

CITY COUNCIL MEETING

MUNICIPAL COMPLEX, EILEEN DONDERO FOLEY COUNCIL CHAMBERS, PORTSMOUTH, NH
DATE: MONDAY, SEPTEMBER 21, 2015 TIME: 6:00PM

AGENDA

- **6:00PM - ANTICIPATED “NON-MEETING” WITH COUNSEL REGARDING COLLECTIVE BARGAINING IN ACCORDANCE WITH RSA 91-A:2, I (b)**

I. CALL TO ORDER (6:00PM)

II. ROLL CALL

III. INVOCATION

IV. PLEDGE OF ALLEGIANCE

V. ACCEPTANCE OF MINUTES *(There are no minutes on for acceptance this evening)*

VI. PUBLIC COMMENT SESSION

VII. PUBLIC HEARING

- A. ORDINANCE AMENDING CHAPTER 7, VEHICLES, TRAFFIC AND PARKING OMNIBUS ORDINANCE

VIII. APPROVAL OF GRANTS/DONATIONS

(There is no items under this section of the agenda)

IX. CONSIDERATION OF RESOLUTIONS AND ORDINANCES

- A. Second reading of Annual Omnibus Ordinance Change, Parking and Traffic

X. CONSENT AGENDA

A MOTION WOULD BE IN ORDER TO ADOPT THE CONSENT AGENDA

- A. *Acceptance of Donation to the Coalition Legal Fund:
- Town of Moultonborough - \$6,500.00

(Anticipated action – move to approve and accept the donation as listed, to be placed in the Coalition Legal Fund)

- B. Letter from Andrea Abbott, Portsmouth Halloween Parade, requesting permission to hold the 21st annual Portsmouth Halloween Parade on Saturday, October 31, 2015
(Anticipated action – move to refer to the City Manager with power)

- C. Request for License from Lisa Shah, owner of LIT Boutique for property located at 19 Congress Street for a projecting sign located on Congress Street on an existing bracket ***(Anticipated action – move to accept the recommendation of the Planning Director with the aforementioned stipulations and approve the request of Lisa Shah, owner of LIT Boutique for a projecting sign located on Congress Street on an existing bracket and, further, authorize the City Manager to execute License Agreements for this request)***

Planning Director's Stipulations:

- ***The license shall be approved by the Legal Department as to content and form;***
- ***Any removal or relocation of the projecting sign, for any reason, shall be done at no cost to the City; and***
- ***Any disturbance of a sidewalk, street or other public infrastructure resulting from the installation, relocation or removal of the projecting sign, for any reason, shall be restored at no cost to the City and shall be subject to review and acceptance by the Department of Public Works***

XI. PRESENTATION & CONSIDERATION OF WRITTEN COMMUNICATIONS & PETITIONS

- A. Letter from William Guernier regarding Transportation Network Services Ordinance ***(Sample motion – move to refer to the City Attorney for review and report back)***

XII. REPORTS AND COMMUNICATIONS FROM CITY OFFICIALS

A. CITY MANAGER

Items Which Require Action Under Other Sections of the Agenda

1. Public Hearing/Second Reading of Proposed Ordinance:
 - 1.1 Public Hearing/Second Reading of Annual Omnibus Ordinance Change, Parking and Traffic ***(Action on this item should take place under IX of the Agenda)***

City Manager's Items Which Require Action:

1. Approval of Land Transfers for Proposed Municipal Parking Structure at 165 Deer Street
2. Proposed Land Acquisition (Frank Jones Center Property)
3. License Agreement Re: WSCA

4. License Request for 386-390 State Street
5. Polling Hours – November 3, 2015 Municipal Election

Informational items

1. Events Listing
2. Capital Improvement Plan (CIP) Process
3. Haven Park Public meeting

B. MAYOR LISTER

1. Appointments to be Considered:
 - Reappointment of Shari Donnermeyer to the Parking & Traffic Safety Committee
 - Appointment of Jennifer Pyke to the Portsmouth Housing Authority
2. Appointments to be Voted:
 - Appointment of Richard Winstanley to the Cable Television and Communications Committee
 - Appointment of Jolanda Fannin to the Library Board of Trustees filling the expired term of Jody Record until October 1, 2015
 - Reappointment of Ernie Greenslade to the Library Board of Trustees
 - Reappointment of Ronald Cypher to the Parking & Traffic Safety Committee
 - Reappointment of Frederick (Ted) Gray, Jr. to the Parking & Traffic Safety Committee
 - Reappointment of Harold Whitehouse to the Parking & Traffic Safety Committee

C. ASSISTANT MAYOR SPLAINE

1. Thanking John Connors

D. COUNCILOR KENNEDY

1. *Concerns with Property Assessments

E. COUNCILOR LOWN

1. Parking & Traffic Safety Committee Action Sheet and Minutes of the August 13, 2015 meeting (***Sample motion – move to approve and accept the minutes of the August 13, 2015 Parking & Traffic Safety Committee meeting***)
2. Parking & Traffic Safety Committee Action Sheet and Minutes of the September 3, 2015 meeting (***Sample motion – move to approve and accept the minutes of the September 3, 2015 Parking & Traffic Safety Committee meeting***)

F. COUNCILOR DWYER

1. *Motion to request that the City Council engage the expert in police facility construction to make a presentation to the Council about the particular requirements for a police facility

G. COUNCILOR THORSEN

1. Recent Vote Restricting PPAF Operation, and Motion to Reconsider

XIII. MISCELLANEOUS/UNFINISHED BUSINESS

XIV. ADJOURNMENT

**KELLI L. BARNABY, MMC, CMC, CNHMC
CITY CLERK**

**Indicates Verbal Report*

INFORMATIONAL ITEMS

1. *Notification that the minutes of the August 12, 2015 meeting of the Conservation Commission are now available on the City's website
2. *Notification that the minutes of the August 12, 2015 meeting of the Historic District Commission are now available on the City's website
3. *Notification that the minutes of the June 10, 2015 and July 1, 2015 meetings of the Historic District Commission are now available on the City's website
4. *Notification that the minutes of the July 16, 2015 meeting of the Planning Board are now available on the City's website
5. *Notification that the minutes of the August 4, 2015 meeting of the Site Review Technical Advisory Committee are now available on the City's website

NOTICE TO THE PUBLIC WHO ARE HEARING IMPAIRED: Please contact Dianna Fogarty at 603-610-7270 one-week prior to the meeting for assistance.

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Portsmouth City Council on Monday, September 21, 2015 at 7:00 p.m., Eileen Dondero Foley Council Chambers, Municipal Complex, 1 Junkins Avenue, Portsmouth, NH on a proposed Ordinance amending Chapter 7, Vehicles, Traffic and Parking Omnibus Ordinance. The complete Ordinance is available for review in the Office of the City Clerk and Portsmouth Public Library, during regular business hours.

KELLI L. BARNABY, MMC/CNHMC
CITY CLERK

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Portsmouth City Council on Monday, September 21, 2015 at 7:00 p.m., Eileen Dondero Foley Council Chambers, Municipal Complex, 1 Junkins Avenue, Portsmouth, NH on a proposed Ordinance amending Chapter 7, Vehicles, Traffic and Parking Omnibus Ordinance

KELLI L. BARNABY, MMC/CNHMC
CITY CLERK

PM00138744

ORDINANCE #

THE CITY OF PORTSMOUTH ORDAINS

That Chapter 7, VEHICLES, TRAFFIC and PARKING of the ordinances of the City of Portsmouth be amended as follows by deletions from existing language stricken and highlighted in **red**; additions to existing language bolded and highlighted in **red**, remaining language unchanged from existing:

[Explanatory note not part of ordinance. The following amendments to the parking ordinance were either implemented by the Parking and Traffic Safety Committee on a trial basis last year or are part of ongoing improvements to the parking ordinance and are forwarded to the City Council for approval. Each ordinance change is shown on diagrams attached hereto.]

A. Amend: Chapter 7, Article III – TRAFFIC ORDINANCE, Section 7.326 Limited Parking – Fifteen Minutes

Section 7.326: LIMITED PARKING – FIFTEEN MINUTES:

A. No person having control or custody of any vehicle shall cause the same to stop or park for longer than 15 minutes at any time between 9:00 a.m. and 7:00 p.m., Monday through Saturday, and between 12:00 p.m. and 7:00 p.m. Sunday, Holidays not included, on the following streets and locations:

6. Hanover Street:

c. northerly side, first two spaces east from Bridge Street.

B. Amend: Chapter 7, Article III – TRAFFIC ORDINANCE, Section 7.328 Limited Parking – Three Hours

Section 7.328: LIMITED PARKING – THREE HOURS:

A. No person having control or custody of any vehicle shall stop or cause the same to stop or park for longer than three hours at any time between the hours of 9:00 a.m. and 7:00 p.m. Monday through Saturday, and between 12:00 p.m. and 7:00 p.m. Sunday, Holidays excluded, on the following streets and locations:

~~5. Chestnut Street: both sides from State Street to Court Street.~~

16. Market Street:
- a. westerly side from Market Square to Bow Street, except for the ~~first two parking spaces from Market Square. The first of which is hereby designated for police cruiser parking only and the second of which is designated as a taxi stand (see Section 7.A408)~~ first space closest to Bow Street, which shall be designated as bicycle parking when a bicycle corral is present.
 - b. easterly side from Daniel Street to Deer Street: ~~except for the first two parking spaces from Market Square. The first of which is hereby designated for police cruiser parking only and the second of which is designated as a taxi stand (see Section 7.A408).~~
 - c. both sides from Deer Street to Russell Street.
-

C. Amend: Chapter 7, Article III – TRAFFIC ORDINANCE, Section 7.330: No Parking

Section 7.330: NO PARKING

- A. Unless otherwise designated by ordinance, parking shall be prohibited at all times in the following described streets and locations:

20. Chestnut Street:

c. both sides, entire length of street between State Street and Court Street.

31. Dearborn ~~Street Place~~: ~~westerly northerly~~ side from Maplewood Avenue to the easterly end of Dearborn ~~Lane Place~~ (entire ~~westerly northerly~~ side).

32. Dearborn Lane: both sides, from Dearborn Street westerly to property line of 39 Dearborn Street, a distance of 60 feet.

53. Hanover Street:

a. (Hanover Street Extension): northerly side from ~~Pearl Street Rock St.~~ to Brewster St.

117. State Street:

g. South side, between Fleet Street and Court Place, when reserved for use by licensed vendor.

D. Amend: Chapter 7, Article IVA – BUS STOPS, TAXICAB STANDS & HORSE DRAWN CARRIAGES

Section 7A.408: TAXI STANDS DESIGNATED

The following areas are hereby designated as Taxi stands:

D. State Street: northerly side, 40 feet east from Pleasant Street for a distance of 20 feet, from 7 p.m. to 6 a.m., Monday through Sunday.

E. Amend: Chapter 7, Article VA: COMMUNITY CENTER, CITY HALL, DISTRICT COURT PARKING.

~~**Section 7A.501: COMMUNITY CENTER PARKING**~~

~~**Parking in the parking lot at the rear of the Community Center, which said lot is on Chapel Street, shall be restricted to vehicles used by Recreation Department Staff.**~~**Section**

~~**7A.502: CITY HALL PARKING**~~

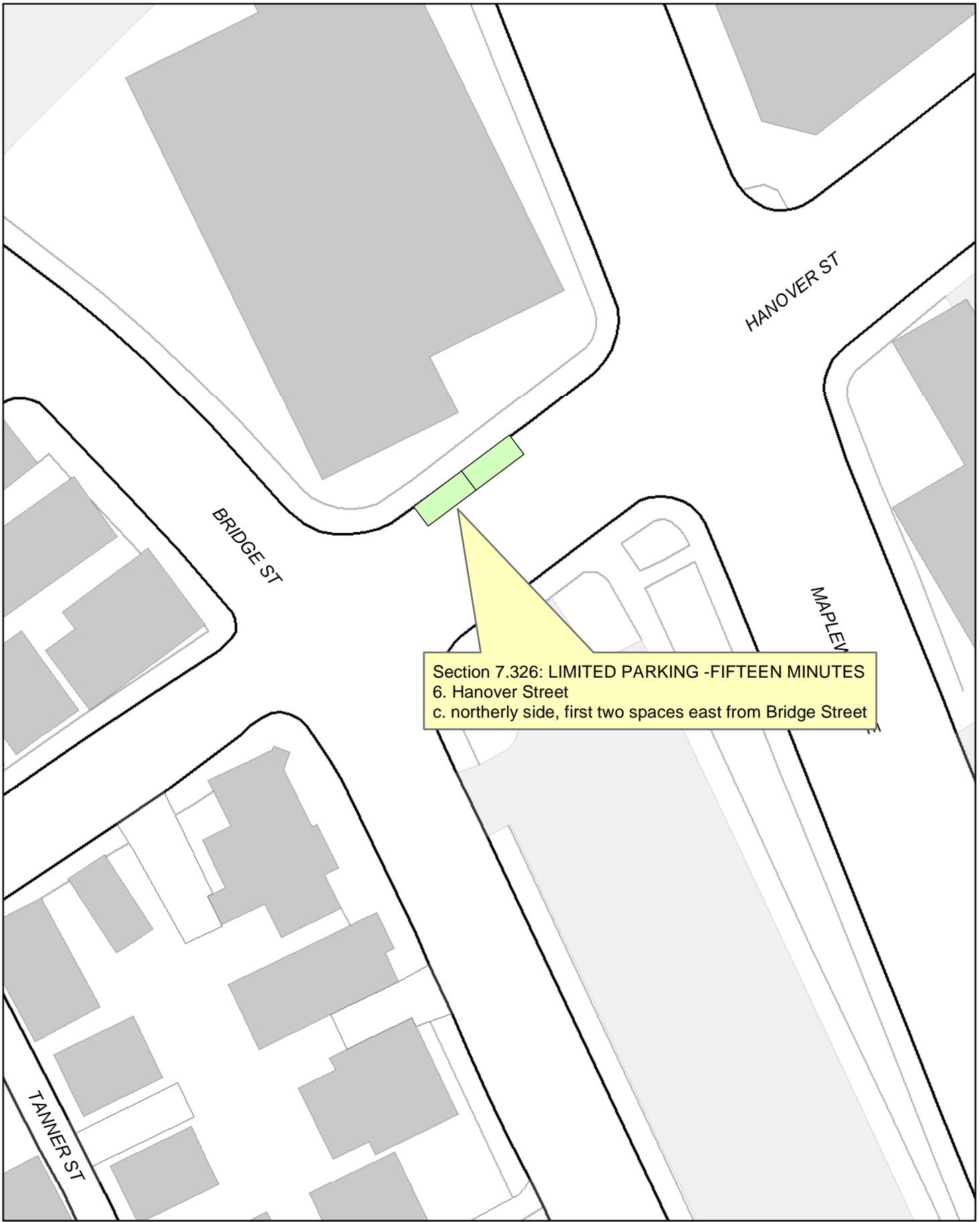
~~**Parking in the area adjacent to the City Hall and lying between City Hall and Chapel Street shall be restricted to use by visitors with official business at City Hall.**~~

F. Amend: Chapter 7, Article VI – TRUCK LOADING/UNLOADING ZONES, Section 7.601 Truck Loading/Unloading Zones Established:

Section 7.601: TRUCK LOADING/UNLOADING ZONES ESTABLISHED

The following locations are established as exclusive “Truck Loading Zones” on Mondays through Saturdays between the hours of 6:00 a.m. and 7:00 p.m. or as otherwise described below with regard to any particular location. During these times only trucks, vans and other commercial delivery vehicles actively engaged in loading or unloading of product, merchandise or equipment (meaning that no more than 10 consecutive minutes pass without loading or unloading activity) may park. Such vehicles may park at the designated locations for a period not to exceed 30 minutes. Unless otherwise determined by ordinance, at all other times these zones shall be open parking for all vehicles.

11. State Street: northerly side, 40 feet east from Pleasant Street for a distance of 20 feet. **In addition, from 7:00 p.m. to 6:00 a.m., Monday through Sunday, this area shall be designated as a taxi stand per Section 7A.408.**
-

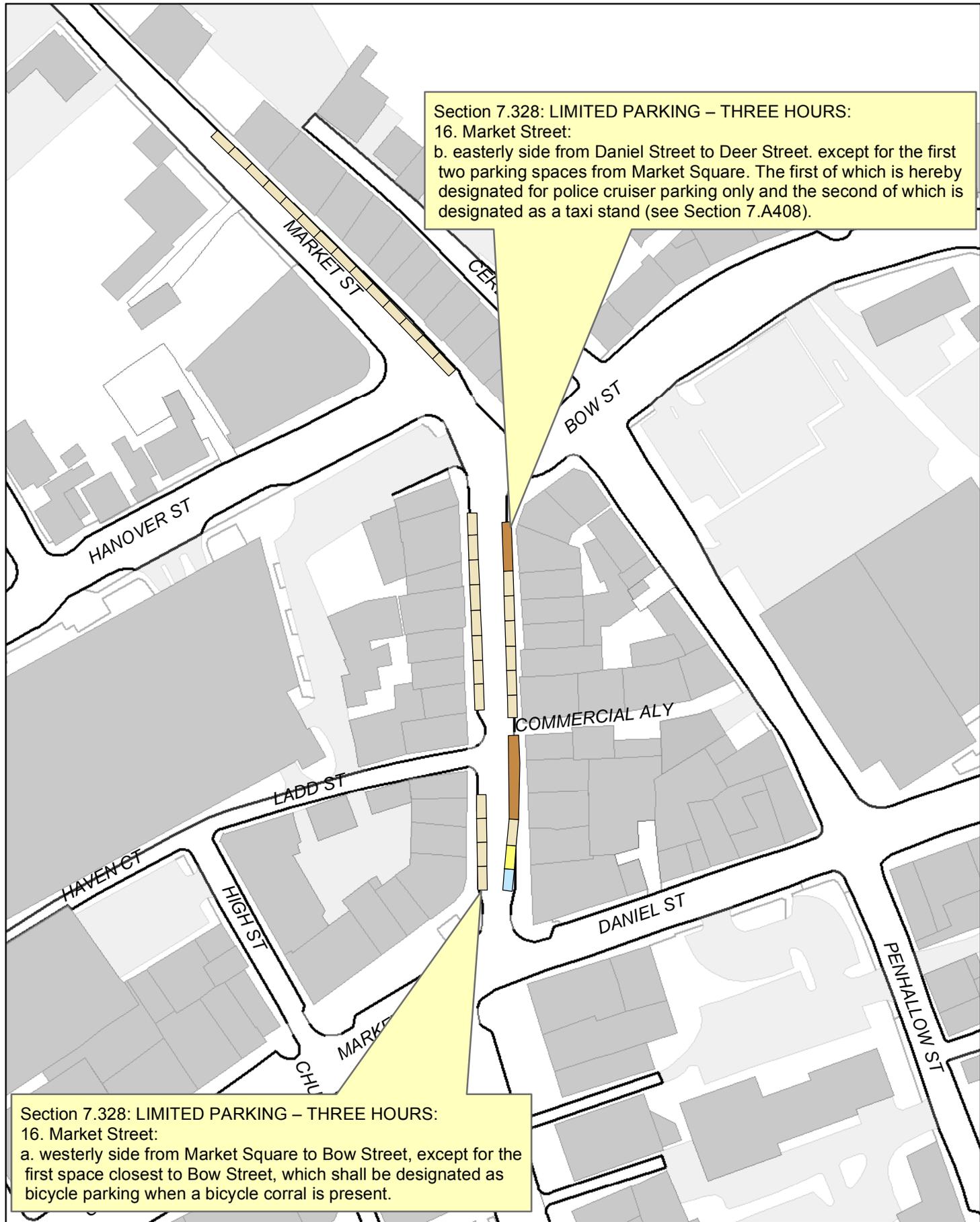


Section 7.326: LIMITED PARKING -FIFTEEN MINUTES
6. Hanover Street
c. northerly side, first two spaces east from Bridge Street

**Hanover Street Two Parking Spaces 15 minutes
Portsmouth, New Hampshire**

Map prepared by Portsmouth Department of Public Works, 6 August 2011
Map document: U:\Projects\0263 Parking Traffic & Safety\Traffic and Parking Ordinance Changes





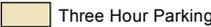
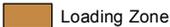
Section 7.328: LIMITED PARKING – THREE HOURS:
 16. Market Street:
 b. easterly side from Daniel Street to Deer Street. except for the first two parking spaces from Market Square. The first of which is hereby designated for police cruiser parking only and the second of which is designated as a taxi stand (see Section 7.A408).

Section 7.328: LIMITED PARKING – THREE HOURS:
 16. Market Street:
 a. westerly side from Market Square to Bow Street, except for the first space closest to Bow Street, which shall be designated as bicycle parking when a bicycle corral is present.

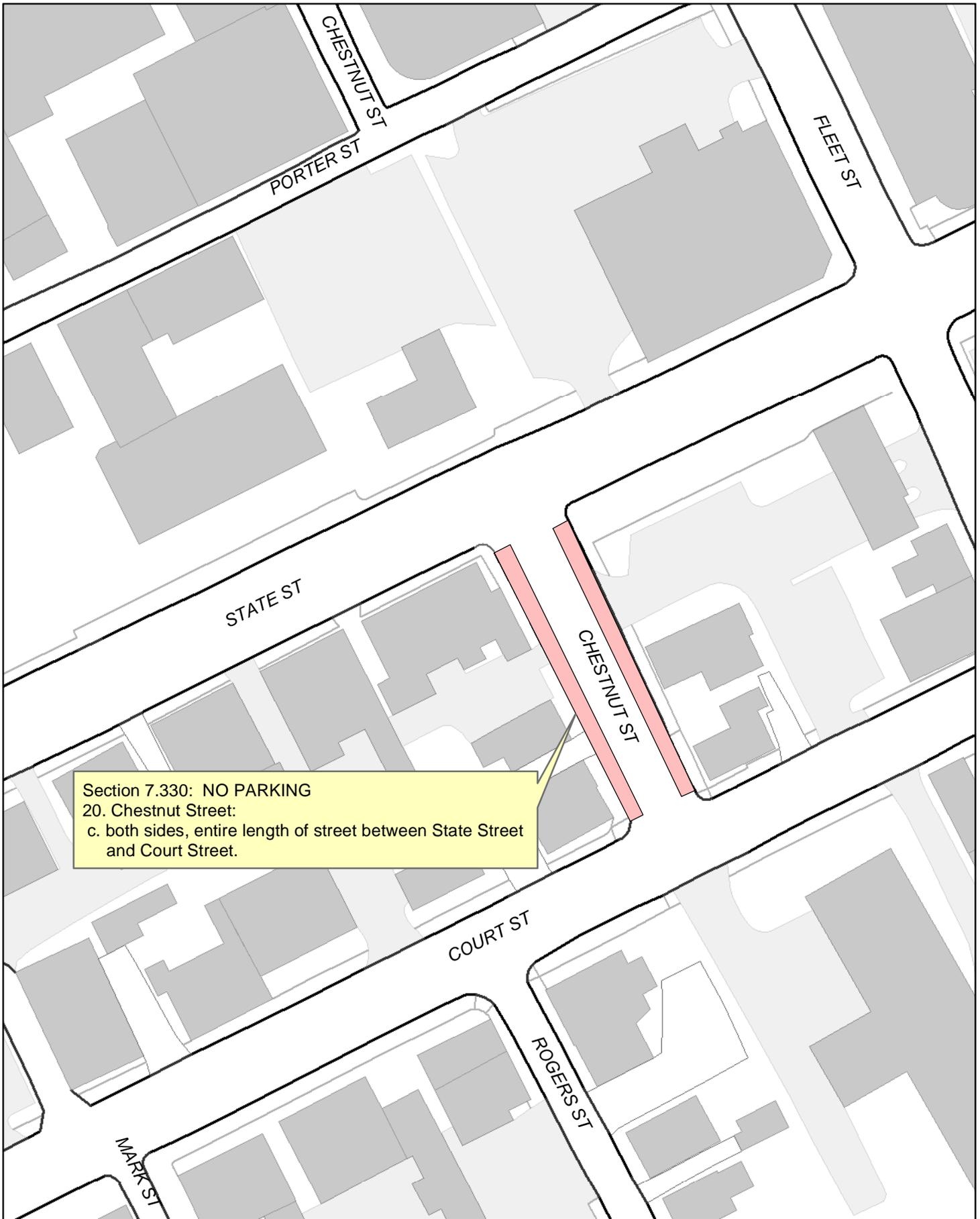
**Market Street Limited Parking
 Portsmouth, New Hampshire**

Map prepared by Portsmouth Department of Public Works, 6 August 201
 Map document: U:\Projects\0263 Parking Traffic & Safety\Traffic and Parking Ordinance Changes

Legend

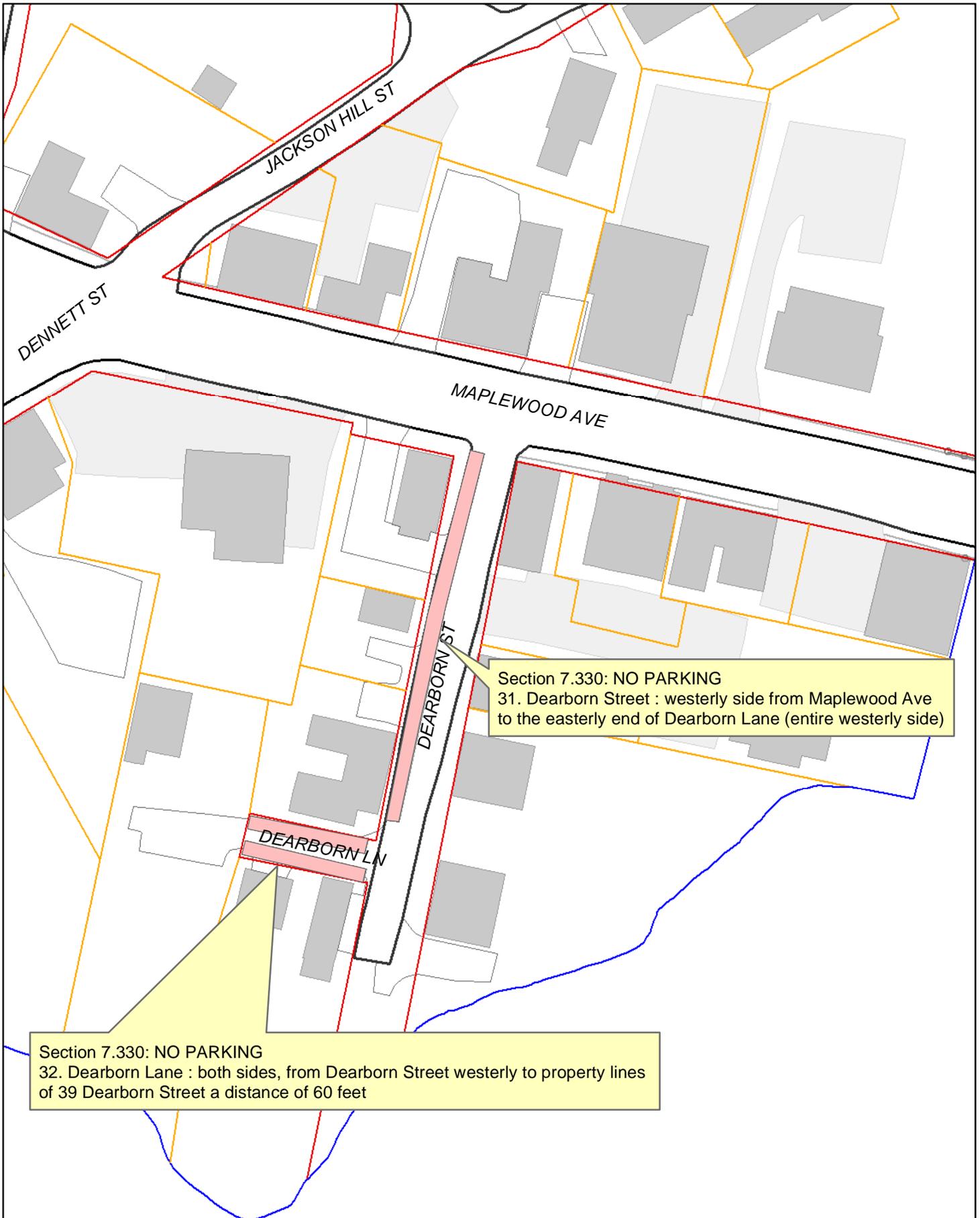
	Three Hour Parking		Taxi
	Police		Loading Zone





Section 7.330: NO PARKING
20. Chestnut Street:
c. both sides, entire length of street between State Street
and Court Street.

**Chestnut Street No Parking
Portsmouth, New Hampshire**



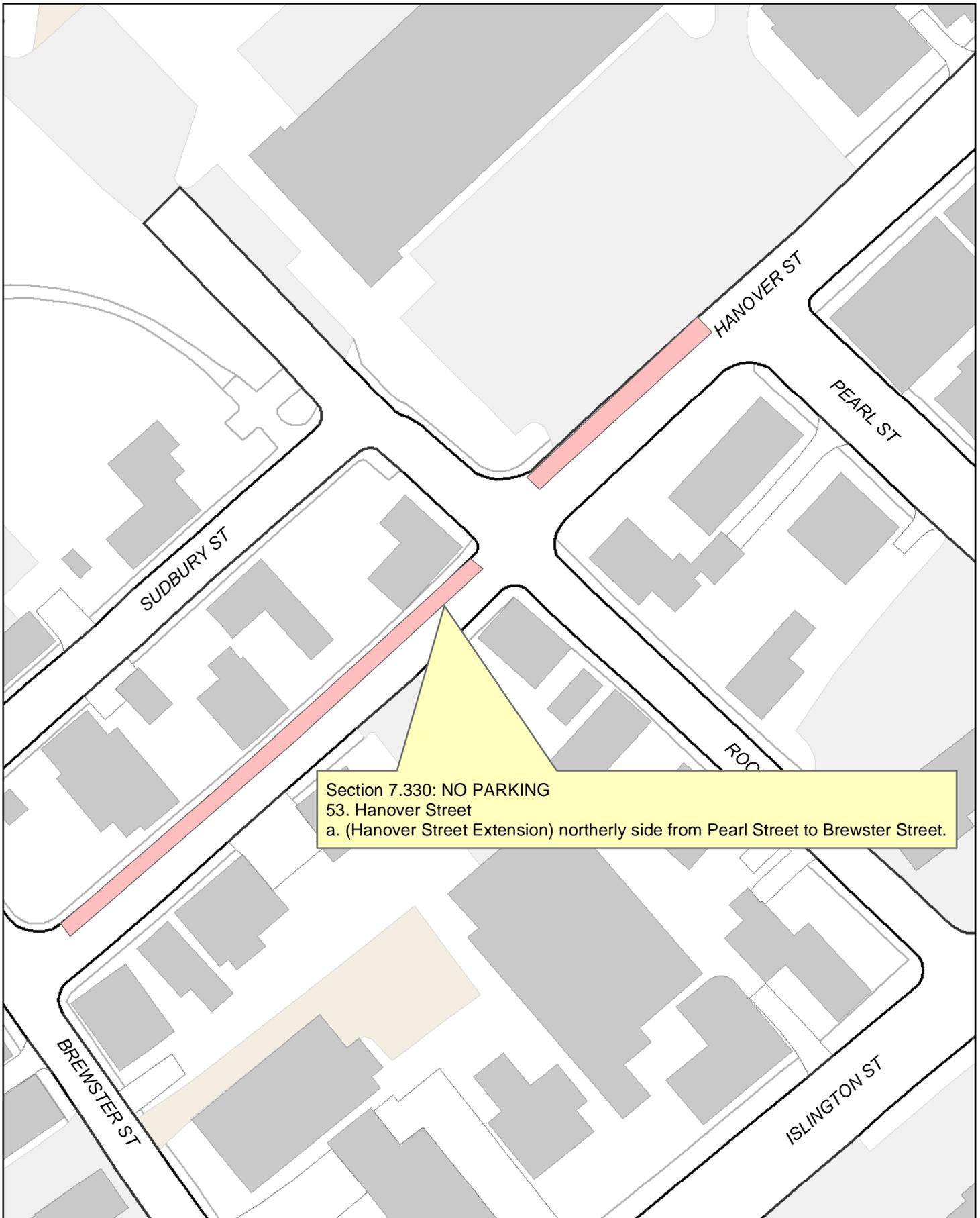
Section 7.330: NO PARKING
 31. Dearborn Street : westerly side from Maplewood Ave to the easterly end of Dearborn Lane (entire westerly side)

Section 7.330: NO PARKING
 32. Dearborn Lane : both sides, from Dearborn Street westerly to property lines of 39 Dearborn Street a distance of 60 feet

**Dearborn Street and Dearborn Lane No Parking
 Portsmouth, New Hampshire**

Map prepared by Portsmouth Department of Public Works, 6 August 2011
 Map document: U:\Projects\0263 Parking Traffic & Safety\Traffic and Parking Ordinance Changes

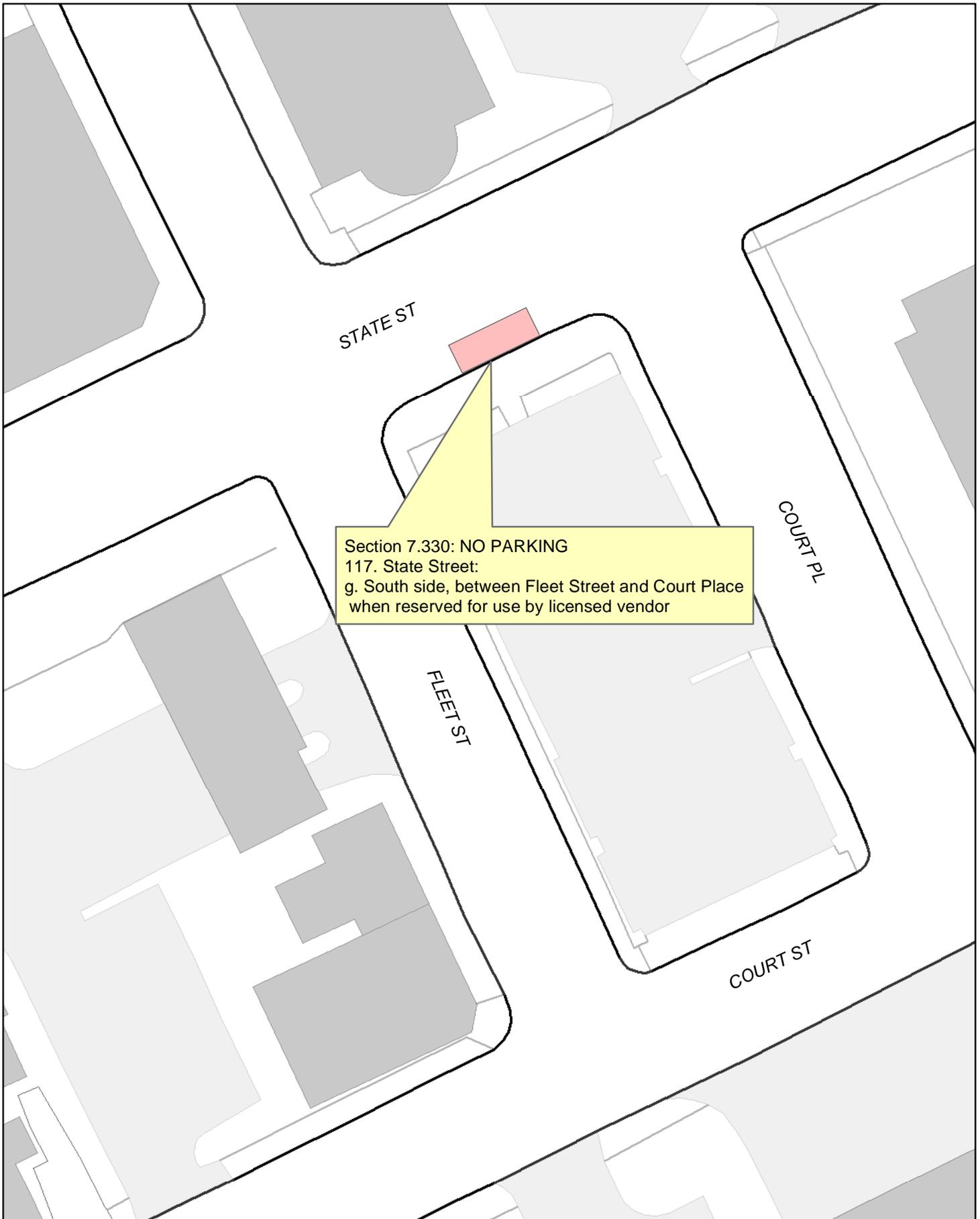




**Hanover Street Extension
Portsmouth, New Hampshire**

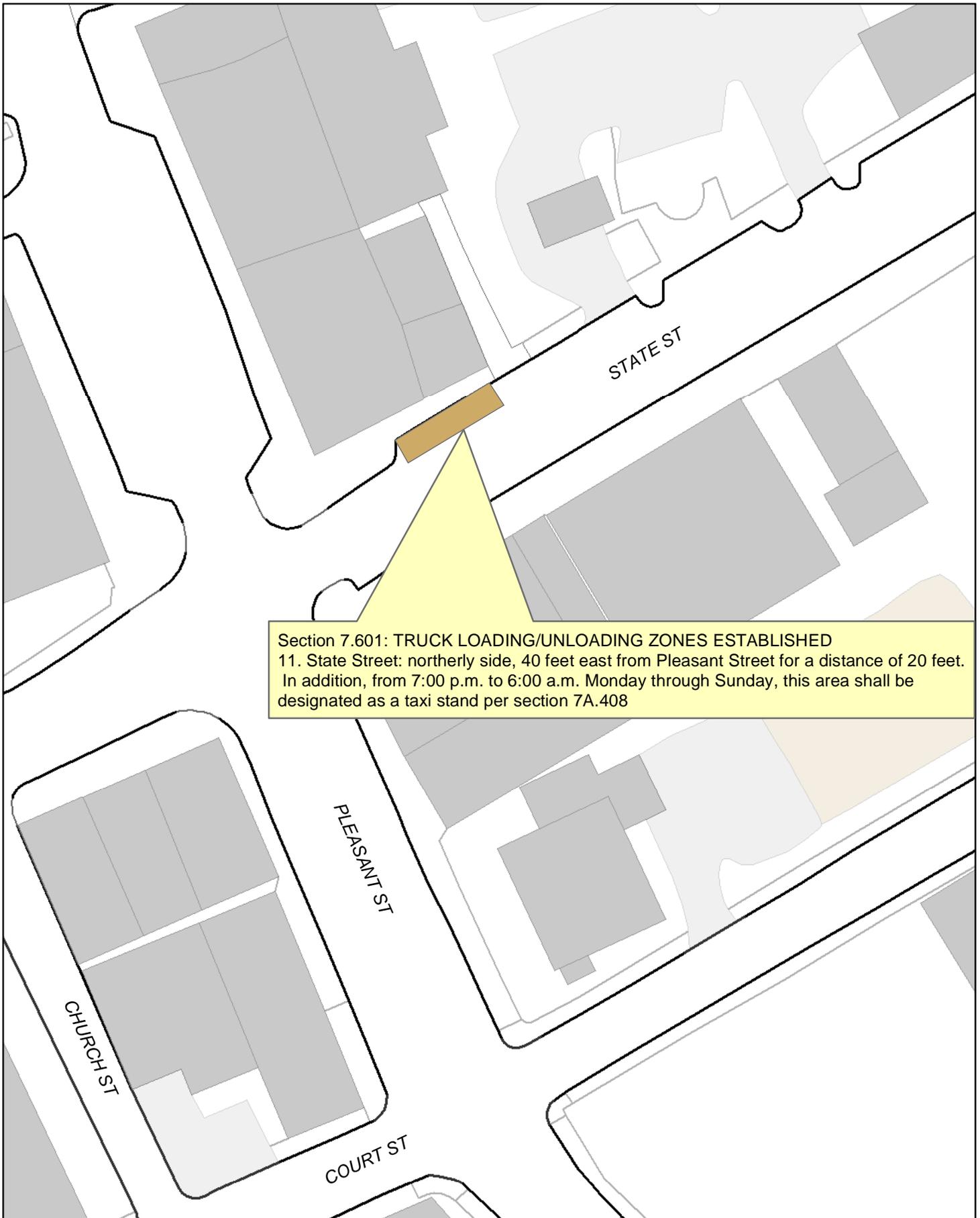
Map prepared by Portsmouth Department of Public Works, 6 August 2011
Map document: U:\Projects\0263 Parking Traffic & Safety\Traffic and Parking Ordinance Changes





**State Street No Parking
Portsmouth, New Hampshire**

Map prepared by Portsmouth Department of Public Works, 6 August 2011
Map document: U:\Projects\0263 Parking Traffic & Safety\Traffic and Parking Ordinance Changes

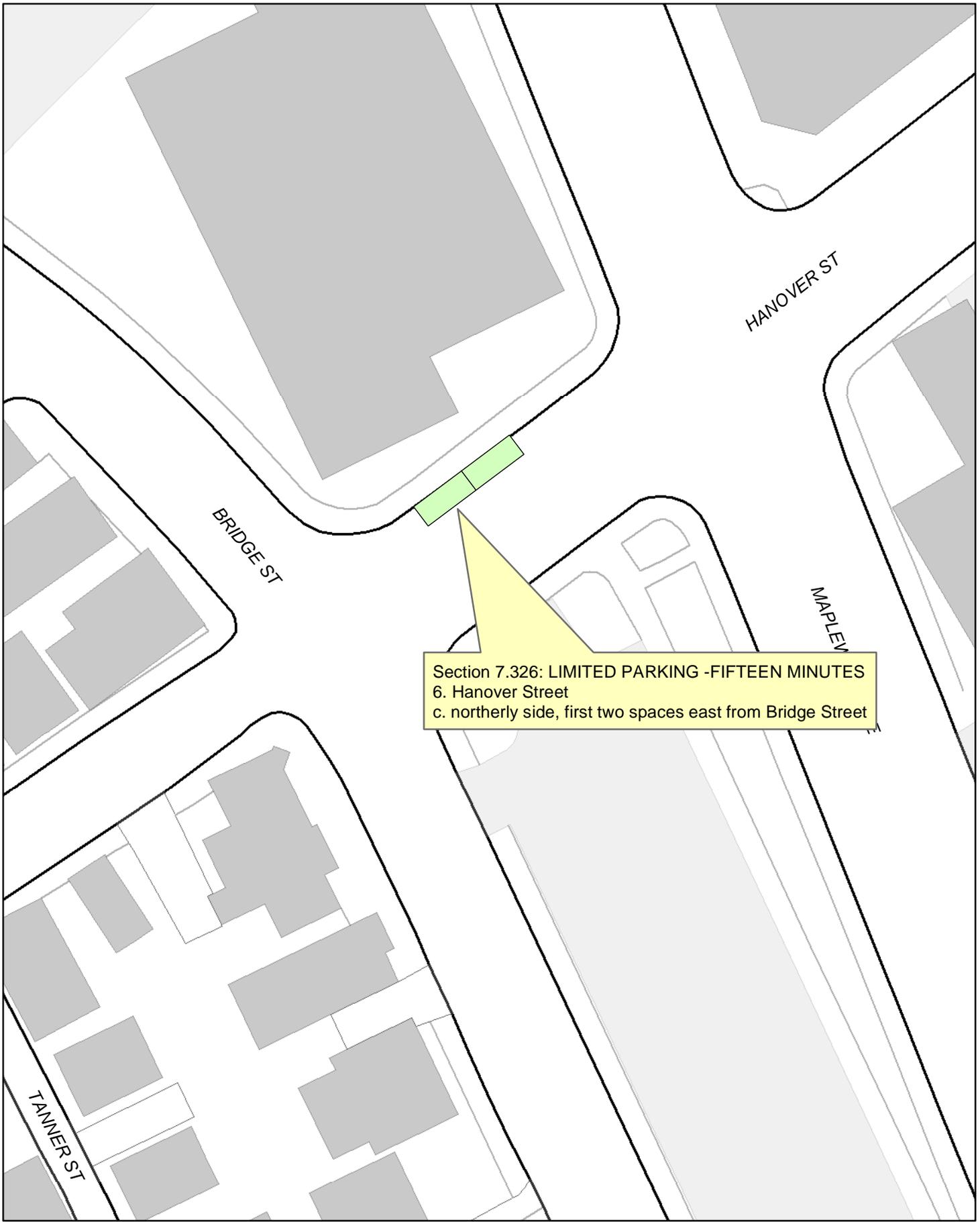


Section 7.601: TRUCK LOADING/UNLOADING ZONES ESTABLISHED
11. State Street: northerly side, 40 feet east from Pleasant Street for a distance of 20 feet. In addition, from 7:00 p.m. to 6:00 a.m. Monday through Sunday, this area shall be designated as a taxi stand per section 7A.408

**State Street Taxi Stands and Truck Loading Zone
Portsmouth, New Hampshire**

Map prepared by Portsmouth Department of Public Works, 6 August 2011
Map document: U:\Projects\0263 Parking Traffic & Safety\Traffic and Parking Ordinance Changes

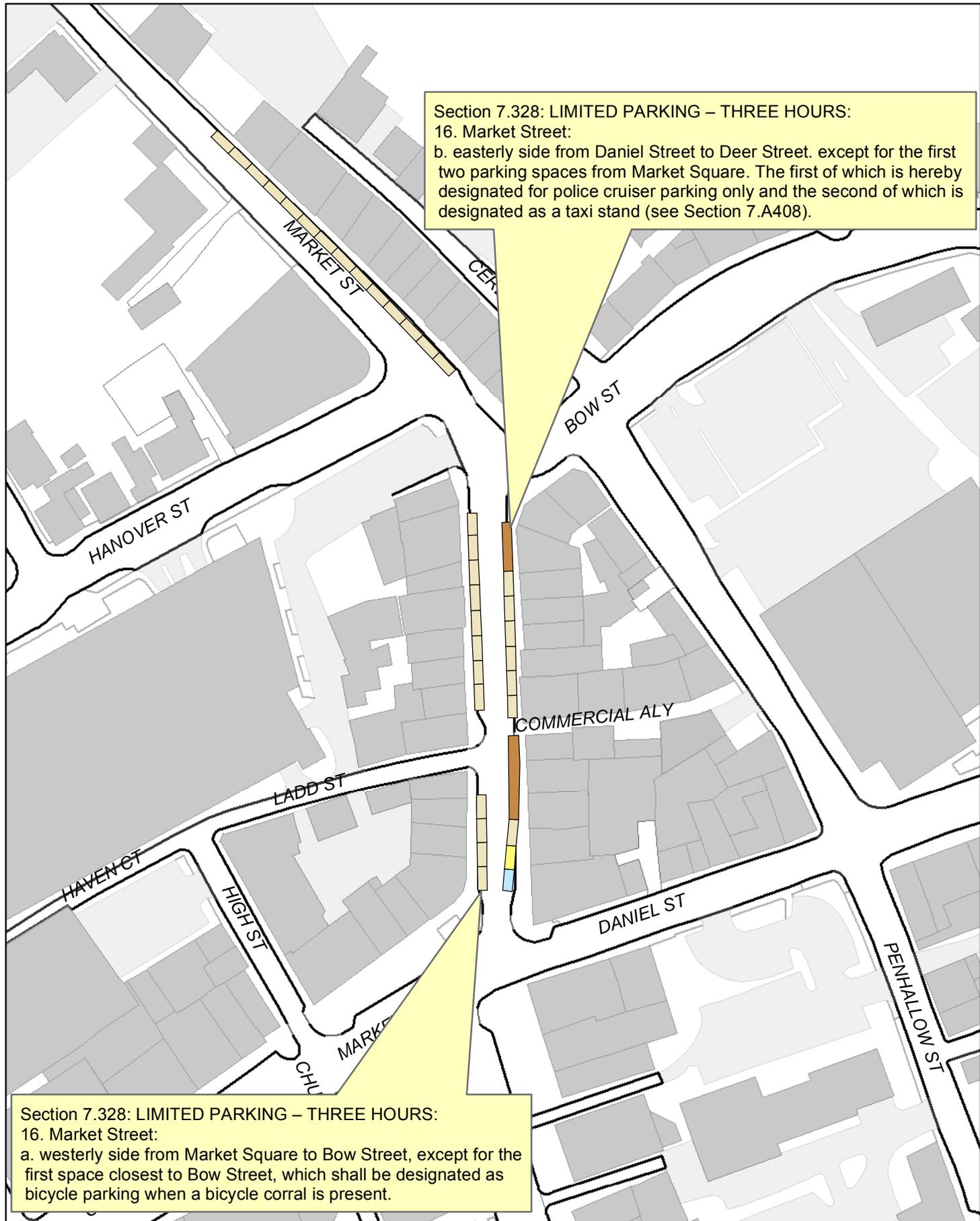




**Hanover Street Two Parking Spaces 15 minutes
Portsmouth, New Hampshire**

Map prepared by Portsmouth Department of Public Works, 6 August 2011
Map document: U:\Projects\0263 Parking Traffic & Safety\Traffic and Parking Ordinance Changes





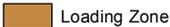
Section 7.328: LIMITED PARKING – THREE HOURS:
 16. Market Street:
 b. easterly side from Daniel Street to Deer Street. except for the first two parking spaces from Market Square. The first of which is hereby designated for police cruiser parking only and the second of which is designated as a taxi stand (see Section 7.A408).

Section 7.328: LIMITED PARKING – THREE HOURS:
 16. Market Street:
 a. westerly side from Market Square to Bow Street, except for the first space closest to Bow Street, which shall be designated as bicycle parking when a bicycle corral is present.

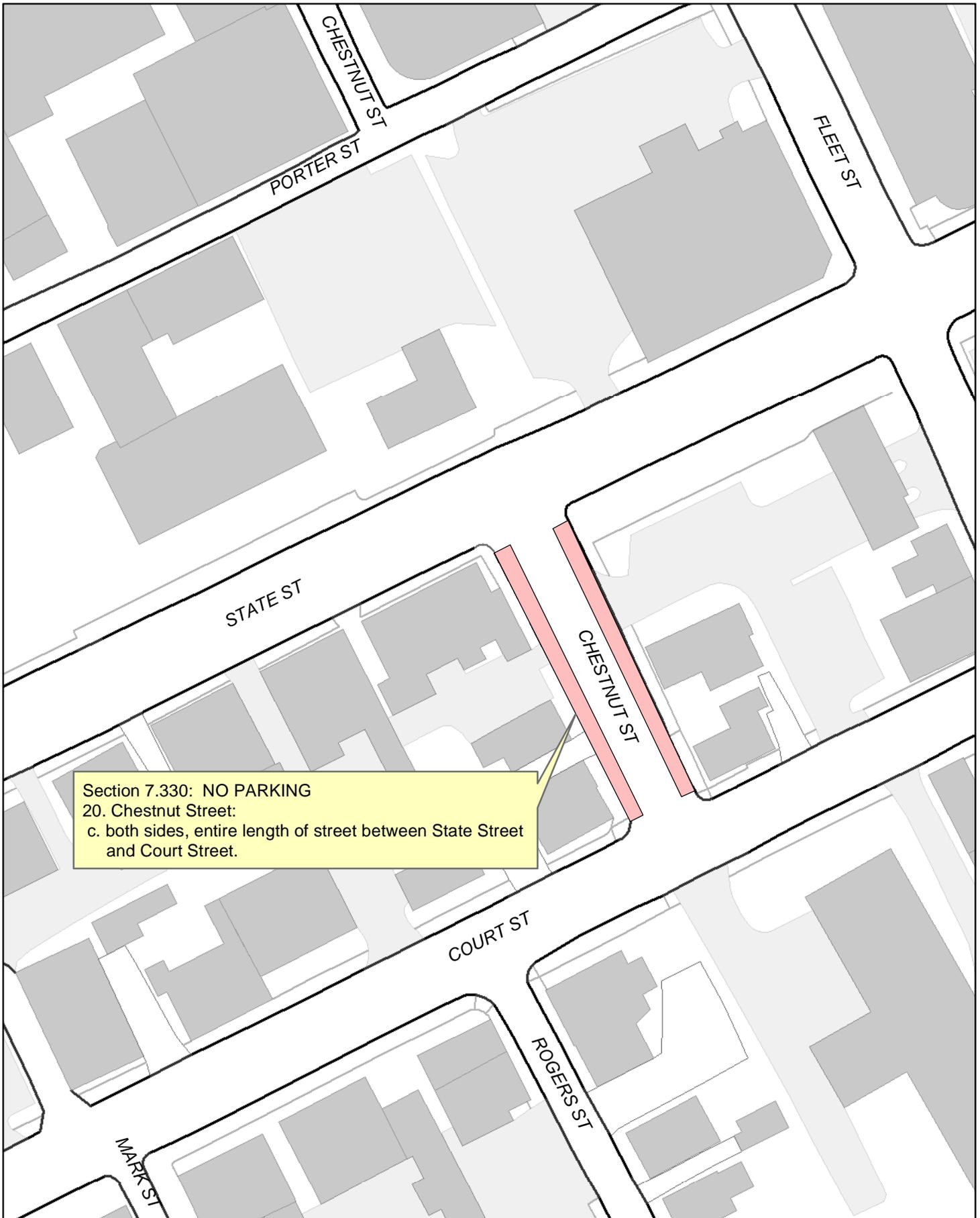
**Market Street Limited Parking
 Portsmouth, New Hampshire**

Map prepared by Portsmouth Department of Public Works, 6 August 201
 Map document: U:\Projects\0263 Parking Traffic & Safety\Traffic and Parking Ordinance Changes

Legend

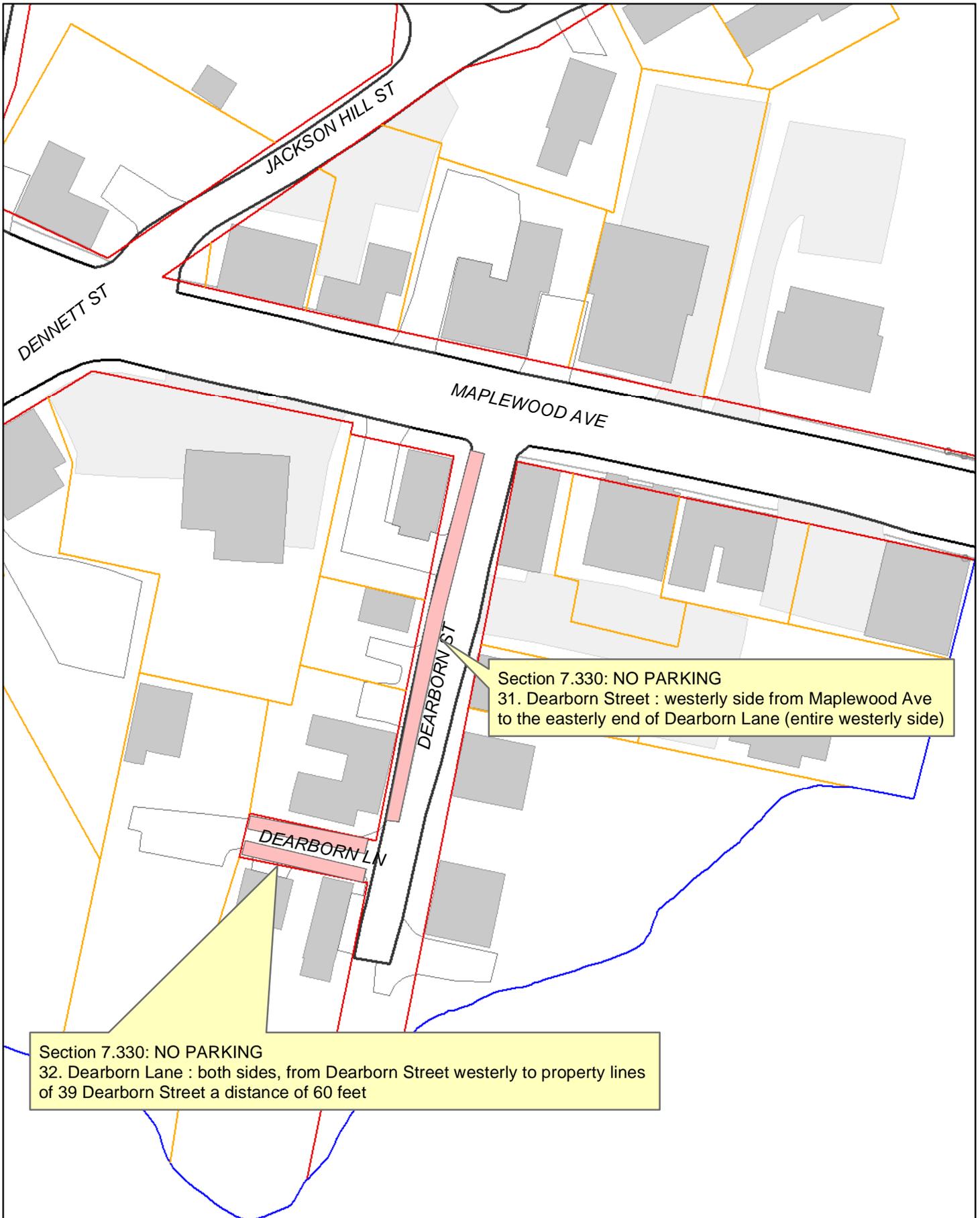
	Three Hour Parking		Taxi
	Police		Loading Zone





Section 7.330: NO PARKING
20. Chestnut Street:
c. both sides, entire length of street between State Street
and Court Street.

**Chestnut Street No Parking
Portsmouth, New Hampshire**



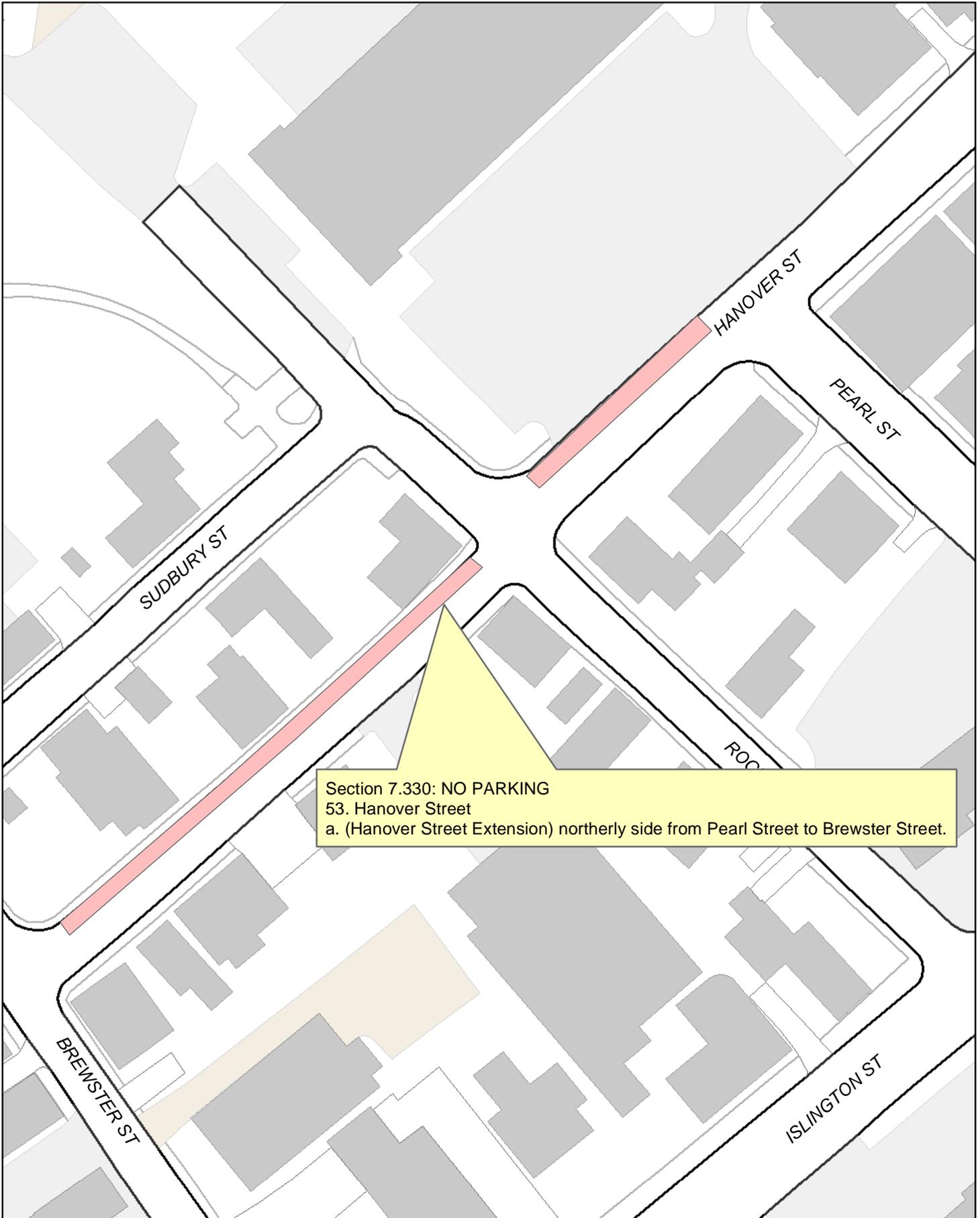
Section 7.330: NO PARKING
 31. Dearborn Street : westerly side from Maplewood Ave to the easterly end of Dearborn Lane (entire westerly side)

Section 7.330: NO PARKING
 32. Dearborn Lane : both sides, from Dearborn Street westerly to property lines of 39 Dearborn Street a distance of 60 feet

**Dearborn Street and Dearborn Lane No Parking
 Portsmouth, New Hampshire**

Map prepared by Portsmouth Department of Public Works, 6 August 2011
 Map document: U:\Projects\0263 Parking Traffic & Safety\Traffic and Parking Ordinance Changes

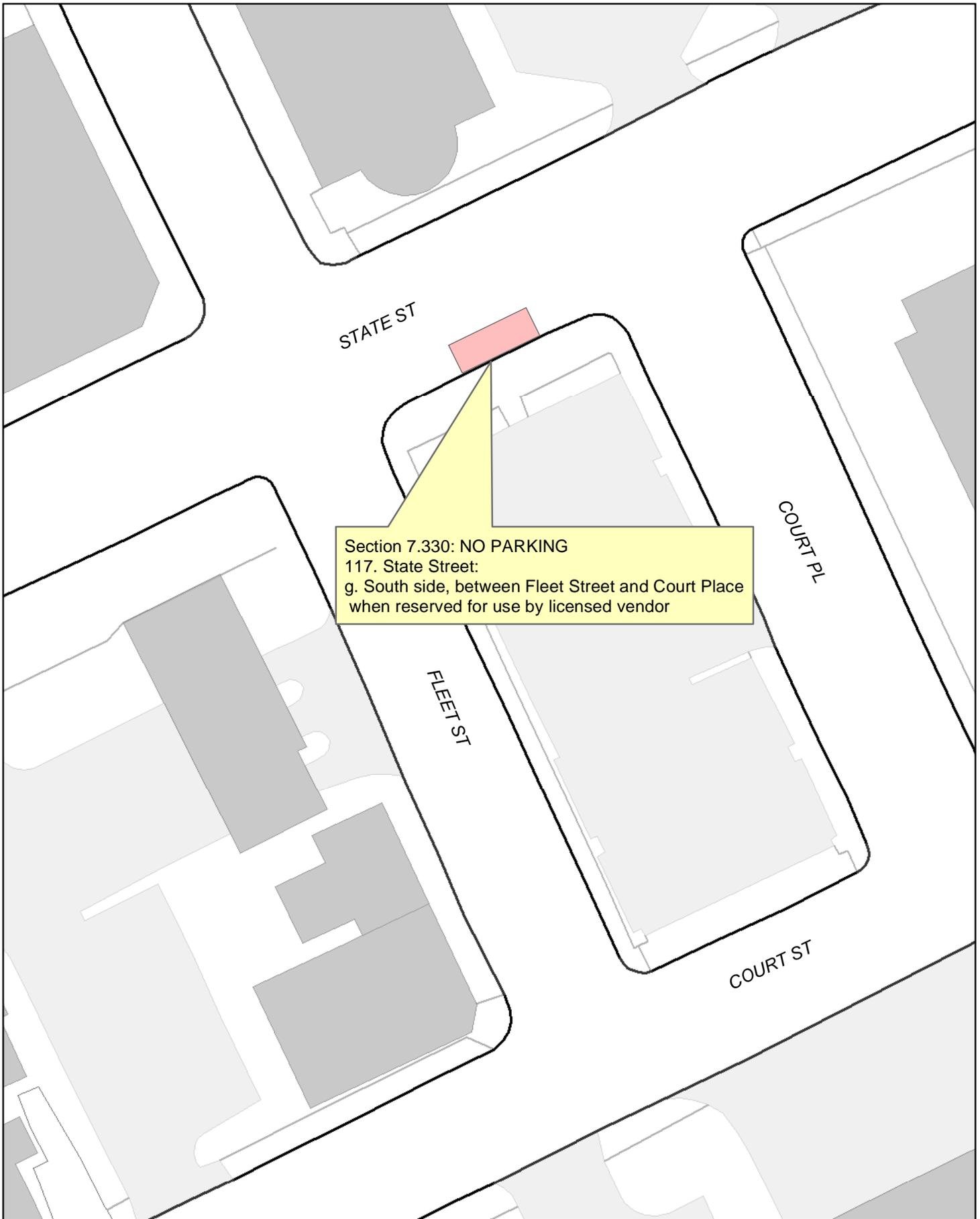




**Hanover Street Extension
Portsmouth, New Hampshire**

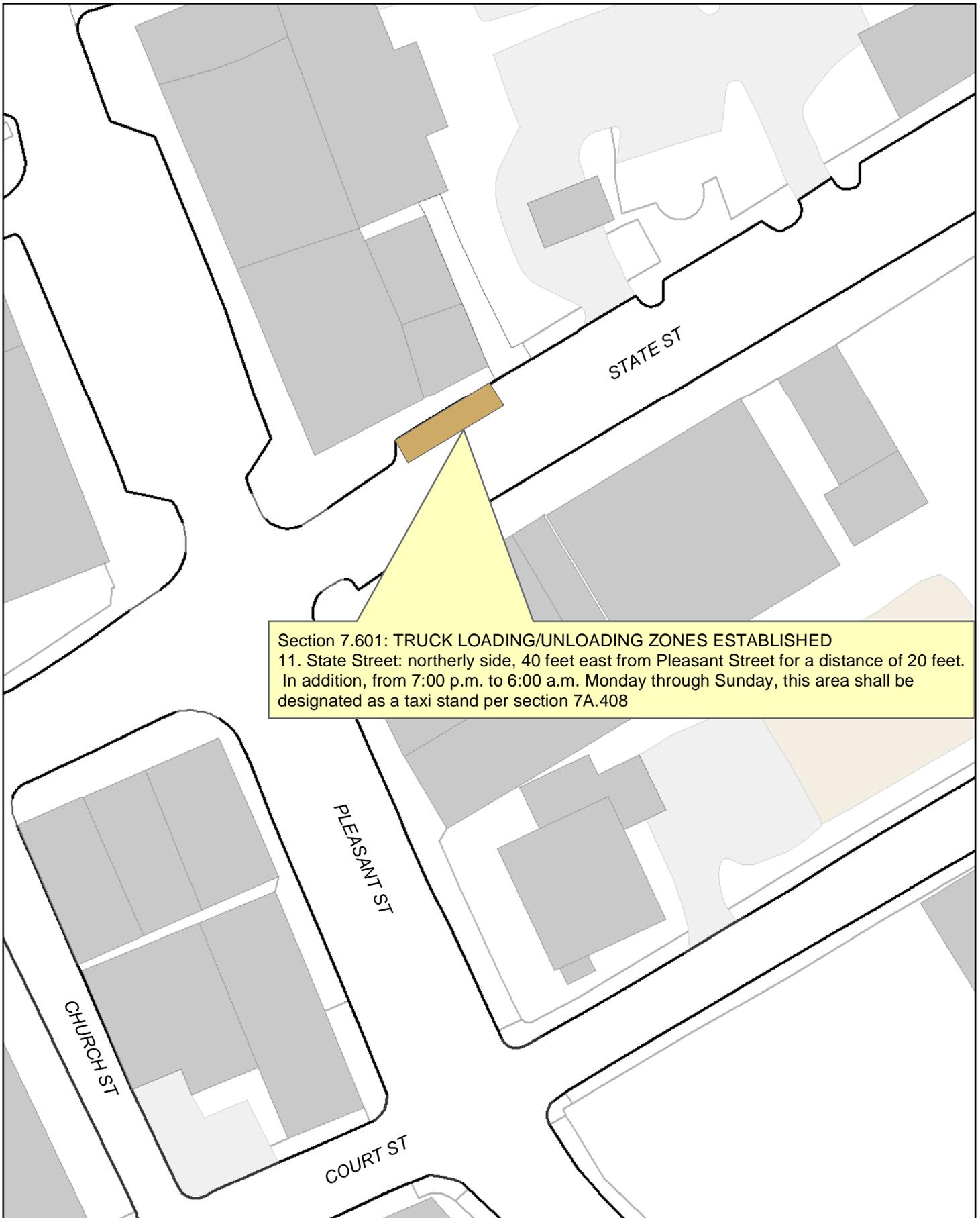
Map prepared by Portsmouth Department of Public Works, 6 August 2011
Map document: U:\Projects\0263 Parking Traffic & Safety\Traffic and Parking Ordinance Changes





**State Street No Parking
Portsmouth, New Hampshire**

Map prepared by Portsmouth Department of Public Works, 6 August 2011
Map document: U:\Projects\0263 Parking Traffic & Safety\Traffic and Parking Ordinance Changes



Section 7.601: TRUCK LOADING/UNLOADING ZONES ESTABLISHED
11. State Street: northerly side, 40 feet east from Pleasant Street for a distance of 20 feet. In addition, from 7:00 p.m. to 6:00 a.m. Monday through Sunday, this area shall be designated as a taxi stand per section 7A.408

**State Street Taxi Stands and Truck Loading Zone
Portsmouth, New Hampshire**



Ordinance Change/Location	Net change in parking spaces	Comment
A – Change two 3-hour spaces to 15-minute spaces on Hanover Street	0	For new deli
B1, C1 - No Parking on Chestnut Street	-6	Spaces removed as part of African Burial Ground project
B2 - Market Street west side 3 hour limit (seasonal)	-1	Only when bike corral present
B3 - Market Street east side 3 hour limit	0	Wording of ordinance corrected
C2 - Deerborn Street No Parking	0	Wording of ordinance corrected
C3 - Deerborn Lane No Parking	0	Illegal spaces confirmed
C4 - No parking on Hanover Street	-4	To allow access to new Rock Street parking lot
C5 - State Street No Parking (seasonal)	-1	Space licensed to vendor from 7 AM -11 PM, April 15 through November 15.
D1, F1 - State Street taxi stand	0	Shared with existing loading zone
E1 - Old City Hall, Community Center	0	Deleting old ordinance
Additional Actions Affecting On-Street Parking Spaces		
• Crosswalk on State Street at African Burial Ground	-1	
• HarborCorp project on Deer Street and Russell Street	-26	
• New crosswalk on Hanover Street at Portwalk Place	-1	
Total Change in On-Street Spaces	-40	
Additional public spaces from HarborCorp parking garage	+70 to 170	Other than during special events at HarborCorp
Net Change in Private/Public Parking Spaces	+30 to 130	

September 11, 2015

Hello!

There has been a changing of the guard at the Portsmouth Halloween Parade and Trevor Bartlett has handed over the keys to the kingdom to me, Abigail Wigin and Denise Wheeler, so hello! We look forward to working with you this year!

We would like to request a permit to hold our 21st annual Portsmouth Halloween Parade on Saturday, October 31st. The route is to be the same as last year, beginning on Pierce Island and wrapping up at Prescott Park.

As always, members of the committee will be happy to meet with your team to discuss particulars of the event.

Thank you for your consideration.

Best Regards,
Andrea Abbott

MEMORANDUM

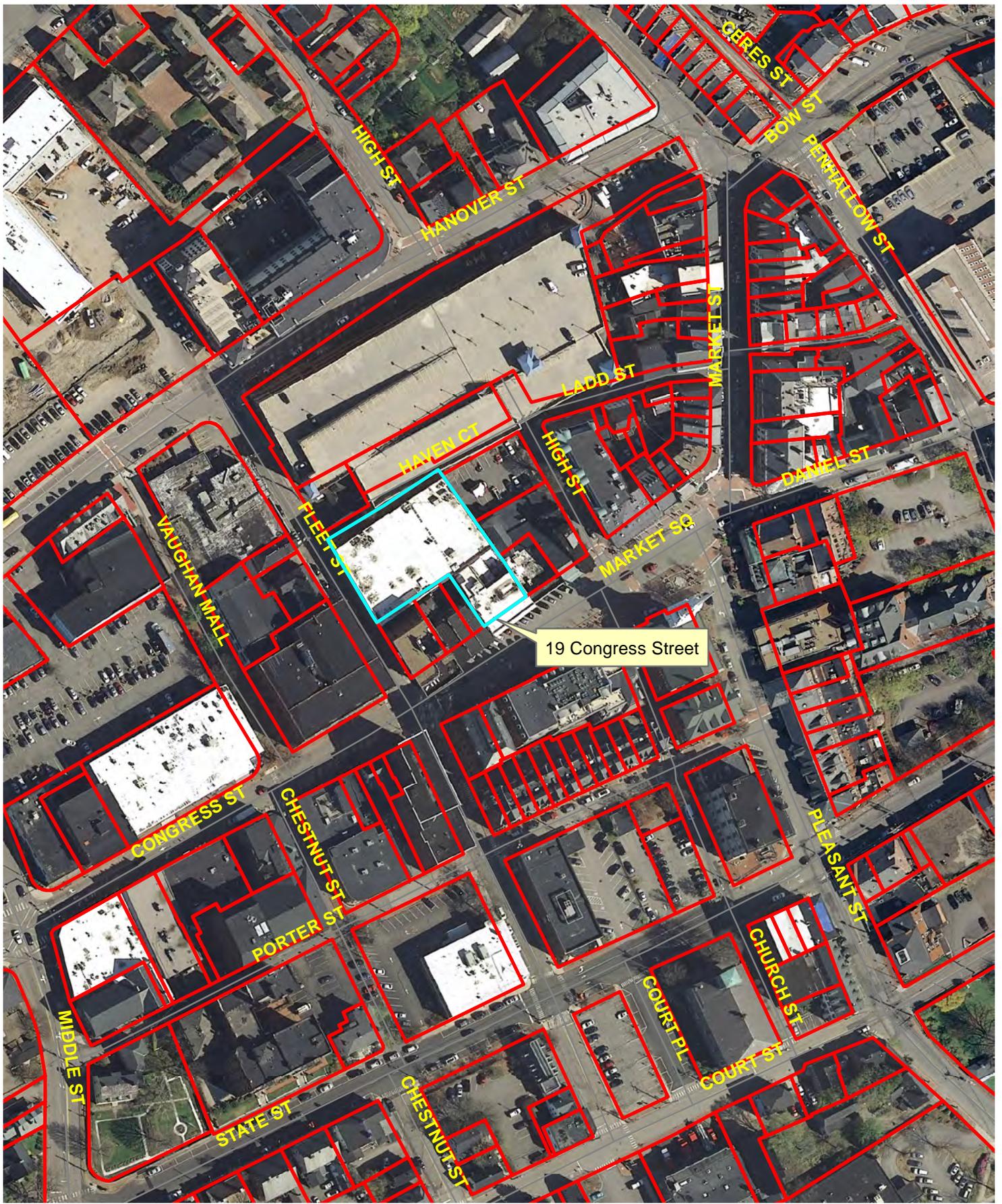
TO: John P. Bohenko, City Manager
FROM: Rick Taintor, Planning Director *RT.*
DATE: September 14, 2015
RE: City Council Referral – Projecting Sign
Address: 19 Congress Street
Business Name: LIT Boutique
Business Owner: Lisa Shah

Permission is being sought to install a projecting sign on an existing bracket as follows:

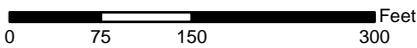
Sign dimensions: 43" x 25"
Sign area: 7.5 sq. ft.
Height from sidewalk to bottom of sign: 10.0'

The proposed sign complies with zoning requirements. If a license is granted by the City Council, no other municipal approvals are needed. Therefore, I recommend approval of a revocable municipal license, subject to the following conditions:

1. The license shall be approved by the Legal Department as to content and form;
2. Any removal or relocation of the projecting sign, for any reason, shall be done at no cost to the City; and
3. Any disturbance of a sidewalk, street or other public infrastructure resulting from the installation, relocation or removal of the projecting sign, for any reason, shall be restored at no cost to the City and shall be subject to review and acceptance by the Department of Public Works.



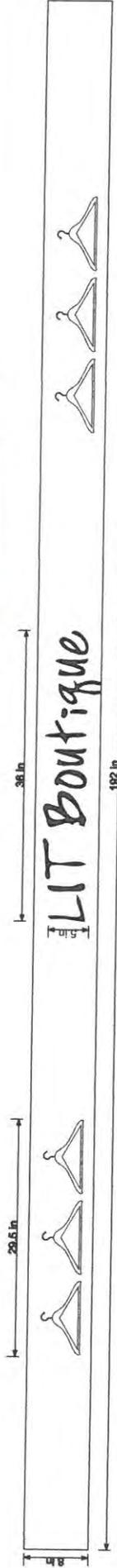
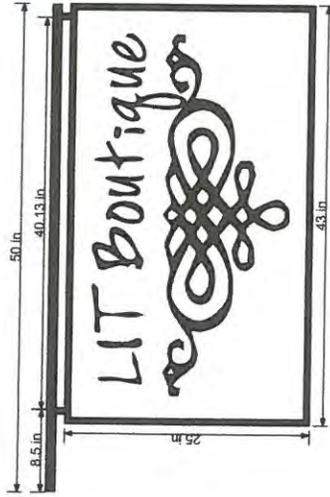
19 Congress Street



Request for Projecting Sign License 19 Congress Street

LIT Boutique
19 Congress Street
Projecting Sign





PortsmouthSign.com
603-436-0047

REVISION:
All orders under \$250 include 1 revision only.
All orders over \$250 include 3 revisions only.
Additional revisions will be charged at \$25 per revision.

PLEASE NOTE:
Designs are NOT actual size and color may vary depending on printer and/or monitor.

8/12/15 **RETURN SIGNED TO: service@portsmouthsign.com**

I understand this Order Form is the final production order and replaces all previous drawings, notes and verbal instructions to this job. Standard vinyl & paint colors will be used. Custom colors and specific matches to PMS colors will be an additional fee. I have carefully reviewed this form and verify that it contains all necessary specifications and represents my order. I authorize fabrication according to this approval.

SIGNATURE: _____ **Date:** _____

Member of:

Greater Dover
CHAMBER OF COMMERCE

Greater
Portsmouth
CHAMBER OF COMMERCE

© COPYRIGHT 2015, BY PORTSMOUTH SIGN COMPANY. All designs and custom artwork remain the property of Portsmouth Sign Company until the order is complete and paid in full.

Shop Use Only Qty: SS DS CE

Materials: Background Color: Vinyl Color: Other:

HP Int

UBER HQ

UBER TECHNOLOGIES, INC.

1455 MARKET STREET
SAN FRANCISCO, CA
94103

VIA EMAIL

September 11, 2015

Mayor Robert Lister and Portsmouth City Council
City of Portsmouth
1 Junkins Avenue
Portsmouth, NH 03801

Re: Transportation Network Services Ordinance

Dear Mayor Lister and Members of the City Council,

On behalf of Uber, I am writing concerning the implementation of the recently enacted Transportation Network Services Ordinance. We strongly share your support for creating a permanent home for Transportation Network Services in Portsmouth while at the same time protecting public safety. But, as we have noted on multiple occasions, in two letters and in testimony before the Council, the Ordinance as currently written does not achieve these twin goals. Furthermore, based on recent statements from city officials in the press, we are concerned that city officials may not be interpreting the ordinance as intended by the Council.

We are confident that we can work with you to make reasonable technical revisions to the Ordinance so that the residents of Portsmouth can continue enjoying access to innovative Transportation Network Services. To further that end, attached once again is a redline we have previously shared that proposes common sense revisions that are consistent with ridesharing regulatory frameworks adopted by jurisdictions throughout the country. I have also included detailed information on our background check process and insurance coverage. We hope that this information is helpful while we continue to work with you. Additionally, we would like to highlight some of our key concerns:

1. Background Checks

Uber is committed to safely connecting riders and drivers, and therefore we strongly support and apply strict safety standards. But the Ordinance's background check section contains some requirements that are either impossible to comply with, or impose an undue burden on drivers with no corresponding public safety benefit.

First and foremost, under NH state law we are simply unable to disqualify an applicant who has committed a crime that antedates the application date by more than seven years. This provision, Section 7.204(d), creates

an impossible standard for any third-party background check provider with which Uber contracts to meet.

Additionally, the Ordinance disqualifies any person who has been convicted of *any* misdemeanor in the last seven years. Under this provision, a person convicted of trespassing in an abandoned warehouse, possessing an iPhone without a serial number, or recording a movie unlawfully in a theater, would be prohibited from serving as a rideshare partner. Such a draconian penalty is inconsistent with the background check requirements successfully implemented throughout the country, and creates an unnecessary barrier to local residents becoming rideshare partners.

2. Insurance

As we have explained previously, Uber provides end-to-end commercial liability coverage. Unfortunately, the Ordinance as currently written fails to clarify when insurance coverage begins and when it ends. Uber has proposed language that eliminates this ambiguity and ensures that from the moment riders get into a rideshare car to the moment they are dropped off, they are protected. This form of ridesharing insurance has been recognized in dozens of jurisdictions around the country.

3. Fare Regulation

Uber's app ensures that riders are notified of the applicable rates being charged at the time they request a ride, and it gives them the opportunity to receive and consider an estimated fare prior to accepting said ride. But the Ordinance as currently written appears to impose fare regulations inconsistent with this practice. Uber has proposed language that clarifies that Transportation Network Services such as Uber may continue to utilize this innovative technology.

4. Signage

The Ordinance as currently written requires Transportation Network Service drivers to navigate a burdensome government process to obtain a placard issued by the City Clerk. This regulatory requirement is a problem for our industry because a majority of the Transportation Network Service drivers hold full-time jobs or have other full-time responsibilities, and are far less likely to pursue this part-time opportunity if they must spend substantial time, energy, and resources completing a government process designed for full-time drivers. Passengers already have numerous ways to identify their driver including the name and picture of the driver, as well as the vehicle make, model and license plate number, all of which is provided in the app passengers use when requesting a ride, and is known to them before they enter a rideshare

vehicle. As an additional step, other jurisdictions have allowed companies to issue “trade dress” to physically identify a given car as a rideshare vehicle. We have previously included language to that effect in our Ordinance redline.

* * *

Most importantly, we want to maintain an open dialogue with you about the future of Transportation Network Services in Portsmouth. Throughout this process we have provided you our feedback and have always been available to answer your questions. Both before and after the Ordinance was enacted, we have reached out to you about our concerns, and the technical edits we have proposed. As you know, at both Taxi Commission and City Council meetings, we have appeared to provide specific details of our background checks, insurance, and answer any other questions the City may have. Recent press accounts suggesting that Uber has not provided information or proof of insurance nor a detailed explanation of background checks — something that is simply untrue—are puzzling. Similarly, press accounts containing inaccurate descriptions of the Ordinance by City officials are concerning; for example suggestions that the Ordinance contains a driver registration requirement —a requirement that is nowhere to be found in the text of the Ordinance.

As we have indicated regularly, our position is that we have come a long way together in developing an Ordinance that ensures a permanent home for ridesharing in Portsmouth. Since June, we have indicated that while we have come a long way, there are technical edits that are required within the Ordinance in order to create that permanent ridesharing home, and to ensure that Uber and other ridesharing companies can comply with the city’s requirements, given the unique nature of the ridesharing industry.

I sincerely hope that we can resolve the issues we have identified, take up the requested technical edits and address any confusion there might be how the Ordinance will be implemented. I look forward to talking to you soon.

Sincerely,

William Guernier

The Insurance document is too voluminous to copy for packet. If you wish to review the document, it is available in the City Clerk's Office for Review.

Thank you

AN OVERVIEW OF SAFETY AT UBER

We believe Uber is one of the safest, most reliable ways to get around. Of course, no means of transportation can ever be 100% safe. Accidents and incidents will happen. But our technology enables Uber to focus on safety for riders and driver-partners before, during, and after a trip in ways that others cannot.

SAFETY STARTS EVEN BEFORE A RIDE EVEN BEGINS

EXTENSIVE BACKGROUND CHECKS ON EVERY DRIVER-PARTNER

All driver-partners using the Uber platform undergo an extensive background check¹. Our vendors run a social security trace to identify addresses associated with the driver's name going back seven years, and then a background check to search for the name and addresses in a series of national, state, and local databases. These include the National Sex Offender Registry, National Criminal Search, and several different databases used to flag suspected terrorists.

TRIPS ARE NO LONGER ANONYMOUS

When a driver-partner accepts the request, a rider typically sees his or her first name, photo, license plate number, and a picture of the vehicle. Riders can also check whether others have had a good experience with him or her. In addition, the driver can see a rider's first name and rating.

CONTACT DRIVERS WITHOUT PROVIDING PERSONAL INFORMATION

Riders can contact their driver—and vice versa—if there is any confusion around pick-up details. But we use technology that allows us to anonymize rider and driver phone numbers so they do not have one another's contact details going forward.

NO MORE STREET HAILS OR WAITING OUTSIDE TO FIND A RIDE

A rider can start the Uber app from anywhere and the app pinpoints their location (or allows a rider to choose a location). This lets riders request a ride from anywhere and wait safely inside a house or business, with no more standing on the street to hail a cab or walking around strange neighborhoods to find the nearest bus stop.

SAFETY DURING A RIDE

INSURANCE COVERING EVERY RIDE

Uber has liability insurance that covers every shared ride in the United States up to \$1M for physical injuries or damage to property. Products such as UberBLACK or uberTAXI are independently commercially licensed and insured.

SHARE YOUR ETA AND LOCATION

Riders can easily share ride details, including the specific route and estimated time of arrival, with friends or family so they can see a rider's current location and arrival time. Uber uses GPS to keep a record of where a driver goes during the ride, creating accountability and a strong incentive for good behavior.

SAFETY CONTINUES AFTER THE RIDE ENDS

CASH-FREE TRANSACTIONS

Uber operates as a cashless platform, eliminating the risks and conflict that often come from disputed fares, lack of cash, and fare evasion. Unlike taxi drivers, who often need to make change, driver-partners do not need to carry large amounts of cash, reducing the risk of robberies while riding in an Uber for both the drivers and passengers.

FEEDBACK AND RATINGS AFTER EVERY TRIP

We ask all riders and drivers to give feedback before booking or accepting another ride. Our safety team reviews this information and investigates any issues.

INSTANT CONTACT WITH UBER SUPPORT 24/7

If something happens while in the car, whether it's a traffic accident or an altercation between rider and driver, our customer support staff are ready to respond 24 hours a day, seven days a week. In cases where law enforcement is involved, we work to get them the facts, for example providing trip logs.

¹In New York City driver-partners are licensed by the City and Uber relies on the City's background check process

SAFETY AND BACKGROUND CHECKS

We believe that Uber is a safe, reliable way to get from A to B. Our technology makes it possible to focus on safety for riders and driver-partners before, during, and after a trip. All driver-partners wanting to use the Uber platform are required to undergo an extensive background check, which is performed on our behalf by Accurate and/or Checkr. Both are accredited by the National Association of Professional Background Screeners and use a process for Uber that is similar to that provided to other companies such as Care.com, Starbucks, WalMart, Nike, FedEx, UPS, and Amazon.¹

HOW ARE BACKGROUND CHECKS PERFORMED ON DRIVER-PARTNERS?

People wanting to sign up with Uber as a driver-partner are required to provide detailed information, including their full name, date of birth, social security number, driver's license number, a copy of their driver's license, vehicle registration, insurance, and proof of a completed vehicle inspection. With the potential driver's approval, Accurate and/or Checkr then look into his or her background.

SOCIAL SECURITY TRACE

Our independent vendors run a social security trace to identify addresses associated with the potential driver's name going back seven years, and then a criminal background check to search for his or her name and addresses in a series of national, state, and local databases.

MOTOR VEHICLE RECORD CHECKS

These background checks also pull the Motor Vehicle Registration (MVR) file associated with the license number provided. The MVR is not always included as a standard part of criminal background checks, but Uber believes it is important for screening driver-partners because it includes information about how many speeding or other moving violations an individual has received.

CRIMINAL RECORD AND SEX OFFENDER REGISTRY CHECKS

The vendors conduct searches in a series of national, state, and local databases. These include the National Sex Offender Registry, National Criminal Search, and several different databases used to flag suspected terrorists. Upon identifying a potential criminal record, the background check provider sends someone to review the record digitally or in-person at the relevant courthouse. Verifying potential criminal records at the source—the courthouse records—helps ensure the records match the identity of the potential driver and that any arrest resulted in a conviction.

STATE AND NATIONAL SEX OFFENDER REGISTRY SITES

Our independent vendors also crosscheck all driver-partners against the National Sex Offender Registry as well as public registries maintained at the state level, to screen for disqualifying sex offenses.²

WHAT OFFENSES DISQUALIFY A DRIVER-PARTNER?

The purpose of running these background checks is to identify offenses and other information that may disqualify potential driver-partners from using Uber. The following chart explains the criteria applied when reviewing a potential driver's background—this is not an exhaustive or detailed list, but covers the primary criteria that lead to disqualification.

In addition, a driver will face disqualification if in the state in which the potential driver is currently licensed, the potential driver is found to have any of the below on their record within the past 3 years:

- Driving on suspended, revoked, invalid license
- Driving on suspended, revoked, invalid insurance

All Driver-Partners	uberX & peer-to-peer(P2P)	UberBLACK
<p>Disqualification if potential driver appears on the National Sex Offender Registry or on a series of databases that flag suspected terrorists, or if within the last 7 years, he/she is found to have convictions for any of the below on their record:</p> <ul style="list-style-type: none"> • DUI or other drug-related driving convictions • Fraud • Reckless Driving • Hit and runs • Violent crimes (assault, battery, homicide) • Acts of terror • Sexual offenses • A crime involving property damage • Felony or misdemeanor for theft (burglary, stealing, robbery, anything alike) • Fatal accidents • Resisting/evading arrest • Any other felony 	<p>Disqualification if in the state in which potential driver is currently licensed, the potential driver is found to have had a total of THREE minor violations or incidents in the past THREE years:</p> <ul style="list-style-type: none"> • Accidents • Normal speeding tickets, • Miscellaneous driving violations (e.g., traffic violations) 	<p>Disqualification if in the state in which potential driver is currently licensed, the potential driver is found to have had a total of FIVE minor violations or incidents in the past FIVE years:</p> <ul style="list-style-type: none"> • Non-fatal Accidents • Normal speeding tickets • Miscellaneous driving violations (e.g., traffic violations)

¹ As of July 4, 2015

² States have different standards for when someone must be included, or may be removed, from public registries. For example, according to the California DOJ, "approximately 25% of registered sex offenders cannot be posted online by law." See "Sex Offender Registration and Exclusion Information," at <http://www.meganslaw.ca.gov/sexreg.aspx?lang=ENGLISH> (last visited June 19, 2015).

THE MYTH OF LIVESCAN AS 100% ACCURATE

- Like all background check systems, Livescan has its flaws. The National Association of Professional Background Screeners (NAPBS) has challenged the belief that Livescan is "the gold standard" of criminal background checks.
- For example, when using a fingerprint-only detection system, generally only criminal records linked with a fingerprint can be identified and reported. This is not necessarily someone's full criminal history.
- Fingerprints can be taken incorrectly or can be smudged, lost, or not entered correctly on the arrest record to begin with.
- A 2011 [study](#) by Carnegie Mellon looked at technicians' accuracy rates when visually reviewing fingerprint matches—85% of the technicians studied reached at least one false-negative conclusion, for an overall false-negative rate of 7.5%. In other words, biometric background check processes may miss 7.5% of criminals with low quality fingerprints.

STUDIES CONTINUE TO QUESTION INCOMPLETE RECORDS

- In addition, the FBI database and the state databases against which Livescan fingerprints are matched include arrest records for people who were never charged let alone convicted. This known issue often flags innocent people, unfairly discriminating against them and preventing them from earning a living. Livescan also does not include convictions if fingerprints were not taken at the time of arrest.
 - A [2013 report](#) by the National Employment Law Project (NELP) found that **"1.8 million workers a year are subject to FBI background checks that contain faulty or incomplete information."**
 - A 2014 [Wall Street Journal](#) investigation found the FBI's records often fail to indicate whether those arrested were ever charged or had charges dropped, or where the arrest was ultimately found to be in error.
 - A [February 2015 report](#) prepared by the U.S. Government Accountability Office (GAO) concluded that, despite improvements, "there are still gaps" in the completeness of state criminal records databases used by authorized employers for FBI background checks. The report references a 2012 study by the Bureau of Justice Statistics (BJS) which found that, "10 states reported that 50% or less of their arrest records had final dispositions." That means in 10 states 50% or more of the records show a person was arrested but not convicted.
 - As the [San Francisco Chronicle](#) pointed out earlier this year, "The Greenlining Institute, a Berkeley nonprofit that advocates on behalf of minority and low-income people, said the Livescan system would disproportionately burden people of color, who are often targeted by law enforcement" for arrest but not actually convicted.

"GOLD STANDARD" FAILS SAN FRANCISCO TAXIS

- In addition, [NBC](#) investigated San Francisco taxi drivers earlier this year. They found that:
 - Only two out of 13 taxi drivers had clean driving records. The 11 others had violations for driving without valid registration and running red lights.
 - One taxi driver was found to have had nine traffic violations in the preceding 18 months.
 - Further, a DUI does not automatically disqualify someone from driving a taxi in San Francisco.

NO BACKGROUND CHECK IS 100% ACCURATE

- Uber acknowledges that, like Livescan, its method of conducting background checks is not perfect. For example:
 - A potential driver may present Uber with a stolen or fraudulent identity or an illegally obtained but valid social security number that conceals his or her true identity.
 - A potential driver may have been convicted of a crime outside the background lookback limits permitted by state law.
 - The availability of specific records may be limited. For example not every "registered" sex offender will appear on the California Department of Justice (DOJ)'s registry because some have, by law, been kept off. Other records, such as those that indicate discharge from jail or prison, discharge from parole, or placement on probation, may be unreliable, incomplete, or unavailable to Accurate and/or Checkr.

**CITY OF PORTSMOUTH
PORTSMOUTH, NH 03801**

Office of the City Manager

Date: September 17, 2015
To: Honorable Mayor Robert J. Lister and City Council Members
From: John P. Bohenko, City Manager 
Re: City Manager's Comments on September 21, 2015 City Council Agenda

6:00 p.m. Non-meeting with counsel regarding collective bargaining in accordance with RSA 91-A:2,I (b).

For details on this matter, please refer to the confidential envelope inserted in the inside pocket of your binder.

Items Which Require Action Under Other Sections of the Agenda:

1. **Public Hearing/Second Reading of Proposed Ordinance.**

- 1.1 **Public Hearing/Second Reading of Annual Omnibus Ordinance Change, Parking and Traffic.** As a result of the September 8th City Council meeting, under Section VII of the Agenda, I am bringing back for public hearing and second reading the [attached proposed annual omnibus set of ordinances recommended by the Parking and Traffic Safety Committee](#). This year's omnibus changes are detailed on the [attached sheets](#), and address changes to on-street spaces and update wording to reflect current conditions.

By way of background, On March 29, 2000, the City Council adopted Ordinance #4-2000 under Chapter 7, Article 1, Section 7.103 of the Vehicles, Traffic and Parking Ordinance. This ordinance was adopted in order to be more responsive to the changing parking needs of the downtown. Before its adoption, it often took three readings of the City Council to simply change a parking space from a two-hour time restriction to a 15-minute one. This process would often take four to six months to complete.

The current ordinance authorizes the Parking Traffic and Safety Committee to recommend temporary parking and traffic regulations to the City Council for its

approval in the form of its monthly meeting minutes. Once the Council approves these minutes, the temporary regulations are in effect for a period not to exceed one year. During that year the Council and the public have the benefit of seeing how a temporary regulation works before adopting it as a permanent change to the parking ordinance. These temporary regulations are presented at one time to the Council for its consideration.

The [attached amendments to Chapter 7, Vehicles, Traffic and Parking](#) for the Council's consideration summarize the temporary parking regulations implemented by the Parking and Traffic Safety Committee between June 13, 2014 and June 11, 2015, as well as updates to reflect current conditions.

In addition, [attached is a summary](#) of the number of new parking spaces created and lost by the annual proposed Omnibus Ordinance change, which lists the ordinance changes and their impact on parking spaces. Further, other changes in the downtown area that affected parking spaces, but were not part of the omnibus ordinance, are included for informational purposes.

[As shown in this attachment](#), the Ordinance changes result in a loss of ten on-street spaces year round. This represents approximately 1 percent of the total 783 on-street spaces in the downtown area. Twenty-eight additional on-street metered spaces are lost due to development projects. However, the HarborCorp project will include the construction of a 523 space parking garage, of which 70 to 170 spaces are projected to be available to the public during typical peak demand of the HarborCorp site. These additional private spaces offset the loss of 40 on-street parking and with the exception of special events will add a net of 30 to 130 spaces.

City staff will be available to answer any questions the City Council may have regarding this matter.

I recommend the City Council move to pass second reading and schedule third and final reading of the attached proposed Ordinance, at the October 5th City Council meeting, as presented. Action on this matter should take place under Section IX of the Agenda.

Consent Agenda:

1. **Acceptance of Donation to the Coalition Legal Fund.** The City of Portsmouth has received a donation from the Town of Moultonborough in the amount of \$6,500 to the Coalition Legal Fund, which will be utilized to continue our fight to eliminate the statewide property tax.

I would recommend the City Council move to approve and accept the donation, as listed, to be placed in the Coalition Legal Fund. Action on this matter should take place under Section X of the Agenda.

2. **Request for License to Install Projecting Sign.** Attached under Section X of the Agenda is a request for a projecting sign license (see attached memorandum from Rick Taintor, Planning Director):

- Lisa Shah, owner of LIT Boutique, for property located at 19 Congress Street

I would recommend the City Council move to approve the aforementioned Projecting Sign License as recommended by the Planning Director and, further, authorize the City Manager to execute this License Agreement for this request. Action on this item should take place under Section X of the Agenda.

City Manager's Items Which Require Action:

1. **Approval of Land Transfers for Proposed Municipal Parking Structure at 165 Deer Street.** As part of the public-private partnership project to develop a new municipal parking structure off Deer Street, the City is in the process of negotiating several land transfers with private property owners. These include:

- Acquisition by the City from Deer Street Associates of a parcel of land on which to construct the parking garage, construct a new city street providing primary access to the garage, and relocate an existing sewer line;
- Acquisition by the City from the John W. Gray and Bradford A. Gray Revocable Trusts of a small portion of an existing parcel to provide needed width at a pinch point for the proposed new city street; and
- Conveyance from the City to Deer Street Associates of a triangular area of land at the corner of Deer and Bridge Streets.

Planning Department Approvals and Recommendations

The proposed land transfers have required the consolidation and subdivision of two existing lots and the adjustment of an existing lot line. At its meeting on August 20, 2015, the Planning Board voted to approve the following two applications for subdivision approval:

1. The application of Deer Street Associates and the City of Portsmouth to re-align the roadway at the corner of Bridge and Deer Streets and to transfer 1,717 ± s.f. of land so that property at 165 Deer Street increases in area from 108,359 ± to 110,076 ± s.f.
2. The application of Deer Street Associates to consolidate two lots at 165 Deer Street and 191 Hanover Street and subdivide the combined lot into six new lots ranging in area from 8,519 s.f. to 54,017 s.f.

At the same meeting, the Planning Board took the following actions in support of proposed land transfers:

- A. Voted to recommend that the City transfer to Deer Street Associates its right, title and interest in a parcel of land at the intersection of Deer Street and Bridge Street, containing 1,717 s.f. (0.0394 ac.), as shown on the “Proposed Roadway Alignment & Land Transfer Plan” prepared by Ambit Engineers, Inc., dated July 2015 (revised 8/7/15), approved by the Planning Board on August 20, 2015.
- B. Voted to recommend that the City acquire two parcels of land off Deer Street and Bridge Street for construction of a municipal parking garage and associated access and utility improvements, and to acquire or convey any further property interests necessary to implement the intent of this recommendation. Said parcels are shown on the Disposition Plan, Sheet C1 – Disposition Plan Land Ownership, prepared by Ambit Engineering, Inc., dated July 2015 (amended 8/8/15), and include two parcels:
 1. Lot 1 as shown on the “Consolidation & Subdivision Plan” for Deer Street Associates, approved by the Planning Board on August 20, 2015, containing 54,017 ± s.f. (1.2401 ac.), to be acquired from Deer Street Associates;
 2. A triangular parcel of land, containing 421 ± s.f. (0.0097 ac.), to be acquired from the John W. Gray Revocable Trust and the Bradford A. Gray Revocable Trust.

Said land is to be acquired along with and subject to certain easements as described on the Disposition Plan, Sheet C2 – Disposition Plan Easements, prepared by Ambit Engineering, Inc., dated July 2015 (amended 8/8/15).

Disposition Plan

Attached for reference is the Disposition Plan, consisting of Sheet C1 – Land Ownership and Sheet C2 – Easements. Sheet C1 shows the three proposed land transfers:

- **Lot “A”** (outlined in red) is the land that is to be conveyed from Deer Street Associates to the City of Portsmouth. This parcel extends from Bridge Street, near its intersection with Deer Street, to the rear of the City-owned parking lot off Rock Street. The majority of this parcel is the proposed site of the new parking garage, with a 32-foot (+/-) strip providing future access from Bridge Street to the garage.
- **Lot “B”** (outlined in blue) is the land that is to be conveyed from the City to Deer Street Associates. This area is currently part of the right of way of Deer and Bridge Streets but is not required for public use.

- **Lot “C”** (outlined in green) is a small triangular area that is to be acquired by the City from the Gray Trusts. It is located at the rear of the parcel at 126 Bridge Street occupied by Redlon & Johnson Supply, and is needed to provide sufficient width and alignment for the new city street to access the garage.

[Sheet C2 of the Disposition Plan](#) shows a number of existing and proposed easements that are associated with the land transfers. On the plan, numbers in diamonds [◇] represent existing easements that will be terminated as part of the garage project, and numbers in hexagons [⬡] represent permanent or temporary easements that will be created as part of the project. (These easements are numbered nonsequentially because the plan does not show existing easements that will be unaffected by the land transfers and garage project.)

- **Easement 1** is an existing sewer easement that crosses the land of Deer Street Associates, including both Lot A (to be acquired by the City) and adjacent land that will be retained by Deer Street Associates. The garage project includes the relocation of this easement onto land currently owned or to be acquired by the City, including the future city street from Bridge Street to the garage. Therefore, this easement can be terminated.
- **Easement 3** is a portion of an existing sidewalk easement on property of Deer Street Associates along the north side of Deer Street. This portion of the easement will serve no purpose once Lot “B” has been transferred to Deer Street Associates; therefore, it is proposed to be discontinued.
- **Easement 4** is an existing water line easement across property of Deer Street Associates. The water line will be relocated as part of the garage project and therefore the easement is proposed to be terminated.
- **Easement 10** is a proposed permanent easement to the Boston & Maine Railroad for an agency office to be created within the parking garage structure. The Railroad has an existing easement for such an office on property of Deer Street Associates, and that easement will be relocated to the City property as part of the garage project.
- **Easement 11** is a proposed permanent cross easement between the City and Deer Street Associates on Lots 1, 2, and 3 (and possibly also Lot 4) for the purpose of providing a secondary, underground access route between the municipal garage and Deer Street. The configuration and location of this easement will be identified during the design of the City’s garage and buildings planned by Deer Street Associates on Lots 3 and 4.
- **Easement 12** is a proposed temporary easement from the City to Deer Street Associates for access to its parcels shown on the plan as Lots 2, 3 and 6. The easement area is indicated by a heavy dashed border, which is the same area that is planned to become a new city street as part of the garage development. This easement is required to allow Deer Street Associates access to its parcels until the new city street has been constructed and accepted.

- **Easement 13** is a proposed temporary easement from Deer Street Associates to the City for building encroachments. The parcel to be acquired by the City (shown as Lot “A” on Sheet C1 and as “Lot 1” on Sheet C2) includes a building that encroaches onto Lot 2. This easement, outlined in a heavy dashed line, will allow the City to maintain the building until the garage construction begins, and then to demolish the entire building as part of the project.
- **Easement 14** is a proposed parking easement from the City to Deer Street Associates to provide for future temporary and permanent parking spaces to serve Lot 6. The location of these parking spaces will be determined during project design.

Move the following motions to implement these transfers:

1. *Vote to acquire from Deer Street Associates a parcel of land off Deer Street and Bridge Street containing 54,017 ± s.f. (1.2401 ac.) for construction of a municipal parking garage and associated access and utility improvements, and to acquire or convey any further property interests necessary to implement the intent of this acquisition.*

Said parcel is shown as Lot “A” on the Disposition Plan, Sheet C1 – Disposition Plan Land Ownership, prepared by Ambit Engineering, Inc., dated July 2015 (amended 9/15/15). Easements to be created, terminated or relocated in connection with this acquisition are shown on the Disposition Plan, Sheet C2 – Disposition Plan Easements, prepared by Ambit Engineering, Inc., dated July 2015 (amended 9/15/15).

2. *Vote to transfer to Deer Street Associates the City’s right, title and interest in a parcel of land at the intersection of Deer Street and Bridge Street, containing 1,717 ± s.f. (0.0394 ac.).*

Said parcel is shown as Lot “B” on the Disposition Plan, Sheet C1 – Disposition Plan Land Ownership, prepared by Ambit Engineering, Inc., dated July 2015 (amended 9/15/15).

3. *Vote to acquire from the John W. Gray Revocable Trust and the Bradford A. Gray Revocable Trust a triangular parcel of land off Bridge Street containing 421 ± s.f. (0.0097 ac.) for construction of access and utility improvements, and to acquire or convey any further property interests necessary to implement the intent of this acquisition, including an 8-foot sidewalk easement between said parcel and Bridge Street.*

Said parcel is shown as Lot “C” on the Disposition Plan, Sheet C1 – Disposition Plan Land Ownership, prepared by Ambit Engineering, Inc., dated July 2015 (amended 9/15/15). The sidewalk easement is shown as Easement “12” on the Disposition Plan, Sheet C2 – Disposition Plan Easements, prepared by Ambit Engineering, Inc., dated July 2015 (amended 9/15/15).

2. **Proposed Land Acquisition (Frank Jones Center Property).** As requested by the City Council, I met with Brian Thibeault of Portsmouth Land Acquisition LLC, owner of the property known as Frank Jones Center. This property consists of 12.2 acres. Mr. Thibeault is willing to sell 8.4 acres for \$9,000,000 ([see attached letter and aerial map](#)). Mr. Thibeault is interested in retaining 3.8 acres which includes the Frank Jones Center. The current draft assessed value of the 12.2 acres is \$5.8M The current draft assessed value of the 8.4 acres is \$2.8M.

The City Council for Monday evening has requested an opportunity to give a counter offer to Mr. Thibeault.

Action on this matter is necessary.

3. **License Agreement Re: WSCA.** The City Council by vote on February 17, 2015 authorized the granting of a license to Portsmouth Community Radio (WSCA) for the construction of a 40 foot antenna on top of the City's Newington Booster Pump Station. [Original license attached](#). Portsmouth Community Radio has since determined that it would be in its interest to construct an 80-foot free-standing antenna with a [WSCA FM radio transmitter antenna attached](#). City staff has no objection to this change.

WSCA seeks approval from the City Council to amend the license agreement to allow an 80-foot free standing antenna instead of a 40-foot rooftop antenna. The free standing tower will become the property of the City of Portsmouth upon satisfactory completion of its construction. The primary use of the tower will be for the benefit of the FM antenna for WSCA for its business operations, however, the City of Portsmouth will have the right to use the tower up to the midpoint of the tower (approximately 40-feet from grade) as long as there are no communication interferences with WSCA.

If the City Council approves the amendment, WSCA will proceed with trying to obtain necessary approvals from the Town of Newington to undertake that project.

I recommend the City Council move to authorize the City Manager to amend the existing WSCA License to allow an 80-foot free-standing antenna and to make such other minor amendments to the agreement as may be necessary to accommodate the change.

4. **License Request for 386-390 State Street.** FA Gray is currently working on a painting project for property owners John and Skye Maher at 386-390 State Street. FA Gray applied for and was granted a sidewalk encumbrance to facilitate painting work at that location. [See attached encumbrance permit](#). FA Gray would like to extend the encumbrance until October 2 and that requires a license. Susan Wolf at FA Gray reports that the project fell behind due to weather and additional preparation work. [See attached communication](#). Staff has no objection to the grant of a license provided that it includes terms and conditions similar to those already contained in the encumbrance permit which includes protection of pedestrians, clean up of debris, and related conditions.

I recommend the City Council move to authorize the City Manager to enter into a license with FA Gray to facilitate the completion of painting activities for 386-390 State Street.

5. **Polling Hours – November 3, 2015 Municipal Election.** [Attached is a memorandum from Kelli L. Barnaby, City Clerk,](#) recommending that the polling hours for the Municipal Election on November 3, 2015 be set from 8:00 a.m. to 7:00 p.m.

I would recommend the City Council move to set the polling hours from 8:00 a.m. to 7:00 p.m. for the Municipal Election on Tuesday, November 3, 2015.

Informational Items:

1. **Events Listing.** For your information, [attached is a copy of the Events Listing](#) updated after the last City Council meeting on September 8, 2015. In addition, this can be found on the City's website.
2. **Capital Improvement Plan (CIP) Process.** For your information, on September 23rd from 6:30 p.m. to 8:30 p.m. in the Levenson Room at the Portsmouth Public Library, City staff will be holding a public meeting to provide an overview of the Capital Improvement Plan (CIP) process. Topics covered in the meeting will include information about how projects are selected for inclusion in the CIP, the CIP's relationship to the Master Plan and other city and state plans, and how funding is allocated to CIP projects. This meeting is being held in coordination with the City-Wide Neighborhood Committee. Additional public meetings for the CIP preparation process will also be scheduled with the Planning Board in November and the City Council in February 2016.

CIP Public Meeting Agenda (September 23, 6:30 p.m.)

I. Capital Improvement Plan (CIP) Process

- a. Planning process and schedule
- b. Project selection and prioritization
- c. Relationship to City Master Plan, other city plans, and state or federal requirements

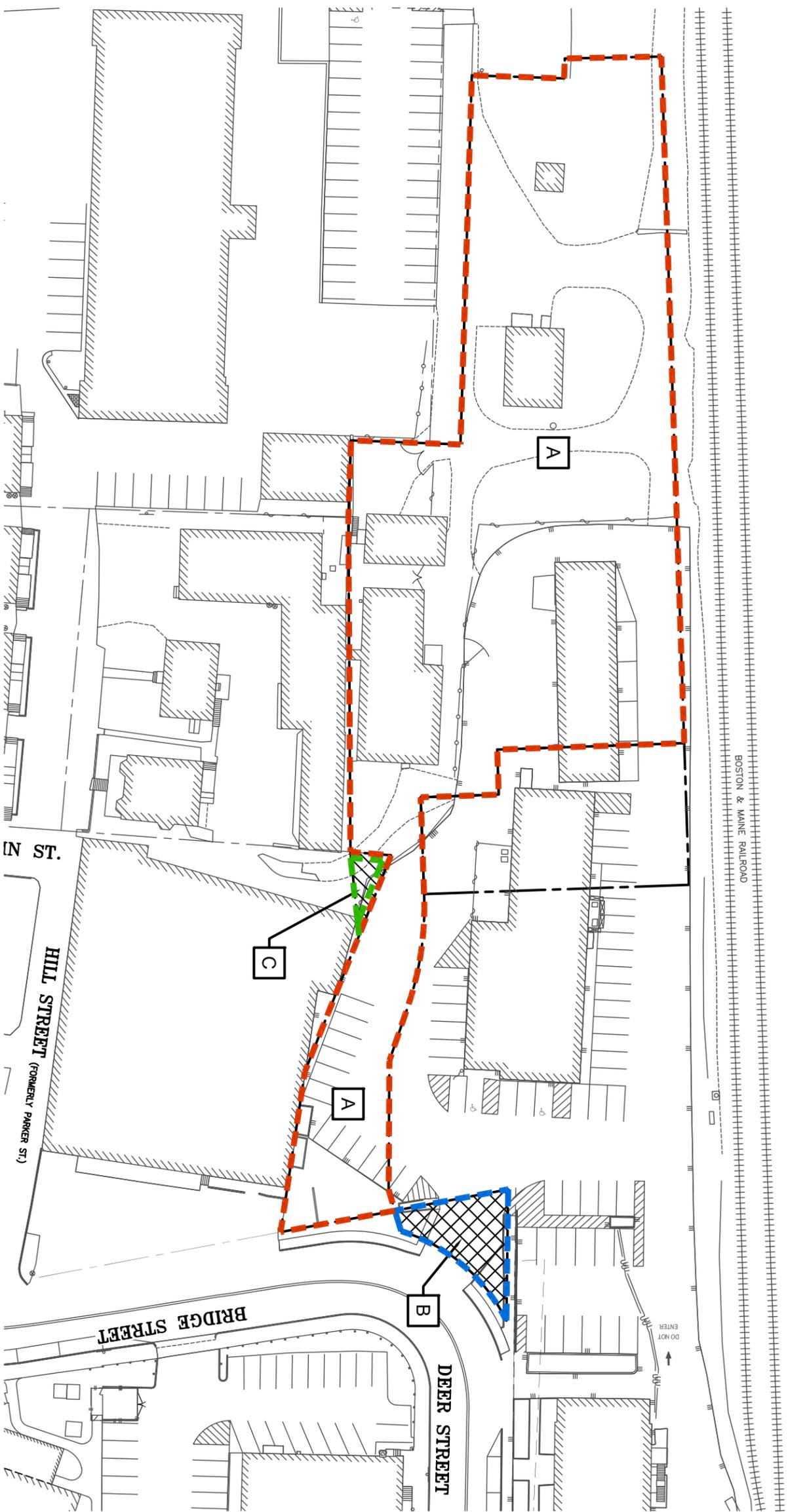
II. Overview of Current CIP projects

- a. Summary of geographic distribution
- b. Summary of funding by project or facility type

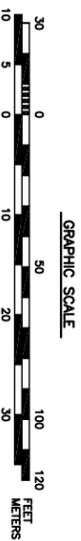
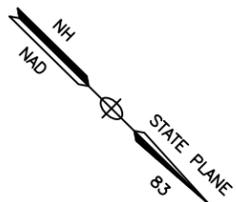
III. Public Input Session

- a. Opportunity for public to provide input on project priorities

3. **Haven Park Public Meeting.** For your information, [attached is a public meeting notification](#) regarding the Haven School Playground Improvement Project, which is at the Corner of South and South School Streets. The public meeting will be held on Tuesday, September 29, 2015 at 6:30 p.m., in the Levenson Room at the Portsmouth Public Library.



- COLOR KEY**
- A** LAND TO BE CONVEYED FROM DEER STREET ASSOCIATES TO THE CITY OF PORTSMOUTH
 - B** LAND TO BE CONVEYED FROM THE CITY OF PORTSMOUTH TO DEER STREET ASSOCIATES
 - C** LAND TO BE CONVEYED FROM GRAY TRUST TO THE CITY OF PORTSMOUTH



AMBIT ENGINEERING, INC.
 Civil Engineers & Land Surveyors
 200 Gordin Road - Unit 3
 Portsmouth, N.H. 03801-7114
 Tel. (603) 430-9292
 Fax. (603) 438-2315

NOTES:
 1) THE PURPOSE OF THIS PLAN IS TO SHOW LAND OWNERSHIP AT THE PORTSMOUTH PARKING GARAGE PROJECT.

**PROPOSED PARKING GARAGE PROJECT
 DEER & BRIDGE STREETS
 PORTSMOUTH, N.H.**

NO.	DESCRIPTION	DATE
3	REVISE LABELING, REMOVE SIDEWALK ESMT.	9/15/15
2	REVISE NUMBERING	8/6/15
1	ISSUED FOR APPROVAL	7/31/15
0	ISSUED FOR COMMENT	7/29/15

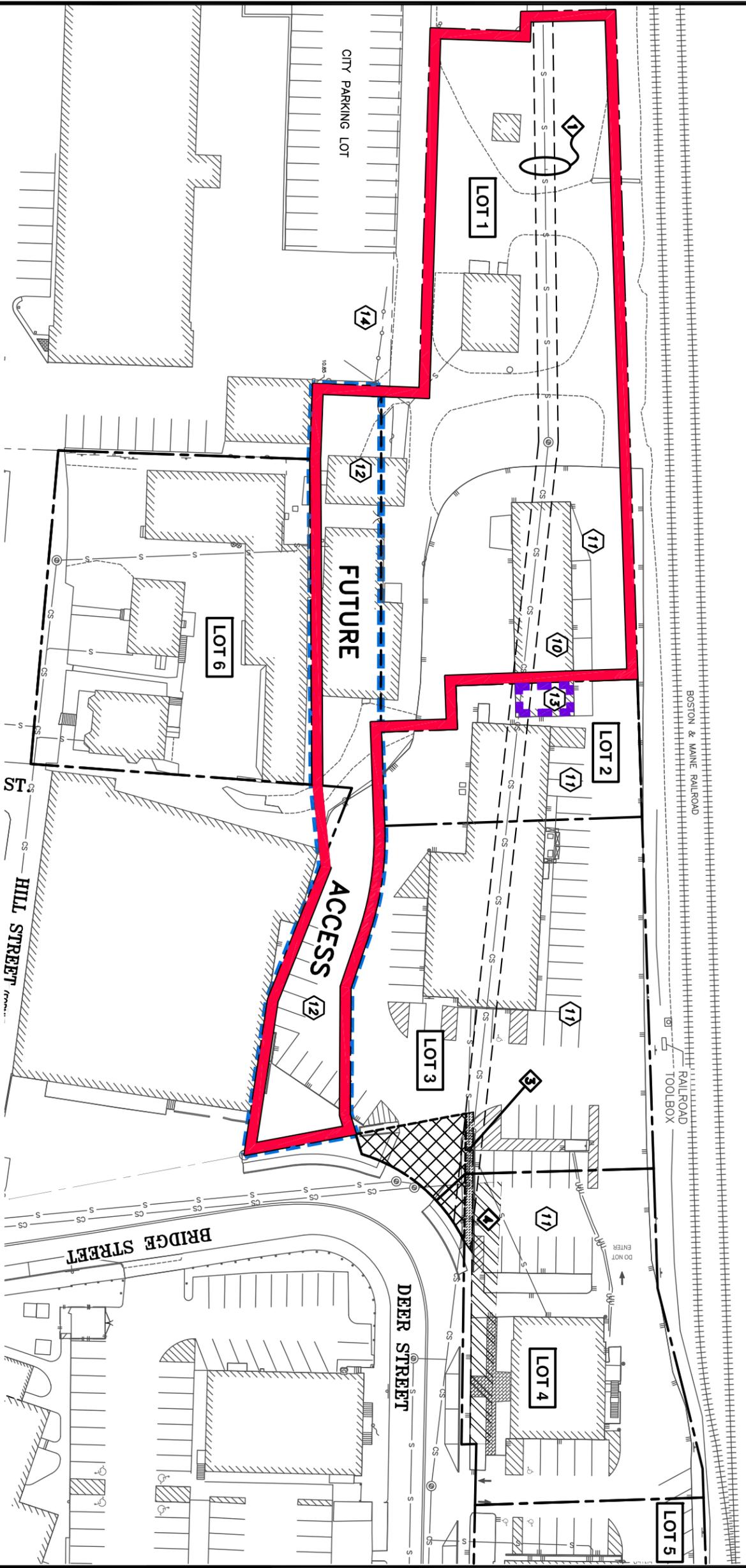
SCALE: 1" = 30'
 JULY 2015
**DISPOSITION PLAN
 LAND OWNERSHIP**
C1

EXISTING EASEMENTS:

- 1 SEWER EASEMENTS IN FAVOR OF THE CITY OF PORTSMOUTH AS SHOWN ON PLAN #03276 (BRICK BOX SEWER). LOCATION APPROXIMATE. NOT FIELD VERIFIED. (DEER STREET ASSOCIATES SHALL HAVE THE RIGHT TO RELOCATE SEWER SEWER EASEMENT TO BE TERMINATED AT THE TIME SEWER IS RELOCATED TO THE "FUTURE ACCESS")
- 3 SUBJECT TO A SIDEWALK EASEMENT TO THE CITY OF PORTSMOUTH, RORD 4450/1895, #D-33058. SHADED PORTION TO BE DISCONTINUED.
- 4 WATER LINE EASEMENT TO BE TERMINATED (AT THE TIME THE WATER LINE IS RELOCATED).

PROPOSED EASEMENTS:

- 10 EASEMENT TO BOSTON AND MAINE RAILROAD FOR AN OFFICE TO BE CONSTRUCTED MAINTAINED FOR THE BENEFIT OF BOSTON AND MAINE RAILROAD SO LONG AS THEY MAINTAIN AN AGENCY IN THE CITY OF PORTSMOUTH, RORD 2199/434. TO BE LOCATED ON LOT 1 IN A LOCATION DETERMINED DURING PROJECT DESIGN.
- 11 CROSS ACCESS EASEMENT FROM CITY PARKING GARAGE ON LOT 1 TO DEER STREET FOR FUTURE ACCESS. ACROSS LOTS 2, 3 & POSSIBLE LOT 4, FOR BENEFIT OF LOTS 1, 2 AND AS APPLICABLE. LOT 4, LOCATION AND ACCESS POINTS SUBJECT TO FINAL DESIGN.
- 12 TEMPORARY ACCESS EASEMENT TO BENEFIT LOTS 2, 3 & 6 UNTIL "FUTURE ACCESS" IS ACCEPTED AS A PUBLIC STREET. TO BE CONVERTED FROM THE CITY OF PORTSMOUTH TO DEER STREET ASSOCIATES.
- 13 TEMPORARY BUILDING ENCROACHMENT EASEMENT TO CITY OF PORTSMOUTH TO BE TERMINATED UPON REMOVAL OF BUILDING. PARKING EASEMENT FROM THE CITY OF PORTSMOUTH TO DEER STREET ASSOCIATES FOR TEMPORARY PARKING FOR LOT 6 AND ADDITIONAL 4 PERMANENT SPACES ON PORTION OF FUTURE ACCESS, TO BE LOCATED AS PART OF DESIGN PROCESS.
- 14



NOTES:
 1) THE PURPOSE OF THIS PLAN IS TO SHOW PROPOSED EASEMENTS AND ENCUMBRANCES AT THE PORTSMOUTH PARKING GARAGE PROJECT.

AMBIT ENGINEERING, INC.
 Civil Engineers & Land Surveyors
 200 Griffin Road - Unit 3
 Portsmouth, N.H. 03801-7114
 Tel: (603) 430-2292
 Fax: (603) 430-2315

**PROPOSED PARKING GARAGE PROJECT
 DEER & BRIDGE STREETS
 PORTSMOUTH, N.H.**

NO.	DESCRIPTION	DATE
2	REVISE EASEMENT NUMBERING	9/15/15
1	ISSUED FOR APPROVAL	8/6/15
0	ISSUED FOR COMMENT	7/29/15
	REVISIONS	

SCALE: 1" = 30'
 JULY 2015
DISPOSITION PLAN EASEMENTS
C2

August 3, 2015

John Bohenko, City Manager
City of Portsmouth
1 Junkins Avenue
Portsmouth, NH 03801



Re: Sale of Land to City of Portsmouth

Dear Mr. Bohenko:

It was a pleasure meeting with you and Mrs. Carmer last Tuesday.

You asked that I memorialize our discussion in the letter so that you may present it to the council.

As we discussed, I would be prepared to convey a portion of the property consisting of approximately 8.77 acres for \$9,000,000.00.

The 8.77 acres which I would be willing to convey is shown on the attached plan. Portsmouth Land Acquisitions, LLC would retain the Frank Jones Center with approximately 3.84 acres surrounding it. We would also retain an easement across the land conveyed to the City for purposes of the accessing the new connector road, if and when it is built by the City, until that time, the retained easement would allow access to the Bypass via the existing road.

I look forward to further discussions with you in the future.

Sincerely,

A handwritten signature in black ink, appearing to read "Brian Thibeault".

Brian Thibeault



1 inch = 120 feet

Retained by Portsmouth Land Acquisition LLC

Legend

- Sell to the City
- Easement
- City owned

CATE STREET/ROUTE 1 BYPASS
PORTSMOUTH, NH



**CATE STREET/ROUTE1 BYPASS
PORTSMOUTH , NH**

Legend

- Sell to the City
 - Easement
 - City owned
 - Retained by Portsmouth Land Acquisition LLC
- *based on draft 2015 tax assessment

1 inch = 120 feet



City Copy

LICENSE AGREEMENT

This Agreement is made this 5 day of March, 2015 by and between the City of Portsmouth of 1 Junkins Avenue, Portsmouth, New Hampshire 03801 (Licensor) and Seacoast Arts and Cultural Alliance d/b/a Portsmouth Community Radio of 920 Islington Street, Portsmouth, New Hampshire 03801 (Licensee).

The Parties agree as follows:

1. Grant of License: Licensor does hereby grant Licensee permission to erect and maintain a 40 foot tall 2.5 inch diameter telescoping pole antenna with guy wires atop Licensor's property at Newington Booster Station Arboretum Drive, Newington, New Hampshire (the "Property") shown as Exhibit A as well as permission to install and maintain a 5 foot tall, 18 inch wide locked plexiglass storage cabinet shown as Exhibit B, which will contain a 100 watt transmitter amplifier, an internet computer and emergency backup batteries inside Licensor's property in connection with Licensee's operation of a low power FM radio station. A copy of licensee's current FCC operating license is attached as Exhibit C.
2. Term: the term of this license shall be for a period of five years from the date of this agreement and may be renewed upon such terms and conditions as Licensor and Licensee agree. This license may be terminated by the Licensor with 180-days written notice or by the Licensee with 60 days written notice. In the event of fire or other casualty that substantially damages the Property or any portion of it so as to make it unfit for the use intended by Licensee, this Agreement shall terminate.
3. Annual Fee: Licensee shall pay Licensor an annual fee of \$600 payable in monthly installments of \$50 in advance on the first day of each month and shall be mailed to 1 Junkins Avenue, Portsmouth, New Hampshire or such other place as Licensor shall designate.
4. Electricity: Licensee shall arrange for the installation of a separate electrical submeter such as E-mon D-mon for the antenna and be responsible for payment of usage to Licensor at the standard KWH rate of electricity for the antenna.
5. Relocation of Antenna and Equipment: Licensee understands that the City is currently in design to upgrade the Property and that such upgrades may result in changes to the size, location and configuration of the structure and equipment. Licensee will relocate its antenna and equipment at its own expense as may be necessary as a result of Licensor's changes to its Property. The City will continue to allow Licensee to operate at the location through any relocation process.

6. Indemnification: Licensee shall install the antenna, storage cabinet and contents at its expense and shall indemnify and hold harmless Licensor from and against any and all losses, claims, liabilities and expenses, including reasonable attorneys' fees, which Licensor may suffer or incur in connection with Licensee's use or possession Licensor's property.
7. Insurance: Licensee shall be responsible for maintaining property insurance for its antenna and equipment as well as commercial general liability insurance in commercially reasonable amounts, but not less than \$1,000,000. The Licensee shall provide proof of insurance coverage to the satisfaction of the Licensor. The Licensor shall be named as an additional insured.
8. Remedy: Licensee shall promptly notify the Licensor of any damage to Licensor's property resulting from installation, maintenance and use of the antenna and remedy the damage promptly as coordinated and approved by the Licensor.
9. Access: Licensor shall provide Licensee reasonable access to the Property for the purpose of installing, inspecting, maintaining and repairing the antenna and related equipment. For non-emergency purposes, Licensee shall provide at least two business days advance notice of its need to access the Property unless otherwise agreed. Licensor will provide emergency access as needed as Property cannot be accessed without coordination with Licensor given the security requirements of the Property.
10. Licensor's Representative: Licensee shall coordinate all installation and access with Licensor's Director of Public Works or his designee.
11. Approvals and Permits: Licensee is responsible for obtaining any and all approvals and permits necessary to construct, repair, maintain and operate the antenna.
12. Surrender: The Licensee agrees to return the Property at the expiration of the term in good order and condition, reasonable wear and tear and damage by fire or other unavoidable casualty excepted. Licensee shall remove all of its equipment at the termination of this License and repair any damages caused the Property by such removal.
13. No Interference: Licensee's use of the Property shall not in any way interfere with the Licensor's water operations including its equipment and communications. In the event that the Licensee's use does interfere with the current and future water operations, Licensee and Licensor shall attempt to find a

suitable place to relocate the antenna and equipment, such costs of relocation to be borne by Licensee.

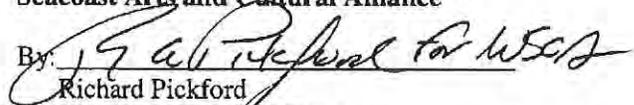
14. No Public Forum: Licenser does not intend to create a public forum by the execution of this License. This Agreement has been negotiated for a limited purpose to maximize the property to the financial benefit of the City and in a manner which is not inconsistent with the City's own operations.
15. No Assignment: Licensee shall not assign any rights under this Agreement without the prior written consent of the Licenser.
16. Entire Agreement: This agreement constitutes the entire agreement of the parties and may not be modified or amended except by a writing signed by both parties.
17. Governing Law: This agreement shall be governed by the laws of the State of New Hampshire.

In witness whereof the parties have hereunto set their hands the date first above written.

City of Portsmouth

By: 
John F. Bohenko,
City Manager

Seacoast Arts and Cultural Alliance

By: 
Richard Pickford
Chairman, Board of Trustee

As authorized by vote of the Portsmouth
City Council on: **February 17, 2015**



CITY OF PORTSMOUTH, NH
INSPECTION DEPARTMENT

**SIDEWALK / STREET
OCCUPATION PERMIT**

Permit issued to: F.A. Gray, Inc.

For the occupation of public space on the street or sidewalk
in front of: 386-390 State Street

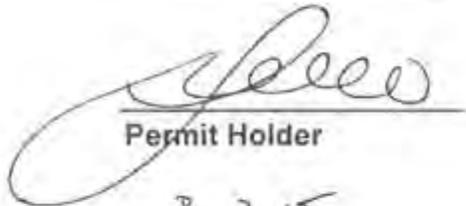
Start Date: 4-Aug-15 End Date: 15-Sep-15

The following conditions shall be followed during the occupation time:

1. All equipment and tools shall be removed at end of each work day.
2. Pedestrians shall be safely directed around construction area.
3. The sidewalk and street shall be protected from falling debris and dust.
4. Lead certified contractor shall follow federal EPA, RRP rules.
5. All debris shall be captured and prevented from entering the storm water system.
6. Meter bags shall be purchased for parking spaces used, if necessary.

*This permit shall be posted at the job site
in a street level window readily visible from the street.*

*The under signed acknowledges that he/she will be held liable for any damages to
public property as a result of the work undertaken. In addition, the undersigned
understands and will abide by the conditions stated on the application form and
this permit as stated above. Permit is for weekday work only.*


Permit Holder
8-3-15
Issue Date

Paul Garand
Building Inspector
11622
Check #, Cash, (\$50.00)



Property Sketch

This map shows only the approximate locations of property lines, wetlands, and other features.

This is not a survey. To determine actual property line and wetland locations, contact a surveyor.



Suzanne M. Woodland

From: suewolf@fagray.com
Sent: Wednesday, September 16, 2015 9:17 AM
To: Suzanne M. Woodland
Cc: 'F. A. Gray'
Subject: 386-390 Slate Street Encumbrance
Attachments: 09-15-2015 04:44:21PM.pdf

Dear Suzanne,

We have been hired to paint the exterior of the above property. Our recent encumbrance is to expire today and we had hoped to have completed this work by now. Unfortunately, due to weather and some additional prep work, we need an extension. It has been brought to our attention that we now need to obtain a license to obstruct. We would like to request to continue this work and have it completed no later than October 2nd.

Thank you for your attention to this matter.

Sincerely,

Susan Wolf
President
F.A. Gray, Inc.

OFFICE OF THE CITY CLERK

MEMORANDUM

TO: John P. Bohenko, City Manager
FROM: Kelli L. Barnaby, City Clerk *KLb*
DATE: September 15, 2015
SUBJECT: Polling Hours for Municipal Election

In accordance with RSA 659:4, the City Council shall determine the polling hours for the election. I would request that the polling hours for the Municipal Election on November 3, 2015 be set from 8:00 a.m. - 7:00 p.m.

If you have any questions, please do not hesitate to contact me.

Event Listing by Date

Starting Date: 9/ 8/2015

Ending Date: 7/31/2016

Start End	Type Description	Location	Requestor	Vote Date
9/12/2015 9/12/2015	RACE 5K at Pease Tradeport starting at 9:00 am. Contacts: Melissa Mikulski mmikulski@bottomline.com or htennenet@bottomline.com	Pease Tradeport	Bottomline Technologies	8/ 3/2015
9/12/2015 9/12/2015	SABR Peter Newbury is the contact for thsi event. This event opens a small number of neighborhood streets to pedestrian and cycling activity by diverting motor vehicle traffic and will run for approximately 4 hours. Open Streets Portsmouth is a division of SABR (Seacoast Bicycle Riders advocacy organization).	THIS EVENT IS CANCELED.	Open Streets	6/ 1/2015
9/13/2015 9/13/2015	RIDE Thomas Martin, Race Director and Thomson Riley, Race Director are the contacts for this event. www.PortsmouthCrit.com	Market Square	Portsmouth Criterium Race	6/15/2015
9/13/2015 9/13/2015	ROAD RACE This is part of the Run Portsmouth Road Race Series 5K Races for 2015 Wendy McCoolle is the contact for this event. wendy@mybreastcancersupport.org. Telephone No. 759-5640	Portsmouth Middle School	Celebrate Pink 5K Road Race &	12/22/2014
9/18/2015 9/20/2015	FILM EXPO Closure of Chestnut Street for the Telluride by the Sea. ContactChris Curtis at 603-766-2199	Music Hall	Music Hall	7/14/2015
9/19/2015 9/19/2015	WALK Ken La Valley is the contact for this event. This event is from 10:00 a.m. to Noon Registration begins at 8:30 a.m.	Peirce Island	American Foundation for Suicid	3/ 2/2015
9/26/2015 9/27/2015	BIKE TOUR Donna Hepp is the contact for this event. dhepp3@gmail.com or 414-258-3287	Rte. 1B over Memorial Bridge	Granite State Wheelmen	11/17/2014
9/26/2015 9/27/2015	FESTIVAL David Hollowell is the contact for this event.	Pleasant Street	Portsmouth Maritime Folk Festi	12/ 8/2014
9/26/2015 9/27/2015	TOUR This event is for two days. Caroline Amport Piper is the contact. Tel. (603) 686-4338	South End	Fairy House Tours - FOSE	11/17/2014
10/10/2015 10/10/2015	RACE This is part of the Run Portsmouth Road Race Series 5K Races for 2015. Catherine Edison of Community Child Care Center of Portsmouth is one of the contacts. CEdison@communitycampus.org and Ben Anderson or Angela Greene of Prescott Park Arts Festival Tel. 436-2848	Start Memorial Bridge Portsmouth - Finish Prescott	Memorial Bridge Road Race	12/22/2014
10/17/2015 10/17/2015	FUND Mary-Jo Monusky, Executive Director is the contact for this event. This event is a 5k walk/fundraiser. Starts and ends at 11 Jewell Court from 9:00 a.m. to 11:00 a.m.	11 Jewell Court - start and finish	Arts in Reach	4/ 6/2015

Event Listing by Date

Starting Date: 9/ 8/2015

Ending Date: 7/31/2016

Start End	Type Description	Location	Requestor	Vote Date
10/24/2015 10/24/2015	WALK Martha Netsch is the contact for this event. This event gathers at the parking lot area of Prescott Park and walk on the sidewalk across the Memorial Briege to Kittery and back.	Prescott Park Parking Lot	Seacoast Rotary Club	7/20/2015
11/ 8/2015 11/ 8/2015	ROAD RACE Jay Diener is the contact for this event. This event begins at 8:00 a.m.	Portsmouth, New Castle and Rye	Seacoast Half Marathon	4/20/2015
11/26/2015 11/27/2015	RACE Matt Junkin of Seacoast Rotary Club is the contact for this event. mrjunkin@gmail.com; Tel. 591-0083	Strawbery Banke	Seacoast Rotary Club - Turkey	12/ 8/2014
12/31/2015 12/31/2015	FIRST NIGH Barbara Massar, Executive Director is the contact for this event. This event begins at 4:00 p.m. until Midnight www.proportsmouth.org	Throught Downtown	Pro Portsmouth	8/ 4/2015
5/ 1/2016 5/ 1/2016	FAIR Barbara Massar, Executive Director is the contact for this event. This event is Pleasant Street - State Street o Market Square; no parking on Market Street - Bow Street to Isle Shoals Steam Co. entrance. This event is from Noon to 4:00 p.m.	Downtown	Children's Day	8/ 3/2015
5/ 1/2016 5/ 1/2016	RIDE Contact: Melissa Walden, Associate of Development 207-624-0306 Cycle the Seacoast - First riders leaving Redhook Brewery at 7:00 a.m. and the last rider will be in around 3:00 p.m.		American Lung Association	8/17/2015
6/11/2016 6/11/2016	FESTIVAL Barbara Massar is the contact for this event. This event begins at 9:00 a.m. to 4:00 p.m.	Market Square Day - 39th	Pro Portsmouth	8/ 3/2015
6/11/2016 6/11/2016	RACE Barbara Massar, Executive Director is the contact for this event. This is 5K Road Race that begins in Market Square.	Market Square Road Race	Pro Portsmouth	8/ 3/2015
6/25/2016 6/25/2016	MUSIC Barbara Massar, Executive Director is the contact for this event. This event begins at 5:00 p.m. to 9:30 p.m.	Pleasant Street - Street Music Series	Pro Portsmouth	8/ 3/2015
7/ 2/2016 7/ 2/2016	MUSIC Barbara Massar, Executive Director is the contact for this event. This event begins at 5:00 p.m. to 9:30 p.m.	Pleasant Street - Summer in the Street Music Serie	Pro Portsmouth	8/ 3/2015
7/16/2016 7/16/2016	MUSIC Barbara Massar is the contact for this event. This event begins at 5:00 to 9:30 p.m.	Pleasant Street - Summer in the Street Music Serie	Pro Portsmouth	8/ 3/2015
7/23/2016 7/23/2016	MUSIC Barbara Massar is the contact for this event. This event begins at 5:00 p.m. to 9:30 p.m.	Pleasant Street - Summer in the Street Music Serie	Pro Portsmouth	8/ 3/2015

Run: 9/17/15
1:02PM

Event Listing by Date

Page: 3

Starting Date: 9/ 8/2015

Ending Date: 7/31/2016

Start End	Type Description	Location	Requestor	Vote Date
7/30/2016 7/30/2016	MUSIC Barbara Massar, Executive Director This event is from 5:00 to 9:30 p.m.	Pleasant Street - Summer in the Street Music Serie	Pro Portsmouth	8/ 3/2015



CITY OF PORTSMOUTH

Community Development Department
(603) 610-7232

Planning Department
(603) 610-7216

**THE CITY OF PORTSMOUTH
INVITES YOU TO A
PUBLIC MEETING
HAVEN SCHOOL PLAYGROUND
IMPROVEMENT PROJECT
(AT THE CORNER OF SOUTH & SOUTH SCHOOL STREETS)**

WHEN: Tuesday, September 29, 2015 at 6:30 p.m.

WHERE: Levenson Room, Portsmouth Public Library, 175 Parrott Avenue

WHY: At this meeting, City staff and Richardson & Associates, Inc. will:

- Review the design plans and project next steps; and
- Review construction schedule

For more information, please contact David Moore, Community Development
Director Portsmouth City Hall, 610-7226.

CITY OF PORTSMOUTH, N.H.
BOARDS AND COMMISSIONS

APPOINTMENT APPLICATION

Instructions: Please print or type and complete all information
Please submit resume' along with this application

SEP 03 2015
Renewing applicant

Committee: PTS parking traffic safety

Name: Shari Donnermeyer Telephone: 603-498-5788

Could you be contacted at work? YES/ NO - If so, telephone # yes ↑

Street address: 193 Gosport Rd

Mailing address (if different): same

Email address (for clerk's office communication): shari.donnermeyer@gmail.com

How long have you been a resident of Portsmouth? since 1988

Occupational background:

media
sales
sales management

Would you be able to commit to attending all meetings? YES/ NO

Reasons for wishing to continue serving:
I really enjoy it and am now familiar with how it all works



Please list any organizations, groups, or other committees you are involved in:

The Chamber - past chair
Rotary - 7 yr member
PEEP - started + founded fundraiser Home for the Holidays to fund after school programs for Portsmouth public schools

Please list two character references not related to you or city staff members:
(Portsmouth references preferred)

- 1) Nancy Clayburgh, FW Hartford Dr, Portsmouth, 603-475-3037
Name, address, telephone number
- 2) Margaret O'Brien, Margaret O'Brien Realty, Harbor Place, Portsmouth, 603-828-7245
Name, address, telephone number

BY SUBMITTING THIS APPLICATION YOU UNDERSTAND THAT:

1. This reappointment application is for consideration and does not mean you will necessarily be reappointed to this Board/Commission; and
2. The Mayor will review your application, may contact you, check your references, and determine any potential conflict of interests; and
3. This application may be forwarded to the City Council for consideration at the Mayor's discretion; and
4. If this application is forwarded to the City Council, they may consider the application and vote on it at the next scheduled meeting.
5. Application will be kept on file for one year from date of receipt.

Signature: [Handwritten Signature] Date: 9/3/2015

CITY CLERK INFORMATION ONLY:

New Term Expiration Date: 9-17-2018
Annual Number of Meetings: 11 Number of Meetings Absent: 2
Date of Original Appointment: 9-17-2012

Please submit application to: City Clerk's Office, 1 Junkins Avenue, Portsmouth, NH 03801



CITY OF PORTSMOUTH, N.H. BOARDS AND COMMISSIONS

APPOINTMENT APPLICATION

Instructions: Please print or type and complete all information.
Please submit resume' along with this application.

Committee: Portsmouth Housing Authority
Board of Commission Resident Advisor DEC 03 2015
Initial applicant
By _____

Name: Jennifer Pike Telephone: (603) 918-4064

Could you be contacted at work? YES NO If so, telephone # (603) 430-7835

Street address: 8 Wedgewood Rd Portsmouth NH 03801

Mailing address (if different): _____

Email address (for clerk's office communication): happyascanbe4@yahoo.com

How long have you been a resident of Portsmouth? 6 years

Occupational background:

I have history in retail services, food service,
residential cleaning, newspaper carrier, hotel (housekeeping).

Please list experience you have in respect to this Board/Commission:

I just became a resident advisor, otherwise I
have no experience.



Have you contacted the chair of the Board/Commission to determine the time commitment involved? YES/NO

Would you be able to commit to attending all meetings? YES/NO

Reasons for wishing to serve: I would love to serve my community more. Also I think it would be a great learning experience.

Please list any organizations, groups, or other committees you are involved in:

I am a member of 3C church, I am also part of the National Society of Collegiate Scholars

Please list two character references not related to you or city staff members: (Portsmouth references preferred)

1) Traci Cabbett 185 Greenleaf Ave. Apt B Portsmouth, NH (603) 339-7069

2) Barbara Grazier Middle St. Portsmouth, NH (603) 340-1837

BY SUBMITTING THIS APPLICATION YOU UNDERSTAND THAT:

- 1. This application is for consideration and does not mean you will necessarily be appointed to this Board/Commission; and
2. The Mayor will review your application, may contact you, check your references, and determine any potential conflict of interests; and
3. This application may be forwarded to the City Council for consideration at the Mayor's discretion; and
4. If this application is forwarded to the City Council, they may consider the application and vote on it at the next scheduled meeting.
5. Application will be kept on file for one year from date of receipt.

Signature: Jennifer Pyle Date: 9/3/15

If you do not receive the appointment you are requesting, would you be interested in serving on another board or commission? Yes No



CITY OF PORTSMOUTH, N.H. BOARDS AND COMMISSIONS

APPOINTMENT APPLICATION

Instructions: Please print or type and complete all information.
Please submit resume' along with this application.

Committee: Cable Television and Communications

Name: Richard L Winstanley Telephone: 508 542-7787

Could you be contacted at work? YES/NO If so, telephone# Retired

Street address: 211 Hillside Drive

Mailing address (if different): _____

Email address (for clerk's office communication): richardlwinstanley@gmail.com

How long have you been a resident of Portsmouth? 1 year

Occupational background:

8th grade English teacher (20 years); computer + technology
college instructor / department chair (17 years); college
administrator (9 years)

Please list experience you have in respect to this Board/Commission:

interested consumer; computer technology instructor + IT
department chair include developer of college networking
AS + BS programs

Initial applicant
MAY 05 2015
By _____

Have you contacted the chair of the Board/Commission to determine the time commitment involved? YES/NO NO

Would you be able to commit to attending all meetings? YES/NO

Reasons for wishing to serve: desire to support and hopefully enhance the operation of the Franchise Agreement for the people of Portsmouth

Please list any organizations, groups, or other committees you are involved in:

Beacon Hospice (in process); previous committees include Cape Fear Hospice, SCUP (Society of College and University Planners)

Please list two character references not related to you or city staff members: *(Portsmouth references preferred)*

1) Pamela J. Levesque 603 512 5429
Name, address, telephone number

2) _____
Name, address, telephone number

BY SUBMITTING THIS APPLICATION YOU UNDERSTAND THAT:

1. This application is for consideration and does not mean you will necessarily be appointed to this Board/Commission; and
2. The Mayor will review your application, may contact you, check your references, and determine any potential conflict of interests; and
3. This application may be forwarded to the City Council for consideration at the Mayor's discretion; and
4. If this application is forwarded to the City Council, they may consider the application and vote on it at the next scheduled meeting.
5. Application will be kept on file for one year from date of receipt.

Signature: Richard P. Winstanley Date: 5/5/15

If you do not receive the appointment you are requesting, would you be interested in serving on another board or commission? Yes No

Please submit application to the City Clerks Office, 1 Junkins Avenue, Portsmouth, NH 03801



CITY OF PORTSMOUTH, N.H.
BOARDS AND COMMISSIONS
APPOINTMENT APPLICATION

Instructions: Please print or type and complete all information.

Please submit resume' along with this application.

Committee: Library Trustee

Initial applicant

Name: Jolanda Fannin

Telephone:

603 531 7233

Could you be contacted at work? YES - If so, telephone # 603 531 7233

Street address: 7 Brackett Lane Portsmouth NH

Mailing address (if different): _____

Email address (for clerk's office communication):

jfannin35@gmail.com

How long have you been a resident of Portsmouth?

9 years

Occupational background: I currently work as a Sr. Project Manager for LTC Partners on Pease. My past experience includes over 20 years of senior management roles with profit and loss and budget responsibility in with both domestic and international companies.

Please list experience you have in respect to this Board/Commission: I do not have any experience serving on community boards but feel that my past business experience recent participation with 'Portsmouth Listen's' and my passion for the Portsmouth Library's mission have prepared me to be a productive member of the Library Trustees Board.

Have you contacted the chair of the Board/Commission to determine the time commitment involved? No but I have spoken with a current Trustee member Jody Record to understand the commitment that this position requires.

Would you be able to commit to attending all meetings?

YES

Reasons for wishing to serve: The Portsmouth Library is vital institution that provides important services to the community. I have spent many hours there reading to my child, attending movies, reading books, attending functions and learning new skills. I would like to repay the Library by joining the board and supporting the library through my service so the library staff can continue the innovative and exemplary work they currently provide.

Please list any organizations, groups, or other committees you are involved in: I was a part of the Portsmouth Listens Master Plan vision statement process. Through this process I was exposed to many other residents and opinions and gained an appreciation for the effort involved in encouraging and ensuring residents participate in the public life of Portsmouth.

Please list two character references not related to you or city staff members:

(Portsmouth references preferred)

- 1) Laura Ludes 33 Pleasant Point Drive Portsmouth, New Hampshire (603) 498-4685
- 2) Laura Montville 40 Brackett Rd Portsmouth, New Hampshire , (603) 433-2284

BY SUBMITTING THIS APPLICATION YOU UNDERSTAND THAT:

1. This application is for consideration and does not mean you will necessarily be appointed to this Board/Commission; and
2. The Mayor will review your application, may contact you, check your references, and determine any potential conflict of interests; and
3. This application may be forwarded to the City Council for consideration at the Mayor's discretion; and
4. If this application is forwarded to the City Council, they may consider the application and vote on it at the next scheduled meeting.
5. Application will be kept on file for one year from date of receipt.

Signature: Jolanda Cofer Date: 8/7/15

If you do not receive the appointment you are requesting, would you be interested in serving on another board or commission? Yes

Please submit application to the City Clerk's Office, 1 Junkins Avenue, Portsmouth, NH 03801

Jolanda Anne Fannin, MBA, PMP, CSM, ITIL

Phone: 603-531-7233 Email: jfannin35@gmail.com

LinkedIn Profile: www.linkedin.com/in/jfannin

SUMMARY

- Goal-directed operations executive with a successful background in planning, developing and implementing solutions to address business opportunities
- Well versed in developing strategic plans for implementation and operation of business systems, enterprise project management, product support and training
- Successful background of identifying process improvements and developing cost-effective, quality solutions
- Effective leader with strong communication, team building, organizational, technical and project management skills
- Adept at crisis management, trouble shooting, cross-cultural management and negotiating

CORE COMPETENCIES

- ◆ Project Management
- ◆ Strategic Planning
- ◆ SaaS / PaaS
- ◆ Tech Start-up Management
- ◆ Business Process Analysis
- ◆ Negotiation Skills
- ◆ System Implementations
- ◆ Emerging Technology
- ◆ Process Improvement
- ◆ Metrics/ Benchmarking
- ◆ Leadership /Coaching
- ◆ Client Management

PROFESSIONAL EXPERIENCE

LTC Partners – A John Hancock Subsidiary ***Sr. Project Manager -***

August 2014 - Present

LTC Partners administer the Long Term Care Insurance Program and the BENEFEDS health insurance on behalf of the Federal Government.

Responsible for Program Management and Project Management for both technical and process initiatives under the PMO.

IRISmaps Inc.

Director of Operations

March 2013 – May 2014

IRISMaps Corporation, originally a part of Envista Corporation was spun-off to develop a PaaS product based on Google Maps Engine (GME).

Responsible for creating business processes and managing Professional Services including Project Management, Support, Account Management and Support.

- Created new methodology for PaaS implementations
- Implemented SaaS CRM and Support Systems
- Facilitated operations partnership with Google Geo Enterprise Division

Envista Corporation

Director of Professional Services and Support

March 2011 – March 2013

Led Implementation, Support and Account Management Team

- Developed standardized methodology for implementing and supporting a SaaS system.
- Oversaw the implementation in major US and International Cities including San Francisco, London and AI Ain UAE
- Designed sustainable Account Management Strategy resulting in a 97% renewal rate

Led Strategic Consulting Department including Enterprise Program Management and Custom Solutions Team

- Developed a consulting methodology for providing best practice sales process and technology consulting to enterprise clients including business process reengineering.
- Designed and implemented an enterprise program management methodology enabling Newmarket to partner with their clients and efficiently replace internal resources reducing both project risk and costs.
- Oversaw the development of custom solution projects worth up to \$250k.
- Led a \$2.5 million world-wide software rollout to over 4600 locations providing program and project management, training and consultation.
- Developed and conducted a four month Global Sales Office engagement reviewing business process, analytics, staffing and technology for a global hotel company with over 7000 locations.

Newmarket International, London, UK
Director of Operations

July 2005 – July 2007

Led European office operations including: Implementation, Systems Engineering, Office Management and Project Management.

- Managed complete office move including IT, telecoms and fit-out construction.
- Negotiated telecom contracts resulting in a 20% cost reduction per annum.
- Oversaw implementation projects ranging in size from 6 - 69 hotels from \$250,000 to \$3.5 million in revenue.
- Implemented Client Satisfaction Surveys using both email and a third party company to collect feedback.
- Mentored new Director of Operations for Asia-Pacific to ensure success of the candidate and position within Newmarket International.

Newmarket International, Portsmouth, NH
Implementation Services Manager

April 2004 – July 2005

Managed Project Office, Consulting, Integration and Training teams including the UK operational teams consisting of 37 Trainers, Consultants, Project Managers and Project office with revenue targets of \$3.2 million.

- Oversaw the creation of implementation methodology for all professional services provided by Newmarket International.
- Oversaw implementation projects ranging in size from 5 - 40 hotels from \$200k to \$3 million in revenue.

BDA Consulting, Sydney, Australia
Business Consultant

October 2003 – March 2004

Projects included: Business Opportunity Analysis, Competitive Intelligence Research, Technology Project Management and Strategy Formulation

Micros Systems Inc. Sydney, Australia

April 2000 – March 2002

Regional Director of Operations/Major Accounts - Asia Pacific - Hotel Systems

Led team of 26 multi-national staff based locally and throughout Asia, managed regional product development, implementation teams, customer service, account management and product support with annual operating budget of \$2.5million.

- Designed and implemented region-wide back office accounting system.
- Implemented a Regional Web site for Asia Pacific including information for offices, clients and training programs.
- Project managed a \$2 million full systems implementation including hardware and software at Raffles, The Plaza & Swissotel, The Stamford, Singapore. Liaised between senior corporate executives, local management and project team to achieve contracted service level standards.
- Managed introduction to Asia-Pacific region of new Enterprise software products based on Oracle™ product range with CRM focus.
- Launched regional knowledge support management system which decreased support costs by 5%.
- Introduced Centra® on-line classroom to increase training. Reduced internal training costs by 20% and improved support knowledge.

Micros Systems Inc., Sydney, Australia
Regional Director, Major Accounts - Asia Pacific

July 1997 - April 2000

Managed International, Regional and Local Major Account Relationships in Asia Pacific. Recruited, trained and managed local and Asia- based account managers. Managed alliance partners and set procedures.

- Established Asia-Pacific Regional Office Major Account Department as part of a new Asia-Pacific Regional Office.
- Developed and streamlined procedures for managing client contact and monthly reporting
- Leveraged the internet to improve procedures, standardized quote and Request for Proposal (RFP) preparation.
- Negotiated, with teams, Major Account Contracts of up to \$4 million.

ADDITIONAL EXPERIENCE

International Major Accounts Manager, Micros Systems Inc, Germany

May 1996 - July 1997

International Systems Consultant, Micros Systems Inc, Germany

August 1995 - May 1996

Management Information Systems Manager, Ayers Rock Resort Corporation, Australia

October 1992 - July 1995

Installation and Training Project Manager, General Automation Hotel Systems, Australia

March 1991 - Oct 1992

EDUCATION

Master of Business Administration, Macquarie University, Sydney, Australia

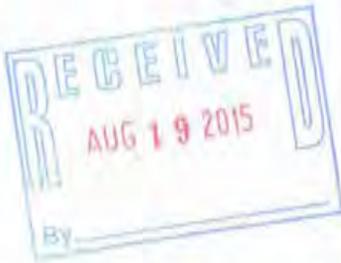
Bachelor of Science, Purdue University, Indiana, USA

PMP Certification, Project Management Institute

Certified Scrum Master

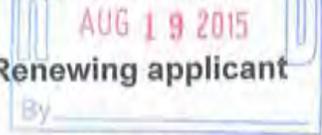
ITIL Foundation 2011 certified

CITY OF PORTSMOUTH, N.H.
BOARDS AND COMMISSIONS



APPOINTMENT APPLICATION

Instructions: Please print or type and complete all information
Please submit resume' along with this application



Committee: Library Board

Name: Ernie Greenslade Telephone: 603 438 8915

Could you be contacted at work? YES/ NO - If so, telephone # 978 556-3862

Street address: 20 TJ Gamster Ave Portsmouth

Mailing address (if different): _____

Email address (for clerk's office communication): egreenslade@comcast.net

How long have you been a resident of Portsmouth? 30+ years

Occupational background:

director of public relations, Northern Essex Community College

Would you be able to commit to attending all meetings? YES/ NO

Reasons for wishing to continue serving: I love the Portsmouth Library, and it has been my honor to play a small role in shaping the range of services that are offered to residents.



Please list any organizations, groups, or other committees you are involved in:

Prescott Park Arts Festival, Advisory Board

Please list two character references not related to you or city staff members:
(Portsmouth references preferred)

1) Glicela Kaplan, 603 770-7183
Name, address, telephone number

2) Nancy Clayburgh, 603 475-3037
Name, address, telephone number

BY SUBMITTING THIS APPLICATION YOU UNDERSTAND THAT:

1. This reappointment application is for consideration and does not mean you will necessarily be reappointed to this Board/Commission; and
2. The Mayor will review your application, may contact you, check your references, and determine any potential conflict of interests; and
3. This application may be forwarded to the City Council for consideration at the Mayor's discretion; and
4. If this application is forwarded to the City Council, they may consider the application and vote on it at the next scheduled meeting.
5. Application will be kept on file for one year from date of receipt.

Signature: Ernie Greenstone Date: 7/16/15

CITY CLERK INFORMATION ONLY:

New Term Expiration Date: 10-1-2018

Annual Number of Meetings: 6 Number of Meetings Absent: 0
2017

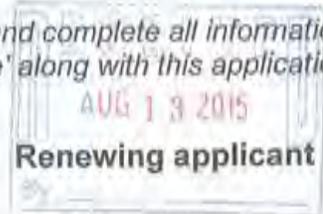
Date of Original Appointment: 12/3/2012

Please submit application to: City Clerk's Office, 1 Junkins Avenue, Portsmouth, NH 03801

CITY OF PORTSMOUTH, N.H.
BOARDS AND COMMISSIONS

APPOINTMENT APPLICATION

Instructions: Please print or type and complete all information
Please submit resume along with this application



Committee: PARKING & TRAFFIC SAFETY

Name: RONALD CYPHER Telephone: 422-9549

Could you be contacted at work? YES/NO - If so, telephone # N/A

Street address: 319 SALMON AVE

Mailing address (if different): _____

Email address (for clerk's office communication): R-DCYPHER@COMCAST.NET

How long have you been a resident of Portsmouth? 12 YEARS

Occupational background:

ESSEX SILVERLINE PLANT SUPERVISOR

U.P.S. DRIVER

GIANT VALU SUPERMARKTS. STORE MANAGER

Would you be able to commit to attending all meetings? YES/NO

Reasons for wishing to continue serving: _____

TO CONTINUE TO SERVE THE CITY TO ENSURE FOR
THE TRAFFIC SAFETY FOR RESIDENTS AND TOURISTS



Please list any organizations, groups, or other committees you are involved in:

Please list two character references not related to you or city staff members:
(Portsmouth references preferred)

1) FED GARY 802 SPRINGMORE AVE 436-4863
Name, address, telephone number

2) ARLETH D. BERNARDO 1374 ESLINGTON ST 436-6895
Name, address, telephone number

BY SUBMITTING THIS APPLICATION YOU UNDERSTAND THAT:

1. This reappointment application is for consideration and does not mean you will necessarily be reappointed to this Board/Commission; and
2. The Mayor will review your application, may contact you, check your references, and determine any potential conflict of interests; and
3. This application may be forwarded to the City Council for consideration at the Mayor's discretion; and
4. If this application is forwarded to the City Council, they may consider the application and vote on it at the next scheduled meeting.
5. Application will be kept on file for one year from date of receipt.

Signature: Ronald Cypher Date: Aug 13, 2015

CITY CLERK INFORMATION ONLY:

New Term Expiration Date: 9-17-2018

Annual Number of Meetings: 11 Number of Meetings Absent: 1

Date of Original Appointment: 4-3-2000

Please submit application to: City Clerk's Office, 1 Junkins Avenue, Portsmouth, NH 03801

CITY OF PORTSMOUTH, N.H.
BOARDS AND COMMISSIONS

APPOINTMENT APPLICATION

Instructions: Please print or type and complete all information
Please submit resume' along with this application

Committee: Parking & Traffic Safety

AUG 18 2015
Renewing applicant

Name: Frederick (Fred) Gray Jr Telephone: 436-7865

Could you be contacted at work? YES/NO - If so, telephone # _____

Street address: 808 S. Main Ave

Mailing address (if different): _____

Email address (for clerk's office communication): N/A

How long have you been a resident of Portsmouth? 79 years

Occupational background:

Teller, Piscataqua Sugs Bank, Regional
Director Blue Shield - liaison between
medical providers & Blue Shield N.H.

Would you be able to commit to attending all meetings? YES/NO

Reasons for wishing to continue serving: I want to continue
toward making Portsmouth the finest city
in NH & continue making a walkable/dri-
vable city for visitors & residents

OVER
➔

Please list any organizations, groups, or other committees you are involved in:

Former president North Church
of Portsmouth, previous member Pease I.S.
Club, member & former Director Pease
Yacht Club, member Inshore Obsolete
Auto League.

Please list two character references not related to you or city staff members:
(Portsmouth references preferred)

- 1) William Woolam Marcy St (603) 387-5830
Name, address, telephone number
- 2) Ronald Cypher Salmon Ave. 422-9549
Name, address, telephone number

BY SUBMITTING THIS APPLICATION YOU UNDERSTAND THAT:

- 1. This reappointment application is for consideration and does not mean you will necessarily be reappointed to this Board/Commission; and
- 2. The Mayor will review your application, may contact you, check your references, and determine any potential conflict of interests; and
- 3. This application may be forwarded to the City Council for consideration at the Mayor's discretion; and
- 4. If this application is forwarded to the City Council, they may consider the application and vote on it at the next scheduled meeting.
- 5. Application will be kept on file for one year from date of receipt.

Signature: [Handwritten Signature] (Ted) Date: 8/18/15

CITY CLERK INFORMATION ONLY:

New Term Expiration Date: 9/17/2018
 Annual Number of Meetings: 11 Number of Meetings Absent: 0
 Date of Original Appointment: 3/7/1999
2015

Please submit application to: City Clerk's Office, 1 Junkins Avenue, Portsmouth, NH 03801

CITY OF PORTSMOUTH, N.H.
BOARDS AND COMMISSIONS

APPOINTMENT APPLICATION

Instructions: Please print or type and complete all information
Please submit resume' along with this application



Committee: PARKING & TRAFFIC / SAFETY **Renewing applicant**

Name: HAROLD WHITEHOUSE Telephone: 436-8485

Could you be contacted at work? YES NO If so, telephone # 436-8485

Street address: 58 HUMPHREY CT.

Mailing address (if different): SAME

Email address (for clerk's office communication): -

How long have you been a resident of Portsmouth? LIFE!!!

Occupational background:
RETIRED, P.N.S.Y.

Would you be able to commit to attending all meetings? YES NO

Reasons for wishing to continue serving: TO CONTINUE THE
PROGRESS OF FINDING SOLUTIONS TO
OUR PARKING PROBLEMS



Please list any organizations, groups, or other committees you are involved in:

"TOO NUMEROUS TO MENTION"

Please list two character references not related to you or city staff members:
(Portsmouth references preferred)

1) SPRIO MOUFLOUZE - 550 SAGAMORE RD.
Name, address, telephone number 436-6434

2) JAMES BENIMATAS - LAFAYETTE RD. 436-9063
Name, address, telephone number

BY SUBMITTING THIS APPLICATION YOU UNDERSTAND THAT:

1. This reappointment application is for consideration and does not mean you will necessarily be reappointed to this Board/Commission; and
2. The Mayor will review your application, may contact you, check your references, and determine any potential conflict of interests; and
3. This application may be forwarded to the City Council for consideration at the Mayor's discretion; and
4. If this application is forwarded to the City Council, they may consider the application and vote on it at the next scheduled meeting.
5. Application will be kept on file for one year from date of receipt.

Signature: Harold Whitelhouse Date: 8/11/15

CITY CLERK INFORMATION ONLY:

New Term Expiration Date: 09-17-2018

Annual Number of Meetings: 11-2015 Number of Meetings Absent: Ø

Date of Original Appointment: 9/19/2010

Please submit application to: City Clerk's Office, 1 Junkins Avenue, Portsmouth, NH 03801

Wednesday, September 16, 2015

To: Portsmouth City Councilors

I have asked the following be placed on the City Council Agenda for our Monday, September 21st meeting:

Thanking John Connors

I have often called John Connors a "Portsmouth Profile In Courage" for standing up and speaking out concerning matters relating to the Webber Estate tragedy.

Despite personal and professional risk, he dared to do what we should encourage all of our citizens and city employees to do: to speak up when they see wrongdoing of any kind.

John Connors did not become involved for personal gain. He did so with his commitment "To Serve And Protect," words that are more than just a motto or slogan.

Most of the professionals in our police department -- officers and support staff -- do excellent work in commitment to the public and dedication to their jobs. John Connors is one who particularly exemplifies the best among them, and deserves a special expression of our appreciation in light of the speaking restrictions put on him.

At Monday night's meeting, I ask for the City Council to approve the following statement:

"We commend and thank good Portsmouth resident John Connors for doing what we encourage all of our residents and employees to do when they see wrongdoing in our community: to stand up and speak out.

"The real strength of America is that when citizens use their freedom of speech to express their concerns, they should be protected and supported in that right, and thanked for their courage."

I welcome suggestions for strengthening or broadening the statement. I think this is the right thing to do, and will be not just a commendation of a good Portsmouth citizen, but also an encouragement for others to come forward when they see something wrong in our community.

Thank You,

Jim Splaine
City Councilor

ACTION ITEMS AND MINUTES
PARKING and TRAFFIC SAFETY COMMITTEE MEETING

8:00 A.M. – Thursday, August 13, 2015
City Hall – Eileen Dondero Foley Council Chambers

Action Items requiring an immediate ordinance during the next Council meeting: none
Temporary Action Items requiring an ordinance during the annual omnibus: none

ACTIONS:

- [1] Accepted and placed on file the minutes of the Parking and Traffic Safety Committee Meeting held July 9, 2015.
- [2] Accepted and placed on file the Financial Report for July 2015.
- [3 (V.A.)] **Action Item:** Blind intersection of Prospect Street and Maplewood Avenue – **VOTED** to accept staff recommendation to improve signage and work with New Hampshire Department of Transportation on possible reconfiguration of the off-ramp corner to potentially slow the traffic.
- [4 (V.B.)] **Action Item:** City Council referral of Councilor Thorsen’s parking programs memo – **VOTED** to table the item and allow staff time to review the memo in context with the Guiding Parking Principles. Staff to coordinate a work session with the Parking and Traffic Safety Committee, Fee Committee, and City Councilors.
- [5 (V.C.)] **Action Item:** Jaywalking in the downtown area – **No action item.**
- [6 (V.D.)] **Action Item:** Burkitt Street connection to Route 1 Bypass – **VOTED** to table the item and have staff report back at a later date.
- [7 (VI.A.)] **Action Item:** Request for crosswalk, parking spaces, bike corral on Islington Street at White Heron – **VOTED** to take no action and allow the issue to be reviewed as part of the Islington Street corridor improvement project.
- [8 (VI.B.)] **Action Item:** Request for crosswalk on Hanover Street at Fleet Street – **No action item.**

I. CALL TO ORDER:

Chairman Lown called the meeting to order at 8:00 a.m.

II. ROLL CALL:

Members Present:

Councilor, Brad Lown
Public Works Director, Peter Rice
Deputy Fire Chief, James Heinz
Captain, Mike Schwartz, Police Department
Member, Harold Whitehouse
Member, Ted Gray
Member, Shari Donnermeyer
Member, Ronald Cypher
Alternate Member, Mary Lou McElwain

Staff Advisors Present:

Parking Manager, Joey Giordano
Parking and Transportation Engineer, Eric Eby

Absent:

City Manager, John Bohenko
Transportation Planner, Juliet Walker

III. ACCEPTANCE OF THE MINUTES:

Ted Gray motioned to accept July 9, 2015, meeting minutes. Shari Donnermeyer seconded.
Moved to accept PTS Meeting Minutes of July 9, 2015.
Motion passed 8-0.

IV. FINANCIAL REPORT:

Public Works Director Rice motioned to accept July 2015 Financial Report.
Shari Donnermeyer seconded.
Moved to accept July 2015 Financial Report and place on file.
Motion passed 8-0.

V. NEW BUSINESS:

A. Blind intersection of Prospect Street and Maplewood Avenue – Eric Eby stated this item was presented by a resident living on Prospect Street. There is a blind intersection at the corner of Prospect Street and Maplewood Avenue.

Ted Grey asked about the number of accidents at the corner. Eric Eby stated there has been one accident in the last five years.

Harold Whitehouse asked if the configuration had been changed. Public Works Director Rice stated the only recent change has been during the construction of the Maplewood Bridge. Drivers appear to be yielding at the stop sign instead of making complete stops. Public Works Director Rice stated he believes driver behavior will change once the bridge is completed in October.

Harold Whitehouse stated that the four underground spaces on the property are not to be used as garages, as deemed by a land regulatory board many years ago.

Captain Schwartz asked if the new bridge would have the same line of sight. Public Works Director Rice stated the new bridge would improve the sight distance over the bridge. Captain Schwartz expressed concern that this may exacerbate the problem, as drivers will be able to see farther and stop less often on the ramp.

Harold Whitehouse motioned to suspend the rules to allow public comments. Public Works Director Rice seconded. **Vote 8-0, to suspend the rules.**

Dan Freund, 37 Prospect Street, thanked Eric Eby and the committee for addressing this issue. He recommended posting signage indicating a blind intersection. He believes this will increase driver awareness of the area. Mr. Freund sent a video of driver behavior at the stop sign to Eric Eby.

Mary Lou McElwain asked about a mirror installation on the building. However, it is private property, and the City has no jurisdiction.

Staff recommended to improve signage and work with NHDOT to incorporate an adjustment to the intersection corner radius on the northbound off-ramp, which could include a rumble portion, so that the intersection angle could be closer to 90 degrees. This would allow trucks to turn over the rumble strip but encourage cars to slow down.

Public Works Director Rice motioned to accept staff recommendation. Harold Whitehouse seconded. **Vote 8-0, to accept staff recommendation to improve signage and work with New Hampshire Department of Transportation on possible reconfiguration of the off-ramp corner to potentially slow the traffic.**

B. City Council referral of Councilor Thorsen's parking programs memo - Public Works Director Rice requested to allow staff additional time to review the memo in context with the City's previously adopted Guiding Parking Principles. Once staff has reviewed the memo, a work session with the Parking and Traffic Safety Committee, Fee Committee, and City Councilors, (if they wish to participate), would be arranged.

Public Works Director Rice motioned to allow staff additional time for further review. Harold Whitehouse seconded.

Vote 8-0, to table the item and allow staff time to review the memo in context with the Guiding Parking Principles. Staff to coordinate a work session with the Parking and Traffic Safety Committee, Fee Committee, and City Councilors.

C. Jaywalking in the downtown area - Harold Whitehouse presented this item to the committee because of his concern regarding jaywalking in the Central Business District (CBD). He expressed concern about pedestrian visibility at night and the frequency of jaywalking. Harold Whitehouse would like to have a sign in the CBD that would protect drivers if a pedestrian was hit while jaywalking.

Ron Cypher is concerned that jaywalking is happening frequently. Mary Lou McElwain agreed that it is a problem and causing traffic problems.

Harold Whitehouse motioned to have one sign installed in the Central Business District that addresses jaywalking. There was no second to this motion.

The committee discussed the existing pedestrian signals signs and the many challenges in trying to enforce the jaywalking law. Captain Schwartz discussed the enforcement grant from the New Hampshire Highway Safety Committee. There are summonses for jaywalking by state law.

No action item. Chairman Lown expressed hope that the press would pick up on and write about the issue.

D. Burkitt Street connection to Route 1 Bypass – Eric Eby stated that this issue was presented by a resident in the Dennett Street neighborhood. In 1967, the City sold a section of the Burkitt Street right-of-way to the gas station owner. Since that time it has been part of that parcel. However, the physical connection to U.S. Route 1 still exists, and is utilized. With the potential reuse of the old Mama D's restaurant on an adjacent parcel, the Dennett Street resident is concerned that traffic will increase because patrons of the new business will use that portion of Burkitt Street to access Dennett Street. The residents are requesting some type of traffic restriction to keep the traffic out of the neighborhood.

Eric Eby stated that staff needs to conduct additional research regarding the language in the deed with the City Legal and Planning Departments.

Public Works Director Rice motioned to suspend the rules to allow public comments. Harold Whitehouse seconded. **Vote 8-0, to suspend the rules.**

Richard Zoffoli, 822 Route 1 Bypass, owner of the gas station, addressed the committee. He petitioned the City to sell that portion of Burkitt Street to him over 50 years ago. He is also concerned with the proposed reuse of the adjacent parcel. He does not want their traffic using his site. He stated his property is private and the language in the deed for the Mama D's site states they have the right to "pass and re-pass" over his property to access the Bypass. Mr. Zoffoli posted no trespass signs on the north side of his property. He believes that the traffic currently using Burkitt Street is caused by the Maplewood Bridge construction, and the problem will stop once the bridge is completed.

Mr. Zoffoli stated it would hurt his business if the section of Burkitt Street was shut down. He has owned the property for over 50 years and he wants to keep it open.

Eric Eby stated that the new development does not have direct access to U.S. Route 1, and there is a shared agreement to use the gas station driveway for access to the property.

Harold Whitehouse commented on the difficulty in accessing the area in winter conditions. Mary Lou McElwain stated she did a site visit and observed drivers using the section as direct access to U.S. Route 1. She supports blocking off that section of the street where the property ends.

Deputy Fire Chief Heinz stated the Fire Department supports having an open access from the Bypass.

Public Works Director Rice stated that there are property rights issues that need to be investigated before the committee could vote on this issue. He acknowledged that Mr. Zoffoli made many improvements to the area, and believes there are ways to manage the traffic from the new development so that the section of Burkitt Street owned by Mr. Zoffoli would not be utilized.

Public Works Director Rice motioned to refer the issue back to staff for further investigation and report back at a later date. Ron Cypher seconded. **Vote 8-0, to table the item and have staff report back at a later date.**

VI. OLD BUSINESS:

A. Request for crosswalk, parking spaces, bike corral on Islington Street at White Heron – Eric Eby conducted a further review of the intersection. He looked at the volume of traffic, the traffic speed, the crossing distance and crosswalk standards. Based on his review, he is recommending no crosswalk be installed at this time. The matter should be re-examined for long-term solutions as part of the Islington Street corridor improvement project.

Harold Whitehouse asked about a timeline for the study. Public Works Director Rice stated that it is part of the pending bond authorization before the City Council. The design work and phase one implementation are included in these monies.

Mary Lou McElwain asked about the use of pedestrian warning signs in lieu of a crosswalk. Eric Eby stated that the sign in the area may not be effective because of the high traffic volume.

Harold Whitehouse motioned to accept staff recommendation that no action be taken at this time, and a review of the area is to be done as part of the Islington Street corridor improvement project. Ron Cypher seconded. **Vote 8-0, to take no action and allow the issue to be reviewed as part of the Islington Street corridor improvement project.**

B. Request for crosswalk on Hanover Street at Fleet Street – Public Works Director Rice stated the Public Works Department has the funding available to construct the tip-downs for the crosswalk. The project will be moving forward during this construction season. One parking

space will be removed in order to create the crosswalk. This item was voted on at the July 9th meeting and approved once funding was secured. (Item V.C. on July 9, 2015 meeting)

This issue came as a request from the Harbor Hill condominium owners for a temporary crosswalk until the tip-downs are constructed. Instead, the crosswalk will be painted when the tip-downs are constructed.

VII. PUBLIC COMMENT

Rick Becksted, 1395 Islington Street, asked where the revenue goes when jaywalking tickets are issued. Captain Schwartz stated that if it is issued under the ordinance, the revenue goes to the city. If it is written as a violation of state law, the revenue goes to the state. Mr. Becksted suggested the revenue percentages be investigated and changed.

Mr. Becksted spoke briefly on crosswalks and asked the committee to review a flashing sign system implemented in Kittery, Maine. His main topic in addressing the committee was to discuss the traffic speed on Islington Street. He would like to have the speed limit lowered on Islington Street in an effort to reduce vehicle speeds.

Judy Miller, 77 Hanover Street, thanked the committee for approving the crosswalk on Hanover Street at Fleet Street. She asked if there is a timeframe. Public Works Director Rice stated that it is anticipated to be completed by the end of October.

VIII. INFORMATIONAL

Chairman Lown reminded the committee that the next meeting is scheduled for September 3rd.

Harold Whitehouse asked the committee not to schedule an on-site for November because it will fall on Election Day.

Harold Whitehouse provided a list of sign locations that are obscured by vegetation for the maintenance crew.

Ron Cypher will be absent in October because of the meeting date change to the first Thursday of each month. Ron Cypher has missed only one meeting in 15 years.

Mary Lou McElwain requested an update on the bicycle and scooter ordinance. Eric Eby confirmed that the entire bicycle section of the Chapter 7 Ordinance is in internal review.

IX. ADJOURNMENT - At 8:55 a.m., voted to adjourn.

Respectfully submitted by:

Amy Chastain
Secretary to the Committee

ACTION ITEMS AND MINUTES
PARKING and TRAFFIC SAFETY COMMITTEE MEETING

8:00 A.M. – Thursday, September 3, 2015
City Hall – Eileen Dondero Foley Council Chambers

Action Items requiring an immediate ordinance during the next Council meeting: none
Temporary Action Items requiring an ordinance during the annual omnibus: none

ACTIONS:

- [1] Accepted and placed on file the minutes of the Parking and Traffic Safety Committee Meeting held August 13, 2015.
- [2 (V.A.)] **Action Item:** Sheafe Street pedestrian mall – **VOTED** to table item.
- [3 (V.B.)] **Action Item:** Wilson Road and Coolidge Drive intersection - **VOTED** to table item and staff report back at next meeting.
- [4 (V.C.)] **Action Item:** Islington Street speed limit between Route 33 and Route 1 Bypass bridge – **VOTED** to have the Police Department collect speed data on Islington Street and report back.
- [5 (VI.A.)] **Action Item:** Pleasant Street angle parking – **VOTED 4-5, motion failed.**

I. CALL TO ORDER:

Chairman Lown called the meeting to order at 8:00 a.m.

II. ROLL CALL:

Members Present:

Councilor, Brad Lown
City Manager, John Bohenko
Public Works Director, Peter Rice
Deputy Fire Chief, James Heinz
Acting Police Chief, Frank Warchol
Member, Harold Whitehouse
Member, Shari Donnermeyer
Member, Ronald Cypher
Alternate Member, Mary Lou McElwain

Staff Advisors Present:

Parking and Transportation Engineer, Eric Eby
Transportation Planner, Juliet Walker

Absent:

Member, Ted Gray
Parking Manager, Joey Giordano

III. ACCEPTANCE OF THE MINUTES:

Harold Whitehouse motioned to accept August 13, 2015, meeting minutes.
Public Works Director Rice seconded.

Moved to accept PTS Meeting Minutes of August 13, 2015.

Motion passed 9-0.

IV. FINANCIAL REPORT:

No Financial Report for August 2015.

V. NEW BUSINESS:

A. Sheafe Street pedestrian mall – An email from Jonathan Sobel was submitted to the Committee. Public Works Director Rice stated that the residents have requested a closed pedestrian mall with limited vehicular access and elimination of all long term parking on the street. He recommended placing the request on file and taking no action at this time. There is no precedent for a closed pedestrian mall in the City, and other details need to be addressed.

City Manager Bohenko agreed that closing a road is very difficult. The concept needs to be explored further. Other communities that have adopted the concept will need to be investigated. The Committee discussed the importance of complying with New Hampshire State Statutes and ensuring the City is not creating a private benefit using public money.

Eric Eby stated that the current construction will be adding a pedestrian walkway, creating a shared space. Staff would like to review how it is treated by vehicles and pedestrians to see if further improvements are needed.

Public Works Director Rice motioned to table the item.

Ron Cypher seconded.

Vote 9-0, to table item.

B. Wilson Road and Coolidge Drive intersection – There was a site visit on Tuesday, September 1, 2015.

Harold Whitehouse motioned to suspend the rules to allow public comments. Shari Donnermeyer seconded. **Vote 9-0, to suspend the rules.**

Charles Jumpre, 5 Coolidge Drive, stated he presented this item because of increasing traffic in the area. He stated people are using Coolidge Drive as a shortcut to avoid Route 1. The island between Wilson Road and Coolidge Drive is of specific concern. Mr. Jumpre recommended altering the Coolidge Drive entrance as a one way street, or reducing the size of the island to make the right-of-way wider. Signage should also be installed.

Eric Eby described the intersection flow. Currently, it is a two way flow all around the island, but when coming off of Wilson Road onto Coolidge Drive, the road narrows. He recommended changing the flow at the beginning of Coolidge Drive from Route 1. It would become one way flow by installing "DO NOT ENTER" signage. The section of right-of-way, where Coolidge Drive intersects with Wilson Road on the other side of the island, would become a two way flow by installing striping and signage. (see photo in the agenda packet as reference).

Eric Eby stated the drawback to this recommendation would be that the one way onto Coolidge Drive would not reduce vehicle speed. A stop or yield sign would be installed on the one way flow, but speeds may remain the same. The long-term plan would be to eliminate the island, install a small roundabout, or reconstruct the intersection to become a "T". The short-term plans would be pavement lines, markings, and signs.

Public Works Director Rice will be reviewing funding available for this project. He recommended to table the item to the next meeting.

City Manager Bohenko motioned to table the item and have staff report back at the next meeting. Shari Donnermeyer seconded.

Vote 9-0, to table item and have staff report back at the next meeting.

C. Islington Street speed limit between Route 33 and Route 1 Bypass bridge - Eric Eby stated that this item was presented to the Committee at the last meeting by Rick Becksted. Mr. Becksted requested that the area be reviewed to see if the speed limit should be lowered.

Eric Eby provided copies of the state laws regarding speed limits and how they are set. By law, the lowest speed limit is 30 mph. Islington Street is now 30 mph. In order to lower the speed below 30 mph, an engineering study must be completed.

The main data needed is the actual speed of traveling traffic in the area today. This is called the 85th percentile speed. That is the speed at which 85% of the traffic is traveling at or lower than. It is used to post the speed limit.

Eric Eby stated that the first step would be to set up traffic counters and determine traffic speed and volume.

Public Works Director Rice motioned to suspend the rules to allow public comments. Harold Whitehouse seconded. **Vote 9-0, to suspend the rules.**

Rick Becksted, 1395 Islington Street, stated that he brought this to the Committee because a neighbor was killed on Islington Street. He believes the police logs will have the data needed in order to review traffic speeds. He stated that he believes vehicles are doing between 35 mph and 40 mph in this area. He believes this scenario is the same as Peverly Hill Road, Woodbury Ave and Maplewood Ave, and that Maplewood Ave and Woodbury Ave were both 30 mph at one time and then lowered.

Mr. Becksted submitted a letter to the Committee dated August 31, 2015, signed by a neighbor living on Islington Street. They support lowering the speed limit to 20 mph.

Acting Police Chief Warchol stated that the police will put a traffic counter in the area and monitor the speed as well.

Public Works Director Rice reminded the Committee that there will be sidewalk, curbing, and drainage improvements in the area that should help with traffic calming.

City Manager Bohenko motioned to have the Police Department collect speed data on Islington Street and report back when data is available. Ron Cypher seconded.

Vote 9-0, to have the Police Department collect speed data on Islington Street and report back.

D. Yield sign at Parrott Avenue and Junkins Avenue – This item was not on the agenda, but was presented by Mary Lou McElwain. She is requesting that the YIELD sign be replaced with a STOP sign at the location. Public Works Director Rice stated that the Parrott Avenue Parking Lot will be under construction in the autumn. A crosswalk and the intersection will be reviewed as part of this project. Additionally, the sidewalk construction on the pond side of the street will also be reviewed.

VI. OLD BUSINESS:

A. Pleasant Street angle parking – At the June 11, 2015, meeting, this item was presented. Eric Eby stated that based on concerns raised by Committee members, the items were sent back to staff for further review. City staff met with the Fire Department staff to review the angle parking plan. The Fire Department set up a fire truck with outriggers on Pleasant Street in the area of the proposed angle spaces. Based on these observations, Eric Eby revised the proposed angle parking plan with the following changes: 60 degree angle spaces were decreased to 45 degree angle spaces; the travel lane was widened to 15 feet from 13 feet; and the increase in parking spaces was lowered from 7 to 4, due to the change in the angle of the spaces. Eric Eby stated that the staff recommendation is to install the angle parking plan as stated above on a trial basis.

Deputy Fire Chief Heinz opposed the plan because the reduction of the travel lane, additional emergency access constraints to the occupancies on the angled parking side of the street, and inconsistent and hindered emergency response routes to a high risk area in the Central Business District. He is very concerned about the narrowing of streets.

Harold Whitehouse, Mary Lou McElwain, and Ron Cypher supported Deputy Fire Chief Heinz's position and do not support the angle parking plan at this location.

City Manager Bohenko reminded the Committee that this item was a result of the PS21 meeting and that staff had reviewed the PS21 recommendations previously.

Chairman Lown expressed support for the angle parking plan because it creates spaces in the downtown. It is also feasible. Shari Donnermeyer asked if the angle spaces could be removed if the plan does not go through. Eric Eby stated that they could be removed.

City Manager Bohenko motioned to accept the staff recommendation to adopt the angle parking plan on a trial basis. Shari Donnermeyer seconded. **Vote 5-4, motion failed to accept the staff recommendation to adopt the angle parking plan on a trial basis.** Deputy Fire Chief Heinz, Acting Police Chief Warchol, Harold Whitehouse, Ron Cypher, and Mary Lou McElwain voted in opposition.

Harold Whitehouse asked if the horse and buggy vendor had renewed the license. Eric Eby confirmed that they have not renewed for several years.

VII. PUBLIC COMMENT

Jeff Latimer, owner of Gus' Bike Shop in North Hampton, came to the meeting representing the Seacoast Area Bicycle Riders (SABR). He came to the meeting supporting the bike corral on Market Street. SABR submitted a letter to the Committee.

Peter Mead, 189 Lincoln Street, manager at Colonial Bicycle Company in Portsmouth also attended. He also supports the bike corral on Market Street.

Tom Martin, 1248 South Street, Rich Matthes, 69 Sunset Road, and Ned Reynolds, 110 Aldrich Road, all support the bike corrals.

Kathleen Logan, 21 Blossom Street, requested that the crossing guard stay longer at the intersection of Richards Ave and Middle Street. She requested the guard stay until 8:05 a.m. and 3:00 p.m. to assist with school children. She also requested a pylon be put in place and she supports the bike corral.

Rick Becksted, 1395 Islington Street, requested that flashers be installed at the intersection of Richards Ave and Middle Street, like those on Lafayette.

VIII. INFORMATIONAL

A. Market Street bicycle corral update – A letter was sent to the Committee by the Portsmouth Chamber of Commerce in opposition to the bike corral on Market Street. The Committee members briefly discussed their individual opposition and support for the corral. Public Works Director Rice confirmed that the bike corral will be removed in early November or at the first snow storm.

B. Intersection of Route 1 Bypass northbound off-ramp and Maplewood Avenue – Eric Eby stated this item was presented at the last meeting from a resident on Prospect Street. Eric Eby contacted the New Hampshire Department of Transportation (NHDOT), who is working on the Maplewood Ave Bridge project, and asked if they could install the radius at the corner. The NHDOT is at the paving stage and unable to make any adjustments to the design. Pending funding, the City could look at this project in the future.

C. Dennett Street vehicle speeds – Eric Eby stated that residents of Dennet Street are still concerned about vehicle speeds. They sent correspondence to the Police Department requesting additional signage to reinforce the 20 mph speed limit. The Police Department recorded the average speed at 25 mph. With construction scheduled to be completed in October on the Maplewood Avenue Bridge, the traffic should decrease in the area. Acting Police Chief Warchol stated that police presence has increased on both ends of Dennett Street.

D. Date of next public meeting on Middle Street bicycle lane project – Juliet Walker stated that a site walk is scheduled for Saturday, September 26th from 9 a.m. to 11 a.m., and a public meeting hosted by the Parking and Traffic Safety Committee will be held on Wednesday, September 30th at 7 p.m. to present the project to the public. Staff is working with the consultants to set up temporary demonstrations along the corridor to show the design proposal.

Chairman Lown asked about cities using buffered protected bike lanes. Juliet Walker stated that Cambridge and Boston both have them in place. She also stated that Portland, Maine and Burlington, Vermont are considering them as well.

- Additional Items:

City Manager Bohenko is requesting staff in the Department of Public Works (DPW) review the valet parking best management practices. Bow Street is an area of concern.

Harold Whitehouse expressed concern regarding large truck deliveries on Congress Street.

Mary Lou McElwain asked for a follow-up on the painting of different colors within crosswalks, and clarification on the utility companies' responsibilities for crosswalks during construction. Eric Eby stated that there is a sample crosswalk using three different colors at DPW, and she is welcome to look at them. Public Works Director Rice confirmed that utility companies are responsible for painting a crosswalk that has been altered due to construction.

IX. ADJOURNMENT - At 8:53 a.m., voted to adjourn.

Respectfully submitted by:

Amy Chastain
Secretary to the Committee

MEMO

TO: Honorable Mayor Robert Lister
Members of the City Council

FROM: Jack Thorsen, City Councilor

DATE: September 16th, 2015

SUBJECT: Recent Vote Restricting PPAF Operation, and Motion to Reconsider

In this memo, I suggest that the City Council should not have voted to restrict the operation of the Prescott Park Arts Festival (PPAF), although the concern over scheduling is a valid one. I believe that this vote was rushed, and on further consideration even thwarts the ability of the parties to work out a creative and successful agreement. I plan to make a motion to reconsider at our next City Council meeting.

Rushed

I found it highly unusual to have such a rapid vote to restrict the operating schedule of the PPAF. There was really no time to think through the possible ramifications and unintended consequences of the decision we made. As it was, all that came to my mind at the time was to make a motion to amend to lessen the restriction to only apply to evening performances, which I put forth and which passed.

A rushed vote also meant there was no time for the public, or interested parties such as the PPAF, to weigh in on the matter before the vote. That seems unfair to me. Instead, the conversation played out in the media after the fact.

Thwarting the Negotiating Process

Solutions to problems can be found during the negotiation process – this is the art of deal making. But, when a hard line is drawn in the sand prior to negotiating, there is no ability to come up with creative solutions that might work, although prohibited under the language of the restriction.

For example, the vote prohibits evening performances. The problem being addressed was noise during the school season affecting students' rest prior to a school day (a concern I share). What about ending high-volume performances by 7:30 or 8:00? What about reduced volume requirements? What about a performance of mimes, or a lecture by a renowned speaker or poet? What about weekends or holidays, or evenings before teacher in-service days? Aren't there

many solutions that would allow the continuation of the festival and still address the issue at hand? Unfortunately, we shut down all those possibilities.

Also, this is just one issue. Will the City Council be expected to hard-wire other parts of the agreement with the PPAF? I don't think we want to go down that path.

Better Approach

The better approach would be to give the negotiating process as much flexibility as possible, providing guidelines at most rather than absolutes, and allow the parties to come to an agreement satisfactory to all.

Motion to Reconsider

I hope that you will support my motion to reconsider our prior vote. Perhaps we can simply add an amendment that makes the original motion a recommendation rather than a restriction.

Perhaps, rather than create a prohibitive restriction, we could state a requirement in terms of the issue, trying not to insert a solution, and allow the creative process of negotiation to find the solution. For example, a statement such as "the agreement shall ensure that sound levels are sufficiently reduced or eliminated so that students may receive proper rest the evening prior to a school day." Then, any solution that protects students' evening rest would be acceptable.

Thank you for your kind consideration in this matter.

Sincerely,

*Jack Thorsen
City Councilor
City of Portsmouth, New Hampshire*