

CONCORD CITY COUNCIL ORIENTATION

JANUARY 8, 2026



Agenda

- Authority
 - State Constitution
 - City Charter
 - Council Rules and Procedures
- RSA 91-A (Right to Know Law)
- Ethics
 - Conflict of Interest
 - Representation of Private Interests
 - Board of Ethics
- Finance
 - Annual Budget
 - Quarterly Financial Statements
 - Fiscal Goals / Fund Balance Policy
 - Tax Rate
- Property Assessments
- Capital Improvement Program (CIP)
- Tax Increment Financing (TIF)
 - Horseshoe Pond & North End Opportunity Corridor TIF
 - Sears Block TIF
 - Penacook Village TIF
- City Manager's Perspective
- Helpful Links

Authority of the City Council

New Hampshire is a so called “Dillon’s Rule” State, meaning that the municipalities are considered "creatures of the state" and possess only the powers explicitly granted to them by the State.

If a municipal ordinance or regulation conflicts with a state or federal law, the state or federal law supersedes it. The higher level of government can reserve the regulation of specific fields of issues for itself.

Authority of the City Council (cont'd)

The State has granted authority through the State Constitution:

- [Art.] 39. The legislature may by general law authorize cities and towns to adopt or amend their charters or forms of government in any way which is not in conflict with general law, provided that such charters or amendments shall become effective only upon the approval of the voters of each such city or town on a referendum.
- November 16, 1966

Authority of the City Council (cont'd)

The State has granted authority through the State Constitution:

- RSA 49-B:1
- It is the purpose of this chapter to implement the home rule powers recognized by article 39, part first, of the constitution of the state of New Hampshire. To that end, the general court hereby provides a vehicle whereby a municipality may adopt a form of government that best addresses local needs, so long as the resulting charter is neither in conflict with nor inconsistent with the general laws or the constitution of this state.

Authority of the City Council (cont'd)

- Traditional Legislative Grants of Authority are set out primarily in RSA 31-53
- RSA 31- Powers and Duties of Towns (also applies to Cities)
- RSA 31:39- Power to Make By-Laws
- RSA 47- Powers of City Councils
- RSA 47:17 By-Laws and Ordinances
- RSA 672-679 – Planning and Zoning Regulation

These RSAs reflect the core grants of authority, but the legislature has granted or burdened municipalities with many powers and responsibilities throughout the RSAs.

City Charter

- March 10, 1853, Concord's First City Charter adopted.
- Last City of Concord Charter Commission - 1992.
- <https://www.concordnh.gov/DocumentCenter/View/103/City-Charter?bidId=>

City Charter

- 1 Incorporation Statement
- 2-10 Elections
- 11-18 Composition and Procedures of Governing Body
- 19-20 Ordinances and Powers
- 21-28 City Manager and Non-Interference by Council
- 29-31 Officers of City- Administration of City
- 32-43 Finance and Borrowing
- 44-47 Personnel and Compensation
- 48-49 Special Assessments
- 50-61 Miscellaneous Provisions

City Charter – Key Provisions

- 18. Meetings.** All meetings of the City Council shall be public in accordance with RSA 91-A, Right to Know Law. Regular meetings shall be held on the second Monday of each month unless they fall on a state or federal holiday, then said meetings shall be held on the first Tuesday following the second Monday of the month.

- 19. Ordinances.** Municipal legislation shall be by Ordinance.

City Charter – Key Provisions (cont'd)

20. General Powers. Except as herein otherwise provided, the City Council hereby established shall have all the powers and discharge all the duties conferred or imposed by state law upon City Councils in convention, City Councils voting concurrently or Boards of Mayor and Aldermen acting separately, or upon the City Councils or Board of Mayor and Aldermen of the City of Concord by special laws not hereby repealed. The City Council shall have the powers of selectmen of towns so far as consistent with this Charter.

City Charter – Key Provisions (cont'd)

27. Noninterference by the City Council. The City Council shall act in all matters as a body. Members of the Council shall not seek individually to influence the official acts of the City Manager, or any other officer; or to direct or request, except in writing, the appointment of any person to, or removal from, office; or to interfere in any way with the performance by such officers of their duties; but they may make suggestions and recommendations. Any member of the Council violating the provisions of this section, as determined through procedures established in this Charter, shall forfeit the office.

City Council Rules

The City Council is self-governing subject to the restrictions of the City Charter and State and Federal law.

<https://www.concordnh.gov/DocumentCenter/View/72/Rules-of-Council?bidId=>

Can be amended by 2/3 vote.

Council Rules primarily address procedure and ethics.

Conduct of the Meeting

- Mayor or Mayor Pro Tem presides over the meeting.
- The Mayor preserves order and “shall decide all questions of order subject to an appeal to the Council by motion regularly seconded.”
- No person shall address the Council until recognized by the Mayor.

Conduct of the Meeting (cont'd)

1. Preliminaries (Call to Order, Invocation, Pledge of Allegiance, Roll Call, Presentation of Prior Minutes, Review of Agenda).
2. Action on the consent portion of the agenda: Consent agenda may include reports from various departments and such other items as the Council determines.
3. Holding of public hearings.
4. Ordinances, resolutions, petitions, and reports relating to the subject matter of hearings.
5. Communications, recommendations, and reports from the Manager, together with related ordinance, resolution or report.

Conduct of the Meeting (cont'd)

6. Petitions and communications to the Council, together with related ordinance, resolution or report.
7. Reports of committees and city officials.
8. Business remaining unfinished at previous meeting.
9. Nominations, appointments and elections.
10. New business.
11. Unless the Council shall, by a two-thirds vote, agree to continue, no discussion or action on any item of business shall be initiated or continued after 11:00 p.m., and at that time, a regular meeting of the Council shall be recessed until a date and time as determined by the majority of the City Council.
12. Adjournment.

Conduct of the Meeting (cont'd)

Every ordinance and resolution shall pass through the following stages:

- 1st Reading (Referred or laid on table for action at next meeting)
- A Notice of Public Hearing (at least 10 days)(Emergency 3 days)
- 2nd Reading (Followed by amendments, questions, discussion)
- Vote on Passage

Conduct of the Meeting (cont'd)

Procedure During Debate

- Section 12. When a question is under debate, the Mayor shall receive no motion other than: (1) adjourn, (2) to lay on the table until a date certain, (3) to amend, or (4) to lay on the table indefinitely, which motions shall have precedence in the order in which the same appear above. A motion to adjourn, except on immediate repetition, is always in order. All matters and motions are debatable except that any Councilor may move the previous question at any time and a two-thirds vote thereon in the affirmative shall terminate further debate.
- Section 13. Every motion shall be reduced to writing, if the Mayor shall so direct.

Conduct of the Meeting (cont'd)

Section 7. Whenever a vote is to be taken, any Councilor may demand that the vote be taken by roll call. The roll of the Council shall be kept in alphabetical order. Whenever a vote is to be taken by calling the roll, the order of voting shall commence with the Councilor making the demand for a roll call.

Reconsideration

Section 16. No Council vote shall be reconsidered unless a motion for reconsideration is made by a Councilor who voted with the prevailing side. Such motion may be made only at the same or at one of the next two succeeding regular meetings of the Council. A motion to rescind is not in order.

Section 17. A matter decided by the Council and not reconsidered...may be introduced again within the same calendar year only with the consent of two-thirds of the Councilors present. A matter laid on the table indefinitely shall not be reconsidered during the term of the Council (2 years).

Conduct of the Meeting (cont'd)

Nominations

Section 18. No nomination submitted to the Council for its approval or confirmation may be acted upon unless the Council has been in receipt of same for at least fifteen days.

Section 21. The Mayor shall be authorized to establish ad-hoc and standing City Council committees for the purpose of advising and making recommendations to the Mayor and City Council on various topics. Appointments to these committees shall be the duty and responsibility of the Mayor.

Conduct of the Meeting (cont'd)

Timing and Process

Section 15. All matters to be presented at meetings of the Council shall be filed with the City Clerk on or before 5 PM on the Monday preceding the meeting. The Council may act upon an item if it was not filed in advance by suspending Council Rules in accordance with Section 19.

Section 3. On or before noon on the day of a City Council meeting, unless that timeframe is not reasonably feasible, any Councilor may remove any item from consent by request. Consent agenda may include reports from various departments and such other items as the Council determines.

Conduct of the Meeting (cont'd)

Timing and Process (cont'd)

Unless the Council shall, by a two-thirds vote, agree to continue, no discussion or action on any item of business shall be initiated or continued after 11:00 p.m., and at that time, a regular meeting of the Council shall be recessed until a date and time as determined by the majority of the City Council.

Suspension of Rules

Section 19. The foregoing rules may be suspended for a specific purpose, or amended by a two-thirds vote of the Councilors present.

Right to Know Law – RSA 91-A

- New Hampshire Constitution.
- Part 1, Art. 8. Public's Right to Know.
- The public's right of access to governmental proceedings and records shall not be unreasonably restricted.
- New Hampshire's Right-to-Know Law, codified at Rev. Stat. Ann. c. 91-A, generally establishes rules for: (1) public bodies to follow in conducting public meetings; and (2) public bodies and public agencies to follow in responding to requests for governmental records.

Right to Know Law – RSA 91-A (cont'd)

- RSA 91-A:1 Preamble

Openness in the conduct of public business is essential to a democratic society. The purpose of this chapter is to ensure both the greatest possible public access to the actions, discussions and records of all public bodies, and their accountability to the people.

Right to Know Law – RSA 91-A (cont'd)

General Rule: All meetings of public bodies must have proper notice and be open to the public.

Public Body: All committees, subcommittees, boards, commissions, agencies, etc. that perform a governmental function are considered to be a public body subject to RSA 91-A. That includes sub-committees or advisory committees that may be formed by the standing committee.

Notice: Public bodies are required to post a notice of the meeting at least 24 hours in advance (Sundays and holidays excluded) in a local newspaper or posted in two prominent public places, one of which may be the City's website.

Right to Know Law – RSA 91-A (cont'd)

What is a Meeting?

A meeting is considered to have occurred when a quorum (usually a majority) of members of the public body get together for the purpose of discussing or acting upon a matter or matters over which the public body has supervision, control, jurisdiction, or advisory power. This can occur in person, by telephone, or electronically.

A chance, social, or other encounter not convened for the purpose of discussing or acting upon such matters shall not constitute a meeting if no decisions are made regarding such matters. (RSA 91-A:2, I)

Right to Know Law – RSA 91-A (cont'd)

Frequent Problems

- Discussions outside of a noticed meeting that discuss or act on the business of the body.
- Frequently occurs through Emails or texts to a majority of the body, even if that occurs in serial format.
- Communications outside a meeting, including, but not limited to, sequential communications among members of a public body, shall not be used to circumvent the spirit and purpose of the Right-to-Know law.
- Can use Email and text to schedule and forward documents (not to be used for substantive discussions).

Right to Know Law – RSA 91-A (cont'd)

Exceptions: There are two groups of exceptions to the open meeting requirements, Non-Meetings and Non-Public Meetings.

- ***Non-Meetings*** occur when there is no quorum of the body, a quorum meets but not for the purpose of discussing official matters (i.e. chance social encounters), consultation with legal counsel, strategy or negotiations regarding collective bargaining.

Right to Know Law – RSA 91-A (cont'd)

- ***Non-Public Meetings*** are meetings that must be noticed but are not open to the public. These are allowed for specific purposes set out in RSA 91-A:3 including:
 - Dismissal, promotion, compensation, disciplining, investigation or hiring of a public employee.
 - Matters which would likely adversely affect the reputation of any non-board member.
 - Buying, selling or leasing real or personal property if public discussion would give someone an unfair advantage over the municipality.
 - Lawsuits filed or threatened in writing against the municipality, until fully adjudicated or settled.
 - Preparation for and carrying out of emergency functions related to terrorism.

Minutes must be kept and (unless 2/3 of the board votes to seal them) made available to the public upon request within 72 hours after the meeting, whether or not approved yet. (RSA 91-A:3)

Right to Know Law – RSA 91-A (cont'd)

To enter non-public session:

- 1) A roll call vote is taken on a motion which is seconded to go into non-public session and shall state the statutory basis for the non-public session;
- 2) A majority of the members present must vote to go into non-public session;
- 3) The vote to go into non-public session is taken at the public meeting and recorded in the minutes of the public meeting that will be available to the public; and
- 4) The minutes identify each voting member and how he or she voted on the motion to enter non-public session.

Right to Know Law – RSA 91-A (cont'd)

To Exit Non-Public Session:

- 1) Vote on motion to exit non-public session.
- 2) Vote is in public session to seal minutes.
 - a) Should minutes of non-public session be sealed? See RSA 91-A:3,III. If not, minutes are public within 72 hours.
 - b) If yes, motion to seal; 2/3 recorded vote of members present required.

Right to Know Law – RSA 91-A (cont'd)

Attendance of Members

Except in an emergency, a quorum of the public body shall be physically present at the location specified in the meeting notice as the location of the meeting. [RSA 91-A:2, III(b)]

A member of the public body may participate in a meeting other than by attendance in person at the location of the meeting only when such attendance is not reasonably practical.

Any reason that such attendance is not reasonably practical shall be stated in the minutes of the meeting. [RSA 91-A:3(a)]

Any member attending a meeting electronically or otherwise must identify the person(s) present in the location from which the member is participating. [RSA 91-A:2, III (c)]

Right to Know Law – RSA 91-A (cont'd)

Open to the Public

Anyone can attend, observe, take notes record and photograph the meeting; however, the public does not have a general right to participate or be heard. It is important to remember that all business of the committee or board, including deliberations, must be made in public.

Minutes

The public body must keep minutes for all public and non-public meetings. For public meetings, minutes must be made available to the public upon request within five (5) business days after the meeting, even if they have not yet been approved. The minutes should note the members present, others participating in the meeting, the start and end times of the meeting, a brief description of the subjects discussed and decisions made.

Right to Know Law – RSA 91-A (cont'd)

Objection to Meeting

If a member of the public body believes that any discussion in a meeting of the body, including in a non-public session, violates this chapter, the member may object to the discussion. (RSA 91-A:2,II-a)

If the public body continues the discussion, despite the objection, the objecting member may request that their objection be recorded in the minutes and may then continue to participate in the discussion without being subject to the penalties of RSA 91-A:8, IV or V.

Right to Know Law – RSA 91-A (cont'd)

Remedies for Violations

If any public body violates any provisions of this chapter, such public body shall be liable for reasonable attorney's fees and costs incurred in a lawsuit under this chapter, provided that the court finds that such lawsuit was necessary in order to enforce compliance with the provisions of this chapter or to address a purposeful violation of this chapter.

Fees shall not be awarded unless the court finds that the public body, public agency, or person knew or should have known that the conduct engaged in was in violation of this chapter or if the parties, by agreement, provide that no such fees shall be paid. (RSA 91-A:8)

Right to Know Law – RSA 91-A (cont'd)

Remedies for Violations (cont'd)

If the court finds that an official of a public body has violated any provision of this chapter in bad faith, the court shall impose against such person a civil penalty of not less than \$250 and not more than \$2,000. Upon such finding, such person or persons may also be required to reimburse the public body for any attorney's fees or costs.

The court may also enjoin future violations of this chapter, and may require any official of a public body found to have violated the provisions of this chapter to undergo appropriate remedial training, at such person or person's expense. (RSA 91-A:8, V)

Right to Know Law – RSA 91-A (cont'd)

Remedies for Violations (cont'd)

A person is guilty of a misdemeanor who knowingly destroys any information with the purpose to prevent such information from being inspected or disclosed in response to a request under this chapter. (RSA 91-A:9)

Ethics Rules

City Council members should review ethics provisions in all of the following:

1. City Charter
2. Ethics Ordinance
3. Council Rules

Ethics Rules (cont'd)

53. Official Interest in Contracts. No elective or appointive officer or employee of the City shall take part in a decision concerning the business of the City in which the officer or employee has a financial interest aside from salary as such, direct or indirect, greater than any other citizen or taxpayer.

54. Private Use of Public Property. No officer or employee shall devote any City property or labor to private use except as may be provided by law or Ordinance.

Ethics Rules (cont'd)

Ethics Ordinance

Article 1-6-1

The citizens of Concord are entitled to a fair, ethical, and accountable city government. The effective functioning of democratic government requires that all of its officials, whether elected or appointed, comply with both the letter and the spirit of the laws and be independent, impartial, and fair in their judgment and actions.

Ethics Rules (cont'd)

Ethics Ordinance

1. Recusal/Conflict of Interest
2. Representing Private Interests Before a Public Body
3. Representing Private Interests Before Courts
4. Gifts and Favors
5. Disclosure of Confidential Material

Ethics Rules (cont'd)

Ethics Ordinance

1-6-4 - Recusal.

Whenever a matter comes before any City of Concord Public Body, no officer or elected official shall introduce, ask questions, speak on or vote on any motion, ordinance, resolution or issue in which he/she has a conflict of interest and shall disclose the reason for the conflict of interest prior to the Public Body's discussion on the matter, or if discussion has occurred, then as soon as the conflict becomes known to the officer or official.

If the matter before the Public Body is a legislative matter, the officer or elected official who has a conflict of interest may remain seated on the panel during the term of the recusal.

Ethics Rules (cont'd)

Ethics Ordinance

1-6-4 – Recusal (cont'd).

If the matter before the Public Body is a quasi-judicial matter, the officer or elected official who has a conflict of interest shall, subject to the final sentence of this Section 1-6-4, physically leave the room until consideration of the matter is completed.

If, however, the recused officer or elected official is the applicant or an abutter in a quasi-judicial matter or otherwise recused in a legislative matter before a Public Body, then the recused officer or elected official may provide comment or testimony as a public citizen, representing their own interests and not that of a third-party, and, not as a member of the Public Body.

Ethics Rules (cont'd)

Ethics Ordinance

1-6-4 – Recusal (cont'd).

In acting upon a matter involving more than one subject, such disclosure and recusal are required only with respect to the portion or portions affected by a conflict of interest, and not to the matter as a whole.

When the City Council is in a non-meeting under RSA 91-A:2, I (a) or (b), or, in non-public session under RSA 91-A:3, II, any member of the City Council who has a conflict of interest shall physically leave the room until consideration of the matter is completed.

Ethics Rules (cont'd)

What is a Conflict of Interest?

A conflict of interest exists when an officer or elected official takes an action or makes a decision that would affect:

1. his or her financial interest;
2. the financial interests of the officer or elected official's family member; and/or
3. the interests of any organization in which the officer or elected official or the officer or elected official's family member is an employee of the organization or a member of its governing body.

Ethics Rules (cont'd)

For employment with the City of Concord, and for other governmental entities, a conflict exists when:

1. The matter before the Public Body involves the department for which the officer or elected official or officer or elected official's family member is employed.
2. A family member is employed in the City of Concord when such family member is a member of a union in the City and the Public Body is discussing any collective bargaining matters in a non-meeting, under RSA 91-A:2, I (a), relative to strategy or negotiations with respect to collective bargaining.

Ethics Rules (cont'd)

Family member. Any person who is related to an officer or elected official in one of the following ways: spouse, mother, father, stepmother, stepfather, foster mother, foster father, father-in-law, mother-in-law, grandmother, grandfather, grandchild, sister, brother, child, stepchild, foster child, or any other person living in the same household as the officer or elected official.

Ethics Rules (cont'd)

Procedure for Declaration of Conflict of Interest and Recusal (Council Rules Section 6)

Prior to Discussion or as soon as the conflict becomes known:

1. Councilor can declare on their own motion that they have a conflict of interest.
2. Another Councilor can motion that the Councilor has a conflict.
3. The Councilor making the motion shall advise the Council as to the full extent of the conflict, or the full extent of the conflict as may be permissible in the event said interest is of a confidential nature.

Ethics Rules (cont'd)

Procedure for Declaration of Conflict of Interest and Recusal (cont'd)

4. The Mayor, or to the extent that the Mayor is subject to the conflict of interest inquiry, the Mayor Pro Tem or presiding officer, shall in the first instance rule on the issue of conflict of interest.
5. The decision of the Mayor may be put to a vote of the Council. Councilors will vote to affirm the Mayor's determination or overturn it.
6. Every councilor present must vote, a majority of those present and voting shall determine the question.

Ethics Rules (cont'd)

Ethics Ordinance

Article 1-6-5.

An elected official shall not appear on behalf of another's private interests before any Public Body.

Councilors who are not appointed members of a City Council sub-committee, City Board, or City Commission may attend meetings of those sub-committees, Boards and Commissions, in their individual capacity and not as a City Councilor, excluding the Personnel Appeals Board (unless required to attend by subpoena). Councilors who are not appointed members of the sub-committee, Board, or Commission shall not be deemed members of the subcommittee, Board or Commission.

Ethics Rules (cont'd)

Where a Councilor elects to provide testimony or comment before any Board, Commission or subcommittee, the following rules shall apply:

- a) the Councilor shall declare at the outset and on the record that the Councilor is present in his or her individual capacity as an interested citizen, and not on behalf or at the request of the Council;
- b) the Councilor shall refrain from stating or implying that the Councilor's position or opinion is that of the Council;
- c) the Councilor shall refrain from directing City staff or the Board or Commission to take any action on behalf of the Councilor;

Ethics Rules (cont'd)

- d) the Councilor shall observe any rules of procedure or protocols that apply to any other private citizen testifying before the Board or Commission;
- e) to the extent that a quorum of the City Council exist at any such meeting, Councilors shall not testify or comment upon a matter or matters over which the City Council has supervision, control, jurisdiction or advisory power in accordance with RSA 91-A, New Hampshire's Right-to-Know law.

Within one (1) year after leaving office, no former Councilor shall appear before the City Council or any board or commission of the city on any matter for which he/she is compensated.

Ethics Rules (cont'd)

Ethics Ordinance

1-6-6 - Representing Private Interest Before Courts.

An officer or elected official shall not represent private interests in any action, proceeding, or litigation in which the city is a party.

Ethics Rules (cont'd)

Ethics Ordinance

1-6-7 - Gifts and Favors.

An officer or elected official shall not within a one year period, accept any gift valued over two hundred fifty dollars (\$250.00), or multiple gifts that in the aggregate are valued over two hundred fifty dollars (\$250.00), whether in the form of service, loan, thing or promise, or any other form from any person, firm or corporation which to his or her knowledge is interested directly or indirectly in any manner whatsoever, in business dealings with the City. Any gift over fifty dollars (\$50.00) must be reported to the City Clerk. Reimbursement for the cost of attending an event at which the officer or elected official is a speaker, member of a panel, or guest, shall not be considered a gift. Gifts shall not include political contributions as defined in Article 1-3-6 of the City Code of Ordinances.

Ethics Rules (cont'd)

Ethics Ordinance

1-6-8 - Disclosure of Confidential and Other Information.

An officer or elected official shall not intentionally disclose confidential or privileged information, or other information learned by virtue of his or her official position as defined in RSA 42:1-a, or information obtained in a session held pursuant to RSA 91-A:2 (l) (b) or (c), concerning the property, government or affairs of the city.

Ethics Rules (cont'd)

Ethics Ordinance

30-3-29 - Board of Ethics.

There is hereby created and established a Board of Ethics. The Board shall consist of five (5) persons; three (3) appointed by the Mayor and two (2) appointed by the City Manager, all of whom shall be subject to approval by the City Council. In addition, the Mayor and City Manager shall each appoint one alternate, for a total of two (2) alternates, who shall be subject to approval by the City Council.

Ethics Rules (cont'd)

Complaints, Hearings, and Determinations. Any individual having information that an officer or elected official ...is engaged in improper activities or has a conflict of interest may present his or her complaint to the City Clerk.

1. The Board reviews the complaint and determines if it merits a hearing.
2. Conducts a hearing if necessary.
3. Makes a recommendation to the City Council.
 - a) Vote for no finding of a violation.
 - b) Vote to place the matter on file with or without a finding.
 - c) Letter of reprimand.
 - d) Vote to publicly censure the offending member.
 - e) Vote for suspension for a definite period.
 - f) Vote for removal.
 - g) Accept someone's resignation.

Ethics Rules (cont'd)

While not a rule – All public bodies operate better when the members treat each other with professionalism and respect.

Written communications may be subject to RSA 91-A.

Verbal communications may get picked up on your microphones (which default to open).

Annual Budget

- The City's Fiscal Year is July 1 – June 30.
- The Budget document is provided to the City Council on or before May 16th each year for the upcoming Fiscal Year.
- City Charter:
 - Section 34 states that “The City Manager shall submit the proposed budget to the City Council at least forty-five days before the start of the fiscal year of the budget.”
 - Section 36 states that “The budget shall be finally adopted not later than the twenty-seventh day of the first month of the fiscal year. Should the City Council take no final action on or prior to such day, the budget as submitted, shall be deemed to have been finally adopted by the City Council.”
- Finance Committee:
 - A committee of the full City Council.
 - Meets in May and June for budget presentations. Public Hearings are generally held at each meeting.
 - The City Council holds a budget adoption meeting, typically after the last Finance Committee meeting; holds a public hearing; and then takes action on the budget.

Annual Budget (cont'd)

Proposed Budget Document

- Provided electronically to City Council through I-legislate agenda.
- Posted on City website.
- Made up of:
 - Transmittal Letter and Budget in Brief
 - Budget Summaries and Staff Listing
 - Resolutions for Operating and Capital Budget
 - Revenue and Expense Details for Operating Funds
 - General Fund
 - Special Revenue Funds
 - Enterprise Fund
 - Revenue and Expense Details for TIF Funds
 - Revenue and Expense Details for Capital Funds
 - Appendices
 - Compensation – Wage Scales
 - Program Change Requests
 - Goals and Policies
 - Supplemental Information – Descriptions of Terms
 - Pro Formas
 - Debt Service Schedules

Annual Budget (cont'd)

2026 Operating Budget					
City Manager					
<u>Budget Detail</u>	2024 Actual	2025 Adopted	2025 Revised	2025 Projected	2026 Budget
Revenue					
Other Revenue	\$169,892	\$0	\$1,213,047	\$1,140,000	\$0
Total Revenue	\$169,892	\$0	\$1,213,047	\$1,140,000	\$0
Expense					
Full Time	\$399,231	\$398,611	\$401,087	\$398,611	\$414,544
Overtime	\$198	\$0	\$0	\$0	\$0
Allowance	\$1,200	\$1,200	\$1,200	\$1,200	\$1,200
Retirement	\$51,947	\$51,118	\$51,453	\$51,118	\$50,097
FICA	\$26,930	\$26,583	\$26,773	\$26,583	\$28,330
Beneflex	\$56,587	\$45,644	\$45,644	\$45,644	\$47,914
Worker's Compensation	\$759	\$630	\$630	\$630	\$540
Unemployment Insurance	\$94	\$107	\$107	\$107	\$120
Professional Development	\$24,703	\$5,200	\$15,200	\$5,200	\$5,445
Business Expense	\$185	\$2,500	\$2,500	\$2,500	\$2,500
Dues & Memberships	\$59,358	\$59,350	\$59,350	\$61,811	\$61,800
Professional Services	\$154,455	\$205,800	\$205,800	\$205,800	\$162,000
Communications	\$336	\$210	\$210	\$230	\$852
Postage	\$109	\$550	\$550	\$200	\$550
Office Supplies	\$277	\$1,600	\$1,600	\$1,000	\$1,600
Departmental Supplies	\$595	\$1,200	\$1,200	\$800	\$1,200
Liability Insurance	\$4,644	\$3,530	\$3,530	\$3,522	\$3,300
Total Expense	\$781,607	\$803,833	\$816,834	\$804,956	\$781,992

Financial Statements

- Provided to City Council quarterly.
- Shows YTD expenditures and revenues for operating funds.
- The format is similar to the budget document.
- Executive Summary highlights notable items.
- Actual report shows:
 - Original Adopted Budget, Amendments
 - Month and YTD Transactions and % Used
 - Encumbrances
 - Balance Remaining and Comparison to Last Year
- Does not include Capital or Grants/Donations.
 - Working on a report and expect to present to FPAC in Spring 2026

Financial Statements (cont'd)

City of Concord

General Fund Budget Performance Report

Fiscal Year to Date 9/30/2025

Only Show Rollup Account and Rollup to Account

Account	Account Description	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	YTD Encumbrances	YTD Transactions	Budget - YTD Transactions	% Used/ Rec'd	Prior Year YTD
Fund 0010 - General										
REVENUE										
Department 11 - City Manager										
46940	Other Revenue	0.00	0.00	0.00	71,271.91	0.00	71,271.91	(71,271.91)	0	1,140,000.00
	Department 11 - City Manager Totals	\$0.00	\$0.00	\$0.00	\$71,271.91	\$0.00	\$71,271.91	(\$71,271.91)	0%	\$1,140,000.00
EXPENSE										
Department 11 - City Manager										
51100	Full Time	414,544.00	0.00	414,544.00	32,437.16	0.00	96,745.96	317,798.04	23	96,099.20
51500	Allowance	1,200.00	0.00	1,200.00	100.00	0.00	250.00	950.00	20	300.00
52100	Retirement	50,097.00	0.00	50,097.00	4,008.28	0.00	11,699.31	38,397.69	23	12,315.01
52110	FICA	28,330.00	0.00	28,330.00	1,792.55	0.00	6,626.97	21,703.03	23	6,376.76
52300	Beneflex	47,914.48	0.00	47,914.48	4,083.92	0.00	14,193.66	33,720.82	29	14,171.70
52600	Worker's Compensation	540.00	0.00	540.00	0.00	0.00	503.00	37.00	93	614.00
52900	Unemployment Insurance	120.00	0.00	120.00	0.00	0.00	0.00	120.00	0	0.00
53000	Professional Development	5,445.00	0.00	5,445.00	1,620.00	1,000.00	6,705.55	(2,260.55)	141	1,392.40
53010	Business Expense	2,500.00	0.00	2,500.00	14.00	0.00	14.00	2,486.00	0	20.00
53020	Dues & Memberships	61,800.00	0.00	61,800.00	0.00	0.00	30,195.00	31,605.00	48	30,142.00
53300	Professional Services	162,000.00	0.00	162,000.00	7,551.50	0.00	11,328.00	150,672.00	6	9,632.00
53800	Communications	852.00	0.00	852.00	11.46	90.00	22.82	739.18	13	30.86
53810	Postage	550.00	0.00	550.00	2.51	0.00	11.58	538.42	2	23.39
54000	Office Supplies	1,600.00	0.00	1,600.00	0.00	757.18	42.82	800.00	50	64.46
54110	Departmental Supplies	1,200.00	0.00	1,200.00	0.00	800.00	0.00	400.00	66	0.00
56200	Liability Insurance	3,300.00	0.00	3,300.00	0.00	0.00	3,290.00	10.00	99	3,522.00
	Department 11 - City Manager Totals	\$781,992.48	\$0.00	\$781,992.48	\$51,621.38	\$2,647.18	\$181,628.67	\$597,716.63	23%	\$174,703.78

Tax Rate

- The Amount to Raise in Taxes = Expenses - Revenues + Overlay + Veterans Credits.
- Amount to Raise in Taxes/Valuation/1000 = Tax Rate.
 - City
 - County
 - Concord School District
 - Merrimack Valley School District
- The City Council approves a budget each year with an estimated tax rate increase.
 - Tax Rate is set by the NH Department of Revenue Administration (DRA) in October/November of each year.

Tax Rate (cont'd)

2026 Operating Budget		
Resolutions		
	Fiscal Year 2025 <u>Adopted</u>	Fiscal Year 2026 <u>Adopted</u>
<u>Use of Funds</u>		
Budget Appropriations	\$83,379,501	\$86,976,113
War Credits	\$267,400	\$431,250
Overlay	<u>\$200,000</u>	<u>\$200,000</u>
Total Use of Funds	\$83,846,901	\$87,607,363
<u>Sources of Funds</u>		
Miscellaneous Revenues	\$32,092,401	\$33,478,946
Amount to be Raised by Property Taxes	<u>\$51,754,500</u>	<u>\$54,128,417</u>
Total Sources of Funds	\$83,846,901	\$87,607,363
<u>Tax Rate Determination</u>		
Assessed Value (A.V.) in Thousands of Dollars *	\$5,259,602	\$5,345,938
Amount to be Raised	\$51,754,500	\$54,128,417
Current Year Recommended Tax Rate / \$1,000 A.V.	9.84	10.13 **
Prior Year Tax Rate / \$1,000 A.V.	<u>9.84</u>	<u>9.84</u> *
Difference	-	0.29
Percentage Change	0.00 %	2.95 %

Tax Rate (cont'd)

CITY OF CONCORD, NH 2025 REAL ESTATE TAX RATE INFORMATION

**DIFFERENCE
INCREASE/ (DECREASE)**

	<u>2024</u>	<u>2025</u>	\$	%
Concord				
City	9.84	10.18	0.34	3.46%
Merrimack County	2.32	2.54	0.22	9.48%
Concord School District	13.96	14.81	0.85	6.09%
State Education Rate	<u>1.57</u>	<u>1.58</u>	<u>0.01</u>	0.64%
City of Concord Total Tax Rate	27.69	29.11	1.42	5.13%
Combined Concord School	15.53	16.39	0.86	5.54%
Penacook				
City	9.84	10.18	0.34	3.46%
Merrimack County	2.32	2.54	0.22	9.48%
Merrimack Valley School District	16.87	16.41	-0.46	-2.73%
State Education Rate	<u>1.61</u>	<u>1.61</u>	<u>0.00</u>	0.00%
City of Concord Total Tax Rate	30.64	30.74	0.10	0.33%
Combined MVSD School	18.48	18.02	-0.46	-2.49%

Tax Rate (cont'd)

IMPACT ON \$400,000 PROPERTY

City Portion Only						
Tax Year 2024	\$ 400,000	\$ 9.84	\$ 3,936.00			
Fiscal Year 2026 Budget	\$ 400,000	\$ 10.13	\$ 4,052.00	2.95%	Increase or	\$ 116.00
Tax Year 2025	\$ 400,000	\$ 10.18	\$ 4,072.00	3.46%	Increase or	\$ 136.00
Concord total tax rate, including County and School						
Tax Year 2024	\$ 400,000	\$ 27.69	\$11,076.00			
Tax Year 2025	\$ 400,000	\$ 29.11	\$11,644.00	5.13%	Increase or	\$ 568.00
Penacook total tax rate, including County and School						
Tax Year 2024	\$ 400,000	\$ 30.64	\$12,256.00			
Tax Year 2025	\$ 400,000	\$ 30.74	\$12,296.00	0.33%	Increase or	\$ 40.00

Fiscal Goals

- Covers:
 - Accounting, Auditing and Financial Reporting
 - Budgetary and Financial Management
 - Capital Improvements
 - Cash Management
 - Debt Management
 - Employee Compensation and Benefits
 - Enterprise, Special Revenue and Other Funds Management
 - Fund Balances
 - Municipal Services Expenditures and Revenues
 - Tax Rate Management
- Most Recently Revised in October 2024.

Fund Balance Policy

- Provides fund balance policy levels for:
 - General Fund
 - Enterprise Funds
 - Special Revenue Funds
- Provides spending priorities for CIP funds.
- Most recently revised in October 2024.

Property Assessments

Understanding Real Growth vs. Market Growth:

- Real Growth – Increases in property value that are associated with new construction or renovation. Discovered through property reviews and inspections.
- Market Growth – Increases in property value that are attributed to demand “typically” through sales over time.

What is Market Value and why is it important?

- RSA 75:8-a. The assessors and/or selectmen shall reappraise all real estate within the municipality so that the assessments are at full and true value (“market value”) at least as often as every fifth year.
- Market Value – What a willing buyer will pay to a willing seller for a property; both buyer and seller acting knowledgeably, prudently, and neither being under any obligation to buy or sell with normal exposure time.

Property Assessments (cont'd)

Why is my Assessment higher/lower than Market Value?

Annual Sales Analysis (a.k.a. Ratio Studies) are completed by the Assessor and reviewed by the NH Department of Revenue to determine the overall Median Ratio for the City.

Reminder...by statute, all Assessments must reflect fair Market Value.

Median Ratio (a.k.a. Equalization Rate) shows how close an Assessment is to actual Market Value.

Assessed Value / Sale Price = Median Ratio

Organized by property type and used to determine overall Median Ratio for annual City Assessments.

Property Assessments (cont'd)

Annual Statistical Revaluation vs. 5-Year Full Measure & List Revaluation

- *2004 thru 2021* – Concord's Assessing Department conducted “annual” statistical revaluations (called them “updates”) which captured all Real and Market Growth annually. ***Annual Median Ratio at (or near) 100%.***
- *2021 – 2026 (5-years)* – Concord's Assessing Department moved away from “annual” updates and is on a 5-year Revaluation cycle. Updates will be performed when distribution of property value is inequitable by property type. ***Annual Median Ratio fluctuates based on market activity.***
- Full Measure & List – Systematic inspection of all City properties to collect and correct property specific data. Began in July 2024 and is ongoing. Not done in the prior 34-years!
- Revaluation 2026 – All City properties will be assessed at (or near) 100% of Market Value.

Property Assessments (cont'd)

Final Thoughts....

- The “Value” of property is the statutory mechanism used to “distribute” property taxes fairly and equitably.
- Real Estate Market activity over the past five (5) years has shown a further distribution “shift” in value from Commercial/Industrial to Residential.
- Based on Market Data, it appears lower value, residential homes (manufactured homes, condos and lower value, lower square footage single family homes) will see the largest value increases. Multifamily and apartment complexes will significantly increase in value due to their “investment grade” income streams due to demand (as shown in high market rents).
- *Like any other revaluation, it's anticipated that 1/3 of assessments will increase, 1/3 will decrease and 1/3 will remain “nearly” unchanged.*
- Total Approved Budget / Total Taxable Assessed Value = Tax Rate

Capital Improvement Program

- NH RSA 674:5
- 10 Year Planning Horizon (Since FY 2011)
- CIP Project: A Public Facility, Infrastructure or Equipment costing \$10,000 or more with a useful life longer than five (5) years
- Page 212 of FY 2026 Budget
- Total FY 2026-2035 CIP:
 - 128 Projects (excluding subprojects)
 - \$597,843,787 (All funding sources)



Capital Improvement Program (cont'd)

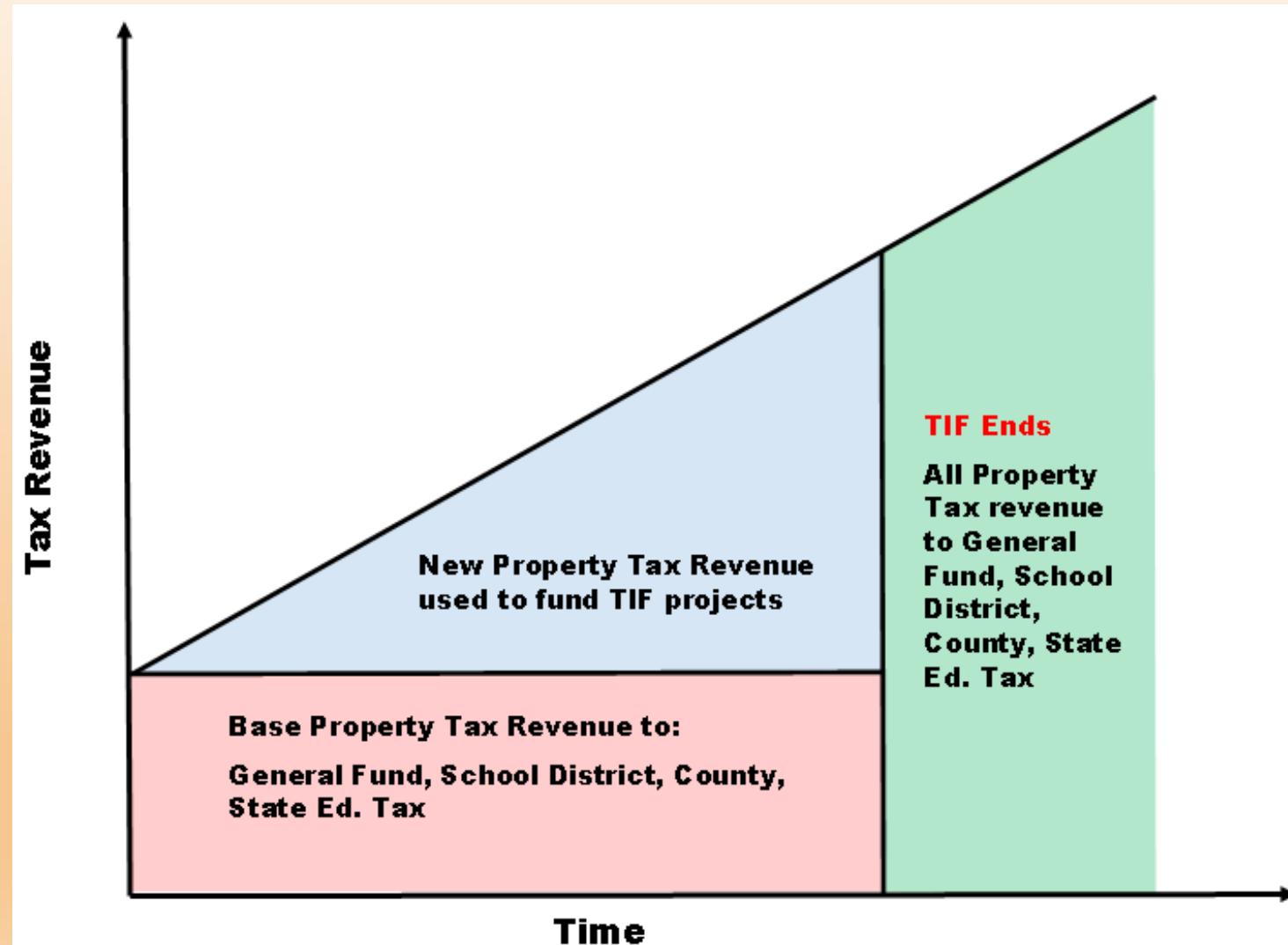
2026-2035 CAPITAL IMPROVEMENT SUMMARY LISTING											
Type	General	Parking	Arena	Cemetery	Golf	Airport	Water	Sewer	Solid Waste	Other	Total
Capital Close-out	411,434	73,146	0	0	0	0	49,142	196,771	0	0	730,493
Capital Transfer	7,880,000	85,000	0	0	0	549,195	2,350,001	1,065,001	40,000	0	11,969,197
Donations	31,153,000	0	0	0	0	0	0	0	0	0	31,153,000
Federal	0	0	0	0	0	0	0	0	0	59,736,202	59,736,202
G.O. Bonds	281,436,275	39,371,500	70,000	0	2,070,000	2,610,556	28,311,000	73,015,000	45,000	0	426,929,331
Highway Reserve	33,605,000	0	0	0	0	0	0	0	0	0	33,605,000
HUD Grant	0	0	0	0	0	0	0	0	0	500,000	500,000
Impact Fees Rec Dist 3	140,000	0	0	0	0	0	0	0	0	0	140,000
Impact Fees Traf Dist 3	115,000	0	0	0	0	0	0	0	0	0	115,000
Impact Fees Traf Dist 4	180,000	0	0	0	0	0	0	0	0	0	180,000
Investment Fee Reserve	0	0	0	0	0	0	0	150,000	0	0	150,000
State	0	0	0	0	0	0	0	0	0	17,261,451	17,261,451
Tax Increment Financing	0	0	0	0	0	0	0	0	0	13,240,000	13,240,000
Trust	0	0	0	0	0	0	0	0	0	2,134,113	2,134,113
Total	354,920,709	39,529,646	70,000	0	2,070,000	3,159,751	30,710,143	74,426,772	85,000	92,871,766	597,843,787

Tax Increment Financing (TIF)

- NH RSA 162-K
- Used since 1979
- 3 TIF Districts
- 333 acres, combined
- Total Investment = **\$45,868,355**
 - TIF Funds: \$23.4 Million
 - Other Funds: \$22.47 Million
- Total Assessed Value Created **\$128,850,305**
- **\$1 of TIF Investment = \$2.81 of Assessed Value**
- FY 2026 TIFs Released:
 - \$48,269,042 Captured Incremental Assessed Value
 - \$1,365,946 Captured Incremental Property Taxes
- Page 205 of FY 2026 Budget



Tax Increment Financing (TIF) (cont'd)



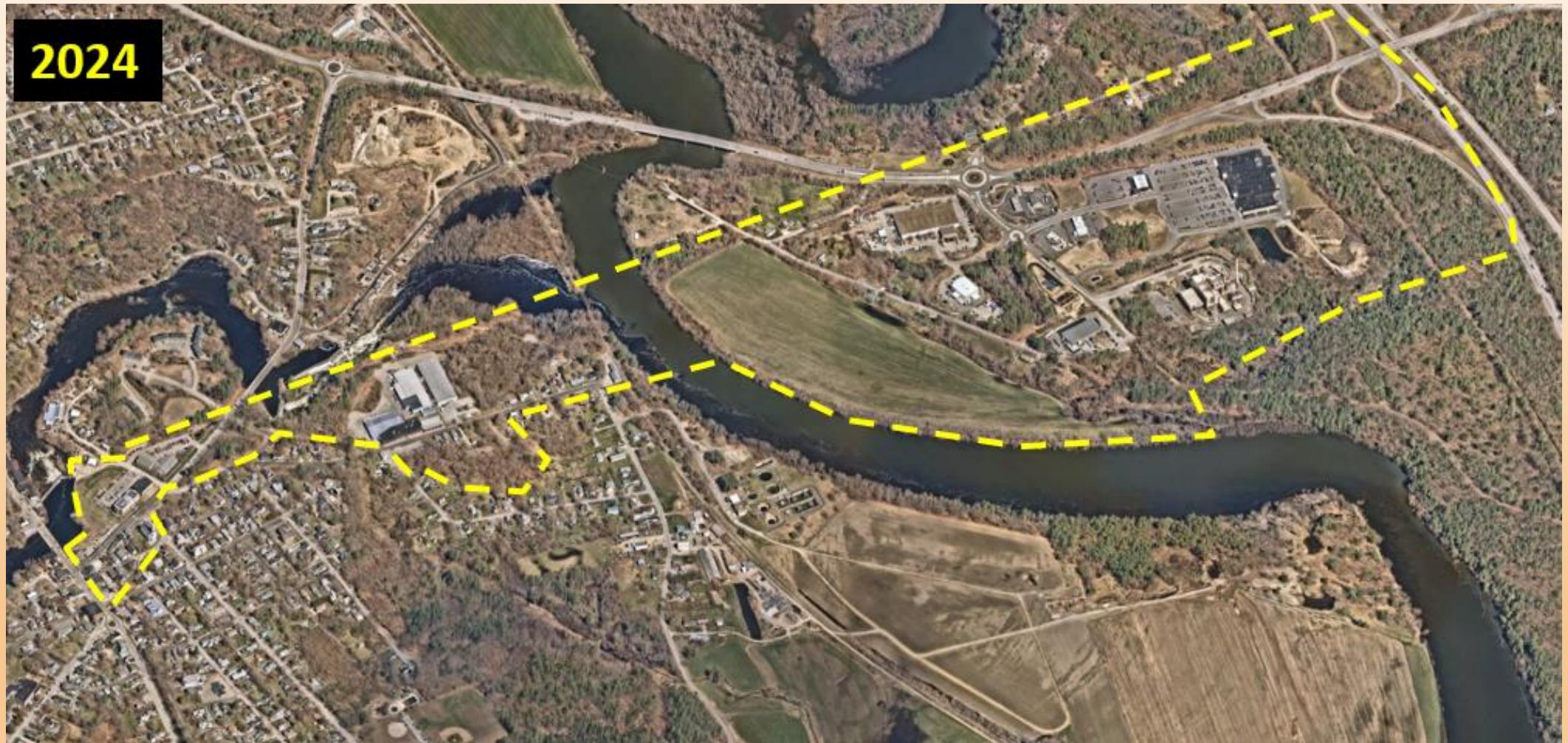
Horseshoe Pond & North End Opportunity Corridor TIF District



Sears Block TIF District



Penacook Village TIF District





The Orientation

City Manager's Perspective



The real work of the governing body is governing.

- ▶ Governing is about:
 - ▶ Making tough policy choices at times
 - ▶ Establishing service levels
 - ▶ Steering the future direction of the community
 - ▶ Working collaboratively with colleagues and staff



More than a legislator

- ▶ A City Councilor has no power or authority individually
- ▶ Collectively City Council determines policy direction and appoints the City Manager
- ▶ Effective City Councilors recognize that their most important constituency is one another – if they want to get anything done!



Protect the Brand

- ▶ The City Council plays a key role in setting the tone for the organization and the community
- ▶ What does public discourse look like and sound like?
- ▶ How are disagreements handled?
- ▶ How are people treated, including staff, community members, and one another on the City Council



Protect the Brand

- ▶ Major business investments are often tied to the stability and predictability of an elected body, their policy decisions, their long-range planning, and whether they are acting in productive ways
- ▶ Do businesses considering investing in the community think the governing body is focusing on the right things?
- ▶ When they watch City Council meetings, is a positive and respectful tone observed?
- ▶ Are non-public conversations kept confidential?
- ▶ When potential department head candidates watch City Council meetings, what do they see?



The Public Trust

- ▶ If the City Council demonstrates a distrust for staff in a public setting, the public will wonder if they can trust the organization
- ▶ City Councilors need to understand that what they say and how they say it matters a great deal
- ▶ Newly elected City Councilors need to understand that they now represent the organization as an employer



Roles of the City Council

- ▶ Establish service levels through the budget
- ▶ Establish goals and policies through a collaborative, public process and vote
- ▶ Hire and evaluate the City Manager position
- ▶ Keep the City Manager informed about community interests and concerns
- ▶ Refer constituents to staff for follow-up of specific concerns using established processes
- ▶ Communicate through the City Manager and their designated process



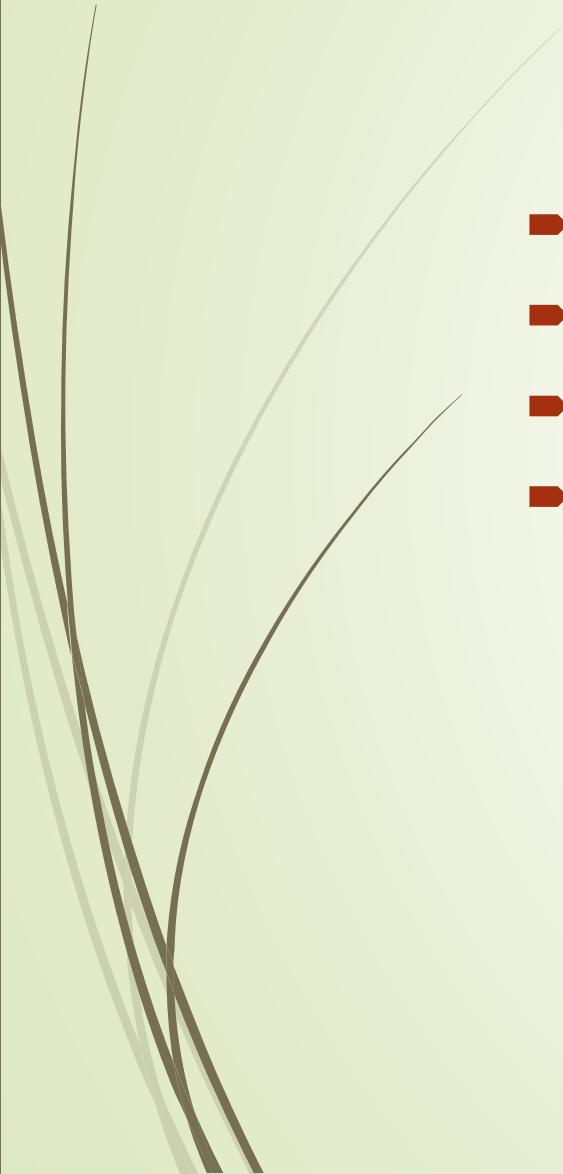
What you can expect

- ▶ Regular communications and the same information to all members of the City Council
- ▶ Accessibility
- ▶ Problem-solving
- ▶ Partnership



What the City Manager expects

- ▶ Regular communications
- ▶ Raising questions as issues arise
- ▶ Respecting roles & Charter
- ▶ Respecting workload, priorities set by as whole, and working within established protocols





Roles & Associated Activities

- ▶ Strategic Vision
 - ▶ Strategic Planning
 - ▶ Determining what is important in the short term
 - ▶ Identifying community wants and needs
 - ▶ Seeing interconnections
- ▶ Trustee-Steward
 - ▶ Looking at the long-term implications of decisions
 - ▶ Fiduciary role
- ▶ Constituent Advocate
 - ▶ Answering calls and emails from residents/businesses
 - ▶ Connecting residents/businesses with local officials to help resolve issues
- ▶ Decision Maker
 - ▶ Reading briefing material
 - ▶ Participating in committees
 - ▶ Listening to residents
 - ▶ Voting



Roles & Associated Activities

- ▶ Community Builder
 - ▶ Being present and listening to individuals and community groups
 - ▶ Convening important community conversations
 - ▶ Celebrating accomplishments
 - ▶ Participating in events
- ▶ Oversight
 - ▶ Conduct the Manager's performance evaluation
 - ▶ Reviewing the audit



Helpful Links

- ▶ Winter Operations & Policy: www.concordnh.gov/winteroperations
- ▶ Automated Trash Collection: www.concordnh.gov/automatedcollection
- ▶ Spring & Fall Leaf Collection: www.concordnh.gov/leafcollection
- ▶ Street Tree Policy: www.concordnh.gov/DocumentCenter/View/9202
- ▶ General Gazette Newsletter: www.concordnh.gov/generalgazette
- ▶ SeeClickFix (Report a Concern): www.concordnh.gov/seeclickfix