



**CITY OF PORTSMOUTH, NEW HAMPSHIRE
GOVERNANCE COMMITTEE
MEETING MINUTES
MONDAY, JANUARY 9, 2023 – 10:00 a.m.
Conference Room A
City Hall Complex, 1 Junkins Avenue
Portsmouth, NH 03801**

1. **Welcome and Call to Order** - 10:00 a.m.
2. **Roll Call** – Councilor Cook and Councilor Lombardi present in person; Councilor Tabor present by Zoom. Also present was City Attorney Susan G. Morrell and Legal Administrator Synthia M. Ravell.

Councilor Cook began the meeting thanking former Mayors for coming. The former Mayors joining this meeting were Jack Blalock and Peter Weeks (both in person), as well as Rick Becksted and Tom Ferrini (both by Zoom). Former Mayors Eric Spear and Robert Lister were unable to attend; however, they did provide written comments on today's topic of discussion, which Councilor Cook read as noted below following the views of and discussion by the former Mayors who were in attendance.

3. **Review and Approval of Minutes** – Councilor Lombardi moved to approve the December 12, 2022 meeting minutes, seconded by Tabor and all in favor.
4. **Old Business**

a. Committees/Ordinances Review – Former Portsmouth Mayors' Views

Councilor Cook stated that the Committee is looking at appointments and, specifically, the timing of appointments and shared a mock-up of changes with discussion about staggering appointments and moving expiration from December to June.

Former Mayor Peter Weeks is a Trustee of the Trust Funds. His term expires in December. The Mayor gets to make nominations to all of the Boards that need the consent of the City Council. It takes two (2) meetings to confirm an appointment; the Mayor brings it in for consideration at the one meeting and the Council votes on it at the next meeting. The Mayor has the opportunity to appoint people and the Council has the ability to either vote in favor of that person or vote opposed to that person. To make the change doesn't make a lot of sense, because the Council has the ability to vote against the nominations if they don't agree with them.

A brief discussion was had regarding the expiration of the terms currently scheduled to end December 2023, that if this were to move forward those expirations would be extended to 2024 expiration dates in January, April, July, October. So no current

terms would be shortened term, just extending the terms into the new rotating schedule.

Former Mayor Jack Blalock understands and agrees with the rational of the change in staggering. Doesn't see how this would affect Boards or Commissions negatively since it doesn't shorten people's terms and eventually it will all fall into certain terms. Appointing someone is a lot of work if it's done correctly; interview them to be sure everyone is on the same page and they're performing, and eliminate the politics from the decision making. Spreading them out would make it easier for the Mayor to do the job for appointments and reappointments. It also eliminates the idea that it might be somewhat political. He has read through the proposed changes to the ordinance and agrees with them.

Former Mayor Rick Becksted shared his views and respectfully agrees with former Mayor Blalock and discussion about the political view. He further discussed the current staggering and how it may need to be considered with respect to the proposed changes to the ordinance for staggering.

Former Mayor Tom Ferrini believes that it is okay to make appointments up to the end of the City Council terms, even after election, so as not to take away the powers of a duly-seated City Council. It would effectively limit their term.

Councilor Cook then read testimony from former Mayor Eric Spear and former Mayor Robert Lister.

- Former Mayor Eric Spear's testimony commented on moving the inaugural meeting to early November.
- Former Mayor Robert Lister's testimony commented on the importance of the timing of appointments and that the Mayor should not be making appointments in the 2-month post-election timeframe. He further stated that it should be a thoughtful process, taking into consideration the needs and purpose of the committees.

Councilor Lombardi noted that both approaches, changing the appointment times to a different part of the year or changing the seating time of the new council, would resolve the problem. He is not sure how that impacts other things, but the changing of the seating of the Council would shorten the Mayor's ability on many things, not just the appointments. It's a question of which one works better.

Councilor Tabor has liked the approach of moving the appointments mid-year. Hearing former Mayor Ferrini saying we should be careful about reducing the power of an elected council; he makes a good point. Changing the critical land boards to June, it will often happen within the first six (6) months of a newly-elected council, and there may be some benefit of a new Mayor and Council having those six (6) months to figure out their priorities, begin acting on them, and make appointments to the land use boards in accord with their priorities. It would also give time for

recruiting and vetting of people, which takes time if you do it right as noted by former Mayor Blalock.

Councilor Cook asked for discussion about the timeframe of those first six (6) months and appointments. Former Mayor Blalock noted there's a catch-up period for new members and having the six (6) months a chance to get up to speed is a benefit. He also noted that changing the date of inaugurating the new council is something to be considered but is a whole other issue, but even if you did that you would want to stagger appointments. Former Mayor Weeks disagrees with changing the time of seating the new council after an election. A complete turnover of a council, the new people need some time to get up to speed between the election and the inauguration in January. Former Mayor Becksted agreed with Mayor Weeks regarding changing the council inauguration date, and as far as the June/December it was done purposely the way it was set up. Former Mayor Ferrini said you can't make politics non-political; whenever change is made, it should be mandated, not optional. Councilor Cook agreed that it is advisory. Councilor Lombardi agrees with former Mayor Weeks about the seating of the new council early is not relevant to the problem and could cause other problems.

Councilor Cook noted former Mayor Becksted's comments on timing on land use boards in the June/July timeframe. She is wondering if it makes sense to move one of them to April and one of them to June so there aren't so many coming up at the same time. Former Mayor Blalock responded that typically the terms are set, former Mayor Becksted is correct, but there's a stagger within that because they're not all appointed in the same year. Having the stagger separated a little bit by months might be helpful. Former Mayor Weeks noted to be careful of resignations in the middle of someone terms, in that the person replacing the term should fill out the remainder of that term but not appointed to a full term. Councilor Cook confirmed that's why this discussion is being had because that was what was happening – appointments being made to fill a position but given a full term.

The Committee Members and former Mayors discussed how alternates fill positions and they have to apply for permanent terms if they want to fill a permanent position. Former Mayor Becksted stated he always relied on Kelli Barnaby for her expertise on terms and filling, which was agreed to by former Mayor Blalock and Councilor Cook.

b. Upcoming Committee Topics – Councilor Cook confirmed next meeting will be January 30th and the topics of discussion for upcoming the next meetings

- Park Discussion – January 30
- Donations Policy – February 13

5. Public Comment

There were no members of the public providing public comment.

6. **Adjournment** – Councilor Lombardi moved to adjourn, seconded by Tabor, all in favor.
Adjourned at 10:46 a.m.

Meeting Minutes prepared by
Synthia M. Ravell
Legal Administrator

Approved by Governance Committee on: January 30, 2023