



Commission Members:

Jaime Parker, Chair - Jon Kachmar, Vice Chair - Cheri Musgrave - Kristen Fulmer - Beth Rabbitt - Marie Gray - Zack Anchors - Stephen Bentsen - Katie Mears - William Elting - Donna Gartland - Alison Mehlsak - City Councilor Victoria Pelletier

City of Portland **Parks Commission Agenda** **April 6, 2023 at 5:00 PM** **Room 24 City Hall**

*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: March 2, 2023

- b. New Business
 - i. Acceptance of new Hybrid Meeting rules
 - c. Old Business
 - i. CIP update
 - ii. Homeless Encampment Update
 - d. Communications and Updates
 - i. Parks Report
 - ii. Land Bank Commission Report
 - iii. Parks Department Hiring
 - iv. Committee Reports and Discussion
 - e. Commissioner requests for Agenda Items
- IV. Adjournment



Thomas Nickerson <tnickerson@portlandmaine.gov>

Public Comment - Commission Review of Permit Applications

1 message

George Rheault <george.rheault@gmail.com>

Wed, Apr 5, 2023 at 10:18 AM

To: Parks Commission <parkscommission@portlandmaine.gov>

Cc: Thomas Nickerson <tnickerson@portlandmaine.gov>

I am curious whether the advisory opinion procedures for the Parks Commission were appropriately followed regarding the recent City Council approvals for two major park events.

(see Council meeting packet at the following link for the Circus Smirkus (Payson Park) and Resurgam Music Festival (Old Port Waterfront) <http://portlandme.civicclerk.com/Web/Player.aspx?id=3939&key=-1&mod=-1&mk=-1&nov=0>

Here is the city ordinance that gives the Parks Commission a role in permit applications:

City of Portland
Parks, Recreation and Public Buildings and Grounds
Code of Ordinances
Chapter 18

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)

Chapter 18 of the City Code can be accessed in full at the following link:

<https://content.civicplus.com/api/assets/5f1f4552-7b85-441a-b5a3-9a096941a212?cache=1800>

Commission Members:

Jaime Parker, Chair - Jon Kachmar, Vice Chair - Cheri Musgrave - Kristen Fulmer - Elenor Sears - Beth Rabbitt - Marie Gray - Zack Anchors - Stephen Bentsen- Katie Mears- William Elting- Donna Gartland - Alison Mehlsak - City Councilor Victoria Pelletier

Not in attendance - Elenor Sears (retired) William Elting, Alison Mehlsak, Kristen Fulmer, Victoria Pelletier

City of Portland **Parks Commission Agenda** **March 2, 2023 at 5:00 PM**

I. Call to Order

II. General Citizen Comment Period -

- A. Commissioners wished to know more about the emailed comments and how those are handled. Alex provided more information about how those are handled: Park improvements take time and require a CIP to make a reality.
- B. Community Gardens questions were raised, Alex advised Cultivating Community handles the plots. The gardeners are grandfathered in year to year. No additional plots at this time at Ting/Tate, but there are more plots potentially expanding.
 - i. Is there a way to use data to make park improvements relating to public need? IE: Why do we need so many basketball courts?
 - ii. Has the garden plot process been reviewed?

III. Agenda Items

A. Acceptance of Meeting Minutes: March 2, 2023 - Move to accept minutes -

- i. Jaime - Y
- ii. John - Y
- iii. Marie - Y
- iv. Zack - Y
- v. Eleanor- Retired
- vi. Beth - Abstained
- vii. Stephen - Y
- viii. Cheri - Y
- ix. Katie - Y
- x. Will - Absent
- xi. Donna - Y
- xii. Alison - Absent
- xiii. Kristen - Absent

B. New Business

- i. Parks Commission 2023 Priorities - Setting goals (
 - a) Duties should include: sub-committees, annual report (this year will include 2021 and 2022), discussed memberships and fundraising responsibilities. Commissioners would like some clarity of the expectations of the sub

committees. Meetings larger than 3 people must be recorded and documented. A shared document is an option, with transparency of the document being understood.

b) **Required actions** - Green Space Gathering - Annual Parks Report - CIP

- (1) Green Space Gathering - What priority should this take? Does it match the Commission goals? Potentially moving the green space.
- (2) Mega Events - Should the commission also include a 'mega events' policy, particularly events that limit park access.
- (3) Homelessness - Define a goal, Alex discussed how this issue is impacting the parks department. Community Partners have been in communication with the department, they are aware how their services impact the parks. Outreach tactics are being developed with AMISTAD. Commission members expressed that ESAC needs to help address this issue. Commissioners asked, what can the Parks Commission do to assist with homelessness? Alex will review this and come back to this.
- (4) Improving the CIP process to help make sure Commissioners are advised on what options are available.
- (5) Friend Groups/Public engagement - how can we engage more of the public?
 - (a) Engage the public, potentially look into a new survey to get the voice of the people involved. Can we fold the Green Space CIP, and public Engagement priority?
- (6) Interpretive Signage - Important goal, but might need a specialist. Regular signage needs attention as well.

ii. Sub Committee Volunteers:

- a) Annual Report - Cheri, Jaime
- b) CIP - Katie, Zack
- c) Green Space Gathering - Beth, Stephen, Donna
- d) Mega Events -
- e) Homelessness -
- f) Public Engagement - Jaime,
- g) Signage -

iii. Homeless shelter update -

- a) New Shelter is almost open on Riverside street, will be operational mid-March, open by the end of the month. Greater Portland Health will have a full clinic inside. Various other organizations will also be involved. Work training program is also going to be provided.
 - (1) Will the current policy regarding camping change? Undetermined, additional asylum seekers are arriving as well. 77 tents located last week alone.

C. Old Business

i. CIP update - Finance approved and sent to City Council for approval

- a) Finance committee approved the CIP, sent to City Council Approved projects:
 - (1) Longfellow Playground (Phase 2, last year was the design) \$450K. Alex

provided additional details, to give clarity on the cost. Most costly aspects: storm water drainage and general sitework to prevent future issues. Accessibility is also a cost. Beth commented that they believe that there is a huge cost justification due to the use and popularity of the spaces.

- (2) Deering Oaks - Phase 3 - ADA curbing along the road, installment, replacement and repair. \$335k
- (3) Preble Field Fitness Course - \$30K - replacing what was in the space before, and overall improvements. ETA on this project completion, 2025.
- (4) Great Diamond Basketball Court restoration -
- (5) Reiche Playground Design funds - \$50K - Potentially using some funds to replace Clark Street and Ting Tate parks.
- (6) Riverton Tennis courts conversion to Pickleball Courts \$150K - convert 2 tennis courts into 6 dedicated Pickleball courts.
- (7) Court resurfacing around the city - \$50K
- (8) Replenishing of funds from impact fees: IE Dougherty Field
- (9) Congress Park redesign got half their funding
- (10) Payson entrance -

ii. Sub-Committees Overview:

- a) Park Initiatives sub-Committee - Volunteers for signage
- b) Finance sub-committee- Parks Commission 2021 - 2022 Annual Report - Fall 2023 Council presentation

D. Communications and Updates

- i. Parks Report -
 - a) Bathrooms are awesome! Thank you! Alex provided more details about the challenges associated with this public service. Next phase - increase tank sizes to make servicing less frequent.
- ii. Land Bank Commission Report -
 - a) Annual report provided. North Deering Park purchase and sale was approved.
 - b) Committed \$10k to a hand-carry boat access launch at the Fore River preserve.

E. Commissioner requests for Agenda Items

IV. Adjournment

REMOTE PARTICIPATION POLICY
OF THE
PARKS COMMISSION

ADOPTED on _____, 2023

Pursuant to 1 M.R.S. § 403-B, and after public notice and a hearing, the Parks Commission hereby adopts the following policy to govern remote methods of participation in public proceedings or meetings (collectively, “meetings”) of the Parks Commission (hereinafter collectively referred to as the “Commission”).

In addition to conducting meetings with in-person participation, the Commission conducts meetings with two other types of participation: remote and hybrid.

Remote meetings allow Commission members and the public to participate only by telephonic or video technology allowing simultaneous reception of information, but may include other means necessary to accommodate disabled persons (referred to herein as “remote methods of participation”). Remote meetings will not be by text-only means such as e-mail, text messages, or chat functions.

Hybrid meetings allow Commission members and the public to participate in-person or by remote methods of participation. Members of the Commission are encouraged to participate in-person for hybrid meetings.

Prior to each meeting, the Chair or other presiding officer, in consultation with other members of the Commission if appropriate and possible, will determine whether participation at a meeting will be in person, remote, or hybrid in as timely a manner as possible under the circumstances. Any Commission member who is unable to attend a meeting in-person will notify the Chair or other presiding officer as far in advance as possible.

The public, City staff and applicants before the Commission will be provided a meaningful opportunity to attend a meeting via remote methods of participation when any member of the Commission participates via remote methods or when remote methods are available and operational at a given Commission meeting. If public input via remote methods is allowed or required at a meeting, an effective means of communication between the Commission and the public will also be provided. The public will also be provided an opportunity to attend the meeting in person unless there is an emergency or urgent situation that requires the entire Commission to meet only by remote methods.

Notice of all Commission meetings will be provided in accordance with 1 M.R.S. § 406, and the City Charter, City Code or policy, if applicable. When the public may attend via remote methods, the notice will include the means by which the public may access the meeting remotely and will provide a method for disabled persons to request necessary accommodation to access the meeting. The notice will also identify the location where the public may attend the meeting in person. The Commission will not restrict public attendance to remote methods except in the case of an emergency or urgent issue that requires it to meet using remote methods of attendance.

The Commission will make all documents and materials to be considered by it during a

meeting available, electronically or otherwise, to the public who attend remotely to the same extent customarily available to the public who attend in person, provided no additional costs are incurred.

All votes taken during a Commission meeting using remote methods will be by roll call vote that can be seen and heard if using video technology, or heard if using audio technology only, by other members of the Commission and the public. A member of the Commission who participates remotely will be considered present for purposes of establishing a quorum and voting.

This policy will remain in force indefinitely unless amended by the Commission.



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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: April 2023

Parks Division Staffing

- Total Budgeted positions in Parks Division: 33
- Vacancy: City Arborist
- Seasonal Positions: Park Maintenance, Horticulture, Forestry, Ballfields, Playgrounds, Park Rangers

Tree Planting Season

The City Forestry team is preparing the tree planting locations for 2023. The tree planting season runs from Mid-April to the end of June. The first few weeks are when bare root trees are planted followed by the remaining ball and burlap trees. Typically, the crew plants between 150-200 trees per year. The numbers are all contingent on weather conditions, staffing levels and viable planting spaces. Each year the team gives attention to our neighborhoods in need of improved canopy cover while also addressing co-op and general tree planting requests. The tree species selected for each location is decided by a number of factors such as homeowner request, overhead utilities, diversity of existing species on the street, etc. Sebago Technics is also moving the ARPA Bayside Tree Planting Project forward which will be an influx of 80 or more trees in the Bayside Neighborhoods. Bid documents will be advertised shortly and a Spring and Fall planting is expected in 2023.

Capital Improvements Plan (CIP)

The City Council has approved the CIP budget for Fiscal Year 2024. This process for Parks started back in May of 2022 and worked its way through Friends Groups, the Parks Commission, City Staff, Finance Department, City Manager, Finance Committee and concluded with the City Council. The Parks projects that were funded in this process are below:

Parks, Recreation & Facilities

Longfellow Playground Replacement - \$450,000

Deering Oaks ADA Sidewalks and Curbing - Tennis Court Road (State to Deering) - \$335,000

Preble Street Fitness Course - \$30,000

Great Diamond Island Basketball Court Reconstruction - \$35,000

Clark Street, Tyng-Tate Playground Equipment Replacements and Reiche Playground Design - \$150,000

Riverton Tennis Court Conversion to Pickleball Courts - \$150,000

Court Resurfacing: Various Tennis/Pickleball Courts - \$50,000



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Planning & Urban Development

Congress Square Redesign - \$700,000

Parkside to Libbytown Pathway Phase II - \$140,000

In-ground Trash Barrels

In 2021, the City was awarded ARPA funding of which the Parks Department was granted a portion of to improve trash barrels citywide. Our current barrels are only about 30 gallons of capacity and prove to be a challenge on busier summer days when they fill quickly. Because of this limitation, City Staff explored in-ground trash barrels that can hold up to 300 gallons of waste at a time and require less frequent servicing and minimal maintenance. This week, Parks Staff are installing the first 6 of that style barrel at the Eastern Promenade and Quarry Run Dog Park as a pilot for future additions in other Parks.

Homeless Impacts on Parks

Currently there are a reported 102 tents citywide. These can be anywhere from a single tent in a remote park to a group of tents on the peninsula as seen in a few locations. City Staff are currently working diligently to provide additional housing for the influx of Asylum Seekers as well as the more traditional homeless population so there can be less pressure on the citywide park system. The impacts to local businesses, park visitors and city staff are ever increasing. The campsites around the City are not sanctioned, and as soon as there is capacity in our homeless shelters, campsites will be removed and campers offered indoor shelter.

Park Projects and Department Updates

Staff are working on the following Park Improvement projects:

- Park Walkway improvements: Phase 3 of 3 at Deering Oaks Park has begun and all new walkway base work has been completed. The contractor is mobilizing their team to Dougherty Field Playground to finish some site work as they wait for asphalt plants to open up for the season.
- Fitzpatrick Drainage Improvements: Drawings are complete. An RFP is ready to be advertised.
- Talbot School Basketball Court Reconstruction: The bid documents have been advertised.
- Preble Street Field & Stormwater Project: Final design and landscaping plans are being finalized. There have been some construction delays that will push the installation of the field back to the Fall of 2023 with field play to begin in the late Spring or Summer of 2024.
- 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: Our project team is working through finalizing the contract with the state for this grant and defining the RFP for the site work to commence in 2023 and 2024.
- Lower Western Prom Park Improvements: Final design improvements have been made and we have secured the additional funding via CDBG to execute the project later in 2023 or beginning



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of 2024

- Dougherty Field Skatepark Expansion: Construction has begun. The Contractor will be working on site for the next 10-12 weeks with the anticipation of finishing the project before the Summer.
- Community Garden Fence and Shed Replacement: All existing fence locations have been demolished and sheds removed. Excessive debris has been removed and new water lines ran where applicable. The new fencing and sheds will be installed over the course of the next month.