



**CITY OF PORTSMOUTH, NEW HAMPSHIRE
GOVERNANCE COMMITTEE**

**MEETING MINUTES
MONDAY, March 27, 2023
10:00 a.m.**

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

1. **Welcome and Call to Order** – 10:01 am
2. **Roll Call** – Councilor Kate Cook and Councilor John Tabor present. Councilor Vincent Lombardi absent. Also present was Deputy City Manager Suzanne M. Woodland and Robert Sullivan, Of Counsel.
3. **Review and approval of the Minutes from the March 13, 2023 meeting** – postponed to next meeting.
4. **Old Business**
 - a. **Parks Update** – postponed to next meeting.
 - b. **Administrative Ordinance – Committee/Language Clean-Up** – Councilor Cook provided an update on status. Councilor Cook suggested that the committees that are not governed by a state statute and have issues of concern regarding the lack of stagger of its current membership, the committee propose changes to its membership to remedy that issue (for example as the Cemetery Committee has done). This would be a bottom up approach for committees such as the Parking Traffic and Safety Committee which has a stagger issue. Councilor Tabor was in support of this bottom up approach. Councilor Cook is willing to meet with any Committee to explain the issue of concern and make suggestions as to resolution.
5. **New Business**
 - a. **Conflict of Interest**

Councilor Cook reviewed the applicable local ordinances, rules and charter provisions as part of a kick-off to the Governance Committee efforts:

Administrative Ordinances: 1.801; 1.802; 1.901; and 1.902.

City Charter Sections 3.8, 3.14 and Amendment C, Amendment E

City Council Rule 21

There are also state law provisions including NHRSA 31:39-a; 49-C:19; 49-C:33 673:14 (relative to land use boards) and RSA 21-G:21 (for executive branch as guidance)

Attorney Sullivan shared some perspective on conflict of interests. This is a difficult area in which to regulate. He suggested that the committee review the various existing ordinance provisions for discussion. The City Council will make any final decision as to amending an ordinance.

Councilor Tabor and Attorney Sullivan engaged a discussion about pecuniary/financial interest, how that phrase is used at the state level. They also discussed how conflict of interest works for employees and collective bargaining agreements.

Discussion about keeping in mind the difference between elected officials and employees in terms of standards applied and how enforcement is undertaken.

Councilor Cook brought up the topic of financial disclosure and how far to go in terms of financial disclosure. Attorney Sullivan suggested that one needs care not to dissuade folks from serving on boards or running from office but having to make too many disclosures.

Discussion about apparent conflicts and confidence in government. Discussion about Concord's version of ethics ordinance and apparent conflicts.

Attorney Sullivan and Committee members discussed how disclosure is a cure for many conflicts.

Discussion of the possibility of adding definitions. Discussion of building confidence with the public.

6. Public Comment

Petra Huda (ethical standards of accountants as applicable; one standard -ability to influence an outcome)

7. Announcements

a. Current Committee Schedule

- Conflict of Interest, BR Committee Conversions, Administrative Ordinance – April 10
- Conflict of Interest, BR Committee Conversions – April 24

8. Adjournment – Motion by Councilor Tabor, seconded by Councilor Cook and agreed to adjourn at 11:05 a.m.

Meeting Minutes prepared by

Suzanne Woodland, Deputy City Manager/Deputy City Attorney

Minutes Approved: September 11, 2023