



Commission Members: Chair Cynthia Loebenstein, Vice Chair Michael Mertaugh, Amy Segal, Ana Lagunez, Caitie Whelan, Dory Waxman, Jon Kachmar, Marie Gray, Nathan Robbins, Zack Anchors, and Mayor Kate Snyder

City of Portland
Parks Commission Agenda
October 1, 2020

5:00 PM

On Thursday, October 1, 2020, at 5:00 pm, the Portland Parks Commission will conduct a virtual meeting using emergency legislation approved by LD 2167; 1 M.R.S. §403A, that authorizes cities and towns to conduct meetings online. This workshop will be conducted remotely using Zoom.

Allow your computer to install the free Zoom app to get the best meeting experience. We hope to be able to offer other livestream methods in the future. If you are not able to attend live, we will be posting a recording of the meeting once it has concluded.

Please click the link below to join the webinar:

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

Passcode: P3pperm1nt

Or iPhone one-tap :

US: +13017158592,,91710859101#,,,,,0#,,480730# or +13126266799,,91710859101#,,,,,0#,,480730#

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Webinar ID: 917 1085 9101

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*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.*

- I. General Citizen Comment Period
- II. Agenda Items
 - a. Acceptance of Meeting Minutes: September 3, 2020
 - b. New Business
 - i. Commission Seat Vacancies
 - ii. Rules of Public Comment & Timekeeper Selection
 - iii. Amethyst Lot Park Opening

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

- c. Old Business
 - i. 46 Western Prom License Agreement
 - ii. October 15th Work Day
- d. Communications/Updates
 - i. Deering Oaks Update
 - ii. City Operating Budget
 - iii. Baxter Woods Update
 - iv. Subcommittee Reports
 - v. Land Bank Commission Report
 - vi. Parks Report
- e. Commissioner Requests for Agenda Items



In attendance: Commission Members: Chair Cynthia Loebenstein, V. Chair Michael Mertaugh, Zack Anchors, Amy Segal, Ana Lagunez, Caitie Whelan, Dory Waxman, Jon Kachmar, Marie Gray, and Nathan Robbins. City Staff: Ethan Hipple and Alex Marshall.

City of Portland
Parks Commission Minutes
September 3, 2020, 5:00 pm

On Thursday, September 3, 2020, at 5:00 pm, the Portland Parks Commission conducted a virtual meeting using emergency legislation approved by LD 2167; 1 M.R.S. §403A, that authorizes cities and towns to conduct meetings online. This meeting was conducted remotely using Zoom.

I. General Citizen Comment Period

Mark Lesperance wanted to thank Portland Trails and City of Portland staff for the work done at Baxter Woods over the last few weeks. He asked about Davey Tree's work in the park. He also asked about the health of the pond and the status of the bird study.

Ethan stated that Davey Tree is spraying to treat a hemlock woolly adelgid infestation and he will check on whether they are putting signage out. He also shared that there are plans to improve the outdoor classroom in the park and the spring/summer bird study is nearing completion. The cause of the algae in the pond is unknown but will be looked into.

II. Agenda Items

a. Acceptance of Meeting Minutes:

Marie moved to accept the meeting minutes of August. Jon seconded. Dory abstained. Motion passed with eight in favor.

b. New Business

i. 46 Western Promenade License Agreement

Tom Zack, owner of 46 Western Prom, requested that the commission approve a license agreement allowing him to maintain an encroachment on city-owned land so that he can move forward with selling his property.

George Rheault stated during the public comment period that a one-time \$1200 license fee does not seem adequate given the cost of parking in Portland. He also said the city should look into selling the land because it may not be useful in any meaningful way as park land.

The commission shared concerns about the equity of the agreement as presented and requested that the exhibit provided be updated to reflect the current site plan. Commissioners would also like to see the original 2013 arrangement.

Jon motioned to delay consideration of the agreement until after Corporation Counsel has a

chance to address the concerns brought forth. Marie seconded. The motion passed unanimously.

ii. New Parks Conservancy Volunteer Coordinator, Jesse Billingham

Jesse Billingham gave an overview of the volunteer program he will be overseeing. He is currently identifying areas within the parks where volunteer events will be most useful.

iii. Fall Service Event in Lieu of Strategic Planning Meeting

Cynthia shared that since there will be no strategic planning meeting, she would like to have the commission take part in a volunteer work day with Jesse on October 15th.

c. Communications/Updates

i. City Operating Budget Update

Ethan said that the Parks, Recreation, and Facilities department has lost a lot of revenue so about 30 positions were cut as well as programs such as the 62+ recreation program.

ii. Deering Oaks Update

Ethan said that city staff is still maintaining Deering Oaks regularly. Some of the people staying in the park are helping staff with cleanup. The Health and Human Services department has convened a group of social service providers and other City departments who discuss efforts being made to help the homeless population in the park. Portland Police have made multiple arrests.

Anne Pringle stated during the public comment period that the injurious behaviors can't be tolerated in the park. She said that the problem is caused by people not having a place to go during the day and that there is a disproportionate burden placed on Portland to support the homeless population. She also does not want overnight camping to be decriminalized.

Marie said that this is a flagrant abuse of a public asset.

Zack shared the homeless services resource guide developed at the Green Space Gathering.

Caitie asked that as we continue to work on and think about this complex issue that we maintain a spirit of neighborliness, equity, and compassion. She asked that we remember the humanity of these individuals and recognize that the behavior of one individual should not be transposed across all.

iii. Subcommittee Reports

Park Initiatives: Continuing work on signage highlighting a more diverse history. Caitie is researching two abolitionists who had connections with the Portland waterfront. Amy and Zack are looking into Wabanaki history.

Community Outreach: Plan to work on a welcome packet for new commissioners and would like to develop better materials for friends groups.

Annual Report: Received information on the Parks Department from Alex and would like to add a section for the Parks Conservancy. Plan on getting a draft together in the next few weeks.

Finance: Did not meet.

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 June monthly meeting. The City Council and Land Bank Commission representatives are not eligible to serve as Chair or Vice-Chair of the Commission.

Section 4. The Chair shall appoint chairs and members for those committees as may be appropriate. Chairs of committees shall be appointed from voting members of the Commission.

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

Article III. Meetings.

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

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

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

Section 4. The Commission may, by a majority vote, specify a date for an agenda item.

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

Article IV. Order of Business.

All regular meetings of the Commission shall proceed as follows:

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

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

Article V. Notice.

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

Article VI. Conduct of Public Hearings

Section 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.