

TO: KAREN CONARD, CITY MANAGER

FROM: KELLI L. BARNABY, CITY CLERK

RE: ACTIONS TAKEN BY THE PORTSMOUTH CITY COUNCIL MEETING HELD BY ZOOM ON MONDAY, MAY 4, 2020 MEETING AT EACH INDIVIDUAL CITY COUNCILOR'S HOME, CITY MANAGER CONARD'S HOME, CITY ATTORNEY'S OFFICE, AND CITY CLERK'S HOME

PRESENT: MAYOR BECKSTED, ASSISTANT MAYOR SPLAINE, COUNCILORS McEACHERN, WHELAN, LAZENBY, KENNEDY, HUDA, TABOR AND TRACE

1. An Anticipated Non-Public Session was held regarding Collective Bargaining Agreements in Accordance with RSA 91-A:3 II (a).
2. Work Session – There was no Work Session held.
3. Mayor Becksted recited that this is a Remote Meeting via Zoom Conference Call. Per NH RSA 91-A:2 III (b) the Chair has declared COVID-19 Outbreak an emergency and has waived the requirement that a quorum be physically present at the meeting pursuant to the Governor's Executive Order 2020-04, Section 8, as extended by Executive Order 2020-8, and Emergency Order #12, Section 3. Members will be participating remotely and will identify their location. All votes will be by roll call.
4. Proclamations were read by Mayor Becksted declaring:
 1. Police Week in Portsmouth – May 10 through May 16, 2020
 2. Peace Officers' Memorial Day, Friday, May 15, 2020
 3. Bike Month May, 2020
 4. National Nurses Week – May 6, 2020 through May 12, 2020
 5. National Professional Teachers Association Week – May 4, 2020 through May 8, 2020
5. **On a unanimous roll call 9-0, voted** to suspend the rules to take up Item XVII A. Presentation by Health Officer Kim McNamara regarding COVID-19 Update and B. Presentation – Update on the Governor's Office for Emergency Relief & Recovery (GOFERR) by Assistant City Attorney Jane Ferrini.
6. Presentation by Health Officer Kim McNamara regarding COVID-19 Update – Health Officer McNamara provided a presentation regarding COVID-19. She reported on the number of cases throughout the State and the testing procedures that are taking place. She spoke to the supply of Personal Protection Equipment. She addressed the public health effects and the use of non-pharmaceutical inventions and the need to remain cautious as we step forward.

7. The Salvation Army Agreement (Not on agenda) – On a unanimous roll call 9-0, voted to authorize the City Manager to negotiate and enter into an Agreement with the Salvation Army to vend from a designate parking space in order to provide food at no cost to the homeless and our vulnerable population.
8. Presentation – Update on the Governor’s Office for Emergency Relief & Recovery (GOFERR) by Assistant City Attorney Jane Ferrini – Assistant City Attorney Ferrini provided a brief report on the Stake Holders Advisory Board and an overview of Cares funds. She advised the City Council that the fund cannot be used for the recovery of revenues but we will be receiving \$522,989.00 in funds. She did indicate Representative Kuster and Congressman Pappas will be addressing revenue issues for municipalities as there are various grant that are covering COVID and costs related to the virus. Assistant City Attorney Ferrini stated she continues to go through the various elements of funds and there availability to municipalities.
9. Public Comment Session – There were four speakers: Jim Hewitt (West End Yards Project); Roy Helsel (Collective Bargaining Contracts); Valerie Rochon (Reopening restaurants and government guidelines); and Mark Brighton (Budget).
10. First reading of Ordinance amending Chapter 7, Article I, Section 7.105 C – Designated Motorcycle Parking Area – On a unanimous roll call 9-0, voted to pass first reading of an amendment to Chapter 7, Article I, Section 7.105 C, the Designated Motorcycle Parking Area Ordinance, and schedule a public hearing and a second reading at the May 18, 2020 City Council meeting.
11. Appointment to be Considered – Robert W. Bogardus appointment to the Recreation Board Senior Subcommittee – The City Council considered the appointment of Robert W. Bogardus to the Recreation Board Senior Subcommittee which will be voted on at the May 18, 2020 City Council meeting.
12. Appointment to be Voted – Reappointment of Richard Blalock to the Recreation Board – On a unanimous roll call 9-0, voted to reappoint Richard Blalock to the Recreation Board until April 1, 2023..
13. Formation/Reestablishment of the Prescott Park Blue Ribbon Committee – On a unanimous roll call 9-0, voted to reestablish the Prescott Park Blue Ribbon Committee with the following members:
 - Petra Huda, Council Representative
 - Beth Margeson
 - Thomas Watson
 - Genevieve Aichele
 - Alan Gordon
 - Robin Lurie-MeyerKopf

14. Clipper Strong Fund Update – Mayor Becksted announced the creation of the Clipper Strong Fund to Portsmouth small businesses. No action required.
15. Assembling Plans for “Opening Up” When the Time Comes to Help Our Residents, Businesses, and Employees/Creating A Portsmouth Economic Re-Opening Task Force – Assistant Mayor Splaine suggested we create a Citizens Task Force to assist in the COVID-19 Pandemic and include assistance for non-profit organizations.
16. Preparation to Open Portsmouth Safely with an emphasis on safe and socially distant economic activity – Councilor McEachern suggested that City Manager Conard, Fire Chief Germain and Police Chief Merner work with Valerie Rochon of the Chamber of Commerce on a plan to reopen the city and its businesses. No action required.
17. Support for Elections – **On a unanimous roll call 9-0, voted** to refer this matter to Assistant City Attorney Ferrini to draft a letter of support for absentee voting in the upcoming fall elections and have the letter as an agenda item for the May 18, 2020 City Council meeting.
18. McIntyre Update – Councilor Whelan provided a brief update regarding McIntyre. No action required.
19. Parking Traffic and Safety Valet Request – Councilor Whelan reported this matter will be brought forward at the May 18, 2020 City Council meeting for action.
20. April 2020 Revenue Receipts – **On a unanimous roll call 9-0, voted** that the City Manager provide a series of budget scenarios for potential cuts of 20%, 30%, and 40% in state of local revenue in order to adjust the FY21 Budget and prioritize high-need items.
21. Portsmouth Housing Authority – Release of Reverter (tabled from the April 20, 2020 City Council meeting) – Moved to enable the City Manager to move forward with the release of reverter unless there is an issue raised by the Planning Board.

On a roll call 6-3, voted to amend the motion and send this matter to the Planning Board for a report back. Assistant Mayor Splaine, Councilors Whelan, Kennedy, Huda, Trace and Mayor Becksted voted in favor. Councilors McEachern, Lazenby and Tabor voted opposed.

On a unanimous roll call 9-0, voted to pass main motion as amended.
22. Removed Item XV. A.2. - Bellamy Source Protection Easement – Duffy Property XV. A.4. – West End Yards Easements from the Consent Agenda.

23. Bellamy Source Protection Easement – Duffy Property – **On a unanimous roll call 9-0, voted** to authorize the City Manager to negotiate and execute a Purchase & Sale Agreement for the purchase of a conservation easement on the subject parcel in a substantially similar form to the attached agreement; refer the acquisition of the 107-acre conservation easement on the subject parcel to the Portsmouth Planning Board for a recommendation back to the City Council; authorize the City Manager to enter into a Grant Agreement to accept up to \$287,000.00 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; and establish a public hearing for June 1, 2020 for the supplemental appropriation to utilize \$574,300.00 from the water enterprise fund net position with understanding that up to \$287,000.00 will be reimbursed by the New Hampshire Drinking Water and Groundwater Trust Fund.
24. West End Yards Easements – **On a roll call 8-1, voted** to grant authority for the City Manager to accept and/or execute the easement deeds and enter into the license agreements on behalf of the City in a form similar to those attached. Assistant Mayor Splaine, Councilors McEachern, Whelan, Lazenby, Huda, Tabor, Trace and Mayor Becksted voted in favor. Councilor Kennedy voted opposed.
25. City Manager Consent Agenda Items:
- Planning Board Report Back Regarding Market Street Property Purchase ***(move to approve the procurement of the 7,834 sq. ft. parcel of land on Market Street by the City from NHDOT)***
 - Request For Release of Any City Interest In Assessor Map 206, Lot 1 ***(move to authorize that the City release any interest it may have in land identified as Assessor Map 206, Lot 1)***
26. Consent Agenda – **On a unanimous roll call 9-0, voted** to adopt the Consent Agenda.
- A. Request of License to Install Projecting Sign for owner Robert Walker of 110 Grill Portsmouth HS LLC for property located at 99 Hanover Street ***(Anticipated action – move to approve the aforementioned Projecting Sign License as recommended by the Planning 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 no cost to the City; and***

- ***Any disturbance, 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 for License to Install Projecting Sign for owner Jennifer Mathieson of Hello Lovely for property located at 92 Pleasant Street ***(Anticipated action – move to approve the aforementioned Projecting Sign License as recommended by the Planning 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 no cost to the City; and***
- ***Any disturbance, 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***

27. Email Correspondence – **On a unanimous roll call 9-0, voted to accept and place on file.**
28. Parking Meters Pricing Over 3 Hours – **On a unanimous roll call 9-0, voted to refer this matter to Parking, Traffic & Safety for report back and recommendation to the City Council.**
29. Adjournment – **At 11:45 p.m., on a unanimous roll call 9-0, voted to adjourn.**

Respectfully submitted by:

Kelli L. Barnaby, MMC, CNHMC
City Clerk