

CITY COUNCIL MEETING

MUNICIPAL COMPLEX, EILEEN DONDERO FOLEY COUNCIL CHAMBERS, PORTSMOUTH, NH
DATE: MONDAY, JULY 10, 2023 TIME: 6:00PM

Members of the public also have the option to join the meeting over Zoom, a unique meeting ID and password will be provided once you register. To register, click on the link below or copy and paste this into your web browser

https://us06web.zoom.us/webinar/register/WN_VnVEJkWaRFaVhK-6MGes4g

6:00PM - ANTICIPATED NON-PUBLIC SESSION IS BEING HELD IN CONFERENCE ROOM A
1. CONSIDERATION OF LEGAL ADVICE – RSA 91-A:3, II (I)

AGENDA

**Regular portion of City Council meeting to begin at 7:00 p.m.*

- I. WORK SESSION – THERE IS NO WORK SESSION THIS EVENING
- II. PUBLIC DIALOGUE SESSION [when applicable – every other regularly scheduled meeting] – **N/A**
- III. CALL TO ORDER [7:00 p.m. or thereafter]
- IV. ROLL CALL
- V. INVOCATION
- VI. PLEDGE OF ALLEGIANCE

PROCLAMATIONS

1. Parks and Recreation Month
2. Plastic Pollution Reduction Month

- VII. ACCEPTANCE OF MINUTES – JUNE 5, 2023 AND JUNE 20, 2023
- VIII. RECOGNITIONS AND VOLUNTEER COMMITTEE REPORTS
- IX. PUBLIC COMMENT SESSION (*This session shall not exceed 45 minutes*) – (*participation may be in person or via Zoom*)
- X. PUBLIC HEARINGS AND VOTE ON ORDINANCES AND/OR RESOLUTIONS

First Reading of Ordinances:

- A. First reading of Ordinance amending Chapter 1, Article III – BOARDS and Article IV – COMMISSIONS AND AUTHORITIES (**Sample motion – move to pass first reading and schedule a public hearing and second reading at the August 7, 2023 City Council meeting**)
- B. First reading of Omnibus Ordinance amending Chapter 7, VEHICLES, TRAFFIC AND PARKING:
 - Amend Chapter 7, Article III – TRAFFIC ORDINANCE, Section 7.336, A: One-Way Streets:
 24. Raynes Avenue: westerly from Vaughan Street to Maplewood Avenue
 35. Vaughan Street: northerly from Maplewood Avenue to Raynes Avenue

- Amend Chapter 7, Article IVA – BUS STOPS AND TAXICAB STANDS, Section 7A.408: Taxi Stands Designated

The following areas are hereby designed as Taxi stands:

A. Pleasant Street: easterly side, first parallel parking space north of State Street

- Amend Chapter 7, Article XI – SPEED LIMITS, Section 7.1100, E: Speed Limits: 25 MPH

Section 7.1100: SPEED LIMITS:

E. Speed Limits: 25 MPH

7. Islington Street
10. Middle Road, from Peverly Hill Road to Middle Street
12. Parrott Avenue
17. Summit Avenue

(Sample motion – move to pass first reading and schedule a public hearing and second reading at the August 7, 2023 City Council meeting)

- C. First reading of Ordinance amending Chapter 7, Article VI – LOADING ZONES, Section 7.601- LIMITED HOURS LOADING ZONES ***(Sample motion – move to pass first reading and schedule a public hearing and second reading at the August 7, 2023 City Council meeting)***
- D. First reading of Ordinance amending Chapter 7, Article X – TOWING, Section 7.1004 – TOWING OR IMMOBILIZATION OF MOTOR VEHICLES FOR NON-PAYMENT OF PARKING FINES:

ILLEGALLY PARKED: accumulated unpaid parking violations in an amount in excess of two hundred fifty dollars (\$250.00) on any or all vehicles at any time registered to the owners of said vehicle as shown on the records maintained by the Parking Clerk.

NOTICE: At any time subsequent to the accumulation of unpaid parking fines in excess of two hundred fifty dollars (\$250.00) on any or all vehicles at the time registered to the owner of any vehicle on the records maintained by the Parking Clerk, the Parking Clerk may send a Notice by certified mail to the registered owner of said vehicle or vehicles at the address on the registration.

(Sample motion – move to pass first reading and schedule a public hearing and second reading at the August 7, 2023 City Council meeting)

Public Hearing/Second Reading of Ordinance:

- E. PUBLIC HEARING/SECOND READING of Ordinance amending Chapter 10 – Article 5A – CHARACTER-BASED ZONING, Section 10.5A20, **Regulating Plan**, Subsection 10.5A21.10 Contents of Regulating Plan, Map 10.5A21B – Building Height Standards, Section 10.5A43.30 = **Building and Story Heights**, Subsection 10.5A43.33, Section 10.5A43.40 – **Maximum building footprint**, Subsections 10.5A43.41-44, and Section 10.5A45 – **Community Spaces**, Subsection Figures 10.5A45.10 Community Spaces, Section 10.5A46.20 – **Requirements to Receive Incentives to the Development Standards**, Subsections 10.5A46.21-22, and Article 15 – DEFINITIONS, Section 10.1530 – **Terms of General Applicability**, of the Ordinances of the City of Portsmouth *(Sample motions – #1 – move to bring forward for consideration the recommended language from Planning Board as submitted under Councilor Moreau’s name; #2 – move to amend the ordinance consistent with Planning Board recommendations and schedule a public hearing and second reading at the August 7, 2023 City Council meeting)*
- **PRESENTATION**
 - **CITY COUNCIL QUESTIONS**
 - **PUBLIC HEARING SPEAKERS**
 - **ADDITIONAL COUNCIL QUESTIONS AND DELIBERATIONS**
- F. PUBLIC HEARING/ADOPTION on proposed Resolution Authorizing a Bond Issue and/or Notes of up to Seventeen Million Three Hundred Fifty Thousand Dollars (\$17,350,000.00) for Costs Related to Police Station Upgrades, Land Acquisition, Outdoor Pool Upgrades, Citywide Facilities Capital Improvements, Elwyn Park Sidewalks Traffic calming, Borthwick Avenue Bike Path, Sagamore Avenue Sidewalk, Citywide Sidewalk Reconstruction Program, Street Paving; Management and Rehabilitation, Pease Tradeport Street Rehabilitation, Edmond Avenue Upgrades, Islington Street Improvements and Union Street Reconstruction *(Sample motion – move to adopt the Resolution as presented) (A roll call with two-thirds vote required for adoption)*
- **PRESENTATION**
 - **CITY COUNCIL QUESTIONS**
 - **PUBLIC HEARING SPEAKERS**
 - **ADDITIONAL COUNCIL QUESTIONS AND DELIBERATIONS**
- G. PUBLIC HEARING/ADOPTION on a proposed Resolution Authorizing a Bond Issue and/or Notes of up to Two Million Three Hundred Fifty Thousand Dollars (\$2,350,000.00), Together with the Transfer of Unexpended Bond Proceeds in the amount of One Million Five Hundred Thousand Dollars (\$1,500,000.00), for a Total Appropriation of Three Million Eight Hundred Fifty Thousand Dollars (\$3,850,000.00), to pay Costs Related to School Facilities Improvements and Fit-Up of Community Campus Space for Robert J Lister Academy *(Sample motion – move to adopt the Resolution as presented) (A roll call with two-thirds vote required for adoption)*
- **PRESENTATION**
 - **CITY COUNCIL QUESTIONS**
 - **PUBLIC HEARING SPEAKERS**
 - **ADDITIONAL COUNCIL QUESTIONS AND DELIBERATIONS**

- H. PUBLIC HEARING/ADOPTION on a proposed Resolution Authorizing the Borrowing of up to One Million Two Hundred Fifty Thousand Dollars (\$1,250,000.00) through the Issue of Bonds and/or Notes for Costs Related to the Design and Construction of Foundry Place Parking Offices (***Sample motion – move to adopt the Resolution as presented***) (***A roll call with two-thirds vote required for adoption***)
- **PRESENTATION**
 - **CITY COUNCIL QUESTIONS**
 - **PUBLIC HEARING SPEAKERS**
 - **ADDITIONAL COUNCIL QUESTIONS AND DELIBERATIONS**
- I. PUBLIC HEARING/ADOPTION on a proposed Resolution Authorizing a Bond Issue and/or Notes of the City under the Municipal Finance Act and/or Participation in the State Revolving Fund (SRF) Loan of up to Nine Million Two Hundred Seventy-Six Thousand Five Hundred Dollars (\$9,276,500.00) Related to Annual Water Line Replacement, New Groundwater Source, Greenland Well Treatment, Dover Water Emergency Interconnection, Edmond Avenue Waterline Reconstruction, Islington Street Improvements and Union Street Reconstruction (***Sample motion – move to adopt the Resolution as presented***) (***A roll call with two-thirds vote required for adoption***)
- **PRESENTATION**
 - **CITY COUNCIL QUESTIONS**
 - **PUBLIC HEARING SPEAKERS**
 - **ADDITIONAL COUNCIL QUESTIONS AND DELIBERATIONS**
- J. PUBLIC HEARING/ADOPTION on a proposed Resolution Authorizing a Bond Issue and/or Notes of the City under the Municipal Finance Act and/or Participation in the State Revolving Fund (SRF) Loan of up to Six Million Nine Hundred Fifteen Thousand Dollars (\$6,915,000.00) for Costs Related to Annual Sewerline Upgrades, Long Term Control Related Projects, Woodbury Avenue Sewer Separation, Sewer Service for Sagamore Ave Sewer Extension, Fleet Street Utilities Upgrades/Streetscape, Edmond Avenue Improvement, Islington Street Improvements and Union Street Reconstruction (***Sample motion – move to adopt the Resolution as presented***) (***A roll call with two-thirds vote required for adoption***)
- **PRESENTATION**
 - **CITY COUNCIL QUESTIONS**
 - **PUBLIC HEARING SPEAKERS**
 - **ADDITIONAL COUNCIL QUESTIONS AND DELIBERATIONS**
- K. PUBLIC HEARING/ADOPTION on a proposed Resolution Authorizing a Supplemental Appropriation from the Water Fund Unrestricted Net Position, a Grant from the NH Drinking Water and Groundwater Trust Fund, and a Grant from NHDES Local Source Water Protection Program for the Purchase of a Conservation Easement on the Fernald Property to Protect the Bellamy Reservoir Water Quality (***Sample motion – move to adopt the Resolution as presented***) (***A roll call with two-thirds vote required for adoption***)
- **PRESENTATION**
 - **CITY COUNCIL QUESTIONS**
 - **PUBLIC HEARING SPEAKERS**
 - **ADDITIONAL COUNCIL QUESTIONS AND DELIBERATIONS**

XI. CITY MANAGER'S ITEMS WHICH REQUIRE ACTION

A. CITY MANAGER CONARD

City Manager's Items Which Require Action:

1. Approval of Tentative Agreement with the Portsmouth School District Paraeducators
2. Approval of a Memorandum of Agreement between the City of Portsmouth and Portsmouth City Employees AFSCME 1386A
3. Community Space Easement for Property Located at 3548 Lafayette Road
4. Water Service Access Easement for Property Located at 212 Woodbury Avenue
5. Authorization to Release a Portion of the Prescott Park Chain-Link Fence to Seacoast Repertory Theatre
6. Request to Establish a SAU 52 Site Investigation Committee for Purposes of Exploring a Potential Location for a Multisport Complex
7. Request to Establish a Public Hearing to Obligate ARPA Funds for Several Projects

XII. CONSENT AGENDA

(Proper Motion for Adoption of Consent Agenda – move to adopt the Consent Agenda)

- A. Letter from Trent and Denise Sensiba regarding Property Located at 12 Ruth Street ***(Anticipated action – move to refer to the Legal Department for report back to the City Council)***
- B. Request from Candace & Steven Byrnes, Dripbar, to install a Projecting Sign at 77 Hanover Street ***(Anticipated action – move to approve the aforementioned Projecting Sign License as recommended by the Planning & Sustainability Director, and further, authorize the City Manager to execute the License Agreement 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 projecting sign, for any reason, shall be done at 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***

XIII. PRESENTATIONS AND WRITTEN COMMUNICATIONS

- A. *Presentation Regarding Community Policing Facility – Brief Announcement and Invitation to Attend July 11th Public Meeting – Peter Rice, Public Works Director
- B. Email Correspondence (***Sample motion – move to accept and place on file***)
- C. Letter from Seth Berg, Student at Portsmouth High School, regarding EPA Regulations of PFAS Chemicals
- D. Letter from Mark McNabb, McNabb Properties Ltd., regarding Improvement Plans for High Street, Ladd Street and Haven Court as part of the 1 Congress Street Project
- E. Letter from John Singer and Ruth Kennedy regarding Proposal for Permanent Outdoor Dining (***Sample motion – move to refer to the City Manager to be shared with consultant for Market Square Redesign Plan***)

XIV. MAYOR McEACHERN

- 1. *Appointment to be Voted:
 - James Hewitt to the Safe Water Advisory Group (SWAG)
- 2. Resignation of Jan Fonseka from the Board of Library Trustees

XV. CITY COUNCIL MEMBERS

A. COUNCILOR TABOR

- 1. Update from Legal Department on Letter from Holland & Knight

B. COUNCILOR MOREAU

- 1. Planning Board Recommendation for Density Incentives
- 2. Request for First Reading regarding Zoning Ordinance Use Regulations

XVI. APPROVAL OF GRANTS/DONATIONS

(There are no items under this section of the agenda this evening)

XVII. CITY MANAGER'S INFORMATIONAL ITEMS

- 1. Update on First FlashVote Survey Results
- 2. AAA Bond Rating Announcement
- 3. Update on Community Power Rates

XVIII. MISCELLANEOUS BUSINESS INCLUDING BUSINESS REMAINING UNFINISHED AT PREVIOUS MEETING

XIX. ADJOURNMENT [at 10:30 p.m. or earlier]

**Indicates verbal report*

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

**The Council Chambers
City Hall
Portsmouth, New Hampshire**

A Proclamation

- Whereas:** There is general agreement that recreation is good for the body and the mind and that as daily life becomes more stressful, taking time when we can away from work, chores, and worries is beneficial to our physical and mental well-being; and
- Whereas:** Engaging in outdoor recreational activities allows us to connect with nature, and is a setting for socialization, enabling us to forge meaningful connections, strengthen relationships, and foster a sense of community; and
- Whereas:** The City of Portsmouth Recreation Department staff and facilities are vital to the wellbeing of our residents of all ages, ranging from the swim lessons for toddlers at the Indoor Pool to afterschool programs at the Community Campus to open court for teenagers at the Connie Bean to the sports teams on our athletic fields to the yoga classes at Spinnaker Point to the social hours at the Senior Activity Center; and
- Whereas:** Park and recreation programming and educational activities, such as out-of-school time programming, youth sports and STEM education classes, are critical to childhood development; and
- Whereas:** The Recreation Department works closely with the DPW Parks & Greenery Division to maintain our parks, ensure the ecological beauty of our community, and provide a place for children and adults to connect with nature and recreate outdoors; and
- Whereas:** The US House of Representatives on behalf of the National Park and Recreation Association has designated July as Park and Recreation Month to celebrate the vital role park and recreation professionals play in bringing people together, providing essential services and fostering the growth of our communities by making a positive impact on their community members every single day; and
- Whereas:** July 21st is Parks and Recreation Professionals Day and July 31st is Lifeguard Appreciation Day. Now, therefore, I, Deaglan McEachern, Mayor of the City of Portsmouth, on behalf of the members of the City Council and the citizens of Portsmouth, do hereby proclaim July 2023

Parks & Recreation Month in Portsmouth

And call upon our community to observe this month by thanking our Parks and Recreation staff and taking advantage of their programs and facilities that so enhance our quality of life here in Portsmouth.



Given with my hand and the
Seal of the City of Portsmouth,
on this 10th day of July, 2023.


Deaglan McEachern, Mayor of Portsmouth

The Council Chambers
City Hall
Portsmouth, New Hampshire
A Proclamation

Whereas: The City of Portsmouth declared itself an Eco-Municipality in 2007 and has passed both a City-wide polystyrene ban and City-property single-use ordinances and continues to encourage voluntary efforts by residents to reduce single-use plastic waste as part of Portsmouth’s Climate Future; and

Whereas: The Surfrider Foundation New Hampshire Chapter has championed the effort for Portsmouth restaurants and cafes to become certified “Ocean Friendly Restaurants” and to participate in the “Skip-the-Stuff” effort that encourages customers to ask for foodservice accessories instead of contributing to the expense and waste generated by unwanted items; and

Whereas: The City of Portsmouth wishes to reduce the significant pollution and health risks of the chain of plastic production by conserving resources, minimizing waste, reducing greenhouse gas emissions and other pollution, and protecting the welfare of our residents and wildlife, all of which contribute to the quality life in Portsmouth; and

Whereas: It is the intent of the City to reduce the negative impacts of plastic locally and to join in the international effort to reduce the pollution and public health risks related to plastic.

Now, therefore, I, Deaglan McEachern, Mayor of the City of Portsmouth on behalf of the City Council hereby proclaim July 2023 to be

Plastic Pollution Reduction Month in Portsmouth

and encourage all citizens and businesses to reduce their plastic consumption and waste by choosing reusables and an opt-in versus opt-out model for single-use items.



Given with my hand and the
Seal of the City of Portsmouth,
on this 10th day of July 2023.

A handwritten signature in black ink, appearing to read 'Deaglan McEachern', written over a horizontal line.

Deaglan McEachern, Mayor of Portsmouth

CITY COUNCIL MEETING

MUNICIPAL COMPLEX
DATE: MONDAY, JUNE 5, 2023

PORTSMOUTH, NH
TIME: 7:00PM

On a unanimous voice vote 9-0, Assistant Mayor Kelley moved to close the Non-Public Session and seal the minutes. Seconded by Councilor Moreau and voted.

III. CALL TO ORDER

Mayor McEachern called the meeting to order at 7:00 p.m.

IV. ROLL CALL

PRESENT: Mayor McEachern, Assistant Mayor Kelley, Councilors Tabor, Denton, Moreau, Bagley, Lombardi, Blalock, and Cook

V. INVOCATION

Mayor McEachern asked for a moment of silent prayer.

VI. PLEDGE OF ALLEGIANCE

Mayor McEachern led in the Pledge of Allegiance to the Flag.

PROCLAMATION

1. Juneteenth 2023 in Portsmouth

Mayor McEachern read the Proclamation declaring Juneteenth 2023 in Portsmouth and urged all members of the community to learn more about the Emancipation Proclamation and the history behind this holiday. To join in celebrations, commemorations and other programs and tributes organized by community members including the Black Heritage Trail of NH, the Seacoast African American Cultural Center, Black Lives Matter Seacoast, the Seacoast NAACP, the Racial Unity Team, the Business Association for People of Color and so many others.

Mayor McEachern presented the Proclamation to Nora Lewis and Barbara Ward of the Black Heritage Trail who accepted it with thanks and appreciation.

VII. ACCEPTANCE OF MINUTES – MAY 8, 2023 AND MAY 15, 2023 CITY COUNCIL MEETINGS

Assistant Mayor Kelley moved to accept and approve the minutes of the May 8, 2023 and May 15, 2023. Seconded by Councilor Lombardi and voted.

IX. PUBLIC COMMENT SESSION

Rich Duddy spoke in favor of the Recreation Department budget and its programs.

Roy Helsel spoke to not being able to check out the budget copy from the library for more than a week.

Peter Officer spoke opposed to redevelopment of Sherburne School as workforce housing. He said there are other potential sites that should be considered.

Jim Lee spoke regarding first amendment rights and people's beliefs.

Sue Polidura said the city needs to consider preparing a zero-based budget. She also spoke to her reading the Declaration of Independence in front of the North Church on July 4th.

Sue Sterry provided a brief update on the Cemetery Committee and announced that over 400 headstones have been cleaned in conjunction with the City's 400th Anniversary.

Esther Kennedy said she recently attended the Land Use Committee meeting and was displeased that no public comment was held prior to their decision regarding workforce housing. She expressed her opposition to Portsmouth Housing Authority Director Welch sitting at the table during the Land Use Committee meeting and feels we should look at low-income housing to support people that need such housing.

Petra Huda said she was surprised to read that the city selected Sherburne School for workforce housing. She feels that Portsmouth Housing Authority Director Welch would have a conflict of interest when voting on workforce housing.

Lisa Hagerty-McCann spoke to sidewalks on Union Street being repaired and the bricks not being replaced. She asked that the city consider re-installing the brick sidewalks.

Paige Trace said the issue of workforce housing and how the Portsmouth Housing Authority and Portsmouth Housing Authority Limited are separate entities. She stated the City Council is not listening to the public on this matter. She said the City Council needs to work for the people that voted for you.

Francis Cormier spoke to the monopolizing of the news media on various subject matters. He said there is a fusion of science with politics happening.

Councilor Tabor moved to suspend the rules to bring forward Item XI. A.1. – Town of New Castle Sewer Agreement. Seconded by Assistant Mayor Kelley and voted.

XI. CITY MANGER'S ITEMS WHICH REQUIRE ACTION

A. CITY MANAGER CONARD

1. Town of New Castle Sewer Agreement

City Manager Conard advised the Council that Deputy City Manager Woodland has added more language to the agreement, as requested by the City Council at the last meeting.

Councilor Bagley said we are making the right decision on moving forward with this agreement.

Councilor Tabor said he was struck by the length of the agreement being 20 years. Deputy City Manager Woodland said there is no compelling reason from the city's standpoint and the agreement was set up with efficiencies and improvements that the Town of New Castle would be responsible for.

Councilor Moreau asked about the flow and whether the Town of New Castle would meet those numbers. Deputy City Manager Woodland said that there are no concerns that they would reach the numbers, but regardless, we can handle the flow.

Assistant Mayor Kelley asked about improvements that are needed in the Town of New Castle. Mr. Pool from New Castle spoke to a list of improvements from 2015 that the town is working through currently.

Councilor Cook thanked Deputy City Manager Woodland for the work and advances made to the agreement.

Councilor Bagley said 20 years is a long time and suggested having a 10-year check in. Deputy City Manager Woodland said we will be in contact with the Town of New Castle more than once a year.

Councilor Cook said we have a 45-year relationship with the Town of New Castle and will support the agreement.

Mayor McEachern spoke in support of the agreement and said the goal is for the Town of New Castle investing in their infrastructure.

Councilor Moreau moved to authorize the City Manager to accept all changes to the draft wholesale sewer agreement as proposed, to finalize and execute it. Seconded by Councilor Lombardi and voted.

X. PUBLIC HEARINGS AND VOTE ON ORDINANCES AND/OR RESOLUTIONS

Adoption of Proposed Budget Resolutions:

A. Adoption of Budget Resolutions for Fiscal Year July 1, 2023 through June 30, 2024 (FY24)

- **Resolution No. 9-2023 – Municipal Fees**

City Manager Conard said we are here with a presentation on the budget and informed the City Council that last week our triple A bond rating was retained. She stated we will be looking at the budget over the last five years and its growth.

Finance Director Belanger spoke to the last five years and its unusual nature due to COVID-19. She addressed changes in FY21 – FY23 with the evolution of Information Technology and moving away from outside consultants. She also addressed Economic Development, becoming its own department. She addressed long-standing financial planning. She said all employees received a 4% salary adjustment totaling \$2,389,309 due to inflation and retention efforts. She reviewed the five-year budget history and reported the average increase to the budget was 3.75%.

Assessor Lentz spoke to equalized assessed valuation and said that the Department of Revenue Administration (DRA) adjusts every community's Modified Assessed Valuation annually by the Weighted Mean Sales Ratio. She reported that the Weighted Mean Sales Ratio (equalization ratio) is determined annually by the DRA who conducts a sales ratio study of every community throughout the state using qualified market sales that occurred between October 1 and September 30. She briefly addressed commercial versus residential growth and how that offsets the tax rate.

Finance Director Belanger spoke to the use of fund balance and how that offsets taxes. She reported the budgetary use of fund balance from FY17 to proposed FY24 is \$21,335,879.00 (*at the time of setting the tax rate*).

Councilor Blalock thanked Finance Director Belanger for the presentation and stated he was pleased to see the growth versus tax rate.

Mayor McEachern said we must be mindful that there is less revenue coming in from the state.

Mayor McEachern reopened the budget public hearing and called for speakers.

Paige Trace expressed concern regarding the city having citizens taking the initiative to plant flowers in Commercial Alley because we didn't have the \$1,000.00 to pay for the plantings. She also spoke regarding what she believes to be an inflated budget.

Zelita Morgan said budgets are consequential in many ways and impacts the social fabric of the community. She stated there needs to be more transparency in what is considered affordable to the City Council and the budget process should start at zero percentage. She said we are losing residents because they can no longer afford to live in the city.

Esther Kennedy said this is the number one thing you must do as a City Council, is the budget. She expressed concern with the hiring of an Informational Technology Director rather than continuing to outsource that service.

Petra Huda said that the City Council should be asking for a 3.2% cut in the budget. She expressed her opposition to the use of fund balance because she feels it sends up a red flag, which will affect maintaining a triple A bond rating. She spoke opposed to the addition of 7 new positions this year when last year you increased the budget by 27 new positions.

Shawn Musky expressed his opposition to the Council considering redevelopment of Sherburne School as workforce housing.

With no further speakers, Mayor McEachern declared the public hearing closed.

Mayor McEachern spoke to the appropriation in FY22 on December 21st by the Council of \$2.2 million for the skatepark. He stated that over the last five years the city has used fund balance.

Councilor Bagley said cutting the budget means looking at what you would need to do without. He stated the consensus of the community is to support the budget. He said this is a good budget and he would be supporting it, as presented.

Councilor Tabor spoke in support of the budget and pointed out that inflation is currently 6%-7% and we are only increasing the budget by 3.67%. He said it is important to note that we are losing \$3,800,000.00 in revenue and spoke to the things we will achieve with this budget.

Councilor Blalock said the Council is elected by the taxpayers and he does not take that lightly and the increase we are seeking is less than the rate of inflation.

Councilor Cook spoke to the increase in information technology and the serious security issues we face by not investing in our technology. She stated we need to retain our employees and to do that, we needed to increase wages. She said that this budget is capped below inflation at a 3.67% increase. She commended City Manager Conard and staff for keeping the budget under the rate of inflation.

Mayor McEachern said everyone expects the government to be run like a business, the only difference is we do not go out of business and need employees, good employees and we need to compete for employees. He said we are facing employees leaving for other communities. He said he does not want to spend more than we must, but it is about services. He said he has not heard from residents things that we should cut from the budget.

Councilor Bagley moved to adopt Resolution #9-2023 – Municipal Fees. Seconded by Councilor Tabor.

On a unanimous roll call vote 9-0, motion passed.

- Resolution No. 10-2023 – General Fund Expenditures

Councilor Bagley moved to adopt Resolution #10-2023 - General Fund Expenditures. Seconded by Assistant Mayor Kelley.

On a unanimous roll call vote 9-0, motion passed.

GENERAL FUND EXPENDITURES

Department	Appropriation
General Government	\$25,761,255.00
Police	\$13,392,993.00
Fire	\$10,460,307.00
School	\$60,577,961.00
Collective Bargaining	\$563,000.00
Transfer to Indoor Pool	\$200,000.00
Transfer to Prescott Park	\$243,653.00
Transfer to Community Campus	\$476,443.00
Non-Operating	\$25,607,763.00
Total	\$137,283,375.00

- Resolution No. 11-2023 – Water Fund Expenditures

Councilor Lombardi moved to adopt Resolution #11-2023 – Water Fund Expenditures. Seconded by Councilor Blalock.

On a unanimous roll call vote 9-0, motion passed.

- *Appropriated sum of \$11,944,697.00 to defray expenses for the operations of the water system*
- *Cash requirement of \$12,392,452.00 to defray expenses for the operations of the water system*
- *Water user rate effective July 1, 2023, is \$4.74 per unit for the first 10 units of water consumed per month, and \$5.70 per unit for all units consumed thereafter to yield a portion of revenue to meet the cash requirements for the operation of the City of Portsmouth's water system*
- *Water irrigation user rate effective July 1, 2023, is \$5.70 per unit for the first 10 units of water consumed per month, \$10.76 for consumption over 10 and up to 20 units consumed, and \$13.28 per unit for all units consumed thereafter to yield a portion of revenue to meet the cash requirements for the operation of the City of Portsmouth's water system*

- Resolution No. 12-2023 – Sewer Fund Expenditures

Councilor Moreau moved to adopt Resolution #12-2023 – Sewer Fund Expenditures. Seconded by Councilor Lombardi.

On a unanimous roll call vote 9-0, motion passed.

- *Appropriated sum of \$21,684,216.00 to defray expenses for the operation of the sewer system*
- *Cash requirements of \$24,700,040 for the purpose of principal debt repayment, purchase of assets, and to defray expenses for the operations of the sewer system*
- *Sewer user rate effective July 1, 2023 is \$16.49 per unit for the first 10 units of consumption per month, and \$18.14 per units for all units used thereafter to yield a portion of revenue to meet the cash requirements for the operation of the City of Portsmouth's sewer system*

- Resolution No. 13-2023 – Special Revenues, (Including American Rescue Plan Act (ARPA) Debt Service, Fund and Committed Fund Balances for Necessary Expenditures

Councilor Blalock moved to adopt Resolution #13-2023 – Special Revenues (Including American Rescue Plan Act (ARPA)), Debt Service Fund, and Committed Fund Balance for Necessary Expenditures for the Fiscal Year Ending June 30, 2024. Seconded by Councilor Lombardi.

On a unanimous roll call vote 9-0, motion passed.

- **Appropriated supplemental funding from the General Fund Committed Health Insurance Fund Balance to defray the expenses of Health Insurance costs in excess of General Fund Appropriations for Health Insurance Premiums for Fiscal Year ending June 30, 2024**
- **Appropriated supplemental funding from the General Fund Committed Leave at Termination Fund Balance to defray the expenses of Leave at Termination in excess of General Fund Appropriations for Leave at Termination for Fiscal Year ending June 30, 2024**
- **Appropriated supplemental funding from any other General Fund Committed Fund Balance to defray expenses for Fiscal Year ending June 30, 2024**
- **Appropriated any sums necessary to pay debt service associated with Betterment Assessments, to include principal and interest, from a Debt Service Fund for Fiscal Year ending June 30, 2024**
- **Appropriated in Governmental or Enterprise Funds any Special Revenues received. Special Revenues include, but not limited to, Parking & Transportation, Community Campus, Indoor Pool, Stormwater, Prescott Park, Federal, State, and Local Grants and Donations for Fiscal Year ending June 30, 2024**
- **Appropriated any sums received from Special Revenue Sources, to a maximum of \$38,000,000.00 for the purpose for which such sums may be lawfully expended to include**
- **Appropriation of Special Revenue Funds will include the use of American Rescue Plan Act (ARPA) funds in the amount of \$909,000.00**

- Resolution No. 14-2023 – Investment Policy

Councilor Lombardi moved to adopt Resolution #14-2023 – Investment Policy. Seconded by Councilor Bagley.

On a unanimous roll call vote 9-0, motion passed.

At 9:25 p.m., Mayor McEachern declared a brief recess. At 9:35 p.m., Mayor McEachern called the meeting back to order.

First Reading of Ordinance:

- B. First reading of Ordinance amending Chapter 4, Article I – Food Licensing and Regulations, Section 4.101 – Adoption of the FDA 2022 Food Code, Section 4.102 – Amendments, Additions and Deletions to Food Code, Section 4.103 – Adoption of Specific Parts He-P 2300, as amended, and Section 4.107 – Term of License

Assistant Mayor Kelley moved to pass first reading and schedule a public hearing and second reading for June 20, 2023 City Council meeting. Seconded by Councilor Lombardi and voted.

XI. CITY MANAGER'S ITEMS WHICH REQUIRE ACTION

A. CITY MANAGER CONARD

- 2. Temporary Construction License for Lucky Thirteen Properties, LLC 147 Congress Street

City Manager Conard said this license is to encumber the sidewalks along Congress Street and Maplewood Avenue that abut 147 Congress Street.

Councilor Cook inquired about signage to direct pedestrians during the upcoming tourist season. City Manager Conard said the Construction Management Plan is part of those items.

Assistant City Attorney Ferrini addressed the various parts of the plan and the license for encumbering the sidewalks. She said signage would be put in place directing pedestrians to safe passageway.

Andy Wilson, subcontractor spoke regarding the project and request for license. He spoke about the Construction Management Plan and outlined the requirements laid out in that plan. He also mentioned that there would be a police detail for the closure requirements.

Mayor McEachern said he would like to see our Economic Development Director/Assistant City Manager Clancy inform businesses of this project. Andy indicated they have sent out over 60 certified letters to businesses regarding the project which was part of the Construction Management Plan.

Councilor Moreau moved to authorize the City Manager to execute and accept the temporary construction license to encumber the sidewalks along Congress Street and Maplewood Avenue that abut 147 Congress Street as requested. Seconded by Councilor Blalock and voted.

XII. CONSENT AGENDA

Councilor Cook requested to remove Item D. from the Consent Agenda to vote on it separately.

- A. Request from James Nadeau, LandVest, to install a Projecting Sign at 56 State Street (*Anticipated action – move to approve the aforementioned Projecting Sign License as recommended by the Planning & Sustainability Director, and further, authorize the City Manager to execute the License Agreement 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 projecting sign, for any reason, shall be done at 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*

- B. Request from Elizabeth Andrews, Market Square Jewelers, to install a Projecting Sign at 124 Congress Street (***Anticipated action – move to approve the aforementioned Projecting Sign License as recommended by the Planning & Sustainability Director, and further, authorize the City Manager to execute the License Agreement 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 projecting sign, for any reason, shall be done at 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***
- C. Letter from Cristine More, Wentworth-Douglass Hospital, requesting permission to hold the 10th Annual Seacoast Cancer 5K Festivities at the Pease Tradeport on Saturday, September 23, 2023 and Sunday, September 24, 2023 (***Anticipated action – move to refer to the City Manager with Authority to Act***)

Councilor Moreau moved to adopt the Consent Agenda. Seconded by Councilor Bagley and voted.

- D. Letter from Mike Effenberger, Seacoast Jazz Society, requesting permission to hold a street performance in three locations – the Vaughan all stage, Market Square (by the North Church) and the open space area by the tugboats, for Jazz In The Street on 5 Saturdays this summer (July 1, 2023; July 7, 2023; July 28, 2023; August 5, 2023 and August 19, 2023) from 12:30 p.m. – 2:00 p.m.

Councilor Bagley moved to refer to the City Manager with Authority to Act. Seconded by Councilor Lombardi and voted. Councilor Cook abstained from voting on this matter as she is a member of the Jazz Society.

XIII. PRESENTATIONS AND WRITTEN COMMUNICATIONS

- A. Email Correspondence

Councilor Blalock moved to accept and place on file. Seconded by Assistant Mayor Kelley and voted.

- B. Letter from Sam Accardi, Yellow Fin Events LLC, requesting permission to hold the Bikes & Beers Cycling event with Cisco Brewers to benefit the Bike Walk Alliance of New Hampshire on Saturday, July 22, 2023 at the Pease Tradeport

Councilor Moreau moved to refer to the City Manager with Authority to Act. Seconded by Assistant Mayor Kelley and voted.

- C. Letter from Valerie Rochon, Managing Director, Portsmouth NH 400th, Inc., requesting permission to install lawn signs on municipal property, primarily in gateway areas at the end of June and removed before snow falls as part of the PNH400's overall marketing

Councilor Moreau moved to refer to the City Manager with Authority to Act. Seconded by Assistant Mayor Kelley.

Councilor Denton expressed concern that allowing this request would open to all other organizations wishing to place lawn signs on municipal property.

City Attorney Morrell said the ordinances regarding this matter is not entirely clear on signs on municipal property. She said the ordinance needs clarification and runs the risk of public forum.

Councilor Moreau said we need an update to the sign ordinance.

Mayor McEachern said we allowed signs for PFAS in the past.

City Attorney Morrell said there is contradictory practice by the administration that we need to look at.

Motion passed.

XIV. MAYOR McEACHERN

1. Appointments to be Considered:
 - Appointment of Linnea Grim to the Arts and Nonprofits Committee, President & CEO of Strawberry Banke Museum Representative
 - Reappointment of Jessica Blasko to the Conservation Commission
 - Appointment of Adam Fitzpatrick to the Conservation Commission
 - Reappointment of Abigail Gindele to the Conservation Commission
 - Reappointment of Barbara McMillan to the Conservation Commission
 - Reappointment of Allison Tanner to the Conservation Commission
 - Reappointment of Lynn Vaccaro to the Conservation Commission
 - Appointment of Linnea Grim to the Prescott Park Master Plan Implementation Blue Ribbon Committee

The City Council considered the appointments outlined above and will act upon them at the June 20, 2023 City Council meeting.

2. Appointments to be Voted:
 - Reappointment of David Adams to the Historic District Commission
 - Reappointment of Peter Britz to the Rockingham Planning Commission

Councilor Lombardi moved to reappoint David Adams to the Historic District Commission until June 1, 2026. Seconded by Councilor Blalock and voted.

Councilor Moreau moved to reappoint Peter Britz to the Rockingham Planning Commission. Seconded by Assistant Mayor Kelley and voted.

3. Resignation of Ernie Carrier from the Planning Board

Councilor Moreau moved to accept with regret the resignation of Ernie Carrier from the Planning Board. Seconded by Assistant Mayor Kelley and voted.

XV. CITY COUNCIL MEMBERS

A. COUNCILOR TABOR

1. Portsmouth Community Power launch: June statistics on enrollment and customer savings

Councilor Tabor reported that over 800 residents have joined Community Power and informed the Council that this cleaner power is currently saving customers \$9.00 per month. He also announced that the rates will reset on August 1st.

B. COUNCILOR MOREAU

1. Report Back on Land Use Committee meeting of June 2, 2023

Councilor Moreau provided a detailed report regarding the June 2nd meeting of the Land Use Committee. She spoke to the presentation by Portsmouth Housing Authority Executive Director Welch and Adam Ruedig, President of PHA Housing Development, Limited Directors regarding workforce housing.

Assistant Mayor Kelley said when the committee was formed, we were not just there to tackle the housing matter. She said we need to decide what are the best next steps and does the city spend money moving forward. She said we are looking for guidance from the Council because of funds needing to be expended to move this matter forward. She said the Sherburne property is a good place for affordable housing and we need to make affordable housing a priority in the city. She said if we use the site and remove the softball field, we will build another field. Assistant Mayor Kelley said we will make sure that the building remains if not for housing, we look at what other alternatives. She stated we must include all residents in the discussions moving forward on this matter.

Councilor Blalock spoke to the discussion that the Land Use Committee had on workforce housing. He said having Portsmouth Housing Authority Executive Director Welch at the meeting was informative. He said he feels that the Sherburne property is the best path forward.

Councilor Bagley spoke to Sherburne being the property which rose to the top in discussions. He said we want to move forward on this and engage the neighborhood. He said if there is a desire to move forward with a non-profit for development, he would encourage the use of Portsmouth Housing Authority because of their experience.

Mayor McEachern said we have an opportunity to build affordable housing and when it comes to Portsmouth Housing Authority, they are the creators of public housing. He said he looks forward to a motion to set us on a path forward. He stated he would like to hear from the Portsmouth Housing Authority at the next City Council meeting and set up a Blue Ribbon Committee around this matter.

Councilor Denton moved to suspend the rules to continue the meeting beyond 10:30 p.m. Seconded by Assistant Mayor Kelley and voted.

Councilor Bagley moved to invite Portsmouth Housing Authority to provide a presentation at the June 20, 2023 City Council meeting reporting on options for the Sherburne School site, taking into account the feedback we received during the previous work session held at the Sherburne School site. Seconded by Councilor Moreau.

Councilor Denton moved to amend the motion that city staff provide estimates for engineering costs of the site. Seconded by Councilor Lombardi and voted.

Discussion followed regarding Portsmouth Housing Authority applying for tax credits.

Councilor Moreau suggested that we seek the assistance of our Housing Navigator as part of the plan forward.

Main motion passed as amended.

XVI. APPROVAL OF GRANTS/DONATIONS

- A. Acceptance of Donation to the Senior Activity Center from service Credit Union to support refreshments for our Veterans Coffee Afternoons - \$1,200.00

Assistant Mayor Kelley moved to approve and accept the donation as presented. Seconded by Councilor Bagley and voted.

- B. Acceptance of Donation to the Skateboard Park from Lisa Morse - \$1,000.00

Councilor Blalock moved to approve and accept the donation as presented. Seconded by Councilor Lombardi and voted.

XVIII. MISCELLANEOUS BUSINESS INCLUDING BUSINESS REMAINING UNFINISHED AT PREVIOUS MEETING

Mayor McEachern announced that this weekend is Market Square Day and he will be running in the Market Square race this year. He also spoke to the Mayor's Bike Ride occurring on Sunday, June 11, 2023. He congratulated all Portsmouth High School seniors that will be graduating on Friday, and briefly spoke to the 400th Parade held over the weekend. He extended his thanks and appreciation to everyone for their involvement and efforts made for a great event.

Councilor Moreau expressed her thanks to Trevor Bartlett, Brinn Sullivan, Monte Bonhanan and Russ Grazier for their work on the parade.

XIX. ADJOURNMENT

At 10:50 p.m., Councilor Bagley moved to adjourn. Seconded by Assistant Mayor Kelley and voted.

A handwritten signature in black ink that reads "Kelli L. Barnaby". The signature is written in a cursive, flowing style.

KELLI L. BARNABY, MMC/CNHMC
CITY CLERK

CITY COUNCIL MEETING

MUNICIPAL COMPLEX
DATE: TUESDAY, JUNE 20, 2023

PORTSMOUTH, NH
TIME: 7:00PM

On a unanimous voice vote 9-0, Assistant Mayor Kelley moved to close the Non-Public Session and seal the minutes. Seconded by Councilor Lombardi and voted.

III. CALL TO ORDER

Mayor McEachern called the meeting to order at 7:05 p.m.

IV. ROLL CALL

PRESENT: Mayor McEachern, Assistant Mayor Kelley, Councilors Tabor, Denton, Moreau, Bagley, Lombardi, Blalock, and Cook

V. INVOCATION

Mayor McEachern asked for a moment of silent prayer.

VI. PLEDGE OF ALLEGIANCE

Mayor McEachern led in the Pledge of Allegiance to the Flag.

PROCLAMATION

1. Golden Rule "Sailboat of Peace"

Mayor McEachern read the Proclamation declaring June 22, 2023 as Golden Rule Day in Portsmouth and extended a warm welcome to Golden Rule and its crew, wishing them safe and successful journeys.

Mayor McEachern presented the Proclamation to Diane Stradling who accepted it with thanks and appreciation.

VII. ACCEPTANCE OF MINUTES – MAY 1, 2023 CITY COUNCIL MEETING

Councilor Tabor moved to accept and approve the minutes of the May 1, 2023 City Council meeting. Seconded by Assistant Mayor Kelley and voted.

IX. PUBLIC COMMENT SESSION

Ruben Yzaguirre said the Sherburne Neighborhood is unanimously opposed to a work force housing project at the Sherburne School. He said that Portsmouth Housing Authority is trying to attain as much free land as possible to develop with their own interests in mind.

Brandie Kramer said more information is needed on the Sherburne plan and its potential effects on the city and neighborhood.

Peter Jones said the Land Use Committee, City Council and Portsmouth Housing Authority are playing key roles on the Sherburne School project. He said PHA Director Welch was appointed by the City Council to serve on the Land Use Committee, but he feels that is a conflict of interest. He asked if there were any other developers being considered for the Sherburne project.

Peter Officer called into question the process on the Sherburne project. He said the project seems to be full speed ahead. He questioned how PHA Director Welch could serve on the Land Use Committee and vote while serving as the director of PHA.

Manny Garganta spoke regarding the Sherburne School and possibly having work force housing located there. He said this will have a real effect on the neighborhood and that needs to be considered before moving forward with anything.

Jackie Cali-Pitts said she lives in senior housing and there is a need for more affordable housing in the city. She said the City Council needs to consider the unintended consequences of your actions. She urged the City Council not to give away land.

Sue Polidura said you need to pay attention to the residents' concerns regarding Sherburne School. She also inquired about the new auditing firm and when the new audit would take place.

Nicholas Ristaino urged the City Council to continue to look at other sites to build affordable housing on. He said there is talk of a Blue Ribbon Committee being created and he would like to see that happen right away. He said a scaled back version of work force housing could be built at the Sherburne location.

Irish Mike spoke to the American Flag and said it should be waved proudly by all. He addressed proper flag protocol and requested that the American Flag be flown on every light pole in the city as is done in other communities.

Francis Cormier spoke regarding low-income housing and the need for more in the city and suggested that it be built on Lafayette Road.

Shawn Muske spoke to the value of Sherburne School and that the neighborhood is against it being used for work force housing.

Megan Corsetti urged that the presentation by PHA be held prior to the public comment. She said there needs to be a Blue Ribbon Committee created before a plan is developed. She suggested that the lower lot of City Hall be considered for work force housing to be located.

Aaron Garganta spoke regarding concerns of Sherburne School for work force housing and expressed concerns regarding such a plan. He spoke of the lack of transparency on other locations for this project to create work force housing. He said such a project would need to be developed and approved as a whole. He spoke of the need for a full traffic study of the area before any plan is brought forward.

Camie Saunders said the neighborhood is more important than your political plans. She said you need to listen to the residents and hear their concerns.

Peter Harris spoke to his email on traffic concerns regarding the intersection of Congress, Middle and Islington Streets. He said he does not understand the on-street dining for Jumpin Jays and The Goat but not allowing it for the Clipper Tavern. He said the intersection is a safety and liability issue for the City.

Erik Anderson expressed his concerns regarding Sherburne School project. He said this is a sensitive issue for the residents and community. He said he does not like the process being followed this evening because the presentation is taking place after public comment is held. He said there needs to be more public input following the presentation. He expressed support for the creation of a Blue Ribbon Committee on this matter.

Mayor McEachern said we will come back at the next City Council meeting with a process to involve the public and more conversations will take place.

Paige Trace said the presentation in the packet by PHA has no transparent information. She said everyone agrees with the need for work force housing. She said this is a serious matter and affects residents that voted for all of you. She said you should not talk at the resident's but to them and listen.

Petra Huda spoke on the bond resolution in the packet for \$38.6 million. She said she wants the City Council to ask for the status of last year's projects and if they are completed before funding more projects. She expressed concern of bonding for the schools and what happened to the ESSER Funds. She expressed opposition to the funding request for parking offices at the Foundry Garage and asked if they are really needed. She said the matter of Sherburne School should be put to a public hearing for the residents to be heard.

Sean Maloney spoke opposed to bike lanes in the city. He addressed the roundabout at Bartlett and Thornton and said it was a bad idea. He said residents are no longer being listened to on matters of importance in the city. He said property taxes are out of control.

Kate Fish said her home will be most directly affected by the development of Sherburne School. She feels the concerns regarding this matter have not been brought forward by the City Council. She said the neighborhood has one way in and that needs to be considered when developing a plan.

Rick Becksted said the presentation should have been held first and then allow comments by the public. He spoke of the need for multiple meetings to hear from the neighborhood. He said that this is moving quickly, and residents feel like the Council is trying to push this through before the next election. He said that this is affecting people's quality of life and we need to slow this project down.

Lisa Haggerty McMahon spoke regarding the sewer separation project on Union Street and the removal of the brick sidewalk. She said there needs to be a vote taken by the Council on whether the bricks should remain.

Liza Hewitt, *via zoom*, spoke regarding the intersection of Congress Street and Maplewood Avenue and its dangerous nature. She said no traffic lane should have been allowed for outdoor dining on Congress Street. She expressed her concern regarding the potential for a serious accident or worse.

Mark from the Park spoke about improvements to Prescott Park and the lack of funding.

Councilor Denton moved to suspend the rules to bring forward Item XIII. A. – Presentation by the Portsmouth Housing Authority Regarding Preliminary Study of Sherburne School Work Force Housing at 35 Sherburne Road. Seconded by Assistant Mayor Kelley and voted.

XIII. PRESENTATIONS AND WRITTEN COMMUNICATIONS

- A. Presentation by the Portsmouth Housing Authority Regarding Preliminary Study of Sherburne School Workforce Housing at 35 Sherburne Road

Thomas Ferrini, Chair of Portsmouth Housing Authority and Adam Ruedig, President of PHA Housing Development Ltd. provided a presentation regarding preliminary study of Sherburne School Workforce Housing. The study included reviewing the opportunity to build below market rate housing at the Sherburne School property. Chair Ferrini reported that the site meets key criteria qualifying it as an attractive site for the development of exactly the type of housing needed in Portsmouth.

President Ruedig addressed site analysis touching on economies of scale, neighborhood context, the historic preservation of Sherburne School building, environmental conditions, traffic, sustainable development opportunity, recreational opportunities, and property taxes.

Chair Ferrini reviewed recommended key milestones for a preliminary analysis, engagement and concept design, design development and construction. He stated that construction could potentially be completed in June 2026 if the process moves forward.

Discussion followed among the City Council relating to process and the development of affordable housing. Mayor McEachern said the next step is to come back to the City Council with a resolution to proceed in conjunction with creating a process to follow.

At 9:25 p.m., Mayor McEachern declared a brief recess. At 9:40 p.m., Mayor McEachern called the meeting back to order.

X. PUBLIC HEARINGS AND VOTE ON ORDINANCES AND/OR RESOLUTIONS

Public Hearing/Second Reading of Ordinance

- A. Public Hearing/Second reading of Ordinance amending Chapter 4, Article I – Food Licensing and Regulations, Section 4.101 – Adoption of the FDA 2022 Food Code, Section 4.102 – Amendments, Additions and Deletions to Food Code, Section 4.103 – Adoption of Specific Parts He-P 2300, as amended, and Section 4.107 – Term of License
- **PRESENTATION**
 - **CITY COUNCIL QUESTIONS**
 - **PUBLIC HEARING SPEAKERS**
 - **ADDITIONAL COUNCIL QUESTIONS AND DELIBERATIONS**

Councilor Moreau moved to pass second reading and schedule a third and final reading at the July 10, 2023 City Council meeting. Seconded by Councilor Cook.

Health Officer McNamara provided an update on the food code and advised the Council that most of the changes are housekeeping items to bring the code up to 2022. She said there are updates to adapt to industry changes and these updates will have minimum impact on operations.

Mayor McEachern read the legal notice, declared the public hearing open and called for speakers. With no speakers, Mayor McEachern declared the public hearing closed.

Motion passed.

XI. CITY MANAGER'S ITEMS WHICH REQUIRE ACTION

A. CITY MANAGER CONARD

1. Request for First Reading for Annual Omnibus Ordinance Change

City Manager Conard said she is requesting to bring back first reading of the Omnibus Ordinance changes at the July 10, 2023 City Council meeting.

Councilor Bagley moved to schedule first reading at the July 10, 2023 City Council meeting. Seconded by Councilor Lombardi and voted.

2. Request for Public Hearing Regarding Various Bonding Resolutions for Projects to Begin in FY24

Assistant Mayor Kelley moved to authorize the City Manager to bring back for Public Hearing and Adoption, the various proposed CIP projects to be bonded, as presented, for the July 10, 2023 City Council meeting. Seconded by Councilor Bagley and voted.

3. Right of Way Easement Deed for Property Located at the Intersection of Sagamore Grove Road and Sagamore Avenue

City Manager Conard stated that site review approval was given in 2022 for this project.

Councilor Moreau moved to authorize the City Manager to accept and record a right of way easement deed in substantially similar form to the easement deed from Sagamore Corner, LLC contained in the agenda packet. Seconded by Assistant Mayor Kelley and voted.

4. Bellamy Source Protection Easement for the Fernald Property

City Manager Conard said there are three requests for you to act upon this evening. She said we would establish a public hearing for a supplemental appropriation if needed.

Councilor Moreau moved to authorize the City Manager to enter into a Grant Agreement to accept up to \$739,000.00 from the State of New Hampshire's Drinking Water and Groundwater Trust Fund's Land Conservation Grant and Loan Program to be used toward this purchase. Seconded by Assistant Mayor Kelley and voted.

Councilor Moreau moved to authorize the City Manager to enter into a Grant Agreement to accept up to \$25,000.00 from the State of New Hampshire Department of Environmental Services Local Source Water Protection Program to be used toward this purchase. Seconded by Councilor Lombardi and voted.

Councilor Moreau moved to establish a Public Hearing July 10, 2023 for a supplemental appropriation of \$1,478,000.00 from the Water Enterprise Fund using a grant of up to \$739,000.00 from the New Hampshire Drinking Water and Groundwater Trust Fund, a grant of up to \$25,000.00 from NHDES Local Source Water Protection Program, and the remaining \$714,000.00 from Net Position with the understanding the City staff will pursue additional funding via U.S. Senator Shaheen's Congressionally Directed Funding request to the FY2024 Interior, Environmental, and Related Agencies Appropriations Bill. Seconded by Councilor Lombardi and voted.

XII. CONSENT AGENDA

- A. Request from Edward Szczepanik, EAD Woodwork, LLC, to install a Projecting Sign at 15 Penhallow Street Unit 2 (*Anticipated action – move to approve the aforementioned Projecting Sign License as recommended by the Planning & Sustainability Director, and further, authorize the City Manager to execute the License Agreement 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 projecting sign, for any reason, shall be done at 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*

- B. Request from James Reynolds, Salt Salon, to install a Projecting Sign at 28 Deer Street (*Anticipated action – move to approve the aforementioned Projecting Sign License as recommended by the Planning & Sustainability Director, and further, authorize the City Manager to execute the License Agreement 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 projecting sign, for any reason, shall be done at 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***

- C. Letter from Jonathan Day, Portsmouth Halloween Parade, requesting permission to hold the 28th Portsmouth Halloween Parade on Tuesday, October 31, 2023 (***Anticipated action – move to refer to the City Manager with Authority to Act***)

Assistant Mayor Kelley moved to adopt the Consent Agenda. Seconded by Councilor Lombardi and voted.

XIII. PRESENTATIONS AND WRITTEN COMMUNICATIONS

- B. Email Correspondence

Assistant Mayor Kelley moved to accept and place on file. Seconded by Councilor Bagley and voted.

- C. Letter from Tina Sawtelle, The Music Hall, requesting permission for the closure of Chestnut Street on Saturday, July 8, 2023 for “Dan Brown’s Wild Symphony”

Assistant Mayor Kelley moved to refer to the City Manager with Authority to Act. Seconded by Councilor Blalock and voted.

- D. Letter from Allan Scholtz, Portsmouth Professional Firefighters Local 1313, requesting permission to hold a Charity Pickleball Tournament at Community Campus on Saturday, September 16, 2023, from 8:00 a.m. to 5:00 p.m.

Assistant Mayor Kelley moved to refer to the City Manager with Authority to Act. Seconded by Councilor Bagley and voted.

- E. Letter from Mark Lefebvre, Pinetree Institute, requesting permission to deliver services within the city at a designated parking space for 2 hours per week

Councilor Moreau moved to refer to the City Manager with Authority to Act. Seconded by Councilor Bagley.

Councilor Cook asked if this is something we have done in the past. Health Officer McNamara said we have not but there is a need for it. Councilor Cook said other mobile services are provided could we have them in the city. Health Officer McNamara said that is up to other organizations to come forward and make a request to the Council.

Motion passed.

XIV. MAYOR McEACHERN

1. Appointment to be Considered:
 - James Hewitt to the Safe Water Advisory Group (SWAG)

The City Council considered the appointment of James Hewitt to SWAG to be acted upon at the July 10, 2023 City Council meeting.

2. Appointments to be Voted:
 - Appointment of Linnea Grim to the Arts and Nonprofits Committee, President & CEO of Strawberry Banke Museum Representative
 - Reappointment of Jessica Blasko to the Conservation Commission
 - Appointment of Adam Fitzpatrick to the Conservation Commission
 - Reappointment of Abigail Gindele to the Conservation Commission as an Alternate
 - Reappointment of Barbara McMillan to the Conservation Commission
 - Reappointment of Allison Tanner to the Conservation Commission
 - Reappointment of Lynn Vaccaro to the Conservation Commission
 - Appointment of Linnea Grim to the Prescott Park Master Plan Implementation Blue Ribbon Committee

Councilor Tabor voted to approve the following appointments/reappointments as listed. Seconded by Councilor Lombardi and voted.

Linnea Grim to the Arts and Nonprofits Committee, President & CEO of Strawberry Banke Museum Representative.

Jessica Blasko, Adam Fitzpatrick, Abigail Gindele as an Alternate, Barbara McMillan, Allison Tanner, and Lynn Vaccaro to the Conservation Commission until April 1, 2026.

Linnea Grim to the Prescott Park Master Plan Implementation Blue Ribbon Committee.

XV. CITY COUNCIL MEMBERS**A. COUNCILOR MOREAU**

1. Update on Sculpture Design at Bohenko Gateway Park

Councilor Moreau presented the designs for the cutout sculpture that will be installed at the Bohenko Gateway Park.

B. COUNCILOR BAGLEY

1. Parking & Traffic Safety Committee Action Sheet and Minutes of the June 1, 2023 meeting

Councilor Bagley moved to accept and approve the action sheet and minutes of the June 1, 2023 Parking & Traffic Safety Committee. Seconded by Councilor Moreau.

Councilor Bagley reported that the new roundabout was discussed, and the Parking & Traffic Safety Committee is evaluating it for 30 days before moving forward.

Councilor Moreau said residents living close to the roundabout support it but those driving through it do not like it.

Motion passed.

2. Request for First Reading regarding Amendment to Chapter 7, Article VI – LOADING ZONES, Section 7.601 – **LIMITED HOURS LOADING ZONES**

Councilor Bagley moved to schedule first reading of Chapter 7, Article VI – LOADING ZONES, Section 7.601 – LIMITED HOURS LOADING ZONES at the July 10, 2023 City Council meeting. Seconded by Councilor Lombardi and voted.

3. A PTS Action item from the June 1, 2023 meeting also includes an amendment to Chapter 7, Article X – Towing, Section 7.1004 that increases the amount of outstanding fines that trigger the boot and tow penalty from \$150 to \$250.

Request for First Reading regarding Amendment to Chapter 7, Article X – TOWING, Section 7.1004 – **TOWING OR IMMOBILIZATION OF MOTOR VEHICLES FOR NON-PAYMENT OF PARKING FINES**

Councilor Bagley moved to schedule first reading of Chapter 7, Article X – TOWING, Section 7.1004 – TOWING OR IMMOBILIZATION OF MOTOR VEHICLES FOR NON-PAYMENT OF PARKING FINES at the July 10, 2023 City Council meeting. Seconded by Councilor Lombardi and voted.

C. COUNCILOR COOK

1. Updates for Administrative Code

Councilor Cook moved to request first reading at the July 10, 2023 City Council meeting of changes proposed by the Governance Committee to our Administrative Ordinance, Chapter 1, Articles III and IV. The Governance Committee is submitting these changes to update the language of the ordinance to be gender appropriate, and to require that each committee appoint a Chair annually at their first January meeting. These changes are expected to bring our ordinance in line with current practice. Seconded by Councilor Lombardi and voted.

XVI. APPROVAL OF GRANTS/DONATIONS

- A. Acceptance of Lead Service Line Sampling Plan and Replacement Plan Grant Program for Portsmouth Water Works and Pease Tradeport - \$75,000.00

Councilor Bagley moved to authorize the City Manager to enter into a Grant Agreement with the State of New Hampshire Department of Environmental Services to accept up to \$75,000.00 from the Lead Service Line Sampling Plan and Replacement Plan Grant program. This Funding will be used for data mining and for the development of a service line inventory in Portsmouth that will meet the regulatory requirements associated with the EPA Revised Lead Copper Rule. Seconded by Councilor Lombardi.

Councilor Bagley said lead testing is important for the health and safety of children.

Motion passed.

- B. Acceptance if Grant from Homeland Security for the Police Department - \$31,819.70

Councilor Moreau moved to approve and accept the grant as presented. Seconded by Councilor Lombardi and voted.

- C. Acceptance of Victims of Crime Act (VOCA) Grant for the Police Department - \$24,759.00

Councilor Moreau moved to approve and accept the grant as presented. Seconded by Assistant Mayor Kelley and voted.

- D. Acceptance of Donation for the Police Department of Various In-Kind Items

Assistant Mayor Kelley moved to approve and accept the donations as presented. Seconded by Councilor Moreau and voted.

XVII. CITY MANAGER'S INFORMATIONAL ITEMS

- 1. Update on FlashVote

City Manager Conard reported that FlashVote will roll out tomorrow and we have over 700 residents signed up for the first survey which will contain 5 questions regarding community priorities. She stated that the survey is open for 48 hours with the results publicly available upon completion.

- 2. Amendment to Pedestrian Crossing Plan for 147 Congress Street Temporary Construction License

City Manager Conard advised the Council that the sidewalk at the corner of Maplewood and Congress is open to provide a refuge area for pedestrians to use the crosswalk and have adjusted the crossing signals and signage to permit pedestrian crossing at the corner.

- 3. Prescott Park Public Forum Area

City Manager Conard informed the City Council that the City is going to remove all locks from the fence (which it does periodically anyway) and provide signage that makes it clear that no signs, bunting, flags, locks or other items may be affixed to municipal property, including the fence. This will be communicated to all users.

4. PDA Update

City Manager Conard provided a brief update on the recent meeting of the Pease Development Authority. She briefly addressed the extension of the Millionaire project. She also mentioned that the golf course now provides a full water service midway through the course.

5. Audit Firm (Not on Agenda)

City Manager Conard announced that she has signed a contract with CLA, and the staff is ready to move forward with the audit.

XVIII. MISCELLANEOUS BUSINESS INCLUDING BUSINESS REMAINING UNFINISHED AT PREVIOUS MEETING

Councilor Moreau moved to suspend the rules to take up third and final reading of the Ordinance amending Chapter 4, Article I – Food Licensing and Regulations, Section 4.101 – Adoption of the FDA 2022 Food Code, Section 4.102 – Amendments, Additions and Deletions to Food Code, Section 4.103 – Adoption of Specific Parts He-P 2300, as amended, and Section 4.107 – Term of License. Seconded by Councilor Bagley and voted.

Third and final reading of Ordinance amending Chapter 4, Article I – Food Licensing and Regulations, Section 4.101 – Adoption of the FDA 2022 Food Code, Section 4.102 – Amendments, Additions and Deletions to Food Code, Section 4.103 – Adoption of Specific Parts He-P 2300, as amended, and Section 4.107 – Term of License

Assistant Mayor Kelley moved to pass third and final reading of the ordinance, as presented. Seconded by Councilor Moreau and voted.

Councilor Lombardi announced that there will be a Public Information Session concerning the Mayor's Blue Ribbon Task Force on Historical Archives on Wednesday, June 28, 2023 at 6:30 p.m. in the Levenson Room of the Portsmouth Public Library.

XIX. ADJOURNMENT

At 10:25 p.m., Councilor Bagley moved to adjourn. Seconded by Assistant Mayor Kelley and voted.



KELLI L. BARNABY, MMC/CNHMC
CITY CLERK

ORDINANCE #

THE CITY OF PORTSMOUTH ORDAINS

That Chapter 1, Article III – **BOARDS**, and Article IV – **COMMISSIONS AND AUTHORITIES** of the Ordinances of the City of Portsmouth be amended as follows (deletions from existing language **stricken**; additions to existing language **bolded**; remaining language unchanged from existing):

ARTICLE III: BOARDS

Section 1.301: CREATION

There shall be established the following Boards in the City of Portsmouth:

- A. Planning Board
- B. Recreation Board
- C. Board of Library Trustees
- D. Personnel Advisory Board
- E. Board of Trustees of the Trust Funds
- F. Zoning Board of Adjustment
- G. Building Code Board of Appeals

Section 1.302: APPOINTMENTS, TENURE AND REMOVAL

- A. All appointees to Boards shall serve for the term appointed or until a successor shall have been appointed and qualified. Appointments for unexpired terms shall be for the remainder of that term or until a successor shall have been appointed and qualified.
- B. **At the first meeting of the Board, Commission, or Authority in January of each year, the committee shall elect a Chair, unless a procedure is otherwise specified in the enabling section of the ordinance.** Records of attendance shall be kept by the Chair~~men~~ of Boards and Commissions appointed by the City Council. The attendance records of Boards and Commissions shall be reported to the City Council on an annual basis. If a member notifies the Chair~~man~~ of the Board or Commission prior to a meeting that **s/he/they** will not be able to attend the meeting due to sickness, vacation or out of town business travel, such absence will be considered an excused absence and so noted in the minutes of the meeting and the attendance sent to the Council. The City Council shall declare vacant the office of any member who has unexcused absences from more than one-third of the regularly scheduled meetings of the board or commission in any calendar year.
- C. In the case of appointees who must be removed pursuant to State Statute, the Chair~~man~~ of the Board or Commission shall notify the City Council in writing of any members in violation of the previous paragraph and such violation may be found by the City Council to be neglect of duty and may be grounds for dismissal.

- D. Every member of a board, commission or committee of the City, whose term is to expire, shall receive a notice from the City Clerk sixty (60) days prior to the expiration of his or her term. A copy of the notice shall be sent to the City Council. Public notice of the upcoming vacancy shall be advertised in the local newspaper.
- E. Eligibility for appointment to Municipal Boards shall be limited to residents of the City of Portsmouth. Any individual who is a resident of the City at the time of appointment to a Municipal Board shall become ineligible to remain on that Municipal Board in the event that the individual shall discontinue residency in the City. (Adopted 9/22/97)

Section 1.303: PLANNING BOARD

- A. Membership: The Planning Board of the City shall consist of nine (9) members and two (2) alternate members, specifically; (Adopted 1/23/95)
 - 1. The City Manager, or the designee of the City Manager with the approval of the City Council, who shall be an ex-officio member;
 - 2. An administrative official of the City selected by the City Manager who shall be an ex-officio member;
 - 3. A member of the City Council selected by the Mayor with the approval of the Council, who shall be an ex-officio member;
 - 4. Six residents of the City appointed by the Mayor with the approval of the City Council.
 - 5. Two (2) alternates who shall be residents of the City appointed by the Mayor with the approval of the City Council. (Adopted 1/23/95)
- B. Term: All Planning Board members shall serve as such without compensation and the appointed members shall hold no other municipal office except ward official, election official and checklist supervisors. The term of each appointed member shall be three (3) years. The Mayor shall apportion appointments so that no more than three appointments occur annually. (Amended 6/3/2002)
- C. Powers: The Planning Board shall have those powers and perform those duties identified by State law and local ordinance. (Amended 3/22/93)

Section 1.304: RECREATION BOARD

- A. Membership: The Recreation Board shall consist of ten members, namely the City Manager as a member ex-officio and nine persons appointed by the Mayor.
- B. Term: All board members shall be residents of Portsmouth and shall serve for a three year term without compensation. Appointments will be apportioned and appointed members shall hold no other municipal office.

- C. Functions: The Recreation Board shall perform the following functions:
1. Assist the Recreation Director in planning a city wide recreation program.
 2. Advise the City Manager in regard to recreational policy.

Section 1.305: BOARD OF LIBRARY TRUSTEES

- A. Membership and Term: The Board of Library Trustees shall consist of nine members and at least one of these members shall be a member of the Board of Education. All members shall be approved by the Mayor and shall be subject to the approval of the City Council. With the exception of the first appointments made under this authorization, all appointments shall be for a three year term and no member shall be eligible for more than two consecutive terms. First appointments made under this authorization shall be for such terms as will provide for three member's terms to expire each year.
- B. Powers and Duties of the Board of Library Trustees:
1. Adopt bylaws, rules and regulations for the conduct of its own business and choose its own officers.
 2. To determine objectives which will result in the continuing growth and improvement of library services and to establish policies necessary for the attainment of these objectives.
 3. Establish policies necessary for the operation of the library.
 4. Finances:
 - a. Prepare the annual budget for the Library in consultation with the librarian and present the same to the City Manager.
 - b. Receive and expend the income from all trust funds, donations and bequests made to the City for the benefit of the Library in accordance with the wishes of the done.
 - c. Expend all monies received from fines, payments for lost or damaged books, fees for providing non-resident services and other miscellaneous income.
 5. To recommend to the City Manager the appointment of the City Librarian and staff librarians.
 6. To prepare and present annual reports to the City covering all phases of the operation of the Library and to make an annual report to the N.H. State Library as may be required by the State Library Commission.
 7. Saving Clause: To perform all other acts necessary for the management and control of the Library.

Section 1.306: PERSONNEL ADVISORY BOARD

- A. Establishment: The Personnel Advisory Board shall be established in conformity with Section 49 of the Amended Charter of the City of Portsmouth, 1947, as amended.
- B. Functions: The Personnel Advisory Board shall perform the following functions:
 - 1. Exercise all power and perform all duties as stated in Section 49 of the Amended Charter of 1947, as amended.

Section 1.307: BOARD OF TRUSTEES OF TRUST FUND

- A. Establishment: The Board of Trustees of the Trust Funds shall be established in conformity with Section 67 of the amended charter of the City of Portsmouth, 1947.
- B. Functions: The Board of Trustees of Trust Funds shall perform the following functions:
 - 1. Exercise all power and perform all duties as stated in Section 67 of the amended Charter of 1947.
 - 2. Receive all trust funds which may donated or bequeathed to the City or any department thereof, unless otherwise provided or required.
 - 3. Distribute income and principle in accordance with the purpose for which the trusts were established.

Section 1.308: ZONING BOARD OF ADJUSTMENT

- A. Membership and Term: The Zoning Board of Adjustment shall consist of seven (7) members and two (2) alternates, all of whom shall be residents of Portsmouth, appointed for terms of five years by the Mayor with the approval of the City Council. Appointments shall be apportioned, and the Board shall annually elect a Chair~~man~~ for its membership. Members and alternates shall serve without compensation and shall hold no other municipal office except ward official, election official and checklist supervisors. The Mayor shall submit the names of appointees to the council within thirty days after a vacancy occurs. (Amended 6/3/2002; amended 03/15/2021)
- B. Functions: The Zoning Board of Adjustment shall perform the following functions:
 - 1. Exercise all power and perform such duties as stated in Chapter 673:3 of New Hampshire Revised Statutes Annotated. In addition the Board shall have those powers as set forth in the Zoning Ordinance of the City of Portsmouth, Chapter 10, of this revised Code of Ordinances. (Amended 6/3/2002)

Section 1.309: BUILDING CODE BOARD OF APPEALS

It is the intent of the City of Portsmouth to establish a Building Code Board of Appeals. This ordinance authorizes the City Council to establish said Board and directs the reader to Chapter 12 of these Ordinances (City Building Code), for the specifics regarding the appeal process, membership, member qualifications, conflicts of interest, hearings, board decisions, and administration of the Building Code Board of Appeals. (Adopted 7/9/90)

ARTICLE IV: COMMISSIONS AND AUTHORITIES

Section 1.401: RESIDENCY REQUIREMENT

Eligibility for appointment to Commissions and Authorities of the City of Portsmouth shall be limited to residents of the City of Portsmouth. Any individual who is a resident of the City at the time of appointment to a Commission or Authority shall become ineligible to remain on that Commission or Authority in the event that the individual shall discontinue residency in the City. (Adopted 9/22/97)

Section 1.402: ECONOMIC DEVELOPMENT COMMISSION

- A. Membership and Term: The Economic Development Commission shall consist of nine (9) qualified regular members and one alternate member. They shall be appointed by the Mayor subject to the approval of the City Council for a term of four years. The Mayor and City Manager shall also serve as ex-officio members of the Economic Development Commission whose terms shall correspond to their respective tenure of office. (Amended 9/22/97)
- B. Powers and Duties: The Commission shall encourage the establishment of business and industry in Portsmouth and the surrounding area and promote the welfare of local industry and general business. (Adopted as amended 12/03/90)
- C.
 - 1. The Commission shall make recommendations to the City Council concerning the acquisition, bonding, developing, building, leasing and mortgaging of commercial and industrial land and buildings and other matters incidental to attracting business and industry to Portsmouth. (Adopted as amended 12/03/90)
 - 2. It shall be the general responsibility of the Economic Development Commission to increase and sustain the business and personal prosperity of all residents of this community while protecting and maintaining the quality of our natural environment and historic and cultural assets. This process should consist of the encouragement of a broad, productive community effort to coordinate and enhance the utilization of all community resources involved in any respect with economic development. The process should further ensure that adequate financing sources are available to those qualified enterprises, which desire to start up, expand, and/or locate in our Community. (Adopted as amended 12/03/90)

Section 1.403: HISTORIC DISTRICT COMMISSION

There is hereby established an Historic District Commission and it shall have the powers prescribed in RSA 31:89a - 31:89(l) together with any amendments hereinafter enacted by the General Court and as further defined in this Section and in Article X, Chapter 10 of the Zoning Ordinances of the City of Portsmouth.

A. Membership and Term

1. **Membership:** The Historic District Commission shall consist of seven members and two alternates appointed by the Mayor with the approval of the City Council. One of the members shall be a City Council member and another may be a Planning Board member as provided by State Law. At least two members shall be residents of the Historic District and at least one member shall be a person owning or being employed in a business within the Historic District. All appointees must be residents of Portsmouth. All members are required to have demonstrated interest in and commitment to promote the purposes of historic districting as stated in this Ordinance. A member's term serving at the time of enactment of this Ordinance shall not be affected. Future appointments, however, shall be filled in accordance with the provision of this Section. (Amended 9/21/98; Amended 11/22/2010; amended 03/15/2021)
2. **Term:** The members of the Commission shall be appointed for three-year terms. In the event a vacancy is created, an interim appointment shall be made in accordance with the procedures described above to complete the unexpired term. All members shall serve without compensation.
3. **Attendance:** Records of attendance shall be kept by the Commission. The attendance records shall be reported to the City Council on an annual basis. If a member notifies the Chair~~man~~ of the Commission prior to a meeting that ~~s/he/they~~ will not be able to attend the meeting due to sickness, vacation, or business obligations such absence will be considered an excused absence and so noted in the minutes of the meeting. The appointed alternate shall serve in the absence of a member. The City Council shall declare vacant the office of any member who has unexcused absences from twenty-five percent or more of the regularly scheduled meetings of the Commission in any quarter.

B. Organization, Meetings and Rules

1. The Commission shall annually elect a Chair~~man~~, Vice-Chair~~man~~ and Secretary from the appointed members and create and fill such other offices, as it may deem necessary to fulfill its work during the first meeting of July. The Commission shall meet at the call of the Chair~~man~~ and at such other times as the majority of the Commission may determine, and shall adopt rules for the orderly conduct of meetings. Minutes of all meetings shall be kept and all records and meetings of the Commission shall be open to the public.

2. Quorum: In order for the Historic District Commission to issue a Certificate of Approval or Notice of Disapproval, at least five members must be present to constitute a quorum for the conduct of such business, and a majority of the members voting in the affirmative shall be required to issue a Certificate of Approval. (Adopted 9/25/89)

C. Powers and Duties

1. The Historic District Commission, consistent with the powers specified in the preamble of this Section, shall review and approve or disapprove all applications for construction, alteration, repair, moving and/or demolition of buildings or structures located within an historic district(s) before any building, demolition, or other permit may be issued by the Building Inspector, subject, however to the provision of the Scope of Review as specified in Article X, Section 10:1004. The review shall be limited to the exterior of the building(s) or structures and shall not apply to the interiors thereof.
2. The Building Inspector shall notify the Chair~~man~~ of the Historic District Commission within seven working days after receipt of any application for permit, which is subject to the Scope of Review and conditions of this Ordinance.
3. It shall be the duty of the Commission to file with the Building Inspector or other duly delegated authority, either a Certificate of Approval or a Notice of Disapproval following the review and determination of the application. Said certificate shall be filed with the Building Inspector within thirty calendar days after the filing of the application for said certificate, unless the applicant shall agree in writing to a longer period of time. No building permit shall be issued until a Certificate of Approval signed by the Chair~~man~~ or Vice-Chair~~man~~ has been filed with the Building Inspector. In the case of disapproval, such notice shall be binding upon the Building Inspector and no permit shall be issued. Failure to file said certificates within the specified period of time shall be deemed to constitute approval of the Historic District Commission.
4. The Commission may request reports and recommendations regarding the feasibility of the applicant's proposal from the Planning Board, Fire Chief, Building Inspector, Health Officer and such other administrative officials who may possess information pertinent to the application. The Commission may request advice from such professional, educational, cultural or other groups as may be deemed necessary for the determination of a reasonable decision. The Historic District Commission may request the City Manager to have persons present whose input is deemed necessary.
5. The Commission may request such technical assistance and consultants as may be deemed necessary to carry out the purpose of this Ordinance subject to funding, if necessary, by the City Council.

6. The Historic District Commission shall have the power to adopt by-laws, rules and regulations necessary for the conduct of business providing the same have been approved by the City Council. The Commission also shall prepare and issue guidelines to assist the applicants in determining the appropriateness of the applicant's proposal.
- D. Appeal: Any person aggrieved by a final decision of the Historic District Commission shall have a right of appeal to the Board of Adjustment as provided by State Law. Any such appeal shall be filed with the Board of Adjustment within thirty days of the date of final decision of the Historic District Commission. Any person aggrieved may apply to the Commission for a rehearing. Upon the filing of application for rehearing, which must include a written statement with reasons for the request, the Commission shall either grant or deny the same. In the event such a rehearing is granted, the Commission shall schedule the rehearing for the next regularly scheduled Commission meeting, except at the request of the Petitioner. (Adopted 9/25/89)

Section 1.404: HOUSING AUTHORITY

- A. Membership, Qualifications, Tenure: The Housing Authority shall consist of five commissioners appointed by the Mayor to apportioned five year terms. The qualifications, tenure, and succession of the said commissioners shall be those set forth in Chapters 203-5 through 203-7 of the N.H. RSA.
- B. Power: The Housing Authority shall constitute a public body corporate and politic, exercising public and essential governmental functions within the provisions of Chapter 203-8 N.H. RSA, and all other provisions of the Housing Authority Law of N.H. as contained in said Chapter 203.

Section 1.405: CONSERVATION COMMISSION

- A. Authority to Establish, Purpose: The City Council of the City of Portsmouth, New Hampshire, hereby does adopt the provisions of Chapter 36-A of the RSA of the State of New Hampshire which chapter authorizes the establishment of a conservation commission, for the promotion and development of the natural resources and for the protection of watershed resources of the City.
- B. Establishment, Duties and Powers: There hereby is established the Portsmouth Conservation Commission which shall consist of seven members and two alternates to be appointed by the Mayor with the approval of the Council. The duties and powers and terms of membership shall be set forth in said Chapter 36-A. (Amended 8/16/99)

Section 1.406: CABLE AND BROADBAND INTERNET COMMISSION (amended in its entirety 2/26/96; amended 01/23/2023)

- A. Membership, Qualifications, Tenure: The Cable and Broadband Internet Commission shall consist of five (5) commissioners and one alternate commissioner appointed by the Mayor subject to confirmation by the City Council. Of the initial appointments, three shall be of three (3) years and two shall be for

two (2) years. Thereafter, all appointments including the alternate commissioner shall be for a term of three years. The alternate commissioner shall attend all Commission meetings and may vote at any time when there are less than five commissioners otherwise voting. (Amended 10/3/05)

Commissioners shall be residents of the City of Portsmouth at the time and during the terms of their appointments. Commissioners shall be familiar with the general concepts underlying the operation of cable television as well as the delivery of broadband internet services via multiple physical transport methods.

- B. The Commission shall have the authority to establish standing sub-committees on matters pertaining to the operation and performance of cable and broadband internet companies within the City.

Such subcommittees shall serve in an advisory capacity to the Cable and Broadband Internet Commission.

- C. Powers: The Commission shall oversee the operation of the existing Cable Television Franchise Agreement and any future agreements, which the City Council may approve as well as assist in the negotiation of such agreements. The Commission may, as the need arises, consider the availability and quality of Broadband Internet services delivered via any physical transport (which includes physical cable or over-the-air delivery) and work to understand the needs and desires of the citizens of the city of Portsmouth. Further, the committee may work with relevant providers to meet those needs and desires as appropriate and as guided by the City Council.

- D. The Commission shall meet as often as deemed appropriate and necessary to insure the proper operation of the Franchise Agreement. The Commission shall, upon request of the City Council, submit written or verbal reports of its activities.

**Section 1.407: PORTSMOUTH HOUSING ENDOWMENT FUND
ADVISORY BOARD**

- A. The PHEF Advisory Board shall consist of seven (7) voting members, specifically:
 1. A realtor maintaining an office in the City of Portsmouth (residential real estate), who shall be a resident of Portsmouth;
 2. A residential real estate banker, who shall be a resident of Portsmouth;
 3. A local appraiser, who shall be resident of Portsmouth;
 4. A City resident;
 5. A representative of the Portsmouth Housing Corporation;
 6. An administrative official of the City from the Bureau of Community & Economic Development, who shall be an ex-officio member;

7. An administrative official of the City from the Legal Department, who shall be an ex-officio member.

All members shall be appointed by the Mayor and Council with the exception of the City officials who shall be designated by the City Manager.

- B. Term: The appointed members of the Board shall serve a three-year term and shall serve without compensation.

C. Powers:

1. Formulate general policies regarding the operation of the program including application criteria;
2. Establish specific policies as the need may arise dictated by the program demands;
3. Advise the City Manager and City staff with regard to the operation of the program;
4. The Advisory Group shall not have the authority over the investment of the PHEF Trust, which function shall remain with the Trustees of the Trust Funds.

- D. Meetings: The Advisory Group shall meet at least semi-annually and may be called by the City Manager, the City staff representatives or upon the request of the Advisory Board on five (5) days notice, which notice may be waived in an emergency.

Section 1.408: PARKING AND TRAFFIC SAFETY COMMITTEE
(Adopted 11/21/2011)

The Parking and Traffic and Safety Committee shall be established and shall have the duties and authority as described in Chapter 7, Article I of these ordinances.

Section 1.409: TREES AND PUBLIC GREENERY COMMITTEE (Adopted 10/21/2013; Amended 08/01/2022)

There is hereby established a Trees & Public Greenery Committee. The Committee shall consist of ten (10) voting members including the following: a City Councilor, the City Manager or designee; the Tree Warden or designee; the Public Works Foreman in charge of tree maintenance; and six (6) individuals with an interest in trees and public greenery. Members of the Committee, other than City staff members listed above, shall be appointed by the Mayor with the approval of City Council for three year terms with the length of the initial terms being staggered at the discretion of the Council. Vacancies for the unexpired terms shall be filled in the same manner as the original appointments.

The main purpose of this Committee shall be to advise and assist the City's Tree Warden in enforcing the provisions of this Ordinance as well as to ensure the proper expansion, protection, and maintenance of the City's Urban Forest consistent with best arboricultural practices, horticultural practices, aesthetic concerns, and public safety. The Committee shall, with the assistance of the Department of Public Works, collect and maintain all records and data necessary to objectively evaluate whether progress is being made toward the proper protection and expansion of the City's Urban Forest. The Committee shall prepare an annual report summarizing all activity relating to this Ordinance and shall offer recommendations for actions to better achieve the proper maintenance and expansion of the City's Urban Forest. This report shall be presented to the City Council for its consideration.

Section 1.410: AUDIT COMMITTEE

There shall be a permanent Audit Committee established and maintained for the purpose of advising the City Council on the adherence to the City Charter-Section 7.4 INDEPENDENT AUDIT.

- A. **Membership and Term:** The Audit Committee shall have six (6) voting members who shall be appointed by the Mayor and confirmed by the City Council, three members shall be City Councilors, with a City Councilor selected by majority vote of voting members of the Committee to be the Chair. The Audit Committee members who are not City Councilors shall serve for a three-year term and possess experience in finance, accounting, auditing, and/or financial management and reporting. The City Manager shall be a member of the Committee with voice, non-voting. In the event of a vacancy in a member position on the Audit Committee, a qualifying individual shall be appointed by the Mayor to fill the remainder of the term of the vacant member. The terms of the City Council members of the Committee shall be for two (2) years coterminous with the term of the City Council.
- B. **Duties and Powers:** The primary purpose of the Audit Committee is to recommend an external auditor to the City Council. In the event the auditor identifies any serious exceptions, the Audit Committee shall advise and work with the City council as to next steps.

Section 1.411: CEMETERY COMMITTEE (Amended 05/01/2023)

- A. **Membership and Term:** The Cemetery Committee shall consist of not less than seven (7) or more than eleven (11) regular members. The members shall be appointed by the Mayor subject to the approval of the City Council. The first four (4) members appointed after adoption of this ordinance shall be appointed to terms of three (3) years commencing as of the date of completed appointment. Thereafter, all appointments shall be for terms of two (2) years. All appointments to fill vacancies shall serve the remainder of the vacant term. A quorum shall be a majority of the existing appointed members at any given time.

- B. Powers and Duties: The Committee shall provide advice and recommendations to the City Manager and the City Council with respect to all issues affecting municipal cemeteries, including the solicitation and acceptance of grants; the expenditure of any funds for specific improvements; and any expenditures from the Cemetery Trust Fund. Nothing herein shall limit the power of the City Council or City Manager to take immediate action in the event of exigent circumstances.
- C. It shall be the responsibility of the Cemetery Committee to encourage the restoration, preservation, and safeguarding of Portsmouth's historic cemeteries and their history for future generations.

Section 1.412: PUBLIC ART REVIEW COMMITTEE

- A. Membership and Term: The Public Art Review Committee (PARC) will consist of between seven and eleven members. Members shall include one member of city staff to be designated by the City Manager and the rest shall be community members. Members shall have demonstrated experience in the fine arts, architecture, art criticism, engineering or structural analysis, art history, graphic arts, interior design, landscape architecture, town planning, or other art and design-related fields, or who have demonstrated a strong interest in the visual arts and civic improvement. Other than the City Manager's appointment, the members shall be appointed by the Mayor, with approval from the Council, to staggered terms varying from two to three years.

The PARC shall be chaired by a member of the local arts community and shall interview or make recommendations to the Mayor, as they may determine necessary. The term of the chairperson shall be for one year, with eligibility for reelection for two additional terms.

- B. Public Art Defined: For purposes of this Public Art Review Committee, "public art" shall be defined as artwork located in or on a public space such as a municipal facility, park, right-of-way, or other municipally owned or controlled property. Artwork includes but is not limited to a painting, mural, inscription, stained glass, fiber work, statue, relief or sculpture, monument, fountain, arch or other structures intended for ornament or commemoration. Also include in this definition is any installation that is technological in nature or includes carvings, frescoes, mosaics, mobiles, photographs, drawings, collages, prints, crafts, both decorative and utilitarian in clay, fiber, wood, metal, glass plastics and other materials. Landscape items include the artistic placement of natural materials and other function art objects. Works of art may be portable as well as permanent.

The City Clerk shall properly alphabetize and/or re-number the ordinances as necessary in accordance with this amendment.

All ordinances or parts of ordinances inconsistent herewith are hereby deleted.

This ordinance shall take effect upon its passage.

APPROVED:

Deaglan McEachern, Mayor

ADOPTED BY COUNCIL:

Kelli L. Barnaby, City Clerk

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 (deletions from existing language **stricken**; additions to existing language **bolded**; 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 7.336, A: One-Way Streets.

Section 7.336, A: ONE-WAY STREETS

- 24. Raynes Avenue: westerly from Vaughan Street to Maplewood Avenue.**
- 35. Vaughan Street: northerly from Maplewood Avenue to Raynes Avenue.**

B. Amend: Chapter 7, Article IVA – BUS STOPS AND TAXICAB STANDS, Section 7A.408: Taxi Stands Designated

Section 7A.408: TAXI STANDS DESIGNATED

The following areas are hereby designated as Taxi stands:

- ~~a. Hanover Street: southerly side, first parking space west from Fleet Street from 7:00 p.m. to 6:00 a.m.~~
- ~~b. Market Street:
 - ~~1. easterly side, second parking space from Market Square.~~
 - ~~2. easterly side, south for a distance of 40 feet, beginning at Bow Street, from 7 p.m. to 6 a.m., Monday through Sunday~~~~
- e. A. Pleasant Street: easterly side, first parallel parking space north of State Street.**
- ~~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~~

C. Amend: Chapter 7, Article XI – SPEED LIMITS, Section 7.1100, E: Speed Limits:25 MPH

Section 7.1100: SPEED LIMITS:

E. Speed Limit: 25 MPH

- 7. Islington Street**
 - 10. Middle Road, from Peverly Hill Road to Middle Street**
 - 12. Parrott Avenue**
 - 17. Summit Avenue**
-

The City Clerk shall properly alphabetize and/or re-number the ordinance as necessary in accordance with this amendment.

All ordinances or parts of ordinances inconsistent herewith are hereby deleted.

This ordinance shall take effect upon its passage.

APPROVED:

Deaglan McEachern, Mayor

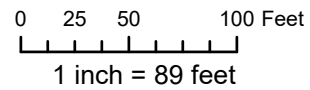
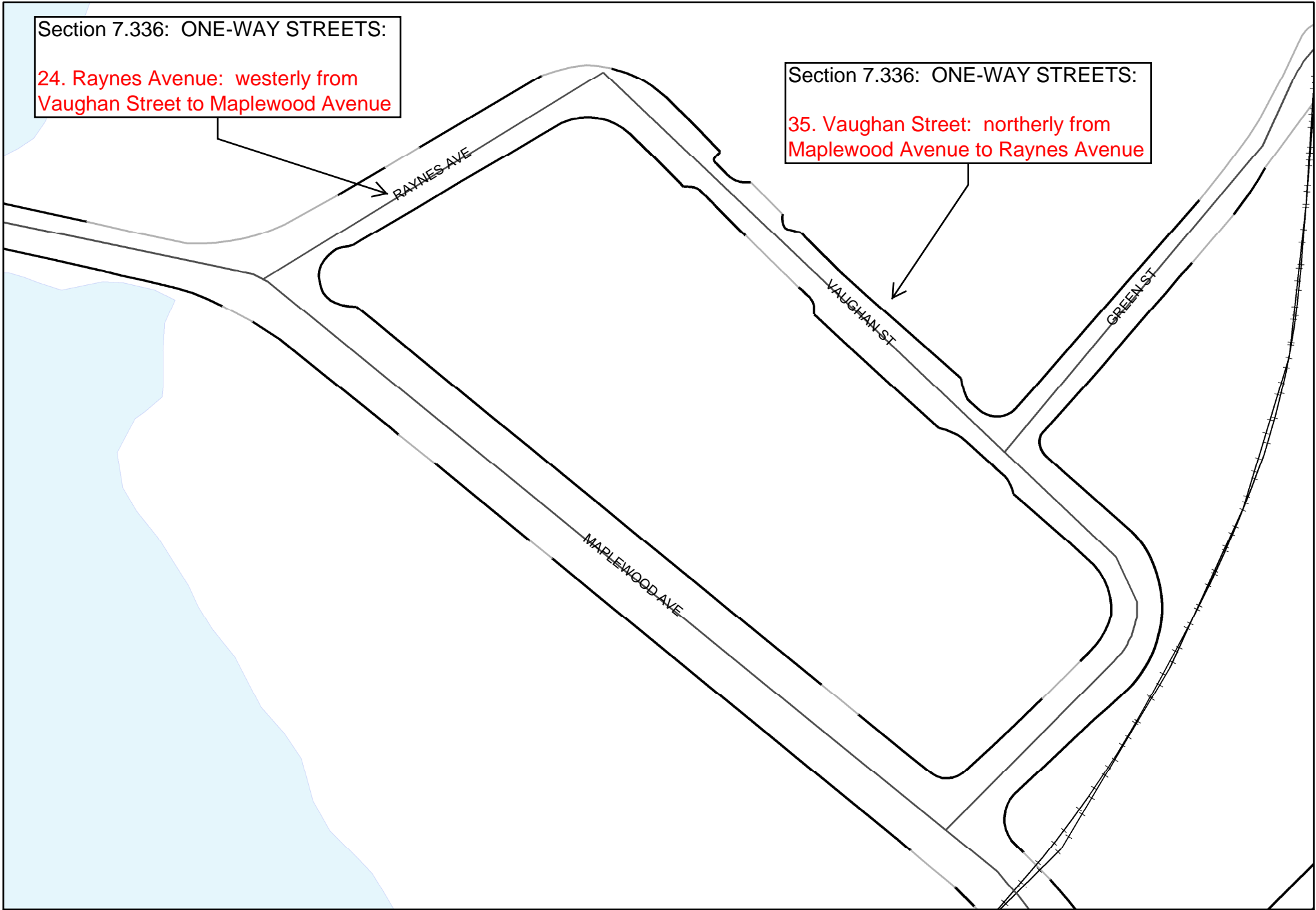
ADOPTED BY COUNCIL:

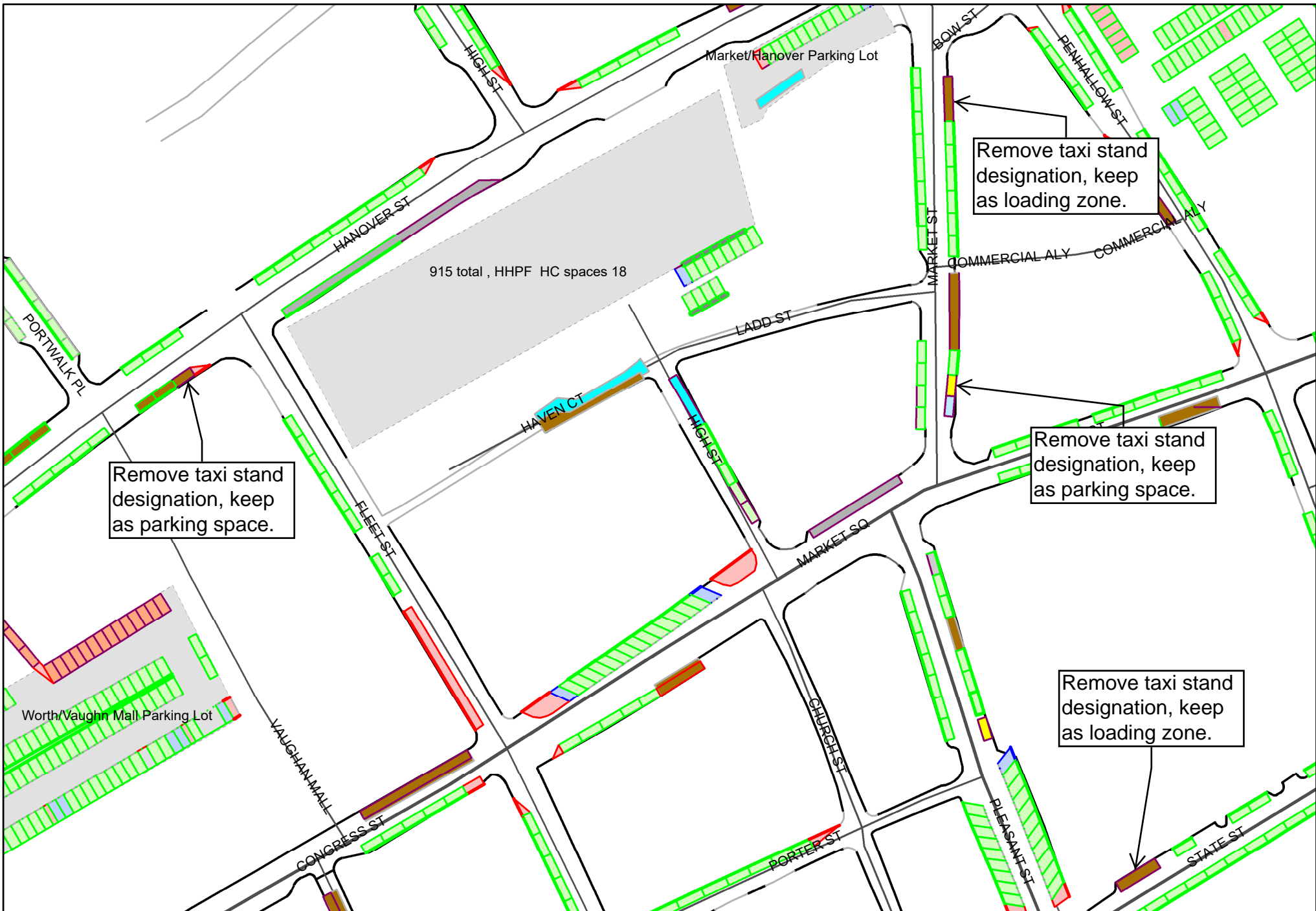
Section 7.336: ONE-WAY STREETS:

24. Raynes Avenue: westerly from
Vaughan Street to Maplewood Avenue

Section 7.336: ONE-WAY STREETS:

35. Vaughan Street: northerly from
Maplewood Avenue to Raynes Avenue





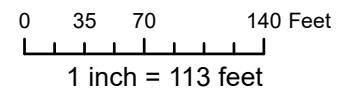
Remove taxi stand designation, keep as parking space.

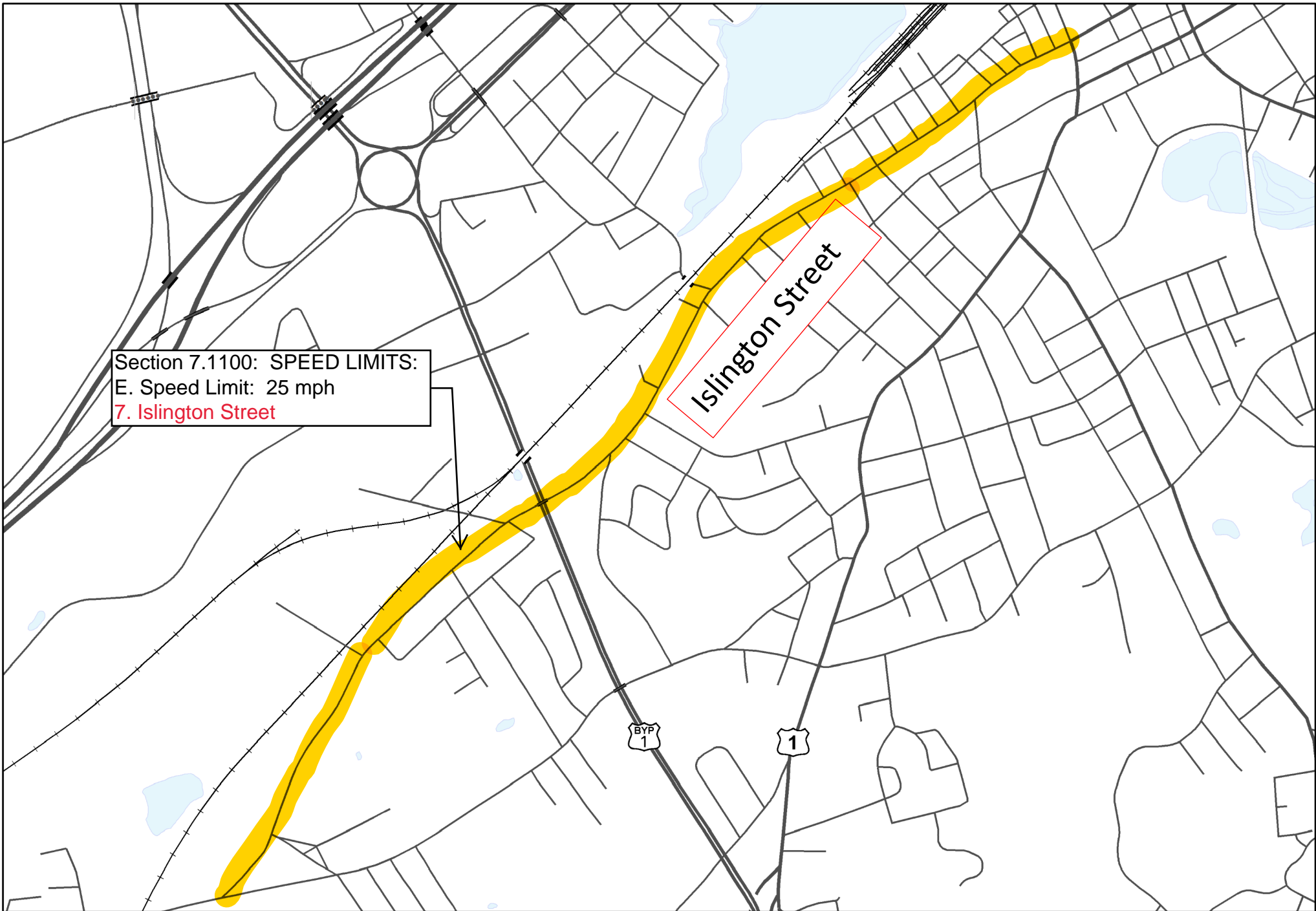
Remove taxi stand designation, keep as loading zone.

Remove taxi stand designation, keep as parking space.

Remove taxi stand designation, keep as loading zone.

915 total, HHPF HC spaces 18





Section 7.1100: SPEED LIMITS:
E. Speed Limit: 25 mph
7. Islington Street

Islington Street

BYP
1

1

0 305 610 1,220 Feet

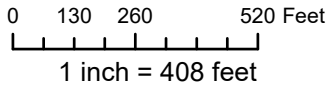
1 inch = 981 feet

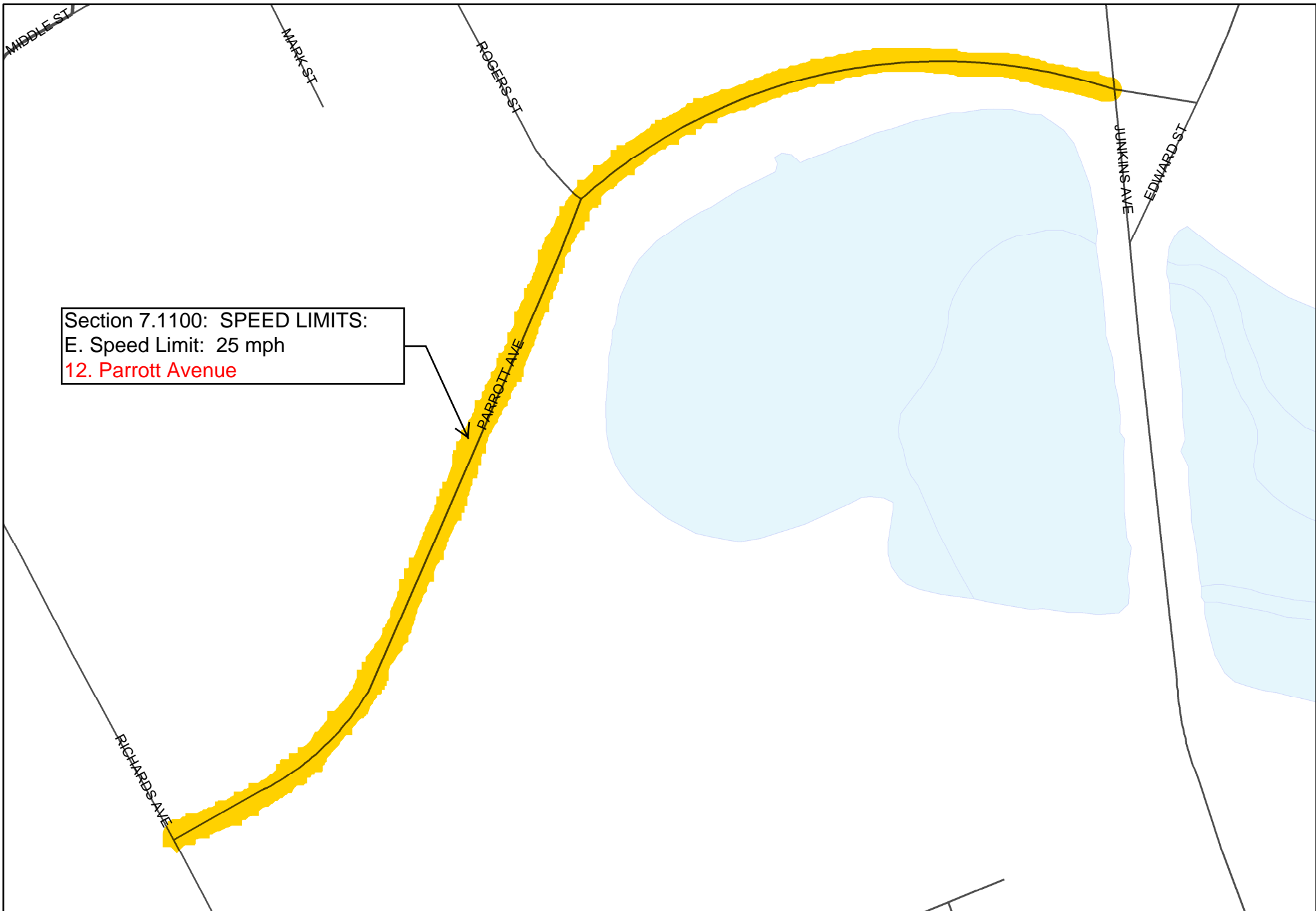


Middle Street

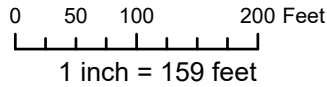
Section 7.1100: SPEED LIMITS:
E. Speed Limit: 25 mph
10. Middle Road, from Peverly Hill
Road to Middle Street

Peverly Hill Road





Section 7.1100: SPEED LIMITS:
E. Speed Limit: 25 mph
12. Parrott Avenue



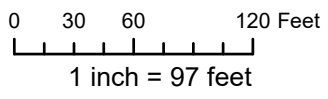
Section 7.1100: SPEED LIMITS:
E. Speed Limit: 25 mph
17. Summit Avenue

SOUTH ST

JENKINS AVE

ROCKAWAY ST

SUMMIT AVE



ORDINANCE #

THE CITY OF PORTSMOUTH ORDAINS

That Chapter 7, Article VI – LOADING ZONES, Section 7.601 – **LIMITED HOURS LOADING ZONE** of the Ordinances of the City of Portsmouth be amended as follows (deletions from existing language **stricken**; additions to existing language **bolded**; remaining language unchanged from existing):

ARTICLE VI: LOADING ZONES

Section 7.601: LIMITED HOURS LOADING ZONES

The following locations are established as “Limited Hours Loading Zones” during “Loading Zone Hours” which are defined as Mondays through Saturdays between the hours of 6:00 a.m. and 7:00 p.m. or as otherwise described below. During Loading Zone Hours only licensed commercial vehicles, vehicles marked for commercial purposes and unmarked noncommercial vehicles with Loading Zone Permits may utilize Limited Hours Loading Zones for up to 30 consecutive minutes if actively engaged in loading or unloading product, merchandise or equipment. At all other times these Loading Zones shall be open parking for all vehicles.

1. Bow Street: northerly side beginning 40 feet west from Chapel Street and continuing west for a distance of 70 feet **from 6:00 AM to 3:00 PM** ~~in addition to~~ Monday through Saturday, ~~this location shall also be a loading zone~~ **and on Sunday** from 6:00 a.m. to 12:00 p.m.
2. Brewster Street: easterly side, beginning 40 feet north of the northerly curblineline of Islington Street and running 40 feet in the northerly direction, between the hours of 7 AM and 3 PM, Monday through Friday.
- ~~3. Bridge Street: westerly side, beginning 50 feet north from the intersection of Bridge Street and Islington Street for a distance of 40 feet.~~
- ~~4.~~**3.** Congress Street:
 - a. northerly side, beginning 9 feet west from the intersection of Fleet Street and Congress Street running for a distance of 136 feet **from 6:00 AM to 3:00 PM Monday through Saturday, and on Sunday from 6:00 AM to 12:00 PM.**
 - b. southerly side, beginning 130 feet east from the intersection of Fleet Street and Congress Street running for a distance of 49 feet **from 6:00 AM to 3:00 PM Monday through Saturday, and on Sunday from 6 AM to 12:00 PM.**

- ~~5-4.~~ Daniel Street: southerly side, beginning 37 feet west from Penhallow Street for a distance of 65 feet **from 6:00 AM to 3:00 PM Monday through Saturday, and on Sunday from 6:00 AM to 12:00 PM.**
- ~~6-5.~~ Deer Street: southerly side, west from Market Street a distance of 60 feet **from 6:00 AM to 9:00 AM Monday through Saturday, and on Sunday from 6:00 AM to 12:00 PM.**
- ~~7-6.~~ Hanover Street:
- a. northerly side, beginning at a distance of 106 feet from the western most point of the southwesterly curblineline of Market Street for a distance of 45 feet.
 - b. southerly side, beginning at the westerly curblineline of Fleet Street and running westerly for 90 feet, from 6:00 a.m. to 11:00 a.m.
 - c. all parking spaces on the northerly side between Portwalk Place and Maplewood Avenue from 6:00 a.m. to 9:00 a.m.
- ~~8.~~ ~~High Street: easterly side, in a southerly direction from Ladd Street a distance of 50 feet.~~
- ~~9-7.~~ Market Street:
- a. easterly side, south for a distance of 50 feet, beginning at Commercial Alley **from 6:00 AM to 3:00 PM Monday through Saturday, and on Sunday from 6:00 AM to 12:00 PM.**
 - b. easterly side, south for a distance of 40 feet, beginning at Bow Street from 6:00 a.m. to 7:00 p.m. ~~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.~~
 - c. westerly side between Russell Street and Deer Street, from November 1st through March 30th, 2:00 a.m. to ~~5:00 p.m.~~ **12:00 PM** Monday **through** Friday., ~~2:00 a.m. to 1:00 p.m. Saturday.~~
- ~~10-8.~~ Pearl Street: easterly side from a point thirty feet (30') north of Islington Street to a point seventy feet (70') north of Islington Street.
- ~~11-9.~~ Penhallow Street: westerly side, beginning at Commercial Alley and running northerly for a distance of 45 feet. In addition to Monday through Saturday, this location shall also be a loading zone from 6:00 a.m. to 12:00 p.m. on Sunday.
- ~~12-10.~~ Pleasant Street: easterly side, beginning 94 feet south of the southerly curblineline of Daniel Street and running southerly for a distance of 45 feet **from 6:00 AM to 9:00 AM Monday through Saturday, and on Sunday from 6:00 AM to 12:00 PM.**

13-11. State Street:

- a. northerly side, beginning 40 feet east from Pleasant Street for a distance of 40 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.~~
- b. southerly side, beginning 20 feet west from Atkinson Street for a distance of 57 feet **from 6:00 AM to 3:00 PM Monday through Saturday, and on Sunday from 6:00 AM to 12:00 PM.**

14-12. Vaughan Street: westerly side, beginning at the intersection with Raynes Avenue and running southerly for a distance of 60 feet, from 6 AM to 9 AM.

The City Clerk shall properly alphabetize and/or re-number the ordinances as necessary in accordance with this amendment.

All ordinances or parts of ordinances inconsistent herewith are hereby deleted.

This ordinance shall take effect upon its passage.

APPROVED:

Deaglan McEachern, Mayor

ADOPTED BY COUNCIL:

Kelli L. Barnaby, City Clerk

ORDINANCE #

THE CITY OF PORTSMOUTH ORDAINS

That Chapter 7, Article X TOWING, Section 7.1004 – **TOWING OR IMMOBILIZATION OF MOTOR VEHICLES FOR NON-PAYMENT OF PARKING FINES** of the Ordinances of the City of Portsmouth be amended as follows (deletions from existing language **stricken**; additions to existing language **bolded**; remaining language unchanged from existing):

ARTICLE X: TOWING

Section 7.1004: TOWING OR IMOBILIZATION OF MOTOR VEHICLES FOR NON-PAYMENT OF PARKING FINES

A. Notwithstanding any other provisions of these Ordinances, motor vehicles may be towed and stored, or otherwise immobilized by a mechanical device for non-payment of parking fines, in accordance with the following terms and conditions:

1. **PARKING CLERKS:** The City Manager is hereby authorized to designate one or more Parking Clerks. The Parking Clerk may be any individual employed by the City of Portsmouth whose position of employment is conducive to the performance of the duties contained in this section.
2. **OWNERSHIP OR CONTROL:** The fact that a motor vehicle which is illegally parked is registered in the name of a person, business, or corporation, shall be considered prima facie proof that such person, business, or corporation was in control of the motor vehicle at the time of such parking or that such person, business, or corporation had authorized the use of such registered motor vehicle.
3. **ILLEGALLY PARKED:** The term "illegally parked" as used in this particular section and all other sections concerning PARKING in the Ordinances of the City of Portsmouth shall mean:

Any motor vehicle which is parked beyond the time limit for which money has been deposited in the metered space occupied by that particular motor vehicle, any vehicle parked beyond the time limit permitted in a restricted time free parking area, any vehicle parked beyond the time permitted at a restricted time- metered parking space, any vehicle parked in a designated no-parking zone, and any vehicle although legally parked, which on that particular date and time, has accumulated five or more unpaid

parking violations or which has accumulated unpaid parking violations in an amount in excess of ~~one hundred twenty-five dollars (\$125.00)~~ **two hundred fifty dollars (\$250.00)** on any or all vehicles at any time registered to the owner of said vehicle as shown on the records maintained by the Parking Clerk.

4. NOTICE: At any time subsequent to the accumulation of unpaid parking fines in excess of ~~one hundred twenty-five dollars (\$125.00)~~ **two hundred fifty dollars (\$250.00)** on any or all vehicles at the time registered to the owner of any vehicle on the records maintained by the Parking Clerk, the Parking Clerk may send a Notice by certified mail to the registered owner of said vehicle or vehicles at the address on the registration.
 - a. The date, time, and location of the violations leading to the issuance of the notice;
 - b. A statement to the clear effect that failure to resolve the violations prior to a certain specified date not less than five (5) days subsequent to the date of the notice, will lead to towing or immobilization of the vehicle pending such resolution;
 - c. A statement that the recipient of the notice may contact the Parking Clerk to arrange a hearing on the subject of the violations.
5. HEARING: At the request of any recipient of a notice pursuant to this section, the Parking Clerk shall arrange a hearing at the Clerk's office. Such hearing shall be scheduled during normal business hours of City Hall. The Parking Clerk shall conduct and preside over all hearings scheduled under this section. The hearings shall be informal and the rules of evidence shall not apply. At such hearings the owner of the motor vehicle which is the subject of the hearing may present any defense of law or fact which is relevant to the issue of whether or not the subject vehicle should be placed on the list of vehicles subject to towing or immobilization. The decision of the Parking Clerk shall be final, subject only to judicial review.
6. TOW OR IMMOBILIZATION LIST: The Parking Clerk shall maintain a list of vehicles which are subject to being towed and held in storage or immobilized by a mechanical device pending final resolution of unpaid parking violations. Contained on this list shall be all motor vehicles for which the notice specified in Article

4 above was provided. Motor Vehicles shall not be placed on the said list in the event that the Parking Clerk, after hearing, orders otherwise, or in the event that the fine is paid in full for all of the violations contained in the notice mailed.

7. TOWING/STORAGE OR IMMOBILIZATION: Upon the determination that any vehicle which is listed on the Tow or Immobilization List pursuant to Article 6 above is parked on any public way or in any municipal parking lot, the car may be immobilized or may be towed and stored.
8. RELEASE OF TOWED OR IMMOBILIZED VEHICLES; REMOVAL FROM LIST: Motor Vehicles may be removed from the Tow or Immobilization List, released from storage after towing or may have immobilization devices removed in the following manner:
 - (1) By order of the Parking Clerk after hearing;
 - (2) By payment in full of all parking fines attributable, arising out of the violations contained in the notice issued pursuant to Article 4 above;
 - (3) By posting a cash bond with the Parking Clerk in any amount sufficient to make payment in full of all parking fines arising out of the violations contained in the notice issued pursuant to Article 4 above to allow a judicial determination of the violations pursuant to State law;
 - (4) By a judicial determination resolving the said violations in accordance with State Law and the payment of any fine arising out of such determination.
 - (5) Any person removing an immobilization device without authority shall be guilty of a violation punishable by a fine of not more than \$500.00.

The City Clerk shall properly alphabetize and/or re-number the ordinances as necessary in accordance with this amendment.

All ordinances or parts of ordinances inconsistent herewith are hereby deleted.

This ordinance shall take effect upon its passage.

APPROVED:

Deaglan McEachern, Mayor

ADOPTED BY COUNCIL:

Kelli L. Barnaby, City Clerk

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Portsmouth City Council on Monday, July 10, 2023 at 7:00 p.m., at the Portsmouth Municipal Complex in the Eileen Dondero Foley Council Chambers, Portsmouth, NH, on the proposed Ordinance amending Chapter 10 – Article 5A – CHARACTER-BASED ZONING, Section 10.5A20, **Regulating Plan**, Subsection 10.5A21.10 Contents of Regulating Plan, Map 10.5A21B – **Building Height Standards**, Section 10.5A43.30 – **Building and Story Heights**, Subsection 10.5A43.33, Section 10.5A43.40 – **Maximum Building Footprint**, Subsections 10.5A43.41-44, and Section 10.5A45 – **Community Spaces**; Subsection Figures 10.5A45.10 Community Spaces, Section 10.5A46.20 – **Requirements to Receive Incentives to the Development Standards**, Subsections 10.5A46.21-22, and Article 15 – DEFINITIONS, Section 10.1530 – **Terms of General Applicability**, of the Ordinances of the City of Portsmouth. The complete Ordinance is available for review in the Office of the City Clerk and Portsmouth Public Library, during regular business hours.

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Portsmouth City Council on Monday, July 10, 2023 at 7:00 p.m., at the Portsmouth Municipal Complex in the Eileen Dondero Foley Council Chambers, Portsmouth, NH, on the proposed Ordinance amending Chapter 10 – Article 5A – CHARACTER-BASED ZONING, Section 10.5A20, **Regulating Plan**, Subsection 10.5A21.10 Contents of Regulating Plan, Map 10.5A21B – **Building Height Standards**, Section 10.5A43.30 – **Building and Story Heights**, Subsection 10.5A43.33, Section 10.5A43.40 – **Maximum Building Footprint**, Subsections 10.5A43.41-44, and Section 10.5A45 – **Community Spaces**, Subsection Figures 10.5A45.10 Community Spaces, Section 10.5A46.20 – **Requirements to Receive Incentives to the Development Standards**, Subsections 10.5A46.21-22, and Article 15 – DEFINITIONS, Section 10.1530 – **Terms of General Applicability**, of the Ordinances of the City of Portsmouth. 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

KELLI L. BARNABY, MMC/CNHMC
CITY CLERK

ORDINANCE #

THE CITY OF PORTSMOUTH ORDAINS

That Chapter 10 – Article 5A – CHARACTER-BASED ZONING, Section 10.5A20, **Regulating Plan**, Subsection 10.5A21.10 Contents of Regulating Plan, Map 10.5A21B – Building Height Standards, Section 10.5A43.30 – **Building and Story Heights**, Subsection 10.5A43.33, Section 10.5A43.40 – **Maximum Building Footprint**, Subsections 10.5A43.41-44, and Section 10.5A45 – **Community Spaces**, Subsection Figures 10.5A45.10 Community Spaces, Section 10.5A46.20 – **Requirements to Receive Incentives to the Development Standards**, Subsections 10.5A46.21-22, and Article 15 – DEFINITIONS, Section 10.1530 – **Terms of General Applicability**, of the Ordinances of the City of Portsmouth be amended as follows (deletions from existing language **stricken**; additions to existing language **bolded**; remaining language unchanged from existing):

ARTICLE 5A: CHARACTER-BASED ZONING

Section 10.5A20: Regulating Plan

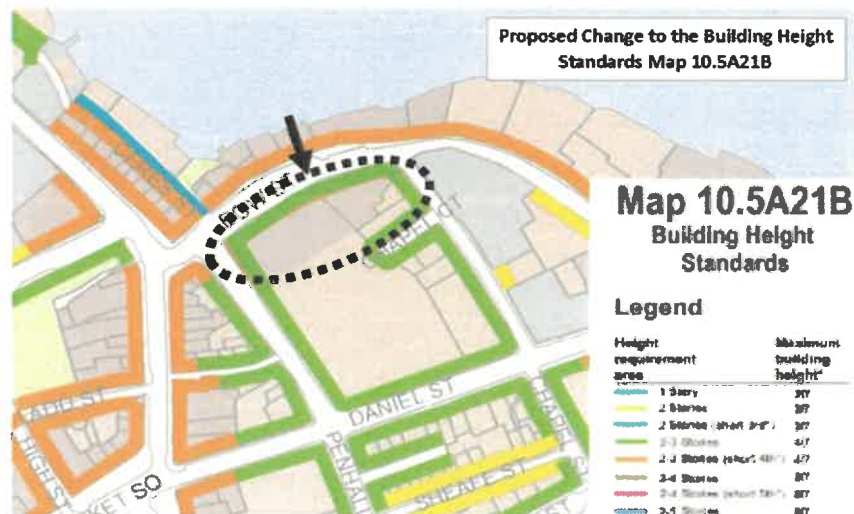
Section 10.5A21 General

10.5A21.10 Contents of Regulating Plan

The **Regulating Plan** is the Zoning Map for the Character districts and Civic districts.

The **Regulating Plan** consists of the following maps:

- Map 10.5A21A – Character Districts and Civic Districts
- **Map 10.5A21B – Building Height Standards**
- Map 10.5A21C – Special Requirements for Façade Types, Front Lot Line Buildout, and Uses



Section 10.5A43.30: Building and Story Heights

10.5A43.33 ~~A-For a development~~ that is not located in an incentive overlay district and that contains at least one acre of lot area the Planning Board may grant a conditional use permit to allow ~~shall be allowed~~ an additional story in height (up to 150 feet) and a building footprint of up to 50,000 SF if both of the following requirements are met:

- a) Community Space – ~~The development shall have at if at~~ least 2050% of the property ~~is~~ assigned and improved as a **community space**. Given the large scale of the development ~~Such the~~ **community space** shall include a Plaza or Square of at least 5,000 SF per acre, a Pedestrian Passageway, Wide Pedestrian Sidewalk, and or a Pedestrian Arcade, and a Pocket Park or Playground or Public Observation Deck. Such community space shall count toward the required open space listed in Figures 10.5A41.10A-D (Development Standards). The size, shape, location and type of the community space shall be determined by the Planning Board and be based on the proposed land use and the size and location of the buildings within the development, and the proposed and adjacent uses and public amenities.
- b) Workforce Housing - ~~The development shall have either:~~ 1) 10% of any proposed for sale dwelling units within a development, or at least three units, whichever is greater, shall be workforce housing units (affordable to a household with an income of no more than 100 percent of the area median income for a 4-person household); 2) 5% of any proposed for rent dwelling units within a development, or at least two units, whichever is greater, shall be workforce housing units (affordable to a household with an income of no more than 60 percent of the area median income for a 3-person household) and any workforce housing units shall be at least 600 sq. ft. in gross floor areas and be distributed throughout the building wherever dwelling units are located.

Section 10.5A43.40 Maximum Building Footprint

10.5A43.41 No **building** or **structure** footprint shall exceed the applicable maximum **building footprint** listed in Figures 10.5A41.10A-D (Development Standards) except as provided in Sections 10.5A43.42-44 below.

10.5A43.42 In the CD5 district, a detached **liner building** may have a **building footprint** of up to 30,000 sq. ft. if it meets all other **development** standards and is integrated into a **parking structure** through the provision of **community space** or shared access.

10.5A43.43 For a **building** that contains **ground floor parking**, a **parking garage** or **underground parking levels**, and is not subject to Section 10.5A43.42, the Planning Board may grant a conditional use permit to allow a

building footprint of up to 30,000 sq. ft. in the CD4 or CD4-W districts, and up to 40,000 sq. ft. in the CD5 district, if all of the following criteria are met:

- (a) No **story** above the **ground floor** parking shall be greater than 20,000 sq. ft. in the CD4 or CD4-W districts or 30,000 sq. ft. in the CD5 district.
- (b) All **ground floor** parking areas shall be separated from any public or private **street** by a **liner building**.
- (c) At least 50% of the **gross floor area** of the **ground floor** shall be dedicated to parking.
- (d) At least ~~30%~~10% of the property shall be assigned and improved as **community space**. Such **community space** shall count toward the required **open space** listed under Figures 10.5A41.10A-D (Development Standards) and **community space** required under Section 10.5A46.20. The size, location and type of the **community space** shall be determined by the Planning Board based on the size and location of the **development**, and the proposed and **adjacent uses**.
- (e) At least 10% of the **dwelling units** within a **building**, or at least two **dwelling units**, shall be **workforce housing units** for either: 1) rent (**affordable** to a household with an income of no more than 60 percent of the **area median income** for a 3-person household) or sale (**affordable** to a household with an income of no more than 100 percent of the **area median income** for a 4-person household). Such units shall be at least 600 sq. ft. The **workforce housing units** shall be distributed throughout the **building** wherever **dwelling units** are located.
- (e)(f) The **development** shall comply with all applicable standards of the ordinance and the City's land use regulations.

10.5A43.44 The **building footprint** of a **parking structure** shall be no greater than 40,000 sq. ft., and the **façade** length shall be no greater than 300 feet.

Section 10.5A45: Community Spaces

Figures 10.5A45.10 Community Spaces

Pedestrian Passageway

A covered pedestrian passageway (a minimum of 8 feet in width) located on the ground floor with street level access to the storefronts and connects to **community space** areas within the development and to adjacent public ways.

Permitted Districts: All Districts

Public Observation Deck

An open or covered observation deck that provides public access and amenities on either a waterfront boardwalk or deck or, on the roof of a building. The minimum size shall be 500 SF.

Permitted Districts: All Districts

Pedestrian Arcade

A covered pedestrian arcade within the ground floor or street level of a building that provides public access to the storefronts and connects to **community space** areas within the development and to adjacent public ways.

Permitted Districts: All Districts

Section 10.5A46.20 Requirements to Receive Incentives to the Development Standards

10.5A46.21 For a lot located **adjacent** to, or within 100 feet of, North Mill Pond, Hodgson Brook or the Piscataqua River, **the Planning Board may grant a conditional use permit to allow the incentive to the development standards listed under Section 10.5A46.20, provided the development shall provide include community space** equal to 20% of the lot area that includes a continuous public **greenway** at least 20 feet in width with a multi-use path and that is parallel and located within 50 feet of the waterfront. Trail connections to abutting **street(s)** and sidewalks shall be provided and there shall be no buildings between the waterfront and the greenway unless otherwise approved by the Planning Board. The **greenway** shall include legal and physical access to abutting lots or public ways. When access is not available due to current conditions on an abutting lot, provisions shall be made for future access in a location determined by the Planning Board.

10.5A46.22 For a lot that is more than 100 feet from North Mill Pond, Hodgson Brook or the Piscataqua River, **the Planning Board may grant a conditional use permit to allow the incentive to the development standards listed under Section 10.5A46.20, provided the development shall include either both a community space or and workforce housing** as specified below:

- (1) **Community space option** – All of the following criteria shall be met:
 - (a) The **community space** shall be a **community space** type that is permitted within the applicable Character district.
 - (b) The **community space** shall constitute at least ~~20%~~ 10% of the gross area of the lot and shall not have any dimension less than 15 feet.
 - (c) The **community space** shall adjoin the public **sidewalk** and shall be open on one or more sides to the **sidewalk**.

- (d) The **community space** shall include trees and other **landscaping** to provide shade and reduce noise, and pedestrian amenities such as overlooks, benches, lighting and other **street** furniture.
- (e) The **community space** shall be located on or **adjacent** to the same **lot** as the **development**, except as provided in (f) below.
- (f) The Planning Board may grant a conditional use permit to allow a proposed **community space** to be located on a different **lot** than the **development** if it finds that all of the following criteria will be met:
 - (i) An appropriate **community space** cannot feasibly be provided on the same **lot** as the **development**.
 - (ii) The proposed **community space** is within the same Incentive Overlay District as the **development**.
 - (iii) The proposed **community space** is suited to the scale, density, **uses** and character of the surrounding properties.

(2) **Workforce housing option** - One ~~or more~~ of the following criteria shall be met:

- (a) At least ~~30%~~ 20% of the **dwelling units** within a **building**, but no less than three **dwelling units**, shall be **workforce housing units** for sale (**affordable** to a household with an income of no more than 100 percent of the **area median income** for a 4-person household).
Such units shall be at least ~~the average gross floor area of the proposed units in the building or 1,000~~ 600 sq. ft., ~~whichever is greater~~. The **workforce housing units** shall be distributed throughout the **building** wherever **dwelling units** are located; or
- (b) At least 10% of the **dwelling units** within a **building**, or at least two **dwelling units**, shall be **workforce housing units** for rent (**affordable** to a household with an income of no more than 60 percent of the **area median income** for a 3-person household).
Such units shall be at least ~~the average gross floor area of the proposed units in the building or 800~~ 600 sq. ft., ~~whichever is greater~~. The **workforce housing units** shall be distributed throughout the **building** wherever **dwelling units** are located.

ARTICLE 15: DEFINITIONS

Section 10.1530: Terms of General Applicability

Building footprint

Except for areas where **community space** is uncovered and located immediately above the **story below the grade plane** The the total area of a building at or above 18 inches in elevation as measured from the outside walls at the grade plane of a detached building, or of two or more buildings separated only by fire walls, common walls or property lines.

The City Clerk shall properly alphabetize and/or re-number the ordinances as necessary in accordance with this amendment.

All ordinances or parts of ordinances inconsistent herewith are hereby deleted.

This ordinance shall take effect upon its passage.

APPROVED:

Deaglan McEachern, Mayor

ADOPTED BY COUNCIL:

Kelli L. Barnaby, City Clerk

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Portsmouth City Council on Monday, July 10, 2023 at 7:00 p.m., at the Portsmouth Municipal Complex in the Eileen Dondero Foley Council Chambers, Portsmouth, NH, on a proposed Resolution Authorizing a Bond Issue and/or Notes of up to Seventeen Million Three Hundred Fifty Thousand Dollars (\$17,350,000.00) for Costs Related to Police Station Upgrades, Land Acquisition, Outdoor Pool Upgrades, Citywide Facilities Capital Improvements, Elwyn Park Sidewalks Traffic Calming, Borthwick Avenue Bike Path, Sagamore Avenue Sidewalk, Citywide Sidewalk Reconstruction Program, Street Paving; Management and Rehabilitation, Pease Tradeport Street Rehabilitation, Edmond Avenue Upgrades, Islington Street Improvements and Union Street Reconstruction. The complete Resolution 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

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KELLI L. BARNABY,
MMC/CNHMC
CITY CLERK

**CITY OF PORTSMOUTH
TWO THOUSAND TWENTY-THREE
PORTSMOUTH, NEW HAMPSHIRE**

RESOLUTION # XX – 2023

A RESOLUTION AUTHORIZING A BOND ISSUE AND/OR NOTES OF UP TO SEVENTEEN MILLION THREE HUNDRED FIFTY THOUSAND DOLLARS (\$17,350,000) FOR COSTS RELATED TO POLICE STATION UPGRADES, LAND ACQUISITION, OUTDOOR POOL UPGRADES, CTIYWIDE FACILITIES CAPITAL IMPROVEMENTS, ELWYN PARK SIDEWALKS TRAFFIC CALMING, BORTHWICK AVENUE BIKE PATH, SAGAMORE AVENUE SIDEWALK, CITYWIDE SIDEWALK RECONSTRUCTION PROGRAM, STREET PAVING; MANAGEMENT AND REHABILITATION, PEASE TRADEPORT STREET REHABILITATION, EDMOND AVENUE UPGRADES, ISLINGTON STREET IMPROVEMENTS AND UNION STREET RECONSTRUCTION.

RESOLVED:

THAT, the sum of up to **Seventeen Million Three Hundred Fifty Thousand Dollars (\$17,350,000)** is appropriated Police Station Upgrades, Land Acquisition, Outdoor Pool Upgrades, Citywide Facilities Capital Improvements, Elwyn Park Sidewalks Traffic Calming, Borthwick Avenue Bike Path, Sagamore Avenue Sidewalk, Citywide Sidewalk Reconstruction Program, Street Paving; Management; and Rehabilitation, Pease Tradeport Street Rehabilitation, Edmond Avenue Upgrades, Islington Street Improvements and Union Street Reconstruction, including the payment of costs incidental or related thereto.

THAT, to meet this appropriation, the City Treasurer, with the approval of the City Manager, is authorized to borrow, on a competitive or negotiated basis, up to **Seventeen Million Three Hundred Fifty Thousand Dollars (\$17,350,000)** through the issuance of bonds and/or notes of the City under the Municipal Finance Act;

THAT, the expected useful life of the projects is determined to be at least twenty (20) years, and;

THAT, this Resolution shall take effect upon its passage.

APPROVED:

DEAGLAN MCEACHERN, MAYOR

ADOPTED BY CITY COUNCIL

**KELLI BARNABY, MMC/CNHMC
CITY CLERK**

BI-21-PD-13: Police Deficiencies & Repair Project

Buildings and Infrastructure

Department	Police Department
Project Location	Police Department
Project Type	Rehabilitation of a Facility
Commence FY	2021
Priority	A (needed within 0 to 3 years)
Impact on Operating Budget	Negligible (<\$5,001)

Evaluation Criteria	Qualify?
Responds to Federal or State Requirement	
Addresses Public Health or Safety Need	Y
Alleviates Substandard Conditions or Deficiencies	Y
Eligible for Matching Funds with Limited Availability	
Timing or Location Coordinate with Synergistic Project	
Identified in Planning Document or Study	
Improves Quality of or Provides Added Capacity to Existing Services	Y
Reduces Long-Term Operating Costs	
Provides Incentive to Economic Development	
Responds to a Citywide Goal or Submitted Resident Request	

Description: A 2014 space needs study of the police facility identified deficiencies in the space allocated to the police department, as well as, operational deficiencies in function. In addition, a 2018 public presentation from a public safety architect provided insight into some of the unique needs and requirements of a police facility. Although a funding request for a new facility has been included in the CIP plan since 2015, other citywide projects have had to take precedence. A new police facility is still the goal, and preliminary steps have been taken with monies appropriated for this effort.

In the interim, the current facility has needed significant repair and upgrades to make it safe and functional. Although initial projects were identified in FY21, the funding has been used to cover mold and asbestos abatement, and restoration of the areas after the contaminated materials were removed. Luckily, some of the restoration work overlapped with projects originally identified. With the abatement project coming to a close in FY23, the department will resume working on the projects that have been on hold. It should be noted: if the police department moves into a new facility, all the necessary repairs done to the current facility will benefit any city department moving into the space. The remaining projects include: upgrade HVAC filtration in the range, security, ADA compliance, server room upgrade, RDC (redundant/disaster recovery center) upgrade at Fire Station II, dispatch upgrade, updating old lighting throughout the PPD, evidence processing and submittal areas upgrade, renovation of former generator rooms for equipment storage, archive space, and gym area, K9 office conversion, and upgrade back parking lot surface and security fencing.

Studies Identified & Useful Website Links:

- [Police Department Facility Study](#)
- [Portsmouth Police Department Homepage](#)
- [FY23-FY28 CIP \(Prior Year\) Project Sheet](#)

Notes of Changes in Funding Plan from FY23-28 CIP:

This project will end in FY24. The projected 400K in FY25 and FY26 has been removed.

		FY24	FY25	FY26	FY27	FY28	FY29	Totals 24-29	6 PY's Funding	Totals
GF	0%							\$0	\$0	\$0
Fed/ State	0%							\$0	\$0	\$0
Bond/ Lease	100%	\$400,000						\$400,000	\$1,200,000	\$1,600,000
Other	0%							\$0	\$0	\$0
Revenues	0%							\$0	\$0	\$0
PPP	0%							\$0	\$0	\$0
Totals		\$400,000	\$0	\$0	\$0	\$0	\$0	\$400,000	\$1,200,000	\$1,600,000

CAPITAL IMPROVEMENT PLAN

FY 24-29

II-39



BI-95-PL-21: Land Acquisition

Department	Planning Department
Project Location	Citywide
Project Type	Land Acquisition
Commence FY	Ongoing
Priority	O (Ongoing or Programmatic)
Impact on Operating Budget	Negligible (<\$5,001)



Description: This project funds the purchase of land that has been determined should protected for conservation and recreation. Ownership is usually sought to secure environmentally sensitive areas to purchase the development rights to a particular parcel, or for some municipal use. Protection may also be provided through the purchase of development rights by way of conservation easements and/or restrictions. Funds can be used as match for leverage on existing grant programs and to support and supplement the City's existing Conservation Fund. Acquisition of land is consistent with the goals and visions stated in the City Master Plan and Open Space Plan.

Evaluation Criteria	Qualify?
Responds to Federal or State Requirement	
Addresses Public Health or Safety Need	
Alleviates Substandard Conditions or Deficiencies	
Eligible for Matching Funds with Limited Availability	Y
Timing or Location Coordinate with Synergistic Project	
Identified in Planning Document or Study	Y
Improves Quality of or Provides Added Capacity to Existing Services	
Reduces Long-Term Operating Costs	
Provides Incentive to Economic Development	
Responds to a Citywide Goal or Submitted Resident Request	

- Studies Identified & Useful Website Links:**
- [Open Space Plan](#)
 - [Master Plan 2025](#)
 - [FY23-FY28 CIP \(Prior Year\) Project Sheet](#)

Notes of Changes in Funding Plan from FY23-28 CIP:

Due to funding constraints within the debt schedule, proposed funding was added to FY29 but was removed from FY26 through FY28.

		FY24	FY25	FY26	FY27	FY28	FY29	Totals 24-29	6 PY's Funding	Totals
GF	3%							\$0	\$50,000	\$50,000
Fed/ State	0%							\$0	\$0	\$0
Bond/ Lease	97%	\$500,000	\$500,000				\$500,000	\$1,500,000	\$0	\$1,500,000
Other	0%							\$0	\$0	\$0
Revenues	0%							\$0	\$0	\$0
PPP	0%							\$0	\$0	\$0
Totals		\$500,000	\$500,000	\$0	\$0	\$0	\$500,000	\$1,500,000	\$50,000	\$1,550,000



BI-15-PW-34: Outdoor Pool Aquatics Upgrade and Pool House

Department	Public Works and Recreation Department
Project Location	99 Pierce Island Road
Project Type	Rehabilitation of a Facility
Commence FY	2019
Priority	A (needed within 0 to 3 years)
Impact on Operating Budget	Minimal (\$5,001 to \$50,000)



Evaluation Criteria	Qualify?
Responds to Federal or State Requirement	
Addresses Public Health or Safety Need	Y
Alleviates Substandard Conditions or Deficiencies	Y
Eligible for Matching Funds with Limited Availability	
Timing or Location Coordinate with Synergistic Project	
Identified in Planning Document or Study	
Improves Quality of or Provides Added Capacity to Existing Services	Y
Reduces Long-Term Operating Costs	
Provides Incentive to Economic Development	
Responds to a Citywide Goal or Submitted Resident Request	

Description: This project will be constructed in several phases. The first phase will include upgrades to the pool filter, liner, and pump house. This first phase was bid but exceeded available funds. The FY24 request is for this required additional monies to cover that first phase of the project. The next phase will include the construction of a new pool house. FY28 funds will be used for the design of the updated pool house with projected construction in FY29.

<p>Studies Identified & Useful Website Links:</p> <ul style="list-style-type: none"> • Outdoor Pool Page • FY23-FY28 CIP (Prior Year) Project Sheet

<p>Notes of Changes in Funding Plan from FY23-28 CIP:</p> <p>Project transferred to Public Works in FY24. (RC to PW)</p>
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		FY24	FY25	FY26	FY27	FY28	FY29	Totals 24-29	6 PY's Funding	Totals
GF	1%					\$100,000		\$100,000	\$0	\$100,000
Fed/ State	0%							\$0	\$0	\$0
Bond/ Lease	99%	\$1,500,000					\$3,250,000	\$4,750,000	\$5,500,000	\$10,250,000
Other	0%							\$0	\$0	\$0
Revenues	0%							\$0	\$0	\$0
PPP	0%							\$0	\$0	\$0
	Totals	\$1,500,000	\$0	\$0	\$0	\$100,000	\$3,250,000	\$4,850,000	\$5,500,000	\$10,350,000



BI-01-PW-45: Citywide Facilities Capital Improvements

Department	Public Works Department
Project Location	Citywide
Project Type	Rehabilitation of a Facility
Commence FY	Ongoing
Priority	O (ongoing or programmatic)
Impact on Operating Budget	Negligible (<\$5,001)



Evaluation Criteria	Qualify?
Responds to Federal or State Requirement	
Addresses Public Health or Safety Need	Y
Alleviates Substandard Conditions or Deficiencies	Y
Eligible for Matching Funds with Limited Availability	
Timing or Location Coordinate with Synergistic Project	
Identified in Planning Document or Study	Y
Improves Quality of or Provides Added Capacity to Existing Services	Y
Reduces Long-Term Operating Costs	Y
Provides Incentive to Economic Development	
Responds to a Citywide Goal or Submitted Resident Request	

Description: The Public Works Department is responsible for maintaining all General Fund municipal facilities. These facilities serve multiple uses. Many facilities need to be updated due to age and usage. A backlog of projects is shown on the next page.

Studies Identified & Useful Website Links:

- [Facility Condition Assessment 2015](#)
- [FY23-FY28 CIP \(Prior Year\) Project Sheet](#)

Notes of Changes in Funding Plan from FY23-28 CIP:

		FY24	FY25	FY26	FY27	FY28	FY29	Totals 24-29	6 PY's Funding	Totals
GF	0%							\$0	\$0	\$0
Fed/ State	0%							\$0	\$0	\$0
Bond/ Lease	100%	\$500,000	\$500,000	\$1,000,000	\$500,000	\$500,000	\$1,000,000	\$4,000,000	\$3,000,000	\$7,000,000
Other	0%							\$0	\$0	\$0
Revenues	0%							\$0	\$0	\$0
PPP	0%							\$0	\$0	\$0
Totals		\$500,000	\$500,000	\$1,000,000	\$500,000	\$500,000	\$1,000,000	\$4,000,000	\$3,000,000	\$7,000,000

BI-01-PW-45 : Citywide Facilities Capital Improvements

- 95 Mechanic Street
- City Hall Archive
- City Hall Dept. Renovations
- City Hall Masonry Repointing And Sealing
- City Hall Slate Roof Repairs/Replacement
- City Hall New Carpet Throughout
- City Hall New Paint Throughout
- DPW Complex
- Connor's Cottage Basement / Drainage Project
- Connor's Cottage Basement and Tunnel Renovations
- Library HVAC Controls
- South Meeting House
- Facilities Safety Inspection Action Items
- Discovery Center Handicap Accessibility

TSM-17-PL-63: Elwyn Park Traffic Calming and Pedestrian Improvements



Department	Planning Department & Public Works
Project Location	Elwyn Park (McKinley Rd, Harding Rd, Van Buren Rd, Fillmore Rd)
Project Type	Construction or Expansion of a Public Facility, Street or Utility
Commence FY	2022
Priority	A (needed within 0 to 3 years)
Impact on Operating Budget	Negligible (<\$5,001)



Evaluation Criteria	Qualify?
Responds to Federal or State Requirement	
Addresses Public Health or Safety Need	
Alleviates Substandard Conditions or Deficiencies	Y
Eligible for Matching Funds with Limited Availability	Y
Timing or Location Coordinate with Synergistic Project	
Identified in Planning Document or Study	Y
Improves Quality of or Provides Added Capacity to Existing Services	Y
Reduces Long-Term Operating Costs	
Provides Incentive to Economic Development	
Responds to a Citywide Goal or Submitted Resident Request	

Description: This project will provide safe pedestrian connections and traffic calming throughout the Elwyn Park Neighborhood. A feasibility study has been completed using prior year Capital funding which identified priority streets within the neighborhood for addition of sidewalks and recommended traffic calming measures.

- Studies Identified & Useful Website Links:**
- [Elwyn Park Sidewalks and Traffic Calming Project Page](#)
 - Elwyn Park Sidewalk Study June 2020
 - [Bicycle and Pedestrian Plan 2014](#)
 - [FY23-FY28 CIP \(Prior Year\) Project Sheet](#)

Notes of Changes in Funding Plan from FY23-28 CIP:

		FY24	FY25	FY26	FY27	FY28	FY29	Totals 24-29	6 PY's Funding	Totals
GF	11%							\$0	\$180,000	\$180,000
Fed/ State	0%							\$0	\$0	\$0
Bond/ Lease	89%	\$1,500,000						\$1,500,000	\$0	\$1,500,000
Other	0%							\$0	\$0	\$0
Revenues (parking)	0%							\$0	\$0	\$0
PPP	0%							\$0	\$0	\$0
	Totals	\$1,500,000	\$0	\$0	\$0	\$0	\$0	\$1,500,000	\$180,000	\$1,680,000

TSM-23-PL-64: Borthwick Avenue Bike Path



Department	Planning Department
Project Location	Connection to Hampton Branch Trail via Route 1 Bypass & Eileen Dondero Foley Ave
Project Type	Construction or Expansion of a Public Facility, Street or Utility
Commence FY	2023
Priority	A (needed within 0 to 3 years)
Impact on Operating Budget	Negligible (<\$5,001)



Evaluation Criteria	Qualify?
Responds to Federal or State Requirement	
Addresses Public Health or Safety Need	Y
Alleviates Substandard Conditions or Deficiencies	Y
Eligible for Matching Funds with Limited Availability	
Timing or Location Coordinate with Synergistic Project	
Identified in Planning Document or Study	Y
Improves Quality of or Provides Added Capacity to Existing Services	Y
Reduces Long-Term Operating Costs	
Provides Incentive to Economic Development	
Responds to a Citywide Goal or Submitted Resident Request	Y

Description: This project could construct a new multi-use path along Borthwick Ave. The path would start at the Route 1 Bypass intersection with Borthwick Ave/Hodgdon Way and travel approximately 2400' along Borthwick Ave toward the Portsmouth Hospital to connect to the existing sidewalk and bike routes that currently end at the intersection of Eileen Dondero Foley Ave. This path would thus finish the pedestrian link on Borthwick Ave and connect the West End to the planned rail trail.

Studies Identified & Useful Website Links:

- [Bicycle and Pedestrian Plan 2014](#)
- [FY23-FY28 CIP \(Prior Year\) Project Sheet](#)

Notes of Changes in Funding Plan from FY23-28 CIP:

		FY24	FY25	FY26	FY27	FY28	FY29	Totals 24-29	6 PY's Funding	Totals
GF	0%							\$0	\$0	\$0
Fed/ State	0%							\$0	\$0	\$0
Bond/ Lease	100%	\$400,000						\$400,000	\$0	\$400,000
Other	0%							\$0	\$0	\$0
Revenues (parking)	0%							\$0	\$0	\$0
PPP	0%							\$0	\$0	\$0
Totals		\$400,000	\$0	\$0	\$0	\$0	\$0	\$400,000	\$0	\$400,000



TSM-19-PW-68: Sagamore Avenue Sidewalk

Department	Public Works Department
Project Location	Sagamore Ave
Project Type	Construction or Expansion of a Public Facility, Street or Utility
Commence FY	2023
Priority	A (needed within 0 to 3 years)
Impact on Operating Budget	Negligible (<\$5,001)



Description: Project will construct a sidewalk along Sagamore Avenue from Odiorne Point Road to the old Moose Club access road.

Evaluation Criteria	Qualify?
Responds to Federal or State Requirement	
Addresses Public Health or Safety Need	Y
Alleviates Substandard Conditions or Deficiencies	Y
Eligible for Matching Funds with Limited Availability	
Timing or Location Coordinate with Synergistic Project	Y
Identified in Planning Document or Study	
Improves Quality of or Provides Added Capacity to Existing Services	Y
Reduces Long-Term Operating Costs	
Provides Incentive to Economic Development	
Responds to a Citywide Goal or Submitted Resident Request	Y

Studies Identified & Useful Website Links:
 • [FY23-FY28 CIP \(Prior Year\) Project Sheet](#)

Notes of Changes in Funding Plan from FY23-28 CIP:
 Project to be coordinated with the Sagamore Sewer project (EF-22-SD-93)

		FY24	FY25	FY26	FY27	FY28	FY29	Totals 24-29	6 PY's Funding	Totals
GF	0%							\$0	\$0	\$0
Fed/ State	0%							\$0	\$0	\$0
Bond/ Lease	100%	\$300,000						\$300,000	\$0	\$300,000
Other	0%							\$0	\$0	\$0
Revenues	0%							\$0	\$0	\$0
PPP	0%							\$0	\$0	\$0
Totals		\$300,000	\$0	\$0	\$0	\$0	\$0	\$300,000	\$0	\$300,000

TSM-95-PW-69: Citywide Sidewalk Reconstruction Program



Department	Public Works
Project Location	Citywide
Project Type	Rehabilitation of a Facility
Commence FY	Ongoing
Priority	O (ongoing or programmatic)
Impact on Operating Budget	Negligible (<\$5,001)



Description: The Public Works Department completed a conditional sidewalk assessment of City maintained sidewalks. The assessment contains detailed information on 74 miles of sidewalk. These sidewalks are not included in parks, fields and other City maintained facilities. The results give staff a clear depiction of the overall conditions. This project consists of sidewalks identified as poor to fair condition. Reconstruction work is based on need. Reconstruction work is coordinated with other street and utility improvement projects.

Evaluation Criteria	Qualify?
Responds to Federal or State Requirement	
Addresses Public Health or Safety Need	Y
Alleviates Substandard Conditions or Deficiencies	Y
Eligible for Matching Funds with Limited Availability	
Timing or Location Coordinate with Synergistic Project	
Identified in Planning Document or Study	Y
Improves Quality of or Provides Added Capacity to Existing Services	Y
Reduces Long-Term Operating Costs	
Provides Incentive to Economic Development	
Responds to a Citywide Goal or Submitted Resident Request	

- Studies Identified & Useful Website Links:
- [Roads & Sidewalks Project Page](#)
 - [Sidewalk Condition Index 2018](#)
 - [Public Works Homepage](#)
 - [FY23-FY28 CIP \(Prior Year\) Project Sheet](#)

Notes of Changes in Funding Plan from FY23-28 CIP:

		FY24	FY25	FY26	FY27	FY28	FY29	Totals 24-29	6 PY's Funding	Totals
GF	0%							\$0	\$0	\$0
Fed/ State	0%							\$0	\$0	\$0
Bond/ Lease	100%	\$800,000				\$800,000	\$400,000	\$2,000,000	\$1,600,000	\$3,600,000
Other	0%							\$0	\$0	\$0
Revenues	0%							\$0	\$0	\$0
PPP	0%							\$0	\$0	\$0
Totals		\$800,000	\$0	\$0	\$0	\$800,000	\$400,000	\$2,000,000	\$1,600,000	\$3,600,000

TSM-95-PW-69: Citywide Sidewalk Reconstruction Program

PROPOSED CAPITAL IMPROVEMENTS ON EXISTING SIDEWALKS:

- Bartlett St
- Edmond Avenue
- Kensington Road
- Lawrence Street
- Mendum Avenue
- Summit Avenue
- Willard Avenue
- Sherburne Rd/Greenland Rd (near Borthwick/Pannaway)
- TJ Gamester
- Miscellaneous

The list above represents a backlog of high priority sidewalk projects as identified by the Conditional Sidewalk Assessment and other capital projects. The amount of work completed depends on available funds and construction bid prices.

TSM-94-PW-78: Street Paving, Management, and Rehabilitation



Department	Public Works Department
Project Location	Citywide
Project Type	Rehabilitation of a Facility
Commence FY	Ongoing
Priority	O (ongoing or programmatic)
Impact on Operating Budget	Negligible (<\$5,001)

Description: The Pavement Condition Management Program started in 1993. An annual report updating the city’s pavement management system is completed as part of this program. City road conditions are evaluated, the road network conditions and budget requirements are analyzed, and road-paving programs are developed. The report provides recommended funding to maintain street conditions at current levels. These are capital costs. They are implemented over a two-year period with an expected life of 20 years. The Public Works operational budget includes maintenance costs with an expected life of 10 years. A list of streets needing improvements is on the next page.

Evaluation Criteria	Qualify?
Responds to Federal or State Requirement	
Addresses Public Health or Safety Need	
Alleviates Substandard Conditions or Deficiencies	Y
Eligible for Matching Funds with Limited Availability	
Timing or Location Coordinate with Synergistic Project	
Identified in Planning Document or Study	Y
Improves Quality of or Provides Added Capacity to Existing Services	Y
Reduces Long-Term Operating Costs	
Provides Incentive to Economic Development	
Responds to a Citywide Goal or Submitted Resident Request	Y

Studies Identified & Useful Website Links:

- Pavement Management Index 2020 (draft)
 - [Pavement Management Index](#)
- [Department of Public Works Projects Page](#)
 - [Roads & Sidewalks Project Page](#)
 - [FY23-FY28 CIP \(Prior Year\) Project Sheet](#)

Notes of Changes in Funding Plan from FY23-28 CIP:

FY24 Funding was increased due to an increased scope and increased material costs. FY26 funding was delayed due to funding constraints.

		FY24	FY25	FY26	FY27	FY28	FY29	Totals 24-29	6 PY's Funding	Totals
GF	0%							\$0	\$0	\$0
Fed/ State	0%							\$0	\$0	\$0
Bond/ Lease	100%	\$4,000,000				\$4,000,000	\$2,000,000	\$10,000,000	\$11,000,000	\$21,000,000
Other	0%							\$0	\$0	\$0
Revenues	0%							\$0	\$0	\$0
PPP	0%							\$0	\$0	\$0
	Totals	\$4,000,000	\$0	\$0	\$0	\$4,000,000	\$2,000,000	\$10,000,000	\$11,000,000	\$21,000,000

TSM-94-PW-78: Street Paving, Management, and Rehabilitation

PROPOSED CAPITAL IMPROVEMENTS FISCAL YEAR 2024

STREETS LISTING:

- Middle Street
- Woodbury Ave (Bartlett to Market Street)
- Pannaway Manor
- Atlantic Heights (Phase 2)
- Maple Haven
- Michael Succi Dr
- Morning Street
- Miscellaneous

The list above represents a backlog of high priority pavement projects as identified by the Pavement Management Index and other capital projects. The amount of work completed depends on available funds and construction bid prices.



TSM-11-PW-79: Pease International Tradeport Roadway Rehabilitation

Department	Public Works Department
Project Location	Pease International Tradeport
Project Type	Rehabilitation of a Facility
Commence FY	Ongoing
Priority	O (ongoing or programmatic)
Impact on Operating Budget	Negligible (<\$5,001)



Evaluation Criteria	Qualify?
Responds to Federal or State Requirement	
Addresses Public Health or Safety Need	
Alleviates Substandard Conditions or Deficiencies	Y
Eligible for Matching Funds with Limited Availability	
Timing or Location Coordinate with Synergistic Project	
Identified in Planning Document or Study	Y
Improves Quality of or Provides Added Capacity to Existing Services	Y
Reduces Long-Term Operating Costs	
Provides Incentive to Economic Development	
Responds to a Citywide Goal or Submitted Resident Request	

Description: Per the Municipal Service Agreement between the City of Portsmouth and Pease Development Authority, the City will provide public work services in the non-airfield area of the Pease International Tradeport. Services include maintaining and repairing roads, streets, bridges and sidewalks. A list of streets needing improvements is on the next page. FY24’s funding is to complete Corporate Drive.

- Studies Identified & Useful Website Links:**
- Pavement Management Index 2020 (draft)
 - [Pavement Management Index](#)
 - [Department of Public Works Projects Page](#)
 - [Roads & Sidewalks Project Page](#)
 - [FY23-FY28 CIP \(Prior Year\) Project Sheet](#)

Notes of Changes in Funding Plan from FY23-28 CIP:
 FY24 Funding was increased due to an increased scope and increased material costs. FY26 funding was delayed due to funding constraints.

		FY24	FY25	FY26	FY27	FY28	FY29	Totals 24-29	6 PY's Funding	Totals
GF	0%							\$0	\$0	\$0
Fed/ State	0%							\$0	\$0	\$0
Bond/ Lease	100%	\$3,200,000				\$1,000,000	\$500,000	\$4,700,000	\$4,000,000	\$8,700,000
Other	0%							\$0	\$0	\$0
Revenues	0%							\$0	\$0	\$0
PPP	0%							\$0	\$0	\$0
	Totals	\$3,200,000	\$0	\$0	\$0	\$1,000,000	\$500,000	\$4,700,000	\$4,000,000	\$8,700,000

TSM-11-PW-79: Pease International Tradeport Roadway Rehabilitation

PEASE INTERNATIONAL TRADEPORT FOR FISCAL YEAR 2024

STREETS LISTING:

- Airline Avenue
- Aviation Avenue
- Corporate Drive
- Newfields Street
- Rochester Avenue
- Rye Street
- Miscellaneous

The list above represents a backlog of high priority pavement projects in the Pease International Tradeport as identified by the Pavement Management Index and other capital projects. The amount of work completed depends on available funds and construction bid prices.



COM-23-PW-102: Edmond Avenue

Department	Public Works Department
Project Location	Edmond Ave from Maplewood Ave to Woodbury Ave
Project Type	Construction or expansion of a new public facility or public infrastructure
Commence FY	2023
Priority	A (needed (needed within 0 to 3 years)
Impact on Operating Budget	Reduce (will reduce Operating Costs)



Evaluation Criteria	Qualify?
Responds to Federal or State Requirement	
Addresses Public Health or Safety Need	Y
Alleviates Substandard Conditions or Deficiencies	Y
Eligible for Matching Funds with Limited Availability	
Timing or Location Coordinate with Synergistic Project	
Identified in Planning Document or Study	
Improves Quality of or Provides Added Capacity to Existing Services	Y
Reduces Long-Term Operating Costs	Y
Provides Incentive to Economic Development	
Responds to a Citywide Goal or Submitted Resident Request	Y

Description: This project includes reconstruction of a section of water line on Edmond Avenue and McGee Drive. Work will include replacement of the water main, a low pressure sewer near Maplewood Avenue and drainage improvements along the roadway. In addition, residents have requested installation of a sidewalk along Edmond Avenue to improve pedestrian safety.

Studies Identified & Useful Website Links:
<ul style="list-style-type: none"> FY23-FY28 CIP (Prior Year) Project Sheet

Notes of Changes in Funding Plan from FY23-28 CIP:

An additional \$550,000 to accommodate resident request for sidewalk has been added for sidewalks.

COM-23-PW-102: Edmond Avenue

			FY24	FY25	FY26	FY27	FY28	FY29	Totals 24-29	6 PY's Funding	Totals
General Fund	Fed/ State	0%							\$0	\$0	\$0
	GF-Capital Outlay	3%							\$0	\$60,000	\$60,000
	GF-Bond/ Lease	56%	\$1,050,000						\$1,050,000	\$0	\$1,050,000
	Other	0%							\$0	\$0	\$0
	PPP	0%							\$0	\$0	\$0
Water	Revenues	3%							\$0	\$60,000	\$60,000
	Bond/Lease	26%	\$500,000						\$500,000	\$0	\$500,000
	PPP	0%							\$0	\$0	\$0
Sewer	Revenues	1%							\$0	\$20,000	\$20,000
	Bond/Lease	11%	\$200,000						\$200,000	\$0	\$200,000
	PPP	0%							\$0	\$0	\$0
Total General Fund		59%	\$1,050,000	\$0	\$0	\$0	\$0	\$0	\$1,050,000	\$60,000	\$1,110,000
Total Water Fund		30%	\$500,000	\$0	\$0	\$0	\$0	\$0	\$500,000	\$60,000	\$560,000
Total Sewer Fund		12%	\$200,000	\$0	\$0	\$0	\$0	\$0	\$200,000	\$20,000	\$220,000
Totals			\$1,750,000	\$0	\$0	\$0	\$0	\$0	\$1,750,000	\$140,000	\$1,890,000



COM-03-PW-107: Islington Street Improvements

Department	Public Works Department
Project Location	Islington Street from Albany Street to Congress Street
Project Type	Rehabilitation of a Facility
Commence FY	2020
Priority	A (needed (needed within 0 to 3 years)
Impact on Operating Budget	Negligible (<\$5,001)



Evaluation Criteria	Qualify?
Responds to Federal or State Requirement	
Addresses Public Health or Safety Need	
Alleviates Substandard Conditions or Deficiencies	
Eligible for Matching Funds with Limited Availability	
Timing or Location Coordinate with Synergistic Project	
Identified in Planning Document or Study	Y
Improves Quality of or Provides Added Capacity to Existing Services	
Reduces Long-Term Operating Costs	
Provides Incentive to Economic Development	
Responds to a Citywide Goal or Submitted Resident Request	

Description: This project funds work related to reconstruction on Islington Street. Phase 1 was completed in FY23 with previous year funding and included work from the Route 1 Bypass to Dover Street. Construction bids for Phase 2 were received in the fall of 2022 and Phase 2a from Dover Street to Cornwall Street has been awarded for construction with previous years funding. Phase 2b from Cornwall Street to Maplewood Avenue requires additional funding and is requested in FY24. Funding for this work will come from the water and sewer enterprise funds and the general fund. This project will include sewer separation and credit will be provided under the City's Long Term Control Plan.

Studies Identified & Useful Website Links:
<ul style="list-style-type: none"> • Long Term Control Plan Update 2010; • CSO Supplemental Compliance Plan 2017 <ul style="list-style-type: none"> • Public Works Department • Sewer Department • FY21-26 CIP page

Notes of Changes in Funding Plan from FY23-28 CIP:

COM-03-PW-107: Islington Street Improvements

			FY24	FY25	FY26	FY27	FY28	FY29	Totals 24-29	6 PY's Funding	Totals
General Fund	Fed/ State	0%							\$0	\$0	\$0
	GF-Capital Outlay	0%							\$0	\$0	\$0
	GF-Bond/ Lease	46%	\$2,500,000						\$2,500,000	\$0	\$2,500,000
	Other	0%							\$0	\$0	\$0
	PPP	0%							\$0	\$0	\$0
Water	Revenues	0%							\$0	\$0	\$0
	Bond/Lease	16%	\$850,000						\$850,000	\$0	\$850,000
	PPP	0%							\$0	\$0	\$0
Sewer	Revenues	0%							\$0	\$0	\$0
	Bond/Lease	39%	\$2,100,000						\$2,100,000	\$0	\$2,100,000
	PPP	0%							\$0	\$0	\$0
Total General Fund		46%	\$2,500,000	\$0	\$0	\$0	\$0	\$0	\$2,500,000	\$0	\$2,500,000
Total Water Fund		16%	\$850,000	\$0	\$0	\$0	\$0	\$0	\$850,000	\$0	\$850,000
Total Sewer Fund		39%	\$2,100,000	\$0	\$0	\$0	\$0	\$0	\$2,100,000	\$0	\$2,100,000
Totals			\$5,450,000	\$0	\$0	\$0	\$0	\$0	\$5,450,000	\$0	\$5,450,000

COM-17-PW-108: Union Street Reconstruction

Department	Public Works Department
Project Location	Union Street
Project Type	Construction or Expansion of Public Infrastructure
Commence FY	2020
Priority	A (needed (needed within 0 to 3 years)
Impact on Operating Budget	Negligible (<\$5,001)

Evaluation Criteria	Qualify?
Responds to Federal or State Requirement	
Addresses Public Health or Safety Need	
Alleviates Substandard Conditions or Deficiencies	
Eligible for Matching Funds with Limited Availability	
Timing or Location Coordinate with Synergistic Project	
Identified in Planning Document or Study	Y
Improves Quality of or Provides Added Capacity to Existing Services	Y
Reduces Long-Term Operating Costs	Y
Provides Incentive to Economic Development	
Responds to a Citywide Goal or Submitted Resident Request	

Studies Identified & Useful Website Links:

- [Long Term Control Plan Update 2010;](#)
 - [Public Works Department](#)
 - [Sewer Department](#)
- [CIP FY22-27 Original Phase Element Sheet](#)

Notes of Changes in Funding Plan from FY23-28 CIP:

Prior Year Funding is from the original phase of the project COM-17-PW-100 from FY22-27

FIGURE 1: UNION STREET RECONSTRUCTION



Description: This project is part of the City's ongoing Combined Sewer Overflow Long Term Control Plan in accordance with the EPA Supplemental Compliance Plan. The project includes water, sewer, drainage and streetscape modifications on Union Street from Middle Street to State Street. The project will also address side streets, including Coffins Court, Cabot Street and sections of Austin Street. Additional sewer funding will be used from the previous CIP sewer project (EF-17-SD-95 Union Street Reconstruction).

Combined Projects (General Fund, Water Fund, Sewer Fund)

COM-17-PW-108: Union Street Reconstruction

			FY24	FY25	FY26	FY27	FY28	FY29	Totals 24-29	6 PY's Funding	Totals
General Fund	Fed/ State	0%							\$0	\$0	\$0
	GF-Capital Outlay	0%							\$0	\$0	\$0
	GF-Bond/ Lease	31%	\$700,000						\$700,000	\$1,000,000	\$1,700,000
	Other	0%							\$0	\$0	\$0
	PPP	0%							\$0	\$0	\$0
Water	Revenues	0%							\$0	\$0	\$0
	Bond/Lease	40%	\$700,000						\$700,000	\$1,500,000	\$2,200,000
	PPP	0%							\$0	\$0	\$0
Sewer	Revenues	3%							\$0	\$150,000	\$150,000
	Bond/Lease	26%	\$700,000						\$700,000	\$700,000	\$1,400,000
	PPP	0%							\$0	\$0	\$0
Total General Fund			31%	\$700,000	\$0	\$0	\$0	\$0	\$700,000	\$1,000,000	\$1,700,000
Total Water Fund			40%	\$700,000	\$0	\$0	\$0	\$0	\$700,000	\$1,500,000	\$2,200,000
Total Sewer Fund			28%	\$700,000	\$0	\$0	\$0	\$0	\$700,000	\$850,000	\$1,550,000
Totals			\$2,100,000	\$0	\$0	\$0	\$0	\$0	\$2,100,000	\$3,350,000	\$5,450,000

LEGAL NOTICE

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KELLI L. BARNABY, MMC/CNHMC
CITY CLERK

LEGAL NOTICE
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KELLI L. BARNABY,
MMC/CNHMC
CITY CLERK

**CITY OF PORTSMOUTH
TWO THOUSAND TWENTY-THREE
PORTSMOUTH, NEW HAMPSHIRE**

RESOLUTION # XX – 2023

A RESOLUTION AUTHORIZING A BOND ISSUE AND/OR NOTES OF UP TO TWO MILLION THREE HUNDRED FIFTY THOUSAND DOLLARS (\$2,350,000), TOGETHER WITH THE TRANSFER OF UNEXPENDED BOND PROCEEDS IN THE AMOUNT OF ONE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$1,500,000), FOR A TOTAL APPROPRIATION OF THREE MILLION EIGHT HUNDRED FIFTY THOUSAND DOLLARS (\$3,850,000), TO PAY COSTS RELATED TO SCHOOL FACILITIES IMPROVEMENTS AND FIT-UP OF COMMUNITY CAMPUS SPACE FOR ROBERT J LISTER ACADEMY.

RESOLVED:

THAT, the sum of up to **Three Million Eight Hundred Fifty Thousand Dollars (\$3,850,000)** is appropriated for making School Facilities Improvements and Fit-Up of Community Campus Space for the Robert J. Lister Academy, including the payment of costs incidental or related thereto;

THAT, to meet this appropriation, (i) the City Treasurer, with the approval of the City Manager, is authorized to borrow, on a competitive or negotiated basis, up to **Two Million Three Hundred Fifty Thousand Dollars (\$2,350,000)** through the issuance of bonds and/or notes of the City under the Municipal Finance Act, and (ii) the sum of **One Million Five Hundred Thousand Dollars (\$1,500,000)**, initially borrowed to pay costs of upgrading elementary school facilities, as authorized by vote of the City Council on July 11, 2022, but which is no longer needed to pay costs of those improvements, shall be transferred to pay costs of the project described herein, in accordance with RSA 33:3-a(II);

THAT, the expected useful life of the projects is determined to be at least twenty (20) years; and

THAT, this Resolution shall take effect upon its passage.

APPROVED:

DEAGLAN MCEACHERN, MAYOR

ADOPTED BY CITY COUNCIL

**KELLI BARNABY, MMC/CNHMC
CITY CLERK**

BI-07-SC-15: School Facilities Capital Improvements

Buildings and Infrastructure

Department	School Department
Project Location	District Wide
Project Type	Rehabilitation of Existing Facilities
Commence FY	Ongoing
Priority	O (Ongoing or Programmatic)
Impact on Operating Budget	Minimal (\$5,002 to \$50,000)



Description: The Portsmouth School Department has maintenance responsibilities for seven (7) buildings and the grounds that accompany them. These appropriations are used for buildings and grounds improvement projects including paving, roofing, energy efficiency improvements, infrastructure replacement, and security improvements.

Studies Identified & Useful Website Links:

- [Portsmouth School Department Homepage](#)
- [FY23-FY28 CIP \(Prior Year\) Project Sheet](#)

Notes of Changes in Funding Plan from FY23-28 CIP:

- 1) Removes \$450,000 from FY24 in PHS mechanical infrastructure and Districtwide energy projects and focuses on paving and roofing needs
- 2) Introduces \$650,000 in both FY25 and FY26 for multi-phase paving and exterior lighting work and roof replacement at Portsmouth High School
- 3) Anticipates \$1,000,000 in FY27 to continue ongoing capital upgrades in the athletic complex, physical security, interior upgrades, and energy work

		FY24	FY25	FY26	FY27	FY28	FY29	Totals 24-29	6 PY's Funding	Totals
GF	0%							\$0	\$0	\$0
Fed/ State	0%							\$0	\$0	\$0
Bond/ Lease	100%	\$550,000	\$650,000	\$650,000	\$1,000,000			\$2,850,000	\$3,100,000	\$5,950,000
Other	0%							\$0	\$0	\$0
Revenues	0%							\$0	\$0	\$0
PPP	0%							\$0	\$0	\$0
	Totals	\$550,000	\$650,000	\$650,000	\$1,000,000	\$0	\$0	\$2,850,000	\$3,100,000	\$5,950,000

BI-07-SC-15: SCHOOL FACILITIES CAPITAL IMPROVEMENTS

Facility/School	Improvement Project	FY24	FY25	FY26	FY27	FY28	FY29	Totals
District Wide	Paving / Exterior Lighting Improvements	\$300,000	\$400,000	\$400,000	\$200,000			\$1,300,000
District Wide	Roof Replacement	\$250,000	\$250,000	\$250,000	\$250,000			\$1,000,000
High School	Athletic Complex Upgrades (Irrigation, Infrastructure)				\$225,000			\$225,000
High School	Security Upgrades - Doors & Hardware, Surveillance				\$100,000			\$100,000
High School	Interior Upgrades - Painting / Wall Tile				\$125,000			\$125,000
High School	Energy Efficiency Upgrades Lighting/Mechanical				\$100,000			\$100,000
R.J. Lister Academy	Life Safety, Security and Mechanical Infrastructure							\$0
District Wide	Mechanical Infrastructure Upgrades							\$0
District Wide	Flooring Improvements							\$0
Total District Wide City Capital Improvement		\$550,000	\$650,000	\$650,000	\$450,000	\$0	\$0	\$2,300,000
Total High School Capital Improvement		\$0	\$0	\$0	\$550,000	\$0	\$0	\$550,000
Total R.J. Lister Academy Capital Improvement		\$0	\$0	\$0	\$0	\$0	\$0	\$0
TOTAL IMPROVEMENTS		\$550,000	\$650,000	\$650,000	\$1,000,000	\$0	\$0	\$2,850,000



BI-24-SC-17: Fit-Up of Community Campus Space for RJ Lister Academy

Department	School Department
Project Location	Community Campus
Project Type	Rehabilitation of an Existing Facilities
Commence FY	2023
Priority	A (needed within 0 to 3 years)
Impact on Operating Budget	Minimal (\$5,002 to \$50,000)



Evaluation Criteria	Qualify?
Responds to Federal or State Requirement	
Addresses Public Health or Safety Need	Y
Alleviates Substandard Conditions or Deficiencies	Y
Eligible for Matching Funds with Limited Availability	
Timing or Location Coordinate with Synergistic Project	
Identified in Planning Document or Study	
Improves Quality of or Provides Added Capacity to Existing Services	Y
Reduces Long-Term Operating Costs	Y
Provides Incentive to Economic Development	
Responds to a Citywide Goal or Submitted Resident Request	

Description: The City’s acquisition of the Community Campus property made space available to relocate Robert J Lister Academy from an aging Sherburne School. Space on the lower level of Community Campus formerly occupied by Families First will provide an excellent location for the Lister Academy program. Fit-up of that square footage will require renovation of many small clinical rooms and offices into appropriately sized school classrooms and program spaces.

- Studies Identified & Useful Website Links:**
- [Portsmouth School Department Homepage](#)
 - [FY23-FY28 CIP \(Prior Year\) Project Sheet](#)

Notes of Changes in Funding Plan from FY23-28 CIP:
 New project – replaced FY23’s project Sherburne School (BI—23-SC-13)

		FY24	FY25	FY26	FY27	FY28	FY29	Totals 24-29	6 PY's Funding	Totals
GF	0%							\$0	\$0	\$0
Fed/ State	0%							\$0	\$0	\$0
Bond/ Lease	100%	\$1,800,000						\$1,800,000	\$0	\$1,800,000
Other	0%							\$0	\$0	\$0
Revenues	0%							\$0	\$0	\$0
PPP	0%							\$0	\$0	\$0
	Totals	\$1,800,000	\$0	\$0	\$0	\$0	\$0	\$1,800,000	\$0	\$1,800,000

LEGAL NOTICE

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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, July 10, 2023 at 7:00 p.m., at the Portsmouth Municipal Complex in the Eileen Dondero Foley Council Chambers, Portsmouth, NH, on a proposed Resolution Authorizing the Borrowing of up to One Million Two Hundred Fifty Thousand Dollars (\$1,250,000.00) through the Issue of Bonds and/or Notes for Costs Related to the Design and Construction of Foundry Place Parking Offices. The complete Resolution 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

**CITY OF PORTSMOUTH
TWO THOUSAND TWENTY-THREE
PORTSMOUTH, NEW HAMPSHIRE**

RESOLUTION #XX – 2023

A RESOLUTION AUTHORIZING THE BORROWING OF UP TO ONE MILLION TWO HUNDRED FIFTY THOUSAND DOLLARS (\$1,250,000) THROUGH THE ISSUE OF BONDS AND/OR NOTES FOR COSTS RELATED TO THE DESIGN AND CONSTRUCTION OF FOUNDRY PLACE PARKING OFFICES.

RESOLVED:

THAT, the sum of up to **One Million Two Hundred Fifty Thousand Dollars (\$1,250,000)** is appropriated for costs associated with the design and construction of Foundry Place Parking Offices, including the payment of costs incidental or related thereto;

THAT, to meet this appropriation, the City Treasurer, with the approval of the City Manager, is authorized to borrow, on a competitive or negotiated basis, up to **One Million Two Hundred Fifty Thousand Dollars (\$1,250,000)** through the issuance of bonds and/or notes of the City under the Municipal Finance Act;

THAT the expected useful life of the project is determined to be at least twenty (20) years, and;

That this Resolution shall take effect upon its passage.

APPROVED:

DEAGLAN MCEACHERN, MAYOR

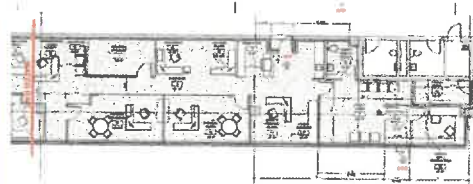
ADOPTED BY CITY COUNCIL

**KELLI BARNABY, MMC/CNHMC
CITY CLERK**



BI-24-PW-48: Foundry Place Parking Offices

Department	Public Works – Parking and Transportation Division
Project Location	Foundry Garage
Project Type	Other
Commence FY	2024
Priority	A (needed within 0 to 3 years)
Impact on Operating Budget	Negligible (<\$5,001)



Description: This is a revamp of project FY19 #BI-19-PW-40: Foundry Garage Parking Offices. That project was put on hold in 2018 until the use of the garage could be reexamined after opening.

The garage has been in use for some time now and this project would address the buildout of the 4500 sf of office space to accommodate the Parking Division’s three groups of employees in one location.

The cost of the project bonding will be covered by parking revenues only, no general fund monies (including property taxes) will be used for this project.

Evaluation Criteria	Qualify?
Responds to Federal or State Requirement	
Addresses Public Health or Safety Need	
Alleviates Substandard Conditions or Deficiencies	
Eligible for Matching Funds with Limited Availability	
Timing or Location Coordinate with Synergistic Project	
Identified in Planning Document or Study	
Improves Quality of or Provides Added Capacity to Existing Services	Y
Reduces Long-Term Operating Costs	
Provides Incentive to Economic Development	
Responds to a Citywide Goal or Submitted Resident Request	

Studies Identified & Useful Website Links:

- Parking Operations Offices Plan (as part of Construction Specifications of 8/2017)
 - [FY19-24 CIP page](#)

Notes of Changes in Funding Plan from FY23-28 CIP:

		FY24	FY25	FY26	FY27	FY28	FY29	Totals 24-29	6 PY's Funding	Totals
GF	0%							\$0	\$0	\$0
Fed/ State	0%							\$0	\$0	\$0
Bond/ Lease (Parking)	100%	\$1,250,000						\$1,250,000	\$0	\$1,250,000
Other	0%							\$0	\$0	\$0
Revenues (Parking)	0%							\$0	\$0	\$0
PPP	0%							\$0	\$0	\$0
	Totals	\$1,250,000	\$0	\$0	\$0	\$0	\$0	\$1,250,000	\$0	\$1,250,000

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KELLI L. BARNABY, MMC/CNHMC
CITY CLERK

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KELLI L. BARNABY,
MMC/CNHMC
CITY CLERK

**CITY OF PORTSMOUTH
TWO THOUSAND TWENTY-THREE
PORTSMOUTH, NEW HAMPSHIRE**

RESOLUTION # XX – 2023

A RESOLUTION AUTHORIZING A BOND ISSUE AND/OR NOTES OF THE CITY UNDER THE MUNICIPAL FINANCE ACT AND/OR PARTICIPATION IN THE STATE REVOLVING FUND (SRF) LOAN OF UP TO NINE MILLION TWO HUNDRED SEVENTY-SIX THOUSAND FIVE HUNDRED DOLLARS (\$9,276,500) RELATED TO ANNUAL WATER LINE REPLACEMENT, NEW GROUNDWATER SOURCE, GREENLAND WELL TREATMENT, DOVER WATER EMERGENCY INTERCONNECTION, EDMOND AVENUE WATERLINE RECONSTRUCTION, ISLINGTON STREET IMPROVEMENTS AND UNION STREET RECONSTRUCTION.

RESOLVED:

THAT, the sum of up to **Nine Million Two Hundred Seventy-Six Thousand Five-Hundred Dollars (\$9,276,500)** is appropriated for Annual Water Line Replacement, New Groundwater Source, Greenland Well Treatment, Dover Water Emergency Interconnection, Edmond Avenue Waterline Reconstruction, Islington Street Improvements and Union Street Reconstruction including the payment of costs incidental or related thereto;

To meet this appropriation, the City Treasurer, with the approval of the City Manager is authorized to borrow, on a competitive or negotiated basis, up to **Nine Million Two Hundred Seventy-Six Thousand Five-Hundred Dollars (\$9,276,500)** through the issuance of bonds and/or notes of the City under the Municipal Finance Act and/or a loan program offered through the State of New Hampshire Department of Environmental Services, identified as the State Revolving Fund Loan.

THAT the expected useful life of this project is determined to be at least thirty (30) years, and;

THAT this Resolution shall take effect upon its passage.

APPROVED:

DEAGLAN MCEACHERN, MAYOR

ADOPTED BY CITY COUNCIL

**KELLI BARNABY, MMC/CNHMC
CITY CLERK**



EF-02-WD-83: Annual Water Line Replacement

Department	Public Works – Water Division
Project Location	Citywide
Project Type	Rehabilitation of a Facility
Commence FY	Ongoing
Priority	O (Ongoing)
Impact on Operating Budget	Negligible (<\$5,001)



Description: The water distribution system consists of more than 150 miles of pipe. Many of the older pipes are 50 to 100 years old, undersized and at the end of their design life. Pipes are replaced programmatically as part of water specific capital projects, roadway reconstruction and prior to annual paving. This item will fund the purchase of pipe, valves and associated materials used to replace those pipes. Bond funds for large full road reconstruction projects.

Evaluation Criteria	Qualify?
Responds to Federal or State Requirement	
Addresses Public Health or Safety Need	
Alleviates Substandard Conditions or Deficiencies	Y
Eligible for Matching Funds with Limited Availability	
Timing or Location Coordinate with Synergistic Project	
Identified in Planning Document or Study	Y
Improves Quality of or Provides Added Capacity to Existing Services	
Reduces Long-Term Operating Costs	
Provides Incentive to Economic Development	
Responds to a Citywide Goal or Submitted Resident Request	

- Studies Identified & Useful Website Links:**
- [Water System Master Plan 2013](#)
 - [Water Department](#)
 - [FY23-FY28 CIP \(Prior Year\) Project Sheet](#)

Notes of Changes in Funding Plan from FY23-28 CIP:

		FY24	FY25	FY26	FY27	FY28	FY29	Totals 23-28	6 PY's Funding	Totals
GF	0%							\$0	\$0	\$0
Fed/ State	0%							\$0	\$0	\$0
Bond/ Lease	95%	\$1,000,000		\$1,000,000		\$1,000,000		\$3,000,000	\$6,500,000	\$9,500,000
Other	0%							\$0	\$0	\$0
Revenues	5%							\$0	\$500,000	\$500,000
PPP	0%							\$0	\$0	\$0
	Totals	\$1,000,000	\$0	\$1,000,000	\$0	\$1,000,000	\$0	\$3,000,000	\$7,000,000	\$10,000,000



EF-18-WD-86: New Groundwater Source

Department	Public Works – Water Division
Project Location	Citywide
Project Type	Construction or Expansion of a Public Facility, Street or Utility
Commence FY	2018
Priority	B (needed within 4 to 6 years)
Impact on Operating Budget	Negligible (<\$5,001)



Evaluation Criteria	Qualify?
Responds to Federal or State Requirement	
Addresses Public Health or Safety Need	
Alleviates Substandard Conditions or Deficiencies	
Eligible for Matching Funds with Limited Availability	
Timing or Location Coordinate with Synergistic Project	
Identified in Planning Document or Study	Y
Improves Quality of or Provides Added Capacity to Existing Services	Y
Reduces Long-Term Operating Costs	
Provides Incentive to Economic Development	
Responds to a Citywide Goal or Submitted Resident Request	

Description: This project consists of constructing, permitting and connecting a new groundwater supply well, adjacent to the existing Collins Well, into the Portsmouth water system. This project is important to ensure long-term sustainability of the water supply.

Studies Identified & Useful Website Links:

- [Water Projects Page](#)
- [Water System Master Plan 2013](#)
- [FY23-FY28 CIP \(Prior Year\) Project Sheet](#)

Notes of Changes in Funding Plan from FY23-28 CIP:

This project has been moved out an additional year to allow for the necessary time to continue with new source development, permitting and design of supporting infrastructure.

		FY24	FY25	FY26	FY27	FY28	FY29	Totals 24-29	6 PY's Funding	Totals
GF	0%							\$0	\$0	\$0
Fed/ State	0%							\$0	\$0	\$0
Bond/ Lease	88%	\$2,000,000						\$2,000,000	\$500,000	\$2,500,000
Other	0%							\$0	\$0	\$0
Revenues	12%							\$0	\$350,000	\$350,000
PPP	0%							\$0	\$0	\$0
	Totals	\$2,000,000	\$0	\$0	\$0	\$0	\$0	\$2,000,000	\$850,000	\$2,850,000



EF-24-WD-89: Greenland Well Treatment

Department	Public Works - Water Division
Project Location	Public Works Water
Project Type	Construction or expansion of a new facility or infrastructure.
Commence FY	2024
Priority	A (needed within 0 to 3 years)
Impact on Operating Budget	Moderate (\$50,000 to \$100,000)



Description: This project involves installing groundwater treatment at the Greenland Well to address potential PFAS regulations soon to be established by the EPA.

Evaluation Criteria	Qualify?
Responds to Federal or State Requirement	
Addresses Public Health or Safety Need	
Alleviates Substandard Conditions or Deficiencies	
Eligible for Matching Funds with Limited Availability	
Timing or Location Coordinate with Synergistic Project	
Identified in Planning Document or Study	
Improves Quality of or Provides Added Capacity to Existing Services	
Reduces Long-Term Operating Costs	
Provides Incentive to Economic Development	
Responds to a Citywide Goal or Submitted Resident Request	

Studies Identified & Useful Website Links:

- [Wastewater & Sewer Division of the DPW Webpage](#)

Notes of Changes in Funding Plan from FY23-28 CIP:
New project.

		FY24	FY25	FY26	FY27	FY28	FY29	Totals 24-29	6 PY's Funding	Totals
GF	0%							\$0	\$0	\$0
Fed/ State	0%							\$0	\$0	\$0
Bond/ Lease	100%	\$2,500,000						\$2,500,000	\$0	\$2,500,000
Other	0%							\$0	\$0	\$0
Revenues	0%							\$0	\$0	\$0
PPP	0%							\$0	\$0	\$0
Totals		\$2,500,000	\$0	\$0	\$0	\$0	\$0	\$2,500,000	\$0	\$2,500,000



EF-24-WD-90: Dover Water Emergency Interconnection



Department	Public Works - Water Division
Project Location	General Sullivan Bridge between Dover and Newington
Project Type	Construction of a new facility or infrastructure.
Commence FY	2024
Priority	A (needed within 0 to 3 years)
Impact on Operating Budget	Minimal (\$5,001 to \$50,000)

Description: The Cities of Portsmouth and Dover have been working for a number of years to create an interconnection between their two water systems across the soon to be replaced General Sullivan Bridge. This interconnection would link four communities to the north of the bridge and eight communities to the south. The bridge is currently in design with construction set to begin in late 2023. Costs would be split between the communities. Due to the importance of this connection for emergency purposes the New Hampshire Drinking Water and Groundwater Trust approved \$223,000 of funding to cover the design costs. Representative Pappas also included this project in recent congressional funding earmarks totaling \$3,452,972, which would cover 50% of the anticipated project costs. The other 50% would be split between the two communities. However, we will continue to seek state funding assistance due to the regional benefit of this project.

Evaluation Criteria	Qualify?
Responds to Federal or State Requirement	
Addresses Public Health or Safety Need	Y
Alleviates Substandard Conditions or Deficiencies	
Eligible for Matching Funds with Limited Availability	
Timing or Location Coordinate with Synergistic Project	Y
Identified in Planning Document or Study	
Improves Quality of or Provides Added Capacity to Existing Services	Y
Reduces Long-Term Operating Costs	
Provides Incentive to Economic Development	
Responds to a Citywide Goal or Submitted Resident Request	

Studies Identified & Useful Website Links:

- Emergency Water Interconnection Preliminary Design Report

Notes of Changes in Funding Plan from FY23-28 CIP:

New Project

		FY24	FY25	FY26	FY27	FY28	FY29	Totals 24-29	6 PY's Funding	Totals
GF	0%							\$0	\$0	\$0
Fed/ State	0%							\$0	\$0	\$0
Bond/ Lease	100%	\$1,726,500						\$1,726,500	\$0	\$1,726,500
Other	0%							\$0	\$0	\$0
Revenues	0%							\$0	\$0	\$0
PPP	0%							\$0	\$0	\$0
Totals		\$1,726,500	\$0	\$0	\$0	\$0	\$0	\$1,726,500	\$0	\$1,726,500



COM-23-PW-102: Edmond Avenue

Department	Public Works Department
Project Location	Edmond Ave from Maplewood Ave to Woodbury Ave
Project Type	Construction or expansion of a new public facility or public infrastructure
Commence FY	2023
Priority	A (needed (needed within 0 to 3 years)
Impact on Operating Budget	Reduce (will reduce Operating Costs)



Evaluation Criteria	Qualify?
Responds to Federal or State Requirement	
Addresses Public Health or Safety Need	Y
Alleviates Substandard Conditions or Deficiencies	Y
Eligible for Matching Funds with Limited Availability	
Timing or Location Coordinate with Synergistic Project	
Identified in Planning Document or Study	
Improves Quality of or Provides Added Capacity to Existing Services	Y
Reduces Long-Term Operating Costs	Y
Provides Incentive to Economic Development	
Responds to a Citywide Goal or Submitted Resident Request	Y

Description: This project includes reconstruction of a section of water line on Edmond Avenue and McGee Drive. Work will include replacement of the water main, a low pressure sewer near Maplewood Avenue and drainage improvements along the roadway. In addition, residents have requested installation of a sidewalk along Edmond Avenue to improve pedestrian safety.

Notes of Changes in Funding Plan from FY23-28 CIP:

An additional \$550,000 to accommodate resident request for sidewalk has been added for sidewalks.

Studies Identified & Useful Website Links:
<ul style="list-style-type: none"> FY23-FY28 CIP (Prior Year) Project Sheet

COM-23-PW-102: Edmond Avenue

			FY24	FY25	FY26	FY27	FY28	FY29	Totals 24-29	6 PY's Funding	Totals
General Fund	Fed/ State	0%							\$0	\$0	\$0
	GF-Capital Outlay	3%							\$0	\$60,000	\$60,000
	GF-Bond/ Lease	56%	\$1,050,000						\$1,050,000	\$0	\$1,050,000
	Other	0%							\$0	\$0	\$0
	PPP	0%							\$0	\$0	\$0
Water	Revenues	3%							\$0	\$60,000	\$60,000
	Bond/Lease	26%	\$500,000						\$500,000	\$0	\$500,000
	PPP	0%							\$0	\$0	\$0
Sewer	Revenues	1%							\$0	\$20,000	\$20,000
	Bond/Lease	11%	\$200,000						\$200,000	\$0	\$200,000
	PPP	0%							\$0	\$0	\$0
Total General Fund		59%	\$1,050,000	\$0	\$0	\$0	\$0	\$0	\$1,050,000	\$60,000	\$1,110,000
Total Water Fund		30%	\$500,000	\$0	\$0	\$0	\$0	\$0	\$500,000	\$60,000	\$560,000
Total Sewer Fund		12%	\$200,000	\$0	\$0	\$0	\$0	\$0	\$200,000	\$20,000	\$220,000
Totals			\$1,750,000	\$0	\$0	\$0	\$0	\$0	\$1,750,000	\$140,000	\$1,890,000



COM-03-PW-107: Islington Street Improvements

Department	Public Works Department
Project Location	Islington Street from Albany Street to Congress Street
Project Type	Rehabilitation of a Facility
Commence FY	2020
Priority	A (needed (needed within 0 to 3 years)
Impact on Operating Budget	Negligible (<\$5,001)



Evaluation Criteria	Qualify?
Responds to Federal or State Requirement	
Addresses Public Health or Safety Need	
Alleviates Substandard Conditions or Deficiencies	
Eligible for Matching Funds with Limited Availability	
Timing or Location Coordinate with Synergistic Project	
Identified in Planning Document or Study	Y
Improves Quality of or Provides Added Capacity to Existing Services	
Reduces Long-Term Operating Costs	
Provides Incentive to Economic Development	
Responds to a Citywide Goal or Submitted Resident Request	

Description: This project funds work related to reconstruction on Islington Street. Phase 1 was completed in FY23 with previous year funding and included work from the Route 1 Bypass to Dover Street. Construction bids for Phase 2 were received in the fall of 2022 and Phase 2a from Dover Street to Cornwall Street has been awarded for construction with previous years funding. Phase 2b from Cornwall Street to Maplewood Avenue requires additional funding and is requested in FY24. Funding for this work will come from the water and sewer enterprise funds and the general fund. This project will include sewer separation and credit will be provided under the City's Long Term Control Plan.

Studies Identified & Useful Website Links:

- [Long Term Control Plan Update 2010;](#)
- [CSO Supplemental Compliance Plan 2017](#)
 - [Public Works Department](#)
 - [Sewer Department](#)
 - [FY21-26 CIP page](#)

Notes of Changes in Funding Plan from FY23-28 CIP:

COM-03-PW-107: Islington Street Improvements

			FY24	FY25	FY26	FY27	FY28	FY29	Totals 24-29	6 PY's Funding	Totals
General Fund	Fed/ State	0%							\$0	\$0	\$0
	GF-Capital Outlay	0%							\$0	\$0	\$0
	GF-Bond/ Lease	46%	\$2,500,000						\$2,500,000	\$0	\$2,500,000
	Other	0%							\$0	\$0	\$0
	PPP	0%							\$0	\$0	\$0
Water	Revenues	0%							\$0	\$0	\$0
	Bond/Lease	16%	\$850,000						\$850,000	\$0	\$850,000
	PPP	0%							\$0	\$0	\$0
Sewer	Revenues	0%							\$0	\$0	\$0
	Bond/Lease	39%	\$2,100,000						\$2,100,000	\$0	\$2,100,000
	PPP	0%							\$0	\$0	\$0
Total General Fund		46%	\$2,500,000	\$0	\$0	\$0	\$0	\$0	\$2,500,000	\$0	\$2,500,000
Total Water Fund		16%	\$850,000	\$0	\$0	\$0	\$0	\$0	\$850,000	\$0	\$850,000
Total Sewer Fund		39%	\$2,100,000	\$0	\$0	\$0	\$0	\$0	\$2,100,000	\$0	\$2,100,000
Totals			\$5,450,000	\$0	\$0	\$0	\$0	\$0	\$5,450,000	\$0	\$5,450,000

COM-17-PW-108: Union Street Reconstruction

			FY24	FY25	FY26	FY27	FY28	FY29	Totals 24-29	6 PY's Funding	Totals
General Fund	Fed/ State	0%							\$0	\$0	\$0
	GF-Capital Outlay	0%							\$0	\$0	\$0
	GF-Bond/ Lease	31%	\$700,000						\$700,000	\$1,000,000	\$1,700,000
	Other	0%							\$0	\$0	\$0
	PPP	0%							\$0	\$0	\$0
Water	Revenues	0%							\$0	\$0	\$0
	Bond/Lease	40%	\$700,000						\$700,000	\$1,500,000	\$2,200,000
	PPP	0%							\$0	\$0	\$0
Sewer	Revenues	3%							\$0	\$150,000	\$150,000
	Bond/Lease	26%	\$700,000						\$700,000	\$700,000	\$1,400,000
	PPP	0%							\$0	\$0	\$0
Total General Fund			31%	\$700,000	\$0	\$0	\$0	\$0	\$700,000	\$1,000,000	\$1,700,000
Total Water Fund			40%	\$700,000	\$0	\$0	\$0	\$0	\$700,000	\$1,500,000	\$2,200,000
Total Sewer Fund			28%	\$700,000	\$0	\$0	\$0	\$0	\$700,000	\$850,000	\$1,550,000
Totals			\$2,100,000	\$0	\$0	\$0	\$0	\$0	\$2,100,000	\$3,350,000	\$5,450,000

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Portsmouth City Council on Monday, July 10, 2023 at 7:00 p.m., at the Portsmouth Municipal Complex in the Eileen Dondero Foley Council Chambers, Portsmouth, NH, on a proposed Resolution Authorizing a Bond Issue and/or Notes of the City under the Municipal Finance Act and/or Participation in the State Revolving Fund (SRF) Loan of up to Six Million Nine Hundred Fifteen Thousand Dollars (\$6,915,000.00) for Costs Related to Annual Sewerline Upgrades, Long Term Control Related Projects, Woodbury Avenue Sewer Separation, Sewer Service for Sagamore Ave Sewer Extension, Fleet Street Utilities Upgrades/Streetscape, Edmond Avenue Improvements, Islington Street Improvements and Union Street Reconstruction. The complete Resolution 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, July 10, 2023 at 7:00 p.m., at the Portsmouth Municipal Complex in the Eileen Dondero Foley Council Chambers, Portsmouth, NH, on a proposed Resolution Authorizing a Bond Issue and/or Notes of the City under the Municipal Finance Act and/or Participation in the State Revolving Fund (SRF) Loan of up to Six Million Nine Hundred Fifteen Thousand Dollars (\$6,915,000.00) for Costs Related to Annual Sewerline Upgrades, Long Term Control Related Projects, Woodbury Avenue Sewer Separation, Sewer Service for Sagamore Ave Sewer Extension, Fleet Street Utilities Upgrades/Streetscape, Edmond Avenue Improvements, Islington Street Improvements and Union Street Reconstruction. The complete Resolution 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

**CITY OF PORTSMOUTH
TWO THOUSAND TWENTY-THREE
PORTSMOUTH, NEW HAMPSHIRE**

RESOLUTION # XX – 2023

A RESOLUTION AUTHORIZING A BOND ISSUE AND/OR NOTES OF THE CITY UNDER THE MUNICIPAL FINANCE ACT AND/OR PARTICIPATION IN THE STATE REVOLVING FUND (SRF) LOAN OF UP TO SIX MILLION NINE HUNDRED FIFTEEN THOUSAND DOLLARS (\$6,915,000) FOR COSTS RELATED TO ANNUAL SEWERLINE UPGRADES, LONG TERM CONTROL RELATED PROJECTS, WOODBURY AVENUE SEWER SEPARATION, SEWER SERVICE FOR SAGAMORE AVE SEWER EXTENSION, FLEET STREET UTILITIES UPGRADES/STREETScape, EDMOND AVENUE IMPROVEMENTS, ISLINGTON STREET IMPROVEMENTS AND UNION STREET RECONSTRUCTION.

RESOLVED:

THAT that the sum of up to **Six Million Nine Hundred Fifteen Thousand Dollars (\$6,915,000)** is appropriated for Annual Sewerline Upgrades, Long Term Control Related Projects, Woodbury Avenue Sewer Separation, Sewer Service for Sagamore Ave Sewer Extension, Fleet Street Utilities Upgrades/Streetscape, Edmond Avenue Improvements, Islington Street Improvements and Union Street Reconstruction including the payment of costs incidental or related thereto;

To meet this appropriation, the City Treasurer, with the approval of the City Manager is authorized to borrow, on a competitive or negotiated basis, up to **Six Million Nine Hundred Fifteen Thousand Dollars (\$6,915,000)** through the issuance of bonds and/or notes of the City under the Municipal Finance Act and/or a loan program offered through the State of New Hampshire Department of Environmental Services, identified as the State Revolving Fund Loan.

THAT the expected useful life of the project is determined to be at least thirty (30) years, and;

THAT this Resolution shall take effect upon its passage.

APPROVED:

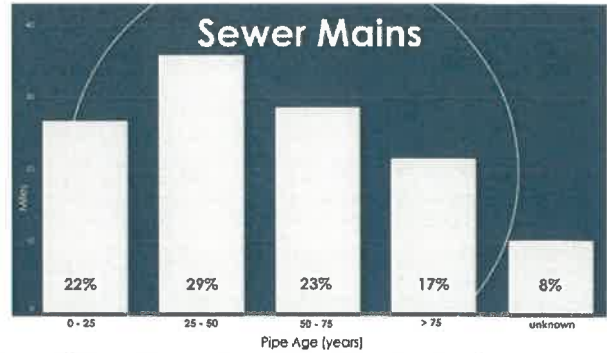
DEAGLAN MCEACHERN, MAYOR

ADOPTED BY CITY COUNCIL

**KELLI BARNABY, MMC/CNHMC
CITY CLERK**

EF-12-SD-92: Annual Sewer Line Replacement

Department	Public Works – Sewer Division
Project Location	Citywide
Project Type	Upgrade of Existing Facilities
Commence FY	Ongoing
Priority	O (Ongoing or Programmatic)
Impact on Operating Budget	Negligible (<\$5,001)



Evaluation Criteria	Qualify?
Responds to Federal or State Requirement	
Addresses Public Health or Safety Need	
Alleviates Substandard Conditions or Deficiencies	Y
Eligible for Matching Funds with Limited Availability	
Timing or Location Coordinate with Synergistic Project	Y
Identified in Planning Document or Study	
Improves Quality of or Provides Added Capacity to Existing Services	Y
Reduces Long-Term Operating Costs	Y
Provides Incentive to Economic Development	
Responds to a Citywide Goal or Submitted Resident Request	

Description: The wastewater collection system consists of more than 120 miles of pipe. Many of the older pipes are 50 to 100 years old, undersized and at the end of their design life. Pipes are replaced programmaticly as part of sewer specific capital projects, roadway reconstruction and prior to annual paving. This item will fund the purchase of pipes and associated materials used to replace those pipes.

Studies Identified & Useful Website Links:
<ul style="list-style-type: none"> FY23-FY28 CIP (Prior Year) Project Sheet

Notes of Changes in Funding Plan from FY23-28 CIP:

		FY24	FY25	FY26	FY27	FY28	FY29	Totals 24-29	6 PY's Funding	Totals
GF	0%							\$0	\$0	\$0
Fed/ State	0%							\$0	\$0	\$0
Bond/ Lease	77%	\$1,000,000		\$1,000,000		\$1,000,000		\$3,000,000	\$2,000,000	\$5,000,000
Other	0%							\$0	\$0	\$0
Revenues	23%							\$0	\$1,500,000	\$1,500,000
PPP	0%							\$0	\$0	\$0
Totals		\$1,000,000	\$0	\$1,000,000	\$0	\$1,000,000	\$0	\$3,000,000	\$3,500,000	\$6,500,000



EF-16-SD-95: Long Term Control Plan Related Projects

Department	Public Works – Sewer Division
Project Location	Citywide
Project Type	Rehabilitation of a Facility
Commence FY	Ongoing
Priority	O (ongoing or programmatic)
Impact on Operating Budget	Negligible (<\$5,001)

Description: The City has a combined sewer collection system and is required by the Environmental Protection Agency to implement a Long Term Control Plan to reduce and otherwise mitigate combined sewer overflows. The City is moving forward with a Supplemental Compliance Plan (SCP) that stipulates sewer separation projects to be constructed. The SCP sewer separation projects are funded under other items. This project includes the costs for study, design and construction of other Long Term Control Plan projects, such as a Long Term Control Plan Update, infiltration and inflow identification and removal, sump pump removal programs, and other mitigations projects.

Evaluation Criteria	Qualify?
Responds to Federal or State Requirement	Y
Addresses Public Health or Safety Need	
Alleviates Substandard Conditions or Deficiencies	
Eligible for Matching Funds with Limited Availability	
Timing or Location Coordinate with Synergistic Project	
Identified in Planning Document or Study	Y
Improves Quality of or Provides Added Capacity to Existing Services	Y
Reduces Long-Term Operating Costs	Y
Provides Incentive to Economic Development	
Responds to a Citywide Goal or Submitted Resident Request	

Studies Identified & Useful Website Links:

- [Infiltration and Inflow Study 2016](#)
- [Post Construction Monitoring Plan 2017](#)
- [CSO Supplemental Compliance Plan 2017](#)
- [FY23-FY28 CIP \(Prior Year\) Project Sheet](#)

Notes of Changes in Funding Plan from FY23-28 CIP:

\$300,000 moved from FY25 to FY24 to align with requirements of the Supplemental Compliance Plan where the project begins in October 2023 (FY24).

Added \$2M for potential future projects to be identified in FY24 study.

		FY24	FY25	FY26	FY27	FY28	FY29	Totals 23-28	6 PY's Funding	Totals
GF	0%							\$0	\$0	\$0
Fed/ State	3%							\$0	\$100,000	\$100,000
Bond/ Lease	85%	\$300,000		\$1,000,000	\$1,000,000	\$1,000,000		\$3,300,000	\$0	\$3,300,000
Other	0%							\$0	\$0	\$0
Revenues	13%							\$0	\$500,000	\$500,000
PPP	0%							\$0	\$0	\$0
	Totals	\$300,000	\$0	\$1,000,000	\$1,000,000	\$1,000,000	\$0	\$3,300,000	\$600,000	\$3,900,000

EF-20-SD-97: Woodbury Avenue Sewer Separation



Department	Public Works – Sewer Division
Project Location	Woodbury Avenue from Farm Lane to Rockingham Avenue
Project Type	Construction or Expansion of a Public Facility, Street, or Utility
Commence FY	2023
Priority	B (needed within 4 to 6 years)
Impact on Operating Budget	Negligible (<\$5,000)



Evaluation Criteria	Qualify?
Responds to Federal or State Requirement	Y
Addresses Public Health or Safety Need	
Alleviates Substandard Conditions or Deficiencies	Y
Eligible for Matching Funds with Limited Availability	
Timing or Location Coordinate with Synergistic Project	
Identified in Planning Document or Study	
Improves Quality of or Provides Added Capacity to Existing Services	Y
Reduces Long-Term Operating Costs	
Provides Incentive to Economic Development	
Responds to a Citywide Goal or Submitted Resident Request	

Description: Construct drainage on Woodbury Avenue from Farm Lane to Rockingham Avenue. This project will remove catch basins along Woodbury Avenue that are currently connected to the sewer. A new drainage outfall will be constructed at Rockingham Avenue. This work will be coordinated with the re-paving of Woodbury Avenue.

Studies Identified & Useful Website Links: <ul style="list-style-type: none"> FY23-FY28 CIP (Prior Year) Project Sheet

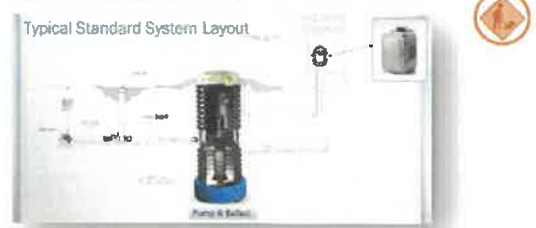
Notes of Changes in Funding Plan from FY23-28 CIP:

		FY24	FY25	FY26	FY27	FY28	FY29	Totals 24-29	6 PY's Funding	Totals
GF	0%							\$0	\$0	\$0
Fed/ State	0%							\$0	\$0	\$0
Bond/ Lease	81%	\$250,000						\$250,000	\$0	\$250,000
Other	0%							\$0	\$0	\$0
Revenues	19%							\$0	\$60,000	\$60,000
PPP	0%							\$0	\$0	\$0
	Totals	\$250,000	\$0	\$0	\$0	\$0	\$0	\$250,000	\$60,000	\$310,000

EF-22-SD-98: Sewer Service Funding For Sagamore Avenue Area Sewer Extension

Enterprise Funds: Sewer

Department	Public Works – Sewer Division
Project Location	Portions of Sagamore Ave and Wentworth House Rd; Cliff Rd, Walker Bungalow Rd and Sagamore Grove
Project Type	Construction or Expansion of A Public Facility, Street or Utility
Commence FY	2022
Priority	A (needed within 0 to 3 years)
Impact on Operating Budget	Negligible (<\$5,001)



Description: The City has approached this project in order to obtain pricing for the private side work for converting existing septic systems to

a pumped sewer connection. Bids were received in August 2021 and pricing was found to be higher than anticipated. The project will be re-bid and updated prices obtained. City staff will present updated cost information to the City Council in order to conclude an approach to the cost sharing proposal. This item sets aside funds in anticipation of City Council action.

Evaluation Criteria	Qualify?
Responds to Federal or State Requirement	
Addresses Public Health or Safety Need	Y
Alleviates Substandard Conditions or Deficiencies	
Eligible for Matching Funds with Limited Availability	
Timing or Location Coordinate with Synergistic Project	
Identified in Planning Document or Study	Y
Improves Quality of or Provides Added Capacity to Existing Services	Y
Reduces Long-Term Operating Costs	
Provides Incentive to Economic Development	Y
Responds to a Citywide Goal or Submitted Resident Request	

Studies Identified & Useful Website Links:

- Consent Decree Second Modification.
- [Sagamore Ave Sewer Extension Project Page](#)
- [FY23-FY28 CIP \(Prior Year\) Project Sheet](#)

Notes of Changes in Funding Plan from FY23-28 CIP:

New bid received in 2022, funding was lowered.

		FY24	FY25	FY26	FY27	FY28	FY29	Totals 24-29	6 PY's Funding	Totals
GF	0%							\$0	\$0	\$0
Fed/ State	0%							\$0	\$0	\$0
Bond/ Lease	100%	\$365,000	\$365,000	\$365,000	\$365,000	\$365,000	\$365,000	\$2,190,000	\$1,500,000	\$3,690,000
Other	0%							\$0	\$0	\$0
Revenues	0%							\$0	\$0	\$0
PPP	0%							\$0	\$0	\$0
Totals		\$365,000	\$365,000	\$365,000	\$365,000	\$365,000	\$365,000	\$2,190,000	\$1,500,000	\$3,690,000



COM-20-PW-101: Fleet Street Utilities Upgrade and Streetscape

Department	Public Works Department
Project Location	Fleet Street
Project Type	Rehabilitation of a Facility
Commence FY	2020
Priority	A (needed (needed within 0 to 3 years)
Impact on Operating Budget	Negligible (<\$5,001)



Evaluation Criteria	Qualify?
Responds to Federal or State Requirement	Y
Addresses Public Health or Safety Need	
Alleviates Substandard Conditions or Deficiencies	
Eligible for Matching Funds with Limited Availability	
Timing or Location Coordinate with Synergistic Project	
Identified in Planning Document or Study	Y
Improves Quality of or Provides Added Capacity to Existing Services	Y
Reduces Long-Term Operating Costs	
Provides Incentive to Economic Development	Y
Responds to a Citywide Goal or Submitted Resident Request	

Description: The City is moving forward with a sewer separation project on Fleet Street. It is required through the City's Long Term Control Plan and Supplemental Compliance Plan. The project includes water, sewer, drainage upgrades along with full streetscape rework and other pedestrian enhancements. Funding for this work will come from the water and sewer enterprise funds and the general fund (property taxes).

Given the scope of this project, it will need to be completed in phases. The FY24 funding is for construction of a new drain line from Hanover St. to the North Mill Pond. Phase 2 will be Fleet Street from Hanover Street to Court Street as well as a potential expansion of the project limits as determined during the design. The expansion could include portions of Congress Street, State Street and Vaughan Mall. Downtown Aerial Utilities Underground (BI-21-PW-43) project is funded to bury the Fleet Street overhead utilities. Market Square Upgrade project (TSM-15-PW-61) will be coordinated with this project.

Studies Identified & Useful Website Links:

- [Long Term Control Plan Update 2010](#);
- [CSO Supplemental Compliance Plan 2017Public Works Department](#)
- [FY23-FY28 CIP \(Prior Year\) Project Sheet](#)

Notes of Changes in Funding Plan from FY23-28 CIP:

Added funding to FY23 in order to design and construct a new drainage outfall to North Mill Pond, that is needed to accommodate separate drainage.

COM-20-PW-101: Fleet Street Utilities Upgrade and Streetscape

			FY24	FY25	FY26	FY27	FY28	FY29	Totals 24-29	6 PY's Funding	Totals
General Fund	Fed/ State	0%							\$0	\$0	\$0
	GF-Capital Outlay	0%							\$0	\$0	\$0
	GF-Bond/ Lease	18%			\$2,000,000				\$2,000,000	\$0	\$2,000,000
	Other	0%							\$0	\$0	\$0
	PPP	0%							\$0	\$0	\$0
Water	Revenues	0%							\$0	\$0	\$0
	Bond/Lease	18%			\$2,000,000				\$2,000,000	\$0	\$2,000,000
	PPP	0%							\$0	\$0	\$0
Sewer	Revenues	0%							\$0	\$0	\$0
	Bond/Lease	64%	\$2,000,000		\$3,000,000				\$5,000,000	\$2,200,000	\$7,200,000
	PPP	0%							\$0	\$0	\$0
Total General Fund		18%	\$0	\$0	\$2,000,000	\$0	\$0	\$0	\$2,000,000	\$0	\$2,000,000
Total Water Fund		18%	\$0	\$0	\$2,000,000	\$0	\$0	\$0	\$2,000,000	\$0	\$2,000,000
Total Sewer Fund		64%	\$2,000,000	\$0	\$3,000,000	\$0	\$0	\$0	\$5,000,000	\$2,200,000	\$7,200,000
Totals			\$2,000,000	\$0	\$7,000,000	\$0	\$0	\$0	\$9,000,000	\$2,200,000	\$11,200,000



COM-23-PW-102: Edmond Avenue

Department	Public Works Department
Project Location	Edmond Ave from Maplewood Ave to Woodbury Ave
Project Type	Construction or expansion of a new public facility or public infrastructure
Commence FY	2023
Priority	A (needed (needed within 0 to 3 years)
Impact on Operating Budget	Reduce (will reduce Operating Costs)



Evaluation Criteria	Qualify?
Responds to Federal or State Requirement	
Addresses Public Health or Safety Need	Y
Alleviates Substandard Conditions or Deficiencies	Y
Eligible for Matching Funds with Limited Availability	
Timing or Location Coordinate with Synergistic Project	
Identified in Planning Document or Study	
Improves Quality of or Provides Added Capacity to Existing Services	Y
Reduces Long-Term Operating Costs	Y
Provides Incentive to Economic Development	
Responds to a Citywide Goal or Submitted Resident Request	Y

Description: This project includes reconstruction of a section of water line on Edmond Avenue and McGee Drive. Work will include replacement of the water main, a low pressure sewer near Maplewood Avenue and drainage improvements along the roadway. In addition, residents have requested installation of a sidewalk along Edmond Avenue to improve pedestrian safety.

Studies Identified & Useful Website Links:
<ul style="list-style-type: none"> FY23-FY28 CIP (Prior Year) Project Sheet

Notes of Changes in Funding Plan from FY23-28 CIP:

An additional \$550,000 to accommodate resident request for sidewalk has been added for sidewalks.

COM-23-PW-102: Edmond Avenue

			FY24	FY25	FY26	FY27	FY28	FY29	Totals 24-29	6 PY's Funding	Totals
General Fund	Fed/ State	0%							\$0	\$0	\$0
	GF-Capital Outlay	3%							\$0	\$60,000	\$60,000
	GF-Bond/ Lease	56%	\$1,050,000						\$1,050,000	\$0	\$1,050,000
	Other	0%							\$0	\$0	\$0
	PPP	0%							\$0	\$0	\$0
Water	Revenues	3%							\$0	\$60,000	\$60,000
	Bond/Lease	26%	\$500,000						\$500,000	\$0	\$500,000
	PPP	0%							\$0	\$0	\$0
Sewer	Revenues	1%							\$0	\$20,000	\$20,000
	Bond/Lease	11%	\$200,000						\$200,000	\$0	\$200,000
	PPP	0%							\$0	\$0	\$0
Total General Fund		59%	\$1,050,000	\$0	\$0	\$0	\$0	\$0	\$1,050,000	\$60,000	\$1,110,000
Total Water Fund		30%	\$500,000	\$0	\$0	\$0	\$0	\$0	\$500,000	\$60,000	\$560,000
Total Sewer Fund		12%	\$200,000	\$0	\$0	\$0	\$0	\$0	\$200,000	\$20,000	\$220,000
Totals			\$1,750,000	\$0	\$0	\$0	\$0	\$0	\$1,750,000	\$140,000	\$1,890,000



COM-03-PW-107: Islington Street Improvements

Department	Public Works Department
Project Location	Islington Street from Albany Street to Congress Street
Project Type	Rehabilitation of a Facility
Commence FY	2020
Priority	A (needed (needed within 0 to 3 years)
Impact on Operating Budget	Negligible (<\$5,001)



Evaluation Criteria	Qualify?
Responds to Federal or State Requirement	
Addresses Public Health or Safety Need	
Alleviates Substandard Conditions or Deficiencies	
Eligible for Matching Funds with Limited Availability	
Timing or Location Coordinate with Synergistic Project	
Identified in Planning Document or Study	Y
Improves Quality of or Provides Added Capacity to Existing Services	
Reduces Long-Term Operating Costs	
Provides Incentive to Economic Development	
Responds to a Citywide Goal or Submitted Resident Request	

Description: This project funds work related to reconstruction on Islington Street. Phase 1 was completed in FY23 with previous year funding and included work from the Route 1 Bypass to Dover Street. Construction bids for Phase 2 were received in the fall of 2022 and Phase 2a from Dover Street to Cornwall Street has been awarded for construction with previous years funding. Phase 2b from Cornwall Street to Maplewood Avenue requires additional funding and is requested in FY24. Funding for this work will come from the water and sewer enterprise funds and the general fund. This project will include sewer separation and credit will be provided under the City's Long Term Control Plan.

Studies Identified & Useful Website Links:

- [Long Term Control Plan Update 2010;](#)
- [CSO Supplemental Compliance Plan 2017](#)
 - [Public Works Department](#)
 - [Sewer Department](#)
 - [FY21-26 CIP page](#)

Notes of Changes in Funding Plan from FY23-28 CIP:

COM-03-PW-107: Islington Street Improvements

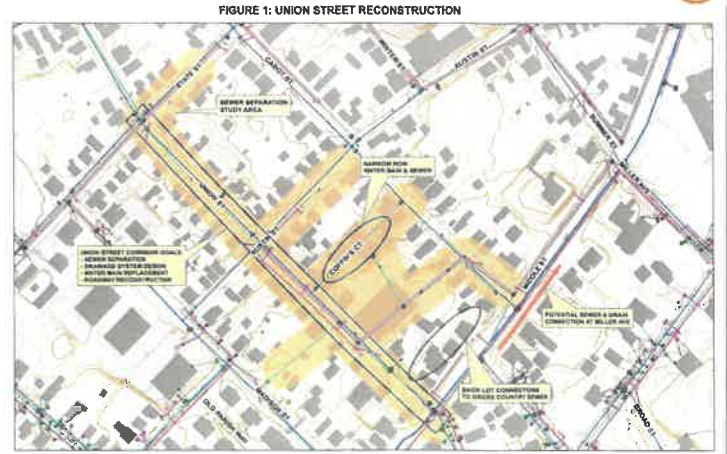
			FY24	FY25	FY26	FY27	FY28	FY29	Totals 24-29	6 PY's Funding	Totals
General Fund	Fed/ State	0%							\$0	\$0	\$0
	GF-Capital Outlay	0%							\$0	\$0	\$0
	GF-Bond/ Lease	46%	\$2,500,000						\$2,500,000	\$0	\$2,500,000
	Other	0%							\$0	\$0	\$0
	PPP	0%							\$0	\$0	\$0
Water	Revenues	0%							\$0	\$0	\$0
	Bond/Lease	16%	\$850,000						\$850,000	\$0	\$850,000
	PPP	0%							\$0	\$0	\$0
Sewer	Revenues	0%							\$0	\$0	\$0
	Bond/Lease	39%	\$2,100,000						\$2,100,000	\$0	\$2,100,000
	PPP	0%							\$0	\$0	\$0
Total General Fund		46%	\$2,500,000	\$0	\$0	\$0	\$0	\$0	\$2,500,000	\$0	\$2,500,000
Total Water Fund		16%	\$850,000	\$0	\$0	\$0	\$0	\$0	\$850,000	\$0	\$850,000
Total Sewer Fund		39%	\$2,100,000	\$0	\$0	\$0	\$0	\$0	\$2,100,000	\$0	\$2,100,000
Totals			\$5,450,000	\$0	\$0	\$0	\$0	\$0	\$5,450,000	\$0	\$5,450,000

COM-17-PW-108: Union Street Reconstruction



Department	Public Works Department
Project Location	Union Street
Project Type	Construction or Expansion of Public Infrastructure
Commence FY	2020
Priority	A (needed (needed within 0 to 3 years)
Impact on Operating Budget	Negligible (<\$5,001)

Evaluation Criteria	Qualify?
Responds to Federal or State Requirement	
Addresses Public Health or Safety Need	
Alleviates Substandard Conditions or Deficiencies	
Eligible for Matching Funds with Limited Availability	
Timing or Location Coordinate with Synergistic Project	
Identified in Planning Document or Study	y
Improves Quality of or Provides Added Capacity to Existing Services	Y
Reduces Long-Term Operating Costs	y
Provides Incentive to Economic Development	
Responds to a Citywide Goal or Submitted Resident Request	



Description: This project is part of the City's ongoing Combined Sewer Overflow Long Term Control Plan in accordance with the EPA Supplemental Compliance Plan. The project includes water, sewer, drainage and streetscape modifications on Union Street from Middle Street to State Street. The project will also address side streets, including Coffins Court, Cabot Street and sections of Austin Street. Additional sewer funding will be used from the previous CIP sewer project (EF-17-SD-95 Union Street Reconstruction).

<p>Studies Identified & Useful Website Links:</p> <ul style="list-style-type: none"> • Long Term Control Plan Update 2010; <ul style="list-style-type: none"> • Public Works Department • Sewer Department • CIP FY22-27 Original Phase Element Sheet
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<p>Notes of Changes in Funding Plan from FY23-28 CIP:</p> <p>Prior Year Funding is from the original phase of the project COM-17-PW-100 from FY22-27</p>
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COM-17-PW-108: Union Street Reconstruction

			FY24	FY25	FY26	FY27	FY28	FY29	Totals 24-29	6 PY's Funding	Totals
General Fund	Fed/ State	0%							\$0	\$0	\$0
	GF-Capital Outlay	0%							\$0	\$0	\$0
	GF-Bond/ Lease	31%	\$700,000						\$700,000	\$1,000,000	\$1,700,000
	Other	0%							\$0	\$0	\$0
	PPP	0%							\$0	\$0	\$0
Water	Revenues	0%							\$0	\$0	\$0
	Bond/Lease	40%	\$700,000						\$700,000	\$1,500,000	\$2,200,000
	PPP	0%							\$0	\$0	\$0
Sewer	Revenues	3%							\$0	\$150,000	\$150,000
	Bond/Lease	26%	\$700,000						\$700,000	\$700,000	\$1,400,000
	PPP	0%							\$0	\$0	\$0
Total General Fund		31%	\$700,000	\$0	\$0	\$0	\$0	\$0	\$700,000	\$1,000,000	\$1,700,000
Total Water Fund		40%	\$700,000	\$0	\$0	\$0	\$0	\$0	\$700,000	\$1,500,000	\$2,200,000
Total Sewer Fund		28%	\$700,000	\$0	\$0	\$0	\$0	\$0	\$700,000	\$850,000	\$1,550,000
Totals			\$2,100,000	\$0	\$0	\$0	\$0	\$0	\$2,100,000	\$3,350,000	\$5,450,000

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Portsmouth City Council on Monday, July 10, 2023 at 7:00 p.m., at the Portsmouth Municipal Complex in the Eileen Dondero Foley Council Chambers, Portsmouth, NH, on a proposed Resolution Authorizing a Supplemental Appropriation from the Water Fund Unrestricted Net Position, and a Grant from the NH Drinking Water and Groundwater Trust Fund, and a Grant from NHDES Local Source Water Protection Program for the Purchase of a Conservation Easement on the Fernald Property to Protect the Bellamy Reservoir Water Quality. The complete Resolution 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, July 10, 2023 at 7:00 p.m., at the Portsmouth Municipal Complex in the Eileen Dondero Foley Council Chambers, Portsmouth, NH, on a proposed Resolution Authorizing a Supplemental Appropriation from the Water Fund Unrestricted Net Position, a Grant from the NH Drinking Water and Groundwater Trust Fund, and a Grant from NHDES Local Source Water Protection Program for the Purchase of a Conservation Easement on the Fernald Property to Protect the Bellamy Reservoir Water Quality. The complete Resolution 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

**CITY OF PORTSMOUTH, NEW HAMPSHIRE
SUPPLEMENTAL APPROPRIATION
FOR THE FISCAL YEAR ENDING JUNE 30, 2024**

RESOLUTION # -

A RESOLUTION AUTHORIZING A SUPPLEMENTAL APPROPRIATION FROM THE WATER FUND UNRESTRICTED NET POSITION, A GRANT FROM THE NH DRINKING WATER AND GROUNDWATER TRUST FUND, AND A GRANT FROM NHDES LOCAL SOURCE WATER PROTECTION PROGRAM FOR THE PURCHASE OF A CONSERVATION EASEMENT ON THE FERNALD PROPERTY TO PROTECT THE BELLAMY RESERVOIR WATER QUALITY.

RESOLVED:

BY THE CITY COUNCIL OF THE CITY OF PORTSMOUTH, NEW HAMPSHIRE ASSEMBLED AS FOLLOWS:

THAT, the City Council has determined that the sum of up to **One Million Four Hundred Seventy-Eight Thousand (\$1,478,000) Dollars** is to be appropriated from the Water Fund using up to \$714,000 from unrestricted net position, a grant of up to \$739,000 from the NH Drinking Water and Groundwater Trust Fund (DWGTF), and a grant of up to \$25,000 from NHDES Local Source Water Protection Program to defray the expenditures related to purchase of a conservation easement on the Fernald property to protect the Bellamy Reservoir water quality for the Fiscal Year ending in June 30, 2024.

THAT, to meet this appropriation, the City Manager is authorized to transfer these funds from the Water Fund Unrestricted Net Position.

APPROVED BY:

DEAGLAN MCEACHERN, MAYOR

ADOPTED BY CITY COUNCIL

**KELLI BARNABY, MMC/CNHMC
CITY CLERK**

SECTION 7.14-AMENDMENTS TO BUDGET AFTER ADOPTION

No appropriation shall be made for any purpose not included in the annual budget as adopted unless voted by a two-thirds (2/3) majority of the Council after a public hearing held to discuss said appropriation. The Council shall, by resolution, designate the source of any money so appropriated.



CITY OF PORTSMOUTH

City Hall, One Junkins Avenue
Portsmouth, New Hampshire 03801
kconard@cityofportsmouth.com
(603) 610-7201

Karen S. Conard
City Manager

Date: July 6, 2023

To: Honorable Mayor McEachern and City Council Members

From: Karen S. Conard, City Manager *KSC*

Re: City Manager's Comments on City Council Agenda of July 10, 2023

X. Public Hearings and Votes on Ordinances and/or Resolutions:

A. **First Reading of Ordinance Amending Chapter 1, Article III – Boards and Article IV – Commissions and Authorities:**

Attached please find an amendment to Chapter 1, Article III – Boards and Article IV – Commissions and Authorities.

I recommend that the City Council move to pass first reading and schedule a public hearing and second reading at the August 7, 2023 City Council meeting.

B. **First Reading of Omnibus Ordinance Amending Chapter 7, Vehicles, Traffic and Parking:**

Attached please find the annual omnibus set of ordinances recommended by the Parking and Traffic Safety Committee to be presented to the City Council. This year's omnibus changes are detailed on the attached sheets, and address changes to one-way streets, taxicab stands, and speed limits.

By way of background, on March 29, 2000, the City Council adopted Ordinance #4-2000 under Chapter 7, Article I, 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 2-hour time restriction to a 15-minute one. This process would often take 3-4 months to complete.

The current ordinance authorizes the Parking and Traffic 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. If adopted, the following sections of the ordinance would be amended: Chapter 7, Article III, Traffic Ordinance, Section 7.336A, One-Way Streets; Chapter 7, Article IVA, Bus Stops and Taxicab Stands, Section 7A.408, Taxi Stands Designated; and Chapter 7, Article XI, Speed Limits, Section 7.1100E, Speed Limit 25MPH.

The attached amendments to Chapter 7, Vehicles, Traffic and Parking for the Council's consideration summarize the temporary regulations implemented by the Parking and Traffic Safety Committee over the past 12 months.

I recommend that the City Council move to pass first reading and schedule a public hearing and second reading at the August 7, 2023 City Council meeting.

C. **First Reading of Ordinance Amending Chapter 7, Article VI – Loading Zones, Section 7.601 – Limited Hours Loading Zones:**

Attached please find an amendment to Chapter 7, Article VI – Loading Zones, Section 7.601 – Limited Hours Loading Zones.

I recommend that the City Council move to pass first reading and schedule a public hearing and second reading at the August 7, 2023 City Council meeting.

D. **First Reading of Ordinance Amending Chapter 7, Article X – Towing, Section 7.1004 – Towing or Immobilization of Motor Vehicles for Non-Payment of Parking Fines:**

Attached please find an amendment to Chapter 7, Article X- Towing, Section 7.1004 – Towing or Immobilization of Motor Vehicles for Non-Payment of Parking Fines.

I recommend that the City Council move to pass first reading and schedule a public hearing and second reading at the August 7, 2023 City Council meeting.

E. **Public Hearing and Second Reading of Ordinance amending Chapter 10 – Article 5A – Character-Based Zoning, Section 10.5A20, Regulating Plan, Subsection 10.5A21.10 Contents of Regulating Plan, Map 10.5A21B – Building Height Standards, Section 100.5A43.30 - Building and Story Heights, Subsection 10.5A43.33, Section 10.5A43.40 – Maximum building footprint, Subsections 10.5A43.41-44, and Section 10.5A45 – Community Spaces, Subsection Figures 10.5A45.10 Community Spaces, Section 10.5A46.20 – Requirements to Receive Incentives to the Development Standards, Subsections 10.5A46.21-22, and Article 15 – Definitions, Section 10.1530 – Terms of General Applicability, of the Ordinances of the City of Portsmouth:**

Attached please find an amendment to various sections of Chapter 10 regarding Character-Based Zoning.

If the Council wishes to move forward the amendments by the Planning Board, I recommend that the City Council:

- *Move to bring forward for consideration the recommended language from Planning Board submitted under Councilor Moreau's name; and*
- *Move to amend the ordinance consistent with Planning Board recommendations and schedule a public hearing and second reading at the August 7, 2023 City Council meeting.*

F. **Public Hearing and Adoption on Proposed Resolution Authorizing a Bond Issue and/or Notes of up to Seventeen Million Three Hundred Fifty Thousand Dollars (\$17,350,000.00) for Costs Related to Police Station Upgrades, Land Acquisition, Outdoor Pool Upgrades, Citywide Facilities Capital Improvements, Elwyn Park Sidewalks Traffic Calming, Borthwick Avenue Bike Path, Sagamore Avenue Sidewalk, Citywide Sidewalk Reconstruction Program, Street Paving, Management and Rehabilitation, Pease Trade port Street Rehabilitation, Edmond Avenue Upgrades, Islington Street Improvements and Union Street Reconstruction:**

Attached please find a Resolution in the amount of \$17,350,000 and corresponding element sheets describing the projects.

I recommend that the City Council move to adopt the Resolution as presented.

G. **Public Hearing and Adoption on a Proposed Resolution Authorizing a Bond Issue and/or Notes of up to Two Million Three Hundred Fifty Thousand Dollars (\$2,350,000.00), Together with the Transfer of Unexpended Bond Proceeds in the amount of One Million Five Hundred Thousand Dollars (\$1,500,000.00), for a Total Appropriation of Three Million Eight Hundred Fifty Thousand Dollars (\$3,850,000.00), to pay Costs Related to School Facilities Improvements and Fit-Up of Community Campus Space for Robert J Lister Academy:**

Attached please find a Resolution in the amount of \$3,850,000 and corresponding element sheets describing the projects.

I recommend that the City Council move to adopt the Resolution as presented.

H. **Public Hearing and Adoption on a Proposed Resolution Authorizing the Borrowing of up to One Million Two Hundred Fifty Thousand Dollars (\$1,250,000.00) through the Issue of Bonds and/or Notes for Costs Related to the Design and Construction of Foundry Place Parking Offices:**

Attached please find a Resolution in the amount of \$1,250,000 and corresponding element sheet describing the projects.

I recommend that the City Council move to adopt the Resolution as presented.

- I. **Public Hearing and Adoption on a Proposed Resolution Authorizing a Bond Issue and/or Notes of the City under the Municipal Finance Act and/or Participation in the State Revolving Fund (SRF) Loan of up to Nine Million Two Hundred Seventy-Six Thousand Five Hundred Dollars (\$9,276,500.00) Related to Annual Water Line Replacement, New Groundwater Source, Greenland Well Treatment, Dover Water Emergency Interconnection, Edmond Avenue Waterline Reconstruction, Islington Street Improvements and Union Street Reconstruction:**

Attached please find a Resolution in the amount of \$9,276,500 and corresponding element sheets describing the projects.

I recommend that the City Council move to adopt the Resolution as presented.

- J. **Public Hearing and Adoption on a Proposed Resolution Authorizing a Bond Issue and/or Notes of the City under the Municipal Finance Act and/or Participation in the State Revolving Fund (SRF) Loan of up to Six Million Nine Hundred Fifteen Thousand Dollars (\$6,915,000.00) for Costs Related to Annual Sewerline Upgrades, Long Term Control Related Projects, Woodbury Avenue Sewer Separation, Sewer Service for Sagamore Ave Sewer Extension, Fleet Street Utilities Upgrades/Streetscape, Edmond Avenue Improvement, Islington Street Improvements and Union Street Reconstruction:**

Attached please find a Resolution in the amount of \$6,915,000 and corresponding element sheets describing the projects.

I recommend that the City Council move to adopt the Resolution as presented.

- K. **Public Hearing and Adoption on a Proposed Resolution Authorizing a Supplemental Appropriation from the Water Fund Unrestricted Net Position, a Grant from the NH Drinking Water and Groundwater Trust Fund, and a Grant from NHDES Local Source Water Protection Program for the Purchase of a Conservation Easement on the Fernald Property to Protect the Bellamy Reservoir Water Quality:**

Attached please find a Resolution as it relates to the purchase of a conservation easement on the Fernald property to protect the Bellamy Reservoir water quality.

I recommend that the City Council move to adopt the Resolution as presented.

XI. City Manager's Items Which Require Action:

1. **Approval of Tentative Agreement with the Portsmouth School District Paraeducators:**

Attached please find a memorandum from Tom Closson, the City's Labor Negotiator, regarding a Tentative Agreement with the Portsmouth School District Paraeducators. Proposed adjustments are also attached.

I recommend that the City Council move to approve an agreement with the Portsmouth School District Paraeducators.

2. **Approval of a Memorandum of Agreement between the City of Portsmouth and Portsmouth City Employees AFSCME 1386A:**

Attached for your consideration is a Memorandum of Agreement between the City and the AFSCME 1386A union to add a new title to their Collective Bargaining Agreement.

Approval of this MOA will allow the City to add this title to the current AFSCME 1386A Collective Bargaining Agreement and file a modification with the New Hampshire Public Employee Labor Relations Board.

A current employee will be moved to this new title, which aligns better with their job duties. This is not a new position and will cause no change to the current budgeted salary.

I recommend that the City Council move to approve the agreement with Portsmouth City Employees AFSCME 1386A.

3. **Community Space Easement for Property Located at 3548 Lafayette Road:**

At its regularly scheduled meeting on Thursday, February 17, 2022, the Planning Board voted to grant site plan approval for a new 75-unit residential development located at 3548 Lafayette Road, the site of the former Wren's Nest. This property is owned by Monarch Village, LLC.

On May 15, 2023, this City Council voted to authorize the City Manager to accept and record a Bicycle Pedestrian Path Easement and an Access Easement for Water Services over 3548 Lafayette Road. Subsequent to that approval, Planning Department staff identified an additional easement depicted on the Site Plan approved by the Planning Board. This easement is a 15,063 square foot community space easement containing a bocce ball court and other amenities. The location of the proposed community space easement is depicted on [the attached drawing](#).

The Planning and Legal Departments recommend the form of [the attached easements](#).

I recommend that the City Council move to authorize the City Manager to accept a Community Space Easement from Monarch Village LLC.

4. **Water Service Access Easement for Property Located at 212 Woodbury Avenue:**

At its regularly scheduled meeting on Thursday, April 20, 2023, the Planning Board granted preliminary and final subdivision approval for a lot relocation plan and site plan approval for the construction of an eight-unit condominium development with associated infrastructure to be located at 212 Woodbury Avenue. As a part of the site plan approval, the Planning Board recommended the City Council accept a Water Service Access Easement over the parcel. This Water Service Access Easement will permit City staff to access the property for the purpose of leak detection and to turn valves in the case of an emergency.

The applicants have [provided the attached deed](#) which conforms with the City's ordinary form for water service access easements. The Legal and Planning Departments have reviewed this document for form and recommend acceptance.

I recommend that the City Council move to authorize the City Manager to accept and record a Water Service Access Easement Deed in substantially similar form to the easement deed from Maple Heights Realty, LLC contained in the agenda packet.

5. **Authorization to Release a Portion of the Prescott Park Chain-link Fence to Seacoast Repertory Theatre:**

The Seacoast Repertory Theatre has expressed interest in acquiring a portion of the fence at Prescott Park which is covered in locks.

Seacoast Repertory has indicated that it could use a portion of the fence as part of the set in its upcoming production. At the conclusion of the production, the fence used on set could be installed on its property in the front of the theater in the garden area.

I recommend that the City Manager be authorized to release a portion of the Prescott Park fence with locks to the Seacoast Repertory Theatre for use on set and/or installation on its property as an artistic element.

6. **Request to Establish a SAU 52 Site Investigation Committee for Purposes of Exploring a Potential Location for a Multisport Complex:**

In May, the City of Portsmouth issued Request for Qualifications (RFQ) 51-23 to initiate a process to investigate the potential for a public-private partnership to develop an indoor multisport complex. The City received two responses to the RFQ, one from The Sports Facilities Companies and the second from Edge Sports Group. [Copies of the responses are attached.](#)

City staff has determined that both firms are qualified to proceed and has preliminarily ranked the two firms (that ranking is not public information at this time). City staff is in the process of requesting additional information from each firm and may interview each firm to better understand the experience of the firm, potential approaches and opportunities, which may result in re-ranking. The City does not intend to select a single firm at this early stage in the procurement process.

As the City staff continues its investigation to assemble information for a work session with the City Council and Recreation Board this fall, I recommend that an SAU 52 Site Investigation Committee be established. The SAU communities of Greenland, Newington, New Castle and Rye may have properties to serve as a potential site. Based on current information, a minimum of a five-acre site would be needed for the construction and parking associated with an indoor multisport complex. Additional information relative to site options and conditions may be gleaned from the additional process that the staff will be undertaking with the firms that might further inform the work of a Site Investigation Committee.

As described in the RFQ, “After the short-listed firms are identified and ranked, the City anticipates holding a work session with the City Council and Recreation Board to determine what if any next steps will be taken. Next steps may include but not be limited to: a discussion with adjacent communities with the School District, issue a Request for Proposals to lead to a final selection of a firm with whom to partner, or ending the process ...”

I recommend that the City Manager work with the School Superintendent to establish an SAU 52 Site Investigation Committee relative to the potential development of an indoor multisport complex.

7. Request to Establish a Public Hearing to Obligate ARPA Funds for Several Projects:

Pursuant to the recent request for a report back on the potential use of ARPA funds to implement certain recommendations from the COVID Recovery Task Force, staff and I present the following options outlined herein. In addition, as a means to support the City’s efforts to provide important improvements designed to maximize functionality at Community Campus for the non-profit tenants and for the City uses, I would also like to include this request for the Council’s consideration as part of the discussion relative to use of remaining ARPA funding.

If the City Council is interested in further investigating and potentially obligating ARPA funds for any of the projects listed below, a public hearing would need to be established (I would specifically recommend during the August 21st Council Meeting). City staff (and its partners as appropriate) would be prepared to provide additional information on any of these items described below at the hearing and to further refine potential costs by obtaining better cost estimates.

Recommendations from the Covid Recovery Task Force:

- Community Resource Network - Obligate funding to improve the existing website and to explore using technology tools to help the non-profits that already exist.

\$15,000 -\$20,000 (subject to discussions with a technology consultant and exploration of opportunities to leverage the platform)
- Gas and Uber/Lyft gift cards (or similar) - to facilitate transportation to and from after school programs, medical appointments, jobs, childcare, other essential trips. This investment recognizes that sometimes the best transportation option is a direct point-to-point solution on an as needed basis; the challenge will be the best means to get this type of aid to those that need it most.

\$10,000
- Mobile Library Resources - The Portsmouth Public Library is very interested in offering mobile library resources for community outreach, at parks, centers and local events. Library Director Christine Friese shares an example from the Grandview Heights Public Library (in Columbus, OH); a small, storable electric vehicle referred to as a pop up library <https://www.ghpl.org/services/#toggle-id-18>.

\$80,000 (for acquisition, operation & maintenance for two years)

- Set Aside to Implement the Community Health Needs Assessment Recommendations – These funds would be set aside to implement any recommendations from the Community Health Needs Assessment (due for completion by end of 2023) that are time-sensitive, have a defined scope/project within the budget; and are supported by the partner agency (ies).

\$250,000

Recommendation from the City Manager for Community Campus:

- Community Campus Non-Profit Tenant Space Realignment and Improvements -

The City purchased the 72,000-square foot Community Campus facility to better serve both its long-term recreational needs and to continue to house the non-profit organizations that fill important needs in our community. These regional non-profits serve low- and moderate-income persons, including those recovering from brain injuries and children. As part of the acquisition, the City committed to the continued support of these organizations through rent and utility subsidization and building maintenance.

It has become clear through over a year of ownership and study, that there are critical building needs for these tenants that include building IT infrastructure to support their individual, secure needs and providing security and access solutions unique to each tenant (i.e. Seacoast Community School and the Child Advocacy Center). In addition, the tenants' footprint grew over 20 years without much thought to organizational flow, space planning or energy efficiency. With funding, the City would improve and increase the availability of tenant spaces through relocation within the building, improve accessibility and security, and deploy more reliable and secure IT solutions (among the current needs: an updated design and configuration of the network, new switches, new access points, some new and realigned cabling and potentially a new firewall). These IT needs could be better deployed, coordinated, maintained and managed if the City undertakes this work for all of the tenants versus pushing this responsibility back onto the individual, under-resourced tenants.

Regarding the tenant spaces, the current lease for Aids Response Seacoast (ARS), currently located in the Seybolt section of City Hall, ends September 30, 2023. A short-term/month-to-month extension will be coming forward for Council action next month. The City has been in discussions with ARS for over six months to try to find suitable office space and to date, no location has been identified. Reconfiguration of the space at Community Campus would facilitate the organization's relocation and house it with the other regional programs serving important segments of our community.

The City recommends an investment of **\$1.5 million** in capital improvements and **\$40,000** in IT infrastructure to Community Campus, for which it currently does not

have an identified funding source. The use of ARPA funding would be an appropriate and eligible use in this case.

I recommend that the City Council schedule a public hearing for the August 21, 2023 City Council Meeting to obligate ARPA funds for the projects identified.

XII. Consent Agenda:

B. Projecting Sign License – 77 Hanover Street:

Permission is being sought to reface the existing projecting sign at [77 Hanover Street](#) that extends over the public right of way, as follows:

Sign dimensions: 40” x 48.25”

Sign area: 13.4 sq. ft.

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 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 signs, 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.*

*Projecting signs have a 12 square feet maximum, however nonconforming signs may be refaced using the existing nonconforming sign.

XIII. Presentations and Written Communications:

A. Presentation Regarding Community Policing Facility – Brief Announcement and Invitation to Attend July 11th Public Meeting:

Peter Rice, the City’s Public Works Director, will provide a brief verbal presentation on the status of this project and invite the public to attend an informational meeting on July 11th at 6:00 p.m. in the Community Campus Movie Room.

D. Letter from Mark McNabb, McNabb Properties Ltd., Regarding Improvement Plans for High Street, Ladd Street and Haven Court as part of the 1 Congress Street Project:

[Deputy City Manager Woodland](#) has prepared a memorandum in response to Mr. McNabb’s correspondence.

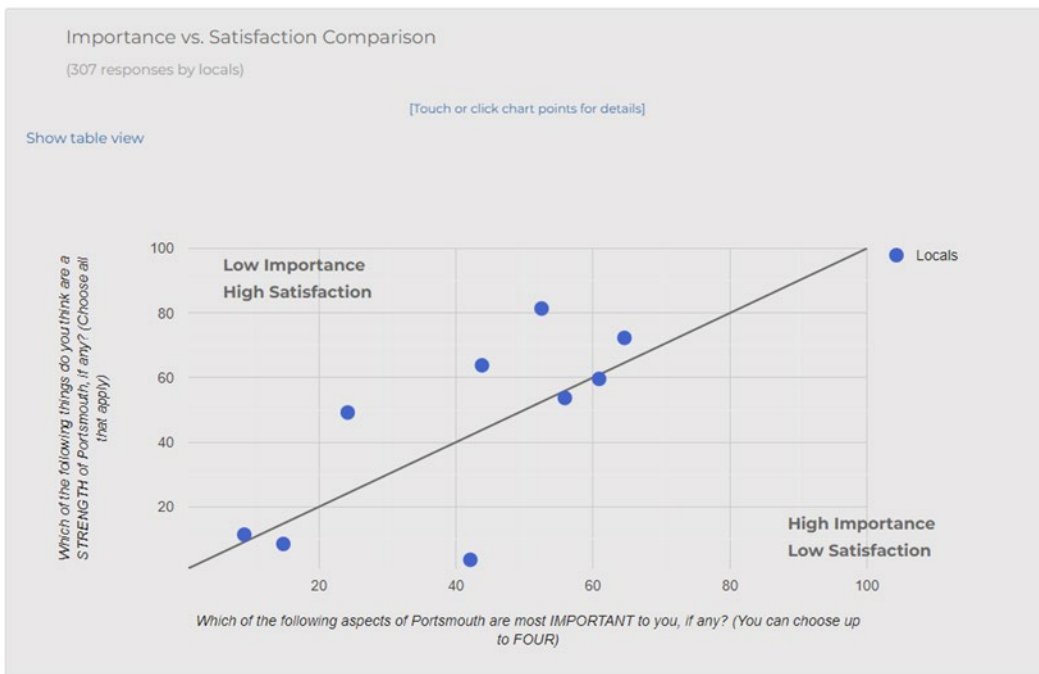
XVII. City Manager’s Informational Items:

1. Update on First FlashVote Survey Results:

On June 21, 2023, the City of Portsmouth sent its first FlashVote Survey on the topic of “Community Priorities.” The survey was active for the required two days during which time 360 residents took part. This represents 56% of the total 606 initially invited. A further 18 residents signed up during the run of the survey. According to FlashVote, participation at or above 50% is a meaningful result.

This statistically relevant survey is the first of six that the City will send throughout the year. The survey results are published online in an interactive dashboard, for all to view, here: <https://www.flashvote.com/portsmouth-nh/surveys/community-priorities-06-23>.

For questions one and two, respondents were asked to name areas of strength for the City across eight categories and then rank four of those categories that have personal importance to them. This allows for a comparison of what respondents think the City is doing well versus what they feel is important. In the results dashboard, this is displayed graphically:



Items above the line represent areas where the survey responses show the City having a strength. Items increase in importance the further to the right they appear on the graph. Items below the line are areas where respondents report that the City has an opportunity to make improvements. The only area surveyed that fell significantly below the line was “range and availability of housing.”

Respondents were also polled about how they would make additional investments across a range of initiatives, including resiliency and sustainability projects, access to mental health services through School and Police, and more integrated bike and pedestrian access. Finally, the survey included two open-ended questions about what one thing residents would change if they could, and any other feedback. The 370 long form responses are currently in review by staff.

Information and data taken from these surveys will aid staff and elected officials in gauging public sentiment and interest in these initiatives and projects. The second FlashVote survey will be constructed over the next several weeks on a topic to be decided. Residents are encouraged to sign up at <https://portsnh.co/flashvote> to take part in the remaining five surveys.

2. AAA Bond Rating Announcement:

The City of Portsmouth has received its eleventh consecutive affirmation from Standard and Poor's (S&P) Global Rating of the City's AAA bond rating which measures the City's ability to manage its credit. S&P cited its "very strong management with strong financial policies and practices."

Due to its outstanding bond ratings, the City continues to experience the lowest possible interest rates when financing City capital projects. Finance Director Judie Belanger announced that the City received sixteen competitive bids from bond underwriters on Wednesday, June 7, 2023, for a \$22.77 million general obligation bond. Proceeds from the bond issuance will be used to finance Citywide street and sidewalk improvements, School facility upgrades and improvements, fuel station upgrade, Police facility feasibility and design, current Police Station upgrades, the Greenland Road Recreation Facility, Hanover Parking Facility upgrades, sewer line replacements, and sewer service and main for Sagamore Avenue Area sewer extension. Janney Montgomery Scott, LLC was the winning bidder on the bonds with a true interest cost rate of 3.44 percent. "We are very pleased with this rate in today's market. In addition to the excellent bond rate, the City received a bond premium of \$2.1 million which reduces the principle the City will pay," Belanger said.

At the same time, the City issued an \$8.28 million bond anticipation note to fund a portion of the purchase price for Community Campus. The winning bidder was Jefferies, LLC with a net interest cost of 3.55 percent and a note premium of \$77,454. "This short-term note funds a portion of the purchase price of Community Campus," Belanger announced.

3. Update on Community Power Rates:

On June 30, 2023, Portsmouth Community Power shared the news that The Community Power Coalition of New Hampshire (CPCNH) Board of Directors announced a new Community Power base electric rate of 10.9 cents per kilowatt hour (kwh), starting on August 1, 2023.

Through the Coalition, Portsmouth Community Power is offering Portsmouth customers the choice of 100%, 50%, and 33% renewable power at rates comparable to the Eversouce base rates.

The August 1, 2023 – January 31, 2024 rate from Eversource will be 12.582 cents per kilowatt hour. The Granite Basic rate (generated with 23.4% renewables) for Portsmouth Community Power customers is set at 10.9 cents per kilowatt hour. Those who have “opted up” to receive “greener” electricity generated with more renewables will be billed as follows:

- Granite Plus (33% renewables) = 11.3 cents/kwh
- Clean 50 (50 % renewables) = 12.3 cents/kwh
- Clean 100 (100% renewables) = 15.2 cents/kwh

Portsmouth Energy Advisory Committee member and CPCNH Board Vice Chair Kevin Charette stated, “One year ago, customers were about to start paying over 22 cents/kwh. Prior to the launch of Portsmouth Community Power, Portsmouth customers were paying Eversource 20.2 cents/kwh. As of right now, with Portsmouth Community Power in place, they’re paying 15.8 cents/kwh through July and then will pay just 10.9 cents/kwh starting August 1.”

Portsmouth residents and businesses enrolled in Portsmouth Community Power do not have to take any action to receive the rate savings starting August 1. Customers may elect to change their rate product option or opt out or opt in (from a third-party supplier) to Portsmouth Community Power at any time, and their selection will become effective on the date of their next meter read. For more go to: <https://www.communitypowernh.gov/portsmouth>.

THOMAS M. CLOSSON
ATTORNEY AT LAW, PLLC

To: City Manager Conard, Mayor McEachern, and Members of the
Portsmouth City Council
From: Tom Closson
Re: Tentative Agreement with the Portsmouth School District
Paraeducators
Date: June 20, 2023

Attached for your consideration is a Tentative Agreement that the Portsmouth School Board's negotiating team has reached with the Portsmouth School District's Paraeducators. The Tentative Agreement calls for a collective bargaining agreement through June 30, 2026. The Tentative Agreement includes these material financial terms:

- A wage schedule adjustment and a longevity scale adjustment on 7/1/2023 to bring compensation up to neighboring school districts;
- COLAs (based on the rolling 10-year average CPI-U) in subsequent contract years;
- Improvements to contractual parental leave and tuition reimbursement benefits;
- Addition of Juneteenth as a holiday; and
- Addition of one (1) additional personal day.

Of note, the Tentative Agreement also provides the School District with increased flexibility in hiring Paraeducators who are certified as Registered Behavior Technicians.

The Tentative Agreement includes additional language/policy changes and corrections that are outlined in the attached document.

A costing analysis prepared by the School District's Business Administrator Nathan Lunney is attached.

The School Board and the Union have already voted to ratify this Tentative Agreement. I am pleased to recommend it to you.

PORTSMOUTH BOARD OF EDUCATION
And
PORTSMOUTH SCHOOL DISTRICT PARAEDUCATORS

PORTSMOUTH BOARD OF EDUCATION'S
PACKAGE PROPOSAL FOR MAY 23, 2023¹

<u>CBA ARTICLE</u>	<u>PROPOSAL</u>
<p>Witnesseth TA'd 5/24/23 N/A.</p>	<p>Modify to provide as follows:</p> <p>“Whereas, the Association establishes itself as the exclusive representative of the paraeducator employees of the Portsmouth School District, now therefore, the parties hereto contract and agree with each other as a result of collective bargaining as follows:”</p>
<p>Article 1.4 (Recognition) TA'd 5/24/23 N/A.</p>	<p>Move probationary language, disability language, Armed Forces language and RIF language to appropriate sections of the CBA.</p> <p>Parties will work cooperatively, outside of negotiations, on updating the unit certification on file with the PELRB.</p>
<p>Article 6.2 (Health And Safety) TA'd 5/24/23 N/A.</p>	<p>Delete current paragraph and replace with “All staff member injuries suffered while on duty will be reported to the Joint Loss Management Committee.”</p>
<p>Article 10.10 (Sick Leave – Sick Bank) TA'd 5/24/23 N/A.</p>	<p>Adopt Union’s language proposals related to management of Sick Bank but maintain status quo on amount of donations to Sick Bank.</p>
<p>Article 11.1 (Personal Days) TA'd 5/24/23 N/A.</p>	<p>Increase to three (3) per year.</p>

¹ This is a package proposal. If any individual proposal is rejected or modified, the entire package will be considered rejected. Also, any pending proposal not included or specifically addressed in this package proposal should be considered rejected.

Article 12.1 (Professional Leave) TA'd 5/24/23 N.A.	Change to "An employee's request to utilize an available professional day will be automatically granted if at least ten (10) days of advance notice is provided."
Article 13 (Child Care/Childbirth Leave) TA'd 5/24/23 N.A.	Change title to Parental Leave and adopt same language as included in Article 33.6 of the Teachers' CBA (see attached). *replace any reference to "Teacher" with "Paraeducator"
Article 16 (Holidays) TA'd 5/24/23 N.A.	Add Juneteenth as a holiday for all bargaining unit members and change Columbus Day to Indigenous Peoples' Day.
Article 18 (Seniority) TA'd 5/24/23	Change title to Seniority and Reduction in Force.
Article 24.1 (College Course Tuition Reimbursement) TA'd 5/24/23 N.A.	Increase total cap to fifteen thousand dollars (\$15,000) per school year and increase per employee cap from three (3) credit hours per semester to four (4) credit hours per semester. Change "Granite State College" reference to "University of New Hampshire College of Professional Studies."
Article 24.3 (College Course Tuition Reimbursement) TA'd 5/24/23 N.A.	Add the following sentence: "The District also reserves the right to hire new employees who are certified as Registered Behavior Technicians and to pay them an additional three dollars (\$3.00) per hour for possessing and maintaining such certification."
Article 26.1 (Duration Of Agreement) and elsewhere in the CBA as appropriate. TA'd 5/24/23 N.A.	Change duration of CBA to 7/1/2023 to 6/30/2026.
Article 29.1 (Copies Of Agreement) TA'd 5/24/23 N.A.	Change to require the production of one (1) hard copy of the CBA and access to an electronic copy on City/School Board web page.
Article 31 (Wages) TA'd 5/24/23 N.A.	Delete wage scale for Interpreters/Tutors.
Articles 17 (Longevity) and 31 (Wages) TA'd 5/24/23 N.A.	See the attached Wage Proposal.

TENTATIVELY AGREED:

May 24, 2023

Nicole Argraves

Negotiating Team
Portsmouth School District Paraeducators

May 24, 2023

Tom Closson

Negotiating Team
Portsmouth School Board

SCHOOL DISTRICT PACKAGE WAGE PROPOSAL
MAY 23, 2023

1.) Adopt New Wage Schedules on 7/1/2023:

STEP	PARAEDUCATOR	LITERACY/TITLE 1 TUTOR NON-CERTIFIED	LITERACY/TITLE 1 TUTOR CERTIFIED
1	18.36	19.82	22.02
2	19.38	20.69	22.98
3	20.45	21.63	24.00
4	22.47	22.61	25.11
5	24.50	23.93	26.24
6	25.50	27.48	29.78

2.) Change Article 28.1 to reflect the following migration onto the new Wage Schedules:

- On 7/1/2023, current Steps 1 and 2 move to new Step 1;
- On 7/1/2023, current Step 3 moves to new Step 2;
- On 7/1/2023, current Step 4 moves to new Step 3;
- On 7/1/2023, current Step 5 moves to new Step 4;
- On 7/1/2023, current Step 6 moves to new Step 5; and
- On 7/1/2023, current Step 7 moves to new Step 6.

3.) Change Article 28.1 to reflect that subsequent Step increases during the CBA will be on 7/1/2024 and 7/1/2025.

4.) Retain language in Article 28.1 regarding District's initial Step placement discretion but change reference from years to Steps.

5.) Increase Wage Schedules by COLA (10-year rolling average Boston-Cambridge-Newton, MA-NH CPI-U with 3.0% floor and 5% ceiling) on 7/1/2024 and by COLA (10-year rolling average Boston-Cambridge-Newton, MA-NH CPI-U with 3.0% floor and 5% ceiling) on 7/1/2025.

TA'd 5/24/23

Nicole Argraves

6.) Utilize the attached Longevity Schedule for 7/1/2023.

7.) Adopt new Longevity Schedule on 7/1/2024:

YEARS OF CONSECUTIVE SERVICE IN THE PORTSMOUTH SCHOOL DISTRICT	AMOUNT
5-9	\$1,000
10-15	\$1,200
16-20	\$1,400
21-25	\$1,600
26-30	\$1,800
30+	\$2,000

8.) Increase Longevity Schedule by COLA (10-year rolling average Boston-Cambridge-Newton, MA-NH CPI-U with 3.0% floor and 5% ceiling) on 7/1/2025.

PORTSMOUTH PARAEDUCATOR LONGEVITY SCHEDULE

7/1/2023

<u>YEARS OF CONSECUTIVE SERVICE IN THE PORTSMOUTH SCHOOL DISTRICT</u>	<u>AMOUNT</u>
6-10	\$640
11-15	\$807
16-20	\$976
21-25	\$1,144
26-30	\$1,315
30+	\$1,363

TA'd 5/24/23

Nicole Argraves

32.6 Parental Leave

Any person covered under this agreement shall be granted available sick leave for the purpose of adopting or giving birth to a child. The duration of continuous working days of sick leave may be six (6) weeks, or longer when determined medically necessary by a doctor, within the first year of the child's arrival.

A leave of absence shall be granted to a permanent, full-time employee, who has been employed for at least one (1) year before said application. Such leave will commence at the time recommended by the employee's standing physician and/or initial placement of the child occurs. Such leave shall not exceed the conclusion of the school year during which the request is made.

Employees shall be entitled to use six (6) weeks of paid sick leave, or longer when determined medically necessary by a doctor. While on such leave, insurance benefits as contractually agreed

shall be continued for such leave beyond the period in which the employee is utilizing paid sick leave if the employee is approved on FMLA.

If the employee is out of work for such leave beyond their sick leave utilization and is no longer covered by FMLA, then the employee may keep health insurance benefits in force under the present carrier while on leave by paying the total premium costs for maintaining insurance to the School Department, on a schedule suggested by the Business Administrator, or, if the carrier requires, through COBRA, with the School District agreeing to pay the COBRA administrative fee.

If the district should employ both parents within the school district, it is understood that the total time for both employees collectively cannot exceed one (1) year period of leave set forth in this article.

If an employee who has been granted leave of absence in accordance with this provision shall fail to return to work upon expiration of such leave of absence, the employee shall be deemed to have voluntarily terminated their employment.

Leave for an additional school year shall be granted at the sole discretion of the School District. To be considered for such leave, there must be a written request to the Superintendent. This request must be submitted to the Superintendent no later than March 1st of the preceding year. In no case will a teacher be granted an extended leave that permits absence for more than two (2) school years. Re-employment after the leave will begin at the start of the school year following the expiration of the leave.

All benefits to which a teacher was entitled at the time his/her leave of absence commenced including unused accumulate sick leave, shall be restored to him/her upon his/her return.

Upon return, the Superintendent will assign the teacher to his/her former position or an appropriate certified alternate position.

TA'd 5/24/23

Nicole Argraves

PARAEDUCATORS UNION - 05/24/23

NH Retirement Rate	14.06%	13.53%	13.53%	13.53%
FICA Rate	7.65%	7.65%	7.65%	7.65%
COLA Rate		3.00%	3.00%	3.00%

CURRENT CONTRACT - PARAEDUCATORS GROSS BUDGET (Steps only/No COLA)

	FY23 Base	FY24	FY25	FY26	Projected 3-Yr Total
Wages	2,285,062	2,403,592	2,468,050	2,533,086	7,404,728
Juneteenth Holiday	-	-	-	-	-
Longevity	37,034	37,034	40,487	41,596	119,117
NH Retirement	326,487	330,217	339,405	348,354	1,017,976
FICA	177,640	186,708	191,903	196,963	575,574
	2,826,223	2,957,551	3,039,845	3,119,999	9,117,395

Year-to-Year CURRENT Gross Budget Change	131,328	82,294	80,154
% Change	4.65%	2.78%	2.64%

293,776	Total Yr-to-Yr Increase
10.39%	Change FY23 to FY26
3.46%	Avg % Change

PROPOSED TENTATIVE AGREEMENT - PARAS GROSS BUDGET

	FY23 Base	FY24	FY25	FY26	Projected 3-Yr Total
Wages	2,285,062	2,472,903	2,613,412	2,759,238	7,845,553
Juneteenth Holiday	-	12,801	13,532	14,288	40,621
Longevity	37,034	37,743	57,924	60,006	155,673
NH Retirement	326,487	341,422	363,263	383,377	1,088,062
FICA	177,640	193,044	205,392	216,765	615,201
	2,826,223	3,057,913	3,253,523	3,433,674	9,745,110

Year-to-Year PROPOSED Gross Budget Change	231,690	195,610	180,151
	8.20%	6.40%	5.54%

607,451	Total Yr-to-Yr Increase
21.49%	Change FY23 to FY26
7.16%	Avg % Change per yr

BREAKDOWN OF TENTATIVE AGREEMENT COSTS OVER "CURRENT" GROSS BUDGET

YEAR-TO-YEAR Change Over Prior Year Base

	FY23 Base	FY24	FY25	FY26	Projected 3-Yr Total
Wages		69,311	76,051	80,790	226,152
Juneteenth Holiday		12,801	731	756	14,288
Longevity		709	16,728	973	18,410
NH Retirement		11,205	12,653	11,165	35,023
FICA		6,336	7,153	6,313	19,802
TOTAL COST OF TENTATIVE AGREEMENT		100,362	113,316	99,997	313,675
		3.55%	3.83%	3.29%	

313,675	Total Yr-to-Yr Increase
11.10%	Change FY23 to FY26
3.70%	Avg % Change

CITY OF PORTSMOUTH
AND THE
AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES,
AFL-CIO, COUNCIL 93, LOCAL 1386
REPRESENTING THE PORTSMOUTH CITY EMPLOYEES – 1386A

MEMORANDUM OF AGREEMENT

WHEREAS, the City of Portsmouth, New Hampshire (“City”) and the American Federation of State, County and Municipal Employees, AFL-CIO, Council 93, Local 1386A (“Union”) hereby agree as follows:

1. The City and the Union are parties to a collective bargaining agreement that covers the period from July 1, 2022 to June 30, 2025 (“the CBA”).
2. The parties have agreed to add the position of Maintenance Garage Assistant to the Union’s bargaining unit. The position will be placed at a Grade 5 on the salary schedule.
3. This Memorandum of Agreement addresses only the specific situation described above. This Memorandum of Agreement shall not be construed as creating any binding past practice between the Parties.

Dated: _____

City of Portsmouth, New Hampshire

Dated: _____

Portsmouth City Employees - 1386A

Dated: _____

Approved by the City Council for the City
of Portsmouth, New Hampshire

After recording return to:
City of Portsmouth
Planning Department
1 Junkins Ave
Portsmouth, NH 03801

EASEMENT FOR PUBLIC ACCESS AND USE OF COMMUNITY SPACE

THIS EASEMENT HEREIN IS GRANTED this ____ day of _____, 2023 by MONARCH VILLAGE, LLC, a New Hampshire limited liability company with an address of 185 Sandown Road, Danville, New Hampshire 03891 (“Grantor”), unto the CITY OF PORTSMOUTH, a municipal corporation with an address of 1 Junkins Avenue, Portsmouth, New Hampshire 03801 (“City”), with warranty covenants, an easement for public access to and use of certain community space as set forth herein.

WITNESSETH

WHEREAS, Grantor acquired a tract of land located at 3548 Lafayette Road, City of Portsmouth, County of Rockingham, State of New Hampshire (the “Property”), by Warranty Deed of Naveesha Hospitality, LLC, dated March 24, 2022 and recorded at the Rockingham County Registry of Deeds at Book 6393, Page 1311; and

WHEREAS, reference is made to a plan entitled “RECORDING SITE PLAN” prepared by Altus Engineering, Inc., dated May 10, 2022, as revised, and recorded herewith at the Rockingham County Registry of Deeds at D-43467 (the “Plan”); and

NOW THEREFORE, in consideration of the sum of One Dollar (\$1.00), to be paid by the City, and other good and valuable consideration, the receipt of which is hereby acknowledged by the Grantor, Grantor conveys an easement, located in the City of Portsmouth, County of Rockingham, State of New Hampshire (hereinafter collectively referred to as the “Easement”) as follows:

1. Community Space Easement. The Grantor hereby grants to the City and declares for the benefit of the public a permanent right to use and enjoy the Park as identified on the Plan as “±15,063 sf Park/Community Space.” Said area may be improved by the Grantor with permanent fixtures, such as a bocce court, patio, benches and other such landscaping features, at its sole expense, and as depicted in the Plan. The construction

of any permanent fixtures not depicted in the Plan shall be subject to a modified site plan approval by the Portsmouth Planning Board.

The Easement granted herein shall be subject to the following terms and conditions:

1. **Terms of Public Use:** The Public Use permitted by the Easement shall be governed and determined at the sole discretion of the City, as expressed by the City Manager or the highest ranking administrative officer of the City, subject to the terms and conditions of this easement. The City shall provide reasonable notice to the Grantor of an extraordinary event to be scheduled for the easement areas but failure to do so shall not be a breach of this easement.
2. **Rights to Private Property:** This easement does not convey any right to the public to access or utilize the private property of the Grantor outside the easement areas. Grantor's use of the Easement shall be subject to and regulated through the City of Portsmouth's rules and ordinances governing public sidewalks.
3. **Maintenance:** Maintenance of the easement areas shall be the sole responsibility of the Grantor, its successors or assigns. The City shall have the right, but not the obligation, to access the easement areas for the purpose of maintenance, repair or replacement, after providing reasonable notice to the Grantor of the scope and cost of such work, all as reasonably determined by the City. Such maintenance costs incurred by the City shall be at the sole expense of the Grantor, its successors or assigns.
4. **Encroachments:** The Easement is subject to all existing encroachments of utilities and improvements on, over and under the Easement.
5. **Covenants Run with the Land:** The Easement granted herein shall be perpetual in nature, shall run with the land and shall benefit and be binding upon the Grantor, its successors and assigns. The Easement shall be recorded in the Rockingham County Registry of Deeds.
6. **City Ordinance Application:** Any use, public or private, of the Easement shall be subject to and comply with the City Ordinances of the City of Portsmouth.
7. **Notices:** Any notice, demand, request, or other communication that either party desires or is required to give to the other under this Easement shall be in writing and either served personally or sent by United States mail, postage prepaid, certified, return receipt requested, and shall be mailed to the parties at the following addresses:

To Grantor:

Monarch Village, LLC
185 Sandown Road
Danville, New Hampshire 03891

To City:

City Manager (or the highest ranking administrative officer)
City of Portsmouth, New Hampshire
1 Junkins Avenue
Portsmouth, NH 03801

8. Amendment: Grantor and Grantee may mutually agree to amend or modify this Easement, provided that any such amendment or modification is approved by the City Council at a noticed public hearing, in writing and signed by both parties, and is consistent with the purpose and intent of the Zoning Ordinance. No amendment or modification of this Easement shall take effect unless and until it is recorded in the Rockingham County Registry of Deeds.

9. Costs and Liabilities: Grantor agrees to bear all costs and liabilities of any kind related to the operation, upkeep, and maintenance of the Property, and to defend, indemnify, hold harmless and release the City of Portsmouth, from and against any and all actions, claims, damages, liabilities, or expenses that may be asserted by any person or entity, including Grantor, relating thereto. Without limiting the foregoing, the City of Portsmouth shall not be liable to Grantor or any other person or entity in connection with any entry upon the Property pursuant to this Easement, or on account of any claim, liability, damage, or expense suffered or incurred by or threaten against Grantor or any other person or entity, except as such claim, liability, damage, or expense is the result of the City of Portsmouth's, its agents or employee's negligence or willful misconduct.

10. Applicable Law: These Easements shall be construed and interpreted according to the substantive law of the State of New Hampshire.

11. Community Space Easement to Bind Successors: The provisions of this Easement shall be binding upon and insure to the benefit of Grantor and its successors and assigns. The Easement shall be appurtenant to, and for the benefit of, Grantee and shall run with title to the Property and shall continue in perpetuity.

Meaning and intending to convey an easement over a portion of the Property conveyed to the Grantor by Deed of Naveesha Hospitality, LLC, dated March 22, 2022 and recorded at the Rockingham County Registry of Deeds at Book 6393, Page 1311.

This is an exempt transfer pursuant to RSA 78-B:2(I).

IN WITNESS WHEREOF, Grantor and City have executed this Community Space Easement as set forth, below.

Grantor:

MONARCH VILLAGE, LLC

By: _____
Norman Lee, Member

Grantee:

City of Portsmouth, New Hampshire

By: _____
Karen Conard, City Manager
Per vote of the City Council
on _____

ACKNOWLEDGEMENTS

STATE OF NEW HAMPSHIRE
COUNTY OF ROCKINGHAM

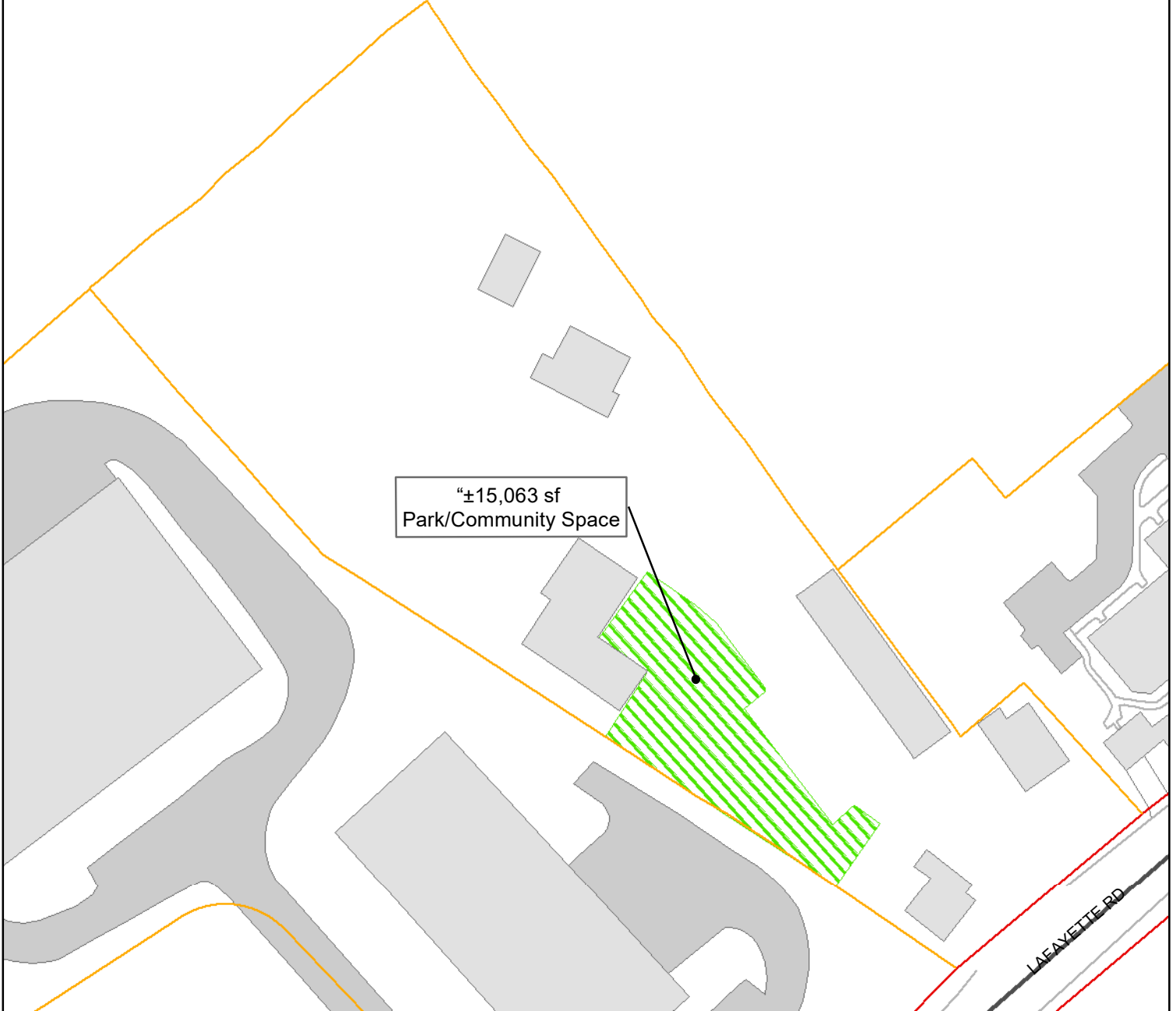
On this ____ day of _____, 2023, before me, the undersigned notary public, personally appeared Norman Lee of Monarch Village, LLC, a New Hampshire limited liability company, proved to me through satisfactory evidence of identification, which was a valid driver's license, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he/she signed it voluntarily for its stated purpose.

Notary Public:
My Commission Expires:

STATE OF NEW HAMPSHIRE
COUNTY OF ROCKINGHAM


On this ____ day of _____, 2023, before: me, the undersigned notary public, personally appeared Karen Conard, Manager of the City of Portsmouth New Hampshire, proved to me through satisfactory evidence of identification, which was a valid driver's license, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he/she signed it in his capacity as stated therein and voluntarily for its stated purpose.

Notary Public:
My Commission Expires:



**Monarch Village
Proposed Community Space Easement**

Legend

 Proposed Community Space Easement

Return to:
City of Portsmouth
1 Junkins Avenue
Portsmouth, NH 03801

ACCESS EASEMENT FOR WATER SERVICES

KNOW ALL PERSONS BY THESE PRESENTS, that **MAPLE HEIGHTS REALTY, LLC**, a New Hampshire limited liability company with an address of 74 Maple Street, Somersworth, County of Strafford, State of New Hampshire (“Grantor”), for consideration received, grants to the **CITY OF PORTSMOUTH**, a municipal body politic having a mailing address of 1 Junkins Avenue, Portsmouth, County of Rockingham and State of New Hampshire 03801 (“Grantee”), with **QUITCLAIM COVENANTS** an easement over, below, along, and across the premises described herein, identified as 212, 214 and 216 Woodbury Avenue, in the City Portsmouth, County of Rockingham, State of New Hampshire, and being more particularly described as follows:

Those certain tracts or parcels of land with the buildings therein situated on Woodbury Avenue and Boyd Road, in the City of Portsmouth, County of Rockingham and State of New Hampshire, shown as Tax Map No. 175, Lots 1, 2 and 3 on a plan entitled “Lot Line Adjustment Plan, Tax Map 175, Lots 1, 2 and 3” dated 1/05/22 and revised through _____, prepared Jones & Beach Engineers, Inc. to be recorded herewith.

Meaning and intending to convey an easement over the premises conveyed to the within Grantor by deed of Frederick J. Bailey, III and Joyce S. Nelson, in accordance with the Bailey Nelson Partnership, dated March 30, 2023, and recorded at the Rockingham County Registry of Deeds at Book 6474, Page 2215.

Purpose and Rights: The Grantee shall have a perpetual, permanent uninterrupted and unobstructed nonexclusive easement for the purpose of enabling the City of Portsmouth to access private water infrastructure including mains, water shutoffs, and valves for the limited purpose of leak detection and similar infrastructure inspection services and for access to valves for purposes of turning on and shutting off municipal water service. Grantee shall have no responsibility for installation, maintenance, operation, or replacement of the water infrastructure.

Retained Rights: Grantor retains the right to freely use and enjoy its interest in the easement area insofar as the exercise thereof does not interfere with the purpose of this instrument.

Easement To Run With Land: All rights and privileges, obligations and liabilities created by this

instrument shall inure to the benefit of, and be binding upon, the heirs, devisees, administrators, executor, successors and assignees of the Grantee and of the Grantor, the parties hereto and all subsequent owners of the Premises and shall run with the land and be binding upon, any and all successors and assignees of the Grantee.

This is an exempt transfer per R.S.A. 78-B:2(I).

IN WITNESS WHEREOF, the parties have executed this document on the _____ day of _____, 2023

MAPLE HEIGHTS, LLC

Witness: _____

By: _____
W. Turner Porter, Jr., Manager

STATE OF NEW HAMPSHIRE
COUNTY OF _____

Personally appeared the above-named W. Turner Porter, Jr., in his capacity of Manager of Maple Heights Realty, LLC and acknowledged the foregoing instrument to be his free act and deed executed for the purposes contained therein.

Notary Public/Justice of the Peace
My commission expires: _____

CITY OF PORTSMOUTH

RFQ #51-23 REQUEST FOR QUALIFICATIONS/STATEMENT OF INTEREST
DEVELOPMENT OF INDOOR MULTISPORT COMPLEX

SUBMISSION DATE: JUNE 20, 2023



WE ARE EDGE SPORTS GROUP.
AN INNOVATIVE, FULL-SERVICE ATHLETIC
DEVELOPMENT, MANAGEMENT, AND MARKETING
FIRM WORKING TO RESPONSIBLY IMPROVE THE
WORLD WE PLAY IN.

SUBMITTED TO:

City of Portsmouth
Attn: Finance/Purchasing Department
1 Junkins Avenue
Portsmouth, NH 03801



SUBMITTED BY:



EDGE Sports Group
900 Worcester Street
Wellesley, MA 02482





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CONTACT INFORMATION

ESG Associates Inc.

dba: EDGE Sports Group (EDGE)
 900 Worcester Street
 Wellesley, MA 02482
 www.EDGESportsGroup.Com

Brian DeVellis, President
 Cell: (781) 879-9210 (Preferred)
 Office: (781) 489-5088
 Fax: (781) 489-5449
 www.EdgeSportsGroup.Com
 Brian@edgesportsgroup.com

Chris Collins, VP, Director of Development
 Cell: (951) 440-9397 (Preferred)
 Office: (781) 489-5088
 Fax: (781) 489-5449
 www.EdgeSportsGroup.Com
 Collins@edgesportsgroup.com



EXPRESSION OF INTEREST

June 20, 2023

City of Portsmouth
Attn: Finance/Purchasing Department
1 Junkins Avenue
Portsmouth, NH 03801

Regarding: *City of Portsmouth RFQ #51-23*
Request for Qualifications/Statement of Interest Development of Indoor Multisport Complex

City of Portsmouth Purchasing Department,

As founder and president of ESG Associates Inc., dba EDGE Sports Group, I am pleased to express our firm's interest in developing an Indoor Athletic Ecosystem in partnership with the City of Portsmouth by submitting our response to the City's RFQ #51-23 for the Development of an Indoor Multisport Complex. As one of the country's largest developers and operators of forward-looking Public / Private recreational ecosystems, with a vast history within this concept in Portsmouth and the Seacoast area, EDGE is well suited to work with The City of Portsmouth and the Seacoast in this endeavor.

At the core of our business, as a professional landscape architect and land-use attorney, I personally bring sound design and practical land-use strategy to all EDGE Sports Group developments. I have had the pleasure to design, permit, and develop recreational facilities running the gamut from Arnold Palmer's Golf Club of New England in Stratham, NH to the award-winning athletic ecosystem The Boston Sports Institute in Wellesley, MA. Over the past 15+ years, EDGE has successfully conducted studies, developments, master planning, design, finance, permitting, providing construction oversight, fit-up, refurbished / upgraded, and / or operated 30+ facilities nationwide. EDGE's has completed the ground-up study-development-operations in nine P3 or P3-influenced developments within the past 12 years, with two more slated to open in 2024 / 2025. Along with EDGE's development work, we have recently completed the acquisition of seven additional athletic properties in Q1 of 2022 and Q2 of 2023 and now owns / manages the properties along with the five youth hockey programs that call the facilities home. EDGE oversees all management, operations, assessment, and implementation of necessary developments to the 20+ athletic properties / athletic programs within the firm's current portfolio.

Our development and operations teams work alongside industry-leading architects, engineers, landscape architects, and construction managers to consistently bring projects from concept to operation on time and on budget nationwide. EDGE works in conjunction with local, state, and federal permitting agencies in partnership with public schools, universities, municipalities, and private landowners to create incredibly unique sports ecosystems across the country. We look forward to working with the City of Portsmouth to bring an athletic ecosystem solution, tailored to the City of Portsmouth's needs, to the community.

Respectfully,

ESG Associates Incorporated



Brian DeVellis Esq., President
ESG Associates Inc.
900 Worcester Street
Wellesley, MA 02482
C: (781) 879-9210
Brian@EdgeSportsGroup.com
www.EdgeSportsGroup.Com



ABOUT EDGE SPORTS GROUP

ESG Associates Inc. dba EDGE Sports Group was established to respond to the growing demand for recreational programming by municipalities, schools, private, and non-profit organizations.

EDGE Sports Group works in conjunction with communities, schools, landowners, and organizations to create a sustainable year-round athletic ecosystem to benefit users of all demographics. Our expertise in real-world project assessment / analysis, design / development, programming, and operation allows for the incorporation of an entire community's recreational and economic desires. EDGE Sports Group brings an unmatched array of services and a proven track record, ultimately resulting in best-in-class facilities that serve our communities for generations to come.

EDGE Sports Group was incorporated by Brian DeVellis, a co-founder, equity partner, and programming / operational manager of many of the newest family-oriented athletic venues in Massachusetts, including; The EDGE Sports Center in Bedford now in its 13th year of operation, the Essex Sports Center in Middleton, MA, Worcester Ice Center in Worcester, MA, the Boston Sports Institute in Wellesley, MA, and the Thayer Sports Center in Braintree, MA. EDGE has recently added to its athletic ecosystem portfolio with the addition of the Foxboro Sports Center in Foxborough, MA, the Boch Ice Center in Dedham, MA, Hobomock Arenas in Pembroke, MA, Bridgewater Ice Arena in Bridgewater, MA, Mark Bavis Arena in Rockland, MA, Rhode Island Sports Center and Lynch Area in Rhode Island, and a number of youth hockey organizations with over 6,500 participants. EDGE oversees all management, operations, improvement assessments, upkeep, and future development opportunities across its portfolio.

EDGE's President Brian DeVellis brings over thirty years of experience to assist clients in the areas of Governmental Relations, Community Relations, Planning, and Zoning, and Land Development and Building Expedition, after his first recreational endeavor: the design, permit, and construction of Golf Club of New England with legendary golf course designer Arnold Palmer. As a licensed Attorney and Landscape Architect, Mr. DeVellis develops projects that provide sensible land use planning and development along with environmental appreciation. He personally brings to every project a proven winning combination of experience, political expertise, accessibility, and responsiveness to ensure the successful outcome of your projects. Mr. DeVellis offers a complete package of services from one strategic base. This guarantees full personal attention to every client's needs, from transporting paperwork through the political and governmental process to executing an effective advocacy program. Contact information for EDGE and Mr. DeVellis along with EDGE can be found on page 1.

EDGE CORE SERVICES

ASSESSMENT, FEASIBILITY & MARKET STUDIES

- Project Feasibility and Market Study
- Site Assessment and Analysis
- Site Selection and Acquisition
- Project Model and Financial Analysis
- Request for Qualifications / Proposals
- Grassroots Project Origination
- Anchor Tenant Identification
- Financing Structure
- Project Capital Procurement

DESIGN, PERMITTING & CONSTRUCTION MGT

- Design Professionals In-House
- Presentation to Municipal Boards and Commissions
- Preparation of Legal Documents
- Subcontractor Bid Preparation
- Construction Management and Site Inspections
- Project close-out and Occupancy Permits

MANAGEMENT & OPERATIONS

- Operations staffing, training and O&M
- Surface Scheduling and Coordination
- Facility Management
- Facility Staffing
- Strategic Partnerships with local core user groups
- Teams, Leagues, and Tournament creation & management

EDGE HOCKEY / PROGRAM GROUP

- Centralized Program Operations for EDGE owned programs
 - Program Operations
 - Development and Skills
 - Tournaments and Events
 - Junior and Academy
- Additional services umbrella: apparel, scouting / recruiting, player rep, media services, Etc.

MARKETING & ADVERTISING

- Facility, Teams, and Tenant Marketing and Advertising
- Full-Service Sponsorship Sales Team and Management
- Traditional and Multimedia Advertising
- Website Creation and Management
- Social Media Creation and Management

MORE THAN
30+

Years Experience In Sports And Recreation Design, Development, Programing & Operations

COMPLETING
\$255+

Million In Projects & Acquisitions

OVER
1.9

Million Square Feet of Playing Surface & Tenant Spaces

OVER
8,200+

Athletes in EDGE Controlled or Influenced programs

WITH
9.3

Million Unique Visitors Annually

EDGE SPORTS GROUP P3

Over the past 15+ years, EDGE has successfully conducted market studies, developments, master-planned, designed, financed, permitted, provided construction oversight, fit-up, refurbished / upgraded, staffed, and opened 20+ facilities nationwide. EDGE has completed the ground-up study-development-operations in nine P3 or P3-influenced developments to date. EDGE has numerous other ground up projects in the final phase of pre-development on various projects nationwide such as athletic ecosystem developments in Arizona, Florida, Massachusetts, Colorado, Nebraska, and Maine-all slated to break ground in the coming years. Along with EDGE's P3 development work, we have recently completed the acquisition of three additional athletic properties in Q1 of 2022 and now owns / manages The Boch Ice Center, Foxboro Sports Center, Hobomock Arenas, and the South Shore Kings & Boch Blazer youth hockey program. Four additional ice facilities Mark Bavis Arena, Bridgewater Ice Arena, Lynch Arena, Rhode Island Sports Center, and three hockey programs were acquired in Q2 of 2023. EDGE now oversees the management, operations, assessment, and implementation of necessary upgrades to the additional athletic properties / programs within the EDGE's portfolio.

At EDGE's core is Public / Private Partnership (P3's) development, financing, and partnership sustainability, our firm is the one of nations leading "One-Stop-Shop" private actors in recreation P3's. Having developed many of the latest privately financed P3s nationwide our team strives to deliver communities the recreation asset and use they desire at no cost to the taxpayer to date. Our team works within the community through a highly collaborative process to first determine solutions, needs, and financing structures that ultimately dictate a facility's makeup. Every community use, cost structure, financing, and operations model we utilize is highly tailored to the needs and wants of the home community.

PHILOSOPHY & APPROACH

EDGE Sports Group's project philosophy is centered in community engagement. Having developed and now operating many of New England's newest family-oriented athletic venues through public / private partnerships, EDGE Sports Group prides itself on fostering relationships with each possible end user through an "outside-in" perspective. Our team then works to combine those relationships with our comprehensive real-world design, development, financial, and operational industry knowledge to create one of a kind athletic ecosystem within budget. Our ever-evolving "One Stop Shop" approach allows EDGE Sports Group to be uniquely positioned in the ever-changing complex road of athletic development and management alongside our industry leading partners to serve our client's every need.

EDGE Sports Group's full array service approach is anchored in our community engagement and project sustainability, backed by a proven track record of delivering communities' best-in-class family-oriented athletic venues. EDGE Sports Group's approach stems from years of developing Public Private Partnerships through community engagement with an "outside-in" perspective. This practice represents EDGE Sports Group's deliberate approach to avoid the common inward-focus bias and the presentation of preordained development concepts. Instead, our focus becomes a systematic and immersive analysis through community engagement of what facility uses and needs are relevant to both our client and the community they plan to serve for long-term project sustainability. The crucial step is making a creative leap to discover a unique combination of surfaces that meets a client's existing and projected demands, while simultaneously never losing a direct line of sight to the community-user needs.

As a multi-faceted developer and operator, EDGE Sports Group assists clients with their vision by fostering community engagement, providing the resources and experiences necessary for a successful project, providing various financial mechanisms required to complete it, and selecting the right team to refine and execute not only the study but the ultimate recreational development.

EDGE Sports Group offers all aspects of a full-scale development and operations team to each project: industry leading designers & architects, expansion / upgrade expertise, multifaceted construction & engineering experience, financial structuring, local project experience, athletic facilities management, and a comprehensive understanding of sports and entertainment-related facilities development. If granted the opportunity to work with a community EDGE Sports Group will assist any client's development needs through a seamless process.

EDGE FACILITY FINANCING

There is no one manner in which all athletic facilities are financed through construction and operation. EDGE's Public Private Partnership backbone and Financing Methods are customizable for each community we serve. One of our current development structures is private bank financing 60%-70% LTV, whereas others are off-balance sheet, municipally and / or county-backed financing such as a Credit Tenant Lease, EDGE also utilizes municipal bond / TIFs when available, and donation-driven financing for higher-ed projects. Our business plan for The Boston Sports Institute in Wellesley utilized the strength of our anchor tenants and private equity pool that we have available to secure traditional bank debt. The Town of Wellesley receives priority use time and ground lease / tax payments over the 50-Year term. This case study presents the basic framework for one of EDGE's Public Private Partnership Financing Methods. EDGE's work in Tucson, AZ utilizes our County / Municipality backed financing mechanism which preserves the county and town's bonding capability and returns all cash flow of the facility to the backing entity. With two highly flexible core models at our disposal, along with municipality sources when available, our firm has a vast array of methods to deploy. EDGE's project financing is unique to each project, surface use matrix, the community's wants and needs, and long-term project viability. Our team is well-equipped to analyze any and all financing avenues for the eventual athletic ecosystem to determine the most beneficial avenue for the ultimate project. We look forward to reviewing and refining the surface needs information with the key stakeholders in the coming months to create a clear partnership development, finance, and operations model. We look forward to reviewing and refining the surface needs information with the key stakeholders in the coming months to create a clear Public Private Partnership development, finance, and operations model.

In Edge Sports Group's history and experience, financing has not been an issue to date, however, our investors are not a matter of public record but are acceptable to the lending institutions. In the case of the Essex Sports Center, the bonding institution, and the Commonwealth of Massachusetts, and the Inspector General as the lessor, similar to our Wellesley project. EDGE has completed over Ninety Million (\$90MM) Dollars of construction on 6 projects over the past eight (8) years and subsequently closed over One Hundred Forty-Five Million (\$145MM+) Dollars of athletic acquisitions in the past twelve (12) months with an additional One Hundred Million (\$100MM+) of construction slated to break ground nationwide in 2023.

Project	Location	Size (SF)	Landowner	Acquisition Procedure	Construction Cost	Permitting Timeframe	Construction Timeframe
EDGE Sports Center	Bedford, MA	82,000	Private Family Trust	Initiated	\$ 7,400,000	12 weeks	38 weeks
EDGE Sports Center II	Bedford, MA	60,000	Massport Authority	RFP	\$ 4,200,000	10 weeks	22 weeks
Essex Sports Center	Middleton, MA	120,000	Commonwealth of MA	Invited	\$ 16,500,000	48 weeks	50 weeks
Worcester Ice Center	Worcester, MA	96,000	City of Worcester / WBDC	RFP	\$ 22,000,000	24 weeks	48 weeks
Thayer Sports Center	Braintree, MA	90,000	Trustees of Thayer Academy	Invited	\$ 12,700,000	18 weeks	51 weeks
Boston Sports Institute	Wellesley, MA	136,000	Town of Wellesley	RFP	\$ 32,000,000	48 weeks	58 weeks
MQ Field House	Tucson, AZ	120,000 (Est.)	Pima County	RFP	Available Upon Request	Development	Development
MQ Iceplex	Tucson, AZ	142,000 (Est.)	Pima County	RFP	Available Upon Request	Development	Development
MQ Sportsplex	Tucson, AZ	87,000 (Est.)	Pima County	RFP	Available Upon Request	Development	Development
MQ Stadium	Tucson, AZ	160,000 (Est.)	Pima County	RFP	Available Upon Request	Development	Development
Olympus Sports & Ent.	Claremont, FL	Multi-Venue	Comm. Development District	Invited	Available Upon Request	Pre -Development	Pre -Development
Braintree Sports Center	Braintree, MA	110,000 (Est.)	Town of Braintree	RFP	\$ 38,000,000 Est.	Pre -Development	Pre -Development
Foxboro Sports Center	Foxborough, MA	115,000	Private	Acquired	N / A	Acquired	Acquired
Boch Ice Center	Dedham, MA	60,000	Private	Acquired	N / A	Acquired	Acquired
Hobomock Arenas	Pembroke, MA	70,000	Private	Acquired	N / A	Acquired	Acquired
Bridgewater Ice Arenas	Bridgewater, MA	90,000	Private	Acquired	N / A	Acquired	Acquired
Bavis Arena	Rockland, MA	75,000	Private	Acquired	N / A	Acquired	Acquired
Lynch Arena	Pawtucket, RI	60,000	Private	Acquired	N / A	Acquired	Acquired
Rhode Island Sports Center	North Smithfield, RI	70,000	Private	Acquired	N / A	Acquired	Acquired

EDGE ATHLETIC ECOSYSTEM



**Boston Sports Institute
Wellesley, MA**

Opened: Summer 2019

Two NHL regulation Ice Surfaces, Indoor Field House, Competition Pool, Warm Pool, Indoor Walking Track, Strength & Conditioning, Physical Therapy, and Academic Coaching Center



**Thayer Sports Center
Braintree, MA**

Opened: Summer 2019

NHL regulation Ice Surface, One-Half NHL Ice Surface, Four Multi Surface Courts, Strength & Conditioning, and Private Reception Area



**Essex Sports Center
Middleton, MA**

Opened: Fall 2016

Two NHL regulation Ice Surfaces, Indoor Turf / Court Field, Strength & Conditioning, Physical Therapy, and Multiple Restaurants



**Worcester Ice Center
Worcester, MA**

Opened: Fall 2017

Two NHL regulation Ice Surfaces, Strength & Conditioning, Physical Therapy, and Multiple F&B options including a tap room



**Foxboro Sports Center
Foxborough, MA**

Acquired: Winter 2022

Three NHL regulation Ice Surfaces, Strength & Conditioning, Physical Therapy, Pro Shop, and Food & Beverage Options



**Boch Ice Center
Dedham, MA**

Acquired: Winter 2022

Once NHL regulation Ice Surface, One-Half NHL Ice Surface, Strength & Conditioning, and Food & Beverage Options



**Hobomock Arenas
Pembroke, MA**

Acquired: Winter 2022

Two NHL regulation Ice Surfaces, Bay State Breakers Hockey, Food & Beverage Options



**Rhode Island Sports Center
North Smithfield, RI**

Under Agreement:
Q1 2023

Single NHL sheet, strength & conditioning space, pro shop, and concessions.



**Lynch Arena
Pawtucket, RI**

Under Agreement:
Q1 2023

Single NHL sheet, state-of-the-art strength & conditioning center, pro shop, and concessions



**Mark Bavis Arena
Rockland, MA**

Under Agreement:
Q1 2023

Two NHL regulation Ice Surfaces, Strength & Conditioning, and Food & Beverage Options



**Bridgewater Ice Arena
Bridgewater, MA**

Under Agreement:
Q1 2023

One NHL regulation Ice Surface, 3/4 Ice Sheet, Strength & Conditioning, Physical Therapy, and Food & Beverage Options



**Mosaic Quarter
Tucson, AZ**

Under Development:
2024-2026

Iceplex with Three NHL Ice Sheets, Field House will offer Eight Basketball, and convention space with rooftop F&B options. The Sportplex features an additional Four "Prime" courts.



**Braintree Sports Center
Braintree, MA**

Under Development:
2024-2025

The facility will feature two NHL-sized ice rinks, a competition swimming pool, strength & conditioning, physical therapy, and multiple F&B options.



**Olympus Sports Campus
Orlando, FL**

Under Development:
2024-2025

The Sports Campus will be anchored by a 5,800-seat Multi-Purpose Arena, Soccer Center, Twin Sheet Ice Center, a Multi-Sport Field House, Beach Volleyball, and the largest Red-Clay Tennis Center in the U.S.

APPROACH OUTLINE

EDGE Sports Group's Development approach to each of our facilities is anchored in our community engagement and project sustainability, backed by a proven track record of delivering communities' best-in-class family-oriented athletic venues. EDGE Sports Group's approach stems from years of developing Public Private Partnerships by viewing community engagement data (Feasibility Study) through an "outside-in" development perspective by digging deeper into the needs. This practice represents EDGE Sports Group's deliberate approach to avoid the common inward-focus bias and the presentation of preordained development concepts. Instead, our focus becomes a systematic and immersive analysis through community engagement of what facility uses and needs are relevant to both the City and the community members' plan to serve for long-term project sustainability. The first step is making a creative leap to discover a unique combination of surfaces that go beyond meeting the City's existing and future demands, but that simultaneously never loses a direct line of sight to the end-user needs.

The City has recently concluded a comprehensive Recreation Needs Study during the spring of 2023 which resulted in a strong desire and recommendation for an Indoor Recreation Center including Ice Rinks and Field House (Turf/Court). These findings are also supported by the 2010 Rec Needs Study and furthermore by an ice rink being within the original plans for Portsmouth High School...proving the demand has remained for 20+ years. EDGE Sports Group has also conducted internal market research which supports these findings even further.

Using the existing data as a starting point, if selected, EDGE and the City of Portsmouth will develop an athletic ecosystem design and programing makeup that not only accounts for the core indoor athletic desires of the community but also ancillary uses within the venue. Building design and makeup may ultimately be dictated by the available land, the chart below represents baseline size and parking needs for the stated configuration and does not include smaller Rec Needs Study items we strive to incorporate.

Makeup	Visitor Impact EDGE Actuals	Estimated Size (SF)	Parking Requirements	Sample Venue Amenities	Core Programing
Ice Rink Only (Single Sheet)	300k - 450k	45,000 Est	150+ Est	Ice Rink, Strength & Conditioning, Physical Therapy, Concessions	Ice Hockey, Figure Skating, Small Events
<i>The market research and demand gathered by EDGE to date indicate that a single-sheet facility will not meet the demand within the area. Pending site availability the smallest ice configuration must be 1 1/2 sheets of ice which is around 55,000 SF including amenities to meet demand.</i>					
Ice Rink Only (Twin Sheet)	650k - 800k	80,000 Est	250+ Est	Ice Rink, Strength & Conditioning, Physical Therapy, Restaurant, Tutoring	Ice Hockey, Figure Skating, Large Events
<i>The market research and demand gathered by EDGE to date indicate that a twin-sheet facility with amenities does meet the ice demand within the area, but this configuration does not allow the development to fulfill multiple items indicated as needs within the rec needs study.</i>					
Ice Rink & Field House	850k -1M+	120,000 Est	325+ Est	Ice Rink, Turf / Court Field House, Walking Track, Strength & Conditioning, Physical Therapy, Restaurant, Tutoring, Sports Suite	Ice Hockey, Figure Skating, Court Sports, Turf Sports, Walking Track, Large Events
<i>The market research and demand gathered by EDGE to date indicate that a twin-sheet + Field House facility with amenities does meet the ice demand within the area. The incorporation of the field house allows for a wider range of programing across the population for both young and old. A modern athletic field house is a universal hub for court / turf / racket sports depending on the season. EDGE's current field houses serve court sports Mid-March to November and field sports from December to Mid-March with a surface change. Walking / running track, rock climbing walls, batting cages, ect. can also be incorporated into this design.</i>					
Ice Rink & Field House + Outdoor Turf Fields	1M++	TBD	350+ Est	Ice Rink, Turf / Court Field House, Outdoor Turf Fields, Walking Track, Strength & Conditioning, Physical Therapy, Restaurant, Tutoring, Sports Suite, Walking Trail	Ice Hockey, Figure Skating, Court Sports, Turf Sports, Walking Track, Walking Trail, Large Events, and More
<i>The market research and demand gathered by EDGE to date indicate that a twin-sheet + Field House facility with amenities does meet the ice demand within the area. The incorporation of the field house allows for a wider range of programing across the population for both young and old. A modern athletic field house is a universal hub for court / turf / racket sports depending on the season. EDGE's current field houses serve court sports Mid-March to November and field sports from December to Mid-March with a surface change. Walking / running track, rock climbing walls, batting cages, ect. can also be incorporated into this design. Pending site selection with enough acreage to develop outdoor playing fields or adjacent to existing and / or planned outdoor fields the development will become a hub of year-round recreation activity. If the developer we're to be granted operational access to the fields outside of City use the athletic tourism economic impact numbers year-round will increase exponentially.</i>					

Sample Visitor Impact Data to follow

VISITOR IMPACT 2022

Foxboro Sports Center - Three NHL regulation Ice Surfaces, Strength & Conditioning, Physical Therapy, Pro Shop, and Food & Beverage Options

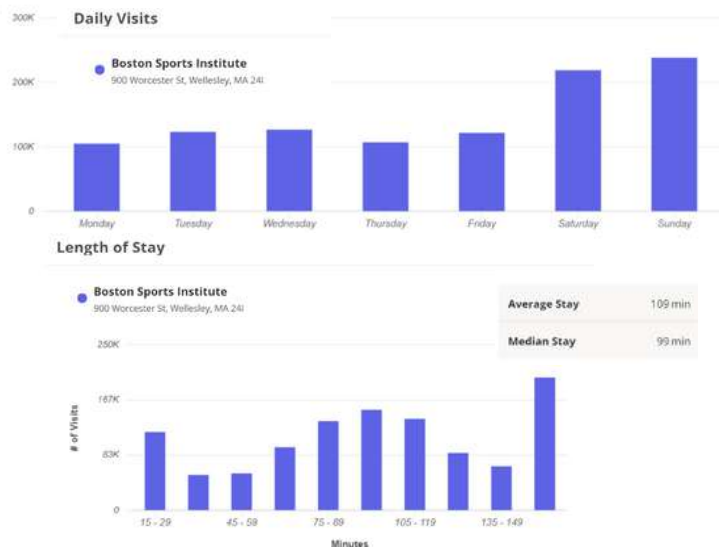
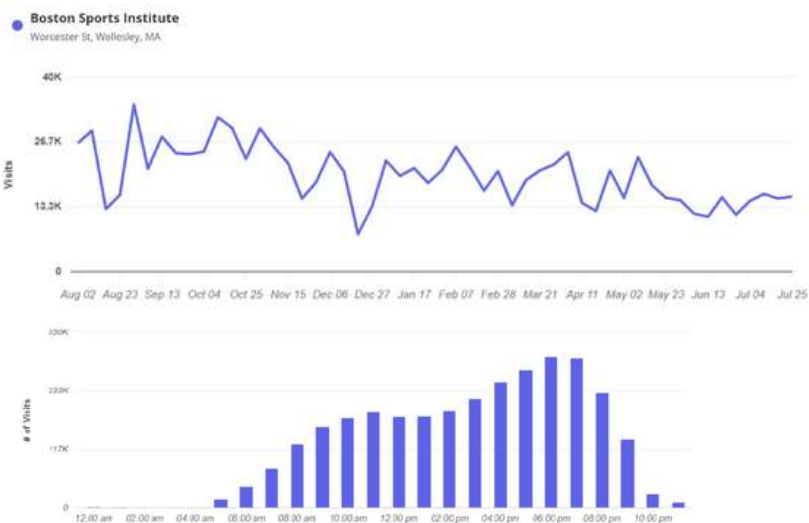
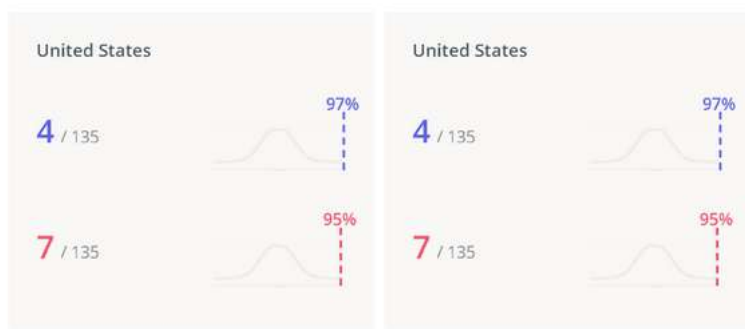
Boston Sports Institute (Wellesley) - Two NHL regulation Ice Surfaces, Indoor Field House, Competition Pool, Warm Pool, Indoor Walking Track, Strength & Conditioning, Physical Therapy, and Academic Coaching Center

Metrics

Metric Name	Foxboro Sports Center E Belcher Rd, Foxborough, MA	Boston Sports Institute Worcester St, Wellesley, MA
Visits	1.2M	1M
Visits / sq ft	12.15	9.62
Visitors	214.8K	229.1K
Visit Frequency	5.68	4.38
Panel Visits	22.9K	14.6K

Ranking Overview - Category: Stadiums & Event Halls

● Foxboro Sports Center / E Belcher Rd ● Boston Sports Institute / Worcester St



Data Source: Placer.ai - Location Intelligence & Foot Traffic Data Software



LAND & TRAFFIC OVERVIEW

Land selection is a very collaborative process between all parties involved, and typically occurs after the "Right Size" building and parking requirements are determined by the City and Development team. Multiple locations shown in the RFQ document fulfill the estimated size need. Various unlisted locations such as Community Campus and Pease area are also options to assess further with the City. If selected we look forward to a creative and collaborative site selection process with the City of Portsmouth team.

In EDGE's history, we have completed facilities (Worcester Ice Center - 2 Sheets) on sites just over three acres by utilizing existing parking lots across the street. EDGE's typical property footprint for a twin sheet facility plus parking is around five acres; twin sheets plus a field house range from six to nine acres pending parking requirements which are dictated by building size and programming.

Vehicular access points and more importantly traffic and neighborhood impact are elements that the development team and City representative will collaborate on if selected. The process for traffic impact from EDGE is dependent on a baseline surface makeup model which produces a preliminary number of visitors from the local community and beyond. Once the modeling step is complete we compare it to existing traffic impact studies to further inform the site selection team when narrowing down sites with test fits. When there are two to three sites shortlisted a full traffic impact study is called for from a third party before ultimate site selection. The goal within site selection and traffic access / impact should focus on ease of access for visitors and not overly disrupting the neighborhood...sample traffic impact report is below.

Boston Sports Institute Traffic Study - <https://wellesley.ma.gov/DocumentCenter/View/10278/Traffic-Study>

PROPERTY OVERVIEW



Boston Sports Institute Wellesley, MA

Acreage: 9.1 / 7.9 Usable

Two NHL regulation Ice Surfaces, Indoor Field House, Competition Pool, Warm Pool, Indoor Walking Track, Strength & Conditioning, Physical Therapy, and Academic Coaching Center



Worcester Ice Center Worcester, MA

Acreage: 3.2

Two NHL regulation Ice Surfaces, Strength & Conditioning, Physical Therapy, and Multiple F&B options including a tap room

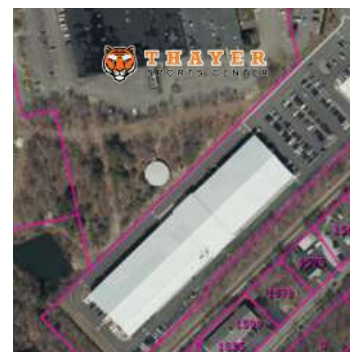
*Parking on lot #90 & #73



Essex Sports Center Middleton, MA

Acreage: 8.39

Two NHL regulation Ice Surfaces, Indoor Turf / Court Field, Strength & Conditioning, Physical Therapy, and Multiple Restaurants



Thayer Sports Center Braintree, MA

Acreage: 5.3

NHL regulation Ice Surface, One-Half NHL Ice Surface, Four Multi Surface Courts, Strength & Conditioning, and Private Reception Area



FINANCING APPROACH

At EDGE's core is Public / Private Partnership (P3's) development, financing, and partnership sustainability, our firm is the one of nations leading "One-Stop-Shop" private actors in recreation P3's. Having developed many of the latest privately financed P3s nationwide, our team strives to deliver communities the recreation asset and use they desire at no cost to the taxpayer to date. Our team works within the community through a highly collaborative process to first determine solutions, needs, and financing structures that ultimately dictate a facility's makeup. Every community use, cost structure, financing, and operations model we utilize is highly tailored to the needs and wants of the home community.

At this phase of the project lifecycle, it is premature to determine financing options but EDGE will work with the City of Portsmouth to identify a preferred funding mechanism tailored to the core values of the project. The following list demonstrates many of the financing mechanisms EDGE will explore if selected to develop a project further through financial & operational forecast and integrated financing solutions exploration with the Portsmouth team

- Private Equity
- Credit Tenant Lease
- Non-Profit Tax Exempt CTL
- Community Backstop
- Affinity Bond
- Doner Funded
- TIF / Pilot Program
- Bond / Grant
- Various Hybrid mechanisms combining elements of each

There is no one manner in which the development and construction of an athletic ecosystem are to be financed. EDGE's various Private Financing Methods are tailor-made for each project we serve. One of our current development structures is private bank financing 60%-70% LTV, whereas others are off-balance sheet, municipally and / or county-backed financing such as a Credit Tenant Lease, EDGE also utilizes municipal bond / TIFs when available, and donation-driven financing within higher-ed projects. Our financing plan for The Boston Sports Institute in Wellesley utilized the strength of our anchor tenants and private equity pool that we have available to secure traditional bank debt. The Town of Wellesley receives priority use time / rate and ground lease / tax payments over the 50-Year lease term. This case study presents the basic framework for one of EDGE's Public Private Partnership Financing Methods. EDGE's work in Tucson, AZ utilizes our County / Municipality backed financing mechanism through a CTL which preserves the municipalities bonding capability, returns cash flow of the facility to the backing entity, and offers increased programmatic control, and a shorter lease term. With multiple flexible models at our disposal, project financing is shall be ultimately determined by the project's unique surface use matrix, the community's wants and needs, and long-term project viability. Our team is well-equipped to secure financing for the eventual athletic ecosystem through the most beneficial avenue for the project. During the development phase, it would be negligent to predetermine a specific project financing solution at this time. We look forward to creating and refining the surface needs proforma information with the key stakeholders in the coming months to create a clear development, finance, and operations model for the project.



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EQUIVALENT PROJECTS

Boston Sports Institute

A STEWARD FAMILY FACILITY

Steward

Boston Sports Institute (Wellesley, MA) is a 136,000 SF recreational facility in Wellesley, MA boasting twin NHL ice surfaces, two pools, turf / court field house, multiple auxiliary service areas for the benefit of the student-athletes, along with Boston Sports Performance Center - a Steward Medical Group Sports Medicine / Strength & Conditioning center. Completed in 2019, the Public / Private Partnership negotiated by EDGE allowed private capital to build on public land under a 50-year land lease, allowing over 70% of the prime surface hours to be rented back to the Town. EDGE designed, permitted, sourced capital, and constructed the project. EDGE retains ownership and management of the facility on the negotiated 50-year land lease, and the Town of Wellesley retains ownership of the land and the facility at the end of the term.

EDGE Sports Group conducted the project's multiple internal market studies (project and individual surfaces) and assessments leading to the EDGE team financing, developing, and operating the facility. Within the Market Study EDGE evaluated demographics, area inventory, opportunity, surface demand, surface user model, and much more. Ongoing market study / demand analysis lead to the field house upgrade package in 2020, the facility invested in a turf / court conversion package increasing field house revenue by 40%. EDGE developed the project and now manages the day-to-day operations as well as all sponsorship and marketing.

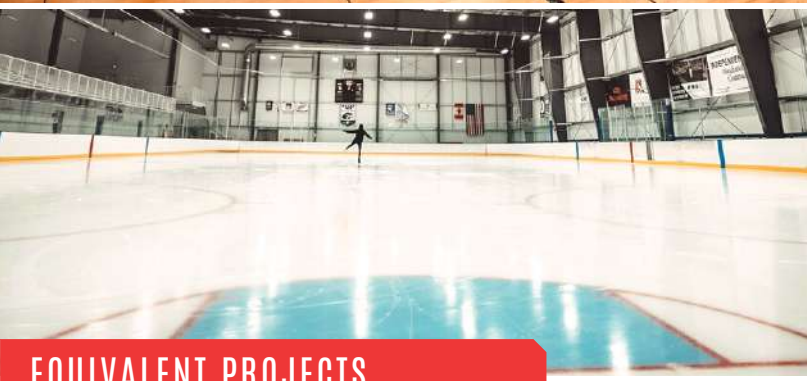


EQUIVALENT PROJECTS



The EDGE Sports Center Phase I (Bedford, MA) is a 75,000 SF Indoor Sports Complex with a single ice sheet and indoor turf, developed with the core desire to provide Bedford and the surrounding communities the opportunity to participate in and take advantage of a year-round athletic facility that provides state-of-the-art recreational amenities for all ages and abilities. Mr. DeVellis (EDGE) was responsible for the market study, the site / building design, as well as contracting for legal, survey, engineering, environmental, resource area delineation, and site, building, and ice surface contractors. The project began in earnest with design and permitting efforts in January 2007, followed by groundbreaking four months later in May 2007, and operations in October of the same year. The ten-month design to occupancy timeframe is unprecedented evidence of the cooperative desire by the founders, equity partners, community leaders, lenders, and townspeople, without whose overwhelming support and encouragement the project would not have been feasible.

The EDGE Sports Center Phase II (Bedford, MA) concept was initiated when EDGE Sports Center was only months old...the founders first realized that facility expansion was necessary sooner than anticipated. DeVellis (EDGE) conducted the assessment and design of the phased-expansion. The expansion consisted of two synthetic artificial turf fields along with a fabric dome structure for winter use, making the existing fixed structure indoor turf available for a second ice sheet for the ever-expanding hockey program. In developing Phase II, Mr. DeVellis worked closely with the Town of Bedford, Massachusetts Port Authority (P3-land owner), the Commonwealth of Massachusetts, the US Department of Defense / US Navy as an easement holder on the property, and the US Federal Aviation Authority as an abutter and overseeing authority of the Hanscom Air Field.



EQUIVALENT PROJECTS

ESSEX

SPORTS CENTER

Essex Sports Center (Middleton, MA) is a 115,000 SF recreation facility featuring twin NHL ice surfaces, an indoor court / turf field house, strength and conditioning, physical therapy, and multiple dining options. Both the ice and court surfaces are master leased to Class A tenants. The Essex Sports Center opened in 2016 in Middleton MA, a true public / private partnership with the Commonwealth of Massachusetts as the land owner and lessor. EDGE worked with the Massachusetts House and Senate to obtain approvals to obtain a 25-year no-bid lease – overwhelmingly approved by both parties in the General Court.

EDGE Sports Group financed, developed, and now manages day-to-day operations of the facility along with all sponsorship and marketing. EDGE conducted various market studies and analyses throughout the project's development phase and continues to assess demand and future development annually. This process of ongoing market study / demand analysis lead to the field house upgrade in 2020 and continued refinements of the building.



EQUIVALENT PROJECTS



Thayer Sports Center (Braintree, MA) is a 90,000 SF sports facility featuring one NHL sized ice hockey surface and a studio practice rink, an outdoor turf area, a four-court basketball (8-VB, 18-PB) indoor multi-purpose field-house, a fitness area, and an Alumni Lounge. All surfaces are leased to Class-A user groups, with time preference given to Thayer Academy.

EDGE was approached by the prestigious school to develop a single-sheet seasonal ice rink, through EDGE's development market study and assessment the team expanded the vision to operate year-round and include the addition of an additional 1 / 2-Sheet, field house, and tennis courts due to school needs along with market and community demand. The surface-specific market analysis led to two surface master leases for all the time not allocated to the primary landholder (Thayer Academy) or community, a EDGE privately financed package, resulting in a highly successful private development with P3 values at it's core. EDGE Sports Group developed the facility and now manages the day-to-day operations as well as all sponsorship and marketing.



EQUIVALENT PROJECTS



The Fidelity Bank Worcester Ice Center (Worcester, MA) is a 110,000 SF Multi-Use Recreation Center. The facility features twin NHL ice surfaces along with physical therapy, strength training, a pro shop, and a two story tap-room restaurant. A sizable parking serves area attractions creating additional revenues. Multiple area Universities, youth hockey programs, junior programs, and a professional team call the Worcester Ice Center home.

EDGE Sports Group conducted market analysis within the predevelopment phases leading to the facility's final surface elements, core user groups, and project financing. EDGE's team devised the user group matrix to balance out enormous market demand from youth, junior, college, and professional, teams and programs...this core matrix is still used to this day. EDGE master planned the property and provided development oversight during construction and now manages day-to-day operations and sponsorship assets at the facility.



Boch Ice Center



Foxboro Sports Center



Hobomock Arenas

EQUIVALENT PROJECTS



Foxboro Sports Center (Foxborough, MA) was acquired by EDGE in Q1 of 2022. The property consists of three NHL sized ice surfaces, one studio ice surface for year round goalie skills, a strength and conditioning / physical therapy facility, and other various athletic infrastructure / building amenities such as a pro shop, concessions, and multiple retail tenant spaces. EDGE Sports Group acquired the facility in partnership with Albany Road Real Estate Partners and now manages day to day operations and oversees all sponsorship and marketing.



Boch Ice Center (Dedham, MA) is a facility constructed in 2007. Boch Ice Center contains one professional-sized ice rink, one studio ice rink, one synthetic ice training area, and other various amenities such as a pro shop, concessions, and strength & conditioning tenants. EDGE Sports Group acquired the facility in partnership with Albany Road Real Estate Partners and now manages day to day operations and oversees all sponsorship and marketing.



Hobomock Ice Arena (Pembroke, MA) is an athletic facility constructed in 1972. Hobomock Ice Arena contains two professional-sized rinks, and other various athletic infrastructure / building amenities such as a pro shop, and concessions. The Bay State Breakers, and multiple town youth and high school programs are anchor users in the facility. EDGE Sports Group acquired the facility in partnership with Albany Road Real Estate Partners and now manages day to day operations and oversees all sponsorship and marketing.



Rhode Island Sports Center



Lynch Arena



Bridgewater Arena

EQUIVALENT PROJECTS



Rhode Island Sports Center (North Smithfield, RI) & Lynch Arena (Pawtucket, RI) were both acquired by EDGE in Q1 of 2023. Each property consists of a single NHL sized ice surface, a strength and conditioning / physical therapy facility, and other various athletic infrastructure / building amenities such as a pro shop, concessions, and multiple retail tenant spaces. EDGE Sports Group is acquiring the facility in partnership with Albany Road Real Estate Partners and will manage day-to-day operations and oversees all sponsorship and marketing.



Bridgewater (Bridgewater, MA) was acquired by EDGE in Q1 of 2023. The property consists of Two Ice sheets, one NHL sized and the other being a 3/4 ice surface, a strength and conditioning / physical therapy facility, and other various athletic infrastructure / building amenities such as a pro shop, concessions, and multiple retail tenant spaces. EDGE Sports Group is acquiring the facility in partnership with Albany Road Real Estate Partners and will manage day-to-day operations and oversees all sponsorship and marketing.



Mark Bavis Arena (Rockland, MA) was acquired by EDGE in Q1 of 2023. The property consists of a two ice surfaces, a strength and conditioning / physical therapy facility, and other various athletic infrastructure / building amenities such as a pro shop, concessions, and multiple retail tenant spaces. EDGE Sports Group is acquiring the facility in partnership with Albany Road Real Estate Partners and will manage day-to-day operations including all sponsorship and marketing.



Mosaic Quarter



Braintree Sports Center



Mosaic Quarter

EQUIVALENT PROJECTS



The \$400MM Tucson, AZ development is slated to begin construction in 2023 and open in 2024. The Iceplex will feature three NHL ice sheets, strength & conditioning, and various other amenities. The Field House will feature eight basketball courts across two floors and a 20,000 sq ft convention space. The Sportplex features an additional four "Premier" courts and event space. EDGE Sports Group is the Kino Sports & Entertainment District's lead athletic developer and operator overseeing multiple athletic venues in Tucson, AZ.



EDGE Sports Group has been awarded the Petersen Pool and Ice Rink development by the Town of Braintree, MA, located on the Braintree High School campus. The facility will feature two NHL sized ice rinks, a competition swimming pool, and ancillary support elements such as strength & conditioning, physical therapy, and a food & beverage program. The athletic ecosystem will become the home to various club programs, high schools, and events to serve community members of all ages.



Olympus Orlando and EDGE Sports Group have developed a strategic partnership to commence the pre-development phase of the Olympus Orlando Athletic Campus. Olympus Orlando is an innovative master-planned community and lifestyle destination encompassing 250 acres in central Florida. The sports campus will be anchored by a multi-purpose arena, a soccer center comprised of a soccer stadium and multiple soccer pitches; a twin sheet Ice Center; a multi-sport field house; a beach volleyball pavilion; trail system for triathlon and special events; and the largest authentic red-clay tennis court center in the U.S.

EDGE SPORTS PROGRAMS



The South Shore Kings are an amateur hockey program based in Foxboro, MA. The Kings have three junior teams; NCDC, Premier, and Elite, that play in the USPHL. They also have an 18U and 16U midget team that also play in the USPHL. The organization also fields two, split season midget teams that play in the EHF half season league. The Kings also have 16 youth teams that play in the EHF. Those teams start at the mite age and consist of two teams for each birth year all the way to peewees. The organization also has a mite development program. The Kings have graduated more players to D-1 colleges than any midget/junior program on the east coast. Their alums have played at every Hockey East and ECAC school as well as at colleges in other D-1 leagues. The Kings also have an impressive list of alumni currently playing in the National Hockey League.



The Boch Blazers program features two of the premier boys and girls youth hockey organizations in New England. Being a Boch Blazer means you are exposed to top tier coaching and practices, a very competitive game schedule, and the opportunity to take your game to the next level. Located in Dedham, MA at Boch Ice Center, the Blazers offer teams of each age ranging from 6 year olds all the way to 18 year olds. The boys compete in the Eastern Hockey Federation, and the girls compete in the New England Girls Hockey League....Two of the most premier amateur minor hockey leagues in the country.



The AXE Hockey Group is a hockey operations company that owns and operates the brands of Hockey Night in Boston, HNIB Media, Mass High School Hockey, and Worcester Railers Junior Hockey. Axe Hockey Group sees 2,000+ unique athletes annually within its event series and 4.8 Million page views across its digital portfolio.



Established in 1972, Hockey Night in Boston has long been the premier brand for amateur hockey media and events in New England. HNIB is a series of showcase tournaments / events. After 50 years HNIB continue to be considered by many College recruiters as one of their most important scouting showcases for evaluating the top underclassmen in the USA. Over 200 HNIB graduates are now college stars, and over 250 former HNIB players went on to wear NHL/AHL jerseys.



Worcester Railers Junior Hockey Club gives players extensive access to coaches and ice time during their most important developmental years. Both teams play within the EHL and call the Worcester Ice Center Home. The program is dedicated and committed to finding the best academic and athletic fit for each of its student athletes. We educate, and guide all our players on Tier 1 and Tier 2 hockey and the college recruiting process, by teaching them the techniques on how to advocate and represent themselves to scouts and coaches.



North American Hockey Academy is a junior girls hockey program for elite level athletes competing around North America. NAHA Athletes come from across the country to train, compete, and live with the best. NAHA graduates have been on hundreds of D1 & Olympic rosters for 25 years.



Elite Edge Skating Club, founded and managed by EDGE, provides high quality coaching, and engaging and enriching events for their athletes, families, and community. From LTS to Olympic level training EESC offers second-to-none training for over 550+ athletes annually at EDGE's Wellesley and Dedham locations.

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EDGE SPORTS PROGRAMS



The Bridgewater Bandits Hockey Club is an elite organization that draws players from Boston to Rhode Island, the greater South Shore, and throughout hockey rich Cape Cod. All practices and home games are held at the Bridgewater Ice Arena in Bridgewater, Massachusetts. The Bandit's philosophy is built on Dedication, Discipline, and Development. By providing a high-quality experience both on and off the ice, players learn the skills and strategies to continue their hockey career well beyond the Bandits. The Bandits program participates within the USPHL, EHL, and NEGHL. EDGE Sports Group has acquired the program in partnership with Albany Road Real Estate Partners and now manages day-to-day operations.



Three of Rhode Island's premier hockey programs the Providence Capitals, Providence Jr. Friars, and the North Stars have merged...forming a RI hockey alliance called the Providence Hockey Club. This alliance will offer a premier development model to all Rhode Island and southern New England hockey players. The program offers from learn to skate through Midgets, state league through Elite EHF levels allowing every player to play and develop at their own pace. Teams participate in the Eastern Hockey Federation (EHF), and Midget teams will play in the newly merged EHF/Selects League. There is a long history and tradition of former college and professional hockey players from all of these great programs. The coaching staff currently offers several former college and professional hockey players providing optimal coaching to our players. This newly merged program will be able to offer a great family and player experience along with the best player development model for years to come! EDGE Sports Group has acquired the program in partnership with Albany Road Real Estate Partners and now manages day-to-day operations.

EDGE Sports Group



Anchor Ice Tenants

REFERENCES

Town of Wellesley – Boston Sports Institute
 Meghan C. Jop, Executive Director
 Town of Wellesley
 525 Washington Street
 Wellesley, MA
 781.489.4300 | mjop@wellesleyma.gov

Ice User / Partner – Boston Sports Institute & Thayer Academy
 David Hymovitz, Director
 Boston Jr. Eagles CEO & Thayer Academy Head Hockey Coach
 900 Worcester Street
 Wellesley, MA
 617.821.8366 | david@bostonjunioreagles.com

Town of Bedford – The EDGE Sports Center
 Keith Magna, Athletic Director
 Town of Bedford
 97 McMahon Road
 Bedford, MA 01730
 (781) 275-1700 ext. 1110 | Keith_mangan@bedford.k12.ma.us

Ice User / P3 Partner Program – Boston Sports Institute
 Jared Parker, Former President (President During Development)
 Wellesley Youth Hockey
 900 Worcester Street
 Wellesley, MA 02482
 508.479.9557 | parkerjw07@gmail.com

Aquatics Partner – Boston Sports Institute
 Jon Castaldo, Director
 Charles River Aquatics
 900 Worcester Street
 Wellesley, MA
 978.569.5155 | jon@charlesriveraquatics.com

Court User / Partner – Boston Sports Institute
 Michael Crotty, President
 Middlesex Magic Basketball
 900 Worcester Street
 Wellesley, MA 02482
 617.947.8591 | coachcrotty@gmail.com

Programming Partner – Worcester Ice Center
 Matthew Addesa, President
 Hockey Night in Boston ... Now in our 50th year!
 654 S Union St, Floor 2
 Lawrence, MA
 617.256.7932 | mwaddesa@gmail.com

Ice User / Partner – Thayer Sports Center
 Nik Tasiopoulos, President
 East Coast Militia Hockey
 1535 Washington Street
 Braintree, MA 02184
 781.424.4010 | militiahockey@gmail.com

EDGE Sports Group would like to extend an open invite to any City of Portsmouth Representatives or potential project stakeholders to tour our home facility located in Wellesley, MA.

EDGE SPORTS GROUP TEAM

BRIAN DEVELLIS

ESG Associates Inc. is led by President Brian DeVellis, Esq. who oversees the firm as well as representation of land use permits, zoning variances, special permits, site plan review, wetlands, and environmental matters. Mr. DeVellis brings thirty years of experience in the areas of Governmental and Community Relations, Planning and Zoning, and Land Development and Building Expedition. As a licensed Attorney and Landscape Architect, Mr. DeVellis develops projects that provide sensible land use planning and redevelopment along with environmental appreciation. He personally brings to every project a proven winning combination of experience, political expertise, accessibility, and responsiveness to ensure the successful outcome of your projects. Leading ESG Associates Inc., Mr. DeVellis offers a complete package of services from one strategic base. This guarantees full personal attention to every client's needs from transporting paperwork through the political and governmental process to executing an effective advocacy program. Mr. DeVellis will act as the respondent's Project Manager overseeing all components of EDGE's internal team tasks and partner firms' deliverables in their areas of expertise.

EDGE's President Brian DeVellis, brings over thirty years of experience to assist clients in the areas of Governmental Relations, Community Relations, Planning, and Zoning, and Land Development and Building Expedition, after his first recreational endeavor: the design, permit, and construction of Golf Club of New England with legendary golf course designer Arnold Palmer.

As a licensed Attorney and Landscape Architect, Mr. DeVellis develops projects that provide sensible land use planning and redevelopment along with environmental appreciation. He personally brings to every project a proven winning combination of experience, political expertise, accessibility, and responsiveness to ensure the successful outcome of your projects. Mr. DeVellis offers a complete package of services from one strategic base. This guarantees full personal attention to every client's needs, from transporting paperwork through the political and governmental process to executing an effective advocacy program.

CHRIS COLLINS

EDGE's Development Team is led by the firm's Vice President, Chris Collins. With over 10 years of experience in athletic facility development, operations, development, design, marketing, and program management, Collins leads EDGE's new and existing project developments / refinement, financing, pre-development, operations, EDGE's internal systems, and marketing. Collins uses his vast experience in existing and emerging markets to provide a real-world data-driven project analysis that ultimately results in "Class A" programming / partner user groups, development teams, and best design elements ahead of any new project or acquisition. Within new developments, Collins will manage EDGE's day-to-day tasks, team analysis, modeling, project workflow, deliverables, and timeline to conclude the project in an efficient cost-effective manner for all parties involved

CHRIS HARTLY

EDGE's Facilities Team is led by the firm's Vice President, Chris Hartly. With over 20 years in athletic facility operations and management, Chris Hartly oversees facility operational layout / design / upgrades and coordinates all facility matters with the design and construction professionals. Chris' wealth of knowledge allows him to point out potential design flaws before they become onsite issues. Once facilities are operational, Chris is responsible for all hiring, training, oversight, upkeep, improvements, and facility operational staff and their compliance with the company's means and methods. Mr. Hartly brings decades of real-world operations and facility management experience within new construction, renovations, and facility management to the EDGE team.

EDGE Sports Group

EDGE Sports Group's goal is to create unique athletic ecosystems that offer recreational opportunities to all ages and abilities, through the development of dynamic facilities and program offerings designed to benefit any user for years to come.

EDGE Sports Group
900 Worcester Street
Wellesley, MA 02482

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SPORTS FACILITIES COMPANIES



RFQ #51-23



DEVELOPMENT OF INDOOR MULTISPORT COMPLEX

June 20, 2023



Dear Selection Committee:

SFC has provided the enclosed information, including a proposed scope of work and an overview of our team that we have assembled for the Indoor Multisport Complex RFQ.

Sports Facilities Companies (SFC) has established the industry's premier planning, funding, development, and operational network. Our team has more than 2,000 professionals across the country, all working toward our mission of improving the health and economic vitality of the communities we serve through sports, recreation, and wellness.

The SFC team believes in the power of health/wellness, sports, and recreation not only because of our own personal experiences, but also because we have seen the impact activity makes on communities with whom we work. Since SFC was founded in 2003, we have served more than 3,500 communities across the United States and internationally, led the strategic planning of more than \$15 billion of sports and recreation assets, and provided management services for hundreds of facilities around the world.

Our depth of experience and commitment to working at a local level to enhance access to health/wellness, sports, and recreation through our comprehensive services makes us the ideal partner for the City of Portsmouth. Unlike any other national service provider in our industry, we fully stand behind our results; the approach we take is reflective of the long-range path to success and sustainability. We are committed to working with you to refine your vision, define success, and create the plan that best serves your community goals and needs.

As you will see in this document and in our submittal for the Indoor Multisport Complex RFQ, SFC is highly qualified and uniquely capable of providing the best path forward. Because our goal is to support any and all efforts aimed at improving access to sports and recreation for every person in our clients' communities, we look for opportunities to support projects in the most cost-effective way possible.

We hope the information and approach in this submittal resonates with your team and the detail included provides the selection committee with enthusiasm for working with us! We are passionate about this process and looking forward to working in, with, and for the City of Portsmouth, New Hampshire.

Sincerely,



Evan Eleff
EVAN ELEFF
Partner

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A photograph of an indoor sports facility with artificial green turf and white boundary lines. The ceiling is high with a grid of lights and a long skylight. A person is walking in the background.

PROPOSER INFORMATION

SF COMPANIES FIRM OVERVIEW



PLAN & FUND

SPORTS FACILITIES ADVISORY

Founded in 2003, we have served more than 3,500 communities and assisted with more than \$15 billion in planned projects. Our plan-to-fund approach means we can deliver much more than the industry's leading research and financial forecast documents, we can deliver projects that are attractive to finance sources, capital partners, and municipal funding sources.



DEVELOP

SPORTS FACILITIES DEVELOPMENT

The services provided by the Development Team were born out of customer demand for better alignment between facility design and operations. Our owner's representation, procurement, and venue planning services not only achieve this goal by pairing proven operators with clients' design teams, but save money in procurement, reduce risk, and streamline the process for everyone involved.



PERFORM

SPORTS FACILITIES MANAGEMENT

Sports Facilities Management is the youth and amateur sports industry leader in outsourced facility management. We are purpose built to serve the goals and visions of our clients and produce results. We are the ultimate partner for clients who want to maintain control of their assets without the headaches, expense, and risk of daily operations. Our proven performance has led us to represent the SF Network, the largest and fastest growing network of sports and recreation facilities in the country.

YEARS IN OPERATION:

20 years

CORPORATE HEADQUARTERS:

600 Cleveland St. Suite 910
Clearwater, FL 33755

NUMBER OF EMPLOYEES:

2000+

CORPORATE STRUCTURE:

Limited Liability Company (LLC)

CONTRACTING FIRM:

Sports Facilities Advisory, LLC

COMMUNITIES SERVED:

3,500+

SOUGHT-AFTER RESOURCE TO:

- International City & County Manager's Association (ICMA)
- National Recreation & Parks Association (NRPA)
- Sports ETA (Sports Tourism)
- Aspen Institute Project Play 2024

WEBSITE:

sportsfacilities.com | thesfnetwork.com

ADVISORY CORE SERVICES:

- Market Research
- Feasibility Reports
- Economic Impact Forecasts
- Financial Forecasts (Pro Forma)
- Community Engagement
- Facility Optimization Services
- Community Partnership Development
- Project Finance Strategy

PHONE | FAX:

727.474.3845 | 727.462.2800



PROJECT APPROACH

PROJECT APPROACH

Within this section, the Project Team has outlined the proposed approach and methodology to support the City of Portsmouth with the Development of an Indoor Multisport Complex.

SFC's planning division, the Sports Facilities Advisory, is the leading authority in the planning of youth and amateur sports destinations, event centers, parks and recreation facilities, and mixed-use developments in the country. Our team has direct and deep experience planning, funding, developing, and operating facilities and programs that have resulted in the community impacts the City is targeting. Throughout the master planning process, our goal is to provide the strategies and steps necessary to put the project on the most likely path forward and to develop the foundation of a long-term, sustainable, and impactful facilities and park systems.

- * More than two-thirds of the 3,500+ communities we have served through planning services have targeted community recreation as a primary focus.

We work along side the City to ensure that timelines and deliverables are met on time. Our team, comprised of executives, analysts, and project managers ensure that we are communicating clearly on all project expectations. Meetings can be held in person, via video conference, or by phone.

As mentioned in the cover letter, our goal is to support any and all efforts aimed at improving access to sports and recreation for every person in our clients' communities, we look for opportunities to support projects in the most cost-effective way possible. For the City of Portsmouth, we have provided our Concept to Concrete outline for the overall Development of an Indoor Multisport Complex.

CITY OF PORTSMOUTH VISION:

THE PORTSMOUTH RECREATION DEPARTMENT IS DEDICATED DETERMINING THE TYPES OF COMMUNITY SERVICES, SPORTS AND FACILITIES THE CITY NEEDS TO MEET THE DEMANDS OF RESIDENTS TODAY AND INTO THE FUTURE.

SPORTS FACILITIES COMPANIES MISSION:

TO IMPROVE THE HEALTH AND ECONOMIC VITALITY OF THE COMMUNITIES WE SERVE



PROJECT APPROACH

PRE- DEVELOPMENT

STEP 1: PROJECT KICK-OFF

In this step, SFC will set up an initial phone call with your team to cover six topics that allow the SFC team to begin its work. Those topics are:

- Introductions
- Project History
- Existing Data
- Potential Partners and Stakeholders
- Key Dates for the Project
- Other Questions & Answers

STEP 2: EXISTING DATA REVIEW & MARKET ANALYSIS

In this step, SFC will review any existing data, documentation, and/or resources you provide related to your project. SFC will then conduct preliminary market research, which will encompass demographics, sports participation in the region, and an analysis of existing service providers (competition).

STEP 3: REMOTE DEVELOPMENT PLANNING SESSION (DPS)

The DPS is a “deep-dive” planning and strategy session that will focus on defining success and refining your vision, value propositions, financial resources and core competencies, products and services, strategic alliances, and financial success metrics. During the DPS, SFC will also share data from its preliminary market assessment, including key demographic and socioeconomic factors, participation rates, and other market insights. This will be held via a teleconference via Zoom meeting.

STEP 4: DETAILED FINANCIAL FORECAST

In this step, Consultant will complete more in-depth research/analysis to produce a 5-year cash flow forecast and 20-year financial outlook. Consultant’s pro forma documents are detailed, institutional-grade financial forecasts used to support decision-making and financing.

The pro forma will provide insight into the financial potential of the project and will include projections related to construction and start-up costs, revenues/expenses by product/program, EBITDA, net income, facility utilization, and more.

The pro forma will provide the Client with detailed financial projections related to and based on:

- The ideal business model
- Realistic and/or recommended debt-to-equity mix and debt service
- Right-sized program spaces and space requirements
- Construction and start-up costs based on recent, comparable projects
- Recommended parking
- Revenue by product/program
- Direct/variable costs (Cost of Goods Sold)
- Facility and operating expenses
- Management and staffing model
- Utilization Projections

STEP 5: ECONOMIC IMPACT ANALYSIS

In this step, SFC will project the economic impact of the facility on an annual basis. Economic impact is defined as new off-site spending that will occur in the market as a result of tournaments and events held at the facility. This information is used to project economic activity from out-of-town visitors who would not be in the market but for the events that will be held at the facility.

The results, primarily quantified as room nights generated and direct spending, are used by elected officials and private developers alike to understand the impact that the venue will have on the lodging, dining, retail, entertainment, and transportation industries as well as on the tax base of the municipalities that benefit from new spending.

- Number of Events
- Number of Teams
- Number of Participants
- Number of Affiliated Spectators
- Percent of Participants and Affiliated Spectators from Out of Town
- Length of Stay
- Average Daily Rate (ADR)
- Average Daily Expenditures (ADE)

STEP 6: EXECUTIVE SUMMARY & RECOMMENDATIONS

In this step, Consultant will produce a summary report for the project. The summary report will include an overview of the market analysis and pro forma. Additionally, Consultant will work with the Client to provide recommendations on the existing facility and programming plan. This will also include considerations around playing surface materials, onsite amenities, parking, concessions, lighting, and more.

OWNERS REPRESENTATION

As your Owner's Representative, SFC will represent you throughout the entire process of the development of your facility, including site selection, design, entitlements, permitting, construction, and post construction. We will act as your liaison with all parties throughout the process to ensure that your best interests are always at the forefront of the project and the end-product matches your vision, goals, timeline, and budget for the project. For the purposes of this proposal, we have broken down our services into added value elements and traditional owner's representative services

SFC shall perform the Basic Services described in this proposal. Each and every project is different and will face unique challenges and circumstances throughout their development. SFC stands ready to take on additional tasks as necessary to ensure a successful project. For the purposes of this proposal, we have broken down our services into the following distinct project phases.

1. Project Kickoff
2. Facility Development Planning Session (FDPS)
3. Conceptual Design & Pre-Design Phase
4. Design Phase
5. Procurement Phase
6. Construction Phase
7. Post Construction Phase

PHASE 1 - PROJECT KICK-OFF

SFC will establish an initial kick-off meeting to cover a wide array of topics to cover a high-level overview of the project and the process. These topics include but are not limited to:

- Introductions & Project Roles
- Current Project Team Members
- Communication Protocol
- Collection of all Pertain Agreements
- Project History
- Partners and Stakeholders
- Existing Data, Reports and Plans
- Key Dates for the Project
- Review Facility Program
- Project/Development Budget
- Development Schedule
- Environmental Issues

PHASE 2 - FACILITY DEVELOPMENT PLANNING SESSION

Beginning with a Facility Development Planning Session, SFC will review the vision, financial forecasts and business plan, programming, and space requirements, provide an initial design and project schedule review with ownership and stakeholders. The goals and objectives outlined in this session will provide critical guidelines for decision making throughout the project.

PHASE 3 - CONCEPTUAL DESIGN & PRE-DESIGN

Transitioning from planning into full design of the facility, SFC will lay the foundation as the team grows and starts accelerating toward design and construction.

- SFC shall prepare a Development Management Plan for the Project and shall make recommendations to the plan throughout the duration of the Project, as may be appropriate.
- Assist with the preparation of an RFQ/P for Architectural and Engineering Services to the most capable pre-qualified firms. SFC will assist with the evaluation and selection of the Design Team.
- SFC will assist with the review and negotiation of the design contracts and gain an executed agreement for Architectural and Engineering Services.
- SFC shall prepare a Master Schedule for the Project. The Master Schedule shall specify the proposed starting and finishing dates for each major project activity.
- Based upon the Master Schedule, SFC shall prepare the Milestone Schedule for the Design Phase.
- Based on the Development Management Plan, SFC shall prepare a project budget and cost report.
- SFC shall assist with infrastructure coordination. Review proposed road and utility requirements to ensure proper coordination with the new project.
- Coordinate evaluation of potential energy suppliers to the project.
- Finalize programming and space allocation requirements.

PHASE 4 - DESIGN

In addition to acting as the Owner's Representative through the design team, SFC will lead through our venue planning and design support services by reducing risk, eliminating headaches, optimizing facility design, and maximizing the value of every dollar, the results of which is a superior facility. Our project team is composed of engineers, project managers, and experienced facility operators who have specialized in sports, recreation, events, and wellness facilities. The SFC team provides a complementary and collaborative set of services to your A/E/C team.

Your SFC project team ensures the athletic spaces and equipment meet the requirements for leagues, tournaments, events, and other supporting programming. We leverage our deep operational and development experience to ensure your facility designs, adjacencies, and equipment are optimized for staffing and

operational execution for your specific events and programming. Our focus is not only on the technical facets of the facility, but on the overall guest experience. The SFC project team will engage our facility marketing department to ensure the brand vision, cross-marketing, and sponsorship opportunities are incorporated into the facility from the start.

PROGRAMMING & DESIGN CONCEPT SUPPORT SERVICES

- Equipment Coordination Considerations
- Sport Rule Comfort/Compliance Considerations
- Operational Design Adjacency Considerations
- Cash Handling Considerations
- Furnishings Considerations
- Storage Benchmarks and Considerations
- Technology Considerations
- Facility Branding and Experience Considerations
- Sponsorship Inventory Considerations
- Facility Wayfinding / Signage Considerations
- F&B Benchmarks and Considerations

SCHEMATIC DESIGN SUPPORT SERVICES

- Design Concept Comments and Markups
- Equipment Basis of Design Recommendations
- Equipment Coordination Information
- Sport Rule Comfort/Compliance Requirements and Review
- Storage Requirements
- Technology Requirements
- Operational Budget Impacts
- Finishes Recommendations
- Site Fencing & Gate Access Review
- Coordination Meetings as Required

DESIGN DEVELOPMENT SUPPORT SERVICES

- Schematic Design/Milestone Set Comments and Markups
- Equipment Specification Generation
- Equipment Coordination Information
- Construction Cost Estimation Review
- Sport Rule Comfort/Compliance Requirements and Review
- Operational Design Requirements and Review
- Cash Handling Plan and Schematic
- Furnishings Schematic
- Storage Plan and Markup
- Technology Requirements and Schematic
- Operational Budget Impacts
- Facility Branding Design Concept
- Sponsorship Inventory Design
- Facility Wayfinding / Signage Markup
- Door Schedule Review (Lock Styles, Closures, Etc.)
- AED Placement Recommendations
- Finishes Review

CONSTRUCTION DOCUMENT SUPPORT SERVICES

- Design Development /Milestone Set Comments and Markups
- Equipment Specification Generation
- Equipment Coordination Information
- Sport Rule Comfort/Compliance Requirements and Review
- Operational Design Requirements and Review
- Technology Requirements and Schematic Markups
- SFC will provide a full review of the plans and specifications at each phase of the design. SFC will also review and comment on Architect's in-process drawings and specifications as deemed appropriate
- SFC shall conduct regularly scheduled design review meetings. During these meetings, SFC shall review the Development Management Plan, the Master Schedule, Design Phase Milestone Schedule, and the Project Budget.
- SFC shall review the design documents and approve the same as to constructability, scheduling, and time of construction; as to clarity, consistency, and coordination of documentation among Contractors; and as to the separation of the Project into contracts for various categories of the Work.
- SFC shall expedite Client's design reviews by compiling and conveying the Client's review comments to the Design Team.
- SFC shall coordinate transmittal of documents to regulatory agencies for review.
- SFC shall assist the owner with cost estimation services or preconstruction services to obtain a probable construction cost for each design phase.
- SFC shall provide value engineering recommendations on major construction components, including coordinating cost evaluations of alternative materials and systems.
- SFC shall prepare and distribute project cost reports that shall indicate actual or estimated costs compared to the Project and Final Budget. Ensure project design and Design Team are responsive to the project budget and schedule.
- SFC shall work with the Design Team to produce design phase change reports that shall list all owner approved changes as of the date of the report and shall state the effect of the changes on the Project Budget and the Master Schedule.
- SFC will be diligent and persistent in making sure that the documents produced by the Design Team comply with the program are complete and understood by the Construction Team.
- Oversee the ongoing review and refinement of the facility program.
- Work with all Design Team members to ensure all goals are met and the project is approached in a coordinated manner.
- Continuously work with Design Team in the review of the design documents to ensure all operational needs are properly addressed in the design.
- Assist in the presentation and review of various design alternatives and provide recommendations to the Project Team.
- Throughout the design and construction process, SFC's Venue team will evaluate changes and improvements to the furnishings, fixtures, and athletic equipment (FF&E) and operating supplies and equipment (OSE).

PHASE 5 - PROCUREMENT

Procurement Services from SFC highlight our ability to deliver a project as well as create value through savings and increased purchasing power of specialty scopes and because our operational expertise leads to far better end-user experiences and efficiencies. Throughout the procurement process, SFC will provide pre-qualified vendors, recommendations, RFPs, Proposals, Submittals, RFIS, and additional coordination information as needed.

Additionally, through the FFE and OS&E scopes, we will provide information and lists of purchases that would otherwise be overlooked in a typical scenario. This saves you time, money, and headaches because your operating staff arrives to a turn-key facility. Your Management Team can focus on building your business instead of purchasing floor scrubbers and maintenance equipment – and these expense can be capitalized instead of coming from your start-up operating budget. The following tasks will be completed through the procurement phase:

- Assist with the procurement of construction related services. Determine the best delivery approach method. Assist with the issuing of an RFQ/P for Construction Services to the most capable pre-qualified firms including a Bidder's Interest Campaign. Upon receipt of the bids, SFC shall evaluate the bids and shall make recommendations to the Owner.
- Execute an agreement for construction services
- SFC shall maintain and update the Master Schedule.
- SFC shall prepare and distribute project cost reports during the Procurement Phase.
- SFC shall prepare and distribute cash flow reports during the Procurement Phase.
- Assist in development of efficient means of communication among all parties.
- Procure other related services to support the design and construction process.
- Perform and Schedule procurement of FF&E and OSE equipment

PHASE 6 - CONSTRUCTION

- SFC will oversee the activities of each of each Project Team member by monitoring their progress, reminding each of its responsibilities and obligations. We ensure that the Project Team is properly advised of their respective status to the other Project Team members.
- SFC shall conduct a Pre-Construction Conference during which SFC shall review the Project reporting procedures and other requirements for performance of the Work. SFC shall review, establish, and implement initial construction procedures and processes between the Project Team members. This will include reviewing and processing of RFI's, shop drawings, samples, and other submittals; contract schedule adjustments; change order proposals; written proposals for substitutions; payment applications; and the maintenance of logs.

- Review the Construction Contractor's organization and management plan suggesting options to maximize cost-effective completion.
- Review the Construction Contractor's pre-construction services plan.
- Review the Construction Contractor's plans regarding site preparation and logistics.
- Work with the Construction Contractor and the Project Team to coordinate the Construction Contractor's project controls and reporting systems.
- Review Construction Contractor's construction estimates and updates.
- Review proposed construction schedule as to overall reasonableness which includes the ability to meet the critical path dates. Assist in development of procedures to be used by Construction Contractor to bid various phases of the project. Once agreed upon, monitor these processes.
- Review Construction Contractor's cost-control plan.
- Review Construction Contractor's purchase and procurement plan.
- Review Construction Contractor's targeted (MBE/WBE/Local) business plan.
- Review Construction Contractor's commissioning procedure and turn-over schedule.
- Evaluate value engineering, cost reduction and/or other cost saving alternatives suggested by the Design Team or Construction Contractor.
- Oversee or assist with the selection and execution of agreements for the other critical services required for development (for example, environmental reviews, site surveys, geotechnical investigations, etc.).
- SFC shall verify that the Contractors and Vendors have provided evidence that required permits, bonds, and insurance.
- SFC shall oversee the Contractors' requests for information, shop drawings, samples, and other submittals, and Design Teams' reply or other action concerning them, to determine the anticipated effect on compliance with the Project requirements, the Project Budget, and the Master Schedule.
- Attend construction and project progress meetings
- Oversee the procurement of the necessary construction testing and inspection services. Monitor results of all testing and inspection during the project.
- Continue to review drawings as they develop and monitor impact on schedule and budget.
- SFC shall establish, implement, and manage a change order control system with the Project Team. Review all proposed Change Orders.
- Review proposal requests recommended by Architect and provide input and recommendations to Project Team.
- Review proposals issued by the Construction Contractor for impact on budget and schedule.
- Assist in the determination of cost responsibility and other impacts.
- SFC shall establish, implement, and monitored a process to monitor the quality of the Work. The purpose of the program shall be to identify non-conforming items during the construction process.

- Advise Owner on Substantial Completion and Final Completion issues.
- Work with Facility Manager to coordinate occupancy schedule
- Assist in development of start-up plans, check-lists, etc. for ongoing operation of the facility
- Participate in regular meetings to review project issues and determine on-going strategies to keep the project moving forward.
- SFC shall adjust and update the Master Schedule on a monthly basis.
- SFC shall review the Contractors' Construction Schedule and shall verify that the schedule is prepared in accordance with the requirements of the Contract Documents and that it establishes completion dates that comply with the requirements of the Master Schedule. Review proposed schedule and updates for accuracy and reliability shall, on a monthly basis.
- SFC shall, in participation with the Contractors, determine a schedule of values for the Construction Contract. The schedule of values shall be the basis for the allocation of the Construction Contract price to the activities shown on the Contractors' Construction Schedule
- SFC shall review the payment applications submitted by the Contractors and determine whether the amount requested reflects the progress of the Contractors Work. Review and propose procedures for payment requests and monitor payment requests.
- SFC shall prepare a monthly billing document that will include all invoices related to the Project.
- SFC shall prepare and distribute Project cost reports during the Construction Phase.
- SFC shall periodically prepare and distribute cash flow reports during the Construction Phase.
- SFC will manager FF&E and OSE equipment delivery, assembly, and installation.

PHASE 7 - POST CONSTRUCTION

- SFC will oversee the project close-out activities to ensure that the required deliverables are received from the Construction Contractor and other Project Team members and that the project commissioning is properly completed, and punch list activities completed
- Ensure final payments, obtain final release of liens, and completely closed out all Project related contracts.
- SFC shall coordinate and oversee the preparation of record drawings and specifications. This shall include collecting and coordinating the project records in format desirable by the City.
- Prior to the final completion of the Project, SFC shall insure that the Project Team properly compiles manufacturers' operations and maintenance manuals, warranties and guarantees, and certificates. This information shall be indexed and bounded in an organized manner as approved by City and SFC.
- SFC shall assist with the efforts involved with final testing, preparing, and submitting documentation to governmental

agencies, and facilitating Jurisdiction Having Authority (JHA) for the final inspections of the Project.

- SFC shall finalize the construction costs and change orders.
- At the conclusion of the Project, SFC shall prepare and deliver the final Project accounting and close out reports.



PRE-OPENING SERVICES

Pre-Opening Development Services includes a variety of projects and tasks that are coordinated with the pre-opening budget and timing for each of 10 major areas. During this phase SFC will report weekly and monthly on progress in each area as needed. Throughout this cycle, SFC representatives will meet with your team and other key stakeholder representatives through a schedule of weekly and monthly meetings.

OPERATIONAL AND ORGANIZATIONAL SET-UP

In Full Time Management, the employees within the complex will be SFC team members providing the leadership and executing on the following steps:

- 1. Organizational Development:** Sourcing, hiring, and placement of a full-time leadership team with clear job responsibilities and training so personnel focuses on the highest priorities impacting the operation. These positions generally include a General Manager, Marketing Director, and other staff according to the hire and placement dates outlined in the operating/ financial plan.
- 2. Operations Systems and Software Selection and Set-Up:** The set-up of accounting systems complete with checks and balances complying with audit requirements. Facility management software, specific HR administrative set-up specific to sport & event centers, proper insurance and risk management coverage, standard operating procedures, operating manuals, food & beverage SOP's for quality/storing/ security/safety, and other operational protocol.
- 3. Regional and National Marketing and Business Development Action Plan for Events:** SFC will provide a detailed business development action plan and will then execute on this plan. This includes deployment of proven digital, social media, direct sales, and other marketing systems. SFC will also innovate and develop new systems specific to your project. This effort will include regional and national press releases, tradeshow/ conference presence, proper budgeting for bid fees (minimal when necessary), and hosting of visits in partnership with your facility, and others.
- 4. Local Marketing and Business Development Action Plan:** SFC will create a local marketing plan to include digital and social media, public relations, hard hat tours, key stakeholder meetings, and parks and recreation driven efforts. This step is highly collaborative with local parks and recreation and local partners.
- 5. Local and Tournament and Events Program Development:** The creation, set-up, and implementation of local programming for residents. Creating the "ground rules" for scheduling so that the local community and parks and recreation receive first-class service while balancing the state, regional, and national event needs. This requires proper communication and upfront planning. The set-up for local programs include current programs offered in the community and the introduction of new offerings successful in other SFC venues to include corporate outings, group events, and other child development offerings.
- 6. Business Development and Events Booking:** SFC will lead business development and events booking efforts to secure events and agreements for use prior to opening. This process must begin no less than 1 year prior to opening to secure events at a pace that can perform or out-perform forecasts. Local programming and local registrations will also be managed during this process and will begin as the facility development enters the final 6 months of construction.
- 7. Grand Opening Events Planning:** The schedule of grand opening events requires advanced planning. Events are planned for local officials, key stakeholders, community partners, and the community at large.
- 8. Staff Placement and Staff Development:** The placement of leadership staff begins during the development cycle. These positions include the General Manager, Marketing Director, Operations Director, and others. The schedule for these hires requires job descriptions, job announcements, review of hundreds of resumes, interviews, final approval from our client, placement, training, and guidance from our regional leadership team.
- 9. Sponsorship Sales:** Prior to opening, SFC will lead a sponsorship sales effort to engage community businesses in a variety of ways. These can include B2B arrangements for services or products in trade for promotion, revenue driven sponsorship sales, events, and other sponsorship programs. SFC's ACCESS program allows sponsors to contribute to play time for kids' that need assistance.
- 10. Other Necessary initiatives:** A wide range of community events, meetings, communication, reporting, project management, and other activities dominate the development and pre-opening process. SFC's on the ground team will provide expertise and experience throughout this cycle.

FULL-TIME MANAGEMENT

Within this section, SFC has outlined an overview of our approach to support the Project Team through SFC's full-time management services.

SFC will provide Full-Time Management (FTM) at the facility involving the day-to-day oversight of all aspects of the venue including:

- Sales
- Staffing
- Scheduling
- Program Development and Management
- Events Booking and Events Management
- Event Economic Impact and Financial Tracking
- Monthly Financial Reporting
- Human Resources Oversight
- Legal and Risk Management Advisory Services
- Bookkeeping
- National marketing utilizing SFC's national Marketing Network to drive overnight stays for the portion of the Venue that SFC will be managing

STAFFING - WE WIN WITH PEOPLE

Sourcing, hiring, developing and retaining good people is the key to our organization. That begins with building a team who understands and lives our values of accountability, excellence, collaboration, and service. Our team truly cares about the operational outcomes and fights for the goals set forth by our clients. This will be the case at the facility, and we only place personnel fully committed to your success.

SFC has taken on management of many existing operations and are well accustomed to dealing with and transitioning existing employees into SFC team members. Consistent with our value of 'collaboration', SFC involves our client in this process to best learn the personalities and capabilities of the existing employees.

Every scenario has unique people, personalities, and operational realities; and all fall into a version of the following process:

STAFFING - WE WIN WITH PEOPLE (CONT.)

- Develop the proper organizational chart for the operation (based on roles required – not people)
 - Get feedback from the Facility's Leadership Team on the proposed organizational structure
- Begin placing current, qualified personnel from the facility into the roles on the organizational chart based on their 1) capacity, 2) abilities, and 3) willingness to perform the role
 - Get feedback on the proposed roles
- For any roles not filled by existing employees, SFC will begin the sourcing and hiring process. The SFC hiring process is detailed and focused on finding the right fit for your facility
 - Source candidates (SFC existing network, SFC database of interested candidates, proven industry job boards)
 - Resume review – qualified resumes receive questionnaires
 - Questionnaire review – qualified questionnaires get phone interviews
 - Phone interview
 - In-person interview with personality profiles, references
 - Finalist interviews with multiple stakeholders
- Once hired, onboarding to SFC culture and values is important. This time is critical to learn our systems and the Home Office team in Clearwater supporting and managing the local personnel. The management team will then be 'trained' to provide proper training to the field staff locally. This includes customer service, business development, and job-specific functions.

SFC'S NETWORK OF GENERAL MANAGERS

The SF Network was developed with the idea that facilities can be more successful when banded together to leverage resources and people. This means that your facility will be led by a GM and leadership team that participates in the SFC weekly teleconference and/or Zoom meetings with other SFC-employed GM's and the team of SFC operations advisors. This call requires each facility manager to report in on the progress they are making against established goals and it provides opportunity for each of our GM's to seek perspective from other managers who are dealing with or have already overcome similar challenges. All of these centers deal with the same challenges and opportunities inherent to the sports/fitness/ recreation/entertainment facility industry. These managers are also benchmarked against one another and against the highest revenue producing and highest EBITDA-producing facilities in the country.

TRANSPARENT FINANCIAL REPORTING

With SFC, the facility will undergo a rigorous monthly “Budget Versus Actual” (variance) review. Led by a full-time SFC Management Advisor, your GM, leadership team, and staff will be part of a monthly top-to-bottom review of the operation including a line item review of “Budget vs. Actual” results. The process includes a review of the prior month performance, a forward-looking discussion of critical action items, marketing initiatives, and a pace-to-goal session. This “variance” process drives performance and accountability while providing the facility’s Leadership Team with complete transparency into the facility’s finances.

MARKETING

SFC’s in-house marketing and design team will partner with the facility’s marketing manager to create a strategic marketing plan and actionable campaigns to generate the results for the facility which includes:

- » Website optimization and social media campaign
- » PR campaign
- » Tradeshow and conference schedule (as applicable)
- » Direct sales and direct calls to event and tournament organizers
- » Familiarization visits
- » Integration and collaboration with local program and stakeholder groups
- » Site-specific tournament and event development
- » Direct Mail campaign
- » Ongoing weekly support calls and monthly strategy sessions

Using our experience in 30+ venues across the country, our team brings marketing strategies that utilize best practices and deep industry experience to drive conversions and achieve long-term performance goals.

ADDITIONAL SERVICES

In addition to operational oversight, staffing, marketing and financial tracking, the following services are also included in SFC’s Full-Time Management all of which assisting in directly influence optimized performance and accountability throughout the organization and the business.

1. Computer & IT services and support
2. Payroll administration and support
3. Provide and administer health insurance program
4. Provide worker’s compensation insurance
5. Share ‘best-practices’ policies and procedures, acquired instructions and forms
6. Identify and recommend qualified vendors, programs and software, and proven hardware solutions
7. Annual updating of Business Plan
8. Food & Beverage Plan
9. Insurance coverage, taxes and assessments, compliance with legal requirements, other fees and costs, etc.

10. Creation and annual review/updating of business plan and budgets
11. Detailed timeline and action items for development and facility/operation updates
12. Annual review of the business year prior and identification of new programming
13. Capital improvements suggestions and review
14. Identification of new investments
15. Action plan for local/regional alliances and agreements with sports/recreation organizations to bolster and maintain utilization through recurring leagues and programs as well as tournaments and events
16. Recurring coaching and collaboration sessions with SFC management and SFC’S GM network.





**PROJECT
TEAM**



Since 2012, Evan has led SFC to its current status as the preeminent planning and finance support service firm in the community sport and parks marketplace. Evan and his team have produced more than 2,000 studies that are transforming the parks and recreation, sports tourism, and community sport landscape.

PARTNER

**EVAN
ELEFF**

SPECIALTIES:

financial forecasting, budget creation, program plan optimization

YEARS IN INDUSTRY: 16

EDUCATION:

*MBA
Sports Management
University of Florida*

Evan has been directly involved in the development, opening, programming, management, and/or optimization of more than 50 SF Companies venues.

Evan is considered one of the country's foremost experts in the youth and amateur sports and recreation industry and is an authority on new facility planning, public-private partnership creation, sports tourism destination development, and operational optimization. He is a key resource and speaker for industry associations including International City/County Management Association (ICMA), International Association of Venue Managers (IAVM), National Association of Sports Commissions (NASC), The Aspen Institute Project Play, US Indoor Sports Association, and others.

Evan has served in key roles for several groundbreaking projects focused on expanding awareness of the social, educational, economic, and health-based impacts of sport and activity, including the multiple Project Play regional reports, the Florida Recreation and Park Association Parks Benefit Calculator, and the Pure Michigan Sports Economic Impact Report.

Prior to joining SFC, Evan was the Director of Operations for the largest YMCA in the Tampa YMCA Association and was the Director of Marketing for Facility Vendor Network.

NOTEWORTHY MEMBERSHIPS, ACCREDITATIONS, & ACHIEVEMENTS

Creator, National Recreation & Parks Association Calculator

Speaker and Content Contributor, ICMA

Speaker, US Indoor Sports Association

Blue Ridge Leaders' School

Tampa YMCA

NOTABLE PROJECTS

Steele Creek Park Master Plan - Bristol, TN

Sunset Empire Parks and Recreation - Seaside, OR

The Bridge Sports Complex - Bridgeport, WV

Florida Recreation and Park Association Impact Calculator - Statewide, FL

University of Wisconsin-Eau Claire - Eau Claire, WI

Sand Mountain Park & Amphitheater - Albertville, AL

The HUB - Marion, IL



Suzy is a dedicated parks and recreation professional with over twenty years of experience managing municipal and county departments in the Southeast. She has extensive experience in the fields of parks and recreation, event management, natural disaster logistics, public works, utilities, and finance.

ACCOUNT EXECUTIVE

**SUZANNE
FISHER-REEDER**

SPECIALTIES:

public works,
community engagement

YEARS IN INDUSTRY: 21

EDUCATION:

Ph.D (candidate)
Public Administration
Valdosta State University

MPA

Public Administration
University of North Florida

BS

Recreation Administration
University of Georgia

CERTIFICATION:

Certified Park and Recreation
Professional (1998)

In her role on the advisory team, Suzy guides the optimization process for parks and recreation assets by analyzing financial data to make recommendations for capital improvements and develop strategies to improve facility performance. Through her role, Suzy is advancing the ability of parks and recreation assets to enhance the health and economic vitality of their surrounding communities. Suzy brings her passion for community engagement, sports tourism, and facility optimization to the advisory team as a account executive. She has a proven track record for navigating difficult political situations, building relationships with elected officials and stakeholders, and sound fiscal management of operations and capital improvement budgets.

Suzy has a passion for providing accessible and equitable programs and facilities that improve the health and economic vitality of communities; for mentoring developing parks and recreation professionals; and for providing new and innovative collaborative programs that maximize community resources and optimize facilities.

NOTABLE PROJECTS

Recreation Optimization Study - Heber Springs, AR

Steele Creek Park Master Plan - Bristol, TN

Recreation Master Plan Update - Mt. Lebanon, PA

Recreation Impact Calculator - Kansas Recreation and Parks Association

Recreation Value Calculator - California Parks and Recreation Society

Pickerington Sports & Events Complex - Pickerington, OH

Strategic Planning & Highest and Best Use Modeling - Seaside, OR

*Creation of Parks and Recreation Department - City of Jefferson, GA

*Construction of Edgar Johnson Senior Center - Putnam County, FL

*Gordon Sports Complex Renovation - Albany, GA

*Renovation & Improvements, Multiple Facilities - Delray Beach, FL

**Please note: Projects completed prior to joining the firm.*



Kaliegh is an emerging sports and recreation leader who has created, implemented, and operated sports programs for YMCA's throughout the Tampa Bay area. Kaliegh takes her extensive experience in program development, cultivating community partnerships, and budget management to her role as Project Manager at the Sports Facilities Companies.

PROJECT MANAGER

**KALIEGH
HINCMAN**

SPECIALTIES:

program development, community engagement

YEARS IN INDUSTRY: 14

EDUCATION:

BA

*Hospitality and Recreation
Management*

University of West Florida

In this role, Kaliegh serves as project lead for SFC's advisory projects, including client communications and plan development. She is a contributor for several industry-leading reports, including feasibility analysis, Pro Formas, economic impact analysis, market opportunity reports, and facility program and opinion of cost reports.

Prior to joining the SFC team, Kaliegh led the development of sports programs for a newly opened YMCA in the Tampa Bay area. She also led a staff of 40+ employees and developed a partnership with the Tampa Bay Lightning that brought ball hockey clinics to several YMCA locations.

NOTABLE PROJECTS

*Tampa Metropolitan Area YMCA-Tampa Bay Lightning Partnership

Boys & Girls Club of Portage County: Community Rec Center

Montgomery County, TX: Sports Tourism/Community Outdoor Recreation

Visit Topeka: Indoor Sports Tourism Complex

Monterey, CA - Monterey Sports Center Optimization Plan

*Please note: *Projects completed prior to joining the firm.



PROJECT EXPERIENCE & REFERENCES



AUBURN RECREATION MARKET & FEASIBILITY STUDY

AUBURN, ME

Sports Facilities Companies was engaged by the City of Auburn, ME to complete a feasibility analysis related to the development of a best-in-market sports asset that would feature diverse, multi-generational, and flexible sports and recreation programming capabilities, drive economic impact by generating new room nights and non-local consumer spending within the community, leverage strategic partnerships and corporate sponsorships to engage the local business community, and create a path for long-term financial sustainability. While the emphasis of the new assets would be to drive new visitor spending to Auburn, Maine, the City also wants to grow local athletes and expand recreational tournaments and events to southern Maine, and the entire New England area. Through a series of public stakeholder sessions, and in collaboration with Councilman Hunsaker, SFC analyzed the market and provided recommendations regarding specific athletic and aquatic facilities and components. The Advisory team has presented City Council with two facility options ranging in size from 120,000-147,000 SF for initial review.

PROJECT STATISTICS & PERFORMANCE HIGHLIGHTS

Features:

Indoor Hardwood Courts	Indoor Turf
Family Entertainment Center	Fitness Center
Administrative Space	Leased Space

FIRM ROLES & SERVICES

Advisory:	Existing Data Review
	Market Analysis
	Financial Forecasting
	Program Planning
	Economic Impact Analysis
	Feasibility Study





SPORTS TOURISM • COMMUNITY RECREATION • INDOOR/OUTDOOR



BLUHAWK BLUHAWK SPORTS

OVERLAND PARK, KS

Opening in 2023, Bluhawk Sports Park is an incredible 250,000 square foot indoor facility that is a true sports destination. Located in the heart of the Bluhawk development, this facility will be within walking distance of premium restaurants, retail, and hotels.

Sports Facilities Development was engaged to provide venue planning and design consultation along with FF&E procurement during the design and construction phase of the project. Concurrently, Sports Facilities Management has provided pre-opening services including marketing, branding, organizational development, programming and event booking, and grand opening planning. Upon opening, the Management team will continue as the full-time operator.

PROJECT STATISTICS & PERFORMANCE HIGHLIGHTS

Size: 250,000 ft²

Features:

- | | |
|------------------------------------|-------------------------------------|
| 4 Basketball / 8 Volleyball Courts | 1 Indoor Turf Field |
| 1 NCAA Regulation Ice Rink | Sports Performance Training Center |
| Family Entertainment Center | Restaurant, Cafe, and Meeting Space |

FIRM ROLES & SERVICES

Development: Venue Planning
FF&E Procurement

Management: Pre-Opening Management
Full-Time Management

SPORTS TOURISM • COMMUNITY RECREATION • INDOOR



LEGENDS EVENT CENTER

BRYAN, TX



The facility will open in the fall of 2022 and plans to make a massive splash in the community and surrounding areas with its grand opening. This bustling hub of activity and excitement will provide programs, special events, family activities and more to serve the surrounding communities. Partnered with Destination Bryan, the City envisions this recreational facility as the new hub for basketball, volleyball, and arcade lovers.

In 2019, SFC was engaged to produce a feasibility study for the City of Bryan, including existing data review, market analysis, and provide financial forecasting and economic impact projections. SFC's Development team assisted in design concepts, schematic drawings and development. The Management team was then contracted for pre-opening and on-going management of the facility.

PROJECT STATISTICS & PERFORMANCE HIGHLIGHTS

Size: 120,000 ft²

Features:

8 Basketball / 16 Volleyball Courts	Meeting/Party Rooms
Onsite Dining Options	Arcade
Turf Area for Special Programming	Outdoor Patio

FIRM ROLES & SERVICES

Advisory: Financial Forecasting	Development: Venue Planning
Economic Impact Analysis	FF&E Procurement
Feasibility Report	

Management: Pre-Opening Management
Full-Time Management

REFERENCES



Auburn, ME

Marc Gosselin, Executive Director of Community

Partnerships & Sports Tourism

City of Auburn, ME

207-333-6688 ext. 2114

marc.gosselin@auburnmaine.gov

auburnmaine.gov



BLUHAWK

BluHawk

Bark Lowen, Vice President

BluHawk Development

913-955-2214

bartl@pricebrotherskc.com

bluhawk.com



Legends Event Center

Hugh Walker, Deputy City Manager

City of Bryan, TX

979-209-5100

hwalker@bryantx.gov

bryanlegends.com





OUR MISSION

TO IMPROVE THE HEALTH AND ECONOMIC VITALITY OF THE COMMUNITIES WE SERVE.

2000+

TEAM MEMBERS
ACROSS THE
NATION

WE REPRESENT SOME OF
THE MOST DEDICATED
RESEARCHERS, ANALYSTS
OPERATORS, ADVISORS, AND
SUBJECT MATTER EXPERTS
IN THE YOUTH AND AMATEUR
SPORTS INDUSTRY

3,500+

COMMUNITIES
SERVED SINCE 2003

OUR WORK HAS SPANNED THE
US AND INTERNATIONALLY
INCLUDING PROJECTS IN
THE BAHAMAS, THAILAND,
COLOMBIA, AND OTHERS.
WE'VE STUDIED A VAST
VARIETY OF BUSINESS MODELS
& TYPES; OUR DEPTH &
BREADTH IS AN ADVANTAGE
FOR OUR CLIENTS.

\$15 B

IN PLANNED &
FORECASTED
PROJECTS

WE SPECIALIZE IN COMMUNITY
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AND MIXED-USE REAL ESTATE
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WE PRODUCE SUCCESSFUL
SPORTS AT EVERY STEP AND
EVERY STAGE, FROM CONCEPT
TO CONCRETE.

25 MM

ANNUAL GUEST
VISITS IN SFM
FACILITIES

IN THE SF NETWORK, THE
LARGEST AND FASTEST
GROWING NETWORK
OF SPORTS TOURISM,
RECREATION, AND EVENTS
FACILITIES OF ITS KIND IN THE
NATION

Trent and Denise Sensiba
12 Ruth Street
Portsmouth NH, 03801
dendaye@gmail.com
3605566610

June 15, 2023
Mayor Deaglan McEachern
Honorable City Council Members
1 Junkins Ave
Portsmouth, NH 03801

Subject: Request for Release of Paper Street at 12 Ruth Street

Dear Mayor McEachern and Honorable City Council Members,

I hope this message finds you thriving and full of joy. I'm reaching out today to talk about a paper street that takes the form of a cul de sac, nestled right here at 12 Ruth Street.

I've been observing how some of our lovely neighbors on the same street have had their own paper streets released to them. With that heartwarming spirit of community in mind, I'm kindly writing to ask if the paper street touching our property could be released to us as well. I completely understand the city has its own financial obligations and to help alleviate any concerns, I'm entirely prepared and willing to shoulder any costs associated with this process.

I've included a sketch of the proposed land, which would extend our property line to just behind the rocks bordering the current cul de sac. This plan provides ample room as a buffer for the city's essential snow removal operations. And of course, we're more than happy to work in easements into the new deed for any water or sewer lines that the city might need to maintain.

In the spirit of community cooperation, we've already spoken with our local fire department and police force about this proposal. They kindly assured us that they have no objections, nor do they need the current constructed cul de sac to be enlarged to maneuver their vehicles.



July 5, 2023

Dear Honorable Mayor and Council Members,

I trust this message finds you all in good health and high spirits. I am writing to inform you that we are collaborating with the Lloyd family on 5 Ruth Street in our endeavor to request the release of the easement on the turnaround situated on Ruth Street.

As you may know, this piece of land has remained undeveloped for over half a century. As such, it seems apparent that its use as a public easement is no longer necessary or beneficial to the city. The fact that it has not been developed or used for public purposes in over 50 years and was maintained by the owners of 5 and 12 Ruth Street lends strong support to this perspective.

After considerable dialogue and consensus, the Lloyd family and I have come to a joint agreement on how the land from the easement could be redistributed between our properties. To provide a clear and concise view of this, I have updated the map to reflect the proposed changes to the division of the easement release between 5 Ruth Street and my own residence at 12 Ruth Street.

Furthermore, we kindly request that the Lloyd family be included in any ensuing hearings or discussions pertaining to this matter. We believe that doing so would simplify the process and ensure that all parties are on the same page, thereby streamlining the proceedings.

Thank you for your time and consideration. We appreciate your service to our community and your commitment to its ongoing enhancement.

Wishing you all a pleasant day,

Trent and Denise Sensiba
360-556-6610
12 Ruth Street




Request to Release Ruth Street Easements

- 5 Ruth Street release to the Lloyd Family
- 12 Ruth Street release to the Sensiba Family

M E M O R A N D U M

TO: Karen Conard, City Manager

FROM: Peter Britz, Planning & Sustainability Director 

DATE: June 29, 2023

RE: City Council Referral – Projecting Sign
Address: 77 Hanover Street
Business Name: Dripbar
Business Owner: Candace & Steven Byrnes

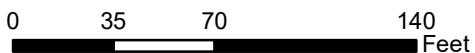
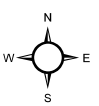
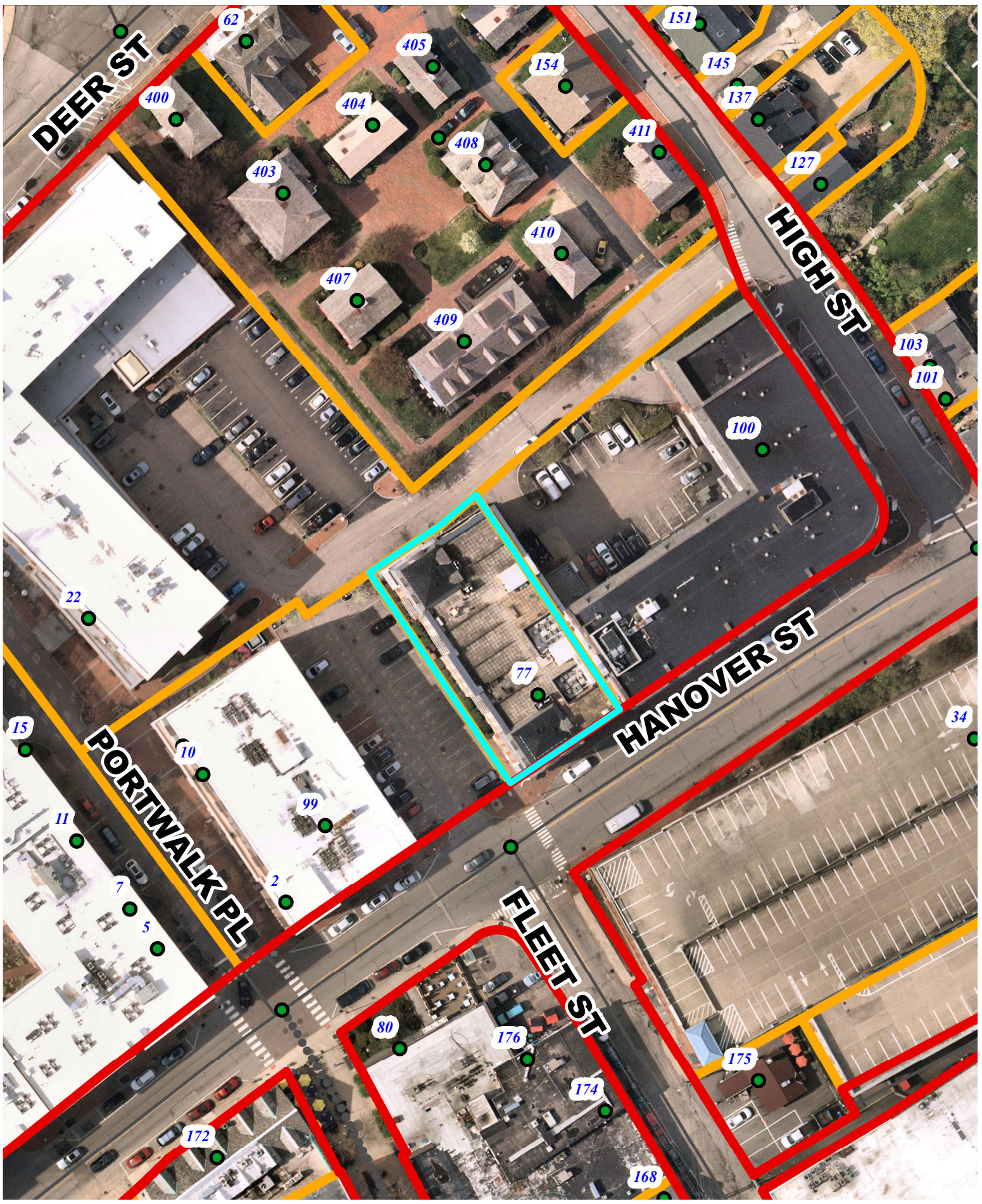
Permission is being sought to reface the existing projecting sign that extends over the public right of way, as follows:

Sign dimensions: 40" x 48.25"
Sign area: 13.4 sq. ft.

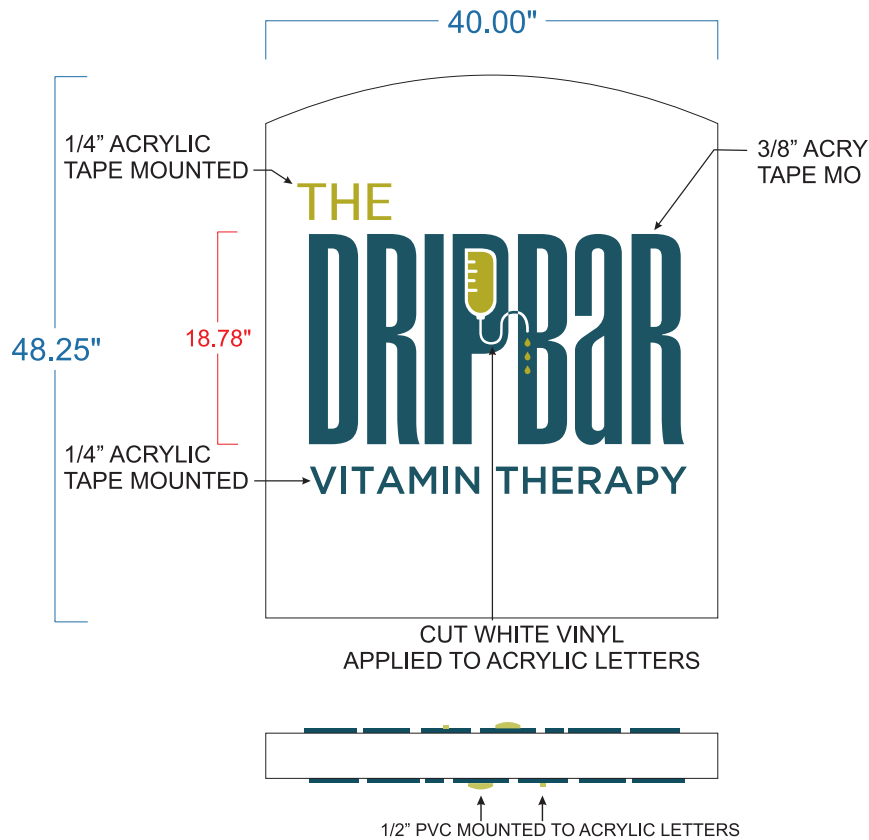
The proposed sign complies with zoning requirements*. If a license is granted by the City Council, no other municipal approvals are needed. Therefore, I recommend approval of a revocable municipal license, subject to the following conditions:

1. The license shall be approved by the Legal Department as to content and form;
2. Any removal or relocation of the 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 signs, 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.

**Projecting signs have a 12 square feet maximum, however nonconforming signs may be refaced using the existing nonconforming sign.*



**Request for license
77 Hanover Street**



PortsmouthSign.com
603-436-0047

REVISION:

All orders under \$250 include 1 revision only.
All orders over \$250 include 2 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.

6/8/2023

RETURN SIGNED TO: service@portsmouthsign.com

I understand this design is the final production order and replaces all previous drawings, notes and verbal instructions to this job. Standard vinyl & paint colors will be unless otherwise specified. I have carefully reviewed this proof and verify that it contains all necessary specifications and represents my order. I authorize fabrication according to this approval.

SIGNATURE: _____ Date: _____

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MEMBER



CITY COUNCIL E-MAILS

Received: June 20, 2023 (after 5:00 p.m.) –July 6, 2023 (before 9:00 a.m.)

July 10, 2023 Council Meeting

Submitted on Thu, 06/22/2023 - 10:19

Full Name

Pamela Levesque

Email

pjl2110@gmail.com

Subject

Route 1 by Toyota Dealer

Address

211 Hillside Drive

Message

Hello City Council,

Please address the traffic on Rte 1 running parallel to Hillside Drive. The volume of traffic seems to have increased over the years, which means the noise as well. Add to this summer motorcycles and loud cars and trucks, quite a bit of noise pollution.

Your attention to this issue is much appreciated.

Sincerely,

Pamela Levesque

Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting. Yes

Submitted on Fri, 06/30/2023 - 14:12

Full Name

William St Laurent

Email

billstl60@aol.com

Subject

New idea for a Sports Arena

Address

253 Colonial Dr

Message

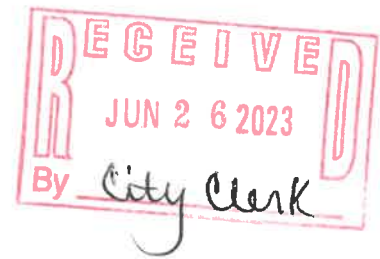
Please, Please, Please, stop getting involved with these public-private city building deals. are you all gluttonies for creating more financial taxpayor pain. We have just been down that road twice, Remember the McIntyre debacle and the newest city parking garage. Both times we got into a lawsuit and one we lost the deal with the government and paid over \$2,100,000 to our private PARTENER, out of taxpayers pocket, with nothing to show for it, and we lost parking spaces from the lawsuit on the parking garage. There have been deals like these in the past because the private partner knows they have nothing to loose because they can sue the city and walk away with hardly a fight if there are any problems. If the project is so profitable let the private party bare the total cost and pay the city rent on the use of the land.

We taxpayers just got a huge increase in our property taxes, which don't understand after the huge amount of residential and buisness construction that is going on, which to me should have increased the assessment money coming in for these should have brought in millions to take in for the new very high assessment values being built.

I am sorry as I got off tract, PLEASE, no more private-public construction deals, because we taxpayers always take the big hit if and when it fails.

Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting. Yes

Seth Berg
Student, Portsmouth High School
Portsmouth City Council
5/15/2023



EPA Regulations of PFAS Chemicals

Dear Portsmouth City Council,

I am writing to you, the Portsmouth City Council, about a serious issue. PFAS Chemicals are a group of about 9,000 chemicals in use all around us. Scientists have identified 4 of these chemicals – PFOS, PFOA, PFHxS, and PFNA – that the CDC has found in the blood serum (the clear portion of blood) of almost every human tested. PFAS chemicals are in use all around us, in water, nonstick pots, PVC pipes, and so much more, but so are the problems they cause. The long term effects of PFAS chemical usage are just becoming known. Numerous studies such as those by the Division of Cancer Epidemiology and Genetics have shown correlations between exposure to PFAS chemicals and numerous types of cancer. We all want our children and our family to be safe, but by allowing PFAS chemicals to be in high concentration in Portsmouth we are putting everyone at risk.

The Portsmouth City Council needs to set a precedent for the rest of NH by adopting and supporting the new regulations on PFAS chemicals set by the Environmental Protection Agency. The new EPA limits would cap both PFOS and PFOA (two PFAS chemicals) at 4 parts per trillion and the limit of PFHxS and PFNA chemicals would be combined together in a formula. Adopting the new regulations proposed will not only physically help keep Portsmouth safe, but it will also set a precedent for the rest of NH and other states.

Studies by numerous organizations including the Division of Cancer Epidemiology and Genetics, the National Institute of Environmental Health Sciences, and the Centers for Disease Control have studied the effects on health that long term exposure to PFAS chemicals can cause. From the Division of Cancer Epidemiology and Genetics: “Higher kidney cancer incidence and mortality have been observed among individuals with high PFOA exposures from employment in a PFAS-producing chemical plant or residence in the surrounding community with contaminated drinking water”. That is how serious these chemicals are; people are at risk of developing cancer just because they live near where these chemicals are used. The same institute has found that “Evidence from occupational and community-based studies suggests that elevated levels of PFOA and other perfluorinated chemicals may be associated with increased risk of prostate cancer incidence and mortality”. The research from the DGEC is only compounded by the research from the National Institute of Environmental Health Sciences (NIEHS). Research by the NIEHS “reveals possible links between human exposures to PFAS and adverse health outcomes. These health effects include “altered metabolism, fertility, reduced fetal growth and increased risk of being overweight or obese, increased risk of some cancers, and reduced ability of the immune system to fight infections” (NIEHS). Clearly, the research we do have shows that exposure to PFAS chemicals is not safe. With these chemicals so ingrained in household items and water supplies exposure is inevitable. We need to act now to start limiting exposure to these dangerous chemicals.

While the case can be made that NH is already one of the best states for PFAS regulation, it is not enough. We need to set an example for the rest of the state and other states by adopting the new EPA regulations now. By doing so, Portsmouth will set a precedent for others. Additionally, a concern about the new regulations is that it would put a financial burden on small

towns and communities. While there is the possibility of this, reducing PFAS chemicals in Portsmouth is an investment. It is an investment in our health, our children's health, and their children's health. We need to limit these chemicals sooner rather than later because it will take time – we cannot simply flip a switch once it becomes too late.

Once again, I am asking that the Portsmouth City Council adopts the EPA's new regulations of PFAS chemicals. The new EPA limits would cap both PFOS and PFOA (two PFAS chemicals) at 4 parts per trillion and the limit of PFHxS and PFNA chemicals would be combined together in a formula. The PFAS chemicals in use in nonstick pots, pipes, firefighting foam, and so much more pose a risk to the Portsmouth community. PFAS chemicals are also found in Portsmouth drinking water. Numerous studies by many research institutes such as the Division of Cancer Epidemiology and Genetics and the CDC have found correlations between long term exposure to PFAS chemicals and many health risks such as cancer. We need to act now to invest in the future of Portsmouth.

Sincerely,

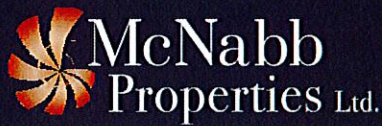
A handwritten signature in black ink that reads "Seth Berg". The signature is written in a cursive style with a large, looped "S" and "B".

Seth Berg

Student, Portsmouth High School

Sources

- “Per- and Polyfluorinated Substances (PFAS) Factsheet | National Biomonitoring Program | CDC.” *Centers for Disease Control and Prevention*,
https://www.cdc.gov/biomonitoring/PFAS_FactSheet.html. Accessed 18 May 2023.
- “Per- and Polyfluoroalkyl Substances (PFAS).” *National Toxicology Program*, 14 February 2023,
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- “Per- and Polyfluoroalkyl Substances (PFAS) | US EPA.” *Environmental Protection Agency*,
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- “Perfluoroalkyl and Polyfluoroalkyl Substances (PFAS).” *National Institute of Environmental Health Sciences*, <https://www.niehs.nih.gov/health/topics/agents/pfc/index.cfm>. Accessed 18 May 2023.
- “PFAS Exposure and Risk of Cancer - NCI.” *DCEG*,
<https://dceg.cancer.gov/research/what-we-study/pfas>. Accessed 18 May 2023.
- “Portsmouth Water System PFAS Updates | City of Portsmouth.” *City of PORTSMOUTH NH*,
<https://www.cityofportsmouth.com/publicworks/water/portsmouth-water-system-pfas-updates>. Accessed 16 May 2023.



Construction | Development | Management

July 4, 2023

Karen Conard, City Manager
City of Portsmouth
1 Junkins Avenue
Portsmouth, NH. 03801

RE: Improvements Plan for High Street, Ladd Street & Haven Court

Dear Ms. Conard,

As a continuation of the meeting hosted by you and your senior staff on June 7th, enclosed please find our information package for presentation to the City Council on July 10, 2023.

Included in this package you will find the design concepts from Arcove Architects, Haley Ward Engineers, and Terra Firma Landscape Architects, as well as an overall narrative on how we see our gift to the City of Portsmouth taking shape. We not only point out some of the good, the bad and the ugly of what is, but we do so with the overall intent to demonstrate the breadth and commitment of our investment for the overall well-being of the City of Portsmouth.

In this particular design, we see improved connectivity through the heart of downtown and outwardly to the west, **as a win for all.**

As reviewed during the June meeting, these plans are intended to engage the City Council to advance the ultimate authorization as City Manager and appropriate DPW staff to execute future licensing agreements. We understand the initial meeting to be informational only, with such authorization to follow at the next scheduled meeting, thus allowing them time to fully analyze the project.

Since this has been on the table "so to speak" since January of 2022, I'd like to be clear and state it is not my intent to have this go on to any study committee, but to close the loop on whether we continue to engage full engineering or otherwise retract the conceptual gift.

Please advise if there is any additional and/or specific information required prior to the placing of this item on the July 10th agenda.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark A. McNabb".

Mark A. McNabb, President
Enclosures


3 Pleasant Street | Suite 400
Portsmouth, NH 03801

603.427.0725



Construction | Development | Management

TO: Deaglan McEachern, Mayor
JoAnna Kelly, Assistant Mayor
John Tabor, Councilor
Josh Denton, Councilor
Beth Moreau, Councilor
Andrew Bagley, Councilor
Vincent Lombardi, Councilor
Rich Blalock, Councilor
Kate Cook, Councilor

FROM: Mark A. McNabb 

RE: City Council Meeting – July 10, 2023
Improvements Plan for High Street, Ladd Street & Haven Court

DATE: July 4, 2023

Enclosed you will find a packet of information prepared by our development team to advance conversations on a concept shared with the City of Portsmouth City Manager and Senior Department Heads beginning early in 2022 to provide significant site improvements to Ladd Street, High Street and Haven Court as a “gift” to the community.

Much like the Brick Market project located at 3 Pleasant Street, 30 Penhallow Street, and 60 Penhallow Street development sites, it is my goal to improve the safety and enjoyment of Market Square and its’ surroundings solely as a legacy project to the City of Portsmouth.

As the material enclosed reflects, the improvements are not required for the continuation of our approved One Market Square redevelopment project; however, the opportunity to make such significant off-site improvements align exceptionally well at this time.

Following a meeting on June 7th with all Senior Department Staff, including the City Manager, it is my understanding we have their full support to present this project now to you.

With that representation we seek City Council approval to accept this gift to improve Ladd Street, High Street and Haven Court, at the sole cost of the developer at no cost to the City of Portsmouth and to authorize the City Manager to execute the necessary license agreements to allow these improvements.

The City property improvements are estimated into the several millions of dollars, and while the developer is prepared to make this investment, it is also our intent to seek City Council approval to waive the license fees for the work being done in the public way.

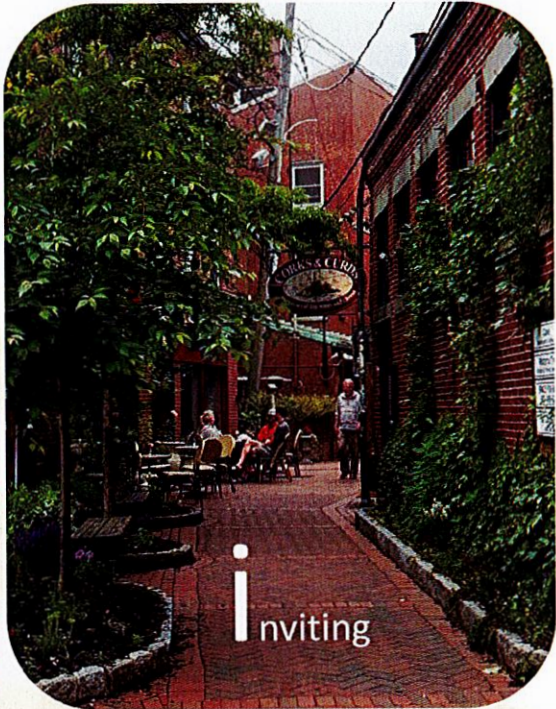
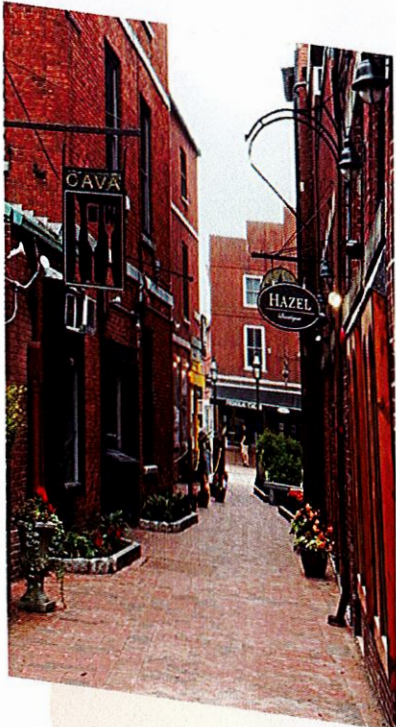
Thank you for your consideration.

3 Pleasant Street | Suite 400
Portsmouth, NH 03801

603.427.0725

We invite you to see what we see ...

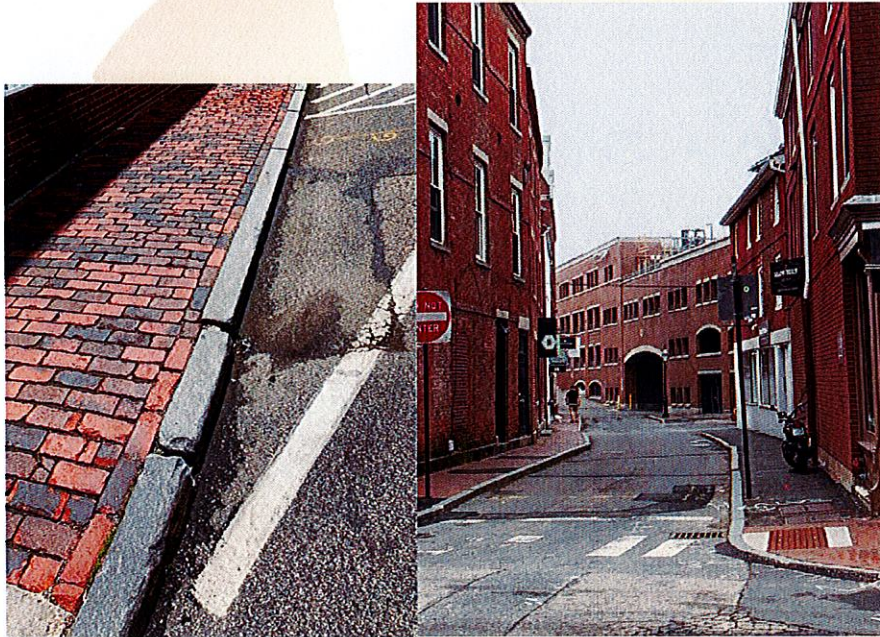
Engagement of the meandering walkway from the Thomas J. McIntyre building through Commercial Alley brings pedestrians through a mini-European like path to Market Street...



And then ...

Crossing over Market Street (*one of our most prominent streets*) pedestrians divert left or right to avoid what comes ahead – the opening to Ladd Street – where a most un-inviting DO NOT ENTER sign meets you square in the eye and on to an otherwise dark alley; its sidewalks narrow and unnavigable with uneven curb heights, mixed materials of asphalt, brick and rubble, entries to establishments at varying heights ...

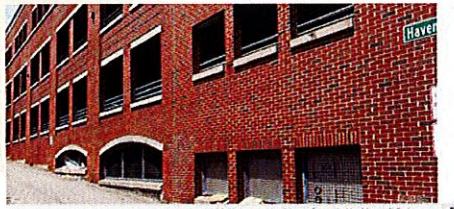
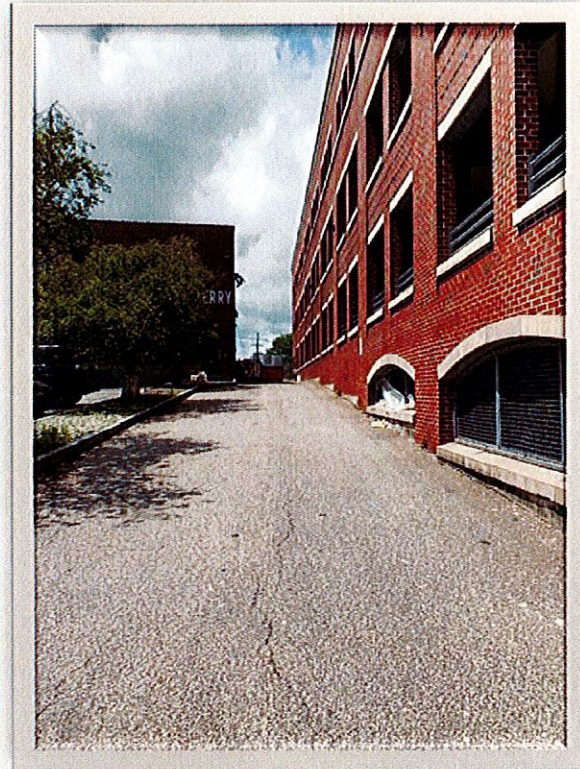
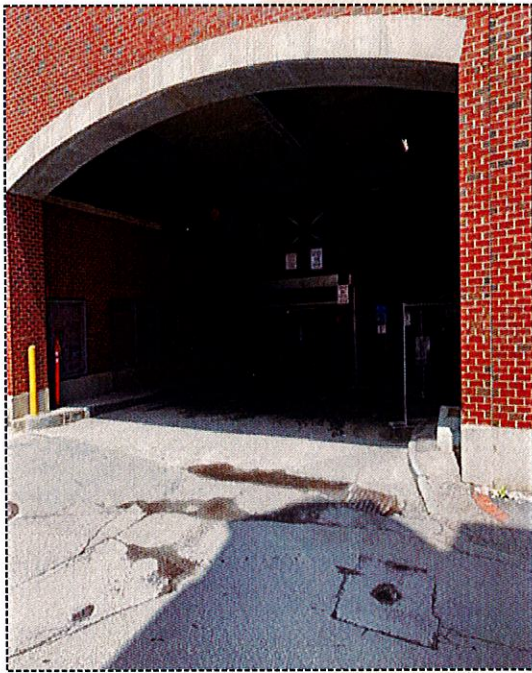
NOT “so” inviting

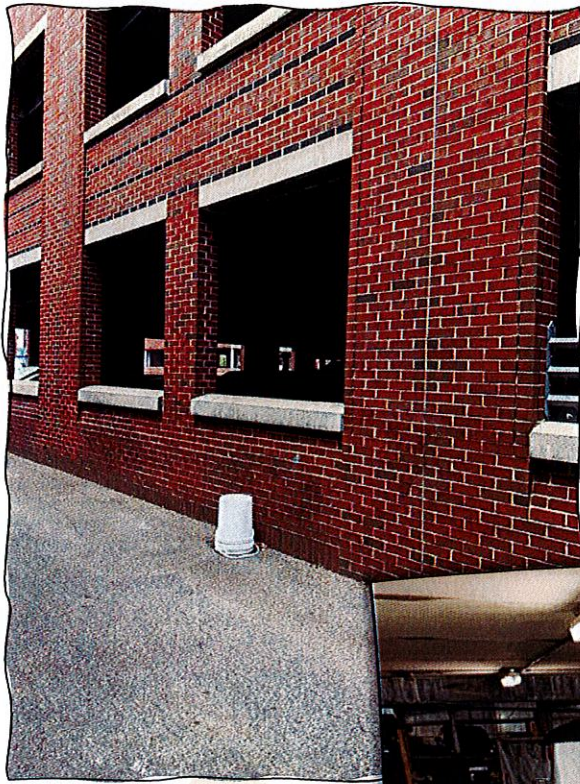


As you continue toward this parking garage opening - do you know of any other Municipal Parking Garage that has three (3) points of entry? ...or one that requires navigating through the *magestic Market Square* ... via three (3) different one-way streets ??

Or ...have you ever stopped to watch how most cars circle through - **not to enter the garage** – but instead to try to snag a parking space on High or Market Street?

Next ... welcome to Haven Court – NOT at all . . . inviting!





Did you ever consider ... rather than a drywall bucket on either side of this window – an actual door opening with a granite step into and out of the parking garage, as just another way to engage and bring life to this path?

How about this...

... a “safe” place to house “STUFF”
... *wouldn't* and **couldn't** this be better utilized to combine unsightly



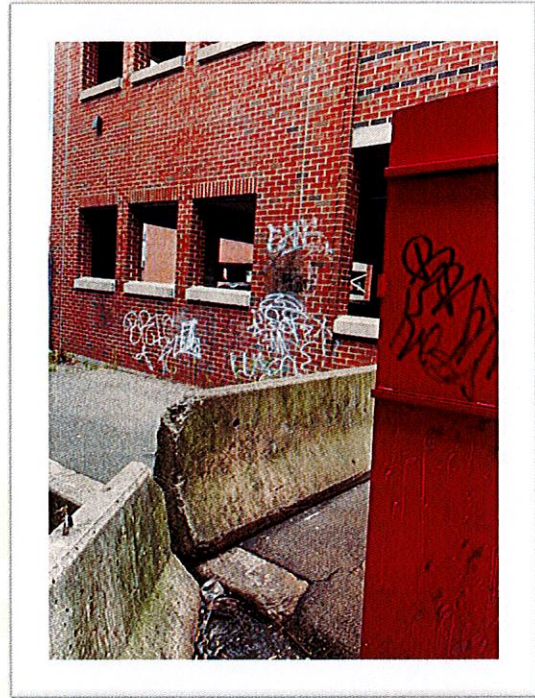
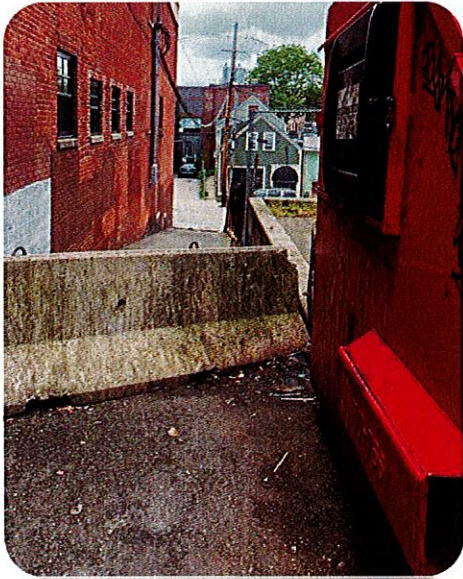
trash for surrounding businesses??

We certainly think so ...

Now, ... what would you rather ... ?

Barricades that close off the flow ...

a dark, dirty & unsafe Place ... or what could be ?



Just ***imagine*** this in the dark of night when the graffiti artist is using the wall as their canvas ...

What else do you think goes on in this darkened "night" scene?

What if, and instead ... There was ...



CONNECTION

Still *"imagining"* ...

Can't you *see* it ???

The other side!

Now we could connect

Our City

Safe. Walkable. Inviting.

Vaughan Mall

Worth Lot

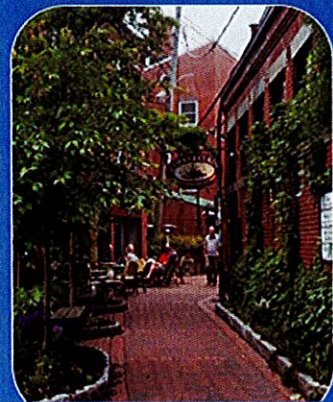
Maplewood Avenue

Islington Street

Foundry Garage

And all starting ... at the

T.J. McIntyre Building



So ... What do we see as a gift?

We see the continuation of Commercial Alley and beautification of Ladd Street.

We see brick walkways with inset granite curbs.

We see Haven Court continuing up and over on to Fleet Street.

We see High Street with safer sidewalks.

We see benches for people to sit.

We see color in flowerpots.

We see catenary lights from building to building.

We see engagement and life.

We see traffic calming.

We see more retail activity.

We see consolidating trash for the surrounding businesses.

We see improved drainage throughout High and Ladd Streets.

We see bicycle racks.

We see safety.

We see reality in providing this gift.

We see opportunity for our community.

Now, WE invite YOU to see.

IMPROVEMENT PLANS

HIGH STREET, LADD STREET & HAVEN COURT

PORTSMOUTH, NEW HAMPSHIRE

CITY COUNCIL APPROVAL SET

PROJECT PROPONENT:

ONE MARKET SQUARE LLC
 3 PLEASANT STREET
 SUITE #400
 PORTSMOUTH, NH 03801
 TEL. (603) 427-0725

LANDSCAPE ARCHITECT:

TERRA FIRMA LANDSCAPE
 ARCHITECTURE
 163A COURT STREET
 PORTSMOUTH, NH 03801
 TEL. (603) 430-8388

**LAND SURVEYOR & CIVIL
 ENGINEER:**

AMBIT ENGINEERING, INC.
 200 GRIFFIN ROAD, UNIT 3
 PORTSMOUTH, N.H. 03801
 Tel. (603) 430-9282
 Fax (603) 436-2315

GEOTECHNICAL:

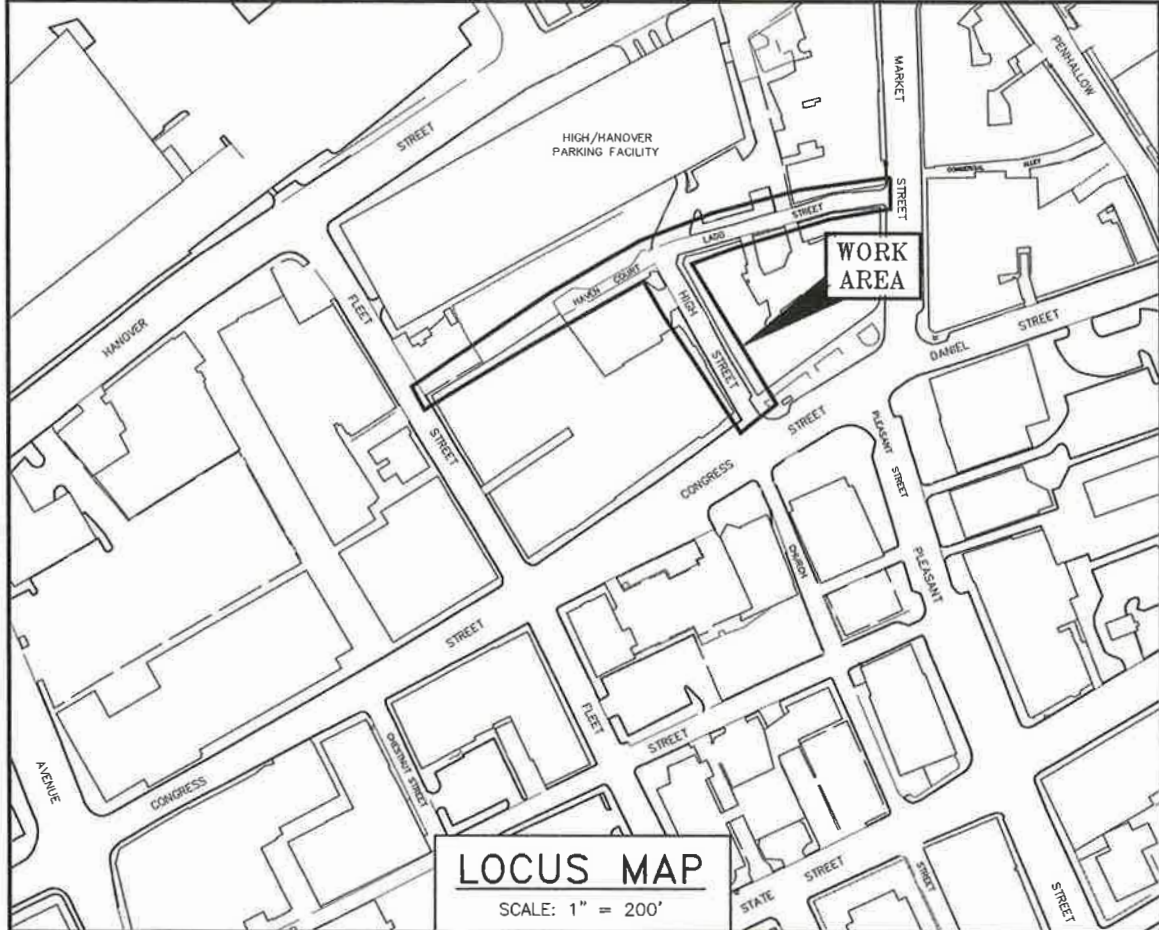
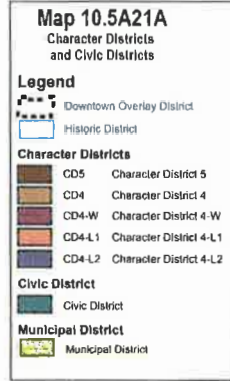
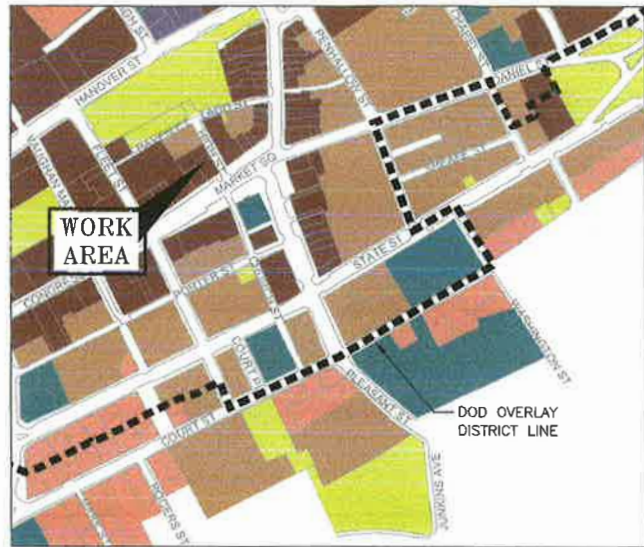
GEOTECHNICAL SERVICES INC.
 18 COTE AVENUE, UNIT 11
 GOFFSTOWN, N.H. 03045
 Tel. (603) 624-2722

ARCHITECT:

ARCOVE LLC
 3 CONGRESS STREET
 SUITE 1
 PORTSMOUTH, NH 03801
 TEL. (603) 731-5187

LAND USE ATTORNEY:

BRUTON & BERUBE, PLLC
 601 CENTRAL AVENUE
 DOVER, N.H. 03820
 Tel. (603) 749-4529



LEGEND:

EXISTING	PROPOSED	
---	---	PROPERTY LINE
---	---	SETBACK
S	S	SEWER PIPE
SL	SL	SEWER LATERAL
G	G	GAS LINE
D	D	STORM DRAIN
W	W	WATER LINE
WS	WS	WATER SERVICE
UGE	UGE	UNDERGROUND ELECTRIC
OHW	OHW	OVERHEAD ELECTRIC/WIRES
---	---	FOUNDATION DRAIN
---	---	EDGE OF PAVEMENT (EP)
100	100	CONTOUR
97x3	96x0	SPOT ELEVATION
○	○	UTILITY POLE
⊙	⊙	WALL MOUNTED EXTERIOR LIGHTS
⊙	⊙	TRANSFORMER ON CONCRETE PAD
⊙	⊙	ELECTRIC HANDHOLD
⊙	⊙	SHUT OFFS (WATER/GAS)
⊙	⊙	GATE VALVE
⊙	⊙	HYDRANT
⊙	⊙	CATCH BASIN
⊙	⊙	SEWER MANHOLE
⊙	⊙	DRAIN MANHOLE
⊙	⊙	TELEPHONE MANHOLE
⊙	⊙	PARKING SPACE COUNT
⊙	⊙	PARKING METER
LSA	LSA	LANDSCAPED AREA
TBD	TBD	TO BE DETERMINED
CI	CI	CAST IRON PIPE
COP	COP	COPPER PIPE
DI	DI	DUCTILE IRON PIPE
PVC	PVC	POLYVINYL CHLORIDE PIPE
RCP	RCP	REINFORCED CONCRETE PIPE
AC	AC	ASBESTOS CEMENT PIPE
VC	VC	VITRIFIED CLAY PIPE
EP	EP	EDGE OF PAVEMENT
EL	EL	ELEVATION
FF	FF	FINISHED FLOOR
INV	INV	INVERT
S =	S =	SLOPE FT/FT
TBM	TBM	TEMPORARY BENCH MARK
TYP	TYP	TYPICAL



INDEX OF SHEETS

- EXISTING CONDITIONS / WORK AREA
- PEDESTRIAN CONNECTIONS
- LANDSCAPE PLAN-HAVEN COURT
- LANDSCAPE PLAN-HIGH STREET
- LANDSCAPE PLAN-LADD STREET
- LANDSCAPE PLAN-PLANTING
- LANDSCAPE DETAILS
- LANDSCAPE PERSPECTIVES
- PROPOSED UTILITIES-WORK AREA

UTILITY CONTACTS

- ELECTRIC:**
 EVERSOURCE
 1700 LAFAYETTE ROAD
 PORTSMOUTH, N.H. 03801
 Tel. (603) 436-7708, Ext. 555.5678
 ATTN: MICHAEL BUSBY, P.E. (MANAGER)
- NATURAL GAS:**
 UNITIL
 325 WEST ROAD
 PORTSMOUTH, N.H. 03801
 Tel. (603) 294-5144
 ATTN: DAVE BEAULIEU
- CABLE:**
 COMCAST
 155 COMMERCE WAY
 PORTSMOUTH, N.H. 03801
 Tel. (603) 679-5695 (X1037)
 ATTN: MIKE COLLINS
- SEWER & WATER:**
 PORTSMOUTH DEPARTMENT OF PUBLIC WORKS
 680 PEVERLY HILL ROAD
 PORTSMOUTH, N.H. 03801
 Tel. (603) 427-1530
 ATTN: JIM TOW
- COMMUNICATIONS:**
 FAIRPOINT COMMUNICATIONS
 JOE CONSIDINE
 1575 GREENLAND ROAD
 GREENLAND, N.H. 03840
 Tel. (603) 427-5525

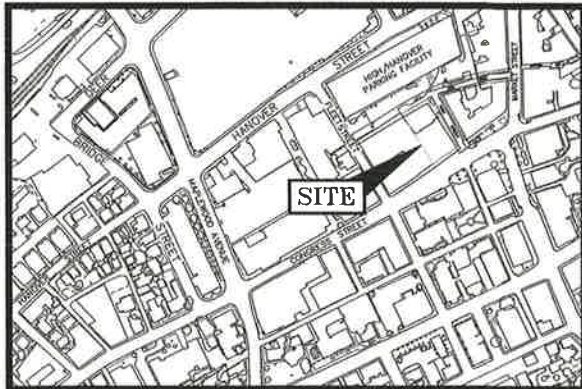
CITY COUNCIL APPROVAL PLAN SET
IMPROVEMENT PLANS
HIGH STREET, LADD STREET & HAVEN COURT
PORTSMOUTH, N.H.



200 Griffin Road, Unit 3
 Portsmouth, NH 03801
 603.430.9282

WWW.HALEYWARD.COM

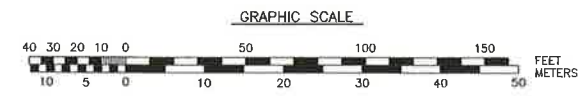
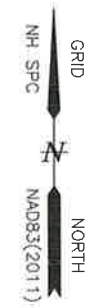
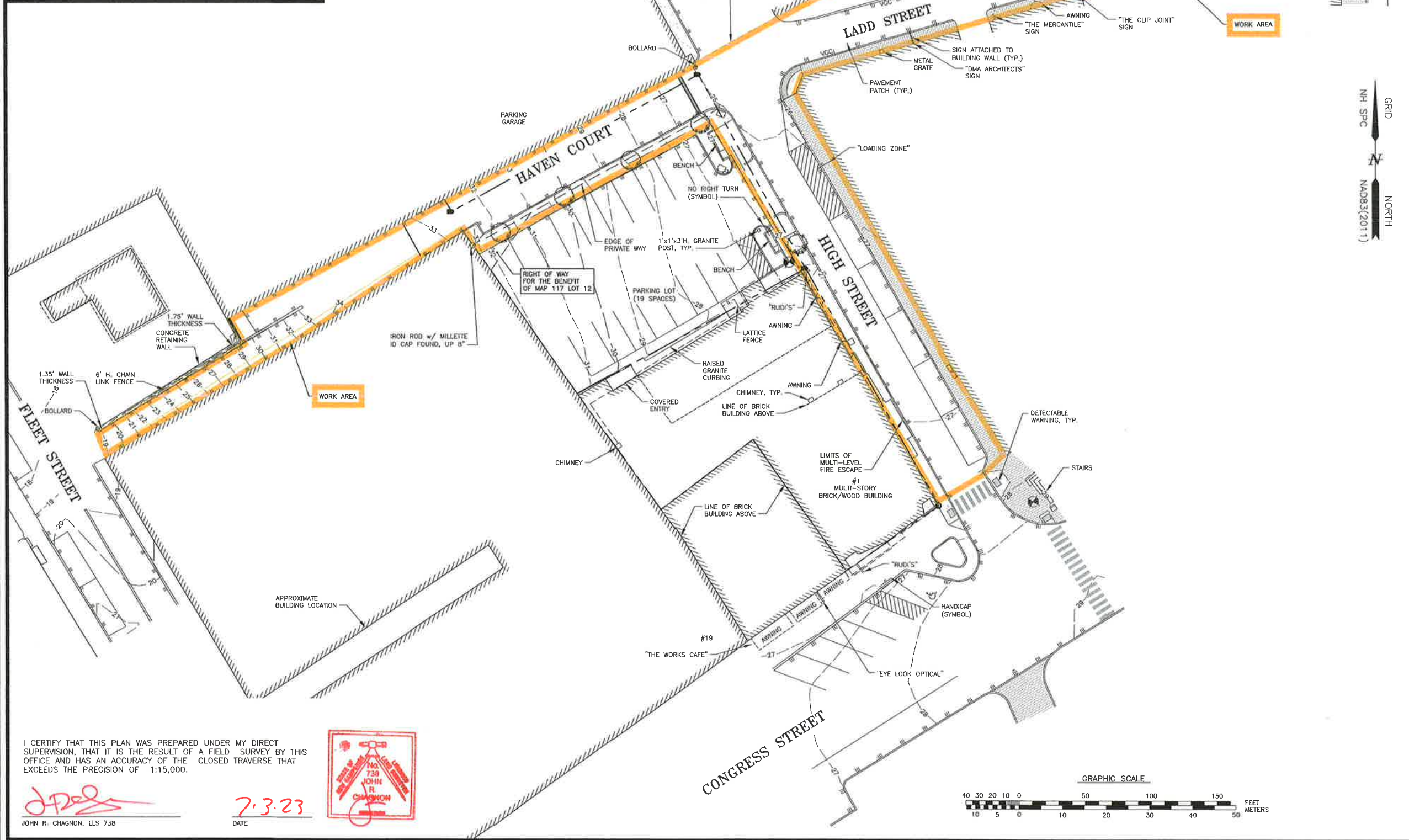
PLAN SET SUBMITTAL DATE: 3 JULY 2023



PLAN REFERENCE:
 STANDARD BOUNDARY SURVEY, TAX MAP 117, LOTS 14 & 15, FOR PETER H. JARVIS & SONS, LLC, 1 CONGRESS STREET & HIGH STREET, CITY OF PORTSMOUTH, COUNTY OF ROCKINGHAM, STATE OF NEW HAMPSHIRE, PREPARED BY AMBIT ENGINEERING, INC. DATED NOVEMBER 2021, ISSUED FOR RECORDING 12/8/21, R.C.R.D. PLAN D-43095.

- NOTES:**
- 1) 1 CONGRESS DEVELOPMENT PARCEL IS SHOWN ON THE CITY OF PORTSMOUTH ASSESSORS MAP 117 AS LOT 14.
 - 2) OWNER OF RECORD (MAP 117 LOT 14):
 ONE MARKET SQUARE, LLC
 3 PLEASANT STREET, SUITE 400
 PORTSMOUTH, NH 03801
 6363/31 PARCEL 1 & PARCEL 2
 - 3) THE PURPOSE OF THIS PLAN IS TO SHOW THE AREA OF WORK ASSOCIATED WITH THE IMPROVEMENT PLANS.

LOCATION MAP SCALE: 1" = 300'



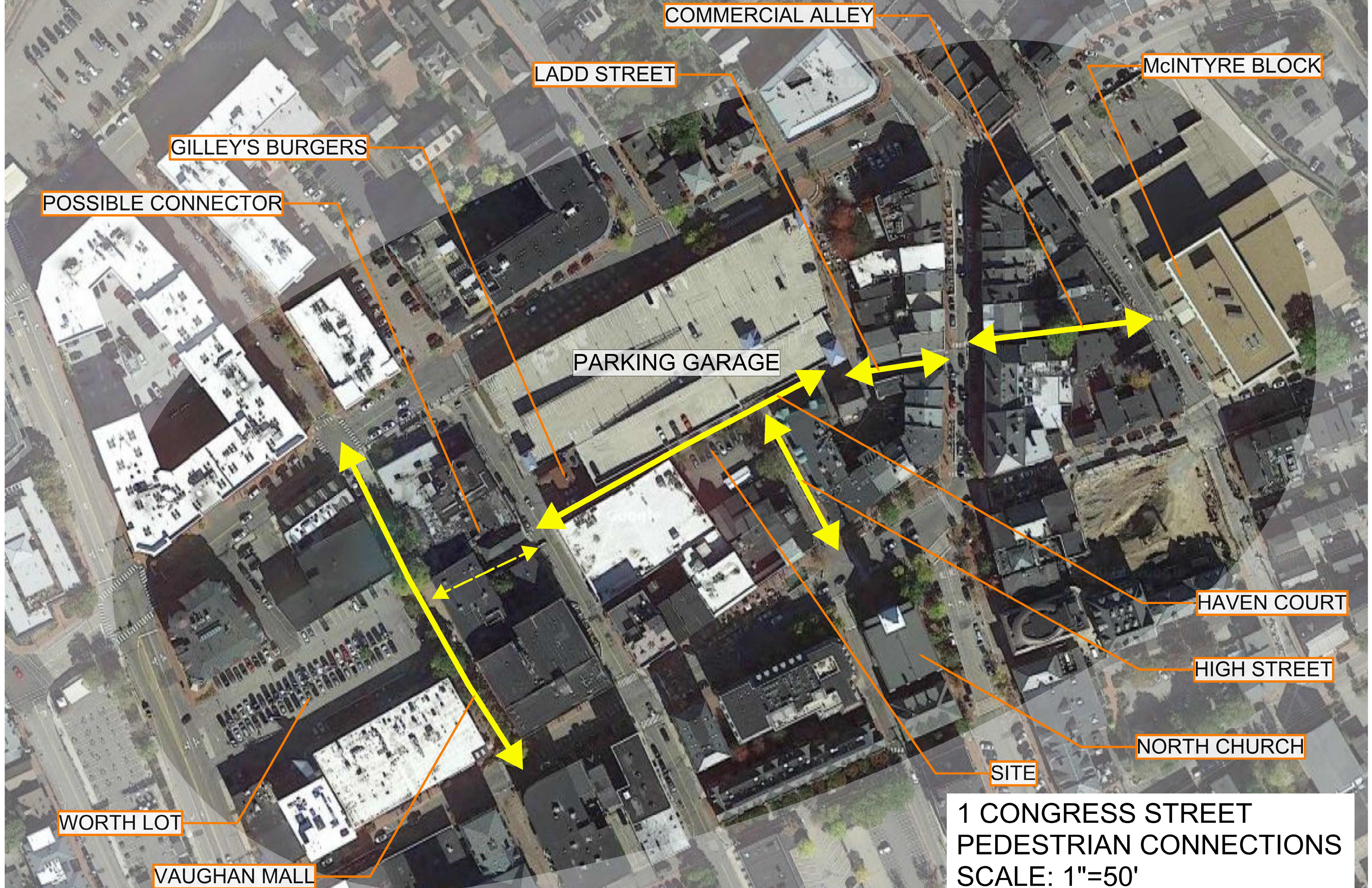
I CERTIFY THAT THIS PLAN WAS PREPARED UNDER MY DIRECT SUPERVISION, THAT IT IS THE RESULT OF A FIELD SURVEY BY THIS OFFICE AND HAS AN ACCURACY OF THE CLOSED TRAVERSE THAT EXCEEDS THE PRECISION OF 1:15,000.

J. R. Chagnon
 JOHN R. CHAGNON, LLS 738
 DATE: 7.3.23



NO.	DESCRIPTION	DATE
0	ISSUED FOR COMMENT	7/3/23
REVISIONS		

EXISTING CONDITIONS WORK AREA
 OWNER OF RECORD:
THE CITY OF PORTSMOUTH
 HIGH STREET, LADD STREET & HAVEN COURT
 CITY OF PORTSMOUTH
 COUNTY OF ROCKINGHAM
 STATE OF NEW HAMPSHIRE



COMMERCIAL ALLEY

LADD STREET

McINTYRE BLOCK

GILLEY'S BURGERS

POSSIBLE CONNECTOR

PARKING GARAGE

HAVEN COURT

HIGH STREET

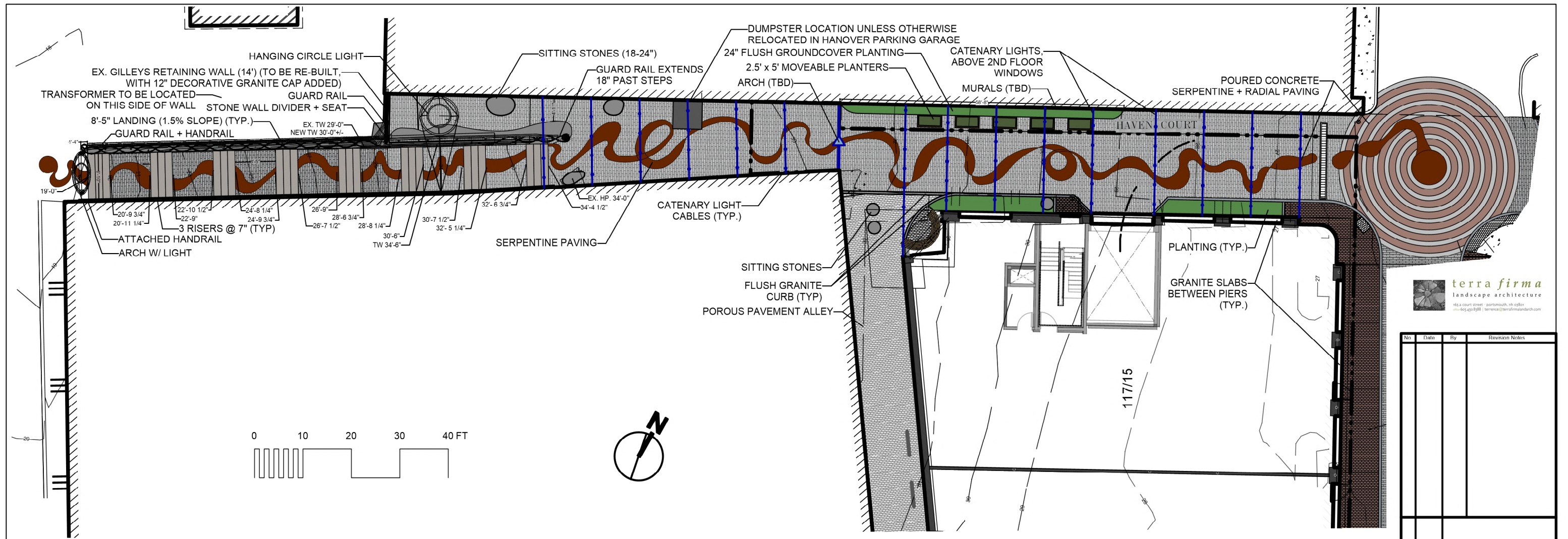
NORTH CHURCH

SITE

WORTH LOT

VAUGHAN MALL

1 CONGRESS STREET
PEDESTRIAN CONNECTIONS
SCALE: 1"=50'

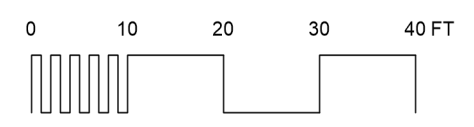
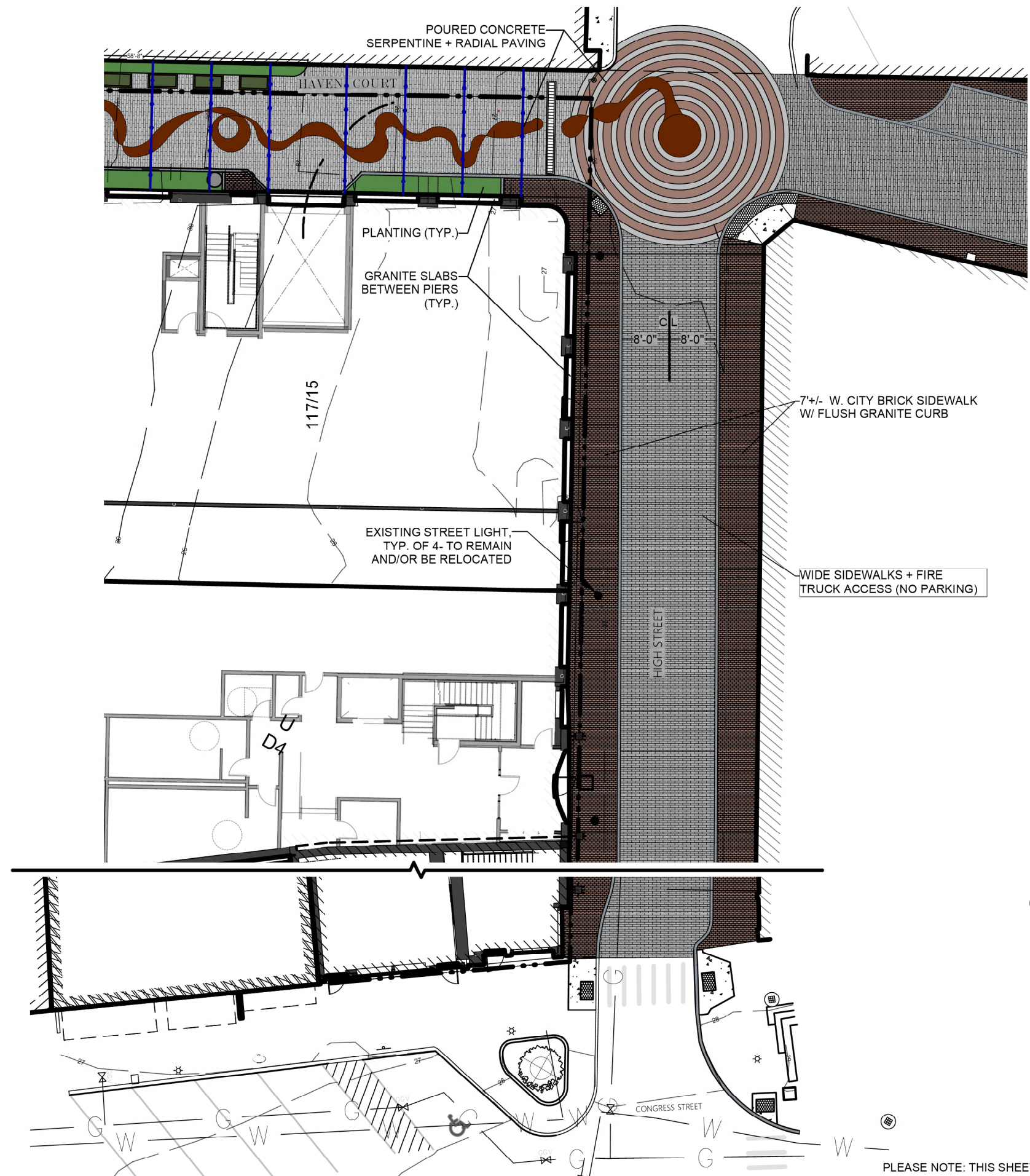


LANDSCAPE NOTES:

1. THE CONTRACTOR SHALL LOCATE AND VERIFY THE EXISTENCE OF ALL UTILITIES PRIOR TO STARTING WORK.
2. THE CONTRACTOR SHALL SUPPLY ALL PLANT MATERIALS IN QUANTITIES SUFFICIENT TO COMPLETE THE PLANTINGS SHOWN ON THE DRAWINGS.
3. ALL MATERIAL SHALL CONFORM TO THE GUIDELINES ESTABLISHED BY THE CURRENT AMERICAN STANDARD FOR NURSERY STOCK PUBLISHED BY THE AMERICAN ASSOCIATION OF NURSERYMEN.
4. ALL PLANT SUBSTITUTIONS MUST BE APPROVED BY THE LANDSCAPE ARCHITECT.
5. ALL PLANT MATERIALS SHALL BE EXACTLY AS SPECIFIED BY THE LANDSCAPE ARCHITECT. IF PLANT SPECIES CULTIVARS ARE FOUND TO VARY FROM THAT SPECIFIED AT ANY TIME DURING THE GUARANTEE PERIOD, THE LANDSCAPE ARCHITECT RESERVES THE RIGHT TO HAVE THE CONTRACTOR REPLACE THAT PLANT MATERIAL. THE LANDSCAPE ARCHITECT RESERVES THE RIGHT TO REJECT ANY PLANT DELIVERED TO THE SITE FOR AESTHETIC REASONS BEFORE PLANTING. THE LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR THE QUALITY FOR ALL THE PLANTS.
6. PLANTS SHALL BE SUBJECT TO INSPECTION AND APPROVAL AT THE PLACE OF GROWTH, UPON DELIVERY OR AT THE JOB SITE WHILE WORK IS ON-GOING TO CONFORMITY TO SPECIFIED QUALITY, SIZE AND VARIETY.
7. PLANTS FURNISHED IN CONTAINERS SHALL HAVE THE ROOTS WELL ESTABLISHED IN THE SOIL MASS AND SHALL HAVE AT LEAST ONE (1) GROWING SEASON. ROOT-BOUND PLANTS OR INADEQUATELY SIZED CONTAINERS TO SUPPORT THE PLANT MAY BE DEEMED UNACCEPTABLE.
8. NO PLANT SHALL BE PUT IN THE GROUND BEFORE GRADING HAS BEEN FINISHED AND APPROVED BY THE LANDSCAPE ARCHITECT.
9. ALL PLANTS SHALL BE INSTALLED AND DETAILED PER PROJECT SPECIFICATIONS.
10. ALL PLANTS SHALL BE WATERED THOROUGHLY TWICE DURING THE FIRST 24-HOUR PERIOD AFTER PLANTING. ALL PLANTS SHALL BE WATERED WEEKLY, OR MORE OFTEN IF NECESSARY, DURING THE FIRST GROWING SEASON.
11. ALL PLANTS SHALL BE GUARANTEED BY THE CONTRACTOR FOR NOT LESS THAN ONE FULL YEAR FROM THE TIME OF PROVISIONAL ACCEPTANCE. DURING THIS TIME, THE OWNER SHALL MAINTAIN ALL PLANT MATERIALS IN THE ABOVE MANNER. IT IS THE CONTRACTOR'S RESPONSIBILITY TO INSPECT THE PLANTS TO ENSURE PROPER CARE. IF THE CONTRACTOR IS DISSATISFIED WITH THE CARE GIVEN, HE SHALL IMMEDIATELY, AND IN SUFFICIENT TIME TO PERMIT THE CONDITION TO BE RECTIFIED, NOTIFY THE LANDSCAPE ARCHITECT IN WRITING OR OTHERWISE FORFEIT HIS CLAIM. LANDSCAPE CONTRACTOR SHALL PRUNE PLANTINGS OF DEAD LIMBS OR TWIGS DURING THE FIRST YEAR OF GROWTH.
12. FINAL ACCEPTANCE BY THE LANDSCAPE ARCHITECT WILL BE MADE UPON THE CONTRACTOR'S REQUEST AFTER ALL CORRECTIVE WORK HAS BEEN COMPLETED.
13. LANDSCAPE CONTRACTOR SHOULD REPLACE DEAD PLANTINGS IMMEDIATELY UPON OWNER DIRECTION WITHIN THE WARRANTY PERIOD AND AGAIN AT THE END OF THE GUARANTEE PERIOD, THE CONTRACTOR SHALL HAVE REPLACED ANY PLANT MATERIAL THAT IS MISSING, NOT TRUE TO SIZE AS SPECIFIED, THAT HAVE DIED, THAT HAVE LOST THEIR NATURAL SHAPE DUE TO DEAD BRANCHES, EXCESSIVE PRUNING OR INADEQUATE OR IMPROPER CARE, OR THAT ARE, IN THE OPINION OF THE LANDSCAPE ARCHITECT, IN UNHEALTHY OR UNSIGHTLY CONDITION.
14. ALL LANDSCAPE AREAS TO BE GRASS COMMON TO REGION EXCEPT FOR INTERIOR LANDSCAPED ISLANDS OR WHERE OTHER PLANT MATERIAL IS CALLED FOR.
15. ALL TREES AND SHRUBS TO BE PLANTED IN MULCH BEDS WITH DEFINED AND CUT EDGES TO SEPARATE TURF GRASS AREAS.
16. FOR ANY LANDSCAPE AREA SO DESIGNATED TO REMAIN, WHETHER ON OR OFF-SITE, REMOVE WEEDS, ROCKS, CONSTRUCTION ITEMS, ETC., THEN APPLY GRASS SEED OR PINE BARK MULCH AS DEPICTED ON PLANS.
17. LANDSCAPE CONTRACTOR SHALL FEED AND PRUNE EX. TREES, ON OR JUST OFF SITE, THAT HAVE EXPERIENCED ROOT BASE INTRUSION OR DAMAGE DURING CONSTRUCTION IMMEDIATELY AND FOR THE DURATION OF THE WARRANTY PERIOD AT THE DIRECTION OF THE LANDSCAPE ARCHITECT.
18. EXISTING TREES TO REMAIN SHALL BE PROTECTED WITH TEMPORARY SNOW FENCING AT THE EDGE OF THE EX. TREE CANOPY THE CONTRACTOR SHALL NOT STORE VEHICLES OR MATERIALS WITHIN THE LANDSCAPED AREAS. ANY DAMAGE TO EXISTING TREES, SHRUBS OR LAWN SHALL BE REPAIRED BY THE CONTRACTOR AT NO ADDITIONAL COST TO THE OWNER.
19. ALL MULCH AREAS SHALL RECEIVE A 2" LAYER OF SHREDDED PINE BARK MULCH.
20. ALL WORK SHALL BE DONE IN STRICT ACCORDANCE WITH PROJECT SPECIFICATIONS.

PLEASE NOTE: THIS SHEET IS SCALED FOR 11 BY 17 PAPER, DO NOT REDUCE OR ENLARGE.

No.	Date	By	Revision Notes
D	7/5/2023		CITY COUNSEL APPROVAL SET
C	2/17/2023		POROUS PAVER DETAIL
B	2/14/2023		POROUS PAVER NOTE
A	2/2/2023		NOTE ADDED: WALL MOUNTED LIGHT
No.	Date	Issue Notes	
terra firma landscape architecture 163.a Court Street Portsmouth, NH 03801			
ONE CONGRESS STREET			
LANDSCAPE PLAN - HAVEN COURT			
Project Manager	ONE CONGRESS STREET		
Drawn By	TC	Scale	1" = 20'-0"
Reviewed By	TP	Drawn No.	L-1A
Date	1/11/2023		
Sheet No.	CONGRESS62823	8	

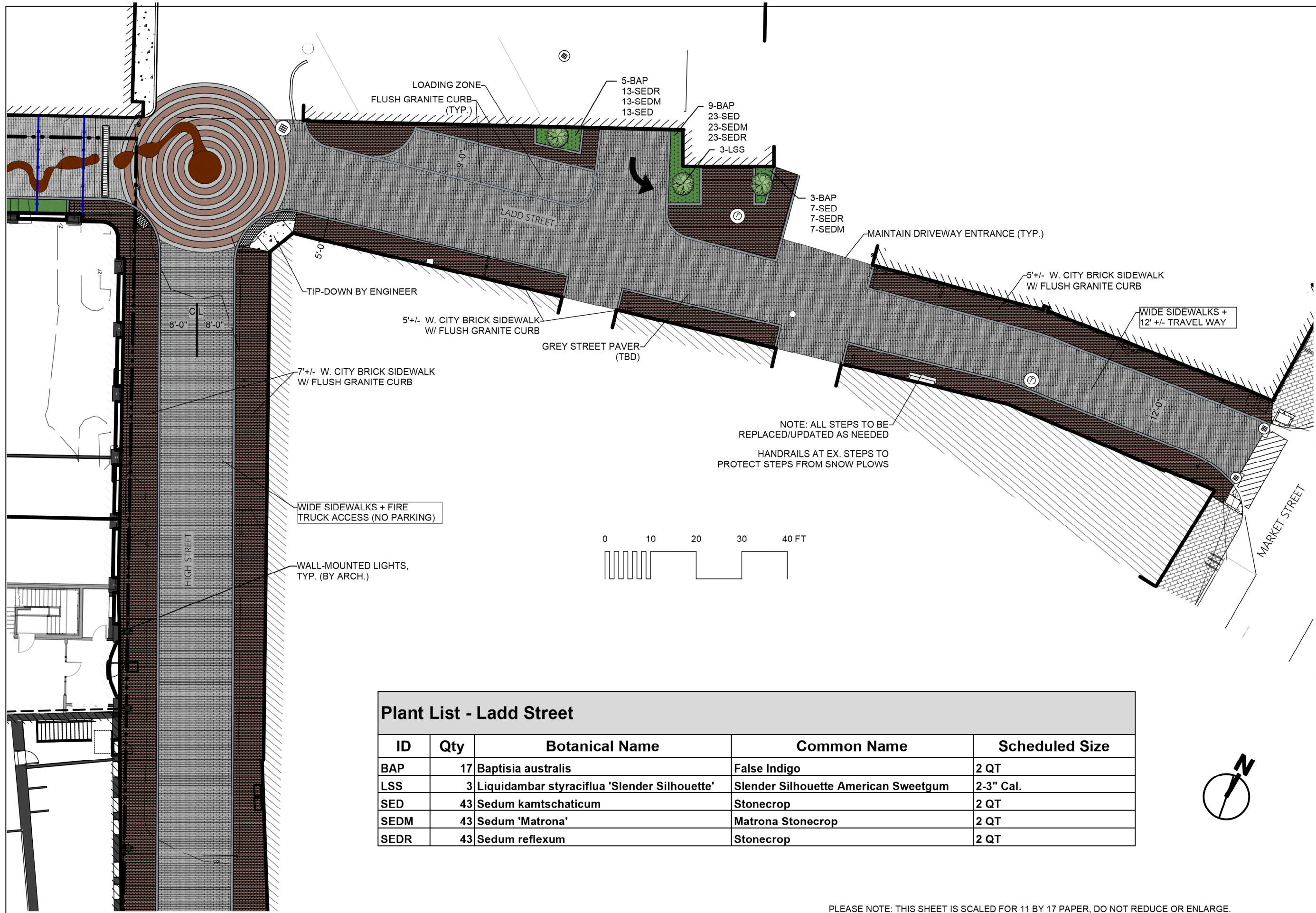


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A	2/2/2023		NOTE ADDED: WALL-MOUNTED LIGHT

No.	Date	Issue Notes

terra firma landscape architecture 163 a Court Street Portsmouth, NH 03801	
ONE CONGRESS STREET	
LANDSCAPE PLAN - HIGH STREET	
Project Manager	ONE CONGRESS STREET
Drawn By: TC	Scale: 1" = 20'-0"
Reviewed By: TP	Sheet No. L-1B
Date: 1/11/2023	8 of 8
Sheet File Name: CONGRESS62823.vw	



No.	Date	By	Revision Notes
D	7/5/2023		CITY COUNSEL APPROVAL SET
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B	2/14/2023		POROUS PAVER NOTE
A	2/2/2023		NOTE ADDED: WALL-MOUNTED LIGHT

Plant List - Ladd Street

ID	Qty	Botanical Name	Common Name	Scheduled Size
BAP	17	Baptisia australis	False Indigo	2 QT
LSS	3	Liquidambar styraciflua 'Slender Silhouette'	Slender Silhouette American Sweetgum	2-3" Cal.
SED	43	Sedum kamtschaticum	Stonecrop	2 QT
SEDM	43	Sedum 'Matrona'	Matrona Stonecrop	2 QT
SEDR	43	Sedum reflexum	Stonecrop	2 QT

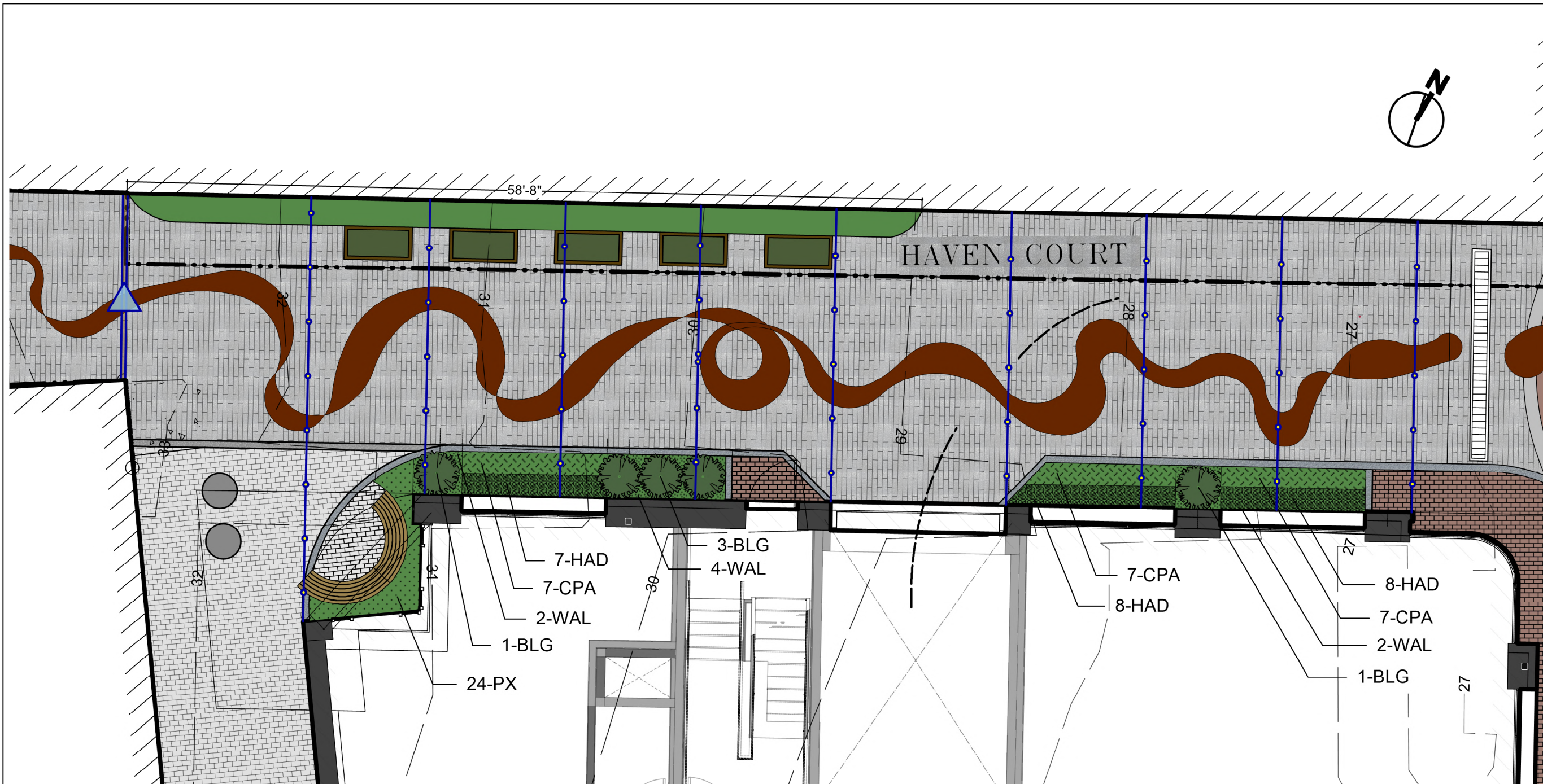
terra firma landscape architecture
163.a Court Street
Portsmouth, NH 03801

ONE CONGRESS STREET

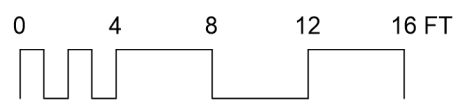
LANDSCAPE PLAN - LADD STREET

Project Manager: ONE CONGRESS STREET
 Drawn By: TC
 Reviewed By: TP
 Date: 1/11/2023
 Scale: 1" = 20'-0"
 Sheet No: L-1C
 of 8

PLEASE NOTE: THIS SHEET IS SCALED FOR 11 BY 17 PAPER, DO NOT REDUCE OR ENLARGE.



Plant List				
ID	Qty	Botanical Name	Common Name	Scheduled Size
BLG	5	Buxus m. 'Little Gem'	Little Gem Boxwood	3 Gal.
CPA	21	Carex appalachia	Appalachian Sedge	2 QT
HAD	23	Heuchera americana 'Dale'	Dale's Strain Coral Bells	2 QT
PX	24	Polystichum acrostichoides	Christmas Fern	2 QT
WAL	8	Waldsteinia ternata	Siberian Barren Strawberry	2 QT



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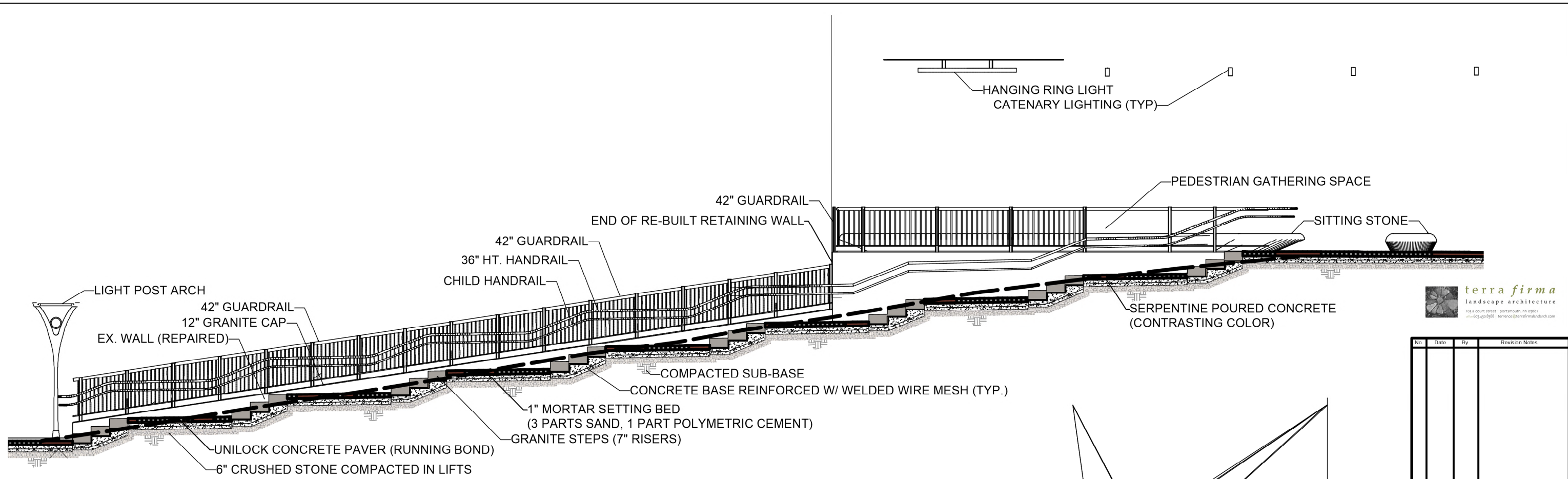
No.	Date	Issue Notes

terra firma landscape architecture
163 a Court Street
Portsmouth, NH 03801

ONE CONGRESS STREET

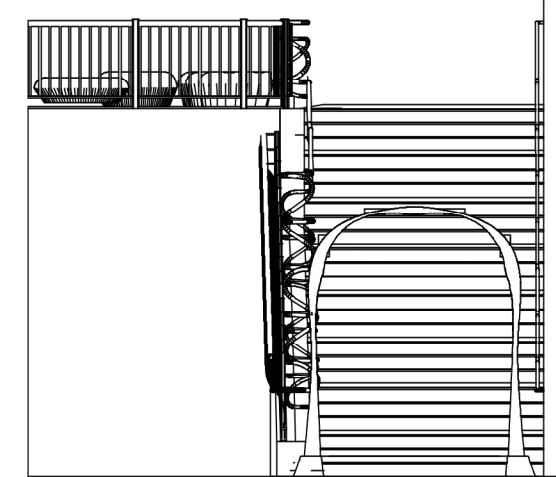
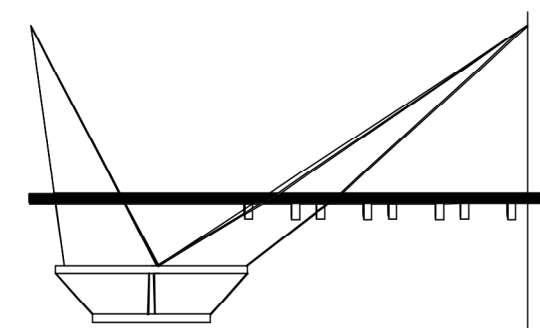
LANDSCAPE PLAN - PLANTING

Project Manager	ONE CONGRESS STREET
Drawn By	TC
Checked By	TP
Date	1/11/2023
Scale	1/8" = 1'-0"
Sheet No.	L-2
Sheet Total	8



1
L-3

HAVEN COURT STEP DETAIL
SCALE: 1/8"=1'-0"



2
L-3

HAVEN COURT ARCH DETAIL
SCALE: 1/8"=1'-0"

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terra firma landscape architecture 163 a Court Street Portsmouth, NH 03801	
ONE CONGRESS STREET	
LANDSCAPE DETAILS	
Project Manager	ONE CONGRESS STREET
Drawn By	TC
Checked By	TP
Date	1/11/2023
Sheet No.	L-3
Sheet Title	CONGRESS62823.vw



terra firma
landscape architecture
163 a court street - portsmouth, nh 03801
tel: 603.430.8988 | terrance@terrafirmalandscape.com

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163 a Court Street
Portsmouth, NH 03801

ONE CONGRESS STREET

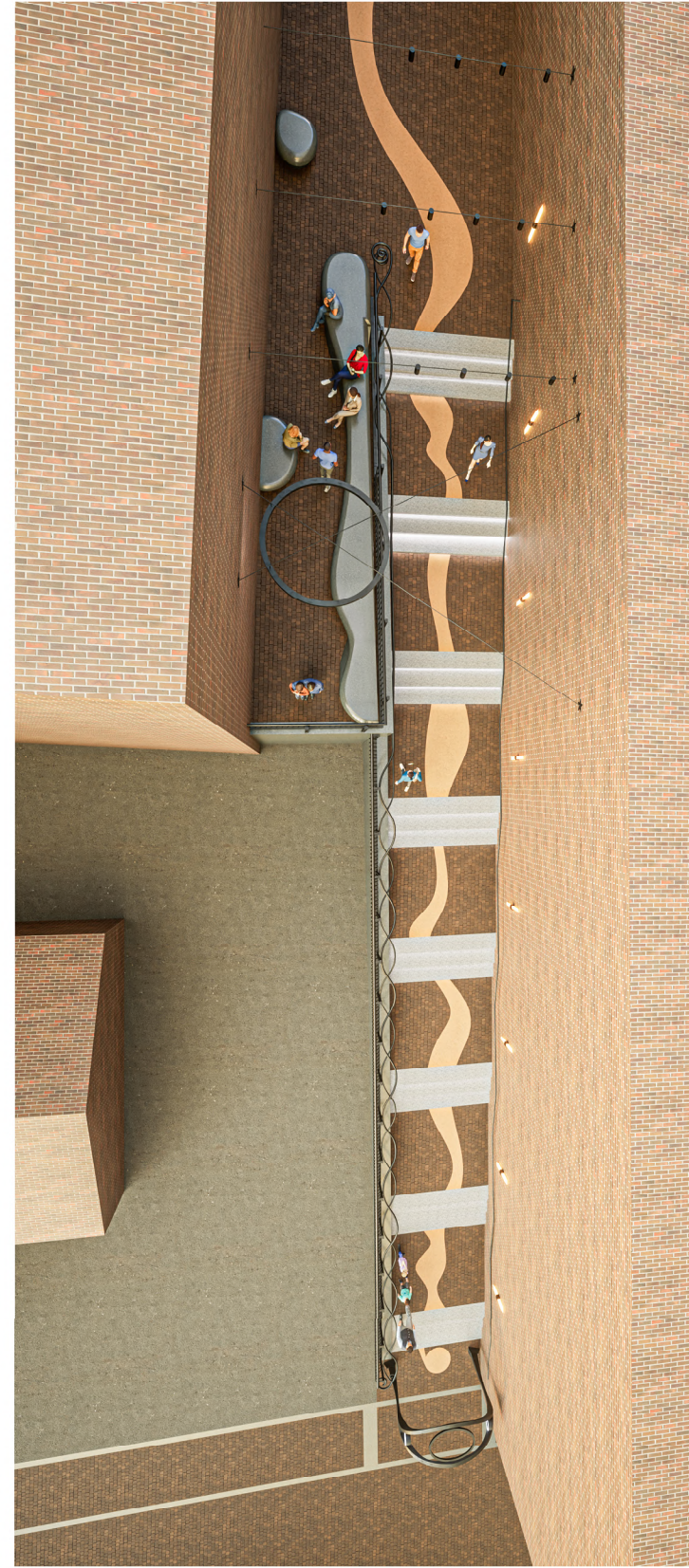
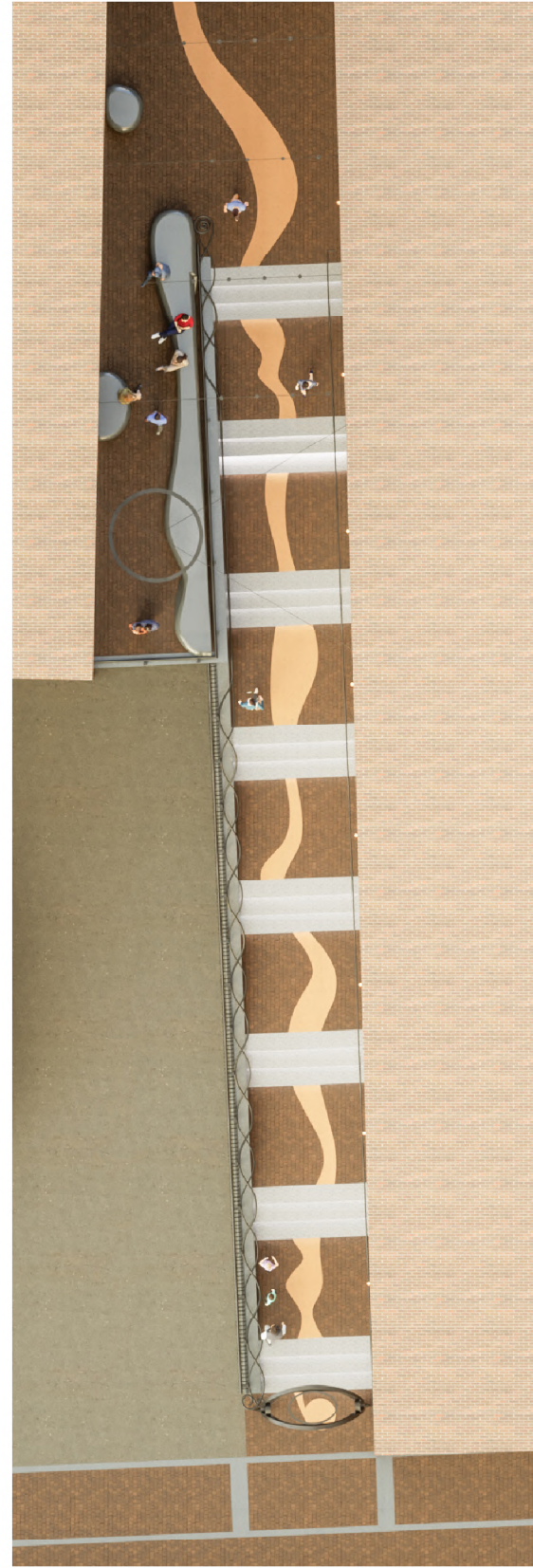
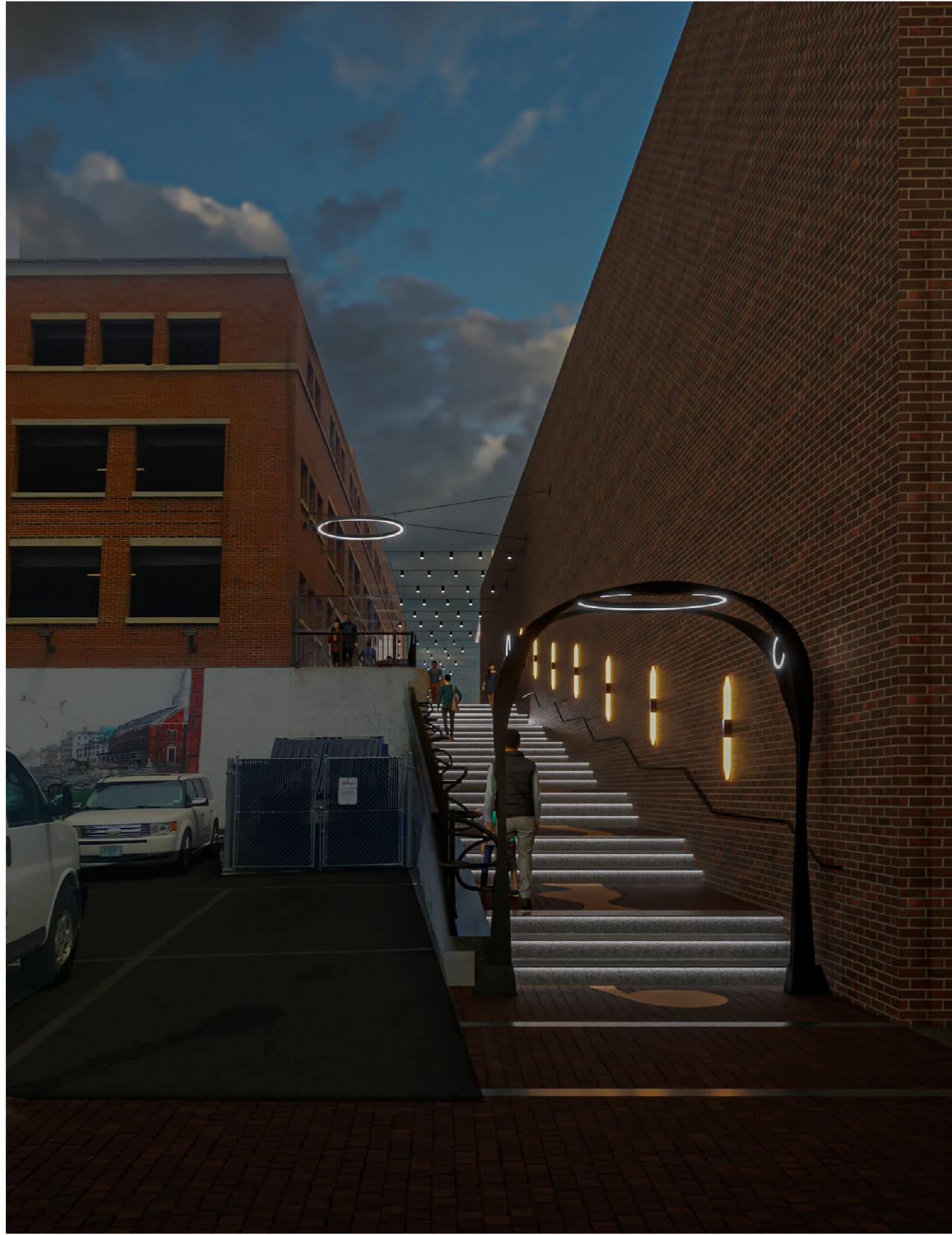
LANDSCAPE PERSPECTIVES

Project Manager	ONE CONGRESS STREET
Drawn By	AS NOTED
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Date	1/11/2023
Sheet No.	L-4
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L-4

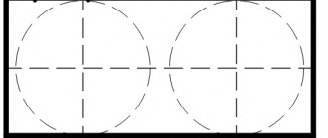
STEPS FROM FLEET STREET
SCALE: NTS

PLEASE NOTE: THIS SHEET IS SCALED FOR 11 BY 17 PAPER, DO NOT REDUCE OR ENLARGE.




terra firma
 landscape architecture
163 a court street | portsmouth, nh 03801
 phone: 603.430.8988 | terrace@terrafirmalandscape.com

No.	Date	By	Revision Notes
D	7/5/2023		CITY COUNSEL APPROVAL SET
C	2/17/2023		POROUS PAVER DETAIL
B	2/14/2023		POROUS PAVER NOTE
A	2/2/2023		NOTE ADDED: WALL-MOUNTED LIGHT

No.	Date	Issue Notes
		

terra firma landscape architecture
 163 a Court Street
 Portsmouth, NH 03801

ONE CONGRESS STREET

LANDSCAPE PERSPECTIVES

Project Manager	ONE CONGRESS STREET
Drawn By	TC
Checked By	TP
Date	1/11/2023
Sheet No.	L-5
Sheet Name	CONGRESS62823.vw
	8

1
L-5

STEPS FROM FLEET STREET
SCALE: NTS

PLEASE NOTE: THIS SHEET IS SCALED FOR 11 BY 17 PAPER, DO NOT REDUCE OR ENLARGE.



No.	Date	By	Revision Notes
D	7/5/2023		CITY COUNSEL APPROVAL SET
C	2/17/2023		POROUS PAVER DETAIL
B	2/14/2023		POROUS PAVER NOTE
A	2/2/2023		NOTE ADDED: WALL-MOUNTED LIGHT

No.	Date	Issue Notes

terra firma landscape architecture
 163 a Court Street
 Portsmouth, NH 03801

Project Name
 ONE CONGRESS STREET

Drawing Title
 LANDSCAPE PERSPECTIVES

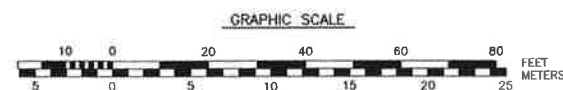
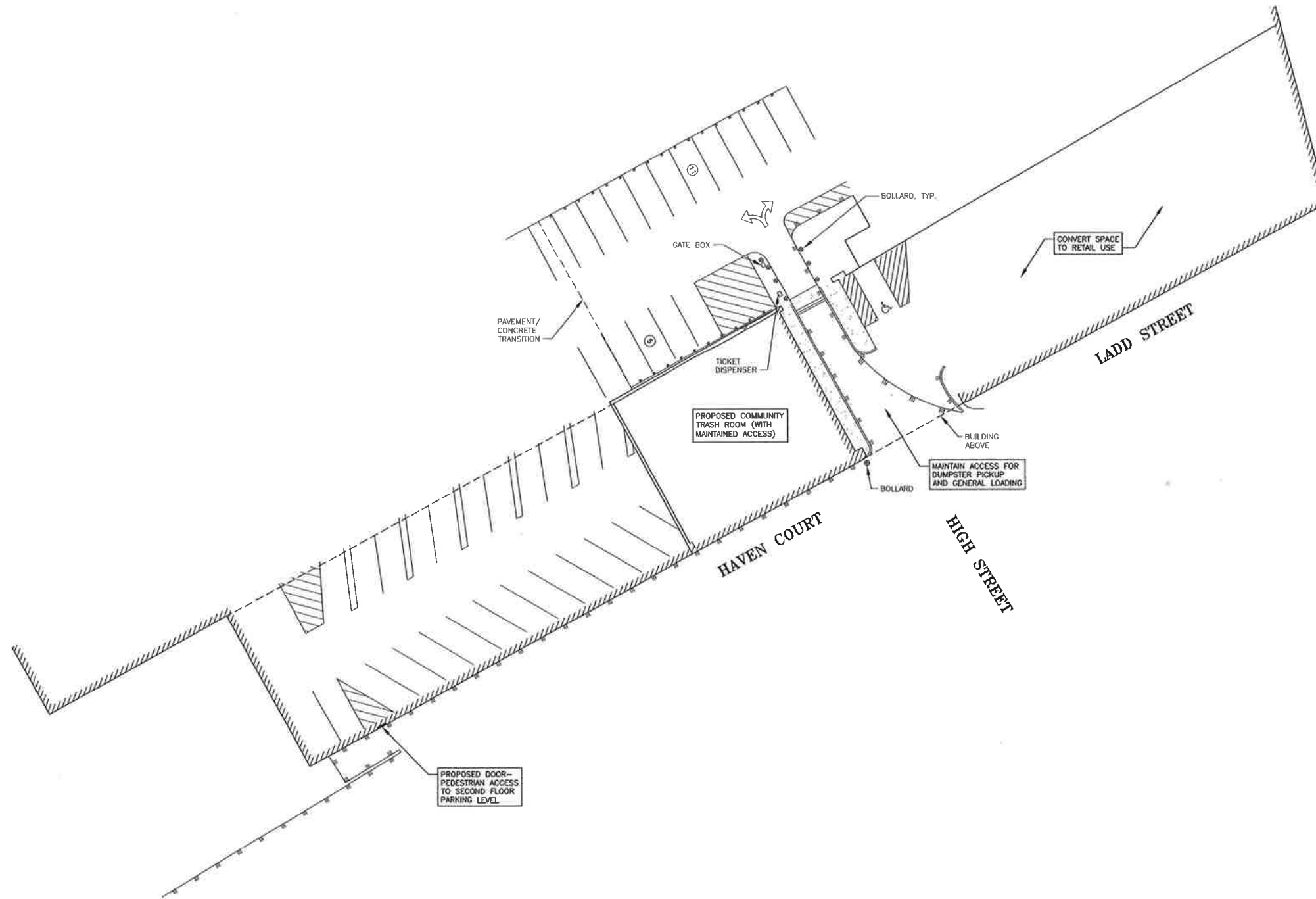
Project Manager	ONE CONGRESS STREET
Drawn By	AS NOTED
Reviewed By	TP
Date	1/11/2023
Sheet No.	L-6
Sheet Name	CONGRESS062823.vw
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1 STONE SEATING NEAR FLEET STREET STEPS
 L-6 SCALE: NTS

PLEASE NOTE: THIS SHEET IS SCALED FOR 11 BY 17 PAPER, DO NOT REDUCE OR ENLARGE.



GRID
NH SPC
NAD83(2011)
NORTH

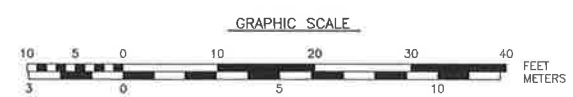
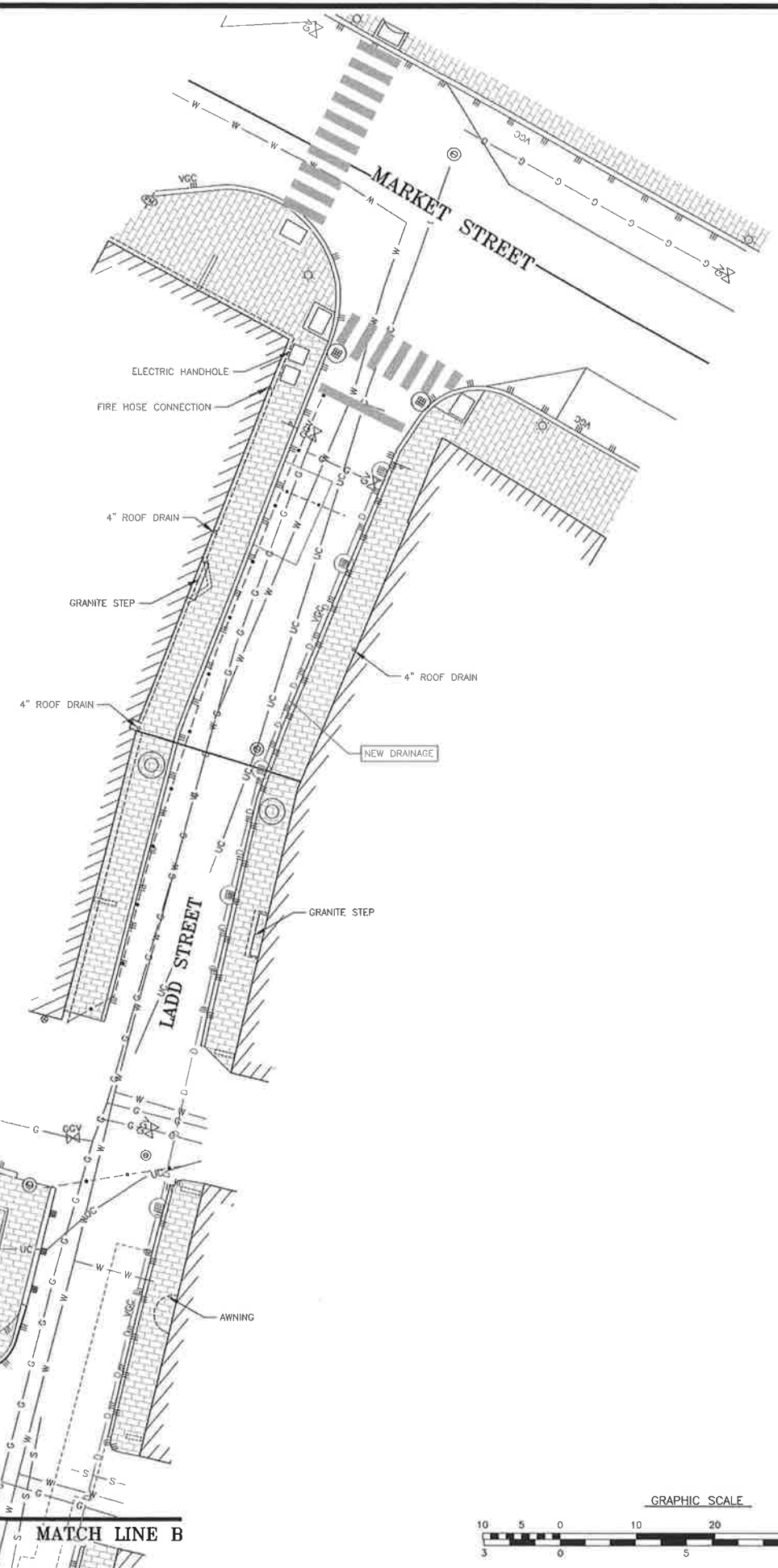
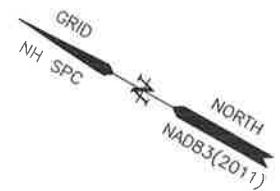


NO.	DESCRIPTION	DATE
0	ISSUED FOR COMMENT	7/3/23
REVISIONS		

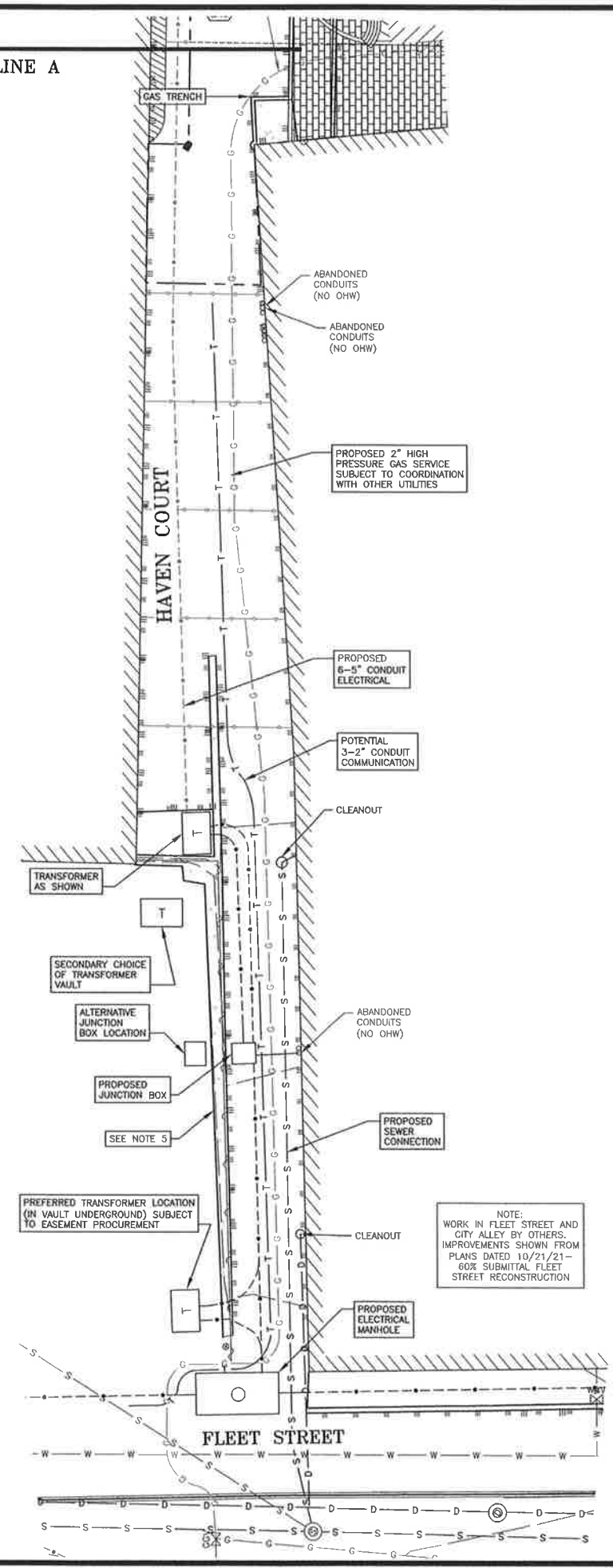
**PROPOSED CHANGES TO
HIGH HANOVER
PARKING GARAGE**
THE CITY OF PORTSMOUTH
HIGH STREET, LADD STREET &
HAVEN COURT
CITY OF PORTSMOUTH
COUNTY OF ROCKINGHAM
STATE OF NEW HAMPSHIRE

SCALE 1" = 40'

JUNE 2023



MATCH LINE A



AMBIT ENGINEERING, INC.
Civil Engineers & Land Surveyors
200 Griffin Road - Unit 3
Portsmouth, N.H. 03801-7114
Tel (603) 430-9282
Fax (603) 430-2315

- NOTES:**
- 1) CONGRESS DEVELOPMENT PARCEL IS SHOWN ON THE CITY OF PORTSMOUTH ASSESSORS MAP 117 AS LOT 14.
 - 2) OWNER OF RECORD (MAP 117 LOT 14):
ONE MARKET SQUARE, LLC
3 PLEASANT STREET, SUITE 400
PORTSMOUTH, NH 03801
6363/31 PARCEL 1 & PARCEL 2
 - 3) THE PURPOSE OF THIS PLAN IS TO SHOW CONCEPTUAL UTILITY IMPROVEMENTS ASSOCIATED WITH THE IMPROVEMENT PLANS.
 - 4) WORK IN FLEET STREET AND CITY ALLEY BY OTHERS. IMPROVEMENTS SHOWN FROM PLANS DATED 10/21/21 - 60% SUBMITTAL FLEET STREET RECONSTRUCTION.
 - 5) RETAINING WALL TO BE REBUILT IF NEEDED, COORDINATE WITH ABUTTING LANDOWNER.

LADD STREET & HAVEN COURT

NO.	DESCRIPTION	DATE
0	ISSUED FOR COMMENT	7/3/23
REVISIONS		

PROPOSED UTILITIES WORK AREA
THE CITY OF PORTSMOUTH
HIGH STREET, LADD STREET & HAVEN COURT
CITY OF PORTSMOUTH
COUNTY OF ROCKINGHAM
STATE OF NEW HAMPSHIRE



CITY OF PORTSMOUTH

City Hall, 1 Junkins Avenue
Portsmouth, New Hampshire 03801
smwoodland@cityofportsmouth.com
(603) 610-7240

Suzanne M. Woodland
Deputy City Manager / Regulatory Counsel

Memorandum

Date: July 3, 2023

To: Karen S. Conard, City Manager

From: Suzanne M. Woodland, Deputy City Manager / Regulatory Counsel
Peter Rice, Public Works Director
Trevor McCourt, Deputy City Attorney

Re: 1 Congress Street Requests

Submitted for consideration at the July 10th City Council Meeting is correspondence and related documentation from McNabb Properties regarding proposed improvements to High Street, Ladd Street and Haven Court. For purposes of clarity, this staff memorandum provides further information and recommended steps.

McNabb Properties has received all necessary land use approvals for the redevelopment of its property at 1 Congress Street. As part of those approvals, there is associated and necessary utility and streetscape work which the City considers to be in the ordinary course, as set forth below under Section A.

Under Section B is the additional work proposed by the developer to add aesthetic improvements and amenities to the public areas adjacent to 1 Congress, including Ladd Street, High Street and Haven Court, along with staff's comments.

Staff have had several meetings with the Developer's representatives and described below is our perspective on the various requests.

A. 1 Congress Street –Utility & Streetscape Enabling Work

The following table shows enabling work that has been identified to provide services to the proposed project. The actual design and sequence of construction shall be approved by the City’s Department of Public Works prior to start of work. As is the City’s ordinary policy, excavation fees are waived for the work associated with improvements that become City infrastructure because these improvements directly benefit the City.

License fees will be calculated for encumbrance of City properties not associated with City infrastructure improvements. For example, the duration of sidewalk encumbrance for laydown or staging to construct the new building will go towards the license fee, as opposed to the time it takes to restore of the sidewalk which will not. The consideration of waiving these fees is not within the administrative purview of City Staff. Any reduction or waiving of these license fees in exchange for any aesthetic improvements as described in section B must be approved by City Council.

*No.	Utility
1	8’ Water Main from High to Ladd and to Market St.
2	Replace Sewer Main on Ladd St.
3	Replace Sewer Main on High St.
4	Extend Drainage on Ladd St. between #10 & #18
5	Extend Drainage on High St. to connect downspouts
6	Install a Traffic-Loading Grease Trap
7	Period Lighting on High and Ladd St

*CMMP will determine construction sequencing, laydown areas, deliveries, pedestrian access, crane location, and the construction schedule.

B. 1 Congress Street – Additional Improvements

In addition to the enabling work necessary to provide utility service to the project, the developer has proposed several other improvements within the abutting public areas. While these improvements are technically feasible, they are outside the administrative purview of City Staff and will require approval by the City Council prior to City Staff being able to explore them further.

No.	Improvements
1	Granite Steps and Metal Railing on Haven court
2	Shared-Street Pavement on High, Ladd & Haven Ct.
3	Catenary Lighting on Haven Court

4	Shared Trash Room in High-Hanover Parking Garage
---	--

Staff generally has no objection to these improvements subject to the following:

Regarding the Granite Steps and Metal Railing on Haven Court (No.1), the steps will not be ADA accessible. The businesses have their public entrances on Congress Street, but the City’s general practice is to ensure that rights-of-way are accessible wherever practicable. In addition, the plans attached to the correspondence show public artwork elements; if those public artwork elements are to remain, the City Council may wish to refer that to the Public Art Review Committee for input.

Regarding the Shared Street concept (No. 2), if the developer is requesting that on-street parking be eliminated on those streets, that request must be referred to the Parking and Traffic Safety Committee for a recommendation.

Regarding the Shared Trash Room (No. 4), this item is not in the critical path for construction but should not lag too far behind as it would create a shared space for several local businesses to handle their trash (at their cost) and improve the streetscape.

The developer has proposed the closure of the High Street entrance to the Hanover Parking Garage. Staff believe it is unnecessary to decide at this time. High Street and Ladd Street will both be impacted by the temporary closure of those streets as part of the utility work and license described in paragraph A, and as such that garage entrance will be shut down for a period of time. The City staff can report back on the impacts on the garage and traffic flow as a result of that temporary closure and make a recommendation at a later date.

C. Next Steps

Both the Developer and Staff need input from the City Council to determine the set of licenses and related documents to bring forward to the City Council. The parties have exchanged preliminary drafts of various documents. In order to bring forward any final documents for consideration, direction is needed from the City Council with regard to the items in Section B as well as license fees.

Proposal to the Portsmouth City Council

for PERMANENT OUTDOOR DINING

July 5, 2023

OVERVIEW:

As residents of Portsmouth, my wife and I are very supportive of the City Council's efforts to permit and encourage outdoor dining in downtown Portsmouth. We believe it offers substantial benefits to residents, visitors and businesses, and contributes significantly to the enjoyment of the City's vibrant downtown.

However, we believe that the current approach, which involves the placement of large concrete barriers in the street to expand the sidewalk areas, is not an appropriate way to accommodate outdoor dining. The barriers are massive and ugly. Even with the decorative additions used by some restaurants, they create a jarring contrast with the beauty of the historic architecture in the downtown area. We applaud the City for its efforts over many years to preserve that beauty, and retain the historic character of Portsmouth. But the concrete barriers are incompatible with those efforts.



We propose a different solution. We suggest that accommodations for outdoor dining be made permanent (year-round) in the Market Square area. In those locations where concrete barriers are currently used, the City would instead widen sections of the existing lovely and historic brick sidewalks. There are already many areas around Pleasant Street and Market Square that have permanent wider sidewalks, which are currently used very successfully for outdoor dining, small concerts and other pedestrian activities.

This approach would also permit restaurants with outdoor heaters to offer outdoor dining earlier and later in the year. And it would increase the amount of sidewalk available for other year-round activities.

We recognize that this plan would result in the permanent loss of some parking spaces. But those spaces are already lost during the current outdoor dining "season", in which the concrete barriers are in place from mid-April through early November – almost 7 months of the year. Those restrictions occur during the higher traffic months, and yet residents and visitors seem to manage quite well without those parking spaces during that time. Also, as can be seen in the accompanying map, there is actually quite a bit of parking in that part of town.

Clearly, there would be significant one-time cost for this project. But the city would also eliminate the annual cost to install, and remove, the concrete barriers. In addition, existing fees for outdoor dining would, over time, help to offset the initial cost.

We are also aware that the City Council is currently considering a "Market Square Redesign Plan", which has been discussed publicly by Councilors Kate Cook and Andrew Bagley. Our proposed sidewalk expansion project could easily be incorporated into that larger effort.

Here are several maps of the area, a summary of the proposed changes, and a description of the proposal's advantages.

MAP of AREA AFFECTED BY PROPOSED CHANGES:



LEGEND:



Proposal Area



Parking Areas



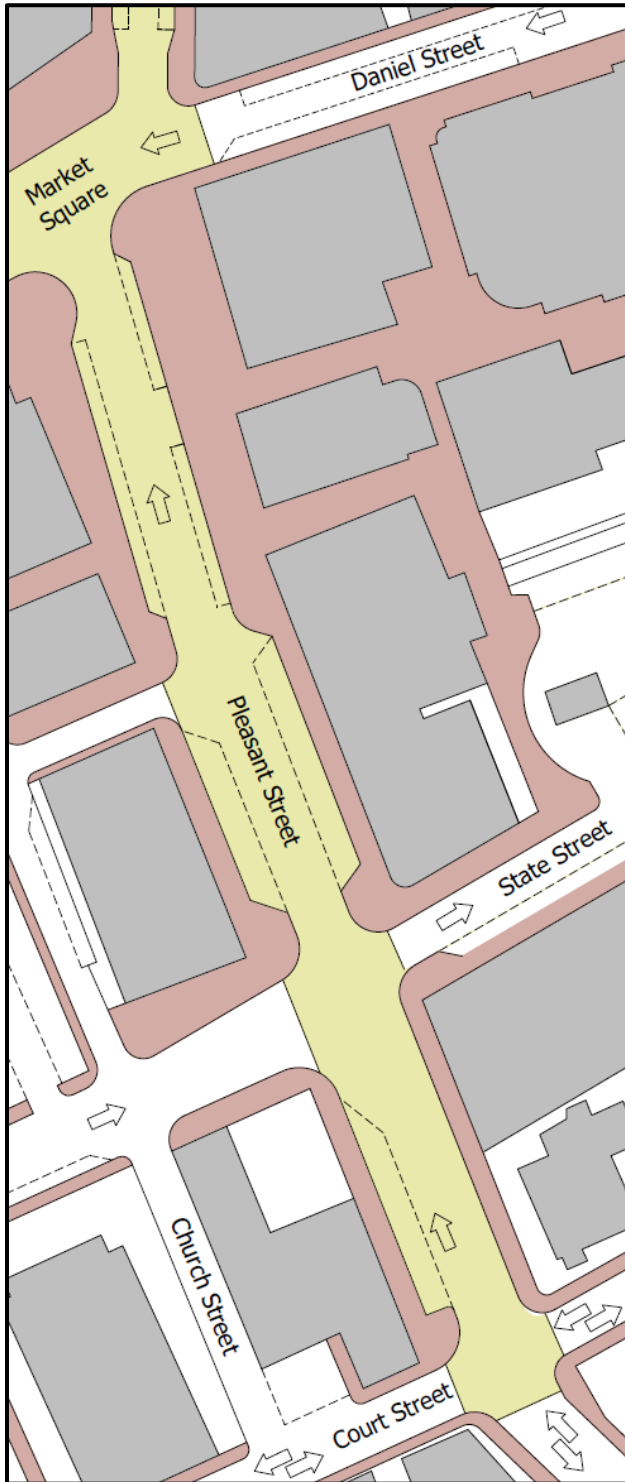
Existing Sidewalks



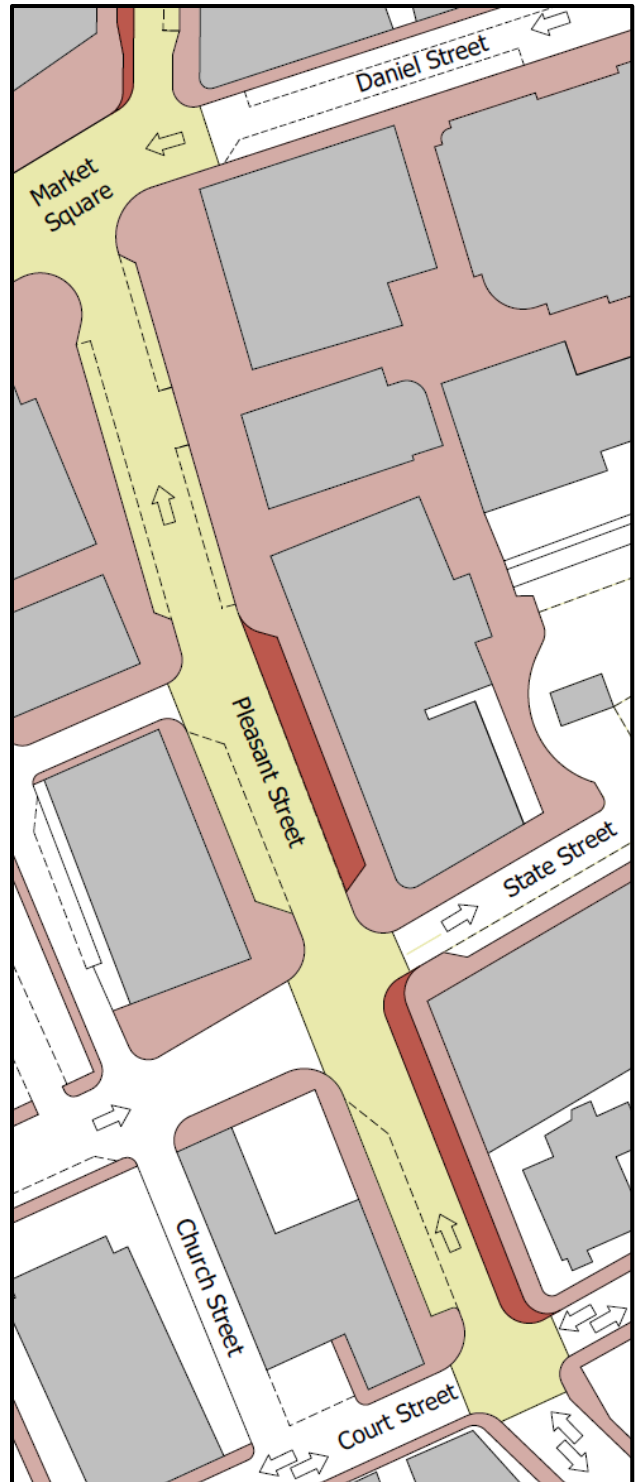
Expanded Sidewalks





DETAIL of PLEASANT STREET AREA:

Existing Area:



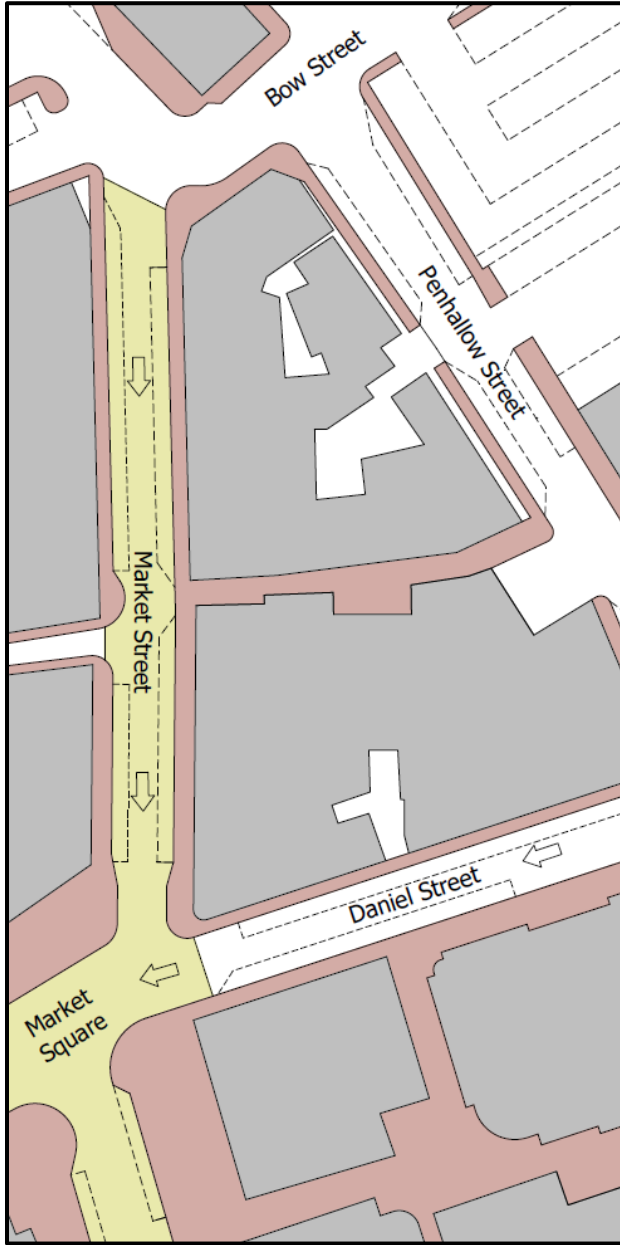
With Proposed Sidewalk Expansion:



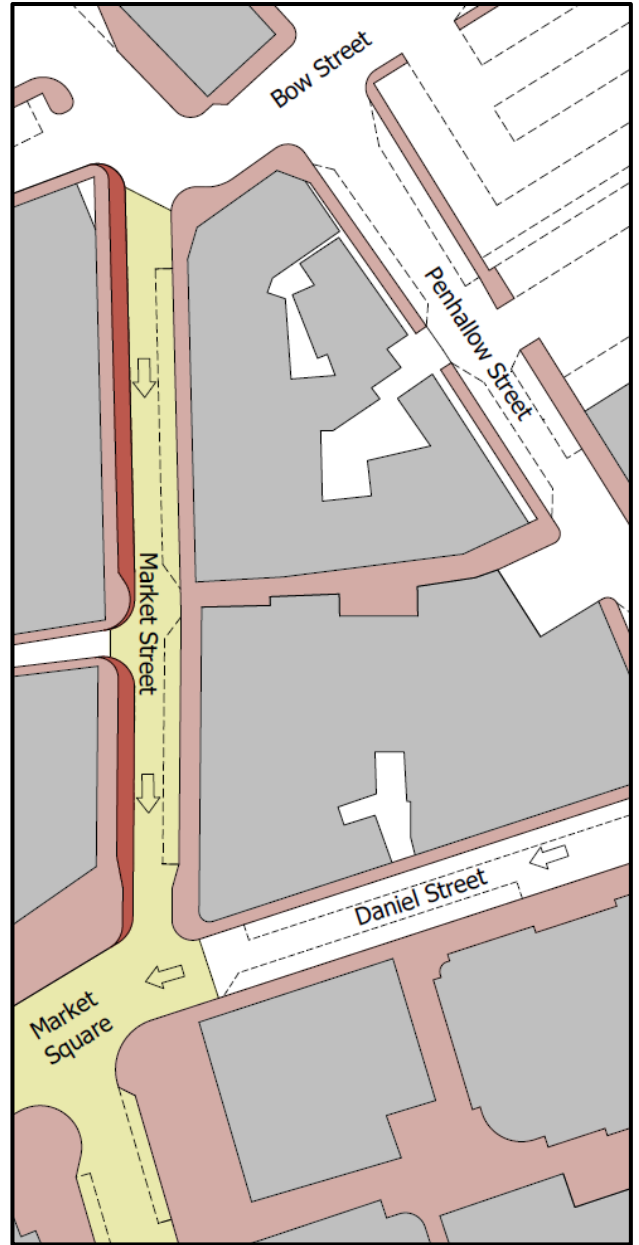
- LEGEND:
-  Proposal Area
 -  Parking Areas
 -  Existing Sidewalks
 -  Expanded Sidewalks





DETAIL of MARKET STREET AREA:

Existing Area:



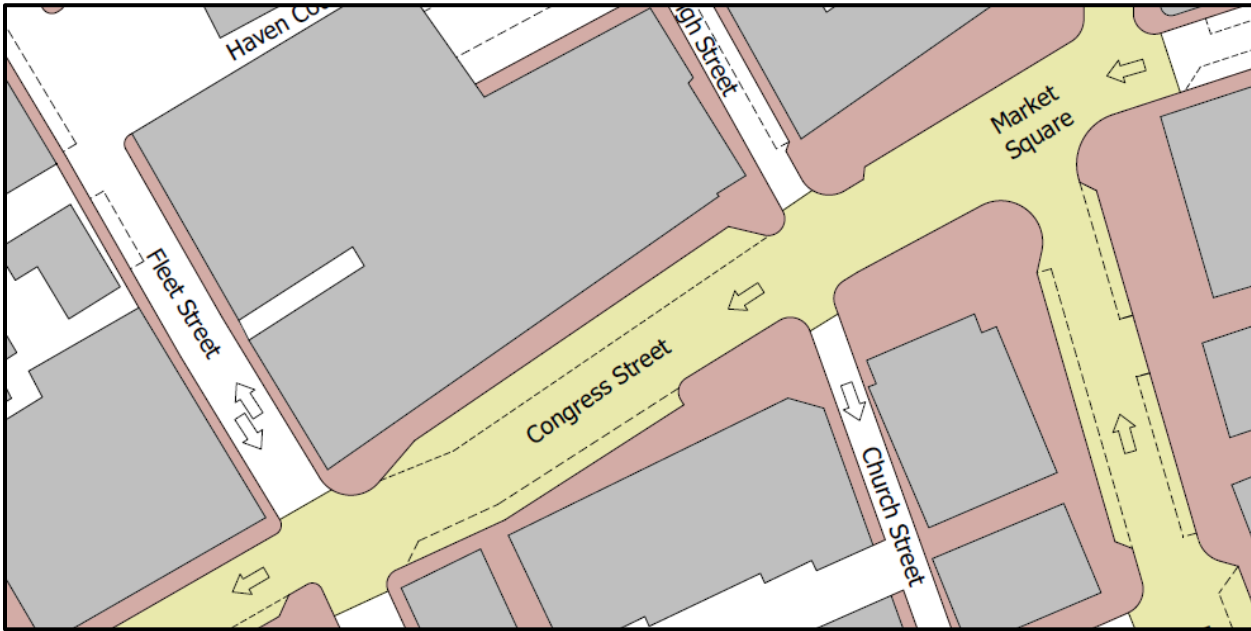
With Proposed Sidewalk Expansion:



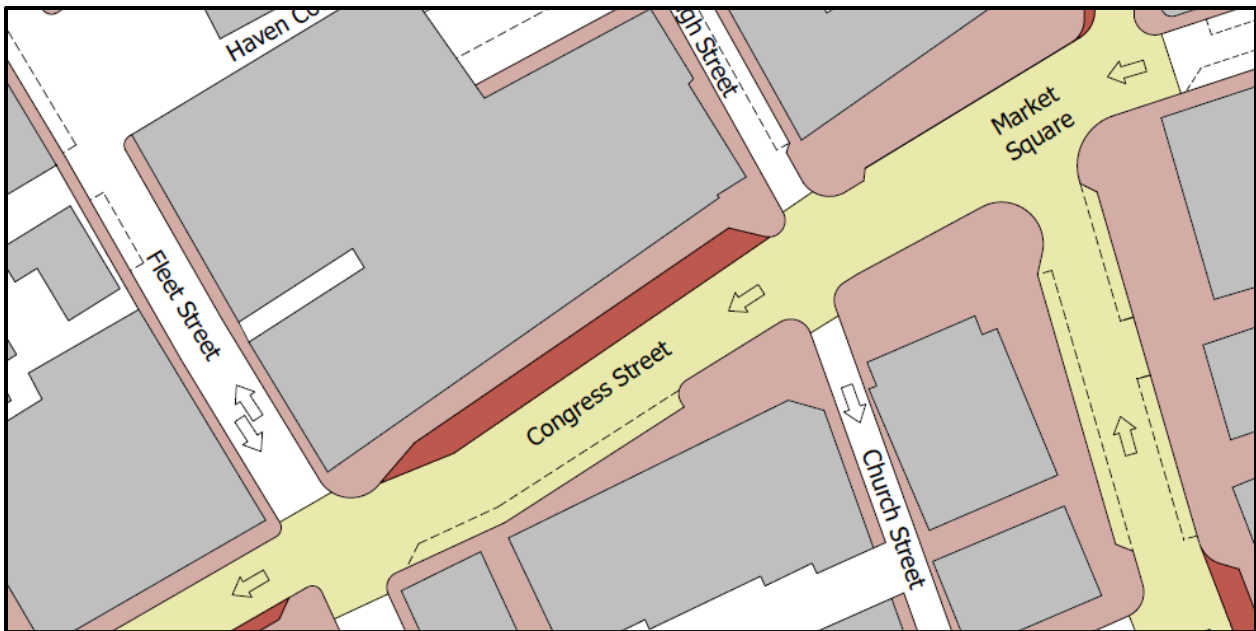
- LEGEND:
-  Proposal Area
 -  Parking Areas
 -  Existing Sidewalks
 -  Expanded Sidewalks



DETAIL of CONGRESS STREET AREA (Market Square to Fleet Street):

Existing Area:



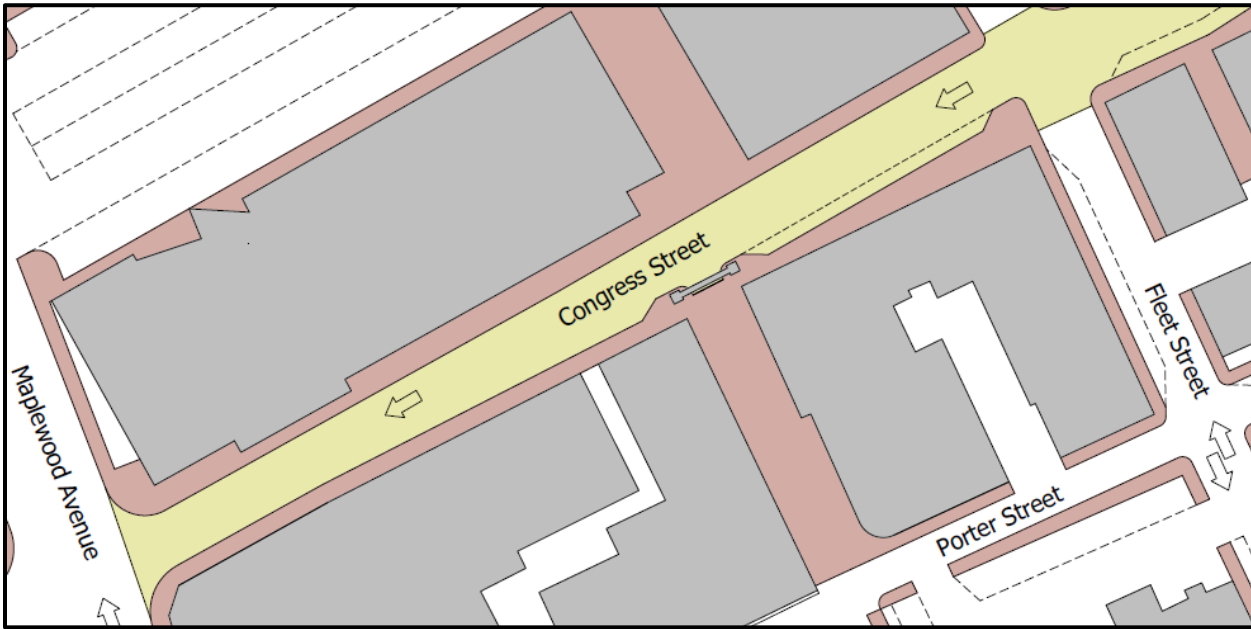
With Proposed Sidewalk Expansion:



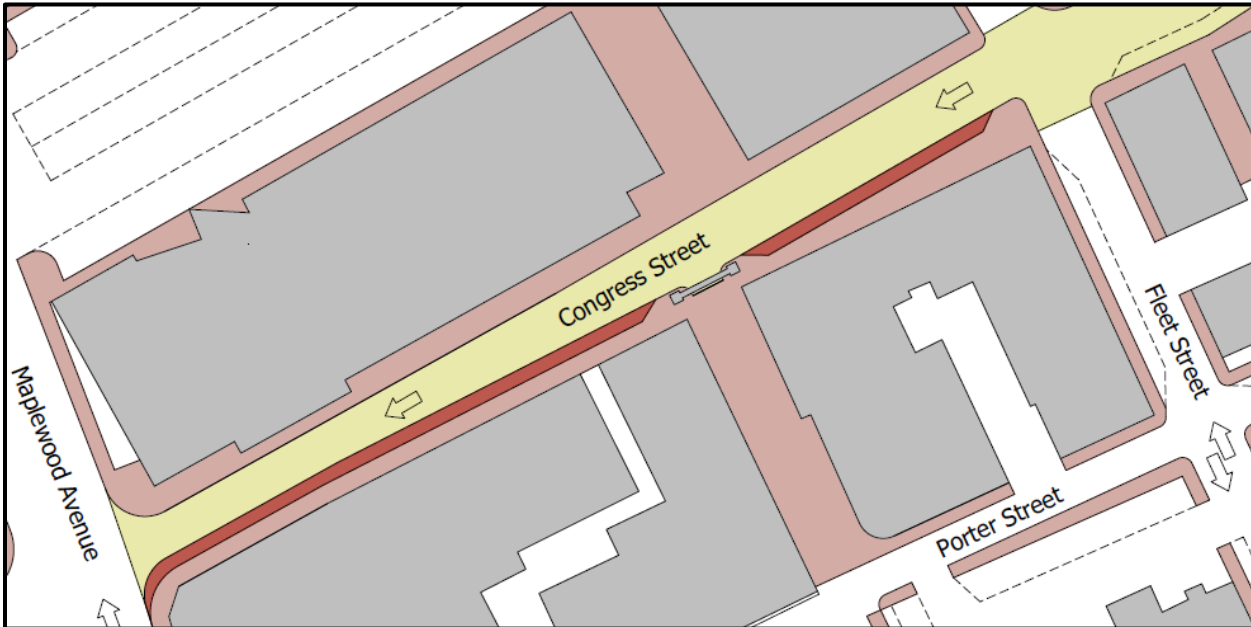
- LEGEND:
-  Proposal Area
 -  Parking Areas
 -  Existing Sidewalks
 -  Expanded Sidewalks


DETAIL of CONGRESS STREET AREA (Fleet Street to Maplewood Avenue):

Existing Area:



With Proposed Sidewalk Expansion:



- LEGEND:
-  Proposal Area
 -  Parking Areas
 -  Existing Sidewalks
 -  Expanded Sidewalks

PROPOSAL SUMMARY:

- The area of this proposal would start at the intersection of Pleasant Street and Court Street, extending North on Pleasant Street through Market Square, and continuing North on Market Street up to Bow Street. It would also include Congress Street, starting at Market Square and extending West to Maplewood Avenue / Middle Street.
- This area would encompass a street length of 5 blocks (North to South) and 3 blocks (East to West).
- In all areas where concrete barriers are currently used, the existing brick sidewalks would be extended to where the outside edge of the barriers used to be. These extensions would run the full length of any block in the proposed area. Sidewalk extensions would be as follows:
 - 1 block, on the East side of Pleasant Street, from Court Street to State Street.
 - 1 block, on the East side of Pleasant Street, from State Street to where the existing sidewalk already widens (in front of Piscataqua Savings Bank).
 - 2 blocks, on the West side of Market Street, from Market Square to Bow Street.
 - 1 block, on the North side of Congress Street, from High Street to Fleet Street.
 - 1 block, on the South side of Congress Street, from Fleet Street to Middle Street.
- The width of the outdoor dining areas would be increased 2 feet over the current “barrier dining” areas by the elimination of the 2-foot wide concrete barriers.
- We are aware that the City Council has denied an outdoor dining permit to Clipper this year, due to concerns about needing a detour around that area. So our proposal also includes making the traffic flow one way on Pleasant Street between Court Street and State Street. That would permit widened sidewalks without impeding traffic.

ADVANTAGES:

- The ugly concrete barriers would be eliminated.
- The historic character of the downtown area would be preserved.
- More outdoor dining space would be available than with the current “barrier” plan.
- The walkability of the downtown area would be enhanced, and it would become a more vibrant space for residents and visitors.
- Businesses could have pop-up areas for sidewalk sales.
- The new portions of extended sidewalk could be used year round for multiple pedestrian activities.
- The City would eliminate the annual costs of installing, and removing, the concrete barriers.
- By combining this project with the City’s “Market Square Redesign Plan”, costs could be minimized and the planning and budgeting process could be better coordinated.

CONCLUSION:

We encourage the Portsmouth City Council to adopt this proposal, or something similar to it. It would enable Portsmouth residents and visitors to permanently enjoy outdoor dining in the heart of the city. It would preserve the beauty and charm of the city’s historic character. And it would enhance the vibrancy and appeal of the downtown area.

Respectfully Submitted,

John M. Singer jsinger@valinet.com 413-834-8349
Ruth G. Kennedy Ruth.kennedy@att.net 413-575-1308
306 Marcy Street, Unit 2
Portsmouth, NH 03801

Resignation

June 13, 2023

Dear Christine,

Writing to let you know that I would need to resign from the post of treasurer/board of trustees at the Portsmouth Public library effective July 1, 2023 since I will be moving out of state.

It has been a pleasure and a privilege to serve on the board over the last few years. The Portsmouth Public Library is a special place for me and so many others who live in the area. In the midst of the sea of change that was unfolded by the pandemic, the thoughtful services offered by the library and its dedicated staff has been a source of solace.

Please let me know how to proceed further and if there is any paperwork that needs to be completed at my end. I plan to attend the June meeting in person.

Thank you,

Jan Fonseka

Press Release

The City of Portsmouth Can Still Acquire the McIntyre for Free

A DC law and lobbying firm with extensive experience in GSA transactions and expertise in the disposal of federal property has confirmed that the Thomas J. McIntyre Federal Office Building belongs to the City of Portsmouth under a 19-year-old federal law giving the property to the city free for its citizens' benefit.

All the city has to do to get the building and the 2.2 acres prime land it sits on is demand it and fight for it.

Under Senate Bill 1589, the Consolidated Appropriations Act of 2004, when all federal tenants vacated the McIntyre, the property was supposed to be transferred to the city for free. However, the GSA opposed the legislation and delayed the property transfer even after all tenants were relocated. Eventually, the GSA steered it into the National Park Service's Historic Surplus Property Program, where it has been mired in controversy, finger-pointing and lawsuits.

On June 20, the GSA started the process of auctioning the property off. However, it has not yet been sold, and a top DC law firm says there is still time for the city to claim it as its own.

"We believe the GSA has met the requirements necessary to trigger the conveyance [to the City] without any cost to the City of Portsmouth," wrote Robert C. MacKichan, Jr. and Joel E. Roberson, lawyers and lobbyists with Holland & Knight, one of the top bipartisan law and lobbying firms in the country, which has worked on many of the most complex GSA real estate transactions.

Former City of Boston Assessing Commissioner Ted Jankowski was Portsmouth's Deputy City Manager when Senate Bill 1589 passed, awarding the property to the city for free to benefit its citizens.

"What this points to is the need for the city to hire its own lobbyist/lawyer, who is an expert on the GSA and on laws governing the disposal of Federal property," said Jankowski, also a former Portsmouth Interim City Manager and City Finance Director. "It is time for the city to fight for the property, which it already owns under Senate 1589, and which the GSA has been paid for."

Ted Jankowski, thaddeusjj@gmail.com 207-650-6428

Holland & Knight

800 17th Street N.W., Suite 1100 | Washington, DC 20006 | T | F 202.955.5564
Holland & Knight LLP | www.hklaw.com

Robert C MacKichan, Jr.
(202) 862-5962
robert.mackichan@hklaw.com

June 28, 2023

Via E-mail: thaddeusjj@gmail.com

Mr. Thaddeus Jankowski
27 Franklin Street
Portsmouth, NH 03801

Re: Thomas J. McIntyre Building, Portsmouth, New Hampshire

Dear Mr. Jankowski:

In response to your request that we review the terms of Section 408 of Title IV of the Consolidated Appropriations Act of 2004 (“Act”) to determine its enforceability, we are pleased to provide this response. As you know, Section 408(d) requires the Administrator of the General Services Administration (“GSA”) to:

convey, without consideration, the Thomas J. McIntyre Federal Office Building to the City of Portsmouth, New Hampshire for economic development purposes subject to the following conditions: (i) that all Federal agencies currently occupying the McIntyre Building except the United States Postal Service are completely relocated to the new Federal Building for so long as those agencies have continuing mission needs for that new location; (ii) that the requirements of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11411 et seq.) shall not apply to this conveyance; and (iii) that the Administrator may include in the conveyance documents such terms and conditions as the Administrator determines in the best interest of the United States.¹

First, we determined that Section 408 of the Act has not been repealed or superseded by any other legislation and therefore it remains the law.

Secondly, we studied the enforceability of the Act, providing for the conveyance of the Thomas J. McIntyre Federal Office Building (“McIntyre Building”) to the City of Portsmouth and the means to require GSA to comply with the Act. The intent of Section 408 is clear that Congress is authorizing and directing GSA to convey, without consideration (i.e. for free), the McIntyre Building to the City of Portsmouth for economic development purposes. While Section 408 states that GSA is required to relocate the federal tenants in the McIntyre Building into a “new Federal

¹ Consolidated Appropriations Act, 2004, Pub. L. No. 108-199 § 408(d) (2004), *available at* <https://www.congress.gov/108/plaws/publ199/PLAW-108publ199.pdf>.

Mr. Thaddeus Jankowski
June 28, 2023

Building” and GSA ultimately relocated the federal tenants into existing buildings, we believe that GSA has met the requirements necessary to trigger the conveyance without any cost to the City of Portsmouth, by moving the existing tenants into a “new location” even though that location was not a “new Federal Building.”

We understand the McIntyre Building is currently a vacant building and clearly an excess federal building to the needs of the federal government. After consulting with various members of our firm, including our Public Policy and Regulation group and members of the team familiar with the New Hampshire delegation, we are of the view that with full support of the City of Portsmouth leadership, transfer of title to the City of Portsmouth is feasible. Doing so will uncontroversibly fulfill the intent of the Act and would enable, as set forth in the Act, for the City of Portsmouth to procure the McIntyre Building for economic development purposes subject to such terms and conditions as the Administrator determines in the best interest of the United States.

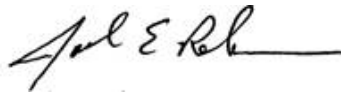
Holland & Knight is consistently ranked as one of the top bipartisan lobbying teams in the country and we have worked on many of the most complex GSA real estate transactions. We would welcome the opportunity to share these conclusions with representatives of the City of Portsmouth or others who may be interested in the benefits of such a conveyance.

Sincerely yours,

HOLLAND & KNIGHT LLP



Robert C MacKichan, Jr.



Joel E. Roberson

Informational and not part of ordinance. Amendments made by the Planning Board and Land Use Committee made after the first reading are in **blue**, deletions from original redline draft or from existing language is **stricken**; additions to existing language in **blue**; remaining language unchanged. Please note that only defined terms in the zoning ordinance are **bolded**.

ORDINANCE #

THE CITY OF PORTSMOUTH ORDAINS

That Chapter 10 – Article 5A – CHARACTER-BASED ZONING, Section 10.5A20, **Regulating Plan**, Subsection 10.5A21.10 Contents of Regulating Plan, Map 10.5A21B – Building Height Standards, Section 10.5A43.30 – **Building and Story Heights**, Subsection 10.5A43.33, Section 10.5A43.40 – **Maximum Building Footprint**, Subsections 10.5A43.41-44, and Section 10.5A45 – **Community Spaces**, Subsection Figures 10.5A45.10 Community Spaces, Section 10.5A46.20 – **Requirements to Receive Incentives to the Development Standards**, Subsections 10.5A46.21-22, and Article 15 – DEFINITIONS, Section 10.1530 – **Terms of General Applicability**, of the Ordinances of the City of Portsmouth be amended as follows (deletions from existing language **stricken**; additions to existing language **bolded**; remaining language unchanged from existing):

ARTICLE 5A: CHARACTER-BASED ZONING

Section 10.5A20: Regulating Plan

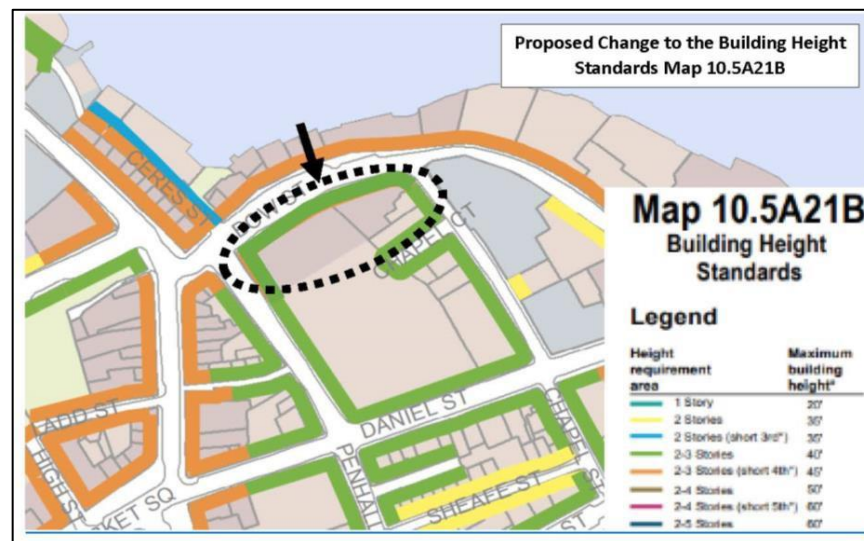
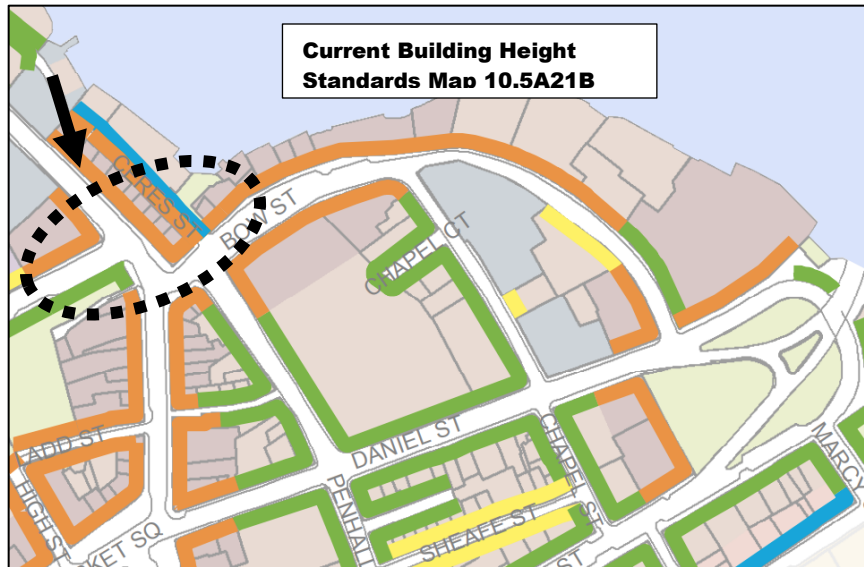
Section 10.5A21 General

10.5A21.10 Contents of Regulating Plan

The **Regulating Plan** is the Zoning Map for the Character districts and Civic districts.

The **Regulating Plan** consists of the following maps:

- Map 10.5A21A – Character Districts and Civic Districts
- **Map 10.5A21B – Building Height Standards**
- Map 10.5A21C – Special Requirements for Façade Types, Front Lot Line Buildout, and Uses



Section 10.5A43.30: Building and Story Heights

10.5A43.33 **A-For a development** located within a **CD4, CD4W, or CD5 Character District** that is not located in an incentive overlay district and that contains at least one acre of **lot area** the **Planning Board may grant a conditional use permit to allow:** ~~shall be allowed~~ an additional **story** in height (up to **40 15** feet); a house or duplex building type; and/or a mixed-use building, and a building footprint of up to **50,000 SF** if ~~both~~ all of the following requirements are met:

- a) **Community Space** – The **development** shall have at ~~if at~~ least ~~20-~~ **50%** of the property ~~is~~ assigned and improved as a **community space**. Given the large scale of the **development** ~~Such the~~

community space shall include a **Plaza** or **Square** of at least 5,000 SF per acre, a **Pedestrian Passageway**, **Wide Pedestrian Sidewalk**, and or a **Pedestrian Arcade**, and a **Pocket Park**, ~~or~~ **Playground**, or **Public Observation Deck**. Such **community space** shall count toward the required **open space** listed in Figures 10.5A41.10A-D (Development Standards). The size, **shape**, location and type of the **community space** shall be determined by the **Planning Board** and be based on the **proposed land use** and the size and location of the **buildings** within the **development**, and the ~~proposed and adjacent uses~~ and public amenities.

- b) **Workforce Housing** – If multi-family **dwelling units** are proposed, ~~The~~ the **development** shall have either: 1) 10% of any proposed for sale **dwelling units** within a **development**, ~~or at least three units, whichever is greater,~~ shall be **workforce housing units** (**affordable** to a household with an income of no more than 100 percent of the **area median income** for a 4-person household); or 2) 5% of any proposed for rent **dwelling units** within a **development**, ~~or at least two units, whichever is greater,~~ shall be **workforce housing units** (**affordable** to a household with an income of no more than 60 percent of the **area median income** for a 3-person household) . ~~and~~ **Any workforce housing units** shall be at least ~~600-750~~ sq. ft. in gross floor areas and be distributed throughout the **building** wherever **dwelling units** are located.
- c) Calculations for **workforce housing unit** requirements shall be rounded to the nearest whole number, with 0.5 and below being rounded down.
- d) The proposal is consistent with the findings, goals, and objectives of the Portsmouth Master Plan.

Section 10.5A43.40 Maximum Building Footprint

10.5A43.41 No **building** or **structure** footprint shall exceed the applicable maximum **building footprint** listed in Figures 10.5A41.10A-D (Development Standards) except as provided in Sections 10.5A43.42-44 below.

10.5A43.42 In the CD5 district, a detached **liner building** may have a **building footprint** of up to 30,000 sq. ft. if it meets all other **development** standards and is integrated into a **parking structure** through the provision of **community space** or shared access.

10.5A43.43 For a **building** that contains **ground floor** parking, a **parking garage** or **underground parking levels**, and is not subject to Section 10.5A43.42, the Planning Board may grant a conditional use permit to

allow a **building footprint** of up to 30,000 sq. ft. in the CD4 or CD4-W districts, and up to 40,000 sq. ft. in the CD5 district, if all of the following criteria are met:

- (a) No **story** above the **ground floor** parking shall be greater than 20,000 sq. ft. in the CD4 or CD4-W districts or 30,000 sq. ft. in the CD5 district.
- (b) All **ground floor** parking areas shall be separated from any public or private **street and Community Space**, by a **liner building**.
- (c) At least 50% of the **gross floor area** of the **ground floor** shall be dedicated to parking.
- (d) **For development with more than five (5) dwelling units** At least **30% 10%** of the property shall be assigned and improved as **community space** and comply with the **workforce housing** requirements listed in (e). For **developments** with less than 5 **dwelling units**, 30% of the property shall be assigned and improved as **community space**. Such **community space** shall count toward the required **open space** listed under Figures 10.5A41.10A-D (Development Standards) and **community space** required under Section 10.5A46.20. The size, location and type of the **community space** shall be determined by the Planning Board based on the size and location of the **development**, and the proposed and **adjacent uses**.
- (e) **For development with more than five (5) dwelling units**, the **development** shall have **At least 10% of the dwelling units within a building, or at least two dwelling units**, shall be **workforce housing units** in compliance with state law for either:
 - 1) 10% of any proposed for sale **dwelling units** within a **development** shall be **workforce housing units rent** (**affordable** to a household with an income of no more than **60** 100 percent of the **area median income** for a **3- 4 person** household) or 2) 5% of any proposed for rent **dwelling units** with in a **development** shall be **workforce housing units sale** (**affordable** to a household with an income of no more than **400** 60 percent of the **area median income** for a **4-3 person** household). Such units shall be at least **600 750** sq. ft. The **workforce housing units** shall be distributed throughout the **building** wherever **dwelling units** are located.
- (e)(f) The **development** shall comply with all applicable standards of the ordinance and the City's land use regulations.
- (g) Calculations for **workforce housing unit** requirements shall be rounded to the nearest whole number, with 0.5 and below begin rounded down.
- (h) The proposal is consistent with the findings, goals, and objectives of the Portsmouth Master Plan.

10.5A43.44 The **building footprint** of a **parking structure** shall be no greater than 40,000 sq. ft., and the **façade** length shall be no greater than 300 feet.

Section 10.5A45: Community Spaces

Figures 10.5A45.10 Community Spaces



Pedestrian Passageway

A **covered pedestrian passageway** (a minimum of 8 feet in width if less than 75 feet in length and a minimum of 12 feet in width if longer than 75 feet in length), covered by and through a **building or buildings**, located on the **ground floor** with **street same level** as, and open to, the adjacent **sidewalk** and any **access to the storefronts and connects to community space** interior to the block. **Pedestrian Passageways** shall connect **community space** and public areas **within the development and to adjacent public ways**. **Pedestrian Passageways** shall not exceed 125 feet in length.

Permitted Districts: All Districts



Observation Deck

An open or covered observation deck that provides public access and amenities on either a waterfront boardwalk or deck or, on the roof of a building. The minimum size shall be 500 SF.

Permitted Districts: All Districts



Pedestrian Arcade

A covered pedestrian arcade, a minimum of 10 feet in width within the ground floor or **street level** of a building that is otherwise generally open to the adjacent **sidewalks** and storefronts and that provides public access to the storefronts and connects to **community space** areas within the **development** and to adjacent public ways.

Permitted Districts: All Districts

Shared Multimodal Way



Shared Multimodal Way

A pedestrian priority way where pedestrians, cyclists and motorists all share the multimodal way that shall be designed to promote slow vehicle travel through the use of decorative pavers, **street** furniture, signage and plantings commensurate to allow the entire **street** to function effectively as shared public space.

Permitted Districts: All Districts

Section 10.5A46.20 Requirements to Receive Incentives to the Development Standards

10.5A46.21 For a **lot** located **adjacent** to, or within 100 feet of, North Mill Pond, Hodgson Brook or the Piscataqua River, **the Planning Board may grant a conditional use permit to allow the incentive to the development standards listed under Section 10.5A46.20, provided the development shall provide include community space** equal to 20% of the **lot area** that includes a continuous public **greenway** at least 20 feet in width with a multi-use path and that is parallel **to** and located within 50 feet of the waterfront **with at least a 10 foot set back from adjacent buildings**. Trail connections to abutting **street(s)** and sidewalks shall be provided and there shall be no buildings between the waterfront and the greenway unless otherwise approved by the Planning Board. The **greenway** shall include legal and physical access to abutting **lots** or public ways. When access is not available due to current conditions on an abutting **lot**, provisions shall be made for future access in a location determined by the Planning Board.

10.5A46.22 For a **lot** that is more than 100 feet from North Mill Pond, Hodgson Brook or the Piscataqua River, **the Planning Board may grant a conditional use permit to allow the incentive to the development standards listed under Section 10.5A46.20, provided the development shall include either both a community space or and workforce housing** as specified below:

- (1) **Community space option** – All of the following criteria shall be met:
 - (a) The **community space** shall be a **community space** type that is permitted within the applicable Character district.
 - (b) **For developments with more than 5 dwelling units** the **community space** shall constitute at least **20% 10%** of the gross area of the **lot** and shall not have any dimension less than 15 feet. **For a development with five (5) or less dwelling units, 20% of the property shall be assigned community space.**
 - (c) The **community space** shall adjoin the public **sidewalk** and shall be open on one or more sides to the **sidewalk**.

- (d) The **community space** shall include trees and other **landscaping** to provide shade and reduce noise, and pedestrian amenities such as overlooks, benches, lighting and other **street furniture**.
- (e) The proposal is consistent with the findings, goals, and objectives of the Portsmouth Master Plan.
- (f) The **community space** shall be located on or **adjacent** to the same **lot** as the **development**, except as provided in ~~(f)~~ **(g)** below.
- (g) The Planning Board may grant a conditional use permit to allow a proposed **community space** to be located on a different **lot** than the **development** if it finds that all of the following criteria will be met:
 - (i) An appropriate **community space** cannot feasibly be provided on the same **lot** as the **development**.
 - (ii) The proposed **community space** is within the same Incentive Overlay District as the **development**.
 - (iii) The proposed **community space** is suited to the scale, density, **uses** and character of the surrounding properties.
 - (iv) The proposal is consistent with the findings, goals, and objectives of the Portsmouth Master Plan.

(2) **Workforce housing option** - One **or more** of the following criteria shall be met:

- (a) For a **development** with five (5) or less **dwelling units**, no **workforce housing units** are required. For a **development** with more than five (5) **dwelling units**, ~~At~~ at least ~~30%~~ **20%** of the **dwelling units** within a **building**, but no less than three **dwelling units**, shall be **workforce housing units** for sale (**affordable** to a household with an income of no more than 100 percent of the **area median income** for a 4-person household). Such units shall be at least ~~the average gross floor area of the proposed units in the building or 1,000~~ **600 750** sq. ft., ~~whichever is greater~~. The **workforce housing units** shall be distributed throughout the **building** wherever **dwelling units** are located; or
- ~~(b)~~ At least 10% of the **dwelling units** within a **building**, or at least two **dwelling units**, shall be **workforce housing units** for rent (**affordable** to a household with an income of no more than 60 percent of the **area median income** for a 3-person household). Such units shall be at least ~~the average gross floor area of the proposed units in the building or 800~~ **600 750** sq. ft., ~~whichever is greater~~. The **workforce housing units** shall be distributed throughout the **building** wherever **dwelling units** are located.
- (b) Calculations for workforce housing unit requirements shall be**

rounded to the nearest whole number, with 0.5 and below being rounded down.

- (c) The proposal is consistent with the findings, goals, and objectives of the Portsmouth Master Plan

ARTICLE 15: DEFINITIONS

Section 10.1530: Terms of General Applicability

Building footprint

~~Except for areas where community space is uncovered and located immediately above the story below the grade plane.~~ The total area **of a building** at or above 18 inches in elevation as measured from the outside walls at the grade plane of a detached building, or of two or more buildings separated only by fire walls, common walls or property lines.

Uncovered **community space** located immediately above a **building's story** below the **grade plane** shall not constitute **building footprint**, provided it is not more than 10 feet above the adjacent **street** grade.

The City Clerk shall properly alphabetize and/or re-number the ordinances as necessary in accordance with this amendment.

All ordinances or parts of ordinances inconsistent herewith are hereby deleted.

This ordinance shall take effect upon its passage.

APPROVED:

Deaglan McEachern, Mayor

ADOPTED BY COUNCIL:

Kelli L. Barnaby, City Clerk

ORDINANCE #

THE CITY OF PORTSMOUTH ORDAINS

That Chapter 10, Article 4 – Zoning Districts and Use Regulations, Section 10.430 – **USE REGULATIONS** of the Ordinances of the City of Portsmouth be amended as follows (deletions from existing language **stricken**; additions to existing language **bolded**; remaining language unchanged from existing):

ARTICLE 4: ZONING DISTRICTS AND USE REGULATIONS

Section 10.430: USE REGULATIONS

- 10.431 All **buildings** or **structures** hereafter erected, reconstructed, altered, enlarged or moved, and all **uses** hereafter established, shall be in conformity with the provisions of this Zoning Ordinance.
- 10.432 No **building, structure**, or land shall be used for any purpose or in any manner other than that which is permitted in the district in which it is located.
- 10.433 **Buildings, structures** and land owned or leased by the City of Portsmouth **when used for “governmental use” as defined by statute (RSA 674:54 I)** shall be exempt from all provisions of this Ordinance except Article 10, Environmental Protection Standards. Nevertheless, the City is urged to comply with all relevant land **use** controls whenever possible and feasible.
- 10.434 The **use** regulations for all zoning districts are listed in Section 10.440 (Residential, Mixed Residential, Business and Industrial Districts), Section 10.450 (Pease/Airport Districts) and Section 10.460 (Municipal and Conservation Districts).

10.434.10 The following key applies to the Tables of Uses in Sections 10.440, 10.450 and 10.460:

Symbol	Meaning
P	use is permitted in the district
S	use is allowed in the district upon the granting by the Board of Adjustment of a special exception
CU	use is allowed in the district upon the granting by the Planning Board of a conditional use permit
N	use is prohibited in the district

10.434.20 More than one **use** category on one **lot**:

10.434.21 Different **uses** are permitted on one lot where each **use** is allowed in the underlying district.

10.434.22 When a proposed **development** includes different **uses** on one **lot**, the **use** which triggers the higher level of review for the zoning district shall determine the level of review for the entire application. (For example, in the MRB district **multifamily dwellings** are permitted and **retail sales** require a special exception; therefore, a proposed **development** including both these uses would require a special exception.)

10.434.30 In addition to the basic **use** regulations by district as described in 10.434.10, a particular **use** may be subject to additional standards or requirements specified in other sections of the Ordinance. The last column of the Table of Uses provides cross-references to some key supplemental standards and requirements; however, this column is provided for informational purposes and is not regulatory. In the case of any conflict between this reference column and any other section of the Zoning Ordinance, such other section of the Ordinance shall apply.

10.434.40 Any **use** not specifically authorized in Article 4 (including **uses** defined in Article 15 but not

listed in Article 4), shall be deemed prohibited in all zoning districts.

The City Clerk shall properly alphabetize and/or re-number the ordinances as necessary in accordance with this amendment.

All ordinances or parts of ordinances inconsistent herewith are hereby deleted.

This ordinance shall take effect upon its passage.

APPROVED:

Deaglan McEachern, Mayor

ADOPTED BY COUNCIL:

Kelli L. Barnaby, City Clerk