



## Meeting Minutes

### GOVERNANCE COMMITTEE

Monday, March 28, 2022 at 10:00 a.m.  
City Hall in Conference A

Members Present: Councilor Katherine Cook, Councilor Vincent Lombardi, and Councilor John Tabor

Staff Present: Suzanne M. Woodland, Deputy City Manager/Deputy City Attorney  
Synthia M. Ravell, Legal Administrator

Members of the public were able to participate by Zoom.

Members of the Public: Greg Mahana, Petra Huda, Mark Brighton, and Liz Hewitt (all in person); Arthur Clough (by zoom)

#### 1. **Welcome and Call to Order**

The meeting was called to order at 10:17 a.m. (late start due to another meeting occurring in the room)

#### 2. **Roll Call**

Roll call taken of those present and recorded above.

#### 3. **Minutes**

**A motion to approve** the Minutes of the February 14, 2022 and February 28, 2022 meetings was made by Councilor Lombardi and approved by Councilor Tabor. A unanimous roll call vote was made and the minutes were approved.

#### 4. **City Council Rules of Procedure – Line by Line Review**

Discussion regarding the City Council Rules of Procedure, led by Chair Cook, to review proposed rule changes and the reasons for changes. See attached document circulated to the whole committee.

**A motion was made** by Councilor Vincent Lombardi to forward the proposed amendments to the City Council Rules of Procedure, as revised and as further amended during this meeting, and seconded by Councilor Tabor. A roll call vote was unanimous.

### Next Steps

Chair Cook noted no consensus yet on any proposed change to Rule 7 governing the City Council agenda. Councilor Tabor noted value of specific agenda section for City Manager items, to which Deputy City Manager/Deputy City Attorney Suzanne Woodland concurred. Chair Cook noted the importance of moving through agenda items efficiently so City Council has more opportunity for discussion of strategic items at City Council level.

## 5. **Ethics Process**

Chair Cook asked for a status update. Councilor Tabor stated that he and Councilor Lombardi spoke with City Attorney Robert Sullivan and have a memorandum from the City Attorney regarding their discussion. A recap of suggestions to date provided by Councilor Tabor was given as follows:

Ethics Officer/Ombudsman is a suggestion worth exploring;

Recommend any member of government body subject of the complaint to recuse themselves from the process;

Ethics Board should be changed from 4 people to 5;

Improve due process protections (such as more time to prepare responses to ethics complaints); and

Ethics Board to provide a recommendation for a penalty with finding.

Councilor Lombardi concurred with the outline as provided by Councilor Tabor and prefers that the City Attorney/Mayor “short stop” stays in place.

Chair Cook stated that former Councilor Huda had noted concern about cost in previous comments; could the compromise be that it doesn't go to ombudsman until reviewed by City Attorney and Mayor unless they feel necessity to get to that level?

Deputy City Manager/Deputy City Attorney Woodland stated that she could do some research regarding use of an ombudsman ethics officer.

Chair Cook would like to begin drafting ordinance revisions for discussion. Councilor Lombardi and Councilor Tabor concurred. Deputy City Manager/Deputy City Attorney Woodland will draft something for next meeting.

## 6. **City Committee Structure**

Chair Cook noted several committee types: Standing; Subcommittee; Blue Ribbon; Boards; Commissions. A discussion was had regarding creating a table or spreadsheet with Committee-types, history, governing statute and/or ordinance, and naming conventions.

Councilor Tabor noted that a Mayor's Blue Ribbon committee sunsets, with which Chair Cook concurred, but noted that the practice of reappointing does not appear to be transparent/standard. Standing Committees are by ordinance, ad hoc committees are as needed, and there is a Recreation Board but no Parks Board.

Councilor Tabor mentioned delineation of responsibilities, i.e., Prescott Park decisions are with City Manager and Public Works, and Deputy City Manager/Deputy City Attorney Woodland noted that Trustees of the Trust Funds weigh in with regard to Prescott Park.

Chair Cook noted next steps with regard to Committees: Put together a table or spreadsheet; and bring back at next meeting a further discussion on committees; where are there overlaps and where are there gaps.

Deputy City Manager/Deputy City Attorney Woodland said she would discuss the City Clerk process for renewing the Mayor's committees.

Chair Cook noted everyone who volunteers should feel like they are contributing.

## 7. **Charter Amendment Process and Suggested Changes by Councilor Denton**

Chair Cook mentioned that this was brought up by Councilor Denton, there was a memo from the City Attorney, and that Councilor Denton would like to change the voting to be by Ward.

Councilor Tabor noted need for public input and suggested a review with a group of past mayors. General discussion among Committee members and Deputy City Manager/Deputy City Attorney Woodland of advantages and disadvantages of voting by ward and means of getting input.

Councilor Tabor would like to hear from Councilor Denton and have him speak to his proposed change to the Charter.

Chair Cook suggested that at the Governance Committee meeting in 4 weeks Councilor Denton be invited along with former mayors.

## 8. **Land Use Board Appointment Normalization**

Chair Cook noted that the land use appointments are not well staggered. Need to explore means of collaborating and building trust is in the public. Deputy City Manager/Deputy City Attorney Woodland discussed this with the City Attorney

and will review and bring back at next meeting how the City might reset the stagger without upsetting any current seats/appointments.

Chair Cook summarized that April's meetings will focus on Ethics and Committee Structure and June's meetings will focus on Land Use Boards and Charter.

9. **City Council Contact – Communication Processes**

Deputy City Manager/Deputy City Attorney Woodland suggested preparing a brochure for new Council, Committee, Board and Commission members with the dos and don'ts relative to use of email, public records and public meetings (quorum); provide yearly to both new and old elected and appointed members.

Discussion about online training options.

Councilor Lombardi noted that City Attorney Sullivan has attended HDC and Planning Board meetings to do trainings.

Chair Cook suggested revisiting this in 6 weeks; looking at long-term best practices for training of City volunteers.

10. **Increasing Resident Engagement on the CIP and Budget**

Chair Cook asked for input on increasing engagement. Councilor Tabor mentioned Portsmouth Listens exercise on the budget held during prior recession. Too late to do something like this for this year.

Chair Cook suggested scheduling a public dialogue session(s) and will follow-up with City Manager. Councilor Tabor suggested perhaps focusing on determining citizen priorities rather than line-by-line analysis of budget.

11. **Committee Priorities for Next Meeting** – This was done in conversation during the meeting as noted above.

12. **Public Comment**

Greg Mahana

Governance Committee is important; 10AM on a Monday does not promote public input. New Planning Director is a good communicator, but issues to be resolved as to distribution of board packages, last minute items and hyperlinks. Raised issue with Planning Board membership.

Petra Huda

Raised issues about minutes and other information available for meetings. Commented on the Rules. Supports having independent ethics officer and should be involved early in process. Recommended increasing resident engagement for CIP budget process, including: residents putting something into

CIP; questions not acknowledged or answered; and people not wanting to talk blindly and to be ignored.

Made comments about ethics complaint against Councilor Tabor.

Mark Brighton

Governance Committee meeting time is untenable/unreasonable.

Liz Hewitt

Improve communication with residents by updating calendar on City website (for example, Parking Traffic & Safety meetings). CIP, make more understandable for residents.

Arthur Clough

Concern about time of Governance Committee meetings and accessibility of the public. Complained about City Council meeting notices and posting of attachments and minutes and recordings.

At 12:02, Chair Cook closed public comments.

**Motion to adjourn** was made by Councilor Lombardi, seconded by Councilor Tabor, and a roll call vote was unanimous. Meeting adjourned.

Minutes prepared by  
Synthia M. Ravell  
Legal Administrator

Approved by Governance Committee on: May 16, 2022