

CITY COUNCIL MEETING

MUNICIPAL COMPLEX, EILEEN DONDERO FOLEY COUNCIL CHAMBERS, PORTSMOUTH, NH
DATE: MONDAY, AUGUST 7, 2023 TIME: 5:00PM

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_ostVptivQaaRji9y5hm2xw

5:00PM - ANTICIPATED NON-PUBLIC SESSION IS BEING HELD IN CONFERENCE ROOM A

1. COLLECTIVE BARGAINING - TENTATIVE AGREEMENTS – RSA 91-A:3, II (a)

Firefighters Association of Portsmouth

Portsmouth Professional Fire Officers Association

Portsmouth Police Patrolman's Union, NEPBA Local #11

Portsmouth Police Ranking Officers Association, NEPBA Local #220

Portsmouth Police Civilian Employees Association, NEPBA Local #111

2. 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

VII. ACCEPTANCE OF MINUTES – JULY 10, 2023 & JULY 24, 2023

VIII. RECOGNITIONS AND VOLUNTEER COMMITTEE REPORTS

1. Kathleen Dwyer, Assistant City Attorney

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

Public Hearings/Second Reading of Ordinances:

A. PUBLIC HEARING/SECOND READING of Ordinance amending Chapter 1, Article III – BOARDS and Article IV – COMMISSIONS AND AUTHORITIES (***Sample motion – move to pass second reading and hold third and final reading at the August 21, 2023 City Council meeting***)

- PRESENTATION
- CITY COUNCIL QUESTIONS
- PUBLIC HEARING SPEAKERS
- ADDITIONAL COUNCIL QUESTIONS AND DELIBERATIONS

B. PUBLIC HEARING/SECOND 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

- **PRESENTATION**
- **CITY COUNCIL QUESTIONS**
- **PUBLIC HEARING SPEAKERS**
- **ADDITIONAL COUNCIL QUESTIONS AND DELIBERATIONS**
(Sample motion – move to pass second reading and hold third and final reading at the August 21, 2023 City Council meeting)

C. PUBLIC HEARING/SECOND READING of Ordinance amending Chapter 7, Article VI – LOADING ZONES, Section 7.601- LIMITED HOURS LOADING ZONES *(Sample motion – move to pass second reading and hold third and final reading at the August 21, 2023 City Council meeting)*

- **PRESENTATION**
- **CITY COUNCIL QUESTIONS**
- **PUBLIC HEARING SPEAKERS**
- **ADDITIONAL COUNCIL QUESTIONS AND DELIBERATIONS**

D. PUBLIC HEARING/SECOND 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 second reading and hold third and final reading at the August 21, 2023 City Council meeting)

- **PRESENTATION**
- **CITY COUNCIL QUESTIONS**
- **PUBLIC HEARING SPEAKERS**
- **ADDITIONAL COUNCIL QUESTIONS AND DELIBERATIONS**

- 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 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
(Sample motion – move to pass second reading and hold third and final reading at the August 21, 2023 City Council meeting)

- **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. Amendment to Lease Agreement for AIDS Response of the Seacoast
2. Bicycle Pedestrian Easement for Property Located at 293 Peverly Hill Road
3. Drainage Easement and Public Access/Community Space Easement for 70 Maplewood Avenue

XII. CONSENT AGENDA

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

- A. Request from Sophie Gee, Janegree, to install a Projecting Sign at 107 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***

- B. Request from Thomas Michael, TD Bank, N.A., to install two Projecting Signs at 333 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***

- C. Letter from Arlon Chaffee, Granite State Wheelers, requesting permission to hold the Seacoast Century Bicycle Ride on September 23, 2023 (***Anticipated action – move to refer to the City Manager with Authority to Act***)

XIII. PRESENTATIONS AND WRITTEN COMMUNICATIONS

- A. Presentation from Mark McNabb, McNabb Properties, Ltd., regarding Improvements Plans for High Street, Ladd Street and Haven Court as part of the 1 Congress Street Project (***Sample motion – move to approve the work proposed in concept, subject to the staff reporting back with a Memorandum of Agreement between the City and the Developer that identifies the rough scope of work and the needed legal documents to proceed with that work, to be approved by the City Council and executed by the City Manager***)
- B. Letter from Rick Chellman, Planning Board Chair, regarding High Street/Haven Court Improvements
- C. Email Correspondence (***Sample motion – move to accept and place on file***)

- D. Letter from JerriAnne Boggis, Black Heritage Trail, 60th Anniversary of Dr. Martin Luther King’s March on Washington, requesting permission to use public spaces for a March from Memorial Bridge and a ceremony at the African Burying Ground Memorial on Saturday, August 26, 2023 (***Sample motion – move to refer to the City Manager with Authority to Act***)
- E. Letter from Paul Timmerman, Raid on Fort William & Mary, requesting permission to hold an event on December 14, 2023 and December 15, 2023 in recognition of the 250th Revolutionary War anniversary (***Sample motion – mover to refer to the City Manager with Authority to Act***)
- F. Letter from Kara Sweeney, Betty’s Dream, requesting to enter into a Payment in Lieu of Taxes (PILOT) Agreement regarding 75 Longmeadow Lane (***Sample motion – move to refer to Legal & Assessing Departments for report back***)
- G. Letter from Rene Sullivan, Friends of Lafayette House, requesting to enter into a Payment in Lieu of Taxes (PILOT) Agreement for Friends of Lafayette House (***Sample motion – move to refer to Legal & Assessing Departments for report back***)
- H. Letter from Gary Beaulieu requesting a landscape license for 232 South Street (***Sample motion – move to authorize the City Manager to negotiate and grant a landscape license to property owners at 232 South Street to construct and maintain landscaping at 232 South Street, as described in the City Council agenda packet***)

XIV. MAYOR McEACHERN

- 1. *McIntyre Status Update (***Sample motion – move to direct our city staff to pursue the transfer of the McIntyre Property for the purpose of converting the commercial space into workforce housing***)
- 2. Appointments to be Considered:
 - Paul Messier to the Building Code Board of Appeals
 - Meganne Fabrega to the Library Board of Trustees
 - Jennifer Mandelbaum to the Library Board of Trustees
 - William Bowen to the Planning Board as an Alternate
 - Ivy Robichaud to the Sustainable Practices Blue Ribbon Committee
- 3. Acceptance of Resignation:
 - Alan Gold from the Economic Development Commission
- 4. KENO Question on Municipal Ballot

XV. CITY COUNCIL MEMBERS

A. COUNCILOR DENTON & COUNCILOR COOK

- 1. SolSmart Application (***Sample motion – move that the City of Portsmouth submit a SolSmart application, engage with SolSmart consultants, and build a designation plan***)

B. COUNCILOR MOREAU

1. *Study of South Bound Route One Traffic Pattern (***Sample motion – move to request a report back from the Parking & Traffic Safety Committee and the state on the progress of this project***)

C. COUNCILOR BAGLEY

1. Parking & Traffic Safety Committee Action Sheet and Minutes of the July 6, 2023 meeting (***Sample motion – move to accept and approve the action sheet and minutes of the July 6, 2023 Parking & Traffic Safety Committee***)

D. COUNCILOR LOMBARDI

1. Request for First Reading regarding Economic Development Ordinance Proposed Amendments (***Sample motion – move to schedule first reading on the proposed changes to the Economic Development Ordinance at the August 21st City Council meeting***)

E. COUNCILOR COOK

1. Request for First Reading establishing an Arts and Cultural Commission (***Sample motion – move to schedule first reading of the draft ordinance August 21st establishing an Arts and Cultural Commission to replace the Arts and Nonprofits Blue Ribbon Committee***)
2. Request for First Reading with Presentation from the Governance Committee regarding proposed changes to the Ethics Ordinance (***Sample motion – move to schedule first reading with a formal presentation from the Governance Committee on August 21st on their proposed changes to the Ethics Ordinance around conflict of interest***)
3. *Mid-year Report on the work of the Governance Committee

XVI. APPROVAL OF GRANTS/DONATIONS

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

XVII. CITY MANAGER’S INFORMATIONAL ITEMS

1. Report Back Re: Ruth Street Property Release
2. Community Campus Wetlands Delineation
3. Prescott Park Master Plan Implementation

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**



CITY OF PORTSMOUTH

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

Karen S. Conard
City Manager

Date: August 3, 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 August 7, 2023

VIII. Recognitions and Volunteer Committee Reports:

1. **Kathleen Dwyer, Assistant City Attorney:**

Mayor McEachern, Robert Sullivan, and I would like to recognize Kathleen Dwyer, Assistant City Attorney, for her service to the City. Assistant City Attorney Dwyer will be retiring and the City appreciates her 37 years of service.

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

A. **Public Hearing and Second 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 second reading and schedule a third and final reading at the August 21, 2023 City Council meeting.

B. **Public Hearing and Second Reading of 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 second reading and schedule a third and final reading at the August 21, 2023 City Council meeting.

C. **Public Hearing and Second 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 second reading and schedule a third and final reading at the August 21, 2023 City Council meeting.

D. **Public Hearing and Second 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 second reading and schedule a third and final reading at the August 21, 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 the language as amended at the July 10, 2023 City Council Meeting for Second Reading to amend Chapter 10 regarding Character-Based Zoning along with edits to remove excess words from the redline and to make the amended language consistent throughout the ordinance.

If the Council wishes to move forward with the amendments recommended by the Planning Board:

I recommend that the City Council move to pass second reading and schedule a third and final reading at the August 21, 2023 City Council meeting.

XI. City Manager’s Items Which Require Action:

1. **Amendment to Lease Agreement for AIDS Response of the Seacoast:**

AIDS Response of the Seacoast leases 1,834 square feet of the Seybolt Building (“Leased Premises”) from the City pursuant to terms of an Agreement dated August 23, 2018. The City desires to regain control and use of the Leased Premises and is working with AIDS Response to help identify alternative below market rental space in the City and/or alternative space within another municipal building. The Lease Agreement terminates on September 30, 2023, and the parties believe it is in their best interest to extend the lease on a month-to-month basis beginning October 1, 2023. It is unknown how much time will be needed to identify a new location and thus a month-to-month lease is recommended with a corresponding provision that AIDS Response receive 120 days’ notice prior to termination in order to notify its clients, arrange for moving and otherwise accomplish an orderly relocation. [The proposed Amendment to the Lease and the original Lease are attached.](#)

All other terms of the Lease Agreement will remain the same.

I recommend that the City Manager be authorized to finalize and execute the Amendment to Lease Agreement as proposed in the Agenda Packet.

2. **Bicycle Pedestrian Easement for Property Located at 293 Peverly Hill Road:**

At its regularly scheduled meeting on June 15, 2017, the Planning Board granted site plan approval for the demolition of an existing residence and the construction of a Planned Use Development (PUD) consisting of two, 2 ½ story buildings with nine total units and related site improvements.

As a part of that approval, the Planning Board recommended acceptance of an easement for the future construction of a Bicycle and Pedestrian Path by the City. Although this easement was not conveyed at that time and the PUD was constructed, Derek Durbin, in his capacity as counsel for what is now a condominium association, Peverly Hill Estates Condominium, Inc., alerted the City to this unfulfilled requirement of Planning Board approval.

Therefore, the Legal, Planning and Sustainability and Public Works Departments now recommend the City accept [an easement in substantially similar form to the attached easement](#). The easement area is depicted in [the attached drawing](#). This easement will facilitate the City's planned construction of a Bicycle and Pedestrian Path extending along Peverly Hill Road.

I recommend that the City Council move to authorize the City Manager to accept and record a Bicycle and Pedestrian Path Easement Deed in substantially similar form to the easement deed from Peverly Hill Estates Condominium, Inc. contained in the agenda packet.

3. **Drainage Easement and Public Access/Community Space Easement for 70 Maplewood Avenue:**

On December 21, 2022, the Planning Board granted EightKPH, LLC (“Owner”), site plan approval for a 4-story building with a penthouse, 19 dwelling units, commercial space on the ground floor and underground parking (“Project”) at property located at 70 Maplewood Avenue (“Property”).

The approved site plan includes an Easement for Public Access and Use of Community Space that includes a wide pedestrian sidewalk and a pocket park to be conveyed from the Owner to the City. The wide pedestrian sidewalk easement has an area of 1,730 square feet and connects to the existing sidewalks along Maplewood Avenue and Deer Street which abut the Property. This pedestrian easement will create a wider sidewalk along both these streets which are often used by pedestrians to access the Foundry Garage and is [depicted in blue in the plan attached to the easement](#). The pocket park easement has an area of 3,252 square feet and is [shown in green on the attached plan](#). It is located along the back of the Property and will include seating, landscaping and a fence between the park and the abutting property owned by the railroad. Both easement areas as presented describe the boundary as running along the building yet to be constructed. As-built plans are required by the City after construction. The description of the community space areas will be amended to reflect the metes and bounds once the building is constructed. This will require a minor amendment to the descriptions of the community space easement areas.

The foregoing has been reviewed by the Planning and Sustainability and Legal Departments.

The Owner also owns the abutting property located at 163 Deer Street, Tax Map 125, Lot 2. The Planning Board's approval of the site plan for 70 Maplewood Avenue requires that the Owner grant the City a drainage easement on its property located at 163 Deer Street. The purpose of this easement is to extend an existing 20' drainage easement along the full length of the property. *The existing easement is in yellow on the attached plan and the proposed easement extension is in orange.*

The foregoing has been reviewed by the Planning and Sustainability and Legal Departments.

I recommend that the City Council move to grant authority for the City Manager to negotiate, execute, accept and record the Easement for Public Access and Use of Community Space in a form substantially similar to the attached and to further authorize the City Manager to negotiate, execute accept and record any amendment to the Easement to add metes and bounds description of the community space after as built plans are completed; and

I also recommend that the City Council move to grant authority for the City Manager to negotiate, execute, accept and record the Drainage Easement Deed in form similar to the attached.

XII. Consent Agenda:

A. Projecting Sign License – 107 Congress Street:

Permission is being sought to install *a projecting sign at 107 Congress Street* that extends over the public right of way, as follows:

Sign dimensions: 24" x 24"

Sign area: 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.*

B. Projecting Sign License – 333 State Street:

Permission is being sought to install [two \(2\) projecting signs at 333 State Street](#) that extends over the public right of way, as follows:

Sign dimensions: 24” x 26” each

Sign area: 4.37 sq. ft. each sign

The proposed signs comply 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 signs, 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.*

XVII. City Manager’s Informational Items:

1. Report Back Regarding Ruth Street Property Release:

Please [find attached a report back](#) requested at the July 10th City Council meeting regarding property located at 5 and 12 Ruth Street.

2. Community Campus Wetlands Delineation:

[The attached memorandum has been prepared](#) to update the City Council and the public on the work that was performed at the Community Campus property to date regarding understanding of wetlands on the site.

3. Prescott Park Master Plan Implementation:

At their March 6, 2023 Capital Improvement Plan (CIP) meeting, the City Council asked staff to adjust the scope of the first phase of the Prescott Park Master Plan implementation project. The scope of this phase included raising and relocating the Shaw Building, installing new utilities and raising the grade of Water Street. The Council concluded that the proposed plan which relocated the Shaw Building but left it mothballed and unusable for an indeterminate amount of time was not acceptable. They requested the scope of work be expanded to include the final design of the Shaw Building interior and a new addition that would house necessary equipment to provide code compliance as well as space for the Prescott Park Performing Festival. In addition, the Council indicated they would like a cost estimate for the construction cost of this modified scope in order to better understand the full cost of the Park improvements project.

At the staff’s request, the City’s design consultant, Weston & Sampson revised their scope of work to include the complete renovation of the Shaw Building interior and a new addition to provide code compliance as well as space for performing arts operations. The programming layout of the new addition as well as the Shaw Building is based on the floor plans and space plan presented by our consultant in December, 2021 (see attached). The modified scope includes final design plans for both the Shaw Building and the new addition. Additional permitting and HDC approval will also be required, as well as updated cost projections for the project construction.

To date, the Prescott Park Master Plan including initial studies, preliminary design, enabling engineering investigations, permitting, public meetings and design have cost \$745,824.28. The additional cost for the revised scope of work is \$335,845. Additional funding will be necessary to complete the revised scope which will be requested in the Fiscal Year 2025 CIP. The following table summarizes the available funds and anticipated funds needed to complete Phase 1 of the Prescott Park Master Plan implementation. Funding requirements to complete the remaining Phases the Park Master Plan implementation have not been developed; these costs will vary based on the final scope of work for each subsequent phase.

Authorized Funding (avail. \$)	\$ 4,278,436
Expended to date	\$ 745,824
Revised Scope	\$ 335,845
Current Available Balance	\$ 3,196,767
Anticipated Phase 1 Construction Cost	\$ 8,400,000
Anticipated Additional Authorization for Phase 1	\$ 5,203,233