



**CITY OF PORTSMOUTH, NEW HAMPSHIRE
GOVERNANCE COMMITTEE
MEETING MINUTES
MONDAY, June 13, 2022 – 10:00 a.m.
Conference Room A**

City Hall Complex, 1 Junkins Avenue Portsmouth, NH 03801

- 1. Welcome and Call to Order at 10:01 am**
- 2. Roll Call:** Councilor John Tabor, Councilor Vincent Lombardi and Councilor Kate Cook present. Also present were Robert Sullivan, City Attorney, Christine Friese, Library Directory and Marian Steimke.
- 3. Approval of Committee Minutes from meetings on May 31, 2022.**

Motion by Councilor Lombardi, seconded by Councilor Tabor to accept the meeting minutes of May 31, 2022. All in favor.
- 4. Further Discussion of Committees/Ordinances to Sunset**

Councilor Cook displayed the list of committees that the Governance Committee (GC) is discussing and mentioned the issues of records retention and archiving.

 - a. Discussion of Portsmouth Heritage Museum Board with Library Director Christine Friese.**

Ms. Friese gave a brief history about records and types and discussed criteria. It is a consideration of what is legally required by the State and also what would be valuable to the City years from now. She gave examples of special collections, City history and genealogy. House history, tax records and when building extensions were added were also important. She mentioned the good partnership in the City, the collection of expertise and interests, wanting to minimize duplication and storage issues.

Councilor Lombardi mentioned Portsmouth Historical Society (PHS) and the Athenaeum and how these records were connected. Those present discussed a Portsmouth-controlled storage facility and it being a service to the community as well. Issues discussed were: space being an issue; who pays for it; special collections needing climate control and fire proofing. Councilor Tabor said sometimes State universities take on that task.

Councilor Cook asked Ms. Friese's opinion regarding the future for the Portsmouth Museum Heritage Board. Ms. Friese said between the City library, PHS and Athenaeum

there is great expertise, records and interest. It will be a matter of property, budget and issue if going forward. The GC discussed special fire suppression.

Those present discussed applications for grants. Attorney Sullivan said the City could act as fiscal agent if a grant is received by a committee.

The GC suggested it would be most effective to have an ongoing committee, but initially to start with a blue ribbon committee or task force.

Councilor Tabor suggested having a City Archive since we have both a national and State archive. It would need to be staffed. Ms. Friese said most information can be accessed digitally. Protection of pieces is a big priority. Councilor Cook said it would be helpful to have these discussions across the three organizations. The GC discussed having a partnership rather than the City taking it all on and how that might all work. Ms. Friese left the meeting at this time.

b. Updates on Other Committees

Councilor Cook added to the list: sunset with new committee to study historical archive. The group discussed Pierce Island Committee (PIC) status as not being defunct (not sunsetted). Councilor Cook will check with their leadership. But Councilor Lombardi said the PIC sunsetted themselves, and it would be useful to have a conversation with the staff members. Attorney Sullivan said this committee is established by ordinance. Councilor Cook read the ordinance regarding this PIC, the establishment and mission. If there is money in the trust fund, the money would go to the Trustees of the Trust Fund. Councilor Cook asked what the purpose was of having a committee for just one space. Councilor Lombardi gave a history of Pierce Island issues (chaos, crimes, etc.) and said the committee was set up to address these issues. Having an overall Parks committee is a very big task. The disadvantage of having separate parks committees is some parks get more attention than others. Those present discussed a parks committee working with the Recreation Department.

Councilor Tabor discussed programming and facilities in parks. The GC discussed the large amount of park spaces and green spaces. Councilor Cook said if there is only a recreation board but not a parks committee there is no oversight. There is a lot of space they are not talking about beyond capital improvement projects driven by the City, DPW and Recreation.

Attorney Sullivan said there was \$11,458.30 in the Pierce Island Trust.

Councilor Cook said a bigger conversation is needed. If PIC sunsets, maybe the plans could be part of a larger committee; this would be a much larger commitment for people.

Councilor Cook said it would be nice to have a committee looking at all the park spaces. There would have to be a close relationship with the Recreation Board. Walking versus biking spaces would need to be considered.

Councilor Lombardi suggested letting PIC sunset, moving the money to the Trustees of the Trust Funds and begin to work on a parks and recreation committee which would entail a new ordinance for parks. Councilor Tabor said it would be helpful to know what the Master Plan says about Parks and Recreation programming in the parks. Councilor Cook would like to hear from Peter Rice about maintenance. Councilor Tabor said by default DPW is running the parks. Attorney Sullivan mentioned that Peter Britz would be good to talk to. Councilor Cook could try to set up that discussion. She will start that process for the next meeting.

Councilor Cook changed Pierce Island to yellow and said "I'm going to say voted to sunset discussion around parks and recreation committee."

Personnel Advisory Board. It is in the Charter at Section 3.15. This was set up to be a place where employees could grieve disciplinary actions against them. Mostly it is done by bargaining unit now, but there are still some employees not in the union, Attorney Sullivan said, and added he did not recall this being used. He said in the Charter it is actually the Personnel Appeals Board and advised to keep it active as needed. This was used more than 40 years ago. Attorney Sullivan said if the Charter is to be amended, the process should start soon.

Portsmouth Housing Endowment Fund Board: Believed to be defunct. Councilor Cook will contact the Portsmouth Housing Authority (PHA). Attorney Sullivan discussed the source of the money for this, and Councilor Cook will double check with PHA on this. Councilor Cook read the related ordinance. There is money in the trust fund, but there have not been appointments since 2013.

Seacoast MPO Technical Advisory Committee is not a City committee. It is a Rockingham Planning Commission committee. It is listed because there was a representative from the City. Councilor Cook removed this from the City listing.

All committees in yellow are the ones the GC discussed sunsetting.

The Vaughn Mall Committee and Strategic Planning Committee for Vaughn Worth Bridge Revitalization was recommended to sunset.

Building Commission does not exist anymore, according to the staff.

Councilor Cook said we have several ordinances that can be recommended to remove.

Public Access Financial Advisory Committee was added. Councilor Lombardi is on it. It meets once per year, he was appointed to it by the City Council. It relates to the public access television channel. Funding comes from Comcast although it is channeled through

a Trust. The committee is established by the Trust to determine how much money should be released from the trust annually to support the PPMTV budget.

5. **Committee Appointment Rotation Schedule**

Councilor Cook shared the list of City Council appointed boards and commissions which is also available on the website, and she gave updates.

Audit Committee she discussed rotation in number of years. Councilor Lombardi said it may be best to have Council or staff deal with this rotation schedule. This will be on the list for the next committee meeting. She said the stagger of the rotation does not line up.

Building Code Board of Appeals. This has five year terms. It is not clear if the rotation schedule is accurate. There is a need to rework this one.

Cable TV and Communications Commission. Believes there are only two members instead of the five required members, so there is no quorum. Concern on how to staff this.

Cemetery Committee. This is fine. The terms coincide with Council terms.

Citizens' Advisory Committee. Needs to talk to City Clerk to see if people still serving.

The Citywide (Neighborhood?) Blue Ribbon Committee. This has been around a long time. The rotation schedule is fine and coincides with the Council term.

Conservation Commission. The rotation should be three, three and three. But there are six rotating off in 2023, so that stagger is way off.

Economic Development Commission. This should have a better rotation.

Historic District Commission rotation stagger is off as well.

Housing Authority is right on track.

Library Trustees are short by one member, and the stagger is off just a little.

Parking Traffic Safety. This one is skewed.

Planning Board has challenges. There are no appointments in 2022 but five due to end in 2024.

Councilor Cook said the challenge is how to fix the staggered rotations

Recreation Board is on track.

Sustainable Practices Blue Ribbon Committee. This is a challenge. It has people that were appointed in 2006. It is unclear how this was established and why there is no rotation.

Trees and Public Greenery Committee. There is no rotation in 2023 but five in 2024.

Councilor Cook commented there were lots of appointments done in 2021. These should have finished to the original terms.

Trustees of the Trust Fund rotation is fine.

Veterans Organization. The rotation schedule is not clear.

Zoning Board of Adjustment. It is not clear what adjustment needs to happen.

Councilor Cook stated wanting to highlight making an appropriate recommendation for all committees established by ordinance. It would be important to determine when they were established and to follow those terms out. In the case of an early resignation, the replacement person should finish out the term rather than serving the beginning of a new term. We should readjust the terms as they should be and suggested that instead of having people appointed, having a position appointed.

Councilor Tabor said Part 1 is the look up. Part 2 is the policy change. Councilor Cook said that would be more in line with the spirit of the Ordinance. This ensures conservation of expertise with a healthy rotation of members.

Land use boards are by Statute. Councilor Cook would like to approach all in the same way so that there is no bias and to base it on historical appointments. Establishing a healthy rotation with a fair process is her goal. This will require a lot of research. At this time, across the board when someone replaces an early resignation, they get appointed to a new full term rather than finishing out the remainder of the term. This should be changed, and Councilor Cook discussed challenges of not making the changes.

Attorney Sullivan suggested specifying in the Ordinance neutrality, unbiasedness and objectivity – at least on the ones that are quasi-judicial like Planning Board. Councilor Cook discussed an approach on how to do this. For instance, she could sit with the Clerk to determine a feasible process. Some committees go a long way back. Councilor Cook can invite the Clerk to the next meeting since she would be the expert on these appointments. Councilor Cook will send the GC the work sheet to study.

6. Public Comment

No one from the public wished to speak.

7. Other Business

The GC discussed having scheduling the next meeting for June 28, 2022 at 10:00 am. **(Post Meeting Note: That meeting was cancelled. The next meeting will be held Friday, July 1, 2022 at 11:00 a.m.)** The next meeting after that will be July 11th **(Post Meeting Note: That**

meeting for the 11th was cancelled). After that there will be a meeting on July 25th. The GC discussed potential meetings in August.

Councilor Tabor suggested a parks discussion and how to monitor and enforce the many easements the City has to the water. Attorney Sullivan said there are some dedicated easements. There are places in the City where the City has a paramount claim – for example paper streets, with approximately 14 in the City. They are monitored informally via complaint system. He said Jason Page and Peter Britz have investigated complaints.

The Mayor had been interested in putting together a list of these, but it did not happen, so a list does not exist. The City has lots of public access to the water but most of it is unknown, and Councilor Tabor wants to ensure protection of that access. Attorney Sullivan said if a paper street goes to the water then the City owns the access to the water.

8. Adjournment

Councilor Lombardi moved to adjourn, seconded by Councilor Tabor. All in favor, the meeting adjourned at 12:04 p.m.

Meeting Minutes prepared by
Marian Steimke
Legal Secretary

Approved by Governance Committee on: August 29, 2022