

ETHICS COMMISSION

Tuesday, June 30, 2026 at 5:30 PM
City Hall Room 209 - In Person



MEMBERS

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

The Ethics Commission will conduct this meeting in person at City Hall in Room 209. A recording will be available in the [Agenda Center](#) following the meeting.

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. Meeting Minutes 06.02.2026
4. **Announcements**
5. **Unfinished Business**
 - i. Drafting Ethics Code
 - a. Conflict of Interest
6. **Hour Mark - 10 Minute Recess**
7. **Public Comment**
8. **New Business**
9. **Next Meeting**
10. **Adjourn**

ETHICS COMMISSION
Tuesday, June 2, 2026
Anita LaChance Conference Room 209
City Hall, 2nd Floor

MINUTES

1. Call To Order 5:34pm

2. Members in Attendance:

Carolyn Braun
Peter Goldman
Jennifer Goodwin
William Hayward (arrived at 6:05)
Maria Maffucci (absent)
Rosemary Paine (arrived at 5:55)
Jennifer Wriggins

City Personnel:

Rachele Millette (Associate Corporation Council)

3. Approval of Minutes from 3/31/2026

Motion to approve minutes

Moved: Peter Goldman

Seconded: Carolyn Braun

Unanimously approved

Amendments:

Abby Lombard's name should read "Abbey Lombard"

Peter presented a definition of "Recuse" which was modified and recorded in the current Draft

The minutes should read "April 28, 2026" and not "March 26, 2026"

Motion to accept minutes as amended

Moved: Carolyn Braun

Seconded: Jennifer Goodwin

Unanimously approved

Motion to approve minutes as amended

Moved: Peter Goldman

Seconded: Carolyn Braun

Unanimously approved

4. Unfinished Business

1. Drafting Ethics Code

Review Rachel's draft, as dictated by commission members

Public Interest - accepted as Rachel's comments -

Gifts - as amended by Rachel (Rose accepts)

Exec Session:

Motion to move to Executive Session

Moved: Jenny Wriggins

Seconded Jennifer Goodwin

Motion to leave Executive Session

Moved: Will Hayward

Seconded: Jenny Wriggins

Political Activity: As drafted by Rachel

Conflict of interest - Provisionally accepted with Rachel's correction.

5. Hour Mark - 10 Minute Recess

6. Public Comment

No public comment

7. New Business

There was no new business

8. Next Meeting June 30, 5:30 in person

9. Adjourn

Motion to adjourn

Moved: Will Hayward

Seconded: Jenny

Unanimously approved

Meeting adjourned 7:30

Chapter X CODE OF ETHICS

ARTICLE I. IN GENERAL

Sec. X-1. 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.

It is the legislative intent of the city council, in adopting this Code, that all provisions and sections of this Code be interpreted liberally.

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. *Conflict of Interest.*

Commented [1]: Jenny & Carolyn will draft

Draft as of 6/2/2026

- c. *Financial Interest.* The term “financial interest” shall include any interest with a value equal or greater than \$2,500 or 5% interest in an entity, whichever is less.
- d. *Interest.* A benefit or advantage, including a benefit or advantage which may be one of control rather than of possession; an influence due to one’s personal importance or capability; a power of influencing the action of others; any financial, personal, or organizational stake that could influence - or appear to influence - one’s decisions or actions in their official role. Examples of an “interest” include, but are not limited to:
 - i. A share, right, or title in the ownership of personal or real property;
 - ii. A share, right or title in an undertaking, including a commercial or financial undertaking, or the like.
- e. *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, whether paid or unpaid.
- f. *Recuse.* “Recuse” means to withdraw from a deliberation or discussion, or a vote or a decision, due to a real or potential conflict of interest or lack of impartiality.
- g. *Relative.* The term “relative” shall mean an individual’s spouse, domestic partner, parent, child, or an individual with whom the covered individual has a significant personal bond that is or is like a family relationship, regardless of biological or legal relationship.

ARTICLE II. CONFLICT OF INTEREST

Sec. X-3. Conflict of Interest Policy.

Public servants shall avoid any conflict of interest. A conflict exists when the public servant’s loyalties or actions are divided between their interests and the interests of the City. In addition, public servants must avoid the appearance of a conflict of interest.

- Commented [2]:** Discuss phrasing this as a general guiding principle and whether more specificity is required after more is fleshed out in the various situations outlined below
- Commented [3]:** Jenny & Carolyn will work on in conjunction with definition of conflict of interest
- Commented [4]:** Members are going to look at New Jersey ethics code
- Commented [5]:** Alternatively, Jenny would be direct here saying Conflict of Interest is not permitted, and then there is a definition of conflict of interest.
- Commented [6]:** Suggested language changes are Peter’s proposal

The public servant must ask themselves, "Could this matter or decision benefit me, or could it be viewed to benefit me?" If the answer is "yes," the public servant has an interest in the matter or decision.

Without limitation, some specific examples of conflict of interest follow:

Commented [7]: Jenny & Carolyn will work on in conjunction with definition of conflict of interest

Commented [8]: Members are going to look at New Jersey ethics code

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 immediately upon becoming aware of it to their supervisor or in a public meeting and shall recuse themselves from participation in the matters related to that financial interest. A public servant must file a written disclosure of the financial interest to the City Clerk within three (3) business days of when they knew or reasonably should have become aware of the interest, whichever is sooner.

Notwithstanding anything to the contrary in the previous paragraph, no public servant shall be prohibited from participating in the City's municipal budget process, including drafting, deliberations, and voting simply because they reside or own property in the City; provided, however, that such public servant shall recuse themselves from drafting, deliberations, or voting on any particular line item in which they have a financial interest distinct from that of all City residents or property owners.

Sec. X-4. Gifts.

A public servant in the course of their position with the City shall not accept any gifts from a person, entity, or their agent, who has a contract, license, or permit with the City or is seeking a contract, license, or permit from the City. A public servant in the course of their position with the City shall not accept from any person or entity any gifts with a total cumulative value of more than \$50 in the course of a 12 month period. The value of a gift provided to a group or department of public servants shall be divided by the number of public servants within the group or department.

Sec. X-5. Outside Employment.

A public servant's outside employment, i.e., compensated professional work outside of their work as a City employee, shall not conflict with the duties and responsibilities of their position with the City or the City's interests. Any outside employment activities that create conflicts of interest with the City, use city time/resources for private gain, or impair the Public Servant's performance of official City duties are prohibited. Public servants of the City in their outside employment must ensure that their outside employment does not discredit or conflict with the municipality.

Draft as of 6/2/2026

Sec. X-6. Privileges or Special Treatment.

Commented [9]: Stopped review here on 4.28

Public servants are prohibited from using their City employment to secure special privileges, exemptions, or preferential treatment for themselves, relatives, or friends. Such actions constitute a conflict of interest. Public servants must not disclose confidential information gained by reason of the official position, nor may they otherwise use such information for his or her personal gain or benefit.

Sec. X-7. Post-Employment Restrictions.

- a. No disclosure of Confidential Information. Except as otherwise required by law, following the termination of their service to the City, no former public servant shall engage in or accept private employment or render services for private individuals or entities or engage in any business or professional activity when the employment, service or activity would require or induce the former public servant to disclose Confidential Information acquired by reason of their former official position.
- b. No conflict of interest. Except as otherwise required by law, for a period of one (1) year following the termination of their service to the City, no public servant shall engage in or accept private employment or render services for private individuals or entities or engage in any business or professional activity when the employment, service or activity conflicts with the City's interests, business or affairs arising out of the public servant's former official duties.

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

No Public Servant shall use or permit the use of any City-owned property, including but not limited to motor vehicles, equipment and buildings, for any private purposes.

A Public Servant shall not direct or request subordinates to use official time to perform any activities for the local official's or employee's personal convenience, profit or benefit. *

A Public Servant may only use the City's name, letterhead, logo, or seal when it would be perceived as representing the City of Portland or the body as a whole and only with prior consent of the Council or designee.

Public Servants shall not utilize the City's name, letterhead, logo, or seal for the purpose of endorsing any political candidate, business, commercial product, or service. Nothing herein shall prohibit a Public Servant from endorsing any of the above in their personal capacity. A Public Servant may disclose the fact of their position provided it is

Draft as of 6/2/2026

made clear that they are acting in a personal capacity and not as a representative of the City

*Nothing herein shall prohibit use of City buildings and equipment at rates and/or on terms as may be established. Nothing herein shall prohibit the use of City equipment or motor vehicles by Public Servants in accordance with written policies established by the City Council, Mayor, City Manager or City department head concerned, nor shall this code be deemed to prohibit private use of surplus City property legally disposed of by the City or its departments in compliance with established procedures.

Sec. X-9. Political Activity.

No public servant shall participate in any political activity that would be in conflict or incompatible with the performance of their official functions and duties for the City.

No public servant may use their official authority or position for the purposes of influencing, interfering with, or affecting the results of any election. No public servant shall use their position to make threats or promises for the purpose of trying to get anyone to engage in any political activity or make a political contribution.

Public servants shall not solicit campaign contributions from other public servants, except when the solicitation is part of a general public appeal. Public servants shall not accept campaign contributions from City employees whom they supervise, whether directly or indirectly within the employees' department.

A public servant shall not ask any person or entity that does or intends to do business with the municipality or that has or is seeking a license, permit, grant, or benefit from the City or that has done business with the City during the previous twelve months to make any political contribution or engage in any political activity.

They shall not use upon terms more favorable than those granted to the public generally, City facilities, equipment, materials or supplies to communicate, organize, assist or advocate for or against any candidates for elected office; including but not limited to their own candidacy, whether for a local, state or federal office, and whether the employee is on or off duty at the time of such use. When using City facilities, equipment, materials or supplies for campaign purposes, public servants shall disclose to the public that such use was consistent with the terms of use for the public generally.

Nothing herein shall be construed to prohibit any public servant from participating in the political process in their capacity as private citizens or as candidates for elected office.

Employees who are working directly or indirectly under a federal funding status

Commented [11]: Other option is to say public servants can't accept contributions when they have reason to believe being provided for a particular benefit or under threat

Commented [12]: Is this too broad given restrictions above?

Draft as of 6/2/2026

must check with the Hatch Act Unit of the U.S. Office of Special Counsel as to the extent to which participation in state or federal political activity is allowed under Federal law

Candidates for and holders of elected office must follow Maine's statutes on disclosure and campaign finance

Sec. X-10. Loans.

Commented [13]: Rose will draft

ARTICLE III. CONFIDENTIALITY

Sec. X-11. Disclosure Prohibited.

The unauthorized disclosure of the City's Confidential Information or using Confidential Information for personal profit or advantage is prohibited.

All City personnel acknowledge that the Confidential Information is the valuable property of the City. All City personnel further acknowledge that any disclosure of 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.

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.

Sec. X-12. Insider Information.

Commented [14]: At least one code also makes mention of "advance" information - separate from confidential information, which seemed akin to "insider information"

"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.

Notes for Further Consideration

- Should there be a process where a public servant could suggest that another public servant should recuse themselves based on a real or perceived conflict or interest?
- Accountability officer
- Protecting confidentiality of complainants to the extent possible
- Disclosure language examples for public servants to use
 - Specifically came up in context of use of city facilities and other resources during campaigns and disclosure required to the public in those situations

DRAFT

Draft as of 6/2/2026

Code of Ethics

Conflict of Interest

Loans and Financial Accommodations

No public servant shall solicit or receive a loan, extension of credit, guarantee, debt forgiveness, or other financial accommodation from any person or entity or their agent when the benefit is offered because of the individual's official position or could reasonably be expected to influence, or appear to influence, the performance of official duties. This shall not apply to loans or credit obtained in the ordinary course of business on terms generally available to the public.

Notes:

Does the city have a credit union affiliation?