



CITY OF PORTSMOUTH, NEW HAMPSHIRE
GOVERNANCE COMMITTEE

MEETING MINUTES
MONDAY, May 31, 2022
10:35 a.m.

Conference Room A
City Hall Complex, 1 Junkins Avenue
Portsmouth, NH 03801

1. Welcome and Call to Order at 10:35 a.m.
2. Roll Call: Councilor John Tabor, Councilor Vincent Lombardi and Councilor Kate Cook present. Also present was Suzanne M. Woodland, Deputy City Manager/Deputy City Attorney (DCM).
3. Motion by Councilor Tabor, seconded by Councilor Lombardi to accept the meeting minutes of: April 11, 2022, April 29, 2022; and May 16, 2022. All in favor.

Motion by Councilor Lombardi, seconded by Councilor Tabor to adopt as Notes, and not as minutes, the meeting notes from March 14, 2022. At the March 14 meeting only Councilor Lombardi was present in person, the other committee members being present by Zoom only and no quorum in person.

4. Continued Review of Draft Ethics Ordinance Revision – the DCM reported that the New Hampshire Municipal Association Committee declined to review or opine on the draft ethics ordinance and the issues identified citing their standard operating policies and suggested reliance on in-house counsel.

The DCM also reported on input received from the City's labor counsel regarding suggested additional language given collective bargaining agreements. The following additional provision was recommended to be added, a new subparagraph (E) to section 1.806:

If the employee is a member of a bargaining unit covered by the terms of a collective bargaining agreement, the investigation will comply with those provisions of the applicable collective bargaining agreement; this may include, but is not limited to the employee having Union representation at any investigative interview that may lead to discipline.

Consensus to add this additional language.

Committee reviewed the minor changes that were suggested at the last meeting and adopted/incorporated into the draft ordinance.

Motion made by Councilor Tabor to approve this final revised version of the Ethics Ordinance, with the new language at 1.806 (E) relative to employees subject to collective bargaining agreements, and forward to the City Council for consideration and action. Councilor Lombardi seconded. Discussion followed:

Councilor Tabor noted there is added to due process to this current draft and reviewed the provisions that provide those opportunities to be heard.

Councilor Lombardi concurred the ethics ordinance is well-formed and ready to move it along.

Councilor Cook noted that there were many improvements from the original. Ethics Investigation Officer takes burden off the Committee. Thanked the public and other input. No ordinance is perfect and there is a further opportunity before the City Council for comment.

Voted all in favor on the pending motion.

5. Discussion of Committees – Councilor Cook shared with the Committee a spreadsheet, see attached, identifying all the committees, boards and commissions, both standing and Mayor’s committees.

The following committees, highlighted in yellow on the attached list, could be sunset as being no longer useful/defunct:

- Board of Health – The DCM reported that Health Officer advises this Board is not necessary given that the City has a professionally staffed department.
- Board of Plumbing Examiners and Building Commission – The DCM reported that the Chief Building Inspector advises that these two committees are not required by State statute and sees no need for one. The Building Code of Appeals by contrast is statutorily required.
- Microenterprise Advisory Committee – The DCM reported this committee is no longer active or required, such information coordinated with the Assistant City Manager for Economic Development.
- Portsmouth Economic Development Loan Program Board – The DCM reported this committee is no longer active or required (loan funds associated with this program have been expended).
- Renewable Energy Policy Blue Ribbon Committee is no longer active. Sustainability Committee is active and an appropriate venue for renewable energy issues.

The DCM offered to gather additional information on the following committees for the next committee meeting: Peirce Island Committee; Personnel Advisory Board; Planning and Development Council; Seacoast MPO - Technical Advisory committee; Strategic Planning Committee for Vaughn-Worth Bridge Review and Vaughan Mall Blue Ribbon Committee.

The DCM reported that the Portsmouth Housing Endowment Fund Board and the Portsmouth Housing Fund Advisory Board are one and the same. It is a Board that meets once or twice per year as part of our CDBG funded Hometown program.

Discussion regarding the prior work of the Vaughan Mall Committee and the Strategic Planning Committee for Vaughn-Worth Bridge and inquiry from Councilor Lombardi as to whether there is further value to at least one of these committee's given status of projects and knowledge of committee members. Question for follow-up as to whether there were any final reports/recommendations.

There was discussion regarding the origins and purpose of the Portsmouth Heritage Museum Board which appears to be long since inactive. That discussion further evolved to a discussion about how the City archives and maintains historic documents and role of the library in that effort. The DCM will try to arrange someone from library to come to the next meeting to discuss current process and whether a committee is needed to assist with identification and saving historic records.

Discussion of creating a mid-year report to City Council. Councilor Cook agreed to develop a draft slide deck for review by the Committee.

6. Public Comment from Petra Huda regarding minutes and ethics ordinance draft.
7. Other Business – Councilor Tabor asked when the Governance Committee would discuss timing of appointments. Councilor Cook indicated that this will be discussed at a future meeting of the Governance Committee.
8. Adjournment – Motion by Councilor Lombardi to adjourn and seconded by Councilor Tabor. All in favor. Meeting adjourned at 11:46 a.m.

Meeting Minutes prepared by
Suzanne M. Woodland
Deputy City Manager/Deputy City Attorney

Approved by Governance Committee on: June 13, 2022