

## City of Rochester Board of Ethics – January 16, 2024

### MINUTES

Meeting called to order at 6:40 pm by Board Chair Carl Steinbrenner.

#### Members present:

Kevin Graham  
Timothy Weir  
Carl Steinbrenner  
Doug Escher  
Councilmember LaShay Harris

#### Members Not Present:

Mia Cannon  
James Patterson

#### Non-Members Present:

Patrick Beath, Corporation Counsel  
Tiffany Heard  
Bobby Douglas Jr.

#### Approval of Minutes

- Minutes for the December 12 2023 meeting were unanimously approved after it was agreed the last sentence in the third paragraph on page 2 be removed to more accurately reflect the board's deliberations regarding C23-2.

#### Pending Business:

- The board resumed discussion of C23-1a which alleges a conflict of interest by a Zoning Board of Appeals member. Corporation Counsel advised the draft guidance to board members has not been completed by the Law Department and that it would be ready to review at the February board meeting.
- The board resumed discussion of C23-2. Secretary Weir confirmed a request was made to the complainant for additional clarification on the alleged interest that Councilmember Martin holds in regards to the Police Accountability Board Alliance (PABA). The complainant did not respond to this request. The board voted 4-0 to not accept the complaint with Councilmember Harris abstaining from the vote due to a conflict.

- Chair Steinbrenner noted for the record that he will be resigning as Chair and board member of the Board of Ethics effective February 1, 2024 when he will no longer meet the City residency requirement for board membership. He expressed his regret on no longer being able to continue to serve on the board and thanked the remaining board members for their contributions and work on matters during his term. Each of the other board members then conveyed their appreciation to the Chair for his leadership and guidance on board matters.

**New Business:**

- Secretary Weir noted receipt of a new complaint, designated C24-1, submitted by Tiffany Heard on 1/4/2024. This complaint alleges violations of the Open Meetings Law (OML), the City's code of ethics, and PAB rules and regulations.

Corporation Counsel Beath advised that he had participated in meetings mentioned in the complaint and therefore recused himself from the matter and left the meeting room at 7:05 pm. In addition, Councilmember Harris advised that since the matter involved a Councilmember colleague, she would be recusing herself from the matter as well.

Secretary Weir summarized the complaint and the remaining board members participating in the deliberations agreed the complaint lacked sufficient clarity on what specific code ethics provisions were believed to be violated. Each participating board member agreed the board has no authority to opine on matters such as the OML or PAB rules and regulations.

Chair Steinbrenner acknowledged the presence of the complainant at the meeting. The Chair requested that Ms. Heard provide a supplemental email to the Secretary explaining to the board which ethics code provisions she believes were violated by the Councilmember or the PAB board members. Ms. Heard agreed to provide the requested information.

The participating board members declined acceptance of the complaint pending review of the requested supplemental information to be provided by Ms. Heard.

At 7:18 pm, Corporation Counsel Beath returned to the meeting room.

**Adjournment:**

- The Chair adjourned the meeting at 7:21 pm

**Next Scheduled Meeting: February 13, 2024; 6:30 pm**  
**Council Chambers**