



CITY OF CONCORD

REPORT TO MAYOR AND THE CITY COUNCIL

FROM: City Solicitor James Kennedy
DATE: January 4, 2023
SUBJECT: Amending the Code of Ordinances, Title I, General Code; Chapter 1, Government Organization, Article 1-6, Code of Ethics

Recommendation:

Accept this report and consider the attached ordinance amending the Code of Ordinances, Title I, General Code; Chapter 1, Government Organization, Article 1-6, Code of Ethics.

Discussion

Please see two proposed changes to the Rules Committee's November 28, 2022 proposed amendments to the Code of Ethics. Both proposed changes are contained in the definition of the term, "Conflict of Interest."

The first change concerns the third sentence of the term "Conflict of Interest." The changes are shown below in red.

A conflict of interest shall also exist for an officer or elected official whose 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 ~~or voting upon~~ 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.

This change makes clear that an officer or elected official who has a conflict of interest, and is not authorized to attend a non-meeting regarding strategy or negotiations with respect to collective bargaining, may nevertheless vote on any collective bargaining agreement pending before the City Council at a public meeting, if there is no conflict of interest with that particular collective bargaining agreement.

The second change removes the proposed last sentence of the term "Conflict of Interest," as that sentence is covered under the first sentence of said term.

~~In addition, a conflict of interest shall exist for an officer or elected official whose family member is employed in the City of Concord as a non-contractual employee or otherwise employed in the City in any other non-contractual employee capacity and the Public Body is discussing or voting upon employee compensation or benefits.~~