



## MINUTES

### COMMUNITY DEVELOPMENT COMMITTEE

JULY 8, 2009

A meeting of the Portland City Council's Community Development Committee (CDC) was held on Wednesday, July 8, 2009, at 5:00 p.m. in Room 209 on the second floor of Portland City Hall. Present from the CDC was its Chair Councilor Cheryl Leeman and members Councilors Nick Mavodones and Dan Skolnik. Present from the City staff were Assistant City Manager Pat Finnigan (joining the meeting during Item #3 as noted in the Minutes), Public Buildings Director Robert Leeman, Planning and Urban Development Director Penny St. Louis Littell, Economic Development Director Greg Mitchell, Senior Planner Bill Needelman, Senior Executive Assistant Lori Paulette, and Parking Manager John Peverada.

**Item #1: Review and accept Minutes of previous joint meeting with the Downtown Portland Corporation on May 21, 2009, Minutes of CDC meeting following thereafter on May 21, 2009, and Minutes of meeting held on June 10, 2009.**

Regarding the June 10, 2009, Minutes, Councilor Skolnik requested that the term "EDA" be written out to "Economic Development Administration". He then referred to page 3 and the Portland Technology Park, specifically, "Mr. Mitchell anticipated regulatory approvals would be completed in 2009 . . ." Councilor Skolnik requested that this item come back to this Committee, suggesting once in September and again in November, to keep the Committee apprised of the progress being made. The Committee concurred.

Councilor Skolnik then referred to Item #4 of the June 10 Minutes and the “pro-active business retention and expansion assistance options.” He noted that the recommendations of the Business Diversity Task Force (BDTF) were received as a communication by the Council. Some of the options this Committee discussed at the June 10 meeting were also those recommended by the BDTF. He questioned, procedurally, if this Committee would be implementing those recommendations.

Councilor Leeman noted that some of the options were already underway in the Economic Development Division. She will sit down with Greg Mitchell and discuss what options should come through this Committee.

On motion made and seconded, the Committee then voted to accept the Minutes for the three minutes with the change noted for “EDA” in the June 10 Minutes.

**Item #2: Free Street/Mid-Town Parking Lot/Proposed Parking Lease Contract (15 Minutes).**

Mr. Peverada said that the Committee reviewed this item at its May 21 meeting and requested the staff to finalize the lease agreement and bring it back to this Committee. There are no substantive changes from the prior meeting. The lease is a ten-year lease, with an option to renew for two additional five-year renewal terms.

Councilor Skolnik asked about rate increases.

Mr. Peverada indicated that the lot is now at \$.85 per hour now, and it will go to \$1.25/hour which is what the City parking garages charge. The lease also stipulates that at no time will the rates be higher than the rate for the City-owned parking garages.

Councilor Mavodones asked if Corporation Counsel assisted in drafting the lease,

and Mr. Peverada indicated that Mary Costigan of the Corporation Counsel's office assisted.

On motion made and seconded, the Committee then voted unanimously to recommend to the City Council that it approve of the lease between the City and Fore River Parking Company.

**Item #3: Maine State Pier – Workshop**

Ms. Littell said that she has been working with Bob Leeman, Greg Mitchell, Bill Needelman, and the City's consultant/engineer Wayne Duffett to move forward on concepts for the future direction of the Maine State Pier (MSP). All are here today to discuss this informally in a workshop-type session with the Committee.

Councilor Skolnik asked if the entire Council was invited to this workshop of the Committee.

Mr. Mitchell said that the entire Council was invited and given a copy of the entire packet for the MSP item.

Ms. Littell said that today the Committee would be taking a look at concepts/ visioning for the future direction. The next meeting of the Committee would be implementation strategies/build-out scenarios based on the visioning today. It is anticipated that over the Summer, the CDC will be able to forward its recommendations to the City Council on a phased development scenario with associated implementation measures.

Mr. Needelman referred the Committee to Attachment 1 of the packet detailing the short-term development alternatives that were discussed with the Council at its June 8

workshop. He would suggest that the Committee discuss each of the “Sub Area #” 1 through 7.

Item #1 regards Compass Park. This anticipates amenity improvements during the next one to three years. Amenities such as landscaping and public events have been discussed. The Council Workshop had noted that no building was wanted on the Park.

Councilor Skolnik asked about the possibility of laying grass on the area.

The Committee discussed this option, but the water needed to maintain the grass would be contrary with the need to keep the timber on the pier dry. The Committee then discussed other options besides grass to have a variety of textures on the floor of the Park rather than only concrete, as well as other amenities such as benches and landscaping.

The Committee also discussed how much the City should invest in the short-term for Compass Park as it also needs to consider that investment with future development of other areas of the Pier. A larger, longer-term development may need to see the Park designed differently, which also raises the question of how much the City should invest in the Park versus a developer.

Mr. Needelman said that the sub areas 1-7 are a synopsis of potential program of activity/uses. The next step would be implementation for each area, together with costs estimates and budget.

Mr. Mitchell said that at that point, the City would engage the private sector.

Chair Leeman requested that the staff further look into the questions raised for the future of Compass Park, i.e., short-term vs. long-term improvements and costs. She anticipated that the Committee would have like questions or other issues as it continues it

review of the sub-areas, and that the next CDC meeting would circle back to discuss the options and answers provided by staff.

Mr. Needelman then moved item #2 – “Southerly End of the Pier”. This anticipates removing a portion of the transit shed up to where the drawing has the #4 notation, as this is where a masonry wall runs through the building width wise and has utility work that should remain. This removal, in concept, would provide an expanded public landing, deck for open space, and performances.

Chair Leeman asked who would take down that part of the shed.

Mr. Needelman said that the City would take on that task and rehab the balance.

Councilor Skolnik appreciated the performance space area and asked about its orientation regarding bands playing and the number of tickets that could be sold in the expanded area as anticipated.

Mr. Leeman indicated that the bands should be oriented so that the music goes out towards the ocean. Regarding the number of tickets, the number 6,000 has been discussed.

Councilor Skolnik said that although 10,000 tickets may be needed to bring in national acts, 6,000 is also a good number.

Councilor Mavodones said that during this concept stage of bringing in 6,000 people, details need to be looked at as far as impacts on businesses, transportation parking, the islanders, and the City. In looking at these details, it may help determine whether a crowd of 6,000 would be the right size.

(Ms. Finnigan joined the meeting at this time.)

Regarding taking that portion of the Shed down, approximately 40,000± sq. ft.,

Councilor Mavodones asked about topping off that portion of the deck after the building is taken down.

Mr. Duffett discussed various engineering details with regarding to laying down concrete, lateral support/capacity, fendering – noting that he had not done formal calculations at this time. The City should look at this pier to determine what it would take to keep the pier in the cruise ship business for the next five to ten years.

Councilor Skolnik said that for visioning purposes, he would like to see a policy decision made so as not to preclude live performances on a regular basis during the summer and to have this use work with other multiple uses. Logistics need to take into consideration concerts/events for 6,000 people.

Mr. Needelman said that this is in the concept only stage and can change at anytime. When a concept is more concrete, then a designer will come in for design services when there is a budget for rehabilitation.

Chair Leeman said that a policy question here is whether the City should have such a performance area; what are the limitations; what types of performers; who promotes; who manages.

Councilor Mavodones said that there may be a variety of vendors, and it could be a balancing act, together with the impacts noted above for islanders, businesses, the City, transportation, and a parking management plan.

Chair Leeman asked if the Committee members were in agreement to remove that portion of the transit shed as discussed; there was consensus to remove that portion.

Councilor Mavodones said that the next phase is to know the impacts on the cruise ship side of the pier, as well as overall management of the entire site – and how that

management will be programmed in and at what expense. Various events, uses, public float, vehicular and people movement (drop off/pick up/performing space), parking, and marina will all need to be carefully managed, as well as the cruise ship berth.

Regarding the berthing expansion, Mr. Needelman said that there may be an opportunity for expansion for day charters. Primarily, it will be a public float and water taxi float.

Councilor Mavodones said that it would be good to move the public float to this site, but staff needs to take into consideration the force of the waves in this area.

Mr. Needelman said that perhaps an additional ramp or two for access to the public landing may be considered. As the process continues, these issues will be further refined.

Chair Leeman said that the integration of users is another policy decision area for the Committee/Council, including the size of public events and a management plan program – including costs and sources of revenue to fund the management program.

There was discussion about public events/concerts and boats in the Harbor viewing events from the Harbor. It was indicated that the Coast Guard and Harbor Master would move those boats along to maintain a pathway for that busy channel.

Ms. Littell said that the City should not invest large amounts of money because of future development, long-term.

Chair Leeman asked for consensus of the Committee as to whether it agreed on expanding the public landing but with more details on the lateral support issues and management issues for the multiple uses and impacts as noted above, together with integration with those uses. The Committee concurred, with staff to provide more detail at the Committee's next meeting for this item.

Moving to item #3, Mr. Needelman said that the remaining transit shed will have 46,000 sq. ft. on the first floor and 28,000 sq. ft. on the second floor. This would need to be rehabilitated for leasing and use of the area. If the City were take this on, CIP and other funding could be pursued. He noted that the building does have fenestration framed in, but it has been covered.

Councilor Mavodones said that once there is agreement as to its use(s), then information as to costs can be obtained for those uses. If the costs were anticipated at \$2 Million, he could consider to vote for CIP funding. If the costs were \$12 Million, that would be difficult for the City.

Councilor Skolnik agreed, but if there were to be a second round of Federal stimulus funding, the City should move forward with this planning stage. He asked about any leads for tenants.

Mr. Mitchell said that when there is a policy direction for its future use, marketing for tenancy would start. There has been too much uncertainty with the property to move forward with marketing.

Councilor Mavodones said that he would like to see a private developer fund the improvements. Regarding the uses listed for this sub area, he was comfortable with all of them.

Chair Leeman said that instead of listing uses, the City instead needs to move forward to determine costs for rehabilitating the remaining portion of the transit shed, look for private/public funds for this, and then market it.

Councilor Skolnik asked about a multi-modal ticket office.

Mr. Needelman said that staff will work with Judy Harris about establishing this

kind of an office/resource hub for information and purchase of tickets.

Ms. Littell mentioned that there are no railroad tracks on the pier.

Chair Leeman said that this is a suggested list of possibilities. It all hinges on a public/private partnership. The consensus of this Committee agrees to rehabilitate the remaining portion of this transit shed. The issue is public versus private investment or a combination of both. Estimated costs need to be determined to continue. This proposed list of uses can be discussed at another Committee meeting, but it will hinge on actual costs to rehabilitate to bring it up to a usable space and how to fund those costs.

Councilor Mavodones said that estimates for its rehab, including updating utilities, would provide the Committee with a point of consideration for investment. It would also be helpful to have an estimate on the anticipated lifespan of that investment.

Chair Leeman agreed, and noted that costs for one use may not be the same as costs for another use. This would need to be considered in these estimates.

The sense of the Committee was to rehabilitate the remaining portion of the pier, but it needed to be provided with estimates for the rehab, taking into consideration costs for various uses, and the lifespan of any investment in rehab.

Mr. Needelman then referred to the Committee to sub area #4, the 1,000 foot berth. The proposed development program lists its continued use for large vessel berthing as a secure facility, as well as use by tug boats, cruise ships, industrial vessels, transient lay berth, and VIP vessels.

The Committee discussed the costs for maintaining the current uses stated just above, as well as for its short-term and long-term maintenance/improvement costs and sources of funds to pay for those costs.

Mr. Duffett noted that the fendering system in place now, formerly BIW's, was rehabbed in 2004 and now needs \$250,000 of work, and then \$50,000 per year to maintain. This pier is not design for today's cruise ships, though it functions. In the long term, if cruise ships were expected on a daily basis, the City would need to look at the lateral and bollard capacity and compare that to the capacity needed for the new 140-ton cruise ships. It works fine now with the vessels that have been using it, but with the embayment area use, a further look at the structural integrity should be undertaken.

Chair Leeman said that this is helpful to know for future discussion. Policy questions for this berth is what size ships should be accommodated here and the range of costs for the various sizes.

Mr. Duffett said that the MSP berth would be a good place for 500-600-foot boats if the mega berth was at Ocean Gateway.

Ms. Littell said that the CIP now has \$250,000 in its for repair work, and then the \$50,000 per year to maintain it.

Councilor Skolnik asked if this was separate from maintaining the piles, and it was indicated that that was correct.

Councilor Mavodones said that the fendering repair work would help to preserve the pier structure and pilings. Numbers should be framed around what is being handled there now, and then how does the embayment area come into play as Mr. Duffett stated.

Mr. Needelman said that the concept drawing does show the logical spot for the embayment area but, again, this is a concept only.

Ms. Littell said that staff could now go back and talk with Mr. Duffett about the size, configurations, and discuss more engineering needed.

Chair Leeman said information for the Committee to consider would be the costs to maintain what is there now, and does the City just do maintenance work now and hope that it will see some kind of funding in the future for a mega berth at Ocean Gateway.

Ms. Littell said that this plan is premised on a mega berth being built and it leading to increased cruise ship visits.

Mr. Leeman noted that from last to next year, Portland will see a 100% increase in its cruise ship visits.

Chair Leeman said that the sense of the Committee for sub area #4 is to maintain it for continued large vessel berthing. Questions include: lateral and bollard capacity; annual maintenance costs; and if mega berth is built, does it change the scenario of how the City proceeds with maintenance.

Mr. Leeman gave the Committee an update on the bollards, and Chair Leeman requested this information included in the next packet.

Mr. Needelman then went to sub-area #5 where there is no anticipated change, in the short-term, for Ocean Gateway queuing and Customs inspection, as well as cruise ship bus, taxi, and passenger management. For the next 1-3 years, there should be no substantial change.

For sub-area #6, this is pretty much the same as #5.

Councilor Skolnik noted that future development, however, should come through the Committee first.

For sub area #7, Mr. Needelman said that this lot is used for longer-term parking for Ocean Gateway.

Chair Leeman requested that this item needs to be further discussed regarding what

could be the potential for development and for what uses. This will be the first item to discuss at the Committee's next meeting, and then the Committee will circle back to sub area 1 and questions raised.

There being no further business to come before the Committee, the meeting was then adjourned at 7:00 p.m.

Respectfully submitted,

Lori Paulette