

Attachment A
February 15-2022
City Council Introduced Ordinance

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF RIVERSIDE, CALIFORNIA,
AMENDING CHAPTER 2.78 OF THE RIVERSIDE MUNICIPAL CODE
REGARDING CODE OF ETHICS AND CONDUCT.

The City Council of the City of Riverside does ordain as follows:

Section 1: Section 2.78.080 of the Riverside Municipal Code is hereby amended as follows:

“Section 2.78.080 Hearing procedures.

...

E. The hearing panel of the Board of Ethics shall conduct a pre-hearing conference prior to a hearing date being set by the City Clerk. All parties are to attend the pre-hearing conference; however, the absence of any party at the pre-hearing conference shall not be grounds for a continuance and the pre-hearing conference shall proceed as if the absent party were present. The pre-hearing conference shall be conducted as follows:

...

8. If it is determined by the hearing panel that the complainant has failed to show that it is more likely than not that there may be a potential violation of the prohibited conduct section of this chapter, the Chair of the hearing panel shall instruct the City Clerk to prepare a statement of findings for the hearing panel to adopt at the next regular meeting of the Board of Ethics. Alternatively, the Chair of the hearing panel shall prepare the findings. If the Chair prepares the findings, such findings shall be adopted at the next regular meeting of the Board of Ethics. This statement of findings shall be considered the final decision of the hearing panel and is immediately appealable to the City Council pursuant to the appeal procedures section of this chapter.

...

N. All findings shall be approved by a majority vote of the hearing panel and recorded by the City Clerk. The hearing panel may approve such findings at the conclusion of the hearing and direct the City Clerk or the Chair of the hearing panel to prepare the findings. If the Chair of the

1 hearing panel prepares the findings, the hearing panel must consider and approve such findings
2 within 30 days after the hearing, at a subsequent meeting of the hearing panel.

3 O. Within five City business days following the hearing and the approval of the findings, the
4 City Clerk shall notify all parties in writing of the decision of the hearing panel and the appeal
5 procedures.

6 ...”

7 Section 2: Section 2.78.090 of the Riverside Municipal Code is hereby amended as
8 follows:

9 “Section 2.78.090 Appeal procedures.

10 A. A decision by the hearing panel finding a violation of the Prohibited Conduct section of
11 this chapter shall be automatically appealed to the City Council. The City Clerk shall place the
12 appeal on the agenda of a regular meeting of the City Council within 30 City business days of the
13 approval of the findings ~~hearing~~ by the hearing panel and shall notify the parties in writing of the
14 hearing date.

15 B. A decision by the hearing panel of the Board of Ethics not finding a violation of the
16 Prohibited Conduct section of this chapter may be appealed to the City Council by either party.
17 The appeal shall be taken by filing a written notice of appeal with the City Clerk within ten City
18 business days following the approval of the statement of findings ~~date of the hearing~~ by the
19 hearing panel. The notice of appeal shall be in writing on a form provided by the City Clerk. The
20 City Clerk shall place the appeal on the agenda for a regular meeting of the City Council within 30
21 City business days of the filing of the notice of appeal. The City Clerk shall notify the parties in
22 writing of the hearing date.

23 ...

24 E. The City Council shall review the record of the hearing to determine whether the hearing
25 panel committed a clear error or an abuse of discretion based upon the record. If no such finding is
26 made by a majority of the City Council, then the City Council shall adopt the decision of the
27 hearing panel as the findings of the City Council on appeal. If there is a finding by the City
28 Council of a clear error or an abuse of discretion by the hearing panel, then that finding shall be

1 clearly stated and the matter shall be referred back to the Board of Ethics for a *de novo* (new) re-
2 hearing of the matter in light of the findings on appeal. The de novo re-hearing shall be conducted
3 before a hearing panel convened in accord with Riverside Municipal Code section 2.80.040(B)(3a-
4 i), except that a pre-hearing conference shall not be required. The hearing shall be conducted in
5 accord with the hearing procedures set forth in Riverside Municipal Code section 2.78.080.

6 ...”

7 Section 3: The City Clerk shall certify to the adoption of this ordinance and cause
8 publication once in a newspaper of general circulation in accordance with Section 414 of the Charter
9 of the City of Riverside. This ordinance shall become effective on the 30th day after the date of its
10 adoption.

11 ADOPTED by the City Council this _____ day of _____, 2022.

12
13 _____
14 PATRICIAL LOCK DAWSON
Mayor of the City of Riverside

15 Attest:

16
17 _____
DONESIA GAUSE
City Clerk of the City of Riverside

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1 I, Donesia Gause, City Clerk of the City of Riverside, California, hereby certify that the
2 foregoing ordinance was duly and regularly introduced at a meeting of the City Council on the
3 _____ day of _____, 2022, and that thereafter the said ordinance was duly and
4 regularly adopted at a meeting of the City Council on the _____ day of _____, 2022,
5 by the following vote, to wit:

6 Ayes:

7 Noes:

8 Absent:

9 Abstain:

10
11 IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the
12 City of Riverside, California, this _____ day of _____, 2022.

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14 _____
15 City Clerk of the City of Riverside
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CA 21-1598/SW 2/22/22
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