

MEMORANDUM

To: City Council

From: Malissa Hathaway McKeith, Esq.

Date: March 31, 2022

Re: Inspector General Input for April 12, 2022 Meeting

I am writing this email in my individual capacity. As you know, the Charter Review Committee has almost unanimously recommended that a ballot initiative proposing the election of an Inspector General (IG) be placed on the 2022 ballot. The subcommittee chaired by Warren Avery and Alia Rodriguez has spent literally hundreds of hours on this issue, and the Clarke Committee also devoted significant time on this matter. In July 2019, this Council directed further analysis.

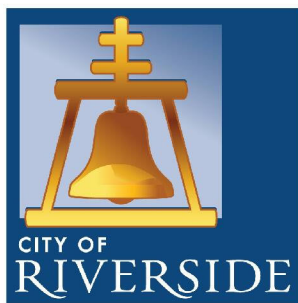
In 2012, the City Council under then Mayor Loveridge unanimously approved placing an item on the ballot recommending an independent, appointed auditor. The voters rejected that proposal. Since then, Riverside's population and budget have grown, and it is clear from public testimony taken over the past several years that an independent, confidential process for investigating fraud, waste and abuse is needed at a time when trust in government is declining. Riverside simply does not have an independent, confidential process now. Had an independent inspector general been charged with investigating Mr. Hunter's complaints against RPU, an early resolution would have determined the merits of those allegations and potentially saved the City millions of dollars. In fact, one reason municipalities are appointing Inspector Generals is that the net money saved by addressing corruption early far outweighs the costs of those offices. Atlanta passed such an ordinance and amended its Charter in 2020. <https://www.atlantaga.gov/government/boards-and-commissions/office-of-the-inspector-general>

Both Riverside senior staff and Council members have stated they want more accountability "in theory", but are concerned about the current proposal. The primary objections raised by staff and Council are that the Inspector General would be elected, and that the scope of the IG's responsibilities is too broad. These are legitimate concerns deserving of further discussion, and I believe they can be resolved with a targeted process for developing amendments after Council's input similar to how Council recently addressed issues with Mayoral vote.

Council can and should direct staff to work with Charter to incorporate the wishes and recommendations of Council. This could be done in the next 30-45 days so that the matter is brought back to Council in June and, assuming at that time the amendments are approved by Council, could proceed to two advertised public hearings in July. If desired, the Mayor and two council members could assist in the process (consistent with the Brown Act) to iron out what are important issues for our City.

Riverside's Charter and the Strategic Plan both emphasize transparency in government and the right of the public to vote on the City's governance. Just like in 2012, placing this item on the ballot and letting the public decide the issue reinforces the values of the City and of this Council in ensuring accountability.

COUNCIL/AGENCY MEMBERS



CITY COUNCIL MINUTES

TUESDAY, FEBRUARY 21, 2012, 3 P.M.
ART PICK COUNCIL CHAMBER
CITY HALL
3900 MAIN STREET

City of Arts & Innovation

G A R D N E R	M E L E N D R E Z	B A I L E Y	D A V I S	M A C A R T H U R	H A R T	A D A M S
1	2	3	4	5	6	7

WARDS

Mayor Loveridge called upon Chief Diaz who recognized Riverside Animal Hospital owner Dr. Jezbera for his support of the Riverside Police Dog Program.

Mayor Loveridge called upon Youth and Education Coordinator Lizette Navarette who gave an update on the initiatives of the College Council of Riverside.

PRESENTATION

Parks, Recreation and Community Services Director Ralph Nunez presented an update on the Riverside Raincross Run and Walk.

ECONOMIC SUCCESS REPORT

Councilmember Mac Arthur reported on Brandon's Diner.

DISCUSSION CALENDAR

ASSEMBLY BILL 109 - PUBLIC SAFETY REALIGNMENT UPDATE

Following discussion, the City Council (1) referred this matter to the Public Safety Committee for quarterly reports; (2) received and ordered filed the public safety realignment update related to mandatory inmate reduction pursuant to Assembly Bill 109.

Motion
Second
All Ayes

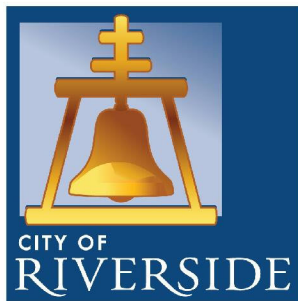
X

X

CHARTER AMENDMENT MEASURES - REFERRED TO COMMITTEE IN PART - SUPPLEMENTAL APPROPRIATION - RESOLUTIONS

Following discussion, the City Council (1) adopted a resolution proposing the following amendments to the City Charter: (a) create a City Auditor position appointed by the City Council; (b) create a Commission on Sustainability; (c) conduct City Council run-off elections on the last Tuesday in August of odd-numbered years; (d) eliminate authority of City Manager to approve or disapprove appointments and removals of subordinate employees of Charter Officers, including the City Clerk and City Attorney; (e) remove oversight for maintenance of parkways, shrubs, and trees within street right-of-way from the Park and Recreation Commission; (f) advertise bids for public works contracts by electronic means instead of the newspaper; and (g) make non-substantive updates, including process and title changes; (2) adopted a resolution placing seven measures on the ballot for the next regularly scheduled election on June 5, 2012; (3) authorized a supplemental appropriation in the amount of \$150,000 from the Unappropriated General Fund fund balance to the City Clerk Elections Division Professional Services Account 1205000-421000; and (4) referred formation of a citizens' audit committee to the City Council Finance Committee for recommendation to the

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WARDS

City Council; whereupon, the titles having been read and further reading waived, Resolution No. 22346 of the City Council of the City of Riverside, California, Proposing Amendments to the City Charter; and Resolution No. 22347 of the City Council of the City of Riverside, California, Submitting to the Qualified Electors of the City of Riverside Certain Amendments to the Charter of the City of Riverside, at the Municipal Election of June 5, 2012, were presented and adopted.

Motion
Second
All Ayes

X

PRESENTATION

The Mayor and City Council received an update on Community Connect.

DISCUSSION CALENDAR

RIVERSIDE REGIONAL WATER QUALITY CONTROL PLANT - SEWER CAPACITY CHARGES FOR RESTAURANTS

Following discussion, the City Council approved the recommendation of the City Council Utility Services/Land Use/Energy Development Committee to receive and order filed the report on sewer capacity charges for restaurants.

Motion
Second
All Ayes

X

X

ORAL COMMUNICATIONS FROM THE AUDIENCE

Hayward Jackson shared a verse from the Bible. Matt McGiffen spoke regarding public safety concerns in the Kansas Avenue and Linden Street area. Morris Mendoza spoke regarding parks and libraries, and firefighter and police officer recognition. Vivian Moreno spoke regarding the Sewer Fund, City investments, the City website, and the Mayoral election. Dvonne Pitruzello spoke regarding the website and Redevelopment bond repayments. Phyllis Purcell spoke regarding college admission for Riverside residents. Salvador Santana spoke regarding the Downtown Library remodel project. Mary Shelton spoke regarding libraries and the Emergency Services Dispatch Center relocation. Karen Wright spoke regarding Santa Ana Sucker Fish litigation, a homeowner eviction, the Friday Morning Club, and the Convention Center.

BRIEF STATUS REPORTS FOR REGIONAL ORGANIZATIONS, CONFERENCES, SEMINARS, AND MEETINGS ATTENDED BY MAYOR AND CITY COUNCIL

There was nothing to report at this time.

CITY ATTORNEY REPORT ON CLOSED SESSIONS

City Attorney Priamos announced there were no reportable actions on the closed sessions held earlier in the day.

1 RESOLUTION NO. 22347

2 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
3 RIVERSIDE, CALIFORNIA, SUBMITTING TO THE QUALIFIED
4 ELECTORS OF THE CITY OF RIVERSIDE CERTAIN AMENDMENTS
TO THE CHARTER OF THE CITY OF RIVERSIDE, AT THE
MUNICIPAL ELECTION OF JUNE 5, 2012.

5 WHEREAS, Section 1403 of the Charter of the City of Riverside requires the City Council,
6 by February of 2004, and in February every eight years thereafter, to appoint and appropriate
7 adequate funds for a Charter review committee; and

8 WHEREAS, the Charter review committee shall have the power and duty to recommend to
9 the City Council which, if any, Charter amendments should be placed on the ballot at the next
10 regular municipal election for Mayor; hold public meetings to receive input on proposed Charter
11 amendments; and present a final report with its recommendations to the City Council by the last
12 Tuesday in May preceding the next regular municipal election for Mayor; and

13 WHEREAS, the City Council so appointed such Charter review committee on February 18,
14 2011, and reaffirmed such appointment on May 17, 2011; and

15 WHEREAS, the committee was comprised of 15 members and met 12 times, from March 14,
16 2011, to December 19, 2011; and

17 WHEREAS, on January 24, 2012, the Committee presented its final report to the City
18 Council recommending that numerous substantive and non-substantive Charter amendments should
19 be submitted to the voters at the June 2012 statewide general election; and

20 WHEREAS, under Section 1403, the City Council shall act upon the recommendations of the
21 Charter review committee prior to the last day to place measures on the ballot for the next regular
22 municipal election for Mayor; and

23 WHEREAS, Article XI, Section 3, of the Constitution of the State of California, Elections
24 Code section 9255, and Government Code section 34458 further authorize the City Council, on its
25 own motion, to submit to the qualified electors of the City any ballot measure by ordinance or
26 resolution proposing amendments to the City Charter at a regularly scheduled municipal election;
27 and
28

1 WHEREAS, on January 10, 2012, the City Council adopted Resolution No. 22324, ordering,
2 calling, providing for and giving notice of a General Municipal Election to be held in the City of
3 Riverside on the 5th day of June, 2012, for the purpose of electing the Mayor of said City of
4 Riverside, and giving notice and ordering that said General Municipal Election is consolidated with
5 all other elections being held in the same territory on the same date; and

6 WHEREAS, City Council wishes to submit certain Charter amendments to the voters at the
7 June 5, 2012, General Municipal Election.

8 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Riverside,
9 California, as follows:

10 Section 1: The City Council, pursuant to its right and authority under California law, hereby
11 orders that the following questions be submitted to the qualified electors of the City of Riverside at
12 the General Municipal Election on June 5, 2012, as referenced in Resolution No. 22324:

13
14 Shall the Charter of the City of Riverside be amended to include a new Charter
15 officer, the City Auditor, appointed by the City Council, with the powers and duties
16 of the City Auditor set by ordinance of the City Council?

17
18 Shall the Charter of the City of Riverside be amended by adding a new section 811,
19 entitled "Commission on Sustainability," which would create a new commission to
20 advise the Mayor and City Council on matters of sustainability as it pertains to
21 environmental stewardship, economic development, and regional advantages as a
22 means of pursuing a higher quality of life, with the powers and duties of that
23 commission set by ordinance of the City Council?

24
25 Shall the Charter of the City of Riverside be amended to provide that if in the June
26 election for City Council, no candidate for City Council receives a majority of the
27 total votes cast, that the run-off election be held on the last Tuesday in August instead
28 of on the first Tuesday in November?

1 Shall the Charter of the City of Riverside be amended to eliminate the authority of the
2 City Manager to approve or disapprove appointments and removals of subordinate
3 employees of any Charter officer, including the City Clerk and City Attorney?

4
5 Shall the Charter of the City of Riverside be amended to remove oversight of the
6 maintenance of parkways, shrubs, and trees within street right-of-way from the Park
7 and Recreation Commission?

8
9 Shall the Charter of the City of Riverside be amended to provide that bids for public
10 works contracts be advertised by electronic means instead of in the newspaper?

11
12 Shall the Charter of the City of Riverside be amended by making certain non-
13 substantive updates, related to change of position titles, elimination of paper copy
14 distribution of certain documents to City officials, posting of certain documents
15 (budget, external audit) on the internet, word corrections, deletion of obsolete
16 language, reflection of current practices, elimination of references to taxes no longer
17 being collected, adding "accessible" before "website" throughout the Charter, and
18 timing of the Charter Review process?

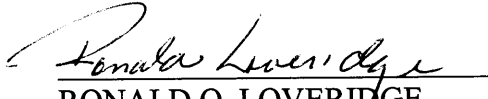
19
20 Section 2: That only the qualified electors of the City of Riverside are entitled to vote at said
21 election on these proposals to amend the City Charter and that if a majority of the qualified electors
22 voting on any of the Charter proposals votes in favor of one or more of the proposals, said
23 proposal(s) shall be deemed approved.

24 Section 3: The City Clerk is authorized, instructed and directed to take all action necessary
25 to place the measures described herein on the regular municipal election ballot for the regular
26 municipal election on June 5, 2012.

27 Section 4: The City Clerk is directed to transmit a copy of the measures to the City
28 Attorney. The City Attorney shall prepare an impartial analysis of the measures pursuant to

1 Elections Code section 9280, showing the effect of the measure on the existing law and the operation
2 of the measure. The analysis shall be printed preceding the arguments for and against the measure.
3

4 ADOPTED by the City Council this 21st day of February, 2012.

5
6 
7 RONALD O. LOVERIDGE
Mayor of the City of Riverside

8 Attest:

9 
10 COLLEEN J. NICOL
11 City Clerk of the City of Riverside

12 I, Colleen J. Nicol, City Clerk of the City of Riverside, California, hereby certify that the
13 foregoing resolution was duly and regularly adopted at a meeting of the City Council of said City at
14 its meeting held on the 21st day of February, 2012, by the following vote, to wit:

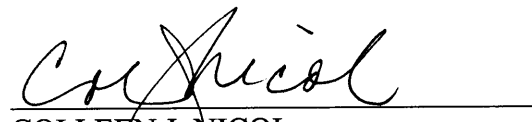
15 Ayes: Councilmembers Gardner, Melendrez, Bailey, Davis, Mac Arthur, Hart, and
16 Adams

17 Noes: None

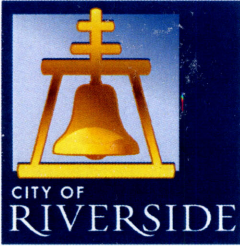
18 Absent: None

19 Abstain: None

20 IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the
21 City of Riverside, California, this 24th day of February, 2012.

22
23 
24 COLLEEN J. NICOL
25 City Clerk of the City of Riverside

26 O:\Cycom\WPDocs\D014\P014\00112548.DOCX
27 10-1298.2 sw 02/15/12
28



CITY OF RIVERSIDE NOTICE OF ELECTION

City of Arts & Innovation

NOTICE IS HEREBY GIVEN that pursuant to Riverside Charter Sections 400 and 1403, a General Municipal Election will be held in the City of Riverside, California, on Tuesday, June 5, 2012, for the office of Mayor to serve a full four-year term and the following measures:

MEASURE E

Shall the Charter of the City of Riverside be amended to include a new Charter officer, the City Auditor, appointed by the City Council, with the powers and duties of the City Auditor set by ordinance of the City Council?

MEASURE F

Shall the Charter of the City of Riverside be amended by adding a new section 811, entitled "Commission on Sustainability," which would create a new commission to advise the Mayor and City Council on matters of sustainability as it pertains to environmental stewardship, economic development, and regional advantages as a means of pursuing a higher quality of life, with the powers and duties of that commission set by ordinance of the City Council?

MEASURE G

Shall the Charter of the City of Riverside be amended to provide that if in the June election for City Council, no candidate for City Council receives a majority of the total votes cast, that the run-off election be held on the last Tuesday in August instead of on the first Tuesday in November?

MEASURE H

Shall the Charter of the City of Riverside be amended to eliminate the authority of the City Manager to approve or disapprove appointments and removals of subordinate employees of any Charter officer, including the City Clerk and City Attorney?

MEASURE I

Shall the Charter of the City of Riverside be amended to remove oversight of the maintenance of parkways, shrubs, and trees within street right-of-way from the Park and Recreation Commission?

MEASURE J

Shall the Charter of the City of Riverside be amended to provide that bids for public works contracts be advertised by electronic means instead of in the newspaper?

MEASURE K

Shall the Charter of the City of Riverside be amended by making certain non-substantive updates, related to change of position titles, elimination of paper copy distribution of certain documents to City officials, posting of certain documents (budget, external audit) on the internet, word corrections, deletion of obsolete language, reflection of current practices, elimination of references to taxes no longer being collected, adding "accessible" before "website" throughout the Charter, and timing of the Charter Review process?

The polls will be open between the hours of 7 a.m. and 8 p.m.

NOTICE TO ELECTORS OF DATE AFTER WHICH NO ARGUMENTS FOR OR AGAINST A CITY MEASURE MAY BE SUBMITTED TO THE CITY CLERK

NOTICE IS FURTHER GIVEN that, pursuant to Section 9282 of the Elections Code of the State of California, the legislative body of the City, or any member or members thereof authorized by that body, or any individual voter who is eligible to vote on the measure, or bona fide association of citizens, or any combination of voters and associations, may file a written argument, not to exceed 300 words in length, for or against a City measure.

NOTICE IS FURTHER GIVEN that, based upon the time reasonably necessary to prepare and print the arguments and sample ballots for the election, the City Clerk has fixed 5 p.m. on Monday, March 19, 2012, as a reasonable date prior to such election after which no arguments for or against a City measure may be submitted to the City Clerk for printing and distribution to the voters as provided in Elections Code Section 9282. Arguments shall be submitted to the City Clerk at the Office of the City Clerk, 3900 Main Street, Riverside, CA 92522. Arguments may be changed or withdrawn by their proponents until and including March 19, 2012.

Dated: March 9, 2012


COLLEEN J. NICOL, MMC
City Clerk

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Copies:

Mayor
City Council
City Manager
City Attorney
Registrar of Voters