

**Minutes**  
**City Council Legislative Subcommittee Meeting**  
**Eileen Dondero Foley Council Chambers**  
**9:00 a.m.**  
**Tuesday, October 17, 2017**

I. Greeting: Mayor Blalock

Mayor Blalock opened the meeting at 9:00 a.m.

Present: Mayor Blalock, Assistant Mayor Splaine, Councilor Dwyer, Councilor Spear, Deputy City Manager Colbert Puff, Assistant City Attorney Ferrini and City Clerk Barnaby

State Representatives: Rebecca McBeath, Jacqueline Cali-Pitts, Tamara Le, and Peter Somssich

State Senator: Martha Fuller Clark

II. Legislative Issues of Interest:

Homestead Exemption – Assistant Mayor Splaine

Support for Transgender Legislation – Assistant Mayor Splaine

Work Force Housing/Affordable House percentages within new development – Councilor Dwyer

Assistant Mayor Splaine said there was a Homestead Exemption back in the 1970's and was later ruled unconstitutional. He would like the legislature to continue to look at this matter.

Councilor Dwyer said this came from a public dialogue session of the City Council. She would like to try to attach this to our additional surcharge bill for hotels.

Representative Cali-Pitts said she thought of putting it in this year but feels next year is the time. She said she does not want to see the surcharge going down because of adding the Homestead Exemption to the bill.

Senator Clark said maybe the surcharge needs to be greater to have an effect on reducing taxes.

Representative Somssich said that this is not the year to do it and it is important to try to get people to stay in their homes. He said we need to know the impact and amount of funding.

Mayor Blalock asked why next year might have a better chance.

For further information on the content or status of bills and the Senate and House Calendars, see <http://www.gencourt.state.nh.us>. For information regarding New Hampshire Municipal Association's Bulletin, see [http://www.nhmunicipal.org/Legislative Bulletins](http://www.nhmunicipal.org/Legislative%20Bulletins)

Senator Clark said the dynamics might be different next year due to the election. She said we could start building support now to bring a proposal that could be ready for 2019.

Representative Le said it is a good way to see what the opposition is.

Assistant Mayor Splaine said he would like to see legislation for transgender support and have equality. He asked how the City Council or residents could support the legislative efforts.

Senator Clark said weighing in and supporting the legislation may mean getting op-eds published. She said people are not engaged and we need to get their support. She state maybe a conversation with the City Council to support the legislation.

Representative Somssich said there are a number of avenues to support the legislation. He said New Hampshire has an image problem for equality. He said we need to get the business community on board. He stated the NH Municipal Association needs to come out and get communities to say that this is a good piece of legislation.

Representative Le said she feels it is important to speak with younger people in the millennial community.

Representative Cali-Pitts said people need to show their actions by doing. She said we need to lead by example and much can be done at the City school level.

Assistant Mayor Splaine said four years ago the City Council passed a Resolution for transgender in the workforce.

Councilor Dwyer said that this is a challenging topic but we need to gauge where we are in the interest of the community. She said we really have a great deal of interest in the City. She asked if the legislature has seen effects put forth for workforce or affordable housing.

Representative McBeath said she is interested in exploring it. She asked if the Subcommittee is happy with the zoning change for accessory dwelling.

Councilor Dwyer said requests for accessory dwelling are coming to the Planning Board that are not being approved. She said people are building another house on their lot. She said the garden cottage has helped.

Deputy City Manager Colbert Puff said the Planning Board has seen an application for an accessory dwelling unit at every meeting.

Representative Somssich would like to see how the accessory dwelling units work out and how it develops.

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Representative Cali-Pitts asked if we were going to gather statistics on whether accessory dwelling units are affordable.

Deputy City Manager Colbert Puff said they are gathering statistics and the Board is reviewing the savings of a unit and the costs.

Councilor Dwyer said it does not help with affordable housing.

Deputy City Manager Colbert Puff said a Board of Adjustment hearing that is 2 units remain accessory dwelling units and making them permanently affordable. She said this was a decision of the Board of Adjustment that came out.

Councilor Dwyer said younger people are looking for small units, such as a garden cottage.

### III. Update on Commission to Study Process to Resolve Right to Know Complaints – Councilor Dwyer

Councilor Dwyer said the Commission has been meeting every week and will present something to the legislature for process for a paid ombudsmen for appeals overseen by the Commission. She said it would keep track of the patterns that are developing and oversight training. She indicated that the ombudsmen would know the process to go to Superior Court. She said that State agencies and school boards are examples that have been brought forth. Councilor Dwyer said we will look at what kind of training and who could be certified to provide the training.

### IV. Discussion of Proposed Senate Bills for 2018 – Senator Clark

Senator Clark advised the City Council that none of the LSR's from Senator's have been put out. She stated that Medicare expansion is a high priority for discussion and she would report back. She said an issue of concern is the high cost of energy and the cost to the rate payers. She said another matter is how we can move ahead on renewal energy. She said she would like to see what the City of Portsmouth and City Council could be doing here that would help in terms of moving forward for distributed energy. She said some feel we should take the money from the Volkswagen settlement and use the funds to implement more car charging stations. She indicated that the cost of energy has gone down but the transmission costs have increased.

Representative Somssich said he submitted an LSR to have a Committee look at 100% renewable energy Statewide by 2040. He said utilities have to look at what they can provide and this is a first step.

Senator Clark said there are meetings on renewable energy hearings but the meetings would not be coming to Portsmouth.

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Representative Cali-Pitts said they are working diligently to keep programs on the table. She said the State does not regulate transmission. She stated we are holding on to keep the programs fully funded. She said as a City we are looking to renewable energy.

Senator Clark said you need to look at family medical leave and would like the City to weigh in on the bill. She said maybe you should share the information with the City Council, the vote is coming forward on October 31<sup>st</sup>. Councilor Dwyer asked what was in the bill. Senator Clark said it would allow employees to opt in to a family medical leave and would costs \$4.00. To \$5.00 per week and go into a special fund. She said it will be called family medical leave insurance.

V. Request from the City for Senate Bill on Income and Expense Data on commercial Property for Valuation Purposes – Assessing Department

Deputy City Manager Colbert Puff said we went through the revaluation process and questions came forward on the commercial and residential assessments. She spoke to the shift in percentages for the commercial and residential properties and how they are addressed. She spoke to businesses not being required to complete and return the expense sheet and how that impacts placing values.

Assessor Lentz spoke to the need for the expense sheets. She addressed the shift from commercial values to residential values. She said there is a requirement to make sure that properties are assessed between 90% and 110%.

Mayor Blalock spoke to the values placed on hotels during the sale of the property it includes the business and furnishings but they are not assessed in that way.

Senator Clark said the matter of revaluations are not well understood. She left the meeting at 10:00 a.m. to attend another meeting in Concord.

VI. Request for City's Support for LSR 2018-2470, a bill to establish a local option for an additional surcharge on hotel occupancy (similar to 2016 HB1214) – Jane Ferrini

Assistant City Attorney Ferrini said this is similar to the bill from 2016 and some have said 2018 might not be the year for this.

VII. Discussion of LSR's of Interest, Study Committees and Retained bills – Legislative Delegates and City Staff

Assistant City Attorney Ferrini said a meeting was held with our City Council Subcommittee. She said the Right-to-Know is an important bill. She said a meeting will be held on October 24<sup>th</sup> with a report out in November regarding short term rentals. She reported that educational funding meet every few weeks and reviews how education is funded through the State. She said this issue comes forward annually. She spoke to the cancer cluster meeting and advised that Health Officer, Kim McNamara will be working on this matter. She advised the Committee that we have many LSR's but no bills. Assistant City Attorney Ferrini said some of the bills are health care funding, short term rentals, planning and zoning changes, and meals and rooms and reported that there were over 600 bills.

Representative Somssich reported that he put in a bill that prevents the State from using Kaspersky software, which is a cyber community risk.

Representative McBeath said these meetings are so helpful and Assistant City Attorney Ferrini's work is important. She said on November 8<sup>th</sup> SB193 regarding parents and homecare where they would be able to receive 90% of the funding it costs and the bill is likely to pass. She urged the coalition to attend the meeting or come forward with talking points. The Department of Transportation 10 year plan meeting will be meeting at the Public Library at 7:30 p.m. in the Library. Deputy City Manager Colbert Puff said the Planning Department will attend the meeting and testify.

Assistant Mayor Splaine said in Massachusetts there is a bill where you call 911 to give your baby up rather than dropping them off at a hospital or a church and feels we should look into this.

Representative Le would like to speak with the Police Department on this matter.

#### VIII. Schedule Next Meeting

Mayor Blalock said he would reach out to the Legislative Subcommittee to schedule a date in November sometime.

IX. At 10:25 a.m., Mayor Blalock closed the meeting.

Respectfully submitted by:

Kelli L. Barnaby, MMC, CMC, CNHMC  
City Clerk