

City of Rochester Board of Ethics – December 12, 2023

MINUTES

Meeting called to order at 6:37 pm by Board Chair Carl Steinbrenner.

Members present:

Mia Cannon
Kevin Graham
Timothy Weir
Carl Steinbrenner

Members Not Present:

James Patterson
Doug Escher
Councilmember LaShay Harris

Non-Members Present:

Lori Thomas
Cheryl Robinson
Linda Kingsley, Corporation Counsel
Patrick Beath, Deputy Corporation Counsel
Barbara Campbell

Approval of Minutes

- Minutes for the November 21, 2023 meeting were unanimously approved.
- Minutes for the December 7, 2021 meeting were unanimously approved

Pending Business:

- The board resumed discussion of C23-1a which alleges a conflict of interest by a Zoning Board of Appeals member. Corporation Counsel summarized the facts and reiterated that, in her legal opinion, board member Tim Tompkins had not violated any provision of the City's ethics code by voting on matters involving Home Leasing Inc. during the period September 2023 through December 2023. However, Corporation Counsel advised that disclosure of the prior business relationship with Home Leasing would have provided more transparency to the board and the public.

Corporation Counsel advised that Mr. Tompkins has resigned from the ZBA since the board's November meeting. Due to this fact, the board has no authority to review his

actions any further. Corporation Counsel advised the board has the authority to issue an advisory opinion for the purpose of providing general guidance to city boards and commissions on when to disclose a prior business relationship while serving on a board.

The board unanimously agreed to issue an advisory opinion as described. Corporation Counsel advised the City Law Department would prepare a draft advisory opinion for consideration at the board's next meeting in January 2024.

New Business:

- Secretary Weir noted receipt of a new complaint, designated C23-2, submitted by the Rochester Police Locust Club. This complaint alleges a conflict of interest by a City Councilmember and requests an advisory opinion from the board.

The board agreed the focus of the deliberations will be on whether the Councilmember has an interest in the Police Accountability Board Alliance, as defined in the Code of Ethics. If so, how should that interest or association impact the Councilmember's ability to advocate policies and positions that are consistent with those held by the PABA and the PAB.

Chair Steinbrenner requested that Secretary Weir contact the complainant and obtain further clarification regarding the allegation that the Councilmember has an interest in the PABA. Specifically, to better determine what "benefit or advantage of an economic or tangible nature" would the Councilmember gain as a result of the Councilmember's public comments as described in the complaint.

Adjournment:

- The Chair adjourned the meeting at 7:05 pm

Next Scheduled Meeting: January 16, 2024; 6:30pm
Council Chambers