



Parks Handbook

Portland, Maine

May 2021

Welcome and Introduction

Thank you for your interest and your involvement in Portland's parks. Portland's parks and open spaces are a treasure – an important element of who we are as a community. They anchor Portland's spectacular natural setting and offer repose and recreation for the population of Maine's largest city and for its many visitors. Portland's parks belong to all of us, and they depend upon all of us. We welcome your contribution to protecting and improving this precious legacy!

This Handbook is intended as a primer on Portland's parks and their management, with particular attention to the respective roles of elected officials, city staff, and volunteer groups – especially, parks Friends Groups and the Parks Commission. Our hope is that the information provided here will help inform and stimulate public participation in the important business of protecting and improving Portland's parks. It is especially directed to new parks and open spaces Friends Groups and to individuals that may be interested in starting such a Friends Group. We hope that this information will also be useful to other Portland residents with a particular interest in parks and open spaces – including incoming members of the Parks Commission and Portland residents who may wish to apply to serve on the Parks Commission as vacancies arise. We have tried to provide sources throughout where interested individuals can find further information on the topics addressed here.

Portland Parks Commission Portland, Maine May 2021

Cynthia Loebenstein (chair)
Michael Mertaugh (vice chair)
Zach Anchors
Marie Gray
Jon Kachmar
Ana Lagunez
Maya Lena
Shaylyn MacKinnon
Jaime Parker
Nathan Robbins
Amy Segal
Mayor Kate Snyder

TABLE OF CONTENTS

Portland’s Park Legacy	1
What is a Friends Group?	1
Park Management	1
Parks Master Plans	2
The Parks Commission	2
Creating a Friends Group	3
Registering your Friends Group	5
Organization of Friends Groups	5
Bylaws	5
Functioning as a Friends Group	5
Historic Preservation Approvals	6
Financing Friends Group Activities	6
Cost Sharing with the City	7
The City’s Budget Process	7
Memoranda of Understanding	8
Ongoing Communications	8
City of Portland Meetings	9

Annexes

I.	Parks Friends Groups in Portland Maine	10
II.	Parks in the City of PortlandMaine	12
III.	City-Approved Parks Master Plans, Portland Maine	14
IV.	Parks Commission 2016 CIP Recommendations	15
V.	Sample Bylaws (Friends of the Eastern Promenade)	16
VI.	Parks, Recreation, and Facilities Department Capital Improvement Plan Timeline	22
VII.	Sample Memorandum of Understanding (City of Portland and Friends of the Eastern Promenade)	24

Portland's Park Legacy

Of all the cities in the United States, few can compete with Portland's unique natural setting - overlooking the rugged beauty of Casco Bay, the islands and seaway to the East, and the White Mountains to the West. Portland's parks and open spaces ensure that these priceless vistas can be enjoyed by present and future generations of Portland residents and visitors. They also offer opportunities for healthy exercise and relaxation in neighborhoods throughout the city. Among its open spaces, Portland's cemeteries offer respectful places for burial and commemoration of Portland's deceased loved ones.

Portland's parks and open spaces did not just happen. They resulted from the vision, dedication, and generosity of many Portland residents, friends, and public officials over the past two centuries.¹ Safeguarding Portland's existing parks for the benefit of future generations and creating new parks as the city continues to develop will require continuing vigilance and commitment by the citizens of Portland. Friends Groups have played an important role as advocates for Portland's parks since the creation of the first parks and open spaces friends groups in 1991². As of March 2021, there are fourteen Friends Groups for specific parks and open spaces in Portland (listed in Annex I). In addition, two organizations³ represent trails and community gardens, which are features of many of Portland's parks.

What is a Friends Group?

A Friends Group is a volunteer group of individuals who come together to protect and improve a specific park or open space. An essential characteristic of a Friends Groups for any of Portland's parks is this concern for the overall protection and improvement of a park or open space, rather than for any particular aspect or use of a park or open space. Friends groups advocate for park needs and provide ongoing operational, programmatic, or fundraising support for the park or open space that they represent. In doing so, Friends Groups work closely with the Parks, Recreation, and Facilities Department and with the Parks Commission.

Park Management

The Parks, Recreation and Facilities Department manages Portland's 77 parks and open spaces (listed in Annex II) under policies established by the elected City Council and recorded in city ordinances. The Department comprises a large and diverse workforce of full-time and part-time staff and volunteers who plan, manage, and carry out day-to-day operations for the city's parks, recreation programs, and facilities. More information about the Portland park system, staff, and programs is available on the Department's website:

¹ *Bold Vision: the Development of the Parks of Portland, Maine* (<https://www.portlandlandmarks.org/shop/bold-vision>) presents an excellent description of the history of Portland's parks.

² The Friends of Evergreen Cemetery

³ Portland Trails and Cultivating Community

<https://www.portlandmaine.gov/182/Parks-Recreation-Facilities>).

The city ordinances and regulations governing use of Portland's parks and open spaces are described in various chapters of the City Code -- particularly Chapter 18 (on Parks, Recreation, and Public Building), Chapter 7 (on Cemeteries), and Chapter 2 (on Land Bank properties).⁴

Parks Master Plans

In addition to these formal regulations, an important source of guidance on goals and priorities for Portland's parks and open spaces is the various Master Plans that have been developed through a consultative public process and adopted by the City Council. Friends Groups often play an important role in developing these master plans. Currently there are thirteen such parks and open spaces Master Plans (listed in Annex III). Most of these Master Plans are posted on the city's website at: <https://www.portlandmaine.gov/1943/Park-Master-Plans-and-Projects>.

The City-wide parks master plan entitled *Green Spaces, Blue Edges*⁵ (1993, updated in 2001) provides an overall vision for Portland's parks and open spaces. It also includes many assessments and recommendations about specific parks and open spaces. Some park-relevant assessments and recommendations are also included in the Master Plans that the city has adopted for Bayside (2000) and the Eastern Waterfront (2006), as well as the Pedestrian and Bicycle chapter in the City's *Comprehensive Plan* (2012).⁶

The Parks Commission

The Parks Commission is a volunteer body entrusted with assisting the city in oversight and stewardship over Portland's parks (<https://www.portlandmaine.gov/345/Parks-Commission>). The thirteen members of the parks Commission¹ are appointed by the City Council to serve for three-year terms. Six of the members represent specific groups: one designated City Councilor and one representative each from the Friends of Deering Oaks, Friends of the Eastern Promenade, Friends of Evergreen Cemetery, and the Land Bank Commission. The other seven commissioners are selected at large.

The mission of the Portland Parks Commission is to advocate for the enhancement and stewardship of our parks and open spaces, to review and propose projects that impact parks and open spaces and recommend appropriate action, to foster collaboration among park users and the City, to promote public access and enjoyment of our parks and open spaces, and to advocate for public and private funding for parks and open spaces. The Parks Commission holds monthly meetings that are open to the public. Representatives of Friends Groups and interested public are welcome to attend. These meetings are usually held on the first Thursday of each month at 5:00 PM in Room 24 of City Hall, but under the current pandemic restrictions they are being held remotely through public-accessible Zoom meetings. Notices of upcoming meetings, meeting agendas,

⁴ These can be accessed on the city's website: <https://www.portlandmaine.gov/131/City-Code>.

⁵ Available at: <http://www.portlandmaine.gov/DocumentCenter/View/3380/Green-Spaces-Blue-Edges>.

⁶ Available at:

<https://www.portlandmaine.gov/DocumentCenter/View/18269/Portlands-Plan-2030-with-Appendices>.

minutes of prior meetings, and links for remote meeting participation are provided on the City's website: <https://www.portlandmaine.gov/345/Parks-Commission>.

One of the Parks Commission's functions is to serve as a clearinghouse between parks friends groups and the Department of Parks, Recreation, and Facilities -- particularly in the process of developing proposals for new park investments under the city's annual Capital

Improvement Plan (CIP) budget. Each year under the city's annual budget review process⁷ -- the Parks Commission make recommendations to the City Council on park improvements that it considers to be of highest priority for the annual CIP budget. The Parks Commission makes these recommendations based on explicit ranking criteria and information provided by the Parks, Recreation, and Facilities Department and Friends Groups. The Parks Commission's budget recommendations and justifications for the FY 2016 CIP are provided in Annex IV as an illustration of the types of considerations that enter into the Commission's recommendations. Consultation with the Parks Commission by Friends Groups on their proposals for park improvements can help inform the Parks Commission's annual CIP budget recommendations.

Another function of the Parks Commission is to support the formation of new parks Friends Groups and to improve Friends Groups' effectiveness by identifying best practices and promoting their spread. This Handbook is intended to help serve those purposes.

Creating a Friends Group

Friends Groups usually start as an initiative of one or a few committed individuals who have a vision for protecting and improving a park or open space that is not represented by an existing friends group, and who are willing to commit the time and effort necessary to help make that vision a reality. This initial concept is followed by efforts to involve neighbors and stakeholders in the creation of a new organization to advocate for those protections and improvements. To ensure legitimacy of the new organization, it is important that these efforts to enlist new members include a broad spectrum of current and potential park users that share the love of the place, the vision for its improvement, and the commitment to work to achieve that vision.

Here is an illustrative sequence of steps for creating a new Friends Group:

Preparation

- Reach out to existing parks Friends Groups to learn how they work and any information they can share with you.
- Inform the Parks Commission of your interest in starting a Friends Group and ask for their help in getting started.

First meeting

Designate one person to moderate the meeting and keep it focused.

- Have an agenda and take notes.

⁷ See "The City's Budget Process", below.

- Ask attendees to sign in and provide their contact information and park interest areas.
- Ask attendees to introduce themselves and describe their interests and concerns for the park.
- Introduce your concepts and ideas for the park and get feedback; identify issues and have a brainstorming session on how they may be resolved.
- Develop a list of tasks to be accomplished by the next meeting and identify who is to be responsible for accomplishing tasks.
- Set up your next meeting time and location.
- Expand potential membership by encouraging attendees to bring someone with them to the next meeting.
- Ensure you've included surrounding residents who may be interested in activities at the park/site.

Second meeting

Focus on some initial key priorities and getting down to business. Topics may include:

- Choosing a group name
- Establishing a mission and a vision
- Setting up a plan for first-year goals
- Setting up a Facebook page or simple website
- Organizing your first Friends Group program and/or event with the public
- Setting up a community outreach plan

Effective Friends Groups have a clear understanding of their purpose and what they want to accomplish. The mission statement, vision, goals and objectives of the group should align with the goals of the city as expressed in the parks Master Plans and in the operational program of the Parks, Recreation, and Facilities Department.

The mission statement should be oriented to the protection and improvement of the park, and be broad enough to accommodate an evolving work program. The vision is an image of what your park could become in ideal circumstances. Vision is what creates a focus for collaboration and motivates partners to act and donors to contribute to the effort. It also guides decision making and evaluation and creates the boundaries for partnership. Strategic objectives or goals are the actions for carrying out the mission to reach your vision. They should be small, tangible steps and tasks that help you achieve the mission. Those steps and tasks will eventually become the Friends Group's annual work plans, to be discussed, agreed, and implemented with the Parks, Recreation, and Facilities Department.

Ideally, strategic objectives should be based on an assessment of present conditions, identified needs, and proposed improvements or changes. But they needn't be elaborate to start with; they can be refined and expanded as the group acquires experience. In establishing its own mission statement and goals and objectives, it will often be helpful for the new Friends Group to refer to other Friends Groups' mission statements and goals and objectives, as well as the goals and objectives set out in the city's overall parks master plan, Green Spaces, Blue Edges

Registering your Friends Group

Most Friends Groups register with the IRS as a 501(c)3 non-profit organization. Acquiring 501(c)3 status provides advantages of tax exemption for qualified contributions and makes it easier for Friends Group officers, Board, and members to obtain protection from personal liability for any actions of the Friends Group. The IRS website (<https://www.irs.gov/charities-non-profits/application-for-recognition-of-exemption>) has detailed instructions to guide you through the steps involved in registering as a 501(c)3 non-profit organization.

Once the Friends Group has registered as a 501(c)3 organization, it should consult with an insurance professional to acquire the appropriate insurance coverage based on the group's structure and activities. Insurance policies should include at a minimum general liability insurance and coverage for directors and officers.

Friends groups are not required to incorporate, but may wish to do so in order to be eligible for other programs and potential grant sources. To incorporate, a Friends Group must develop Articles of Incorporation and register with the Maine Secretary of State (<https://www.maine.gov/sos/cec/corp/nonprofitresources.html>).

Organization of Friends Groups

Friends Groups' Boards of Directors play a crucial role in the work of all Friends Groups. Ideally, Board membership should reflect a diversity of park stakeholders, demographics, and professions, with a common commitment to the improvement of the park and a shared vision of what the park could become. Standing committees of Friends Groups can be helpful for carrying out more in-depth work on specific topics such as outreach, fundraising, event programming, and monitoring of park use, and making recommendations to the Board and membership on future decisions and actions.

Bylaws

Bylaws are rules and procedures that describe how the Friends Group conducts its meetings and activities. They are adopted by the members and can only be changed by the organization. Bylaws include a description of the organization's purpose, membership rights and qualifications, election and voting procedures, titles of officers and Board members, terms and responsibilities, and rules for amending the by-laws. Some organizations may want to make all significant decisions at membership meetings, while other organizations may delegate more responsibilities to their Board and officers. Sample Bylaws (for the Friends of the Eastern Promenade) are provided in Annex V.

Functioning as a Friends Group

In order to function effectively, Friends Groups need to maintain a close working relationship with the Parks, Recreation, and Facilities Department and maintain an active and engaged membership. The activities of Friends Groups take many forms. Some parks Friends Groups have focused on activating the park by programming events in the park. Others have concentrated on improving facilities, access, maintenance, or landscape improvements (including removal of invasive species). These collaborations typically involve a three-way partnership

between the Parks, Recreation, and Facilities Department, the Friends Group, and the Parks Commission. Friends Groups have often played a lead role or collaborated with the Parks, Recreation, and Facilities Department in developing a Master Plan for the park.

Some instances of collaboration involve a more active role for the Friends Group. Friends Groups may, for example, directly commission studies or preparation of master plans and other plans for park improvements. In rarer cases, the City may allow Friends Groups to play a more independent role in managing activities on the park site under policies, rules, and standards agreed with the Parks, Recreation and Facilities Department. An example is the City's agreement in recent years to allow the Friends of Congress Square Park to manage the programming of public events there. The terms of his agreement are recorded in a Memorandum of Understanding between the Friends of Congress Square Park and the City. This agreement is updated as necessary from time to time to reflect changes as implementation progresses.

Historic Preservation Approvals

Work involving material changes in any of the City's eleven historical districts⁸ and National Registry of Historic Places (including Deering Oaks Park, Eastern Cemetery, Eastern Promenade, Evergreen Cemetery, Fort Gorges, Lincoln Park, and Western Promenade) needs to follow historical preservation guidelines and often requires review and approval by the city's Historic Preservation Board⁹ and historic preservation staff¹⁰ in the Planning and Urban Development Department. A summary of the historic preservation guidelines and links to the city's historic preservation ordinance are provided on the city's website: <https://www.portlandmaine.gov/772/Historic-Preservation-Review-Standards>.

Financing Friends Group Activities

An important activity for all Friends Groups is to plan: a) the financing needs for their basic operational costs such as insurance premiums, website development and maintenance, and mailing and other costs of communicating with members, and b) a financing strategy to meet those needs. Only the largest Friends Groups have paid staff – usually limited to an executive director. Ideally, paid staff can more than cover their costs through the additional fund-raising that they generate. But caution is advised in engaging paid staff because the ongoing budget outlay to cover salary costs can easily consume resources that are needed for activities that directly benefit the park. In the event that paid staff are engaged, staff overhead costs should in all cases comprise a modest share of total revenues. Some Friends Groups -- the Friends of Deering Oaks is a good example -- have raised large sums for the benefit of their park without the benefit of paid staff.

Friends Groups generate funds to cover their basic operational costs in a variety of ways, including membership dues, business sponsorships, and special events such as open space tours. These activities also serve to enhance and promote the park or open space and educate the public about the organization's mission. New Friends Groups are encouraged to network with other,

⁸ <http://www.portlandmaine.gov/1626/Local-Historic-Districts>.

⁹ <https://www.portlandmaine.gov/210/Historic-Preservation-Board>

¹⁰ <https://www.portlandmaine.gov/766/Historic-Preservation>

established Friends Groups for guidance and suggestions on their fundraising strategies. The Maine Association of Nonprofits¹¹ is another valuable source of information on fundraising options and organizational suggestions for Friends Groups.

Once a Friends Group has managed to cover its operational costs, a preoccupying question for most Friends Groups is how to raise funds to meet the cost of park improvements. Sometimes a proposed activity may consist of work by Friends Group members themselves and volunteers that it organizes, requiring no special financing. But more typically Friends Group activities involve contracted work for park improvements. Most Friends Group initiatives in Portland parks involve the Friends Group raising funds for an agreed activity and transferring those funds to the city for implementation. Implementation typically involves a combination of work by Parks, Recreation, and Facilities Department staff and contracted procurement of equipment and/or services. Examples are the restoration work that was carried out recently at Fort Allen Park by the Friends of the Eastern Promenade and the City and the recent restoration of the fountain and the ongoing fence restoration at Lincoln Park by the Friends of Lincoln Park and the City. (Because both these projects involved historical parks, they also required approval by the Historical Preservation Board and historical preservation staff in the Planning and Urban Development Department.)

Cost Sharing with the City

These examples illustrate the role of Friends Groups in raising funds for City-approved projects. Funds are raised through a variety of means, including project-specific public and corporate fundraising campaigns and grant financing. Financing of the park intervention typically involves cost sharing by the Friends Group and the City, combining funds raised by the Friends Group from public donations and grants with funds from the City's annual Capital Improvement Plan (CIP) budget. Once a Friends Group has identified a potential project that it would like to propose for the park, it should discuss the proposal with the Parks, Recreation, and Facilities Department to see whether it is consistent with the City's plans for the park and whether any City funding has been planned for that activity.

Sometimes Friends Groups advocate for improvements in a park without actually contributing to the cost of implementation. But while these efforts are sometimes successful, experience has shown that Friends Groups' proposals for specific park improvements are most likely to be successful if the Friends Group is able to make a significant contribution to the cost of the improvement. There is fierce competition for the limited city budget funds that are available for capital improvements in Portland's parks. Even when there is general agreement on the desirability of a particular park improvement, it often requires a long wait before funds are actually made available under the city's CIP.

The City's Budget Process

Each year, each of the line departments of the City prepares a rolling ten-year investment

¹¹ <https://www.nonprofitmaine.org>

proposal. For investments in parks and open spaces, the Parks Commission also independently prepares its recommendations for parks and open spaces investments based on criteria that it establishes in advance and information provided by the Parks, Recreation, and Facilities Department and by various Friends Groups. The Parks Commission's CIP recommendations are forwarded to the City Manager along with the Parks, Recreation, and Facilities Department's recommendations. The City Manager then reviews the various Departmental budget requests, with particular attention to the request for the next fiscal year. After consulting with the departments to clarify any questions about their submissions, the City Manager adjusts the budget requests according to his own ranking criteria and a reckoning of the likely limits on the overall CIP for the next fiscal year. The City Manager then sends the adjusted and consolidated CIP proposal for the next fiscal year to the City Council, where it is reviewed by the Council's Finance Committee. At the same time, the Parks Commission's CIP recommendations and rationale are communicated to the City Council to take into account during its CIP deliberations. Further adjustments may be made at this stage of review by the City Council's Finance Committee. The version of the CIP budget that is ultimately recommended by the Finance Committee is then sent to the whole Council for review and approval. An illustrative timeline and ranking criteria for the Departmental budget approval process are provided in Annex VI.

Funds for a particular project are not actually available until they are approved under the annual CIP budget by the City Council and until funds for that investment are appropriated by the Finance Department. All CIP funds are borrowed in the commercial municipal bond market for varying repayment periods, depending on the expected service life of the investment. The City's borrowing capacity is limited by the size of the city's revenue base. As a result, unanticipated reductions in City revenues can lead to an unexpected reduction in the size of the CIP, as we saw in 2020 due to the impact of the Covid19 pandemic.

Memoranda of Understanding

This Handbook describes the basic parameters of partnership between Friends Groups, the Parks, Recreation and Facilities Department, and the Parks Commission in carrying out park-related initiatives. All collaborations between Friends Groups and the City which involve significant physical improvements in a park require that both parties sign a project-specific Memorandum of Understanding (MOU) describing the activities to be carried out and the roles and responsibilities of each. The MOU for the Fort Allen Park project is provided as an example in Annex VII.

Ongoing Communications

Good communication is critical for an effective organization in which members stay involved and committed. Newsletters and regular meetings are proven ways to maintain a high level of interest and participation. A yearly survey of park/open space interests and any current issues is also a good way to encourage communication and engender interest and participation. Many associations distribute their newsletters via email to members, stakeholders and community leaders

to encourage a continuing dialogue. Using the Internet to set up group email lists and/or an association website can be an especially useful tool in all of these efforts. The time and expense of a website should be well worth the effort given the savings in printing and distribution of materials versus traditional methods.

Good communication with City officials and staff is also crucial. Effective Friends Groups maintain close communications with Parks, Recreation, and Facilities management and staff on all questions relating to their park or open spaces. In addition, they maintain visibility with the City Council and City Manager's office and project a spirit of willingness, cooperation and patience in advocating for their proposed park improvements. Patience often yields eventual success, as the experience of the Friends of Lincoln Park in getting City approval for restoration of the Lincoln Park fountain and fence attests.

City of Portland Meetings

It is vitally important that Friends Groups stay abreast of city developments that potentially affect their park or open space. Once established, Friends Groups will generally receive notice of proposed changes or development proposals that directly affect their park or open space. However, there are many other government actions that may affect your park or open space directly or indirectly that will require your effort to keep informed of. By appointing a member of your Friends Group as city liaison to monitor the City of Portland meeting schedule, you can stay abreast of the decisions being made and have input into those decisions. The City website homepage¹² provides a complete weekly schedule and agendas for all City of Portland public meetings. Portland City Council meetings are generally held on the first and third Mondays of each month at 5 PM in Council Chambers at Portland City Hall (or virtually during the pandemic restrictions). The Parks Commission meets at 5:00 PM on the first Thursday of each month usually in room 24 on the lower level of City Hall. During the pandemic restrictions on public gatherings, Parks Commission meetings are held virtually, with access through the city's website: <https://www.portlandmaine.gov/345/Parks-Commission>.

¹² <https://www.portlandmaine.gov/27/Government>

PARKS FRIENDS GROUPS IN PORTLAND, MAINE

Friends of Capisic Pond

<https://www.facebook.com/FriendsOfCapisicPondPortlandMaine/>

Andy Graham, agraham43@mac.com

Friends of Congress Square Park

<https://congresssquarepark.org>

David LaCasse, loafinit@maine.rr.com

Friends of Deering Oaks

<https://www.deeringoaks.org>

<https://www.facebook.com/FriendsOfDeeringOaks/>

Anne Pringle, oldmayor@maine.rr.com

Friends of the Eastern Promenade

<https://easternpromenade.org>

<https://www.facebook.com/FriendsoftheEasternPromenade/>

Heidi Powell

Friends of Evergreen Cemetery

<https://www.facebook.com/friendsofevergreen/>

David Little, authorartist775@gmail.com

Friends of Fort Gorges

<https://friendsoffortgorges.org>

<https://www.facebook.com/fortgorges>

/ Paul Drinan, pdrinan@gmail.com

Friends of Fort Sumner Park

<https://www.facebook.com/Friends-of-Fort-Sumner-Park-1795639307350083/>

Jaye Gorham, jaye@portsidereg.com

Friends of Harborview Park

Pamela Shaw, pskhrmail@gmail.com

Friends of Lincoln Park Frank/Sharon Reilly

<https://lovelincolnpark.org>

<https://www.facebook.com/Friends-of-Lincoln-Park-1520655631529674/>

Frank and Sharon Reilly, FSReilly@aol.com

Friends of Payson Park

<https://www.facebook.com/FriendsOfPaysonPark/>

Susan Lavigne, lavigne719@gmail.com

Friends of Riverton Trolley Park (inactive)

Spirits Alive (Eastern Cemetery)

<https://www.spiritsalive.org>

<https://www.facebook.com/spiritsalive/>

Janet Alexander, 445ray@gmail.com

Stewards of Western Cemetery (inactive)

Friends of Western Promenade

<https://www.friendsofwesternprom.org>

<https://www.facebook.com/FriendsofWesternPromenade/> Matthew Hyde, hydemg@gmail.com

PARKS IN THE CITY OF PORTLAND MAINE

Dedicated Parks Listed in both the Parks Ordinance and the Land Bank

Ordinance: Back Cove Park and Trail

Barrows Park/Baxter's Sundial

Baxter Pines

Baxter Woods

Bayside Park (also known as Stone Street Playground)

Bell Buoy Park

Belmeade Park

Capisic Pond Park

Clark Street Park

Congress Square Park

Deering Oaks Park

Dougherty Field

Eastern Promenade Park, East End Beach, Fort Allen Park

Fessenden Park

Fort Gorges

Fort Sumner Park

Fox Field/Kennedy Park

Harbor View Park and Tate-Tyng Park

Heseltine Park

Lincoln Park

Lobsterman Park

Longfellow Square

Monument Square

Munjoy South Playground

Payson Park

Peppermint Park

Pleasant Street Park

Post Office Park

Riverside Golf Course

Riverton Trolley Park (incorrectly listed as Riverton Park in the Ordinances)

Stroudwater Parks (There are 2 listed in the Ordinances)

Taylor Street Park

Tommy's Park

Western Promenade Park

Dedicated Parks Listed in the Parks Ordinance but not the Land Bank Ordinance

Andrews Square (This park consists only of a flagpole)
Bayside Trail
Bedford Park
Boothby Square
Boyd Street Gardens
Bramhall Square
Caldwell Square
Clark Street Playground
Longfellow Park
Marada Adams Playground (located at the corner of Beckett and O'Brien Streets)
Martin's Point Park
Nason's Corner Park
Pedro Field
Pleasant Street Playground
Quaker Park
South Street Playground
Tate-Tyng Playground
Trinity Park
Winslow Park

Dedicated Park Listed in the Land Bank Ordinance but not in the Parks Ordinance

University Park

CITY-APPROVED PARKS MASTER PLANS, PORTLAND MAINE

- Baxter Boulevard (no date),
- Capisic Pond Sustainability Plan(2012),
- Deering Oaks (1994),
- Dougherty Field(2008),
- Eastern Cemetery(2001),
- Eastern Promenade (2003),
- Evergreen Cemetery(1994),
- Fort Sumner Park (2006),
- Lincoln Park (2014),
- Payson Park (2000),
- Western Cemetery (2001), and
- Western Promenade (2019).

In addition to the above, there is a Master Plan for the Ocean Avenue Recreation Area (2006), which is not listed as one of Portland's parks and open spaces in either the Parks ordinance or the Land Bank ordinance. A Preservation Plan that embodies some of the same content as a Master Plan is in preparation for Fort Gorges. There is also the city-wide parks Master Plan entitled *Green Spaces, Blue Edges* (1993, updated in 2001) which includes many assessments and recommendations about specific parks and open spaces. Some park-relevant assessments and recommendations are also included in the Master Plans which the city has adopted for Bayside (2000) and the Eastern Waterfront (2006), as well as the Pedestrian and Bicycle chapter in the city's *Comprehensive Plan* (2012). Most of these Master Plans are posted on the city's website at: <https://www.portlandmaine.gov/1943/Park-Master-Plans-and-Projects>.

Annex IV

PARKS COMMISSION'S 2016 CIP RECOMMENDATIONS

Ranking Criteria:

1. progress on Congress Square Park, for which there are high expectations following the recent citizen's initiative and Council ordinance,
2. proposals for improving overall parks oversight,
3. proposals for design studies and master plans that refine cost estimates and move projects closer to implementation readiness, and
4. completion of projects that are very close to completion and embody significant costsharing.

Ranking	Originator	Activity	Amount	Comments
1	Friends of Congress Square Park	Renovation of ground-level option for Congress Square Park	\$1,033,400	Citizens' referendum and Council action underline priority. KMDG design study completed.
2	Parks Commission	Preparation of annual report	\$20,000	Proposed as recurring item for operating budget
3	Parks Commission and Friends of Deering Oaks	Recruitment of four seasonal park rangers, and staff for Deering Oaks Park "castle"		Proposed as recurring item for operating budget
4	Parks Commission	Update of Parks Master Plan, <i>Green Spaces, Blue Edges</i>	\$30,000	Preparation is to involve Friends groups, and is to include development of maintenance guidelines and associated input requirements.
5	Friends of Lincoln Park	Design study for restoration of Lincoln Park	\$20,000	To include options reflecting alternative scenarios for Franklin Street redesign.
6	Friends of Evergreen	Update of Evergreen Cemetery Master Plan	\$20,000	
7	Friends of Deering Oaks	Design study for lavatory facility for Deering Oaks Park	\$20,000	
8	Friends of Evergreen	Landscape design for Stevens Avenue site improvements	\$10,000	
9	Friends of the Eastern Prom	Completion of connection to Cousin's Memorial	\$8,500	Complements \$30,000 of private financing.
10	Spirits Alive	Completion of restoration of Victorian tool shed at Eastern Cemetery	\$18,000	Cost estimate prepared by project architect and City's Facilities Division.
11	Friends of Deering Oaks	Lighting replacement for Deering Oaks Park	\$168,000	Recommended in 1994 Master Plan. Would yield cost savings and improved efficiency, as well as esthetic benefits. Has DPS estimated cost savings?
12	West End Neighborhood Association	Outdoor furniture, playground equipment, signage, waste receptacles	Not provided	
13	Friends of Evergreen	Removal of hazardous trees and planting of new trees	\$450,000	Unhealthy trees present a public safety liability.

SAMPLE BYLAWS
(Friends of the Eastern Promenade)

1.1 Name. The name of the Corporation is Friends of the Eastern Promenade.

1.2 Purposes. The Corporation is organized exclusively for charitable and educational purposes within the meaning of section 501(c)(3) of the United States Internal Revenue Code. In particular, the Corporation's purposes are to preserve the significant historic public landscape, protect the environmental integrity, and enhance recreation use of the Eastern Promenade in Portland, Maine.

ARTICLE II – MEMBERS

2.1 Membership Eligibility. Membership is open to any individual over 18 years of age, or any entity, that supports the purposes of the Corporation. There shall be no separate membership classes.

2.2 Membership Dues/Donations. Members must pay annual dues as determined by the Board of Directors.

2.3 Voting Rights of Members. Each Member in good standing shall have the right to vote for the Directors of the Corporation and on any other matters submitted by the Board of Directors to the Membership, as further set forth in these Bylaws. Each Member shall have one vote; provided, however, that no more than two Members from a given household shall have the right to vote.

2.4 Membership Meetings.

a Regular meetings. Regular meetings of the Members may be held at such time and place as the Board of Directors may determine.

b Special Meetings. Special meetings of the Members may be called at any time by the President, by the Board of Directors, or by petition in writing signed by not fewer than twenty-five (25) Members of the Corporation entitled to vote and filed with the Secretary. Ten (10) days' written notice as to the time, place, and subject matter of the Special Meeting must be given to all voting members. At such Special Meetings no business shall be transacted which is not specified in the notice of the meeting.

c Annual Meetings. An Annual Meeting of members of the Corporation shall be held in every calendar year, under the direction of the Board of Directors, for the purpose of electing Board members, hearing reports and conducting such other business as may properly come before the Corporation.

d Quorum. At any meeting of the Members, ten (10) Members shall constitute a quorum. Any meeting may be adjourned by a majority of the votes cast upon the question, whether or not a quorum is present, and the meeting may be held as adjourned without further notice. When a quorum is present at any meeting, a majority of the votes properly cast by members shall decide any question.

ARTICLE III – DIRECTORS

3.1 Powers. The business and affairs of the Corporation, its supervision, control and direction, shall be conducted and managed by its Board of Directors, which shall exercise all of the powers of the Corporation. Subject to the terms and conditions of the Articles of Incorporation, and these By-laws, as amended from time to time, it is intended that the directors as referred to herein have the same rights, powers, obligations and functions as are ascribed to and imposed upon directors for non-profit corporations under applicable law. Except as otherwise specifically set forth herein, the Board of Directors may by general resolution delegate to committees and officers of the Corporation such powers as it sees fit.

3.2 Election and Composition of Board. Until the first annual meeting of the membership the incorporators shall serve as the Board of Directors. At the first annual meeting of the members of the Corporation, and at each annual meeting thereafter, the directors then in office, having due regard to the corporate mission, the city-wide and regional significance of the historic Eastern Promenade, and its constituency, shall present a slate of nominees for election by the membership to hold office until the election and qualification of their respective successors. The Board of Directors shall be maintained by such staggered elections as may be necessary to elect approximately one third of the Board every year. The number of directors shall be not less than five nor more than twenty-one (exclusive of honorary directors).

3.3 Absences; Resignation; Removal; Vacancies. A director shall make every effort to attend the regular and special meetings of the Board, and if unable to attend a meeting shall notify the president in advance. Any director who misses more than three (3) meetings annually without being excused by the president shall be notified by the president of such failure to attend and will thereafter be subject to possible removal by the Board for non-attendance. Any director may resign at any time by giving written or electronic mail notice to the President or the Board of Directors and may be removed at any time in accordance with applicable law. Any vacancy in the Board of Directors occurring during the year, including any vacancy created by an increase of the number of directors, may be filled for the unexpired portion of the term by the directors then serving, although less than a quorum, by an affirmative vote of the majority thereof, and any director so elected shall hold office until the election and qualification of a successor.

3.4 Honorary Directors. The Corporation may have an unlimited number of honorary directors who shall be entitled to notice of and the right to attend all meetings of the Board, but who shall not have the right to vote.

An honorary director shall be appointed by the Board of Directors at its discretion, with the honorary director's term of appointment to be determined by the Board.

3.5 Annual Meeting. As soon as practicable after each annual meeting of the membership, the newly elected directors shall meet for the purpose of electing officers and the transaction of other business, and if a quorum of the directors be then present, no prior notice of such meeting shall be required to be given.

3.6 Regular Meetings. The Board of Directors shall establish a schedule for regular meetings of the Board.

3.7 Special Meetings. Special meetings of the Board of Directors may be called by the President or the Secretary and must be called by either of them on the written, or digital request of one-fifth (1/5) of the members of the Board.

3.8 Notice of Meetings. Notice of all directors' meetings, except as herein otherwise

provided, shall be given either by mailing the same at least three (3) days before the meeting, or by digital means at least one (1) day before the meeting, to the usual business, residence, or digital address of the director as indicated in the Corporate records. At any meeting at which every director shall be present, even though without notice, any business may be transacted.

3.9 Quorum; Voting. At all meetings of the Board of Directors a majority of the directors shall be necessary and sufficient to constitute a quorum for the transaction of business and the act of a majority of the directors present at any meeting at which there is a quorum shall be the act of the Board of Directors. If at any meeting there is less than a quorum present, a majority of those present may adjourn the meeting from time to time without further notice to any absent director.

3.10 Informal Action by Directors. Any action required or permitted to be taken at any meeting of the Board of Directors, or of any committee thereof, may be taken without meeting, if a written consent to such action is signed by, or digital consent is received from, all members of the Board or of such committee, as the case may be, and such consent is filed with the minutes of the proceedings of the Board or committee.

3.11 Telephone Meetings. Members of the Board of Directors, or a committee of the Board, may participate in a meeting by means of a conference telephone, or similar communications equipment, if all persons participating in the meeting can hear each other at the same time. Participation in a meeting by these means constitutes presence in person at the meeting.

ARTICLE IV – OFFICERS

4.1 Executive Officers. The Executive Officers of the Corporation shall be a President and a Vice President, who shall be selected from among the Board of Directors, a Secretary, a Treasurer, and such other officers with such powers and duties not inconsistent with these By-laws as may be appointed and determined by the Board of Directors. Any two offices may be held by the same person, provided that the President shall not also be a Vice-President.

4.2 Resignation, Removal; Vacancies. Any officer may resign at any time by giving written or electronic mail notice to the President, or the Board of Directors, and may be removed from office by the vote of the directors at any time, in accordance with applicable law. In case any office of the Corporation becomes vacant by death, resignation, retirement, disqualification, or any other cause, the Board of Directors, by majority action, may select an officer to fill such vacancy.

4.3 President. The President shall preside at all meetings of the Board of Directors. The President shall have and exercise general charge and supervision of the affairs of the Corporation and shall do and perform such other duties as are customary to the office and as may be assigned to that office by the Board of Directors.

4.4 Vice President. At the request of the President, or in the event of absence or disability, the Vice President shall perform the duties and possess and exercise the powers of the President and shall perform such other duties as the Board of Directors may determine.

4.5 Secretary. The secretary shall keep the minutes of all meetings of the Board of Directors in books provided for that purpose. The Secretary shall attend to the giving and serving of all notices of the Corporation; the Secretary shall have charge of the minutes and such other records as the Board of Directors may direct, may attest to the accuracy of such books and records and shall perform such other duties as are customary to that office and as may from

time to time be directed by the President or the Board of Directors.

4.6 Treasurer. The Treasurer shall have the custody of all funds, property and securities of the Corporation, subject to such regulations as may be imposed by the Board of Directors. When necessary or proper, the Treasurer shall endorse on behalf of the Corporation for collection, checks, notes, and other obligations, and shall deposit the same to the credit of the Corporation at such bank or banks or depository as the Board of Directors may designate. The Treasurer shall, in general, perform all duties incident to the office of Treasurer, including a general supervision and control of the accounts of the Corporation, subject to the control of the Board of Directors.

4.7 Other Officers. The Board of Directors may elect or appoint any such other officers and assistant officers as they may deem necessary, who shall have such authority and perform such duties as from time to time may be prescribed by the President or by the Board of Directors.

ARTICLE V – COMMITTEES

5.1 Committees. The Board of Directors may also appoint from their number, or from among such other persons as the Board may see fit, such committees as the Board may determine, which shall in each case have such powers and duties as shall from time to time be prescribed by the Board. Provided, however, that every such committee have as a member at least one director from the Board. The President shall be a voting member ex officio of each committee appointed by the Board of Directors.

5.2 Executive Committee. There shall be an Executive Committee composed of the officers of the corporation and the committee chairs, which shall have such powers and duties as shall from time to time be prescribed by the Board.

5.3 Rules. Records of Proceedings. Each Committee may prescribe rules and procedures for the call and conduct of its meetings. Each Committee shall keep regular minutes of its proceedings and shall report the same to the Board of Directors and the President.

5.4 Standing Committees. The Board may establish such standing committees as it deems necessary or advisable. Each Standing Committee will submit to the Board an annual action plan with a budget. The Board is responsible for reviewing, approving and prioritizing the action plan of each committee.

ARTICLE VI - CORPORATE ASSETS AND EARNINGS

6.1 No part of the net earnings of the Corporation shall inure to the benefit of any member, director or Officer of the Corporation, or any private individual, excepting solely such reasonable compensation that the Corporation shall pay for services actually rendered to the corporation, or allowed by the corporation as a reasonable allowance for authorized expenditures incurred on behalf of the Corporation, and no member, director or Officer of the Corporation, or any private individual, shall be entitled to share in the distribution of any of the corporate assets on dissolution of the corporation (except that a member, director or Officer may receive property of the Corporation in exchange for fair market value compensation to the Corporation).

6.2. This corporation shall exist in perpetuity, but in the event of dissolution of the Corporation

or the termination of its activities, the assets of the Corporation remaining after the payment of all its liabilities shall be distributed exclusively to one or more organizations organized and operated exclusively for such purposes as shall then qualify as an exempt organization or organizations under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended and as a charitable, religious, eleemosynary, benevolent or educational corporation within the meaning of Title 13-B, of the Maine Revised Statutes as amended, or shall be distributed to the federal government, or to a state or local government, for a public purpose.

6.3 Notwithstanding any other provision of these Articles, the Corporation shall not carry on any other activities not permitted to be carried on by a corporation exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code of 1986, as now enacted or hereafter amended.

ARTICLE VII – MISCELLANEOUS

7.1 Corporate Seal. The Board of Directors may provide a suitable seal, containing the name of the Corporation, which seal shall be in the charge of the Secretary.

7.2 Fiscal Year. The fiscal year of the Corporation shall be the calendar year.

7.3 Records and Reports. The Corporation shall keep correct and complete records of account and of its transactions and minutes of the proceedings of its Board of Directors and of any committee. The President or the Secretary of the Corporation shall prepare or cause to be prepared annually a full and correct statement of the affairs of the Corporation, including a balance sheet and a financial statement of operations for the preceding fiscal year, which shall be submitted at the annual meetings of the Board of Directors and filed within twenty days thereafter at the principal office of the Corporation.

ARTICLE VIII – INDEMNIFICATION

8.1 Indemnification. The Corporation shall, to the full extent of its power to do so provided by law, including without limitation Section 714 of Title 13-B of the Maine Revised Statutes Annotated, indemnify any and all present and former members, officers, trustees, employees, committee members and agents of the Corporation against expenses, including attorneys' fees, judgments, fines and amounts paid in settlement actually and reasonably incurred by them in connection with any action, suit or proceeding in which they, or any of them, are made parties, or a party, by reason of their being members, or agents of the Corporation; except in relation to matters as to which any such person shall be finally adjudicated in any such action, suit or proceeding not to have acted in good faith in the reasonable belief that his or her action was in the best interest of the Corporation, or, with respect to any criminal action or proceeding, where such person is finally adjudged to have had reasonable cause to believe that his or her conduct was unlawful. Such indemnification shall be made in accordance with the procedures set forth in Maine Revised Statutes Annotated, Title 13-B, Section 714, subsection 3, as the same may be amended from time to time. Such indemnification shall not be deemed exclusive of any other rights to which those indemnified may be entitled under any other by-law, agreement, or otherwise.

ARTICLE IX AMENDMENTS

91 BY-LAWS. The Board of Directors shall have power to make, alter, amend, and repeal the By-laws of the Corporation by vote of a majority of all of the directors present at any regular or special meeting.

92 Articles of Incorporation. The members shall have power to amend the Articles of Incorporation of the Corporation by vote of a majority of the members present at any regular or special meeting; provided, the Board of Directors shall adopt a resolution setting forth the proposed amendment and direct that it be submitted to a vote at a subsequent membership meeting. Written or digital notice setting forth the proposed amendment or a summary of the changes shall be given to each member entitled to vote thereon at least ten

(10) days but not more than fifty (50) days prior to the date of the said membership meeting, said notice to be sent to the business, residence, or digital address indicated in the Corporate records.

**PARKS, RECREATION, AND FACILITIES DEPARTMENT
CAPITAL IMPROVEMENT PLAN TIMELINE**

Project Selection Criteria

- **Legal Obligations:** Court orders, compliance with state or federal legislation
- **Park Equity:** 10 minute access to a park or trail, distribution between neighborhoods, populations served, islands, etc...
- **Compliance with Adopted Plans and Studies:** Match with city priorities
- **Impact of Service to Public:** Safety issues, improved service delivery
- **Access:** ADA access, facilities for diverse age groups
- **Departmental or Community Priority:** The project is important to a Departmental mission or community interest. Does the project meet a demonstrated need from the community?
- **Funding Source:** The project includes a match from grants, federal or state match, community fundraising
- **Budget Impact:** The project decreases operating expenses
- **User Group:** Does the project serve a diverse user group, or a particular user group that is not already well-served?
- **Prior Phases:** Projects that are a continuation of viable projects funded in past years.

May--July:

1. Department of Parks, Recreation and Facilities issues call to stakeholders (Friends and Neighborhood Groups, the schools, and the public) for project proposals.
 - a. Department of Parks, Recreation and Facilities will publicize the existing 10-year Parks Capital Improvement Plan, so that stakeholders will be aware of the current city-wide 10-year schedule of projects and prioritization.
 - b. If a stakeholder group submits more than one project for consideration, the projects should be listed in an itemized, prioritized list.
 - c. Stakeholders submitting projects not already on the 10-year Parks Capital Improvement Plan should include cost estimates from a qualified engineer, contractor or landscape architect.
2. Project Requests and cost estimates due to Department of Parks, Recreation and Facilities by July 19.

July

1. Department of Parks, Recreation and Facilities compiles and reviews project requests. Sources:
 - a. Existing 10-year Capital Improvement Plan
 - b. Unfunded requests from prior years
 - c. Portland Open Space Vision and Implementation Plan, Parks Master Plans, Facilities Master Plans, Athletic Facilities Task Force Plan, City Comprehensive Plan, and other relevant plans
 - d. Departmental knowledge and professional insight
 - e. Requests from Friends Groups, schools, and other stakeholders
2. Projects from stakeholders are submitted as requests. Department of Parks, Recreation and Facilities will review all requests and either:
 - a. Add to 10-year Parks Capital Improvement Plan according to 10-year schedule and budget parameters.

- b. File the project request if deemed inappropriate, undesirable, or unfeasible.
3. Department of Parks and Recreation prepares and submits 10-year Capital Improvement Plan to Parks Commission by July 31.
 - a. Includes in submission all requests from stakeholders
 - b. Includes in submission all recommended projects for upcoming fiscal year.

August—September

1. Parks Commission reviews project proposals for upcoming fiscal year by undertaking these steps:
 - a. Review materials submitted by the Department of Parks and Recreation (which includes requests from public stakeholders)
 - b. Conduct a public meeting(s) to hear from Friends Groups, Neighborhood Associations, and other interested stakeholders
 - c. Following public meeting(s), Parks Commission shall provide recommendations on projects being proposed for upcoming fiscal year, submitted to Department of Parks and Recreation by September 30.

October

1. Final review of 10-year Capital Improvement Plan by Department of Parks, Recreation and Facilities.
2. Backup materials prepared, quotes finalized for projects being recommended for upcoming fiscal year.
3. Staff input of CIP requests into City financial system by October 31.

November

1. Department of Parks, Recreation and Facilities submits the final Departmental recommendation to the City Manager's office; attaches the Parks Commission Recommendations.

**SAMPLE MEMORANDUM OF UNDERSTANDING
(City of Portland and the Friends of the Eastern Promenade)**

WHEREAS, the City of Portland (Portland) is a municipality under the laws of the State of Maine with a principal location at 389 Congress Street, Portland, Maine 04101 (“Portland”); and

WHEREAS, the Friends of the Eastern Promenade is a non-profit corporation under the laws of the State of Maine with a principal place of business in Portland, Maine (“Friends”); and

WHEREAS, Fort Allen Park is one of Portland’s premiere public outdoor spaces due to its historical significance, monuments and panoramic views of Casco Bay and Portland Harbor; and

WHEREAS, the Eastern Promenade Master Plan, adopted as part of Portland’s Comprehensive Plan in 2003, recommends improvements to Fort Allen Park; and

WHEREAS, the restoration of Fort Allen Park has been identified as a priority project by the Friends (hereinafter the “Fort Allen Restoration Project”); and

WHEREAS, the purpose of this Memorandum of Understanding (“MOU”) is to address the City and the Friends’ collaboration to restore Fort Allen Park; and

NOW THEREFORE, in consideration of the following, the City and the Friends hereby agree as follows:

1. The Friends and the City will establish a working group including members of the City’s Department of Public Services and the Friends to oversee the Fort Allen Restoration Project;
2. The aforementioned working group will work together collaboratively to make all decisions in connection with the Fort Allen Restoration Project. In the event, however, that there is any disagreement between the City and the Friends, the City shall have be the final decision maker with regard to all aspects of the Fort Allen Restoration Project;
3. The Fort Allen Restoration Project including, but not limited to, the development and construction phases will be conducted in accordance with the City Code and State law requirements including, but not limited to, the City’s Site Plan and Historic Preservation Ordinances;
4. The Friends shall provide funds to hire a consulting team to perform the research, planning, design, development, bidding and construction of the Fort Allen Restoration Project;
5. The Friends will pursue additional funding including, but not limited to, grants, donations and/or organizational funds for the implementation of the Fort Allen Restoration Project; and
6. The City will pursue funding including, but not limited to, capital improvement funds, grants, in-kind services and/or other financial sources, for the implementation of the Fort Allen Restoration Project;

This agreement represents the entire agreement between the Friends and the City with regard to the Fort Allen Restoration Project and supersedes and replaces all terms and conditions of any prior agreements, arrangement, negotiations and/or representations. This agreement may not be modified except for in writing executed by the Friends and the City.

Seen and Agreed to this _____ day of November, 2011.

WITNESS

FRIENDS OF THE EASTERN PROMENADE

_____ Diane Davison, President

WITNESS

CITY OF PORTLAND

_____ Mark A. Rees, City Manager