

## City of Rochester Board of Ethics – June 9, 2020

### MINUTES

Meeting called to order at 6:40 pm by Pro-tem Chair Mia Hodgins. This meeting was held via video conference due to the Mayor's State of Emergency Order of March 15, 2020 which suspends all in-person Board and Commission meetings until further notice.

#### Members present:

Kevin Graham  
Mia Hodgins  
James Patterson  
Hon. Loretta Scott  
Timothy Weir

#### Members not present:

Naimah Sierra  
Carl Steinbrenner

#### Non-Members Present:

Tim Curtin, Corporation Counsel

#### Approval of Minutes

- Approval of Minutes for the May 5, 2020 meeting were unanimously approved.

#### Pending Business:

- The Board reviewed Complaint 20-1 involving the Mayor's letter to retired City employees in support of the United Way as well as relevant legal analysis provided by Corporation Counsel. Pro-tem Chair Hodgins provided a summary of the complaint and noted that the complaint questioned whether it was a violation of the Code of Ethics to use City funds for mailings in support of one specific non-profit organization.

Corporation Counsel advised that all requests of City support for private and non-profit organizations are reviewed to ensure the use of City funds are in furtherance of a "valid public purpose" and that this public purpose exceeds any incidental benefit to "private individuals".

Based on the facts presented and referenced legal analysis, those Board members in attendance at the meeting determined the City's support of the United Way did not

violate any provisions of the Code of Ethics. Secretary Weir agreed to prepare a draft advisory opinion regarding this decision for review at the next board meeting.

**New Business:**

- The Board reviewed Complaint 20-3 involving the City's enforcement of social distancing guidelines. Pro-tem Chair Hodgins provided a summary of the complaint and noted that the complaint did not identify specific ethics code provisions to be considered and that the enforcement of social distancing guidelines falls outside the purview of the Code of Ethics. Based on these facts, the Board unanimously agreed to decline acceptance of the complaint for further consideration.

**Adjournment:**

- The Chair's motion to adjourn at 7:10pm was unanimously approved.

**Next Scheduled Meeting: July 14, 2020; 6:30pm**  
**Via Video Conference**

APPROVED