

CITY COUNCIL MEETING

MUNICIPAL COMPLEX, EILEEN DONDERO FOLEY COUNCIL CHAMBERS, PORTSMOUTH, NH
DATE: MONDAY, DECEMBER 17, 2007 TIME: 7:00PM

- 6:00PM – ANTICIPATED “NON-MEETING” WITH COUNSEL RE: NEGOTIATIONS – RSA: 91-A:2, I (b-c)

AGENDA

- I. CALL TO ORDER [7:00PM or thereafter]
- II. ROLL CALL
- III. INVOCATION
- IV. PLEDGE OF ALLEGIANCE

PRESENTATIONS

1. Outgoing City Councilors
2. Annual Financial Audit
3. Projected FY08 Police Department Shortfall

- V. ACCEPTANCE OF MINUTES – NOVEMBER, 8, 2007; NOVEMBER 19, 2007 AND DECEMBER 3, 2007

- VI. PUBLIC COMMENT SESSION

- VII. PUBLIC HEARING

- A. RESOLUTION AUTHORIZING A BOND ISSUE OF UP TO TWELVE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$12,500,000.00) FOR THE PURCHASE OF A FEE INTEREST IN A PORTION OF AN UNDERGROUND PARKING FACILITY CONTAINING NOT LESS THAN 325 PUBLIC PARKING SPACES

- VIII. APPROVAL OF GRANTS/DONATIONS

- A. Acceptance of Donation to the New Library Building Fund
 - Gerald F. & Judith A. Giles - \$1,000.00 (*Fulfill pledge*)
- B. Acceptance of New Hampshire State Council on the Arts Grant for *Overnight Art!* - \$2,500.00

- IX. CONSIDERATION OF RESOLUTIONS AND ORDINANCES

- A. Adoption of Resolution Authorizing a Bond Issue of up to Twelve Million Five Hundred Thousand Dollars (\$12,500,000.00) for the Purchase of a Fee Interest in a Portion of an Underground Parking Facility Containing not less than 325 Public Parking Spaces (*Please note: A Two-Thirds Vote is Required for Passage*)

B. Third and final reading of Amendments to Chapter 7 – Vehicles, Traffic Parking Omnibus Parking Ordinance (October 1, 2006 – April 30, 2007)

1. Section 7.324: LIMITED PARKING – ONE HOUR

A. No person having control or custody of any vehicle shall stop or cause the same to stop or park for longer than one hour at any time between the hours of 8:00 a.m. and 6:00 p.m., Sundays and Holidays not included, on the following streets and locations:

~~9. Public Library: All areas adjacent to and part of the public land contiguous to the Public Library. (See Map #1)~~

2. Section 7.402: AREAS ESTABLISHED, DESIGNATED, AND DESCRIBED

A. Bridge Street Off-Street Parking Area

~~1. The first five parking spaces along the Bridge Street side of the lot from Islington Street shall be designated and marked “thirty minutes parking only.” (See Map #2)~~

A. Wright Avenue Off-Street Parking Area

The following area to be known as the Wright Avenue Off-Street Parking Area is hereby established for off-street parking of motor vehicles:

That piece of land bounded by State Street on the South, the Memorial Bridge Traffic Island on the East, Daniel Street on the North and the Community Center on the West.

All of said area not otherwise designated by the placement of parking meters shall be limited to parking not to exceed 4 ~~2~~ (four ~~two~~) hours at any one time.

It shall be unlawful for any person to cause or permit any vehicle registered in his name to be parked in violation of this Section and said violation may be subject to be removed by towing.

(See Map #3)

I. Old Public Library Off-Street Parking Area

All areas adjacent to and part of the public land contiguous to the old Public Library on Islington Street are hereby established for the off-street parking of motor vehicles. All of said area in the Old Public Library off-street parking area is designated as a two-hour parking meter zone. **(See Map #1)**

3. Section 7-A.402: BUS STOPS DESIGNATED

- D. Hanover Street: southerly side of Hanover Street 140 feet east of Fleet Street to a point 285 feet east of Fleet Street ~~from a point located 100 feet west of Market Street to a point 54 feet westerly.~~ **(See Map #4)**

4. Section 7A.406: HORSE DRAWN CARRIAGES

~~A. There is hereby established an area comprised of one parking space on the westerly side of Pleasant Street adjacent to Congress Street to be marked, "Horse and Carriage Stand, 12 Noon to 12 Midnight". All vehicles parking in that location in contravention of this limitation shall be subject to towing by the City with the costs to be borne by the owner of the vehicle.~~ **(See Map #5)**

5. Section 7A- 408: TAXI STANDS DESIGNATED

The following areas are hereby designated as Taxi stands:

- A. ~~High Street: easterly side, first two parking spaces from Market Square.~~
Pleasant Street: easterly side, first parallel parking space north of State Street. **(See Map #6)**
- B. Market Street:
1. westerly side, second parking space from Market Square.
2. easterly side, first parking space north of Bow Street, from 10:00 p.m. to 6:00 a.m. only. **(See Map #7)**
- C. Hanover Street: southerly side, first parking space west from the bus stop. **(See Map #8)**

6. Section 7.601: TRUCK LOADING/UNLOADING ZONES ESTABLISHED

Unless otherwise designated below, the following locations are established as exclusive "Truck Loading Zones" on Mondays through Saturdays between the hours of 6:00 a.m. and 7 6:00 p.m. During these times only trucks, vans and other commercial delivery vehicles engaged in loading or unloading of product, merchandise or equipment may park. Such vehicles may park at the designated locations for a period not to exceed 30 minutes. Unless otherwise determined by ordinance, at all other times these zones shall be open parking for all vehicles. **(No Map Attached)**

X. CONSENT AGENDA

A MOTION WOULD BE IN ORDER TO ADOPT THE CONSENT AGENDA

- A. Letter from Paul Brogan, AIDS Response Seacoast, requesting permission to hold the 12th Annual Seacoast AIDS Walk and Dog Walk on Sunday, May 4, 2008 from 10:00 a.m. – 5:00 p.m. (***Anticipated action – move to refer to the City Manager with power***)
- B. Acceptance of Donation to the New Library Building Fund
- Dani M. & Thomas P. Rooney - \$100.00
- (Anticipated action – move to approve and accept the donation to the New Library Building Fund as listed)***
- C. Letter from Sarah Curtin, American Foundation for Suicide Prevention, requesting permission to hold the 4th Annual Out of the Darkness Community Walk on Saturday, September 27, 2008 (***Anticipated action – move to refer to the City Manager with power***)

XI. PRESENTATION & CONSIDERATION OF WRITTEN COMMUNICATIONS & PETITIONS

- A. Letter from Roger and Jacky Brown regarding probable name change for Jenkins Avenue
- B. Letters of support for the Portwalk Project
- Brad Halstead and Jennifer Cann, Harbour Hill Condo Association
 - Jay McSharry – Jumpin' Jay's Fish Café
 - Paul Sorli, Chair of Downtown Business Association
 - The Deer Street Merchant's Group – Aerial Sillanpaa and Chrissy Jackson, Chrisrial & Co. Fine Jewelry; Marlen Allen, Stiletto, Shoes; Vincent Colella, Jardiniere Flowers; Terri Beyer, Ashley & Victoria; Delia Kerley, Delia's Boutique; Linda Schuler, Linda Taylor; Ken and Deborah Smith, Maine-ly New Hampshire; Irene Rhodes, La Femme Intimates; and Darlene Fletcher and Lynn Raughtigan, Upscale Nails

XII. REPORTS AND COMMUNICATIONS FROM CITY OFFICIALS

A. CITY MANAGER

Items which require Action under other sections of the Agenda

1. Public Hearing/Adoption of Proposed Resolution:

- 1.1 Public Hearing/Adoption of Resolution Authorizing a Bond Issue of up to Twelve Million Five Hundred Thousand Dollars (\$12,500,000.00) for the Purchase of a Fee Interest in a Portion of an Underground Parking Facility Containing not less than 325 Public Parking Spaces (**Action on this matter should take place under Section IX. A. of the Agenda**)

2. Third and Final Reading of Proposed Ordinance Amendments:

- 2.1 Third and final reading of Amendments to Chapter 7 – Vehicles, Traffic Parking Omnibus Parking Ordinance (October 1, 2006 – April 30, 2007)

1. Section 7.324: LIMITED PARKING - ONE HOUR

A. No person having control or custody of any vehicle shall stop or cause the same to stop or park for longer than one hour at any time between the hours of 8:00 a.m. and 6:00 p.m., Sundays and Holidays not included, on the following streets and locations:

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D. Hanover Street: southerly side of Hanover Street 140 feet east of Fleet Street to a point 285 feet east of Fleet Street ~~from a point located 100 feet west of Market Street to a point 54 feet westerly.~~ **(See Map #4)**

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City Manager's Items Which Require Action

1. Request for Approval of Memorandum of Understanding Re: Portwalk
2. Request for Approval of Portsmouth Historical Society Old Library Lease Agreement
3. Request from the Music Hall to Extend the Closure of Chestnut Street for Sixty (60) Days
4. Request for Approval of Pole License Agreements #63-442 & #63-0449

Informational Items

1. Report Back Re: Wentworth School

B. MAYOR MARCHAND

1. Resignation – Eric Spear from Traffic & Safety Committee, Peirce Committee
2. Resignation – John Golumb from Historic District Commission
3. Appointments to be Voted:
 - James Feehley – Reappointment to the Taxi Commission
 - Peter Bresciano – Reappointment to the Taxi Commission
 - Brendan Cooney – Appointment to the Traffic & Safety Committee
 - Norman Patenaude – Appointment as an Alternate to the Planning Board
 - Thomas Grasso – Appointment as Regular member to the Zoning Board of Adjustment
 - Robin Rousseau – Appointment as an Alternate to the Zoning Board of Adjustment
 - Elena Maltese – Appointment as Regular member to the Historic District Commission
 - George Melchior – Appointment as Alternate to the Historic District Commission
4. *Reports

XIII. MISCELLANEOUS/UNFINISHED BUSINESS

XIV. ADJOURNMENT [AT 10:00PM OR EARLIER]

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

(*Indicates verbal report)

INFORMATIONAL ITEMS

1. Site Review Technical Advisory Committee minutes of October 30, 2007 meeting

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

**CITY OF PORTSMOUTH
PORTSMOUTH, NH 03801**

Office of the City Manager

Date: December 14, 2007
To: Honorable Mayor Steve Marchand and City Council Members
From: John P. Bohenko, City Manager
Re: City Manager's Comments on December 17, 2007 City Council Agenda

6:00 p.m. – Non-Meeting with counsel.

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

Presentation:

1. **Outgoing City Councilors.** On Monday evening, there will be a presentation to outgoing City Council Members. As is traditional for outgoing Council Members, they will be presented with chairs. In addition, the City Manager and staff would like to make a presentation as well to the following City Council Members:
 - Mayor Steve Marchand - Councilor 2004 - 2005 and Mayor 2006 - 2007
 - Joanne Grasso - Councilor 1996 - 2007 and Assistant Mayor 2004 - 2005
 - John Hynes - Councilor 1986 - 1991 and 1996 - 2007
 - Harold Whitehouse - Councilor 1988 - 1989 and 1998 - 2007
2. **Annual Financial Audit - Melanson, Heath & Company, P.C. Auditors' Financial Report for the Year Ending June 30, 2007.** Attached on the inside cover of your packet is a copy of the City's financial statements for the fiscal year ending June 30, 2007 (Annual Audit). The Fiscal Year 2007 Audit was prepared by the firm of Melanson, Heath & Company, P.C. Also, enclosed is the Management Letter for the year ending June 30, 2007, prepared by our auditor. On Monday evening, Scott McIntyre from Melanson, Heath & Company will be in attendance to make a presentation on the aforementioned items.

3. **Projected FY08 Police Department Shortfall.** On Monday evening, Police Commissioners will be present to give the City Council a presentation regarding the projected FY08 Police Department shortfall.

Acceptance of Grants/Donations:

1. **Acceptance of Donation to the New Library Building Fund.** The New Library Capital Campaign Committee has received a donation from Gerald F. and Judith A. Giles in the amount of \$1,000.00 for the New Library Building Fund. This fulfills their pledge.

I would recommend that the City Council approve and accept the donation to the New Library Building Fund as listed. Action on this matter should take place under Section VIII of the Agenda.

2. **Acceptance of New Hampshire State Council on the Arts Grant for Overnight Art! 2008.** In 2005, Art-Speak held a very successful “Overnight Art!” event which was well received by the community. Based on the success and popularity of the 2005 event, Art-Speak planned another public art event for May 2008. In anticipation of the event, Art-Speak wrote for and was awarded a \$2,500 grant from the New Hampshire State Council on the Arts (NHSCA) for the proposed “Overnight Art! 2008” program.

Overnight Art! 2008 is a scattered-site exhibit of temporary public art. Art work will be commissioned from local artists for at least five Portsmouth locations, installed one per day, and exhibited for at least four weeks. It is intended to instill appreciation of public art and to educate the community on the benefits of public art and its positive impact on the community. As you will recall at the October 15, 2007 City Council meeting, Art-Speak requested and received City Council approval of the “Overnight Art! 2008” program and for the five public art locations.

During “Overnight Art! 2008,” a media campaign will reinforce the celebration of Public Art and educate the public on how the community will benefit public art; especially in light of the new public art ordinance. Art-Speak will again incorporate a *Kid-Speak!* component into the “Overnight Art!” event by distributing both at-home and in-class educational activities packets to elementary and middle school students of Portsmouth and SAU 50.

I would recommend the City Council move to accept the \$2,500 grant from the New Hampshire State Council of the Arts and authorize the City Manager to administer the grant through Art-Speak in compliance with City requirements. Action on this matter should take place under Section VIII of the Agenda.

Items Which Require Action Under Other Sections of the Agenda:

1. Public Hearing/Adoption of Proposed Ordinance Resolution:

- 1.1 **Public Hearing/Adoption of Proposed Resolution Authorizing the Borrowing of up to Twelve Million Five Hundred Thousand Dollars (\$12,500,000) for the purchase of a Fee Interest in a portion of an Underground Parking Facility containing not less than 325 Public Parking Spaces.** As a result of the December 3rd City Council meeting, under Section VII of the Agenda, I am bringing back for public hearing and adoption a proposed Resolution Authorizing the Borrowing of up to Twelve Million Five Hundred Thousand Dollars (\$12,500,000) for the purpose of implementing an Agreement with Parade Office, LLC to create 325 spaces of Municipally-Owned Parking.

Prior to the start of the public hearing presentations will be made as follows:

- Josh Anderson, Parade Office, LLC Portwalk Project
- Dana Levenson, EDC Chairman, Downtown Parking Needs & Opportunities
- Judie Belanger, Finance Director, Financial Overview
- Nancy Carmer, Economic Development Program Manager, Overview of Downtown Development

A hard copy of tonight's Powerpoint presentations by Dana Levenson, Judie Belanger and Nancy Carmer are attached. Also, attached for your information is a copy of a letter to the Honorable Mayor and Members of the City Council from Dana Levenson, Chair of the Portsmouth Economic Development Commission, regarding a public parking opportunity at the development known as Portwalk (a/k/a Parade Mall). At the November 9, 2007 Economic Development Commission meeting, the Portwalk developers presented a concept to the EDC that would allow the City the opportunity to create a second level of underground parking for the benefit of the public. The essence of the proposal is described below.

A second level of parking would be built with 325 spaces that would be owned and financed by the City and open to the public. It should be noted that Portwalk already has approvals for 325 spaces of parking on one level. Total parking available if this proposal went forward would be 650 spaces (325 of these 650 spaces would be owned and paid for by Portwalk and the additional level of 325 spaces would be owned and paid for by the City of Portsmouth). The garage would be divided into two condominiums, with the City having fee simple ownership of its portion. The City's condominium unit would be comprised of its parking level and Portwalk would have ownership of its level. Portwalk would also pay the appropriate local property taxes on its portion of the condominium. The public parking spaces on the City's level would be available to the public on a 24-hour, 365-day basis. The hourly rates on the City's level would be established by City Council as are other parking rates throughout the City. The owners of Portwalk would be able to use their 325 spaces for their monthly

parkers and also operate their valet business serving the Hilton Garden Inn and the new hotel to be constructed as part of the Portwalk development. The City would manage the entire garage and when Portwalk's spaces were not occupied by monthly users, they would be available to the public at City established rates and the City would retain the revenue.

It should be noted that the 325 spaces that would be gained by this additional underground level is approximately the same number that would result from building a parking garage at the Worth Lot. The original plans for the Worth Lot indicated that there would be 440 spaces; 330 of these would be net new spaces (presently there are 110 surface spaces at the Worth Lot). The opportunity to construct 325 new municipally-owned underground parking spaces relieves the immediate need to fund and construct a parking garage on the Worth Lot. This would give future City Councils the opportunity to consider the Worth Lot location for future parking needs or other re-use options.

As indicated in Mr. Levenson's letter, the EDC believes this is a one time opportunity to construct and operate underground public parking in the Central Business District. They also feel it will insure that employees and patrons of businesses contemplating downtown Portsmouth as a business location will have access to adequate and reasonably priced parking. As I have indicated, this results in the same net number of parking spaces that could have been created at the Worth Lot, generates additional real estate tax revenue and results in a parking facility that will not be visible. With all of this in mind, the Economic Development Commission on November 9th unanimously voted to ask the City Council to consider this opportunity.

As you are aware, bonding resolutions require only two readings and a two-thirds vote is required of the City Council for passage.

I would recommend the City Council move to adopt the proposed Resolution, as presented. Action on this item should take place under Section IX of the Agenda.

2. **Third & Final Reading of Proposed Ordinance Amendments:**

- 2.1 **Third & Final Reading of Proposed Amendments to Chapter 7 – Vehicles, Traffic Parking Omnibus Parking Ordinance.** As a result of the December 3rd City Council meeting, under Section IX of the Agenda, I am bringing back for third and final reading the attached eight proposed changes to Chapter 7 of the Parking Ordinance. These changes were implemented as part of the pilot program by the Parking Committee over the past year.

In summary:

Amend Section 7.324 to address the closure of the library on Islington Street. The parking lot time limit at the old library was changed from one hour to two hours to coincide with the City's metered time limits. (See Map 1 which is under Section IX of the Agenda).

Amend Section 7.402 Section A relative to the Bridge Street Lot. The first five parking spaces in the Bridge Street Lot were designated 30 minute parking for use by Islington Street Library customers. With the library closure, these spaces were changed to coincide with the time limit in the upper section of this parking lot. (See Map 2 which is under Section IX of the Agenda).

Amend Section 7.402 Section G to increase from two hours to four hours the parking time limit in the Wright Avenue Lot to accommodate customers parked while visiting Prescott Park, the Seacoast Repertory Theatre, the Connie Bean Recreation Center and other areas in the downtown. A greater time limit affords visitors the opportunity to use this lot given its location on the downtown periphery. This test began in November 2006 and has been well received by lot users. (See Map 3 which is under Section IX of the Agenda).

Amend Section 7.402 Section I to make available off-street parking at the old public library. With the closure of the library on Islington Street, the parking lot is added to the City's supply of off-street parking areas and designated as a two-hour meter zone. (See Map 1 which is under Section IX of the Agenda).

Amend Section 7-A.402 to adjust the bus stop location on Hanover Street. The bus stop on Hanover Street changed location after installation of the inter-modal facility at the High-Hanover garage. (See Map 4 which is under Section IX of the Agenda).

Amend Section 7A.406 relative to horse drawn carriages. This change removes the horse and carriage stand from Pleasant Street due to inactivity. This section will remain in the ordinance in the event a horse and carriage space is needed in the future. (See Map 5 which is under Section IX of the Agenda).

Amend Section 7A- 408 relative to taxi stand designations. The taxi stand on High Street was moved to Pleasant Street for greater visibility. (See Map 6). One mixed use taxi stand was added to Market Street at Bow Street for patron usage during nighttime hours. (See Map 7). One taxi stand was added to the inter-modal facility at the High-Hanover garage. (See Map 8 which is under Section IX of the Agenda).

Amend Section 7.601 relative to truck loading and unloading. The loading zone end time was changed from 6 pm to 7 pm to correspond with parking enforcement hours and promote equity with downtown metered parking spaces.

I would recommend that the City Council move to pass third and final reading for the proposed changes to Chapter 7 of the Parking Ordinance, as submitted. Action on this item should take place under Section IX of the Agenda.

Consent Agenda:

1. **Acceptance of Donation to the New Library Building Fund.** The New Library Capital Campaign Committee has received a donation from Dani M. & Thomas P. Rooney in the amount of \$100.00 for the New Library Building Fund.

I would recommend that the City Council approve and accept the donation to the New Library Building Fund as listed. Action on this matter should take place under Section X of the Agenda.

City Manager's Items Which Require Action:

1. **Request for Approval of Memorandum of Understanding Re: Portwalk.** In the agenda packet is the final draft of a proposed Memorandum of Understanding (MOU) between the City and Parade Office, LLC regarding design, construction, operation, management and capital expenditures connected with the proposed underground parking facility which may be constructed in connection with the Portwalk project at the site at the current Parade Mall. This MOU is being brought forward pursuant to the City Council vote of November 19, 2007. The MOU is brief and may be reviewed in its entirety by members of the Council. However, certain salient features of the proposed MOU are as follows:
 1. The proposed parking facility would be designed and constructed by Parade Office LLC ("Parade").
 2. The City will be able to purchase a condominium level of parking containing no less than 325 spaces.
 3. The maximum cost for the City to purchase the level of parking shall not exceed \$12.5 million dollars.
 4. Parade will own the upper level of the two level underground garage. The City will own the lower level of the facility.
 5. The City will manage and operate the entire facility under a management and operational services agreement to be negotiated in the future.
 6. Parade will reserve sixty (60) spaces on its level for valet and residential parking. All remaining spaces on the Parade level shall be available for transient parking. However, under the management and operational services agreement (to be developed), Parade shall receive, at a cost to be negotiated, one parking pass for each transient parking space on its level. Such passes are intended to be limited to use by one person per pass with no assignability or transferability. The intent of this limitation is to open up the transient parking places for public parking when not being utilized by the pass holder.

7. Parade shall be responsible to obtain any and all necessary land use approvals for the construction of the underground parking facility and the City's regulatory boards are not obligated by the MOU to grant approval.
8. This MOU contemplates that other and further agreements will need to be negotiated and entered in order to complete the project, these are:
 - An agreement under which the City approves the design and construction details of the parking level in which it will acquire a fee interest.
 - Condominium documentation, including a capital maintenance and improvement plan.
 - A Management and Operational Services Agreement for the complete underground parking facility.
 - A Capital Reserve Agreement (may be included in the condominium documentation).
 - A Revenue Allocation Agreement.
 - A Purchase and Sale Agreement describing the terms and conditions, including payment terms, under which the City will acquire its parking level.
9. The City may withdraw from this agreement at any time prior to February 18, 2008. If this withdrawal occurs prior to January 18, 2008, there is no cost to the City for taking that action. If the City withdraws from the agreements after January 18, 2008, then the City shall pay Parade the sum of \$50,000.00.

I would recommend the City Council move to authorize the City Manager to negotiate and execute a Memorandum of Understanding with Parade Office LLC in substantial conformance with the draft of that agreement presented on the agenda for this meeting.

2. **Request for Approval of Portsmouth Historical Society Old Library Lease Agreement.** As requested by the City Council, I am bringing back for your review and action a proposed lease for the Portsmouth Historical Society for the old library. For your information, attached is a copy of a memorandum from Suzanne Woodland, Assistant City Attorney, outlining some of the key provisions of the three-year Lease Agreement between the City of Portsmouth and the Portsmouth Historical Society. Also, attached is a copy of the draft Lease Agreement for your review. On Monday evening, Assistant City Attorney Suzanne Woodland will be in attendance to answer any questions, as well as representatives from the Portsmouth Historical Society. *I would recommend the City Council move to approve the Lease Agreement between the City of Portsmouth and the Portsmouth Historical Society for the old Library and authorize the City Manager to execute the Lease Agreement.*

3. **Request from the Music Hall to Extend the Closure of Chestnut Street for Sixty (60) Days.** As you will recall, on August 11, 2006 The Music Hall requested that the City Council consider creating a pedestrian walkway on Chestnut Street from Congress to Porter Street (please see attached letter), and on August 21st the Council voted to refer this request to the Traffic and Safety Committee for a report back. On September 10th the Traffic and Safety Committee voted to recommend the creation of a pedestrian walkway from Congress Street to Porter Street on Chestnut Street as a pilot program from August 2007 to January 1, 2008 and, on October 5, 2006, the Council voted to approve and accept this recommendation.

In September 2007, with City approval, the Music Hall made a number of temporary improvements to this section of Chestnut Street with the goal of enhancing the aesthetics and creating a more pedestrian friendly walkway. The Music Hall believes these improvements and the pilot closure have been generally well received and they would ultimately like the City to consider the long-term closure of this section of the street. However, at this time they are requesting only a 60-day extension of the pilot street closure to March 1, 2008 (see attached letter). This will allow time to convene discussions with surrounding property owners and other stakeholders to identify any concerns they may have regarding long-term closure of the street and opportunities for addressing any concerns that may exist. *I would recommend that the City Council approve the request of The Music Hall to extend the pilot closure of Chestnut Street, between Congress and Porter, to March 1, 2008 and refer this matter to the Traffic & Safety Committee for report back.*

4. **Request for Approval of Pole License Agreements #63-442 & #63-0449.**

- a) The City Public Works Department has reviewed pole location information provided by PSNH for Petition and Pole License Agreements #63-442. This request is to license fourteen new poles to make way for the construction of the Route 33 Bridge over the B & M Railroad including approaches from Borthwick Avenue to Peverly Hill Road. The installation of these poles would pose no impact to existing City infrastructure and the Public Works Department recommends approval of this license. Attached are plans of the proposed site of pole locations. *I would recommend the City Council approve the request from PSNH for Pole License Agreement #63-442 as recommended by the Public Works Department.*
- b) The City Public Works Department has reviewed pole location information provided by PSNH for Petition and Pole License Agreement #63-0449. This request is to license three temporary poles in conjunction with the Portwalk Project. These poles will carry overhead wires while underground utilities are reconstructed as a part of this project. In a similar situation, temporary poles were successfully used on Deer and High Streets during the construction of the Hilton Garden Inn at 100 High Street. The installation of these poles would pose no impact to existing city infrastructure and the Public Works Department recommends approval of this temporary license. Attached are pictures of the site of the pole locations. *I would recommend the City Council approve the request from PSNH for Pole License Agreement #63-0449 as recommended by the Public Works Department.*

Informational Items:

1. **Report Back Re: Wentworth School.** As a result of the December 3rd City Council meeting, the City Council requested a report back regarding the Wentworth School. Attached is a memorandum from School Business Administrator Stephen Bartlett, regarding the Wentworth School Budget. As you can see, there is \$7,864.00 that had been budgeted and still available for the Wentworth School in the FY08 School Department Budget. I will be requesting that the Superintendent of Schools freeze this line item so that it can be authorized for any potential expenditures for the Wentworth School in the future.