



## CITY OF PORTSMOUTH

CITY COUNCIL POLICY No. 2023 - 03

### **Ethics and Transparency Policy**

#### **1. Council Conflict of Interest Policy**

- 1.1 City Councilors should not exert undue influence on quasi-judicial board members in their official capacity, including speaking on issues before quasi-judicial boards that are not related to a direct abutter interest in the proposal.
- 1.2 Council members shall not attend other Councilor's committee meetings unless noticed in advance, or unless they were invited to participate as a guest, if their attendance might create a Council quorum.
- 1.3 Council members shall not vote on matters pertaining to their own personal reputational interest, including issues of Ethics and Conflict of Interest.
- 1.4 In order to preserve the public confidence in the ethical operation of the City Council, any Councilor who has a concern about a potential conflict of interest for him/her/themselves and the need for recusal, the Councilor shall:
- Confer with the City Legal Department to seek a written opinion.
  - Share that opinion with the Council and the public before the questioned action is taken.
  - If there is a question that arises during Council discussion, the Councilor shall request an opinion from the City Attorney prior to engaging in further discussion.

#### **2. Transparency**

The Council shall not meet unless the meeting is duly noticed (This includes without limitation meetings with legal counsel, which meetings are currently permitted to occur without notice to the public under NH law.)

Should any conversation in nonpublic session be beyond the noticed scope of the meeting and requirements of law, any Councilor may raise a point of order during the course of the meeting of the digression. A point of order could without limitation include a request for a legal opinion as to whether the discussion is appropriate or lawful under RSA:91-A, and/or to request a vote of the City Council as to whether to proceed with the discussion topic.

This policy shall take effect upon the passage by the City Council.

Adopted by the Portsmouth City Council on November 13, 2023.

Ratified by the Portsmouth City Council on January 16, 2024.

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Kelli L. Barnaby, CMC/CNHMC  
City Clerk