

ETHICS COMMISSION

Tuesday, February 24, 2026 at 5:30 PM
Anita LaChance Conference Room 209,
City Hall, 2nd Floor.



MEMBERS

Carolyn Braun
Peter Goldman
Jennifer Goodwin
William Hayward
Maria Maffucci
Rosemary Paine
Jennifer Wriggins

The Ethics Commission will conduct this meeting in person in The Anita LaChance Conference Room 209, City Hall, 2nd Floor

PUBLIC COMMENT INFORMATION:

To submit written public comment on an agenda item, email ethics@portlandmaine.gov. Submissions must be received by 12:00 pm the day before the Ethics Commission meeting to guarantee their inclusion in the agenda packet. All submissions must include the commenter's name and legal address. To help ensure your comment is submitted for the correct item, please include the name of the agenda item (see below).

AGENDA:

1. **Call To Order**
2. **Roll Call**
3. **Approval of Minutes from Previous Meeting**
 - i. Ethics Commission Meeting Minute 1.27.2026
4. **Unfinished Business**
 - i. Drafting Ethics Code
 - a. Conflict of Interest Policy
 - b. Conflict of Interest Outline
 - c. Preamble
 - d. Confidentiality Policy
5. **Hour Mark-10 Minute Recess**
6. **New Business**
 - i. Update - Information from other Ethics Commissions
7. **Next Meeting Date**

8. Adjourn

ETHICS COMMISSION

Tuesday, January 27, 2026, at 5:30 PM
Anita LaChance Conference Room 209
City Hall, 2nd Floor.

MINUTES:

1. Call to Order 5:30 pm
Peter Goldman

2. Members in Attendance:

Carolyn Braun
Peter Goldman
Jennifer Goodwin
William Hayward
Maria Maffucci - Not present
Rosemary Paine
Jennifer Wriggins

City Personnel:

Rachel Millette (Associate Corporation Council), Abbey Lombard (Interim City Clerk)

Members of the Public: none present

3. Approval of Minutes from 12/30/2025
Motion to approve: Carolyn Braun
Seconded: Rosemary Paine

Discussion:

Suggestion to add and upload the Preamble and Conflict-of-Interest Outline to the Ethics Commission Page on the City website

Motion to amend Paragraph 3: change "has been uploaded" to "will be uploaded"

Moved - Peter Goldman

Seconded - Will Hayward

Amendment approved by all members present

Minutes approved by all members present

4. Executive session (moved from #7)
Moved - Jenny Wriggins
Seconded - Will Hayward
Approved unanimously

Motion to authorize Rachel Millette (Counsel) to respond to material submitted

Moved - Will Hayward
Seconded - Jenny Wriggins
Approved unanimously

5. Hour Mark-10 Minute Recess
No recess

6. Old Business

I. Confidentiality Policy
Discussion

Action Items:

Rachel will craft a Definition of "Confidential Information" to prevent conflicts with current City rules and regulations

Rachel will research the draft definition of "Insider Information" to assure it presents no conflicts with current City rules and regulations

Rachel will review the current draft definition of "Irreparable Harm" (1d) to assure it presents no conflicts with current City rules and regulations

II. Conflict of Interest Policy
Discussion

Action Items:

The draft of the overarching policy will be uploaded to the Ethics Commission Page on the City website

Rachel will create the body of a draft Conflict of Interest policy based on Rose's and Will's December 30 outline and on the Commission's recommendations during its discussion of the outline

7. New Business: Will briefly reviewed his discussions with members of other Ethics Commissions both in and out-of-state.

Action Item:

Will will review his discussions with other Ethics Commissions (under Old Business next meeting)

8. Next Meeting: Feb 24, 2026 @ 5:30 in person

9. Adjourn

Motion to adjourn: Carolyn Braun
Seconded; William Hayward
Approved unanimously
Adjourned 7:35pm

Chapter X CODE OF ETHICS

ARTICLE I. IN GENERAL

Sec. X-1. Preamble.

Sec. X-2. Definitions.

- a. *Confidential Information.* The term "confidential information" shall mean any information, oral or written, which comes to the attention of, or is available to, a public servant only because of their position with the City and is not a matter of public record, including, but not limited to, information received and discussed during an executive session pursuant to 1 M.R.S. § 405 et seq., information exempt from the definition of "public records" pursuant to 1 M.R.S. § 402(3), and information otherwise designated confidential by statute.
- b. *Financial Interest.* The term "financial interest" shall include any interest with a value equal or greater than \$2,500 or 5% interest in a company, whichever is less.
- c. *Public Servant.* The term "public servant" shall include officials, officers and employees of the city, including elected and appointed officials, members of boards and committees, and volunteers, whether paid or unpaid.
- d. *Relative.* The term "relative" shall mean an individual's spouse, domestic partner, parent, child, or person residing in the same household as the individual with whom the individual has a personal relationship.

Commented [1]: We can include more examples here that might be applicable to various departments if you'd like.

ARTICLE II. CONFLICT OF INTEREST

Sec. X-3. Financial Interests.

A public servant shall disclose any financial interest that they or their relative has with respect to a matter within the scope of the public servant's duties. A public servant is expected to disclose the financial interest immediately upon becoming aware of it to their supervisor or in a public meeting and to recuse themselves from participation related to that financial interest. A public servant must file a written disclosure of the financial interest to the City Clerk within five (5) business days of when they knew or reasonably should have become aware of the interest, whichever is sooner.

Commented [2]: How do you want to handle issues that are broadly applicable? Like the overall City budget which might impact property tax rates or collective bargaining agreements? Do we specify in the definition that a financial interest is something particular to the individual or their relative?

Commented [3]: Until further action can be taken? Or is this a complete ban on participating in these matters?

Sec. X-4. Gifts.

A public servant shall not accept any gifts from a person or entity who has a contract, license, or permit with the City or is seeking a contract, license, or permit from the City. A public servant shall not accept from any person or entity any gifts given in relation to the public servant's official duties with a total cumulative value of more than \$50 in the course of a 12 month period.

Commented [4]: Who should this section apply to? Do we want to include volunteers?

Commented [5]: Added to avoid prohibiting gifts given for entirely personal reasons (birthdays, christmas, etc.)

Sec. X-5. Outside Employment.

Sec. X-6. Privileges or Special Treatment.

Sec. X-7. Post-Employment Restrictions.

Sec. X-8. Use of City Property and Resources.

Except where otherwise available to the general public, a public servant shall not use City facilities or equipment for outside employment.

Commented [6]: Just employment, or other personal uses? Is there any exception for de minimis uses?

Sec. X-9. Political Activity.

Sec. X-10. Loans.

ARTICLE III. CONFIDENTIALITY

Sec. X-

Commented [7]: At least one code also makes mention of "advance" information - separate from confidential information, which seemed akin to the discussion we had about "insider information"

Conflict-of-Interest Policy

City personnel shall avoid any conflict of interest. A conflict exists when their loyalties or actions are divided between their interests and the interests of the City.

In addition, City personnel must avoid the appearance of a conflict of interest.

“Personnel” is defined in a footnote:

As used in this Policy the word “personnel” means any person who acts for or on behalf of the City regardless whether they are paid or unpaid, elected or appointed or voluntary.

CODE OF ETHICS

Conflict of Interest

• Financial

No financial interest in decisions

Disclosure of interests of individuals and relatives

Lobbyist must disclose

City officials must disclosure financial interests as soon as they are aware and no later than three (3) business days after discovering the conflict (*agreed unanimously at meeting*)

▪ Determine method of disclosure

▪ File Statement of Economic Interest

Do we need to set a dollar amount that should be disclosed? Or any amount should be disclosed? \$25.00 (*agreed unanimously at meeting*)

• Gifts

Do not accept/solicit gifts

Exceptions: less than \$25.00 in value (*agreed unanimously at meeting*)

• Outside employment

Cannot accept employment that interferes with public duty

▪ Creates COI that would impair ability to serve the city

Cannot use city facilities or equipment for outside work

• Privileges or Special Treatment

Cannot use position to solicit special privileges

• Post Employment Restrictions

Cannot use information gained by city employment after employment

• City Property and resources

Cannot use or destroy city property, fund resources

- Political Activity

Cannot use city position to compel political activity, contribution or membership

- Loans

Cannot apply for loan with business that is doing business with the city.

City of Portland Maine Code of Ethics

Overview/Preamble

Portland's government exists to serve the people. In order to do so effectively, those who live or work in Portland must have confidence and trust in the integrity of those in positions of service. The people of the City of Portland deserve elected and appointed officials and city employees who maintain the highest ethical principles, promote elevated standards of conduct, and avoid conflicts of interest, real or perceived.

It is with this intent that the City of Portland Maine has created the following Code of Ethics, predicated on the values of honesty, fairness, equitable treatment and balancing the needs of the community with those of the individual. Democracy depends on a government that is impartial, transparent, and accountable to its constituents.

A code of ethics is a set of rules that outlines clear expectations for organizational business practices and behaviors. Such codes are based on values intended to guide the employees and elected or appointed officials and to ensure that they conduct themselves with honesty and integrity. Municipal codes of ethics strive to establish principles that reflect a city's core values, and define standards of conduct.

This Code of Ethics is designed to foster an honorable culture throughout municipal governance. **It sets clear, minimum expectations for performance in the service of the City of Portland.** Inherently, ethical standards may require conditions more rigorous than city or state laws and statutes.

CITY OF PORTLAND, MAINE

CONFIDENTIALITY POLICY

1. **Confidential Information.**

a. **Disclosure Prohibited.** The unauthorized disclosure of the City’s Confidential Information or using Confidential Information for personal profit or advantage is prohibited.

b. **Definition of Confidential Information.** “Confidential Information” shall mean

TO BE SUPPLIED BY RACHEL MILLETTE

and any documents or things marked “CONFIDENTIAL”.

c. **Non-fixed Media.** Confidential Information can and often does exist in forms not fixed in any medium, such as conversations and discussions. To be clear, *it is the content of the information, not its form, that determines whether the information is Confidential Information.*

d. **Irreparable Harm.** All City personnel acknowledge that the Confidential Information is the valuable property of the City. All City personnel further acknowledge that any disclosure or unauthorized use of the City’s Confidential Information will cause irreparable harm and loss to the City, or to the party entrusting the Confidential Information to the City, for which monetary damages would be inadequate compensation.

e. **Duty of Confidentiality.** All City personnel understand and agree that by executing this Confidentiality Policy they are entering into a special relationship with the City imposing a duty of confidentiality upon them.

2. **Insider Information.**

RACHEL MILLETTE WILL VET THIS PROVISION TO ASSURE ITS APPLICABILITY

“Insider Information” is a form of Confidential Information. Insider Information is non-public information which comes to City personnel during their employment or during the course of their association with the City. City personnel shall not use any Insider Information, or reveal it to others who may use it, in connection with business transactions related to the City or contemplated by the City. This applies not only to non-public information relating to the City, but also to non-public information relating to third parties such as individuals or businesses.