



*Portland Downtown is in the business of maintaining a clean and safe downtown while building and promoting a vibrant business, residential and tourism destination.*

**Executive Committee Meeting  
Thursday September 8, 2016 at 9:00am 549 Congress St**

**A. Call to Order & Chair's comments:** Denine

**B. Motion to Accept:**

- August 11, 2016 Committee Minutes
- Treasurer's Update: Erik Urbanek

**C. Committee Reports** (minutes attached)

- Events Committee (8/3/16)
- Merchant (Retail) Committee (8/4/16)
- Marketing Committee (8/9/16)
- Night Life Oversight Committee (NLOC) (8/10/16)
- Legal Committee (8/10/16)
- District & Community Services Committee (8/18/16)
- Parking & Transportation Committee (8/24/16)

**D. Other Committee Reports:**

- Advocacy
  - Proposed Benchmarking Ordinance by City for Building Owners
- Legal Committee
  - Advocacy policy- Deferred vote last month. Proposed final policy recommended by Legal Affairs committee to be circulated in packet and voted on by Board at September Board meeting.
  - Conflict of Interest Policy –Deferred vote to be voted at September meeting.
  - NLOC – City meeting regarding Sound Oversight Committee re-scheduled to Wednesday, 9/14 at 3PM.

**E. Executive Directors update**

**F. Board Agenda:** September 15, 2016

- Acknowledge Committee Minutes
- Proposed Benchmarking Ordinance by City for Building Owners
- Chair assignments and Committee service selection for year by Board Members – assignments sent out by Denine 9/1.
- Legal Affairs committee proposed policies for vote
- Update to Board on NLOC by-law status discussion – Erik, Sarah
- Awards earned by Portland Downtown District

**G. Other business**

- Request for volunteers for New Ad Hoc committee to complete review and recommended revisions to City Contracts along with DCS assignment to create benchmarks performance measures for the contracts



## Executive Committee Meeting Minutes

August 11, 2016  
9:00 AM.

Portland Downtown  
549 Congress Street, Portland, Maine

Present:  
Denine Leeman, Chair  
Suzie Rephan  
Erik Urbanek  
Jeff Packard  
Alen Saric  
Penny St. Louis  
Trish Weimer

Absent:

Staff:  
Casey Gilbert  
Taffy Eaton

**Minute 1.** Denine called the meeting to order and welcomed all present.

**Minute 2.** Motion to accept:

- July 14, 2016 Committee minutes: The Committee reviewed the July 14, 2016 meeting minutes. Trish Weimer McLennan made a motion to accept the minutes. The motion was seconded and the vote was unanimous.
- Treasurers update - July 2016: Erik Urbanek
  - Income and expenses are both on budget
  - Committee members agree that it is much easier to read these reorganized reports and thanked Casey. There will be a YTD report next month.
  - Casey explained that:
    - The \$15,000 Holiday lights deposit does not usually appear in July. Pandora requested the deposit early this year as she needed to pay seasonal staff to do some repair and maintenance work to the forms. The balance will be paid in November.
    - The \$7,100 Park & Shop Expense will be an adjustment for FY1-16 financials as we want to have all P&S revenues and expenses reflect in FY15-16 as the program will be on a one-year suspension as of July 1, 2016.
    - Other seasonal or one-time expenses that make July 2016 operate in a loss: The HomeTeam contribution of \$6,000, the cadets expense and the ambassadors/guides expense.
  - Denine asked about the reallocated Learning Works funds vs the computer costs. Casey clarified that \$6,000 was allocated to Learning Works, \$4,000 to technology/computers and \$2,000 to the Simple Expense (matching retirement acct).

**Minute 3.** Committee reports: Trish made a motion and a revised motion to acknowledge the committee meeting minutes. Erik seconded the revised motion. The vote was unanimous.

- Events Committee minutes: qualify Merry Madness #3 as getting a “2-ounce pour” instead of “fill their glass”
- Parking & Transportation minutes–
  - Have we received feedback on the program suspension? Yes, Amy is putting all comments in a spreadsheet.
  - City Parking & Demand study – “Kim’s vote to commit \$15,000” should be reworded to say “Kim’s vote to make a recommendation to the Board to commit \$15,000 pending the final estimate from the City”

#### Minute 4. Other committee reports:

- Advocacy:
  - Proposed Benchmarking Ordinance by City for Building Owners: Jeff told the committee that at the 2030 District luncheon Councilor Suslovik said he's in support of the private sector leading this. If that takes too long, he might propose an ordinance. Denine feels it is very important to keep on top of this topic. It's important for Portland Downtown to take an advocacy position if there's an ordinance proposed.
- Legal Committee:
  - **Advocacy Policy** – Trish and Penny integrated the comments received from Board members and the redline document was distributed (attached). Penny and Trish will make it more concise and quantify some items (their comments are in green). The committee made additional suggestions. The policy is meant to provide guidelines. Trish will provide a clean copy with today's edits for the Board packet.
  - **Conflict of Interest Policy** – Trish and Penny integrated the comments received from Board members and the redline document was distributed (attached).
    - These documents are a good start. Casey and Denine will work on policies this year and provide more consistency for Board orientation. Perhaps a retreat would be beneficial.
    - Conflict of Interest forms should be signed by each Board member annually – one will be included with these policies and sent to the full Board.

The Advocacy Policy and the Conflict of Interest Policy will be dated and reviewed regularly.

- **Night Life Oversight Committee (NLOC)** – Erik gave an overview of yesterday's discussion of the separate entity issue. NLOC's self-policing nature creates some concern among the meeting attendees that Board approval will prolong any necessary actions. Erik assured those present that the Board would like the committee to remain a committee of Portland Downtown and has no desire to be involved with the self-policing aspect of their work. Denine suggested that when complete, perhaps the Conflict of Interest Policy should be sent to all committees of the Board to address issues such as this.
  - Erik reminded this committee that the NLOC committee was started when Portland was a very different city and had different problems, to help clean up the nightlife scene.
  - Erik made it clear that the Portland Downtown Board would like NLOC to remain affiliated

#### Minute 5. Executive Directors update: Casey

- Will provide a full report for the Board
- Is very happy with the new chart of accounts
- Has hired a new CPA firm: The Swanson Group, LLC based in Westbrook.
- Advocacy letter updates:
  - The Sound Oversight Committee was postponed and should be rescheduled for September
  - The City has responded to the Parking & Transportation letter
  - The City is putting up the new parking signs that Portland Downtown supplied
- Delegates from Yarmouth, Nova Scotia spent a few days in Portland. Greg Mitchell has arranged for a group from Portland to visit Yarmouth. The City, the Chamber, the CVB and Portland Downtown (Adam) will take the ferry to Yarmouth in September
- Casey will attend the International Downtown Association conference in Atlanta in September
- Staff submitted applications for 2 awards from the International Downtown Association and they both won. We will do a press release in September.
- 2017 will be Portland Downtown's 25<sup>th</sup> anniversary. Casey would like to begin the discussion about how to recognize it.

#### Minute 6. Board agenda – let Denine know if anyone has an item to add to the agenda

- Acknowledge Committee Minutes
- Proposed Benchmarking Ordinance by City for Building Owners
- Committee service selection for year by Board Members
- Legal Affairs committee proposed policies for possible vote

#### Minute 7. Other business:

- Ad Hoc work for Master Agreement and Supplemental Services contracts will be starting. Denine is still working with District & Community Services committee chairs for the fine tuning of contracts. Denine will be looking for volunteers for the Ad Hoc Committee.

- Jeff asked if it makes sense to advocate for a 2030 District while stating his conflict of interest and present Portland Downtown's advocacy to City Council. Denine would like to wait until September if possible as it is inappropriate for Jeff, under conflict of interest, to promote it himself as she would be absent at the August Board meeting and he would be running the meeting.

Jeff made a motion to adjourn the meeting. Trish seconded the motion and the vote was unanimous. The meeting was adjourned at 10:30.

Respectfully submitted,  
Taffy Eaton, Recorder.



**Events Committee Meeting  
August 3, 2016 at 9:00am  
549 Congress St**

*Board members present:* Erik Urbanek, June Usher

*Others present:* Dawn Tully

*Staff present:* Adam MacDonald, Taffy Eaton

**Minute 1.** Erik called the meeting to order and asked for introductions.

**Minute 2.** Erik asked for a quick recap of Old Port Festival and Summer Shop for A Cause Day:

- Summer Shop for A Cause Day
  - Retailers suggested doing a Summer Shop for A Cause Day
  - Twenty retailers signed up to participate
  - The event raised \$3,500 for Portland Trails
  - A press release thanked participants
- Old Port Festival –
  - We did not seek corporate sponsorship for Old Port Festival but will use a similar sponsorship plan as used for Merry Madness in 2017

**Minute 3.** General brainstorming for signature holiday events

- Adam: The Merchant group decided to keep with core events and possibly add a few updates this year:
  - i. Tree Lighting: will only have Rick Charette for entertainment this year
  - ii. Shop for A Cause Day: the Merchant group decides on the non-profit recipient. Portland Downtown will develop criteria (such as being headquartered in Downtown) for choosing a non-profit beneficiary and will discuss it with the Merchants. With clear guidelines, non-profits can nominate themselves.
  - iii. Elfternoon Lunchtime Shopping: retailers provide snacks to downtown workers and others doing lunchtime holiday shopping. Had 17 locations in 2015.
  - iv. Merry Madness: Dawn had many good suggestions to expedite the waiting line
    1. Have a team of volunteers walking through the line checking ID's and putting bracelets on attendees. Once they have a bracelet, they are free to go inside.
    2. Give tickets for wine and food while checking ID's
    3. Instead of food, offer a "snack bag" with sponsor logos filled with popcorn, nuts, etc.

**Minute 4.** Review 2015 sponsors and brainstorm/identify sponsors for this year:

- Tree Lighting: MEMIC and The Westin sponsored in 2015. Hopefully they will sponsor again.
- Merry Madness: we will be looking for sponsors this year
- Make a tiered sponsorship package so smaller businesses can participate
- Adam will have updated sponsorship materials available at the September meeting

**Minute 5.** Next meeting: September 7<sup>th</sup> at 9:00am

Respectfully submitted,  
Taffy Eaton, Recorder



**Merchants Meeting  
August 4, 2016 at 8:30am  
Bull Feeney's**

*Board members present:* Suzie Rephan

*Others present:* Marie Stewart Harmon, Lisa-Marie Stewart, Rick Lowell, Matt Stone, Megan Perron, Patti Chase, James Dufresne, Susan Driscoll, Denise Beck, Nathaniel Baldwin, Megan Roberts, Jordan Simm, Kyle Hersey, Doug Fuss

*Guests:* Kimberly Charland, Sadie Bliss

*Staff present:* Adam MacDonald, Taffy Eaton, Amy Geren

**Minute 1.** Suzie called the meeting to order and asked for introductions.

**Minute 2.** WCSH6 Sidewalk Art Festival: August 27<sup>th</sup> from 9:00 – 4:00

- Kimberly from WCSH told the group that this is the 51<sup>st</sup> year of the festival. Artists only display from High Street to Monument Square.
- Sadie from the Maine Crafts Association said crafters only display from High Street to State Street
- Congress Street and side streets close to traffic at 6am. Emergency No Parking signs will be put up August 26<sup>th</sup>.

**Minute 3.** METRO upgrades: Denise Beck updates this group periodically.

- METRO has added the Breeze bus which services Freeport and Yarmouth for \$3.00 per ride. Denise asked merchants to add the Breeze information to their websites if they have a “how to get here” section. There are 4 Portland stops for the Breeze.
- METRO is also partnering with Portland Downtown and Creative Portland for First Friday Art Walk. All rides are free from 4:00pm until the end of the service day.
- Southern Maine Transit Tracker is a new app which gives real-time locations of buses
- There is also Sunday service on all routes except the Breeze
- Portland High School students use METRO now instead of school buses
- Contact Denise with any thoughts on possible future service improvements
- There is no more “Hop on Hop off” bus for cruise ship passengers due to other transportation options.

**Minute 4.** Police, cadets mid-summer assessment – Amy

- Amy reviewed the distributed charts with stats for June and July cadet activity provided by the PPD
- Occasionally the cadets issue citations to a repeat offender. They don't often go far however because the offenders tend to be transients.
- Cadets are mainly meant to be a friendly face to law enforcement and remind people of the ordinances and laws
- Hopefully gathering this information will be useful in future years so the cadets or PPD can concentrate on certain areas or issues
- Portland Downtown also has 2 foot-beat officers walking the district 5 days a week

Other comments:

- Call the non-emergency number (874-8575) and report concerns so there is a record of the report if you have
  - loitering issues or concerns
  - people sleeping in doorways
  - harassment
  - repeat offenders
- Call the Home Team/Milestone for substance abuse issues (838-8904)

#### **Minute 5. Arts District report**

- Flea for All will open in October in the former Paul's Food Center building

#### **Minute 6. Holiday planning - Suzie**

- We need to keep holiday planning on everyone's mind
- We had some people volunteer to assist Portland Downtown staff with events at June meeting
- Adam reviewed the holiday events: (see attached event summary sheet)
  - Tree lighting – we will simplify the entertainment slightly this year we have only Rick Charette perform – he's a true crowd favorite! We may add some large screens to improve visibility for the crowd.
  - Window Display contest – this will be promoted at the tree lighting so attendees can look at windows starting that night. Merchants should make sure their windows are decorated by then.
    - The Portland Press Herald gives a \$1,000 grand prize for advertising to the best window decorations. Jean Berg is working on additional smaller prizes.
    - We will rework the categories this year – best use of products, use of lights, etc.
  - Shop for A Cause
    - The Summer Edition raised \$3500 for Portland Trails. The merchant group wanted to reinforce that Saturday is open for business with no street closures.
    - For the November event, this group needs to start the conversation about the beneficiary. It should be a downtown organization. Adam will send out an email asking for nominations, it will be discussed at the September meeting and finalized at the October meeting.
    - It gets the holiday shopping season off to a positive start.
  - Horse & wagon rides – sponsorship opportunities
  - Elfternoon Lunchtime Shopping – the group decided to keep it on Wednesday's. It will start on November 30<sup>th</sup> and continue on December 7<sup>th</sup> and December 14<sup>th</sup> from noon -2:00pm. The initial idea was to take advantage of people already downtown and encourage them to come shopping and have lunch at the same time. Any type of snack is great. Adam sends out reminders right before each weeks' event.
  - Merry Madness, Thursday December 8<sup>th</sup>, probably at Portland House of Music again. Suggestions:
    - Work on the food this year. Perhaps have catered food rather than self-serve.
    - Consider what attendees get for \$15 ticket price
    - The State regulates how much can be poured – 2 ounces
    - The kick-off event is meant for people to start there and get their glass and then go shopping
    - Shopping and nibble event encourages attendees go to restaurants too. Maybe get restaurants involved with a prix fixe menu.
    - Think of other food items to have in your stores – shoppers are hungry!
    - We are working on the goodie bag idea this year. Thinking of doing a snack bag rather than the magazines and paper items.
    - Might do more raffles
  - Pandora's light are turned on the night of the tree lighting

Adam will send an email for merchants to sign-up for which holiday events they would like to participate in.

#### **Minute 7. Other business:**

- Nelle Hanig (City of Portland Business Programs Manager) talked about the Façade Program. There are 3 projects underway in the Arts District: a Szechuan Restaurant is going in on the 600 block, the State Theater marquis will be restored and the Strange Maine storefront are all participating in this program. Washington Street and St. John Street will be areas for the façade program next. Spread the word to fellow merchants.

**Next meeting:** September 7<sup>th</sup> at 9:00am

Respectfully submitted,  
Taffy Eaton, Recorder



\*\*\*DRAFT\*\*\*

## Marketing Committee Meeting Minutes

August 9, 2016  
8:30 AM.

Portland Downtown  
549 Congress Street, Portland, Maine

Present:  
Robyn Violette  
Alen Saric  
Susan Driscoll  
Jeff Packard  
Jean Berg  
Suzie Rephan

Staff:  
Adam MacDonald  
Taffy Eaton

**Minute 1.** Alen called the meeting to order and thanked Jeff for running July's meeting.

**Minute 2.** The July 12<sup>th</sup> meeting minutes were unanimously approved.

**Minute 3.** Adam distributed a draft of **High-level goals of the 2016-2017 Marketing & Communications Plan**

### **GOAL 1: Showcase downtown businesses + points of interest**

- **Strategy A:** *What's Up Downtown* will be sent monthly to begin with. Each issue will have a theme. There are plenty of categories and lots of subject matter to cover. Adam's intent is to set Portland Downtown up as a resource for fun information and to use *What's Up Downtown* as an expected communication that matters to people. Get our audience excited about what Portland Downtown has to offer. Alen agreed that it is important to provide information to residents and workers on a consistent basis. It promotes Downtown and the merchants on a regular basis.
  - a. This committee could help choose categories so Adam has a plan
  - b. Adam will create a calendar for this committee to review
  - c. Adam will tag blog posts
  - d. Possibly use SCORE or other retired people as a writing or investigative resource. Adam will contact Robin Woodcock for involvement also.
- **Strategy B:** Publicly introduce/welcome new businesses through e-newsletter + social media posts: Adam would like to welcome new businesses by stopping by with our new welcome/informational packet.
- **Strategy C:** Share "Top 10 Lists" and other online articles that feature Portland.

### **GOAL 2: Educate the general public about our "behind-the-scenes" programs + initiatives**

- **Strategy A:** Add programs tab to our website and keep information current
- **Strategy B:** Offer orientation sessions for board members and volunteers: this committee will recommend to the Executive Committee having an orientation or retreat with a facilitator for the Board and committees. Jean will send a list of possible facilitators to Taffy.
- **Strategy C:** Tell our story through interviews (Q&As) with staff + board members, volunteers, cadets, public works crew, merchants, committee members, etc.
- **Strategy D:** Issue press releases announcing major program news



**GOAL 3: Enhance participation in and engagement with our committees**

- **Strategy A:** Make it easy to sign up for meeting notifications/reminders
- **Strategy B:** Hand-deliver printed invitations for NLOC and Merchant Meetings: Adam circulated the NLOC and Merchant Meeting schedules he created. They are being distributed by volunteers. Adam wanted to have another source of information other than email.
- **Strategy C:** Create “Welcome Packet” for new downtown businesses

**GOAL 4: Create sponsorship materials for programs + events**

**GOAL 5: Create an Annual Report**

- **Strategy A:** Collect + crunch the numbers
- **Strategy B:** Use a mix of photos and infographics to visually communicate our impact
- **Strategy C:** Distribute the report to key constituents.

**GOAL 6: Sell Portland Downtown merchandise:**

- Sell in the office and online. Possibly sell through retailers.

Adam will consolidate this information and bring it back to the committee in September.

Jeff complimented Adam on his work. He is really getting the organization name out and increasing brand recognition. Perhaps committees could be asked for their input on the Portland Downtown perception.

**Minute 4. Consolidation of Marketing and Events Committees**

- i. Adam spoke to the committee about the possibility of combining the 2 committees.
  - a. Perhaps a sub-committee could be formed? It may be more work that one committee can handle successfully.
  - b. Adam will write up a proposal on the process and bring it back to the committee.

Alen adjourned the meeting at 9:35.

Respectfully submitted,  
Taffy Eaton, Recorder.



\*\*\*DRAFT\*\*\*

**NLOC Meeting**  
**Wednesday August 10, 2016 at 3:30 PM**  
**Portland Downtown – 549 Congress Street**

**Present:** Lt. Mike Jones (PPD), Doug Fuss (Bull Feeney's), Tim Sweeton (State Theatre & Port City Music Hall), Mark Deane (Pearl), Tanner Herget (51 Wharf, Bonfire, Drink Exchange), Bruce Mills and Kristin Parquette (Amigo's), Ben Bowen (Oasis), Bob Ruminski (Mathew's), Bob Waitkevitch (Fore Play)

**Board members:** Sarah Martin, Erik Urbanek, Robyn Violette, Alen Saric

**Staff:** Taffy Eaton

1. **Introductions:** Erik opened the meeting by welcoming everyone and telling those present that Sarah Martin is taking on the position of Chair for 2016-2017. Robyn Violette will be Co-chair. Introductions were made.
2. Erik addressed the possible independence of NLOC from Portland Downtown. Denine Leeman, the Chair of the Board of Directors, has deemed that according to the bylaws, NLOC is a committee of Portland Downtown. NLOC is welcome to meet with the Portland Downtown Legal Committee if they choose or they can separate from Portland Downtown completely. It is unsure whether NLOC is registered with the state.
  - Sarah asked when NLOC was originally formed and was it registered. It was formed to address safety issues of bar owners. It is a self-policing group. It was not formed as its own 501c3. If a bar owner chooses to go before City Council as a representative of NLOC, that must be approved by the Board. A bar owner can go before City Council as an independent business owner otherwise. The Portland Downtown Executive Director and a Board member attended all the NLOC meetings in the past.
  - If NLOC chooses to act on a bar licensee, to have to go through the Board, it would add a layer to the process and delay it. NLOC receives the calls for service reports only one month prior to the bar owner going in front of city council. Erik assured the group that self-policing issues such as acting on a bar licensee, would not come under Portland Downtown Board approval- NLOC handles them.
  - Erik encouraged NLOC to differentiate between self-policing and self-advocacy. Portland Downtown Board is made up of property owners and is following their bylaws and mission statement for the betterment of Downtown. We need to make sure all committees' work is presented with Portland Downtown support.
  - Robyn explained that all Portland Downtown committees meet the same criteria. NLOC is in place to support Portland Downtown and vice versa. The bylaws should align. It benefits each group to work together and have a stronger voice as one group.

Erik and Sarah will go back to the Board with NLOC's concerns and report back in September.

Some further suggestions were:

- Bruce - have Portland Downtown form a sub-committee of bar owners and have a private advocacy group also.
- Doug – keep NLOC bylaws and create a committee that does marketing to involve restaurants and bars, to get them involved in Portland Downtown events.

Erik left the meeting following this discussion and Sarah took over as Chairperson.

3. **Review Night Life Issues/Calls for Service/License for September renewals (sent with the agenda):** Lt. Jones reviewed the calls for service in the packet
  - Empire's loud music complaints are from one person. The highest one was 83, others were in the high 60's and low 70's.
  - Reviewed the fights reported at Bonfire
  
4. **Other:**
  - NLOC was told late night towing would stop on Fore Street but it continues. Gary will address this at the September meeting.
  - Tanner pointed out that we don't usually have a December meeting as listed on the postcard
  - Sarah reviewed the changes made to the Service Animal legislation and the legal questions you are allowed to ask.
  - Doug spoke about street people and suggested that bar and restaurant owners make the PPD partners with your organization because these people can be dangerous.
  - Found a fake \$50, fake \$20. Hollywood money is circulating.
  - There have been break-ins in Temple St and Fore St garages. They are smashing windshields.
  
5. **Next meeting September 14<sup>th</sup>, 2016, 3:30pm**

*Sarah adjourned the meeting at 4:40pm.*

### **September 7, 2016 applications**

**Rising Tide Brewing Company, LLC d/b/a Rising Tide Brewing Company. Application to expand Outdoor Dining on Private Property at 103 Fox Street.** Application submitted on 7/22/16. Applicant holds a current Brewery/Winery/Distillery Alcohol Service License with Food Service without Preparation, Entertainment without Dance, and Outdoor Dining on Private Property at 103 Fox Street.

**Ocean Ave, LLC d/b/a Tipo. Application for a Class I FSE with Outdoor Dining on Private Property at 182 Ocean Ave.** Application submitted on 7/15/16. New City and State applications. Current location of Borealis Breads Café & Bakery.

### **September 19, 2016 applications**

**Rhum, LLC d/b/a Rhum. Application to expand existing alcohol service area for one-day event on October 7, 2016 at 4 Free Street.** Application filed 8/8/16. Applicant holds a current Class I FSE with Entertainment without Dance and Outdoor Dining on Private Property at 4 Free Street. This event is entitled “Knack Factory & Rhum Block Party.”

PORTLAND DOWNTOWN  
Legal Affairs Committee Meeting  
Minutes

August 10, 2016  
3:00 PM.

JB Brown Offices  
Portland, Maine

Directors Present:  
Penny St. Louis  
Trish Weimer

Chair Trish Weimer called the Legal Affairs Committee (LAC) meeting to order at 3:01 PM.

Minute 1. The Committee reviewed suggested revisions as submitted on Google docs (deadline for submissions 8/8/16), discussed additional revisions, and edited the following DRAFT documents:

- Advocacy Policy
- Conflict of Interest Policy

Minute 2. Meeting was adjourned at 3:55 PM

Respectfully Submitted,  
Trish Weimer  
Co-Chair



**District and Community Services Meeting Minutes**  
**Thursday, August 18, 2016 at 1:30pm**  
**549 Congress St.**

**Board members present:** Ken Cianchette (ELC Management Inc.), Jeff Packard (Alodyne), Phil Haughey (MHR Management)

**Others:** Megan Doane (Portland Stage), Joan Grant (Friends of Congress Sq Park), Angela Franklin (Soakology), Ed Gardner & Kelly Craig (Ocean Gate Realty & 511 Congress St), David Packard (Frederick, Quinlan & Tupper)

**Staff present:** Amy Geren, Taffy Eaton

**Minute 1.** Ken welcomed everyone and asked for introductions.

**Minute 2.** On a motion by Phil Haughey, seconded by Jeff Packard, the committee unanimously accepted the July 21<sup>st</sup> meeting minutes.

**Minute 3.** Potential panhandling action plan: Ken said that after the July DCS meeting, Josh was going to bring the topic of a larger, public meeting to the Board for approval. A meeting similar to the meeting held concerning the Noise Ordinance could be more beneficial than having social services present at this committee.

Discussion:

- The ACLU seems to have more power than other groups. Phil reminded the group that it was the wording of the ordinance that was problematic. The wording used would prohibit ANY solicitation of funds, including the fire department and all other groups. First Amendment rights won.
- There are other ways to tackle the problem – removal of medians has worked in some areas.
- Portland Downtown would like to engage in the conversation since we serve property owners and the downtown constituents, even if the City has decided not to engage.
- Amy has met with many of the social service agencies this summer, doing information gathering.
- Amy watched a Have a Heart Give Smart type campaign webinar (public awareness campaigns) and they do not seem to be very successful in fundraising. Media coverage on the homeless population encourages that population to further engage. Professionals are working hard behind the scenes and being successful in their work. Portland Downtown can support these professionals. The City will not touch the issue again.
- A suggestion was made to get some of these professionals to come to this meeting.
- Also, exactly what issues about panhandling does Portland Downtown not like?

- The feeling is that the majority of businesses downtown would like to see changes to panhandling.
- Temporary seasonal residents are the population we are addressing.
- Add to September Board meeting agenda – motion to hold a public meeting. Should have City Councilors present – invite all parties.

**Minute 4. No smoking signs in the parks and the ordinance violations around smoking in parks**

Amy covered this topic in her DEL update. Generally, new signage is needed with the amount of the fine added to the sign. Butt butlers are sending mixed messages.

**Minute 5. DEL update; Public Works update on mid-summer activities/cleanliness (attached) – Amy**

- Graffiti:
  - Newspaper boxes – one smaller company has removed their vacant boxes after receiving a reminder of the ordinance violation from the neighborhood prosecutor. There is a process for Public Works to remove others and put them back if they are in violation of the ordinance. Amy plans to continue this process with violating newspaper owners.
  - Learning Works water truck is out of commission but Amy is staying on top of coordinating graffiti removal.
  - Property Owners need to remove their own graffiti per the City of Portland Code of Ordinances.
- Trash/Recycling Receptacles
  - Working with Public Works on placement of new trash/recycling receptacles
  - Recycling barrels will be paper only
- Downtown Cadet Program
  - Portland Downtown won an International Downtown Association Achievement award
  - Amy is working on outlining the expansion of the cadet program
  - PPD is continuing to provide monthly stats
  - The cadets are mostly a face for enforcement of ordinances
  - Cadets do get harassed but they do have ample support from the PPD
- See, Click, Fix
  - Inspection issues, signage on sidewalk means restaurants are expanding past their limits
  - The program is successful

**Minute 6. Other business – Suggestions:**

- Jeff – Housing Committee meetings on affordable housing need to be kept on top of. Casey will send information out. All committees will be kept informed on the subject

Respectfully submitted,  
Taffy Eaton, recorder

## Update from your Downtown Experience Liaison

*August 2016*

### Graffiti

#### **Newspaper Box Hotspots**

- Worked with the Neighborhood Prosecutor at PD to remove the empty Coffee News boxes.
- Next Steps: Contact vandalized newspaper box owners and repeat the legal process for cleaning or removal.

#### **LearningWorks**

- Worked with LearningWorks to prioritize hotspots and get liability waivers signed by property owners.
  - Provided LearningWorks with See, Click, Fix graffiti vandalism reports
  - LearningWorks cross-checked reports for still pending locations
  - Provided LearningWorks with complaint locations
- While making contact with property owners, I have been inquiring about a water source at the location which makes many of these jobs possible.
- Next Steps: Assist with property owner contact for water source, and/or coordinate with City of Portland for water truck availability/use.

#### Trash/Recycling Receptacles

- DPW has issued a PO through finance to order six of the trash/recycling receptacles from the company suggested by the City of Nashville. The order was \$600 over the budget balance, but DPW will fund the overage.
- Next Steps: Work with DPW to place new receptacles in high traffic areas for a pilot.

#### Downtown Cadet Program

#### **IDA Awards**

- Portland Downtown applied for an International Downtown Association Achievement award in the Downtown Leadership Management category for its management of the Downtown Cadet Program. We found out on August 5<sup>th</sup> that the project was selected for an Award of Excellence. IDA Excellence awards recognize high achievement in the areas of innovation, representation and sustainability.
- Casey will be accepting the award at the IDA's 62<sup>nd</sup> Annual Conference next month.
- Next Steps: Press release about the awards

#### **Community Engagement**

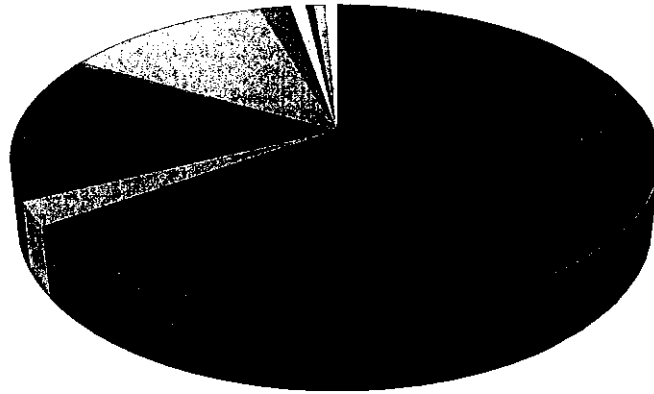
- The cadets had ample opportunity for police work involvement during the first week of August. In addition to their typical business checks and special attention checks, they:
  - Attended National Night Out at Kennedy Park;
  - Assisted with perimeter traffic control for a suspicious package at Congress/Monument Square;
  - Assisted with a strong arm robbery in Monument Square;
  - Assisted with a terrorism threat at 109 Middle Street and the Cumberland County Jail; and
  - Worked security at a political rally at Merrill Auditorium.
- Anthony Ciampi has been hired as a police officer with the City of Portland. He will start at the criminal justice academy in Vassalboro this month and should be working as an officer by early 2017. Congratulations Tony!

#### **Contact Stats**

- The cadets continue to provide weekly contact stats for program monitoring and evaluation over time. Totals for the month of July show a slight decrease in business contacts as the cadets spend more time warning for ordinance violations, assisting with incidents, and making special attention checks.
- Smoking in parks warnings continue to lead ordinance violation warnings. A property owner downtown questioned park signage around the ordinance, which opened a discussion about current signage. See Smoking in Public Areas below for an overview of the situation.

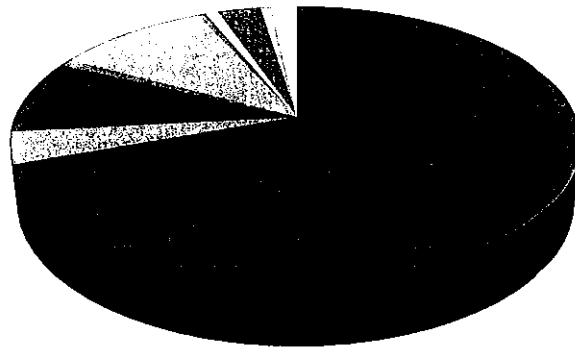


## Downtown Cadet Activity: June 2016



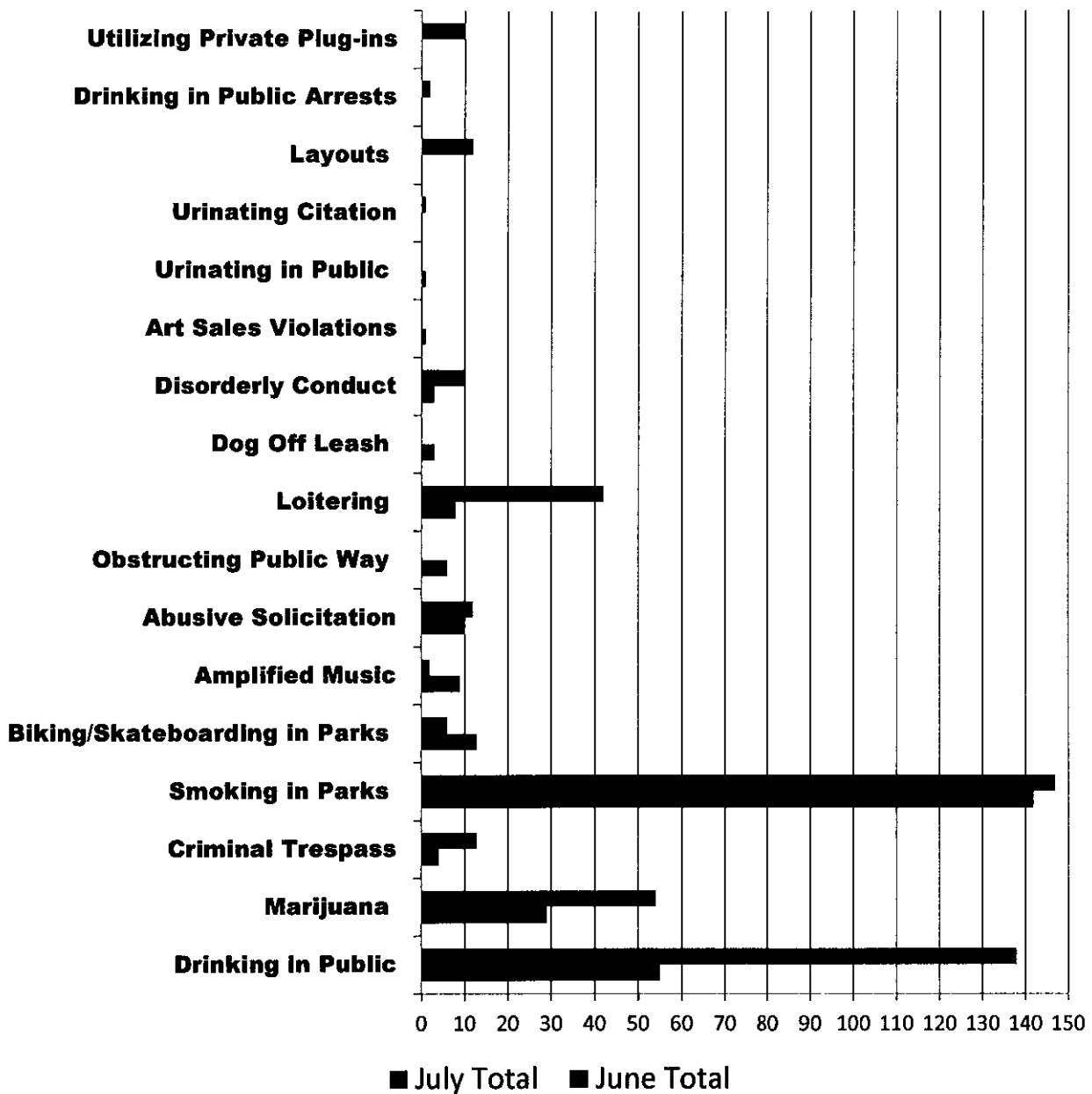
- Special Attention Checks: 703
- Marijuana: 29
- Criminal Trespass: 4
- Biking/Skateboarding in Parks: 13
- Abusive Solicitation: 10
- Loitering: 8
- Disorderly Conduct: 3
- Urinating in Public: 1
- Drinking in Public: 55
- Business Contacts: 176
- Smoking in Parks: 142
- Amplified Music: 9
- Obstructing Public Way: 6
- Dog Off Leash: 3
- Art Sales Violations: 1

## Downtown Cadet Activity: July 2016



- Special Attention Checks: 858
- Marijuana: 54
- Criminal Trespass: 13
- Biking/Skateboarding in Parks: 6
- Abusive Solicitation: 12
- Disorderly Conduct: 10
- Layouts: 2
- Utilizing Private Plug-ins: 10
- Drinking in Public: 138
- Business Contacts: 125
- Smoking in Parks: 147
- Amplified Music: 2
- Loitering : 42
- Urinating Citations: 1
- Drinking in Public Arrests: 2

## Downtown Cadet Warnings, Citations and Arrests: June and July, 2016



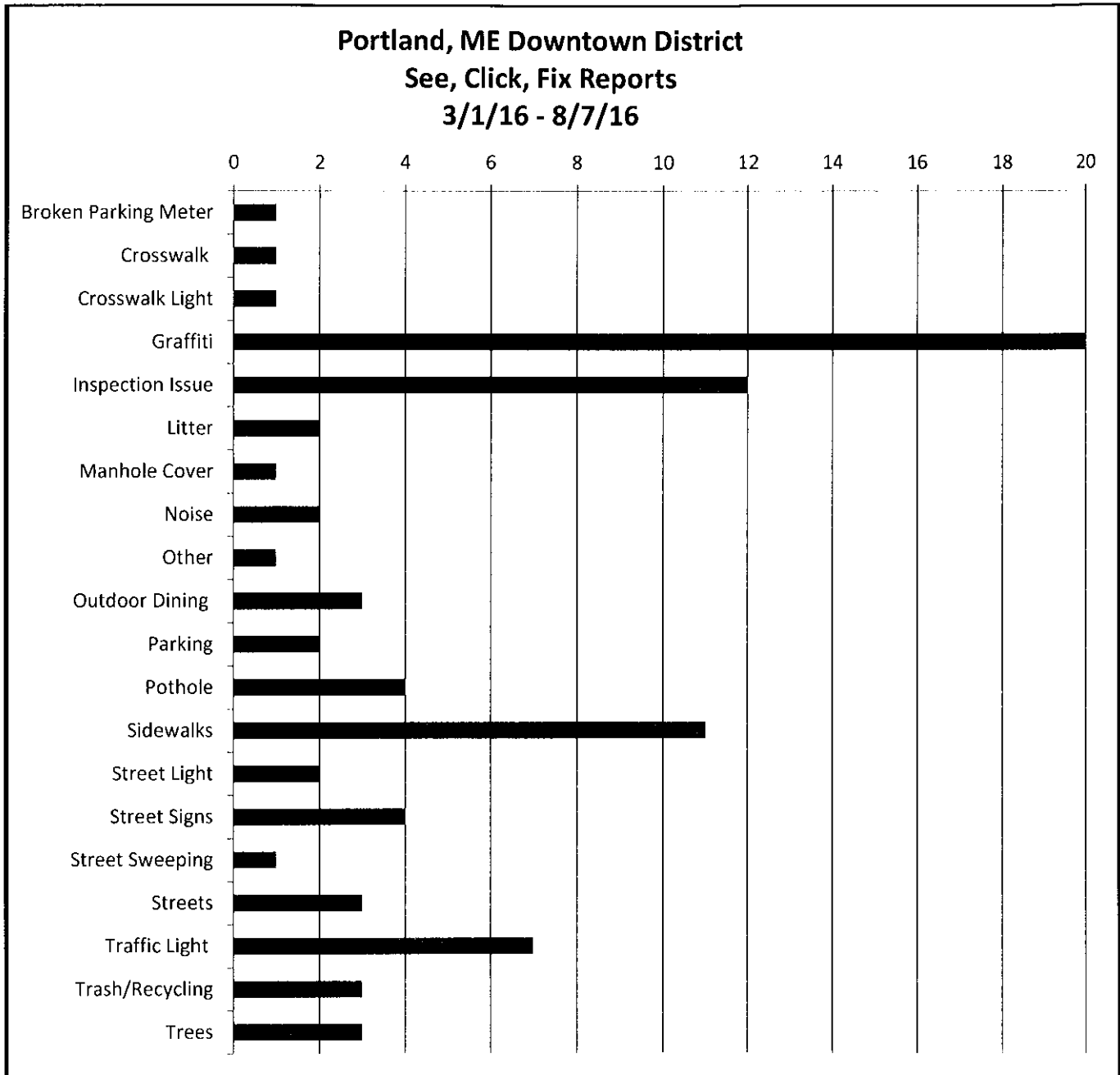
### Arrest/Summonses

- The cadets called for backup so that a repeat offender could be arrested for drinking in public. The offender served 20 days in jail.

See, Click, Fix

- The large majority of See, Click, Fix data (23.8% percent) for the period report graffiti vandalism. I have shared this information with LearningWorks to determine graffiti vandalism hotspots.
- Inspection issues (14.3%) and sidewalks (13.1%) make up another large portion of the data. Most inspection issues (10 of 12) are related to advertising signage on sidewalks, while one report each from inspection issues and sidewalks pertain to restaurant outdoor dining blocking the sidewalk. There is a

location on Silver Street that has been granted an outdoor seating permit to take up the entire sidewalk because the sidewalk is in need of repair, and the others indicate Otto's is in violation of sidewalk marking.



### Smoking in Public Areas

#### City Park Signs

- Based on an early review of the cadet stats, smoking in city parks appears to occur frequently despite posted reference to the City's Code of Ordinances at Congress Square, Tommy's and Post Office Parks, and Monument Square. Congress Square and Monument Square have the following signs:
  - At least one sign referencing the City's Ordinance declaring it illegal to smoke in city parks and open spaces;
  - A sign listing park rules prohibiting skateboarding, loitering, feeding the pigeons, and alcoholic beverages.
- Tommy's and Post Office Parks have the above signs as well as the following signs:

- Hours the Park is closed (1:00 AM – 6:00 AM); and
- No Drinking of Alcoholic Beverages.
- In addition, Congress Square Park has a sign with the dog waste bags reminding users to clean up after their pets.

**Butt Butlers**

- There are butt butlers in all of the parks. These might be sending a mixed message around smoking in the parks.



**Parking & Transportation Committee meeting minutes  
August 24, 2016 at 9:00am  
549 Congress St.**

**Board members Present:** Kim Volk (Aurora Financial), Phil Haughey (MHR Management), Mike McDonald (North River Co); Sarah Martin (Bar of Chocolate)

**Others:** Todd Dominsky (East Brown Cow), Kevin Thomas (City of Portland DPW, Traffic Division), Asher Chappell (Unified Parking Partners)

**Staff present:** Taffy Eaton, Amy Geren

**Minute 1.** Phil Haughey opened the meeting, welcomed everyone and asked for introductions.

**Minute 2.** Review and approve July 27, 2016 minutes: Kim made a motion to accept the minutes as presented. Sarah seconded the motion and the vote was unanimous.

**Minute 3.** Park & Shop program suspension, update on signage:

- Amy is continuing to gather feedback about the program suspension and will present it at the September meeting.
- New Parking directional signs are up and in place throughout downtown. Kevin Thomas' crew is putting them up, thank you Kevin!
- We did a final email mid-August to remind the public that 8/31/16 is the final day for returning stamps for a refund.
- MHR Management and East Brown Cow (Fore Street garage) have had several companies contact them about parking validation programs to replace the Park & Shop program.
- The City of Portland has been working with individual businesses to set up validation programs as well.

**Minute 4.** Review response by the City to the Parking Advocacy Letter: Amy

1. Portland Downtown's Board of Directors voted unanimously to provide up to \$15,000 of its parking study implementation funds to the parking study component of the project.
2. Casey will continue to make sure Portland Downtown has a seat at the table.
3. Amy is applying for a matching grant of an additional \$15,000 in PEDPIP (Portland Economic Development Plan Implementation Program) funds to assure the results of the study will include the majority of Portland's peninsula, and that study findings will become a reality by reducing the amount of implementation funds reassigned to the study portion of the project.
4. Amy is also applying for a matching grant of an additional \$15,000 in PEDPIP funds for the marketing campaign to assure a larger reach.
5. Kim told the committee that Portland Downtown will withhold the \$10,000 so that it will be used for implementation of the Parking Study and that Portland Downtown will provide matching funds for the Marketing campaign (\$15,000) until the next fiscal year to be used in conjunction with the City's next fiscal year.

6. The City is hoping to do a marketing campaign on Multi-Modal options prior to the completion of the parking study. Amy is applying for PEDPIP funds to match Portland Downtown's commitment of \$15,000 for this campaign.

**Minute 5. Other business –**

- Kim noted that as Portland Downtown receives communication surrounding parking issues, Casey is steering them to the person at the City best suited to address the issue.
- Phil described the letter received at Portland Downtown from a Commercial Street resident who is having trouble finding parking close to her home. Due to health issues, she is limited in her ability to walk distances.
  - Asher mentioned that perhaps UPP can offer her a space in one of their garages for the remainder of her stay and gem car rides to and from the garage. If Asher works out a solution, he will let this committee know.
  - Fore Street Garage has a nights and weekends program too, which is half the cost of monthly parking.
  - She might be able to get a resident sticker from the City.
  - Since she addressed her concerns to the Portland Downtown, we ought to formalize a response to her.
- Amy is receiving complaints about parking issues in the India Street neighborhood.
- Kim asked Kevin Thomas if there is anything with which this committee can help his department. Kevin informed this committee of:
  - Kevin's department (Traffic) does striping, puts up lights, banners, cameras for Portland Police Department and signs, among other things.
  - He has a staff of 6-7, down from 14 originally.
  - The City currently does not have a count of how many handicapped spots there are downtown. Amy made a note to add this to the Parking Study. John Peverada likely has this answer.
  - The public needs to be educated on the 4-hour free parking allowance with a handicapped placard.
- There was discussion surrounding food delivery trucks:
  - The City could work on restricting food deliveries to between 2am and 6am.
  - There also could be smaller vans coming into the city delivering only a few items, rather than 18 wheelers.
  - Restrict the times delivery trucks can be on certain streets, possibly, particularly in the Old Port, and businesses will be encouraged to change their receiving hours.
- Sandwich boards continue to be a hindrance to pedestrians and cars on the sidewalk edges on Commercial Street.
- There is a Code Enforcement crew which has staggered shifts. They work on housing and other items, also. There is supposed to be someone dedicated to Downtown, but the budgeted position does not seem to have been filled.

**Next meeting:** Wednesday September 28<sup>th</sup>, 9:00am

Phil adjourned the meeting at 10:00 am.

Respectfully submitted,  
Taffy Eaton, Recorder

# Portland Downtown

## Advocacy Policy

*Our purpose, according to our organizational by-laws:*

*To represent the business, cultural and residential community within the District in the on-going development and management of downtown Portland;*

*To create a safer, cleaner, well-managed downtown area within the District so that Portland can successfully compete as an environment in which to live, do business, shop and visit;*

*To stimulate commercial, retail, tourist and cultural activities within the District through improved marketing and promotional initiatives, which enhance the image of downtown Portland.*

*Guiding Principles to Advocate:*

- Does the issue to be addressed significantly affect the majority of property owners and/or stakeholders (e.g. businesses within downtown)?
- Does the issue significantly affect downtown Portland's unique character?
- Are other organizations involved in advocating and do their missions or goals complement and/or parallel those of Portland Downtown?
- Will the proposed position have a favorable effect on the majority of property owners and/or stakeholders?
- Would advocating require significant financial commitments other than staff time?
- Would the proposed position entail significant reputational, funding, or legal risks for Portland Downtown?

*Process:*

- The principal spokesperson for advocacy shall be, in the following sequential order, the Portland Downtown's Chair; if Chair is unavailable, the Vice Chair; if the Vice Chair is unavailable, then a representative of the Board as delegated by the Chair
- Portland Downtown's position should be stated in writing, and all communication will be delivered from this statement
- Portland Downtown's representatives, staff or volunteers may attend City workshops or hearings to gather information and to ask questions but should only state opinions or provide advice consistent with the Portland Downtown's written position
- Before publicly advocating a position, and to the extent time permits, the Portland Downtown Board of Directors will inform Committees of its potential advocacy on an issue and seek input from Committee participants. All such input will be shared with the Board
- Portland Downtown will develop a communication plan for Committee agendas, even if it's only a few sentences. The purpose is to make Constituents and Stakeholders aware of Portland Downtown's advocacy efforts in order to educate the membership and encourage engagement
- Initial recommendation on whether to undertake advocacy on any issue shall be presented to the Executive Committee and thereafter shall be presented to the full Board of Directors for a

final vote at the next regular meeting. (Affirmative vote of more than fifty percent of members in attendance needed).

- For time sensitive issues which require immediate action, the Portland Downtown Executive Committee shall be empowered to proceed with an advocacy position provided the Executive Committee solicits input from the Board (via e-mail or otherwise) no less than three days prior to acting. In any event, any time sensitive advocacy action authorized by the Executive Committee shall be communicated to the full Board at the next regularly scheduled meeting
- Any member of the Board of Directors may propose an advocacy position at any regular Board meeting and it shall come before the full Board of Directors for consideration at the next regularly scheduled Board meeting following the Board meeting at which it was proposed
- Directors who speak publically on an item that conflicts with a Portland Downtown position must disclose to the public they are exclusively representing their personal viewpoint



**CONFLICTS OF INTEREST RE OF CERTAIN INTERESTS  
BY GOVERNING BOARD POLICY AND  
DISCLOSURE BY MEMBERS**

(Expanded to include officers, employees, and  
Others with administrative responsibility)

*Background: The IRS Form 990 asks the question whether the organization has a written conflict of interest policy and if the answer is 'yes' the IRS asks whether board members, officers and key employees are asked annually to disclose potential conflicts, as well as whether the organization "regularly and consistently monitors and enforces" compliance with the policy? See Part VI, Section B of the new 990.*

The proper governance of the Portland Downtown depends on its directors and officers who give of their time and talent for the benefit of the community. Because of their varied interests and occupations, situations of dual interest may result that could be interpreted as a conflict of interest.

This service should not be rendered impossible solely by reason of this duality of interest. Therefore, the Directors of Portland Downtown adopt the following policy which would require full disclosure of a duality of interest and nonparticipation in any discussions and vote where the interest is involved.

**What is a conflict of interest?** A conflict of interest arises when a staff or board member of Portland Downtown identifies a personal interest that conflicts with (and sometimes, merely appears to conflict with) the interests of Portland Downtown or its stakeholders, or may arise in situations where a member of a Portland Downtown board or staff member has divided loyalties (also known as a "duality of interest"). The former can result in situations that result in inappropriate financial or other personal gain to persons in authority at Portland, Downtown. That, in turn, can lead to financial penalties and violations of IRS regulations. Similarly, situations or transactions arising out of a conflict of interest can result in either inappropriate financial gain or the appearance of compromised integrity in the Portland Downtown decision-making process. Both results are potentially damaging to Portland Downtown and are to be avoided.

The following policy of duality and conflict of interest is hereby adopted:

1. Any duality of interest or possible conflict of interest on the part of a Director of a committee with board delegated powers shall be disclosed to the entire Board or Committee and made a matter of record. This process shall be an annual occurrence or when the interest becomes a matter for Board or Committee action.
2. Any Director having a duality of interest or possible conflict of interest on any matter shall disclose the possible conflict of interest to the Board, shall leave the meeting during any discussions concerning the matter, shall not vote or use his personal influence, and he shall not be counted in determining the quorum for the meeting. The remaining Board members shall decide after disclosure, if a conflict of interest exists.

3. If it is determined that a conflict of interest exists with regard to a Director, the chairperson of the Board or Committee, shall when appropriate, appoint a disinterested person or committee to investigate alternatives to the proposed transaction.
4. After exercising due diligence, the Board or Committee shall determine whether Portland Downtown can obtain a more advantageous transaction or arrangement with reasonable efforts from a person or entity that would not give rise to a conflict of interest.
5. If a more advantageous transaction or arrangement is not reasonably attainable under circumstances that would not give rise to a conflict of interest, the Board or Committee shall determine by a majority vote of the disinterested Directors or Committee members present, whether the transaction or arrangement is in the best interest and for the benefit of Portland Downtown, whether the transaction or arrangement is fair and reasonable and shall decide whether to enter into such transaction or arrangement.
6. The minutes of the Board and Committees with board-delegated powers meetings shall include:
  - a. The names of persons who disclosed financial or other duality of interests, the nature of the duality interest(s) and whether the board determined that there was a conflict of interest; and
  - b. The names of all persons present for discussions and/or votes relating to the transaction or arrangement; the content of these discussions, including any alternatives to the proposed transaction or arrangement; and a record of the vote, including the quorum situation and any abstention from voting.
7. Each Director, Officer and Committee member with board delegated powers shall sign an annual statement which affirms that such person has received a copy of the conflicts of interest policy; has read and understands the policy, has agreed to comply with the policy; understands that the policy applies to all Committees and subcommittees with board delegated powers; and understands that Portland Downtown is a charitable corporations and in order to maintain its federal tax exemption they must engage primarily in activities that accomplish one or more of its tax-exempt purposes.
8. The responsibility for monitoring such disclosure shall rest with the Officers of the Board. They will report annually to the full Board and make recommendations regarding specific disclosures.
9. The Board or Committee shall take appropriate disciplinary and corrective action with respect to a Director who violates the conflicts of interest policy.

## **Guidelines**

A conflict of interest may be considered to exist in those instances where the actions or activities of an individual on behalf of Portland Downtown would result in:

- A. personal gain or advantage;
- B. an adverse effect on Portland Downtown's interests;
- C. achievement through a third party (or otherwise) of personal gain or advantage.

The following guidelines should be used in your review for identifying potential conflicts:

**I. Financial Interests:**

Any Director, member of a Committee with Board delegated powers or Officer directly or indirectly through business or family, holding a position or having material financial interest (actual or potential ownership, investment, compensation arrangement) in an outside concern from which Portland Downtown secures goods or services;

**II. Gifts, Gratuities, and Entertainment:**

Acceptance of gifts, excessive or unusual entertainment or other favors from any concern outside that does or is seeking to do business with or is a competitor of Portland Downtown.

This does not include the acceptance of items of nominal or minor value that are of such a nature as to indicate that they are merely taken out of respect or friendship and not related to any particular transactions of Portland Downtown.

**III. Inside Information:**

Disclosure or use of Portland Downtown's information for the personal profit or advantage of individuals or organizations. In most instances, the affected individual(s) should recuse himself from participating in, attempting to influence, and/or in being present during any related discussions

**IV. Other:**

Full disclosure of any situation in doubt should be made to permit an impartial determination. It should be particularly noted that this disclosure relates not only to you, but also to your immediate family.