

Notes
Portland Development Corporation/Workshop
January 17, 2019

Because there was no quorum, those Directors in attendance discussed the items on the Agenda.

This workshop was held at 4:00 p.m. on Thursday, January 17, 2019, in Room 209 of Portland City Hall. Present from the Board was its President Tim Agnew and Board Directors James Dowd, Blaine Grimes, Jeffery Hicklin, and Steve Lovejoy. Board Directors Tom Dunne, Jon Jennings, Laura Reading, Mayor Ethan Strimling, Julie Viola, and Briana Volk could not be present. Present from the City staff were Housing and Community Development Division Director Mary Davis, Associate Corporation Counsel Michael Goldman, Business Programs Manager Nelle Hanig, and Senior Executive Assistant Lori Paulette. Also present was PDC Qualified Environmental Professional (QEP) Kelly Race.

Item #1: President's Comments

President Agnew noted that the successful business awards program held at Ocean Gateway this past November was well attended for the four awardees.

Item #2: Review and accept Minutes of October 18, 2018 meeting.

President Agnew asked if there were any corrections. There being none, President Agnew said that these would be on the next Agenda for a vote.

Item #3: Portland Downtown presentation on Walking Tour and Parking Study, both funded in part by PEDPIP Grants.

Portland Downtown (PD) Executive Director Casey Gilbert thanked the Board for their time and updated the Board on the outcomes of their PEDPIP Grants for these two projects.

She handed out the Walking Tour brochures and PD's most recent annual report. The Walking Tour was done in partnership with USM's Hospitality and Tourism Program and are designed to be self-guided tours. They have been distributed to various retail areas, as well as to, for example, Visit Portland, Chamber, Creative Portland to name a few. PD will keep printing them as needed, noting future possibilities may be a mobile app.

Ms. Gilbert also noted that the Parking Study was completed and is on the City's website.

Ms. Grimes asked about the impact of the parking study, and Ms. Gilbert noted that there is now a parking app people are using. It also noted how to better use public transit, as well as walking and biking; this would help make it easier to get on and off peninsula.

Mr. Dowd asked about next steps. Ms. Gilbert said that the City Council's Sustainability and Transportation Committee will be reviewing the various recommendations this year as their time/capacity allows.

President Agnew thanked Ms. Gilbert for the update.

Item #4: Creative Portland (CP) Presentation on Cultural Plan Update

Dinah Minot, Executive Director of CP, thanked the Board for its PEDPIP Grant to fund, in part, the Cultural Plan Update, which is being reviewed by the Planning Board next week for a recommendation to the City Council for adoption.

Ms. Minot said that the Cultural Plan is a living action plan for years to come, involving over 70 stakeholders. All felt that arts and culture is the foundation of the creative economy and needs sustainability, and many of the needs are the same as 20 years ago. There have been accomplishments including the creation of Creative Portland, and others still need to be

considered including creation of a publicly supported space for artists. CP will host annual summits to address issues and progress, and this Plan will help all work together.

President Agnew thanked Ms. Minot for the update.

Item #5: Review and vote to recommend to the City Council proposed amendments to Bylaws.

President Agnew asked about Section 3.4 annual meetings of the Corporator in September, whereas, generally, they are not held in September; and Section 4.4 for ex officio members appointed by the “Corporation” – noting that this Board has never appointed those members. Mr. Goldman said that there could be many reasons why an annual meeting would occur in a month other than September, and this was not an issue as this Board generally sets the date of that annual meeting. Regarding 4.4, Mr. Goldman said that appears to be a typo where it should be “Corporator”. He will go through the Bylaws and make technical amendments as needed and circulate to the Board.

President Agnew asked Mr. Goldman if this group of five directors can recommend proposed amendments to the Bylaws to the City Council, as well as for the following item. Mr. Goldman indicated that the five Directors present can make a recommendation, but no formal motion and vote.

Ms. Hanig said that the proposed amendments to the Bylaws would allow for the Board to consider investing Brownfield funds for multi-family residential housing projects with no commercial component, noting that the USEPA allows it. All other PDC programs are available for commercial/industrial projects, but not residential projects. The Portland Housing Authority has applied for this funding for its 58 Boyd Street project.

After discussion, consensus of the five Directors present were to recommend approval of the proposed amendments to the Bylaws, including technical amendments as needed, and forward them to the entire Board. If there are no issues, then the recommendation is to forward them to City Council for review and vote.

Item #5: Review and vote to recommend to the City Council proposed amendments to Brownfield Guidelines.

President Agnew asked if the Directors had any issues with the proposed Brownfield amendments to allow for investment in multi-family residential housing projects with no commercial component.

Ms. Hanig handed out the attached memo with an additional proposed amendment to guidelines for Fund 280 and 281 to allow for Phase II Environmental Site Assessments (ESAs) applications to be administratively reviewed by City staff and its QEP, noting that the timing of ESAs are generally quicker than the monthly PDC Board meeting to review and vote. It is standard operating procedure throughout Maine that review and approvals of assessment activities, including Phase I and II ESAs, are done administratively. City staff would report regularly to the Board on assessment funds extended.

Ms. Hanig noted that the City's Housing Division is on Board with the proposed amendments. Ms. Davis agreed, noting that the proposed amendments would require a minimum of 10 units of multi-family housing projects, where at least 50% of the units would be priced for those at or below 100% of Area Median Income.

Mr. Dowd asked if for-profit projects could apply if they met that threshold, and it was indicated in the affirmative.

Ms. Hanig then noted on p. 28 of 42, section 7(a) should include "and subgrants".

Ms. Race added that for the close out funds, in Fund 278, the EPA would rather see that pool of funds revolve with loans. Fund 281 is the most recent EPA award of \$200,000 for assessment work only. To date, one ESA has been funded for the project at the corner Ocean and Washington Avenues. This Fund would be used first for assessments, then Fund 280.

After discussion, consensus was to recommend approval, and forward this recommendation to the entire Board. If there are no issues, then the recommendation is to forward them to the City Council for review and vote.

There being no further business, the workshop ended at 5:30 p.m.

Respectfully, Lori Paulette



Economic Development Department
Gregory A. Mitchell, Director

TO: President Tim Agnew and PDC Board Members
FROM: Nelle Hanig, Business Programs Manager
CC: Greg Mitchell, Economic Development Director
DATE: January 16, 2019
RE: Amendments to Proposed Brownfields Assessment and Closeout Guidelines

Summary

Staff is proposing an amendment to the proposed guidelines that the PDC received in its package for this month's meeting. It has become clear through conversations with two of the City's Qualified Environmental Professionals and other Brownfields program managers, that timing problems would be created if the PDC were involved in review and approval of Phase II Environmental Site Assessments at its once a month meetings. Apparently, throughout the State of Maine, review and approval of requests for assessment funding is always done administratively because of the need to react quickly to assessment activity requests, including Phase I and Phase II Environmental Site Assessments and cleanup planning.

Consequently, staff is proposing the following amendments to the redlined guidelines that the PDC already received for the Assessment Program and for the Closeout Program, given that both pay for assessment activities.

Brownfields Assessment Program Guidelines

8. Application Review Process

Requests will be submitted via an Assessment Application to the Economic Development Department (EDD). ~~All requests will be reviewed for Phase I Environmental Site Assessments will be reviewed and approved by EDD staff and, the City's Qualified Environmental Professional (QEP). At every PDC meeting, the Board will be provided with updates on the status of the Assessment Program Funds and the projects that are being assisted by them, and the President of the PDC Board. Requests for Phase II Environmental Site Assessments and other assessment activities will be reviewed and approved by the PDC Board.~~

Brownfields Closeout Fund Program Guidelines

12. Application Review Process

A. Assessment Activities

Closeout Funds will only be used to fund assessment activities if/when all funds from the Assessment Program have been depleted. At that point, any assessment funding requests will be submitted to the PDC as it will retain its full authority over the Closeout Fund.

Requests will be submitted via an Assessment Application to the EDD. Funding rRequests for assessment activities, including Phase I and Phase II Environmental Site Assessments, will be reviewed and approved by the PDC Board. ~~EDD staff, City's QEP, and the President of the PDC Board. Requests for Phase II Environmental Site Assessments and other assessment activities will be reviewed and approved by the PDC board.~~

Recommendation

Staff recommends the proposed amendments to the guideline modifications that the PDC received in its package for today's meeting. Specifically, EDD staff and its QEP would review and approve all requests for funding of assessment activities from the Brownfields Assessment Program. Should the Assessment Fund be depleted, requests for Assessments from the Brownfields Closeout Fund Program would go to the PDC for review and approval. The PDC will retain its authority over the Brownfields Closeout Fund Program whether request are for assessment activities or cleanup.