park
Boothby Square	Post Office Park
Capisic Pond Park	Presumpscot Park
Congress Square	Public school facilities and grounds
Deering Oaks Park	Subject to agreement with the
Dougherty Field	Portland School Dept.
Eastern Promenade	Riverton Park
Fessenden Park	Stroudwater Park
Fort Allen Park	Tommy's Park
Fort Sumner Park	Western Promenade
Ganley Plaza	
Harbor View Park	
Lincoln Park	

Sec. 18-41. Permitting authority; regulations.

(a) The director of parks and recreation or his designee shall be the permitting authority for events in which it could reasonably be assumed that twenty-five (25) or more persons might gather or participate.

(b) The city council shall be the permitting authority for events in which it could reasonably be assumed that two thousand (2,000) or more persons might gather or participate; or any event which is proposed to last longer than three (3) consecutive days,

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regardless of the number of persons anticipated to gather or participate.

(c) The parks and recreation department may promulgate from time to time such reasonable rules and regulations as may be required to implement this ordinance.

(d) The rules shall be enacted in the same manner as the rules for solid waste disposal are promulgated, prescribed in section 12-105(b) and (b.1) of this code, with the exception that the rules will go into effect twenty (20) days after enactment by the director unless stayed by action of the city council. Proposed rules shall be delivered to the council as a communication prior to the enactment.

(Ord. No. 203-91, 1-23-91; Ord. No. 56 05/06, 9-19-05)

Sec. 18-42. Permit application.

A person seeking issuance of a permit hereunder shall file an application with the parks and recreation department. The application shall state:

- (a) The name and address of the applicant;
- (b) The name and address of the person, corporation or association sponsoring and/or conducting the activity;
- (c) The day and hours for which the permit is desired;
- (d) The park or portion thereof for which such a permit is desired;
- (e) An estimate of the anticipated attendance or patronage; and
- (f) Any other information which the superintendent shall find reasonably necessary to a fair determination as to whether a permit should issue hereunder.

(Ord. No. 203-91, 1-23-91; Ord. No. 56-05/06, 9-19-05)

Sec. 18-43. Parks commission review.

Within five (5) days of receipt of the complete application for a permit, the permitting authority shall provide a copy of the complete application to the chairperson of the parks commission for review. The commission shall have the opportunity to render an

opinion within seven (7) days of the receipt of the complete application on the issuance of the permit, which opinion shall be advisory in nature. A copy of the advisory opinion of the commission shall be provided to the applicant.
(Ord. No. 203-91, 1-23-91; Ord. No. 70-09/10, 10-5-09)

Sec. 18-44. Standards for issuance.

(a) The permitting authority shall issue a permit if it finds:

- (1) The proposed event or activity shall not endanger the health and safety of all persons who visit the park;
- (2) Adequate parking facilities exist and are available to accommodate the proposed event or activity in the park;
- (3) Adequate sanitary facilities exist and are available to accommodate the proposed event;
- (4) The event or activity shall not cause damage from destruction or overuse to or overuse of the grounds, equipment, vegetation, buildings, fences or other amenities in the park;
- (5) The proposed event or activity would not unreasonably disturb persons who occupy land which is adjacent to such park; and
- (6) The park or portion thereof desired has not been reserved for other use at the day and hour required in the application.

(b) When issuing the permit, the permitting authority may designate the specific area within the park or the park system where the event shall be permitted to take place, based upon the foregoing criteria.

(Ord. No. 203-91, 1-23-91)

Sec. 18-45. Duties of permittee.

(a) The permittee shall be responsible for designating a person who shall be in charge of the conduct of the event or activity and who shall be on the park grounds while the event or activity is being conducted.

(b) The permittee shall be responsible for keeping the park clean and free from debris.

(c) Where structures are to be erected in the park, the permittee shall be responsible for complying with building code requirements including, but not limited to, section 626.0 of the building code dealing with temporary structures.

(d) For events where more than two thousand (2,000) individuals are anticipated to gather or participate in the event or activity in the park, the permittee shall provide a bond in the form of cash, certified check or surety bond from a surety company qualified to do business in the State of Maine in an amount of not less than two thousand dollars (\$2,000.00). Such bond shall be utilized to guarantee cleanup of the area and shall be applied against claims by the city for excessive damage to real or personal property in the park.

Activities protected by the first amendment to the United States or Maine Constitution, other than commercial speech, are exempt from subparagraph (d) if the permit for the activity allows the activity to use park space for eight (8) hours or less in one calendar day.

The foregoing exemption shall not apply to an event or activity intended or scheduled to occur more than fourteen (14) cumulative hours in a period of seven (7) consecutive days during which its permit allows exclusive use of park space. For the purpose of this subparagraph an event or activity shall be considered to be using park space during the time in which a permit allows the exclusive use of the space, whether or not the event or activity is actually occurring during that entire time, and whether or not the applicant allows other uses to occur during that time. The department's determination of the need for exclusive use shall be final.

(e) The permittee shall procure and furnish evidence to the city of public liability insurance and automobile liability insurance coverage in amounts not less than four hundred thousand dollars (\$400,000.00) per person, for bodily injury, death, and property damage, protecting the permittee and the city from such claims.

Activities protected by the first amendment to the United States or Maine Constitution, other than commercial speech, are exempt from subparagraph (e) if the permit for the activity allows

the activity to use park space for eight (8) hours or less in one calendar day.

The foregoing exemption shall not apply to an event or activity intended or scheduled to occur more than fourteen (14) cumulative hours in a period of seven (7) consecutive days during which its permit allows exclusive use of park space. For the purpose of this subparagraph an event or activity shall be considered to be using park space during the time in which a permit allows the exclusive use of the space, whether or not the event or activity is actually occurring during that entire time, and whether or not the applicant allows other uses to occur during that time. The department's determination of the need for exclusive use shall be final.

(Ord. No. 203-91, 1-23-91; Ord. No. 308-01/02, 7-15-02; Ord. No. 56-05/06, 9-19-05)

Sec. 18-46. Deposit to cover cost to the city.

In addition to the bond required under section 18-45, upon notification from the director of parks and recreation, the applicant shall deposit with the director of finance a cash deposit sufficient to cover the cost to the city, as estimated by the director of parks and recreation and/or director of public works, for repair of damages to the park and for its restoration, and sufficient to pay the expense, as estimated by the director of parks and recreation, of any city employees required to supervise, inspect, setup and cleanup related to the conduct of the event or activity.

(Ord. No. 203-91, 1-23-91; Ord. No. 56-05/06, 9-19-05)

Sec. 18-47. Repair and restoration of park by the city.

In the event of damage to real or personal property in the park, the city shall cause the repair and restoration of the park to be skillfully and properly done in a timely manner and shall keep an account of the expense thereof, and in such case, the permittee shall pay the city an amount equal to the whole of the expense incurred by the city.

(Ord. No. 203-91, 1-23-91)

Sec. 18-48. Permit fees.

Fees for the issuance of permits authorized under section 18-40 shall be established by order of the city council and kept on file in the office of recreation.

The fees established pursuant to this section or any other fees for city services shall not apply to activities protected by the first amendment to the United States or Maine Constitution, other than commercial speech, if the permit for the activity allows the activity to use park space for eight (8) hours or less in one calendar day.

The foregoing exemption shall not apply to an event or activity intended or scheduled to occur more than fourteen (14) cumulative hours in a period of seven (7) consecutive days during which its permit allows exclusive use of park space. For the purpose of this subparagraph an event or activity shall be considered to be using park space during the time in which a permit allows the event or activity exclusive use of the space, whether or not the activity is actually occurring during that entire time, and whether or not the applicant allows other uses to occur during that time. The department's determination of the need for exclusive use shall be final.

(Ord. No. 203-91, 1-23-91; Ord. No. 56-05/06, 9-19-05)

Sec. 18-49. Appeals.

(a) Any person who is aggrieved by the failure of the director of parks and recreation or his or her designee to issue a permit may appeal the same to the city manager by written request filed with the office of the city manager within five (5) days from the receipt of the decision of the permitting authority. The city manager shall designate himself or any agent or employee to act as a hearing officer in the appeal. The hearing officer shall provide the applicant the opportunity to be heard regarding the issuance of the permit. The hearing officer shall issue a written decision within five (5) days of the close of the hearing.

(b) Any person who is aggrieved by the decision of a hearing officer or the failure of the city council to issue a permit may appeal to superior court, pursuant to the provisions of Rule 80B of the Maine Rules of Civil Procedure.

(Ord. No. 203-91, 1-23-91; Ord. No. 56-05/06, 9-19-05)

Sec. 18-50. Outdoor dining in city parks.

Any person who desires to utilize city park space for the purposes of conducting outdoor dining operations, including, but not limited to the placement of tables and chairs in park space for purposes of such dining operations, must obtain a permit from the

Department of Parks and Recreation for such operations in accordance with chapter 25, article II, division 2, sections 25-26 et seq. (Ord. No. 223-01/02, § 1, 5-6-02; Ord. No. 93-07/08, 3-3-08)

Sec. 18-51. Reserved.
Sec. 18-52. Reserved.
Sec. 18-53. Reserved.
Sec. 18-54. Reserved.
Sec. 18-55. Reserved.
Sec. 18-56. Reserved.
Sec. 18-57. Reserved.
Sec. 18-58. Reserved.
Sec. 18-59. Reserved.
Sec. 18-60. Reserved.
Sec. 18-61. Reserved.
Sec. 18-62. Reserved.
Sec. 18-63. Reserved.
Sec. 18-64. Reserved.
Sec. 18-65. Reserved.

ARTICLE III. PUBLIC LANDINGS

Sec. 18-66. Stopping regulated.

(a) All public landings owned and/or managed by the city shall be posted to indicate the limits on the usage of the landing, including time limits. No person shall stop, dock or tie up any boat or vessel at the ends of or alongside of any public landing owned and/or managed by the city for any purpose or length of time in violation of the limitations posted.

(b) No person shall stop, dock or tie up any boat or vessel at the ends of or alongside of any public landing or portion thereof owned and/or managed by the city that is posted and/or marked in a manner that indicates that the landing is for public safety vessels only.

(Code 1968, § 702.1; Ord. No. 602-71, 12-20-71; Ord. No. 68-88, 7-18-88; Ord. No. 287-07/08, 6-16-08)

Sec. 18-67. Enforcement.

(a) It shall be the duty of the city manager, or his or her designee, to provide for the enforcement of the provisions of this article. Failure to comply with the posted time and usage

limitations at any public landing owned and/or managed by the city shall constitute a violation and shall be punishable by affine as provided in section 1-15.

(b) In addition to issuing citations for violations of this article, such officers as may be designated by the city manager are hereby authorized to order any boat or vessel stopped, docked or tied up in violation of the provisions of this article to be removed. If such boat or vessel shall not be promptly removed after notice to the owner or person in charge thereof to remove, or if the owner cannot be readily found for the purpose of such notice, such officers shall cause the same to be removed to some suitable place at the expense of the owner of such boat or vessel.

(c) Any person violating any provision of this article, other than section 18-66(b), shall have the option in lieu of going to court of paying a waiver fee of twenty-five dollars (\$25.00) prior to their scheduled court appearance date listed on the summons.

(d) The city manager or his or her designee shall have the authority to promulgate rules or regulations, including time and usage limitations for the public landings, not inconsistent with the provisions of this article, the charter, or with the laws or regulations of the state or the United States of America, which rules shall govern and control the use of any public landing owned and/or managed by the city. Such rules shall be kept on file in the city manager's office.

(Code 1968, § 702.2; Ord. No. 372-91, 5-20-91; Ord. No. 287-07/08, 6-16-08)

Sec. 18-68. Fees.

Fees for the use of any public landing owned and/or managed by the city shall be established by order of the city council and kept on file in the city manager's office.

(Ord. No. 372-91, 5-20-91; Ord. No. 287-07/08, 6-16-08)

Sec. 18-69. Reserved.

Sec. 18-70. Reserved.

Sec. 18-71. Reserved.

Sec. 18-72. Reserved.

Sec. 18-73. Reserved.

Sec. 18-74. Reserved.

Sec. 18-75. Reserved.

Sec. 18-76. Reserved.

Sec. 18-77. Reserved.

Sec. 18-78. Reserved.
Sec. 18-79. Reserved.
Sec. 18-80. Reserved.

ARTICLE IV. AIRPORT FACILITIES

Sec. 18-81. Responsibility of airport director.

The airport director shall have the responsibility for the direction and control of aviation and all other activities, whether commercial or noncommercial, at the Portland International Jetport. He or she shall have responsibility for the care, maintenance and control of all property comprising the Jetport, including all fixtures, equipment, runways, roadways, ramps, and of all property owned by the city contiguous to the Jetport.

(Code 1968, § 503.1; Ord. No. 417-79, 12-17-79; Ord. No. 311-80, 11-3-80; Ord. No. 124-89, § 2, 10-2-89; Ord. No. 57-91, 7-15-91; Ord. No. 174-09/10, 3-15-10)

Sec. 18-82. Off-airport motor vehicle rental businesses operating on the Portland International Jetport.

(a) *Purpose.* This section is enacted for the purpose of reasonably regulating the business use of public airport facilities by private motor vehicle rental companies which are located off airport property; preserving good order and peace at the airport; providing for the public health, safety and welfare; helping to defray the costs of constructing, operating, maintaining and improving the public airport facilities through the imposition of reasonable user fees; and regulating the use of public facilities in the furtherance of private commercial activities.

(b) Definitions.

Airport customer is any person who arrives at the airport by aircraft and is transported from the airport to the location of an off-airport motor vehicle rental business in its courtesy vehicle.

Courtesy vehicle is a motor vehicle which carries permittee's airport customers to or from the airport.

Off-airport motor vehicle rental business is an individual, corporation, partnership, or other entity or person offering and providing to the public rental motor vehicles, including without limitation, automobiles and other four-wheel passenger vehicles,

for hire, to be driven by the lessee.

Permittee is an individual, corporation, partnership, or other entity or person operating at, entering on or exiting from airport property under a permit issued by the director of waterfront and transportation facilities pursuant to subsection (c) below. Permittee includes the officers, employees, agents or anyone acting on behalf of or with permission of permittee.

(c) *Permit required.* No person engaging in an off-airport motor vehicle rental business shall operate at, enter upon or use airport property for the purpose of providing pickup or dropoff service for airport customers except under an executed, written contract with the city specifically permitting the operation of such services at the airport. Without limiting the authority granted elsewhere in this article, the airport director is authorized to enter into off-airport business permit agreements which authorize such permittees to conduct certain business operations on airport property in exchange for the payment of a reasonable user fee. Said agreements shall provide for the payment of annual user fees based upon a percentage of the gross revenues from its airport customers, as follows:

- (1) Effective July 1, 1995, through June 30, 1998, or the date upon which occupancy is allowed to all successful bidders, whichever is later:
 - a. Zero percent on the first two hundred thousand dollars (\$200,000.00) in gross revenues; and
 - b. Four (4) percent on the gross revenues above two hundred thousand dollars (\$200,000.00).
- (2) Effective July 1, 1998, or the date upon which occupancy is allowed to all successful bidders, whichever is later:
 - a. Zero percent on the first two hundred thousand dollars (\$200,000.00) in gross revenues; and
 - b. Six (6) percent on the gross revenues above two hundred thousand dollars (\$200,000.00).

(d) *Rules and regulations.* The airport director may issue such rules and regulations as may be necessary to implement this section, such rules and regulations to be issued pursuant to section 18-83. Permittees shall comply with all existing applicable

airport rules and regulations, as they may be amended from time to time, including without limitation, mandatory minimum insurance requirements.

(Ord. No. 164-95, § 1, 2-6-95; Ord. No. 174-09/10, 3-15-10)

Sec. 18-83. Rules and regulations authorized.

(a) The airport director shall have the authority to prescribe reasonable rules and regulations not inconsistent with this article, the Charter or contractual obligations of the city or with the laws or regulations of the state or the United States of America to effectuate the responsibilities and duties set forth in section 18-81. Such rules and regulations, when duly promulgated in accordance with the provisions of this article, shall govern, control and establish conditions applicable to the activities of all lessees, licensees, business invitees, and all other persons physically present at the aforesaid properties. Such rules and regulations may include a schedule of reasonable commercial charges, which may be revised from time to time, payable to the city, for the privilege of transacting business other than by lease or contract, at or upon the Portland International Jetport. Such charges may include a percentage of either gross or net revenue derived from commercial activities at the Jetport. Rules, regulations and schedules of fees shall be promulgated by the airport director. He or she shall transmit copies of such proposed rules or regulations or fees to the city manager and to the clerk of the city and shall within one (1) day thereafter display a notice at a prominent place in the Portland International Jetport to the effect that a rule or rules or regulations covering certain specified types of activity, or affecting certain classes of persons, is being proposed, that such rule or regulation will be effective fifteen (15) business days from the date appearing on the notice unless otherwise ordered by the city manager, that written comments or objection should be filed with the city manager no later than ten (10) business days from the date of the notice; and that the full text of the proposed rule or rules or regulations may be seen at the office of the airport director or at the office of the city clerk during normal business hours during the ten-day period. Required notice for such rule or regulation will also be posted on the city of Portland website.

(b) At the end of the fifteen-day period provided above, if the city manager has not disapproved such proposed rule or rules or regulations, the rule or rules or regulations shall be then effective, but if the city manager shall have noted his or her disapproval of it, the rule or rules or regulations shall not take

effect. Once a rule or regulation has taken effect as provided hereinbefore, it shall continue in full force and effect until changed by subsequent rule or regulation until, and to the extent that it later conflicts with an applicable statute, ordinance or rule or regulation. In emergency situations, as declared by the city manager with reference to this article, any rule or regulation so designated shall be effective immediately upon being displayed at the Portland International Jetport. Such emergency rule or regulation shall terminate at the expiration of sixty (60) days or upon a declaration of the end of the emergency, whichever occurs first, unless it has then been made effective in accordance with the procedure set forth above for new rules and regulations. Notice of such rule or regulation will also be posted on the City of Portland website.

(c) All rules or regulations shall be kept in the possession of the airport director and shall be available for inspection during all normal business hours.

(Code 1968, §§ 503.2, 503.3; Ord. No. 417-79, 12-17-79; Ord. No. 311-80, 11-3-80; Ord. No. 124-89, § 3, 10-2-89; Ord. No. 174-09/10, 3-15-10)

Sec. 18-84. Violations.

(a) Any person violating this article or any rule or regulation made hereunder, including violations of a rule or regulation requiring payment of a charge to do business at the Jetport premises described herein, shall be ordered to leave the premises by the airport director, his or her duly authorized deputy, any authorized security officer, or by any peace officer of the state. The person so ordered shall immediately leave the premises. Any person failing to obey such an order shall be deemed a trespasser and shall be removed from the premises forthwith. No person charged with the enforcement of this article and acting for the city in the discharge of his or her duties as set forth in this article shall render himself or herself personally liable for any damage that may occur to any person or property as a result of his or her acts or duties.

(b) Any violation of this article, or any rule or regulation made pursuant hereto, other than a rule or regulation requiring payment of a charge to do business on the city property, shall be punishable by a fine as provided in section 1-15.

(Code 1968, §§ 503.4, 503.5; Ord. No. 417-79, 12-17-79; Ord. No. 311-80, 11-3-80; Ord. No. 174-09/10, 3-15-10)

Sec. 18-85. Enforcement.

The airport director, his or her authorized representative, and any authorized law enforcement officer may, prior to commencement of court action, issue a notice of violation to any person charged with a violation of this article or any rule or regulation made pursuant hereto. Such notice shall be in a form approved by the city manager and shall provide a method to be established from time to time by order of the city council by which a person charged with a violation of this article or any such rule or regulation may waive court action with respect to the violation by payment of a specified fee within a stated period of time.
(Ord. No. 307-82, § 503.7, 1-4-82; Ord. No. 174-09/10, 3-15-10)

Sec. 18-86. Reserved.
Sec. 18-87. Reserved.
Sec. 18-88. Reserved.
Sec. 18-89. Reserved.
Sec. 18-90. Reserved.
Sec. 18-91. Reserved.
Sec. 18-92. Reserved.
Sec. 18-93. Reserved.
Sec. 18-94. Reserved.
Sec. 18-95. Reserved.

ARTICLE V. WATERFRONT FACILITIES

Sec. 18-96. Responsibility for waterfront facilities.

Except as otherwise provided by lease, the city manager, or his or her designee, shall have the responsibility for the director and control of all activities, whether commercial or noncommercial, at the International Marine Terminal, the Fish Pier, the Maine State Pier and the Ocean Gateway Facility. He or she shall have the responsibility for the care, maintenance and control of all property comprising the International Marine Terminal, Fish Pier, the Maine State Pier and the Ocean Gateway Facility, including all fixtures, equipment, runways, roadways, ramps, slips, dolphins and of all property owned by the city contiguous to such properties.
(Ord. No. 174-09/10, 3-15-10)

Sec. 18-97. Rules and regulations authorized.

(a) The city manager, or his or her designee, shall have the authority to prescribe reasonable rules and regulations not inconsistent with this article, the Charter or contractual

obligations of the city or with the laws or regulations of the state or the United States of America to effectuate the responsibilities and duties set forth in section 18-96. Such rules and regulations, when duly promulgated in accordance with the provisions of this article, shall govern, control and establish conditions applicable to the activities of all lessees, licensees, business invitees, and all other persons physically present at the aforesaid properties. Such rules may include a schedule of reasonable commercial charges, which may be revised from time to time, payable to the city, for the privilege of transacting business other than by lease or contract, at or upon the International Marine Terminal, Fish Pier, the Maine State Pier and/or the Ocean Gateway facility. Such charges may include a percentage of either gross or net revenue derived from commercial activities at each of the premises. Rules, regulations and schedules of fees shall be promulgated by the city manager or his/her designee. He or she shall transmit copies of such proposed rules and regulations or fees to the clerk of the city and shall within one (1) day thereafter display a notice at the affected facility or facilities and in city hall to the effect that a rule or rules or regulations covering certain specified types of activity, or affecting certain classes of persons, is being proposed, that such rule or regulation will be effective fifteen (15) business days from the date appearing on the notice unless otherwise ordered by the city manager, that written comments or objection should be filed with the city manager no later than ten (10) business days from the date of the notice; and that the full text of the proposed rule or rules or regulations may be seen at the office of the city clerk during normal business hours during the ten-day period. Notice of such rule or regulations, the rule or rules or regulations shall be then effective, but if the city manager shall have noted his or her disapproval of it, the rule or rules or regulations shall not take effect. Once a rule or regulation has taken effect as provided hereinbefore, it shall continue in full force and effect until changed by subsequent rule or regulation or until, and to the extent that it later conflicts with an applicable statute, ordinance or rule or regulation. In emergency situations, as declared by the city manager with reference to his article, any rule or regulation so designated shall be effective immediately upon being displayed at the affected facility or facilities. Such emergency rule or regulation shall terminate at the expiration of sixty (60) days or upon a declaration of the end of the emergency, whichever occurs first, unless it has then been made effective in accordance with the procedure set forth above for new rules and regulations. Required notice for such rule or

regulation will also be posted on the City of Portland website.

(c) All rules or regulations shall be kept in the possession of the city manager or his or her designee and shall be available for inspection during all normal business hours.
(Ord. No. 174-09/10, 3-15-10)

Sec. 18-98. Violations.

(a) Any person violating this article or any rule or regulation made hereunder, including violations of a rule or regulation requiring payment of a charge to do business at the premises described herein, shall be ordered to leave the premises by the city manager, his or her duly authorized deputy, any authorized security officer, or by any peace officer of the state. The person so ordered shall immediately leave the premises. Any person failing to obey such an order shall be deemed a trespasser and shall be removed from the premises forthwith. No person charged with the enforcement of this article and acting for the city in the discharge of his or her duties as set forth in this article shall render himself or herself personally liable for any damage that may occur to any person or property as a result of his or her acts or duties.

(b) Any violation of this article, or any rule or regulation made pursuant thereto, other than a rule or regulation requiring payment of a charge to do business on the city property, shall be punishable by a fine as provided in section 1-15.

Sec. 18-99. Enforcement.

The city manager, or his or her authorized representative, and any authorized law enforcement officer may, prior to commencement of court action, issue a notice of violation to any person charged with a violation of this article or any rule or regulation made pursuant hereto. Such notice shall be in a form approved by the city manager and shall provide a method to be established from time to time by order of the city council by which a person charged with a violation of this article or any such rule or regulation may waive court action with respect to the violation by payment of a specified fee within a stated period of time.
(Ord. No. 174-09/10, 3-15-10)

***Editor's Note**—Pursuant to Order 174-09/10, passed on March 15, 2010 the
18-24

amendments made to Article V are effective retroactively to May 19, 2008.

PARKS AND OPEN SPACE REPORT PORTLAND PARKS COMMISSION



JUNE 2019 – OCTOBER 2020

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OVERVIEW

The Portland Parks Commission (PC)¹ is required to submit an annual report to the city council regarding the state of the city's parks and public grounds and make specific recommendations therein about suggested goals and improvements for the parks and public grounds per City Code (Sec. 18-10(d)(4)). The primary audience for the report is Portland's City Council. It is the hope of the PC that anyone interested in, or is an advocate for, the enhancement and stewardship of our parks and open spaces also enjoy and make use of this report. Reports are completed annually and build on previous reports.

The Portland Park System includes over 67 parks and playgrounds, 7.5 miles of multiuse trails, 10 community gardens, 2 stadiums, 16 cemeteries and dozens of athletic fields and courts, all spread across 1,000+ acres of land. Explore the parks: <https://www.portlandmaine.gov/1898/Parks-Trails-and-Playgrounds>

Parks Commissioners

Zack Anchors, Friends of Eastern Promenade 2017-2020
Colette Bouchard, Public-at-Large 2017-2020
Marie Gray, Friends of Deering Oaks, 2018-2021
Jon Kachmar, Land Bank Representative 2020-2023
Cynthia Loebenstein, Friends of Evergreen Cemetery (Chair 2019-present) 2015-2021
Ana Lagunez, Public-at-large 2018-2021
Craig Lapine, Public-at-large 2015-2020
Meri Lowry, Land Bank Representative 2010-2019
Michael Mertaugh, Public-at-Large (V. Chair 2019-present) 2014-2020
Nathan Robbins, Public-at-Large (V. Chair 2018-2019) 2015-2021
Amy Segal, Public-at-Large 2017-2020
Dory Waxman, Public-at-Large (Chair 2017-2019) 2015-2021
Caitie Whelan, Public-at-Large 2019-2022, stepped down Oct 2020.
Mayor Kate Snyder, City Council Representative, 2019-present
Brian Batson, City Council Representative 2018-2019

City Staff Department of Parks, Recreation, and Facilities (DPRF)

Ethan Hipple, Director of Parks, Recreation and Facilities Department
Sally Deluca, Director of Parks, Recreation and Facilities Department (Retired June 2020)
Alex Marshall, Parks Director
Elizabeth Deletetsky, Administrative Associate
Allison Carrol, Senior Administrative Officer

Subcommittees

Annual Report & Inventory, Finance, Park Initiatives, Community Outreach

¹ <http://www.portlandmaine.gov/345/Parks-Commission>

NEW DEVELOPMENTS

The global pandemic from COVID-19 brought profound changes to the City of Portland's Parks and Open spaces. The budget process was delayed and FY21 funding was not made official until September. Budget cuts had an enormous impact on the Department of Parks, Recreation & Facilities, losing \$2 million in revenues, and an additional 5% of FY20's budget to submit to the City Council. The department lost over 30 full-time equivalent positions, equating to 40 jobs. (see "Park Finance" section for more detail).

The result was a loss of core programming, particularly for recreational programs and at community centers in order to reduce exposure risks and the spread of the virus. All water features and pool facilities openings were delayed. Some did not open due to staffing and CDC guidance. Playgrounds were kept open during the entirety of the pandemic with signage placed for visitors to follow guidelines. The parks also saw chronic issues affecting the city's homeless population exacerbated when the closing of day shelters redirected activity to open spaces where socialization and amenities were present, most prominently at Deering Oaks Park. The unexpected activity at Deering Oaks, particularly at the Edwards Lot quickly elevated to the City Council, underscoring the importance of our parks that serve all community members.

At the same time of reduced capacities within the DPRF, there was a large increase in park use. Parks, Trails and open spaces were busier than ever with individual and family visits. There was virtually no event use or permits, but community use was above what is normally experienced. Community members and businesses sought outdoor spaces for physical and mental health, to hold business meetings, to continue offering classes (e.g. fitness, dance, arts, etc.), among many other activities.

Recreation Staff was reprioritized and joined Parks, Horticulture and the Cemeteries crews during the Spring to help with Spring cleanups, mulching, trash removal, pruning, and flower bed cleanouts along with other shared tasks. It was the most productive Spring the parks ever had because of the high staff levels attributed to these partnerships. Staff were offered furlough or to stay on and work. In total, thirteen staff supported the Park's Division's operations.

For the two months between mid-August and mid-October, the Portland Parks Conservancy focused its volunteer coordination on trash removal in city parks. Supporting the DPRF, they organized clean-ups of Deering Oaks, Eastern Prom, Western Prom, Baxter Woods, Fox Field, and Dougherty Field, coordinated over 230 volunteer work hours (~ \$6,500 value), and collected almost 70 bags of trash (approximately 1,600 gallons).

The last seven months of this reporting period has provided daily reminders of the importance of the City's open spaces – more important now than ever. Parks remain in a precarious situation to fulfill the needs of increasing demands on park infrastructure and the city staff.² Despite the deep budget cuts, staff shortages, and the toll it can take on those maintaining our parks and open spaces, staff brought a level of professionalism and dedication to their work maintaining the parks to a high standard, providing

² <https://www.pressherald.com/2020/08/05/portland-city-managers-proposed-budget-would-cut-65-positions-reduce-property-taxes/>

a safe and healthy respite for the whole community, and strengthened cross-departmental and partner relationships.

Some of the more significant developments reported in Park Commission meetings over the past year:

- The DPRF will hire a second full-time Park Ranger;
- The Parks Conservancy hired a new Parks Conservancy Volunteer Coordinator³;
- PC fall service event at Deering Oaks playground, October 2020;
- Preble Street playing fields and Back Cove South Storage Project;
- Homeless population use of Deering Oaks Park, Summer 2020;
- License agreement to maintain a property encroachment prior to sale of home at Western Promenade, September 2020. Withdrawn following meeting;
- Sally Deluca retired as the Director of Parks, Recreation and Facilities. Ethan Hipple is the new Director of Parks, Recreation and Facilities;
- The 2019 GSG focused on individuals experiencing homelessness and the challenges for parks⁴. A resource guide was developed in conjunction with this meeting.⁵ The 2020 GSG focusing on climate change, sea level rise, impacted areas, and park and open space goals and priorities was scheduled for May 6 at Ocean Gateway – the event was postponed due to the pandemic;
- Several additional interpretive sign locations discussed for Fort Gorges, Longfellow Park, and Riverton Trolley Park;
- Western Promenade Master Plan drafting and review. Process began in February 2019 Meeting with PC and Historic Preservation Board January 2020. Continued February 2020;
- Newly formed Friends of Baxter Woods, meeting with Park Commission, December 2019;
- CIP meetings and workshop, September and October 2019;
- PC visit to Fort Gorges with Friends of Fort Gorges, August 2019. Fort Gorges public forum September 2019⁶;
- Baxter Woods Leash Law Change. PC meetings April 2019 and July 2019. City Council vote 8-1 in favor October 2020; and,
- The Great Black Hawk Statute and Interpretive Panel was installed and dedicated, July 17th.

ACCOMPLISHMENTS & IMPROVEMENT PROJECTS

As of October 2019, the Park Capital Improvement Projects list contained \$739,000 worth of projects identified for FY2020, and \$2,120,960 worth of projects for FY2021. Projects identified under \$25,000 totaled \$171,050 for FY2019, \$214,850 for FY2020, and \$141,750 for FY 2021. Presented below are lists of accomplishments achieved or in progress for Portland parks during this reporting year. This includes several projects that were contemplated for completion through CIP funding:

- Amethyst Lot conversion our 67th park (Grant/Private/Property Sale Funded);

³ <http://www.portlandmaine.gov/2128/Parks-Conservancy> | <https://www.portlandparksconservancy.org/>

⁴ <https://www.youtube.com/watch?v=748o0XxniWA>

⁵ <https://www.portlandmaine.gov/DocumentCenter/View/24877/HomlessServicesResourcesGuide>

⁶ <https://www.portlandmaine.gov/2237/Fort-Gorges> | <http://www.portlandmaine.gov/1946/Fort-Gorges-Preservation-Plan> (Fort Gorges Preservation Plan)

- Riverton Elementary School Playground has been fully funded and groundbreaking occurred on 8/10/20 (CIP, Private, CDBG funded) Completion on September 14th when school started;
- Longfellow Elementary School Net Climber Replacement (CIP Funded);
- Tennis and Basketball Courts Resurfaced at Eastern Prom, Payson Park and Lyman Moore (tennis only) (CIP Funded);
- Baxter Woods Trail Relocation and Outdoor Classroom Improvements;
- Quarry Run Dog Park Improvements. Trails and overall park safety;
- Deering Oaks ZipKrooz. A 3-track with an ADA seat installed between the playground and tennis courts. (Privately funded);
- Western Prom Vista Clearing has begun near Pine Street and Carroll Street. Additional work on plantings and erosion control measures to come as well as invasive mitigation;
- Valley Street Dog Park to receive funding for possible expansion and fence repair work alongside the parking lot and trail improvement to upper Western Prom. The dog park was resurfaced, and some overgrowth vegetation was removed; and,
- The history of Park names was researched and included on the Parks Department website.

Updates to CIP and other projects previously contemplated for completion in 2020/2021:

- Bramhall Square Improvements are designed with an anticipated 2021 installation;
- Congress Square Park Redesign discussions have occurred and are waiting for CIP funding this coming year to begin work;
- Back Cove Trail Regrading and Resurfacing is newly acquired funding and will commence as time allows;
- Deering Oaks and Eastern Prom walkway improvements are being designed. Eastern Promenade design has been completed and was unanimously approved by the Historic Preservation Board. Deering Oaks is in the beginning stages of design. Once completed and if approved, a combination project bid would be advertised for a possible Summer 2021 completion;
- East End Waterfront Access Plan (EEWAP) is waiting for private funding so we can proceed with a portion of the project at this time;
- Western Promenade Master Plan will be presented as a communication to the City Council shortly;
- Western Prom Serpentine Trail has been awarded and improvements will be made fall of 2020. Trail widening and guardrail placement for safer snow removal by staff;
- Evergreen Cemetery Frontage Improvements are still underway with progress completed this summer;
- Dougherty Field Irrigation to be installed at the same time as the playground design and site work in the Spring/Summer of 2021 (CIP Funded);
- Dougherty Field Playground Phase I is going out to bid for design and equipment Fall/Winter 2020. Phase II will be site work and installation in Summer/Fall 2021;
- Dougherty Field Basketball Court Reconstruction is tied to the playground project. Completion will be by Summer/Fall 2021;
- Skatepark Expansion is waiting community fundraising. CIP total is \$340,000;
- The Fox Field/Kennedy Park Futsal Court is under contract with construction beginning Fall 2020 and completion in Spring 2021;

- Fitzpatrick Drainage is in design with assistance from Public Works and Public Buildings. Planned for completion in Summer of 2021;
- Tennis/Basketball Court Resurfacing at Lyman Moore School (basketball), and Riverton park (tennis) and various small park basketball courts are postponed (anticipate being carried out through inclusion in next budget round);
- Lyseth Playground is the next funded playground that we anticipate a design to occur Winter 2020/2021. Installation anticipated for Summer 2021;
- Riverton School Basketball Court Reconstruction is in design. Anticipate a bid process winter of 2020/2021 and installation before school starts in 2021;
- Riverton Softball Drainage is being designed and modified. Anticipated Spring 2021 completion; and,
- Riverton Preserve ADA Trail to be designed in 2020/2021.

PARK FINANCE

The evolution of the operational budget for the Department of Parks, Recreation, and Facilities in FY 2020 and 2021 is shown in Table 1. The operational expenditures of the various departments in the city are met by a combination of General Fund budget allocations and retained revenues from fees, grants, and other sources. In most budget years, over two-thirds of the Parks, Recreation, and Facilities Department's operating expenditures are met by retained revenues from fees and user charges, with the General Fund budget making up the difference. Several of the facilities managed by the Department – including the Riverside Golf Course, Merrill Auditorium, and Expo Center -- cover most of their operating costs through retained revenues. For some facilities managed by the Department, revenues have historically exceeded operational expenditures. (In normal years, Merrill Auditorium revenues are more than four times the level of its operational expenditures.)

**Table 1 – General Fund Expenditures, City of Portland
and Department of Parks, Recreation, and Facilities**
(Finance Department, *Fiscal Year 2021 Appropriation Resolve*)

Budget	FY 2020	FY 2021	% change
City of Portland, All Departments	263,520,934	256,986,420	-2.5%
Total, Parks, Recreation and Facilities Department	11,517,193	9,324,469	-19.0%
- Parks Rec & Facilities Admin	639,408	483,407	-24.4%
- Parks	1,129,821	847,077	-25.0%
- Forestry	710,847	727,060	+2.3%
- Athletic Facilities	811,667	912,822	+12.5%
- Cemeteries	827,545	784,163	-5.2%
- Recreation	1,901,439	1,425,500	-25.0%
- Aquatics	639,302	470,351	-26.4%
- Golf Course	1,100,519	991,379	-9.9%
- Golf Course Restaurant	540,787	227,699	-57.9%
- Ice Arena	595,229	551,074	-7.4%
- Public Assembly Facilities	1,061,236	610,039	-42.5%
- Concessions	418,426	369,979	-11.6%
- Custodial Services	958,378	814,505	-15.0%
- Merrill Auditorium	182,589	109,414	-40.1%

Parks account for just 9.1% of the Department of Parks, Recreation, and Facilities' operational expenditures, and just 0.3% of the city's operational expenditures. This is slightly less than the allocation for Riverside Golf Course, and considerably less than the outlay for recreational programs (Table 1). Parks generate fewer revenues than most programs and facilities, and in normal years thus require a larger share of budget financing than most of the Department's other divisions. In FY 2020, Parks Division revenues were just 8% of its operational expenditures. Although the Parks Division accounts for just 9.1% of the Department's operational budget, it accounted for 19.6 % of the General Fund budget received by the Department in FY 2020.

The disruptions associated with the coronavirus have led to increased expenditure needs in several areas and declining revenues across the board. All Departments have been affected. The General Fund expenditure budget for the city declined by 2.5% in FY 2021 (versus a 5.9% increase the prior year).

The operational budget for the Department of Parks, Recreation, and Facilities declined by 19.0% in FY 2021-- the largest budget decline of any department except for Planning and Urban Development. Within that departmental budget, the budget for parks operations declined by 25.0% (Table 1). The budget allocation for athletic facilities increased by 12.5% in FY 2021, and the forestry allocation increased by 2.3%. Although there were also significant declines for other divisions in the Parks, Recreation, and Facilities Department, including Merrill Auditorium, Riverside Golf Course, Public Assembly Facilities, and Troubh Ice Arena, most of those declines reflect the closure of the facilities concerned and the consequent decline in revenues.

To put the Parks Division's budget situation into context, FY 2021 budget allocations net of revenues for the Department's main revenue-earning divisions like Merrill Auditorium and Riverside Golf Course actually increased in FY 2021. That was not true for the Parks Division. Portland's parks remained open throughout the early months of the pandemic, and many experienced an increase in use as Portland residents sought relief from the pandemic-related confinement and closure of other public gathering spaces. Thus the 25% reduction in the Parks Division's budget was significantly larger in impact than a comparison of gross budget allocations would suggest. That led to particular challenges for the city's parks.

The budget cutback for parks has led to the loss in the FY 2021 budget of a number of staff positions, including the operations coordinator for parks, the parks foreman, four parks maintenance workers, and one athletic field maintenance worker. In addition, a budget freeze has blocked the hiring of staff for several formerly approved positions, including a parks maintenance supervisor, an athletic facilities supervisor, and an arborist. Park maintenance has inevitably suffered; some maintenance tasks have had to be deferred until increased city revenues allow the restoration of a more normal budget for parks operations and maintenance.

The Parks Commission has expressed its concern about the reduced resources for parks operations and maintenance and the consequent impact on the quality of the park experience for Portland residents and visitors. The Commission's Finance Committee has been working with staff of the Department of Parks, Recreation, and Facilities to explore options for supplementing budget financing in order to reverse or at least mitigate the decline.

Parks are public goods as defined by economists: a) they are "non-rival" goods, meaning that one person's benefit doesn't reduce the benefit for others, and b) they are "non-excludable" goods, meaning

that it is not possible or not practical to provide their benefit to one individual without making it available for others to enjoy. Public goods tend to be under-provided in a free market because their characteristics of non-rivalry and non-excludability mean there is an incentive for users not to pay – the “free-rider” problem. For that reason, parks are generally financed and managed by governments, usually at the local level.

Public budgets for parks are by nature particularly vulnerable to budget underfunding because they provide public goods that benefit the entire community. Because their benefits are diffuse, parks do not generate the same level of public advocacy in the budget review process as programs with more targeted benefits – such as schools, and programs for the homeless and other vulnerable groups. This lack of citizen voice during the budget approval process makes park financing particularly vulnerable to underfunding.

The public goods distinction is usually cited as a reason for public rather than private provision. But it also applies to different kinds of publicly provided services – even to services provided by the same department of city government. Public parks provide diffuse benefits to a broad category of “passive” users who benefit from parks even if they do not participate in organized activities in parks. As originally conceived by Mayor James Phinney Baxter and other earlier advocates of Portland’s public park system, the main motivation for creating public parks in the first place was to create natural landscapes and seascapes as a healthy and beautiful alternative to the increasing congestion of urban life. Portland’s Parks today provide these benefits not only to park visitors, but even to people who do not visit parks. An example is the scenic vistas of Casco Bay which benefit everyone who walks, bicycles, or drives along the Eastern Prom and Fore Street.

In more recent years, Portland’s parks have evolved to offer a range of athletic, educational, and recreational activities. Park users who participate in these programs -- for example, Pickleball enthusiasts and Little League parents -- tend to be vocal advocates for “their” programs in parks, whereas there is little or no public advocacy for the ongoing needs of park maintenance and beautification. This is another example of the free rider program, which may help to explain the small share of the Parks Division in the overall departmental budget.

The Parks Commission has discussed with the Department of Parks, Recreation, and Facilities several approaches for mobilizing additional financing for Portland’s parks. The most widespread approach to dedicated park financing is to finance capital costs of park acquisition or improvements through a voter-approved bond issue. Voter-approved initiatives to issue general obligation bonds for parks and park-related purposes have a strong record of success in Maine and around the country:

“Nationwide, big cities have an impressive track record of passing funding measures for parks and open space. Since 1996, voters in cities and urban counties across the country approved 137 of 153 such measures for a 90 percent success rate (even higher than the national average for all conservation measures which is 76 percent approval). Bonding is by far the most common funding mechanism employed by cities—accounting for 70 percent of the parks ballot measures—followed by the property tax and sales tax at 14 percent each.”⁷

⁷ *Conservation Finance Study, March 2015: City of Portland, Maine*, pages 20 and 21. Trust for Public Land, March, 2015.

An important limitation of bond financing, however, is that it is generally limited to capital costs, whereas the main financing challenge for Portland's parks concerns financing of operations and maintenance costs.

Another source of budget supplementation are impact fees levied on new development, with dedicated revenues for park development. An impact-fee financing ordinance was adopted by Portland's City Council in 2018, partly at the recommendation of the Parks Commission. The ordinance makes developers responsible for payment of fees for various kinds of development, with designated portions of each fee designated to be set aside for parks and recreation, transportation, and wastewater treatment. Parks and recreation are designated to receive \$1,126 for each new residential unit, with a similar schedule of fees for other types of development. Since the enactment of the ordinance, the Department of Parks, Recreation, and Facilities has collected \$200,000 in impact fees for parks and recreation facilities.

Under the new impact-fee ordinance, "funds from these accounts shall be distributed to City departments solely for the purpose of capital projects identified in the City of Portland's most recent Impact Fee Study." Thus, under current legislation, impact-fee revenues cannot be used to finance general operations and maintenance of the city's parks.

Yet another source of budget supplementation for parks is from funds raised by parks friends groups through individual and corporate contributions and foundation grants. This is an important source of financing for several parks in Portland, as it has been for parks nationwide. Eastern Promenade Park, Congress Square Park, Deering Oaks Park, Lincoln Park, and Evergreen Cemetery, in particular, have benefited from significant financing by their respective friends groups.⁸ Under the Parks ordinance, the Parks Commission is charged with working with parks friends groups "to discuss annual projects and to recommend goals and priorities for capital improvement projects to the city council."

The Commission is working on strengthening its support to parks friends groups to improve their strategic planning capacity, fund-raising effectiveness, and financial transparency. The Commission's Finance Committee is working with the Department of Parks, Recreation, and Facilities to develop a Memorandum of Understanding that would describe the mutual responsibilities of friends groups and the city in protecting and improving Portland's parks. Together with the Outreach Committee, the Finance Committee is updating the 2017 *Friends and Community Partners Handbook* to strengthen the Commission's support and guidance to friends groups in fundraising and financial reporting.

The Finance Committee also worked with staff of the Parks, Recreation, and Facilities Department to develop the website for the "Love Portland" giving program for parks. The website allows the public to contribute to various categories of park improvements, with specific locations and dedications. Still relatively new, the program has collected \$1,400 to date for the planting of trees in Portland's parks. Although still modest, this financing is making an important contribution to the natural beauty of our parks and to a healthy environment. Hopefully, financing from this source will grow in the future.

⁸ Since 1997, the Friends of the Eastern Promenade have raised \$920,000 for the benefit of the Eastern Promenade Park and Fort Allen.

In sum, the passive benefits of parks are particularly important during the restriction of public gatherings under current measures to limit the spread of the coronavirus. Public visits to parks have increased markedly since the start of pandemic restrictions, even as recreational and athletic programs have been curtailed for public health reasons. Public visits to parks have become increasingly important for the physical and mental health of Portland residents as they seek an escape from pandemic-related confinement. Visits to public parks provide one of the few available sources of healthy exercise and renewal while respecting the prevailing recommendations for social distancing.

Portland has an unusual richness of public parks. But the quality of the park experience is threatened by budget cutbacks for parks operations and maintenance. The Parks Commission urges city authorities to restore budget financing for parks operations and maintenance in the current budget year. We also urge the Council to give parks operations and maintenance greater prominence in future budget years in order to ensure that parks fulfill the vision of their founders⁹ and continue to play a vital role as a source of healthy exercise, renewal, and pride for all Portland residents during the current pandemic and in the future.

⁹ *Bold Vision: the Development of the Parks of Portland, Maine*, edited by Theo H.B.M. Holtwijk and Earle G. Shettleworth, Jr., Greater Portland Landmarks, 1999.

CAPITAL IMPROVEMENT PROJECTS

Park Master Plans, Projects, and Improvement Project Timeline:

- 2021-2030 Capital Improvement Projects and Timeline for Parks¹⁰
- FY2020-FY2024 City of Portland Capital Improvement Plan¹¹

Table 2: Summary of FY20-FY21 CIP Projects and FY19-F21 Projects Under \$25,000 by location or type.

List of projects with anticipated costs. Inclusion does not constitute projects are funded.

<i>Location or Type</i>	<i>Project</i>	<i>FY19-FY21</i>	<i>CIP</i>	<i><25k</i>
<i>Amenities</i>	Picnic Pavilions	\$85,000	X	
	Ping Pong--Outdoor	\$10,000		X
<i>Back Cove</i>	Preble St Synthetic Turf Field*	\$1,250,000	X	
	Baxter Boulevard Safety Enhancements --Stairs and Railings*	\$100,000	X	
	Back Cove Guard Rail	\$100,000	X	
	Back Cove Re-pave Tukey's Bridge Approach*	\$50,000	X	
	Back Cove Trail Reconstruction and Stone Dust Resurfacing	\$75,000	X	
	Back Cove interpretive panel replacement	\$5,000		X
	Back Cove Fitness Course Replacement	\$5,000		X
	Back Cove Guard Rail 1-295	\$10,000		X
<i>Baxter Pines</i>	Baxter pines info kiosk	\$2,500		X
	Baxter pines trail work	\$5,000		X
<i>Bike Park</i>	Bike Park Design	\$10,000		X
<i>Cemetery</i>	Road Reconstruction (Focus for 2021: Evergreen and Forest City)	\$100,000	X	
<i>City-Wide</i>	City-Wide: Fencing Replacement	\$50,000	X	
	City-Wide: Park Walkway ADA Paving (2021 Priorities: Dougherty Field, Payson Park, Lower Western Prom)	\$100,000	X	
<i>Community Gardens</i>	Various Fence Repairs/Additions (3-4 Gardens)	\$30,000	X	
	Various Shed Replacements*	\$25,000	X	
	Fence replacement (10 gardens, 1 fence per year)	\$24,000		X
	General Infrastructure Repair--Water lines, faucets, vandalism	\$3,000		X
	Shed Replacement	\$6,000		X
<i>Congress Square Courts</i>	Congress Square Park Design and Construction	Planning CIP (tbd)		
	Back Cove Fitness Court*	\$100,000	X	
	Fox St Basketball Resurface*	\$30,000	X	
	Payson Tennis and Basketball Court Resurface	\$29,000	X	

¹⁰ <https://www.portlandmaine.gov/1943/Park-Master-Plans-and-Projects>

¹¹ <https://www.portlandmaine.gov/DocumentCenter/View/26951/Capital-Improvement-Plan-FY-2020---FY-2024> (project details in Part B, list of parks projects on pages 134 and 135)

Location or Type	Project	FY19-FY21	CIP	<25k
	Payson Tennis--Add Tennis Court lights*	\$150,000	X	
	Riverton Basketball Reconstruction	\$69,000	X	
	Valley Street Basketball Reconstruction*	\$65,000	X	
	West End Court Resurfacing (Pleasant St, Tyng Tate, Reiche, Taylor)	\$30,000	X	
	Adams St Playground x 1	\$500		X
	Deering Oaks Basketball x 2	\$1,000		X
	Dougherty x 1	\$500		X
	Eastern Prom x 1	\$500		X
	Fox Street x 2	\$1,000		X
	Longfellow School x 1	\$500		X
	Lyman Moore x 2	\$1,000		X
	Payson x 1	\$500		X
	Riverton School x 1	\$500		X
	Valley Street x 1	\$500		X
	West End (Pleasant, Tyng Tate, Reiche, Taylor) x 4	\$2,000		X
	Eastern Prom Practice Wall	\$5,000		X
	Eastern Prom x 3	\$2,400		X
	Lyman Moore x 3	\$2,400		X
	Payson Tennis x 4	\$3,200		X
	Riverton Tennis x 3	\$2,400		X
<i>Deering High School</i>	Deering High School Field Upgrades*	\$275,000	X	
<i>Deering Oaks</i>	Deering Oaks Baseball Lights*	\$250,000	X	
	Deering Oaks Infield Upgrades and Irrigation*	\$75,000	X	
	Deering Oaks Lighting Replacement	LED project		
	Deering Oaks Restroom: "Portland Loo" or similar	\$171,000	X	
	Deering Oaks Sidewalks--ADA walking paths around pond, ADA access to Ravine	\$149,000	X	
	Deering Oaks Castle: ADA railing repair (EO attempting repair)	\$10,000		X
<i>Dougherty Field, Skate Park, Kiwanis</i>	Dougherty Field Irrigation	\$46,000	X	
	Dougherty Skate Park Expansion*	\$290,000	X	
	Skatepark erosion and asphalt	\$8,250		X
	Skatepark Landscaping, Trees, Shrubs, and Picnic Tables	\$6,000		X
	Skatepark water fountain	\$6,000		X
	Kiwanis Playground Seating, Trees, Pergola	\$8,000		X
<i>Eastern Promenade & East End Beach</i>	East End Boat Ramp Reconstruction*	\$300,000	X	
	Eastern Prom Cleaves Monument Plaza and Walkways	\$91,960	X	
	Eastern Prom East End Waterfront Access	\$87,000	X	
	Eastern Prom Invasives/Hillside Clearing	\$75,000	X	
	Eastern Prom 90' Embankment Slide	\$50,000	X	
	Eastern Prom/Back Cove Wayfinding	\$3,000		X
<i>Evergreen Cemetery</i>	Evergreen Driveway Drainage	\$260,000	X	
	Wilde Chapel Masonry (2020 priority: emergency repairs)	\$75,000	X	
	Mackworth St Stairs to Baxter (Public Works?)	\$10,000		X
<i>Fitzpatrick Stadium</i>	Fitzpatrick Paving and ADA Improvements*	\$235,000	X	

Location or Type	Project	FY19-FY21	CIP	<25k
<i>Fore River Trail</i>	Fore River Trail--remove fence, install wood guard rail	\$3,500		X
<i>Fort Gorges</i>	Fort Gorges Preservation Plan (Structural Stabilization)	\$291,000	X	
<i>Fort Sumner</i>	Fort Sumner Lighting*	\$50,000	X	
	Ft Sumner Lighting on Trail	\$10,000		X
	Ft Sumner Master Plan Update	\$5,000		X
	Ft Sumner Water Fountain	\$5,000		X
<i>Harborview</i>	Harborview Lighting	LED project		
<i>Invasive Species</i>	Ongoing Annual Mowing 10 days at \$1000	\$30,000		X
<i>Lincoln Park</i>	Lincoln Park Fence--Congress St	\$275,000	X	
<i>Longfellow Elementary</i>	Ludlow Pond Dirt Road repair	\$2,500		X
	Ludlow Pond Grading	\$15,000		X
<i>Lyseth</i>	Lyseth Playground	\$275,000	X	
<i>Martins Point</i>	Martins Point Access Improvements*	\$150,000	X	
	Martins Point Site Plan: trails, steps, boat access	\$10,000		X
<i>Oatnuts</i>	Oatnuts Trail Improvements	\$5,000		X
<i>Ocean Ave</i>	Ocean Ave Bridge over Drainage Swale	\$5,000		X
<i>Payson</i>	Payson B Softball Drainage and Irrigation*	\$110,000	X	
	Payson Park Bollard Replacement (Replace wood with granite)	\$50,000	X	
	Payson Park Master Plan Update*	\$30,000	X	
	Payson Park Playground	\$250,000	X	
	Payson Park Cross-Park Trail (Front St to Baseball Parking lot)*	\$50,000	X	
	Payson Park Master Plan	\$25,000		X
	Payson Park Walking Paths	\$10,000		X
<i>Peaks Island Dog Park</i>	Peaks Island Dog Park Fence	\$15,000		X
<i>Peppermint</i>	Peppermint Park Entrance Plaza Smith St--Brick	\$10,000		X
<i>Presumpscot School</i>	Presumpscot Playground Retaining Wall, Chip Retention	\$9,500		X
<i>Quarry Run Dog Park</i>	Quarry Run Dog Park Fence Repair	\$20,000		X
	Quarry Run Water Faucet	\$2,500		X
<i>Riverton</i>	Riverton Trolley Park Trails, Water Access Improvements*	\$75,000	X	
	Riverton Trolley Park--new trail kiosk	\$10,000		X
	Riverton Trolley Park Trail	\$5,000		X
<i>Signs</i>	Park Entrance Signs	\$20,000		X
<i>Trail</i>	Sensory Trail (8 ft wide ADA accessible stone dust path with added elements and signage for individuals with hearing loss, sight loss or other physical challenges)	\$96,000	X	
<i>Western Promenade</i>	Western Prom Vista Clearing and Plantings	\$50,000	X	
	Western Prom Switchback Widening	\$10,000		X
	Western Prom Regrade Trail, Erosion Control	\$12,500		X

*Indicates CIP projects in FY22

SURVEY OF PARK FRIENDS GROUPS

Table 3: Results from Park Commission survey of friends groups, 2020

What is the name of your Friends Group?	Friends of Lincoln Park	Friends of Fort Gorges	Friends of Deering Oaks	Peaks Environmental Action Team	The Friends of Fort Sumner Park	Friends of Mayor Baxter Woods	Friends of Western Promenade	Friends of Deering Oaks	Friends of Harbor View Park (part of WENA)
How frequently is your group in communication DPRF?					Occasionally	Occasionally	Often	Often	Often
Have you ever attended a meeting of the PC?					Yes	Yes	Yes	Yes	Yes
Are you a 501c3 organization?	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No
Does your Friends Group have an Executive Director?	Yes	Yes	No	No	No	No	No	No	No
How many people serve on the board?	Six	6	Eight (8)	seven	Five	Three	5 Board Members, 3 Advisory Board Members	Seven (7)	No board - a loose team of 4-6 advisors
How many members are in this Friends Group?	estimated 150 via eblasting	While we are not a membership organization, we have an email list of over 5K and a social media reach that exceeds 10K	About 125	15	100+ (but over 300 email addresses)	300+	No formal membership currently. We do have a mailing list of interested parties.	About 200 (about 120 households)	Volunteers, not members
Does the City have a Master Plan for your park?	Yes	No	Yes	No	In process	Yes	In process	Yes	No
Do you use that Master Plan for your park?	Yes	We don't have one to use	Yes	We don't have one to use	We plan to	Yes	We plan to	Yes	No
If your park has one, how do you use your Master Plan?	As a guide in reconstructing an historic landmark, dating back to 1866	N/A	We have followed the MP very carefully since our group was formed in 1997. We estimate that the identified Master Plan projects are now about 75-80% complete.		NA	Use master plan as a guide to identify specific areas of the park's natural habitats for protection, and to target ways we can work with City Staff to better preserve MBW for all park users, as well as the flora and fauna within parks borders.		Actively advocate for completion of elements of Master Plan, raise private funds to supplement City efforts. We do not raise funds for basic City responsibilities, e.g. sidewalks. Estimate Master Plan (1994) is 75-80% complete.	we would like to create a longer-term plan for the park but the social and economic impact of the pandemic and the limitations on the Parks Dept are not promising.
Do you have a Capital Campaign now?	Yes	No	Yes	No	No	No	No	No	No
If yes, how much are you trying to raise for your Capital Campaign?	\$1,600,000	N/A	Just finished capital campaign for the Great Black Hawk sculpture. Successfully raised \$27,000 needed for the project.		We plan to begin a capital campaign to raise funds for lighting along Fort Sumner Trail	N/A	Expect to kick off a Capital Campaign in Fall, 2020 coincident with City adoption of the Master Plan.		We are not raising money for a Capital Campaign.
How much have you raised to date?	confidential at this time	N/A. We're preparing to launch a "preservation campaign".	All.		None	Raised approx. \$2,000 in 2019 Kickoff campaign to support establishing a Friends group - to fight the City's push for a full-time leash law in Mayor Baxter Woods. We are still poised to fight the leash law proposal.	We have raised \$20,000 to date, largely as a match to the HPF grant, collectively underwriting the Master Plan cost.	Over 23 years (1997), FoDO has raised \$920,000 for capital projects and programs.	\$20,800 (not Capital Campaign)
How many volunteer hours did your members perform in the park this past year?	Haven't a clue	500+ off-site, approx. 150 on-site	Two - focused effort: individual donors, foundations, corporations, social media effort.	120	120+-	Estimate hundreds of hours of cleanup by individuals - organized and ad hoc, as well as separate efforts to remove invasives. Currently seeking guidance from City on removal of invasives to implement this aspect of the master plan.	Approximately 200 hours, largely in support of Master Plan	10	250 hours in the park. 400 hrs. in office work.

AGENDA ITEMS JUNE 2019-OCTOBER 2020

Meetings of the Park Commission with links to agendas for quicker access to packets of meeting agendas, notes and supporting materials.

- Oct 2020
<https://portlandme.civicclerk.com/Web/Player.aspx?id=1711&key=-1&mod=-1&mk=-1&nov=0>
- Sept 2020
<https://portlandme.civicclerk.com/Web/Player.aspx?id=1710&key=-1&mod=-1&mk=-1&nov=0>
- August 2020
No meeting
- July 2020
<https://portlandme.civicclerk.com/Web/Player.aspx?id=1092&key=-1&mod=-1&mk=-1&nov=0>
- June 2020
<https://portlandme.civicclerk.com/Web/Player.aspx?id=1091&key=-1&mod=-1&mk=-1&nov=0>
- May 2020
<https://portlandme.civicclerk.com/Web/Player.aspx?id=1090&key=-1&mod=-1&mk=-1&nov=0>
- April 2020
Meeting cancelled
- March 2020
Meeting cancelled
- Feb 2020
<https://portlandme.civicclerk.com/Web/Player.aspx?id=1087&key=-1&mod=-1&mk=-1&nov=0>
- Jan 2020
<https://portlandme.civicclerk.com/Web/Player.aspx?id=1461&key=-1&mod=-1&mk=-1&nov=0>
- Dec 2019
<https://portlandme.civicclerk.com/Web/Player.aspx?id=1085&key=-1&mod=-1&mk=-1&nov=0>
- Nov 2019
<https://portlandme.civicclerk.com/Web/Player.aspx?id=1084&key=-1&mod=-1&mk=-1&nov=0>
- Oct 2019
<https://portlandme.civicclerk.com/Web/Player.aspx?id=1083&key=-1&mod=-1&mk=-1&nov=0>
- Sept 2019
<https://portlandme.civicclerk.com/Web/Player.aspx?id=1082&key=-1&mod=-1&mk=-1&nov=0>
- Sept 2019 Workshop
<https://portlandme.civicclerk.com/Web/Player.aspx?id=1100&key=-1&mod=-1&mk=-1&nov=0>
- Aug 2019
<https://portlandme.civicclerk.com/Web/Player.aspx?id=97&key=-1&mod=-1&mk=-1&nov=0>
- July 2019
<https://portlandme.civicclerk.com/Web/Player.aspx?id=95&key=-1&mod=-1&mk=-1&nov=0>
- June 2019
Meeting cancelled

PARKS INVENTORY FOR THE 2020 CITY OF PORTLAND, MAINE

PARKS COMMISSION REPORT

Park Inventory

The following sources were used in drafting the below inventory of Parks of Portland, Maine: 1. Section 2-44, City Code for City of Portland, Maine, revised 7/10/14 (the “Land Bank Ordinance”) 2. Section 18-11, City Code for City of Portland, Maine, revised 5/28/14 (the “Parks Ordinance”)

N.B. School playgrounds and athletic fields are not included in the park inventory even though the City of Portland does maintain and fund ongoing maintenance and replacement. PARKS IN THE CITY OF PORTLAND, MAINE

Dedicated Parks Listed in both the Parks Ordinance and the Land Bank Ordinance:

Back Cove Park and Trail
Barrows Park/Baxters Sundial
Baxter Pines
Baxter Woods
Bayside Park, also known as Stone Street Playground Bell Buoy Park
Belmeade Park
Capisic Pond Park
Clark Street Park
Congress Square Park
Deering Oaks Park
Dougherty Field
Eastern Promenade Park, East End Beach, Fort Allen Park
Fessenden Park
Fort Gorges
Fort Sumner Park
Fox Field/Kennedy Park
Harbor View Park and Tate-Tyng Park
Heseltine Park
Lincoln Park
Lobsterman Park
Longfellow Square
Monument Square
Munjoy South Playground
Payson Park
Peppermint Park
Pleasant Street Park
Post Office Park
Riverside Golf Course
Riverton Trolley Park (incorrectly listed as Riverton Park in the Ordinances)
Stroudwater Parks (there are 2 listed in the Ordinances)
Taylor Street Park

Tommy's Park
Western Promenade Park

Dedicated Parks Listed in the Parks Ordinance and Not the Land Bank Ordinance:

Andrews Square – N.B. This Park consists of a flagpole only
Bayside Trail
Bedford Park
Boothby Square
Boyd Street Gardens
Bramhall Square
Caldwell Square
Clark Street Playground
Tate-Tyng Playground (not in alphabetical order because of association with Harborview Park)
Longfellow Park
Marada Adams Playground N.B. This Park is located at the corner of Beckett and O'Brion Streets and is not the Adams School Playground Martin's Point Park
Nason's Corner Park
Pedro Field
Pleasant Street Playground
Quaker Park
South Street Playground
Trinity Park
Winslow Park

The Parks Commission notes that University Park is listed in the Land Bank Ordinance and not in the Parks Ordinance. University Park is therefore included on the Land Bank Registry as a Land Bank property that is not a park.