

MINUTES  
MAYOR'S BLUE RIBBON COMMITTEE PRESCOTT PARK POLICY ADVISORY COMMITTEE  
7:30 A.M. – Wednesday, November 29, 2017  
Conference Room A, Portsmouth City Hall

Members in attendance: Tom Watson, Chair; Chris Dwyer, City Councilor; Genevieve Aichele, Resident; Michael Barker, Resident; Alan Gordon, Resident; Robin Lurie-Meyerkopf, Art-Speak Representative

Staff Present: John Bohenko, City Manager and David Moore, Assistant City Manager

1. Call to Order

Chair Watson called the meeting to order at 7:30 a.m. He stated that both City Manager Bohenko and Councilor Dwyer would be excused at 8:30 to attend another meeting.

2. Minutes – August 18, 2017 and August 30, 2017

Councilor Dwyer moved to accept the minutes of August 18 and August 30, 2017, seconded by Mr. Gordon.

Mr. Gordon made note of a minor amendment on page 3 of the August 18<sup>th</sup> minutes.

Motion passed as amended.

3. Committee Discussion Re: Factors in License Agreement Payments

Chair Watson explained that he and Assistant City Manager Moore have drafted a Guiding Principles outline for Factors in Determining License Payments that will give the City Manager guidance going forward. He explained that this is a draft document and would like to review point by point with feedback from the committee.

1. Consistent with the Prescott Park Master Plan, the City should ensure quality programming for arts, history, and maritime culture can take place in Prescott Park.

Councilor Dwyer stated that she feels that the arts should be expanded to state “visual and performing”.

Ms. Aichele stated that this should also address possible future uses such as community meetings, recreation, etc.

City Manager Bohenko stated that other users may be allowed, but may not necessarily be licensed users. He stated that he will take these on a case by case basis. Secondly, regarding a public/community meeting area, there is already a public forum location that should be used for these activities.

Councilor Dwyer stated that it should be clarified that this will outline that the city is committed to ensuring that at least these activities will occur in the park.

2. All operational costs for providing programming in the Park should be the responsibility of the organizations sponsoring programming in the Park (i.e. event staff, program development, advertising, administration, talent cost, etc.).

Councilor Dwyer clarified that the city is responsible for the operating costs of the park.

Chair Watson stated that the venue costs are addressed in item #8, but the costs for delivering the programs is the licensee.

3. The areas to be licensed to Park licensees should be clearly delineated and updated to reflect changes over time.

No discussion

4. The City's cost of operating in the Park should be clearly communicated to the public and licensees. As much as possible, costs should be attributed directly to the organizations operating in the Park, without regard to whether those costs are passed on to them (e.g. electricity, water/sewer, and other costs).

City Manager Bohenko referred to a handout which shows how the Prescott Park Special Revenue Fund is presented in the Municipal Budget document.

Mr. Gordon asked if this information could be factored out by organization usage.

Assistant City Manager Moore stated that as of now we are not able to do so, but it is a future policy discussion.

5. The various missions of organizations operating in the Park can be invaluable in attracting contributions for capital improvements (from public and private sources) as part of the implementation of the Prescott Park Master Plan. Participation by private donors or organizations in capital funding for the Park should not be intended to convey ownership or control or special/exclusive access to the Park or any improved constructed element.

Ms. Aichele stated that when a non-profit organization raises money, the donors want some type of credit, for example, signage, so there needs to be some way to acknowledge donations.

Chair Watson stated that this is covered in the communication component.

City Manager Bohenko gave the softball field as an example stating there is a wall of honor that can be updated and added to as needed.

Assistant City Manager Moore stated this is a city-wide issue and this will be a part of the final report.

6. Any activities in the Park should continue to recognize that, as a result of public ownership of the Park, donations and contributions should be made on a voluntary basis only.

Councilor Dwyer asked that "from members of the public" be added for clarification.

Discussion then ensued regarding the difference between the Gundalow Company charging for tickets, PPAF merchandising, yoga in the park classes, etc. Consensus of the committee is that it is not a one-size-fits-all issue and will be addressed via the licensing agreements.

7. As the owner of the Park and its permanent buildings, the City is responsible for maintenance of the facility. Revenues generated from Park activities including licenses should be used for the Park, including to offset or eliminate the need for additional General fund dollars.

No Comments

8. There are costs associated with maintaining entrances, pathways, lighting, lawn areas, bathrooms, and parking area used by attendees of Park licensee events as well as members of the public generally. For this reason, it is appropriate for Park licensees to share in the costs for the general upkeep in the Park and not only those costs directly attributable to their occupancy.

Councilor Dwyer stated that it should be changed to contribute to the costs because it can't be directly attributed.

9. In order to promote transparency and public confidence in transactions involving the use of the Park, all potential licensees shall timely and fully provide financial information (i.e. management letters, audited financial statements and federal 990 forms), and other financial information that may be requested by the City.

Chair Watson stated that specifics will be outlined in the licensing agreements.

Councilor Dwyer stated that she feels that we as a city should have more contact with the Boards of these organizations as they are part of the local community.

Chair Watson stated that the updates will be made to the draft document and will be brought forward.

#### 4. Prescott Park Arts Festival Season – Prescott Park Arts Festival

Ben Anderson, President of the Prescott Park Arts Festival, read a prepared statement outlining the various accomplishments and contributions to the community by the organization.

Jamie French, Chair of the Board of Directors, stated he also has a previous engagement that he must leave at 8:30. He then reviewed a handout giving the Profit and Loss information for Prescott Park Arts Festival from January 1, 2017 – November 29, 2017. He explained that this is raw data and has not been reviewed by the auditors, but is being presented for informational and discussion purposes. He also discussed that the Prescott Park Arts Festival is the only one of its size that is run on donations only with no direct monetary contributions from the municipality. He also addressed the discussion regarding the use of the Shaw Building as back-of-house stating that this is outlined in the Master Plan and is meant to help address safety issues as well as the space issues and would like to see this happen for the 2018 season.

Discussion ensued regarding the financial information provided as well as the timeliness of providing the information both in the past and in the future. Discussion also ensued regarding the variables that contribute to the PPAF being unable to predict the profitability or loss for any specific events.

Mr. French stated that he is unaware that the City requires this type of information from the other non-profits utilizing city space and that the PPAF Board of Directors never received a written request for the information. Mr. French stated that the PPAF has tried to be transparent throughout the process and have held discussions with the City Manager and Assistant City Manager and assumed this information was being reported to the Committee.

Mr. Barker stated that even having the type of information that was presented today would have been helpful during the year-long process they have been through and that if they didn't want to provide the information, they could have stated that right from the beginning.

Chair Watson asked about PPAF holding events in other venues such as in Exeter, and if that is something they will continue to do. He stated that the committee has discussed moving larger events to Pease and also relocating movie nights but it was not met positively.

Mr. French explained that the PPAF is a regional organization and looks for opportunities to expand its presence.

Mr. Anderson stated that the movie night was held in another location during the 2017 season but it was not successful because people like it in Prescott Park.

Assistant City Manager Moore referred to a handout of an Analysis of Park Usage by Square Foot per organization stating this this could be used to gauge monetary value of the fair market rate, not to charge them for it, but to show that there is a value to the city's contribution of the space.

Next, discussion ensued regarding the use of the Shaw building and the best use of the first floor area whether it is for storage or for direct public access uses.

## 5. Public Comment

Dan Corcoran – asked for clarification of the 20,000 figure on the handout.

Assistant City Manager Moore explained that this the square footage of the audience space, not the number of attendees.

Chair Watson stated that master plan limits the crowd capacity to 1500 for most events with the exception of 3 which can go to 3500.

Renee Giffroy of the New Hampshire Arts Association made a correction to the square footage handout stating that they only used it for 2 months and not 4. She thanked Councilor Dwyer for adding the visual arts to the language and stated that they would like more access and use of the Shaw Building and it should not be used for storage purposes.

Mr. Anderson again clarified that the use of the Shaw building was in the Prescott Park Master Plan and was not by their request and was meant to make the temporary back stage area go away. He stated the space would not be used for storage and it also addresses the safety issues.

Beth Margeson stated that she is a treasurer of a non-profit and although they are smaller than the PPAF they are able to make projections and they do the actuals. She stated she understands that the events are weather-dependent but she feels they should still be able to make projections. She also asked that if they are expanding to other areas such as Exeter, when it will stop being the Prescott Park Arts Festival with the City of Portsmouth subsidizing them.

Judy Nerbonne – stated she likes the idea of the Shaw Building being used for public uses and access such as Art classes etc. She also wondered how charging for the PPAF camps is different for charging for Art classes.

## 6. Adjournment

Meeting adjourned at 9:15 a.m.