

Minutes
City Council Legislative Subcommittee Meeting
Eileen Dondero Foley Council Chambers
5:15 p.m.
Monday, October 2, 2017

I. Greeting: Mayor Blalock

Mayor Blalock opened the meeting at 5:15 p.m.

Present: Mayor Blalock, Assistant Mayor Splaine, Councilor Dwyer, Councilor Spear, Acting City Manager Colbert Puff, City Attorney Sullivan, Deputy City Attorney Woodland, Assistant City Attorney Ferrini, City Assessor Lentz and City Clerk Barnaby

II. Legislative Issues of Interest – Assistant Mayor Splaine
AIR B&B – Update, any local problems in implementing locally; Homestead Exemption – How can we provide additional property tax relief for our homeowners; Transgender Equality Protections – How can we best support legislation for equality for our transgender residents and visitors

Assistant Mayor Splaine said he placed the AIR B&B on the agenda because this is something that we continue to deal with. He added Homestead Exemption because the City Council has spoken on this matter in the past and would like to see this type of an exemption to assist residents with their taxes. He addressed equality for our transgender residents and said we need to support what may be coming forward for legislation.

Assistant City Attorney Ferrini said that there is an LSR for transgender coming up in 2018 and two LSR's regarding Homestead Exemptions.

Assistant Mayor Splaine said there is always something on Homestead Exemption but it always fails.

Assistant City Attorney Ferrini reported that LSR stands for Legislative Service Request.

Councilor Dwyer said we need a local community funding resource for dealing with taxes. She stated we could try and link a Homestead Exemption to setting up a hotel tax or percentage of rooms and meals bill. She would like to know how our legislative Committee feels about that proposal.

Assistant City Attorney Ferrini said there are 4-5 bills relative to meals and rooms. She said a committee was established to report out November 1st on AIR BNB but they never met and there are still a few more bills coming forward on AIR BNB.

Assistant Mayor Splaine said deadlines are sometimes not met and the Governor could extend the reporting times.

III. NHMA Board Update – Councilor Dwyer
Utility valuation; Drinking Water Trust Fund Commission; NHDES committee update and issues raised by DES: Motor Vehicle registration charge

Councilor Dwyer reported on the status with these bills. She reported that HB324 takes away authority from the town or city to set utility rates and allows the DRA to set the rates. Discussion took place regarding a drinking water trust fund commission making determination on the allocation of dollars. She said we want to use our dollars to extend our water to Greenland.

Councilor Dwyer reported on HB121 that allows communities to add \$5.00 to the cost of registering motor vehicles which would put those dollars towards repairs to roads and bridges. She stated a referendum vote is required to institute the fee.

IV. Right to Know Commission – Councilor Dwyer

Councilor Dwyer said in the last session a bill was put forth to set up a commission to stream line appeals relative to right-to-know requests.

V. Commission to Determine if DES should request delegation of the National Pollutant Discharge Elimination System from the EPA, SB121, now Chapter Law 256:1 – City Staff

Deputy City Attorney Woodland spoke on SB121 which is on whether the DES should take over the permits for storm water. She reported that the commission will explore this matter and NH is one of three states that is not a delegated authority. She said staff has supported delegated authority and the staff feels the City could work with one permitting agency. She also stated that one point of contact would streamline the process and the work is being done by local people and would provide a holistic approach and more authority to look at solutions. Deputy City Attorney Woodland reported on the funding challenges and said we are waiting to find out where the EPA stands on this matter.

Councilor Dwyer said thirty different communities attended a representative meeting and they want the delegated authority but DES feels they would need eleven more staff members.

VI. LSR 2018-2503 Relative to remediating the Coakley Landfill in Greenland – Robert Sullivan, City Attorney

City Attorney Sullivan spoke regarding the Coakley Landfill and the bill that would make the City of Portsmouth pay for Coakley. He said we tried to obtain the language for the bill and have not been able to do so. He said that this is a serious matter in the legislature that needs to be watched.

VII. Other Study Committee or Commissions update – Jane Ferrini

- HB 356, now Chapter Law 190:1, Committee to Study Education Funding and the Cost of an Opportunity for an Adequate Education
- HB 654, now Chapter Law 249:1) committee to Study the Regulation and Taxation of Vacation Rentals and Short-Term Rentals
- HB 431, now Chapter Law 138:1, Commission on Long Term Goals and Requirement for Drinking Water in the Seacoast
- HB 484, now Chapter Law 197:2, Commission on the Seacoast Cancer Cluster Investigation

Assistant City Attorney Ferrini reported that the Education Funding Report is coming out November 1, 2018. She stated currently the Committee is fact finding and this will be a process to look at what has happened over the last ten years.

Assistant City Attorney Ferrini reported the following:

- HB 654 Committee will meet maybe this month
- HB 431 Deputy Public Works Director Goetz serves on the Committee
- HB 484 Committee will be meeting October 17th and Kim McNamara is our representative

Councilor Dwyer said education funding is complicated and we should establish a Work Session with the Council and the School Board to understand the issues that are being worked through.

VIII. LSR Update – Jane Ferrini

Assistant City Attorney Ferrini said the LSR will be discussed at the next meeting. She advised the Subcommittee for further information on the content or status of bills and the Senate and House Calendars, see <http://www.gencourt.state.nh.us>. For information regarding the New Hampshire Municipal Association's Bulletin, see <http://www.nhmunipal.org/Legislative> Bulletins.

IX. Proposed Legislation on income and expense data on commercial property for valuation purposes – Rosann Maurice-Lentz

Assessor Maurice-Lentz spoke regarding not receiving inventory materials on properties and how important it is to have that information. She said we can only get information that is voluntary. She stated the Assessor's Association feels it is crucial to make sure that commercial properties provide this information. She said we are only looking for the information for large scale inventory properties.

Councilor Dwyer said we should try to put this matter through the New Hampshire Municipal Association.

Councilor Spear said that former Councilors Kennedy and Morgan urged people not to complete the forms.

X. Schedule Next Meeting

Mayor Blalock said we want to meet with the entire Legislative Delegation on October 16th or October 23rd. Assistant City Attorney Ferrini stated she will poll the delegation regarding the proposed dates.

XI. Adjournment

Mayor Blalock adjourned the meeting.

Respectfully submitted by:

Kelli L. Barnaby, MMC, CMC, CNHMC
City Clerk

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