

Portland Downtown Board of Directors

Board Meeting minutes

June 21, 2018
549 Congress St



Present: Kim Volk, Trish McLellan, Megan Doane, Phil Haughey, Denine Leeman, Sarah Martin, Mike McDonald, Greg Mitchell, David Packard, Suzie Rephan, Alen Saric, Penny St. Louis, Peter Tousignant, Erik Urbanek

Absent with notice: Mike Erickson, Sue-Ellen McClain, Robyn Violette

Absent: Anastasia Contos

Staff: Casey Gilbert, Taffy Eaton

Minute 1. Kim called the meeting to order, welcomed everyone present and mentioned that this is the final Board meeting for the outgoing Board members.

Kim thanked Suzie Rephan and Phil Haughey for their enthusiastic support of PD and the committee work they participated in, Robyn Violette for her generous support of PD and Merry Madness with wine donations and Alen Saric for his loyal Board service in support of PD and in the Accommodations stakeholder position.

Minute 2. Motion to accept:

- A. **May 17, 2018 Board meeting minutes:** On a motion made by Denine Leeman, seconded by Suzie Rephan and unanimously adopted,

it was

RESOLVED: That the minutes of the Board Meeting of May 17, 2018 be and hereby are accepted as proposed.

- B. **May 2018 Treasurer' report:** Erik reviewed the attached summary report. On a motion made by Sarah Martin, seconded by Mike McDonald and unanimously adopted following discussion,

- Tracking \$22,646.49 over budget year-to-date

Income:

- Grants: Denine asked whether there are expenses associated with the grant income and if we budget for that. Yes, most grants have associated costs. Casey mentioned that we will soon get the expected revenue from the City for the Walking Tour Brochures.
 - The \$55,000 funding the Peer Outreach Worker program will go directly to Amistad
 - Amy applied for a Bangor Savings Bank grant to help fund the Cadet program which did not receive funding
 - The Business Retention & Expansion Survey PEDPIP Grant was not approved
- We have received the \$5,000 check from the Portland Press Herald for the directory revenue split

Expenses:

- The Cadet expense will remain as is reported for FY18
- The Total over budget amount is due to items previously discussed
 - The Annual Report was not budgeted for and is therefore an additional expense
 - Casey will do a year-end review of the general ledger to make sure all income and expenses are categorized correctly

- Mary Eshelman, the bookkeeper, will use this fiscal year's monthly expense targets as a guide to enter this year's FY budget, so that we more accurately hit monthly and quarterly budgeted targets.

it was

RESOLVED: that the May financial statements and Treasurer's report be and hereby are accepted as presented.

Casey added that she was pleased that the City did not charge permitting fees for brick and mortar businesses within the Old Port Festival footprint, saving us between \$2, 000 and \$3,000 in permitting fees. We might want to consider putting this practice in writing so it will continue.

Minute 3. Committee reports:

- Old Port Festival Ad hoc: no report this month. There will be an early July recap meeting, then the committee will resume regularly scheduled meetings. Casey added that feedback has been positive. Adam sent surveys to vendors and participants.
 - Sarah mentioned NLOC member's comments: they thought there was less music than other years, the footprint was more spread out, it lacked a festival feeling, they couldn't find the food trucks, 2 vendors on lower Exchange St did not get power although they requested it. Josh Miranda at Blythe & Burrows provided power to those vendors. Denine said EBC provided power for a couple of vendors also. Casey commented that perceptions about the event vary widely. Many Board members said the crowd was good and there was room to move. Alen mentioned that NLOC comments are due to how their businesses did – which may be that they did not sell as much alcohol as previous years.
 - Board members heard feedback that it was much more family oriented and there was less drunken behavior. This is in-line with what the Board wants OPF to be – more family-friendly, local, and low-key.
 - Suzie said Leroux tried some new things which worked well for them. Their staff felt it was a good day, and the beautiful weather helped.
- Marketing & Events: Kim attended Square Hop and Walk the Working Waterfront, a favorite add-on to the weekend. The next events are Light up Your Holidays. The committee will review Summer Kickoff Weekend at the July meeting.
- Merchant Meeting: The May meeting was at the Westin and was not as well attended as other meetings. The Mandatory Paid Time off ordinance was a focus. Panhandling, loitering and other issues were addressed with the Police Department. They encouraged businesses having issues to file a No Trespassing letter so the police have the authority to legally move people away from their property at any time.
- Growth Ad hoc Committee: Kim recapped that committee members have attended many City Council and Finance Committee meetings concerning the FY19 budget, the mil rate and the proposed expansion. At the June 18th City Council meeting:
 - The Master and Supplemental Services Agreements were approved unanimously
 - The budget was agreed to unanimously
 - The proposed expansion had public comment and was approved with a minor adjustment. A last-minute amendment to exclude 27 properties was put forth by Councilor Costa, as a result of a very vocal group of residents. Councilor Thibodeau put forth a revised amendment excluding 17 properties and a reduction of approximately \$6,000 of assessment revenue which was approved. The excluded properties are single family homes, some non-profits, some mixed use, and some residential condominiums.
 - Casey, interested Board members and the Public Works crew will walk the expansion area. This walk will give City staff a thorough assessment of the new expansion area and what will be needed to provide supplemental services to that area.
 - The City's GIS department will produce a new map prior to the next Board meeting.
 - Casey will send a follow-up email to the Board summarizing all the changes.
 - Denine asked Greg when the amendment was proposed because PD felt it was very last minute. We would have liked to have done outreach to these residents. Greg said that he was aware of the last-minute boundary adjustment and reached out to Casey. Greg reiterated that the budget and mil rate were not the issues, only the boundary discussion. He made his recommendations, but City Council made the decision.

Denine added that this instance made her question the strength and value of the role of the City Manager liaison position, since it felt like a communication breakdown and that we were not being advocated for strongly enough through this process. Greg reminded the Board that City Councilors have the right to make amendments from the floor.

- Penny asked Greg what PD could have done to avoid this? Greg asked whether there was extensive outreach to residents? Yes. Some property owners chose not to attend the meetings and public forums, which were sent in post-mail invitations to all expansion area properties. The amendment to the expansion area was made as a result of one property owner who is very familiar with land use law and who had the education and political will to bend the decision in her favor. She was also successful at rallying nearby neighbors. There is great inequity in this final decision. Greg feels the City was working cooperatively with PD throughout the process. Corporation Counsel, the Tax Assessor and Finance departments were helpful throughout the expansion process discussion and provided an immense amount of assistance. It would have helped to have a department emphasize the extent to which PD did their work and to have been our advocate.
- Kim acknowledged how far PD has come, and that the organization will be in much stronger fiscal shape with the new budget. The Board has realized that PD is driving our budget and the mil rate does not drive our budget. Kim recommends that in the future, PD make incremental annual increases in the budget. Penny mentioned that Councilor Duson complimented PD in their data collection, and Mayor Strimling wants PD to expand because we do such great things. Mayor Strimling asked PD to report back in October and Councilor Duson encouraged an audit be conducted of our contracts and budget every 3 years between the City and PD.
- Penny proposed a future Board vote clarifying the SSA: This is an equity issue. The Board needs to thoughtfully consider their message, so PD staff can go to Public Works with a clear direction.
- Clean & Safe Committee: Denine said there were no specifics to address
- Night Life Oversight (NLOC):
 - Reviewed Old Port Festival
 - State laws regarding outdoor dining are changing as of August 1st. Outdoor dining will be permitted to be in a space that is not attached to the building, like a parking space. It will remain illegal to cross a street with alcohol but crossing City property (sidewalk) will be permissible. A City permit will still be needed for the space. City staff is working on regulations.
 - The City's Health and Human Services Committee is tackling the issue of outdoor speakers and are starting to distribute informational flyers to downtown businesses. The first step is education. The City is asking for compliance and 4 main points are outlined in the flyer.
- Governance: Trish covered Board election updates (see Minute 4)
- Parking & Transportation: Peter reported that the committee is
 - Waiting for The Brand Collective to come back with ideas for the Multi Modal marketing campaign
 - Will put finishing touches on parking study recommendations to the City at the next meeting. The final recommendations will be brought to the Board for approval.
 - Thinking about new committee focuses
 - The new Passport Parking app allows parkers to pay for more than 2 hours of street parking, but the app also sends you a warning that you can only park in one space for 2 hours. A ticket will be issued to violators.

On a motion made, duly seconded and unanimously acknowledged,
it was

RESOLVED: That the following Minutes of recent Committee Meetings be and hereby are acknowledged:

- Old Port Festival Ad hoc (5/1/18)
- Marketing & Events (5/1 & 5/17/18)
- Merchant Meeting (5/2/18)
- Growth Ad hoc (5/4, 5/9, 5/16/18)
- Governance (5/9/18)
- Clean & Safe (5/10/18)
- Night Life Oversight (NLOC) (5/15/18)

- Parking & Transportation (5/23/18)
- Public Works (5/23/18)

Minute 4. Election updates: Trish announced that turnout was low again.

- The outcomes were as follows:
 - Professional Services: Karen Coffin and Erik Urbanek
 - At Large: Kim Farrar and Bob Keegan
 - Retail: Tom Largay
 - Accommodations: David Davis
 - Entertainment/Nightlife: Sarah Martin
- Kim is asking Megan Doane to stay on in Anastasia Contos's place.
- Denine made a motion to place Sue-Ellen McClain on the Board as a Presidential Appointment. The motion was seconded by Penny St. Louis. Motion unanimously approved.
- Peter Tousignant made a motion for Megan Doane to fill Anastasia Contos term until the next election. Mike McDonald seconded the motion. Motion unanimously approved.
 - Kim will notify the winners and members of the Governance Committee will notify those who were not elected.
 - Penny thanked Trish for spearheading the election process. Albin, Randall & Bennett was valuable to the process. The Governance Committee is considering recommending online voting next year.
 - Casey thanked Adam MacDonald for his diligence in putting the nominations forms online.
 - Kim said Board Officers and Casey will do onboarding with the new Board members and some individuals who were not elected are willing to do committee work.
 - Peter expressed confusion about what a committee member is. Is there a difference between a committee member and a guest? This needs to be defined. Kim recognized that the creation of Committee Guidelines has been a process and asked the Governance Committee to finalize their guidelines as soon as possible.

Minute 5. Executive Director's report:

Casey distributed her Executive Director's packet which includes the City Council Workshop Presentation, emails from supporters and Strategic Plan initiative achievements for FY18. Casey will expand on her comments in the future. Casey also circulated the Board member end-of-year check-in sign-up sheet.

Minute 6. Comments from departing Board members:

- Suzie Rephan: Suzie joined the Board to work on Old Port Festival and is so pleased with the changes and thanked PD staff particularly for their support. Board service has been a great experience and Suzie has enjoyed working with everyone. Sometimes the Merchant point of view differs from property owners and Suzie encourages the Board to consider this group. Street Art Vendors has a lot to do with image of the City as a whole and she hopes that PD will consider working with the City to look at this issue.
- Alen Saric: Alen feels this is an amazing Board and has enjoyed working with everyone. Prior to becoming a Board member, he had never realized how much PD actually does.
- Phil Haughey: Phil joined the Board to find out why he paid a tax assessment. He is honored to work with a results-oriented board. Phil distributed awards to fellow Board members and staff.

A motion to move for adjournment was made and Kim adjourned the meeting at 10:40.

Respectfully submitted,
Taffy Eaton, Recorder