



# CITY OF CONCORD

*New Hampshire's Main Street™*  
41 Green Street, Concord NH 03301  
(603) 225-8570

## Parking Committee Minutes July 27, 2020

### **Attendees:**

Byron Champlin, City Councilor, Chair  
Linda Kenison, City Councilor  
Brent Todd, City Councilor  
Nathan Fennessy, City Councilor

### **Staff:**

Matt Walsh, Director of Redevelopment, Downtown Services, & Special Projects  
David Florence, Parking Division Supervisor

### **Public:**

Erle Pierce, City Councilor

The meeting began at 5:00 PM.

Matt Walsh, Director of Redevelopment, Downtown Services, & Special Projects, read the Covid-19 public meeting procedures notice, which explained that, due to the Covid-19 "Coronavirus" Pandemic, and in accordance with Governor Sununu's Emergency Order # 12 pursuant to Executive Order 2020-04, the Parking Committee is authorized to meet electronically. The City utilized the Zoom platform for this electronic meeting.

1. **Overview of Agenda:** Councilor Champlin provided an overview of the meeting agenda and welcomed those in attendance.
2. **Adoption of Minutes:** Councilor Fennessy moved to adopt the minutes of May 26, 2020, as presented. Councilor Todd seconded. Due to the COVID-19 Pandemic, a roll call vote was conducted. The motion passed unanimously.
3. **FY2020 Budget:**
  - a) **Review of Draft June 2020 Year to Date Financial Statement:** Matt Walsh provided an overview of the draft June 2020 Year-to-Date (YTD) financial statements for Fiscal Year 2020. As of June 30th, 100% of the fiscal year had elapsed.
  - b) **Revenues:** Mr. Walsh provided a detailed review of FY 2020 revenues. He explained that all figures were preliminary, as efforts to close FY 2020 were still underway.

Preliminary total revenues were \$2.41 million, or \$638,000 less than the budgeted amount of \$3.049 million. Year over year, FY 2020 revenues were approximately \$528,000 less than FY 2019. Highlights included the following:

- i. Metered Parking Penalty revenues were \$338,850, which was \$294,000 less than budget. Mr. Walsh explained that multiple factors were impacting this situation, including two unfilled Parking Enforcement Officer (PEO) positions, use of a PEO on a part-time basis to support meter collections and repairs, as well as the Covid 19 “Coronavirus” Pandemic.

Relative to the Covid 19 Pandemic, Mr. Walsh reported that, from July 1, 2019 – February 29, 2020, citation revenues were at 97% of the previous fiscal year. However, during March through June, citation revenues were \$65,000 less than FY 2019 due to the Covid 19 Pandemic and associated stay at home orders and business closures.

- ii. Metered Parking revenues were \$1.007 million, which was \$372,000 less than budget. Mr. Walsh explained that this was directly attributable to the Covid 19 Pandemic. He noted that, year over year, from July through February, metered revenues for FY 2020 were actually slightly ahead of FY 2019. However, during March through June, metered revenues for FY 2020 were \$328,000 less than the previous fiscal year.
- iii. Parking Card revenues were \$19,242 or \$65,000 less than budget. Mr. Walsh reported that this was attributable to unresolved contract negotiations between the State Employees Association and the State of New Hampshire, as well as relocation of State employees from Downtown to the State’s Meldrim Thompson Office Park on Hazen Drive.
- iv. Rental Income was \$762,000, which was \$91,000 greater than budget. Mr. Walsh noted that this was a “bright spot” in FY 2020 revenues and explained that the greater than budgeted income was associated with supplemental lease payments from long-term lessees at the Storrs Street Garage, as well as \$40,000 in meter encumbrance permits.

- c) **Expenditures:** Mr. Walsh provided a brief overview of expenditures. Total expenditures in FY 2020 were approximately \$2.549 million or \$347,000 less than budget. Mr. Walsh explained that this was achieved by keeping two full-time parking enforcement officer positions vacant, as well as a part-time Meter Tech position vacant. He also noted that maintenance activities at parking facilities were reduced by approximately \$155,000 in order to offset revenue losses associated with the Covid 19 Pandemic.

Mr. Walsh noted that debt service payments increased by approximately \$236,000 year over year. This was primarily due to debt service associated with the repair and renovation of the School Street Parking Garage.

- d) **Preliminary Year End and Fund Balance Position:** As of June 30, 2020, the Parking Fund booked a loss of approximately \$138,845 for FY 2020. The Fund was budgeted for net income of \$124,000. In FY 2019, the Parking Fund's net income was \$672,000.

On July 1, 2019, the Parking Fund's working capital was \$675,944. Accounting for a preliminary FY 2020 loss of \$138,845, working capital on June 30, 2020 was approximately \$537,000.

Discussion ensued about the FY 2021 Budget and ongoing impacts associated with the Covid-19 Pandemic. Mr. Walsh reported that City Administration will continue efforts to manage expenditures to the extent possible to hedge against likely revenue losses, which will continue for the foreseeable future until the Covid-19 Pandemic subsides. Specifically, until downtown businesses resume normal operations, and key activity centers such as the Capitol Center for the Arts, the Bank of NH Stage, Red River Theatres, the City Auditorium, State and Federal Courts, restaurants, and the Legislature resume normal operations, parking meter and citation revenues will likely continue to remain low.

Mr. Walsh further noted that, since the onset of the Covid-19 Pandemic in mid-March 2020, monthly meter revenues have been down 75-80% year over year. Monthly parking citation revenue has been down 60%.

A brief discussion ensued about lease and permit parking. Staff explained that, for the most part, businesses and individuals opted to renew their parking agreements on July 1<sup>st</sup> for FY 2021.

4. **Collection of Outstanding Parking Tickets:** Mr. Walsh exhibited a PowerPoint presentation concerning delinquent parking tickets, the City's current approach to collecting tickets, and other alternative strategies available concerning collection of delinquent tickets. Alternative strategies included hiring a debt collection agency or withholding motor vehicle registrations in accordance with RSA 231:130-a. The presentation essentially summarized a June 12, 2020 report to the City Council regarding these items. A copy of the presentation is attached to these minutes.

This issue was referred to the Parking Committee by the City Council during the FY 2021 budget adoption process as a result of information requested by Councilor Pierce.

Discussion points included the following:

- Councilor Pierce thanked the Parking Committee for reviewing this issue. He suggested that, in addition to hiring a collection agency or adopting RSA 231:130-A, the City should explore selling the debt to a third party. He also noted that those parties who do not pay their tickets force the City to raise parking rates, and potentially property taxes, to support the Parking Fund. He felt this was an equal protection issue for those parties that do pay their tickets, and he encouraged the City to be reasonably aggressive in pursuing

delinquent parties. He also stated that a collection rate of 85% would be reasonable.

- In addition to the potential reasons listed in the presentation, Councilor Fennessy speculated that the drop in the City's collection rate in calendar years 2017, 2018, and 2019 might also be due to more out of town visitors to Downtown following completion of the Main Street renovation, and disincentive to pay their ticket as said individuals may not be frequent visitors to Concord.

He also indicated that he was uncomfortable with the idea of selling the City's unpaid parking ticket debt to a third party who would then be pursuing residents for payment.

He also stated that he was uncomfortable with the City collecting parking tickets for other communities that have adopted RSA 231:130-a, and suggested that this method of collecting tickets would not be popular with Concord residents.

- Councilor Kenison discussed RSA 231:130-a, and asked whether it included a hardship provision for low income residents. Mr. Walsh stated that he was uncertain and would need to review with the City's Legal Department.

At the conclusion of the discussion, the Parking Committee asked for a legal opinion regarding whether the City would have the ability to grant "hardship waivers" for low income individuals in relation to RSA 231:130-a. They also requested additional information including:

- a) A comparative cost-benefit analysis of the cost of the City's current approach of collecting delinquent tickets, as compared to engaging a collection agency, adopting RSA 231:130-a, or selling the debt to a third party.
- b) A review of outstanding parking tickets for FY 2017-2020, including an analysis of where the vehicle was registered (i.e. Concord, elsewhere in NH, or out of state).

## 5. Other Business:

- a) School Street Parking Garage Loading Zone: Councilor Fennessy noted that this item was tabled at the May 26, 2020 Parking Committee meeting and asked for a status report.

Mr. Walsh responded that he had sent a notice via the School Street Parking Garage renovation mailing list about the proposed loading zone. He indicated that Capital Plaza Concord LLC and Shannon Wheeler (owner of 55 North Main Street) had responded that they were supportive of the proposed loading zone. No other feedback was received.

Mr. Walsh also reported that he had reviewed with City Transportation Engineer Karen Hill potential traffic and safety issues raised during the May 26<sup>th</sup> meeting, and that she felt the proposed loading zone would not create any significant issues.

Mr. Walsh suggested this item could be discussed at the Committee's next meeting.

- b) Kiosk and Single Space Meter Replacement: Mr. Walsh asked whether the Parking Committee had any desire to revisit replacement of pay station kiosks and mechanical meters at the August 24<sup>th</sup> meeting. He reported that staff had developed a new alternative, which would reduce the projected cost for replacing 85 kiosks and 270 single space mechanical meters from \$850,000 as carried in the FY 2021 Budget (CIP 595) to approximately \$400,000. It was the consensus of the Committee to not pursue this item at the present time due to ongoing financial challenges associated with the Covid 19 Pandemic.
  - c) Discuss topics for August meeting agenda: The Committee had a brief discussion about its next meeting on August 24, 2020. Most members indicated they would be available for a meeting. Agenda items will include City Council referral regarding winter parking on Beacon Street, narrow street issues discussed by Councilor Kenison regarding Marshall Street at Oak Street and South State at West Street, as well as the School Street Parking Garage Loading Zone.
6. **Adjourn**: Councilor Kenison moved to adjourn the meeting. Councilor Todd seconded. The motion carried unanimously on a roll call vote. The meeting adjourned at 6:30.

Respectfully Submitted,

Matthew R. Walsh  
Director of Redevelopment, Downtown Services, and Special Projects