

Attachment 2

Current RMC Procedure		Timeline Difference of Current Code v. Proposed Change		Proposed Procedure
		Current Code using filing date below as example	Holding Pre-hearing conference at regular BOE meeting	
RMC 2.78.070 (F)	Complaint is filed/Deemed Complete	January 3rd	January 3rd	<--- Complaint is filed/deemed complete
2.78.070 (G)	Set pre-hearing conference (PHC) within 45 business days . <i>If more than one public official is subject of complaint, then separate PHC must be scheduled and hearing panels drawn according to Hearing Procedures adopted by BOE.</i>	Must be scheduled by no later than March 9th (45 business days = 65 calendar days)	February 2nd (+30 days)	Set pre-hearing conference for next regular meeting in accordance with Sunshine Ordinance but no later than 45 calendar days
2.80.040 (B)(3.c) and 2.80.040 (3.h)	Select panel no later than 30 days prior to PHC and disqualify members from elected official(s) Ward and Citywide seat(s)	Jan. 31st		If it is determined that complainant failed to show that it is more likely than not that there may have been a violation of prohibited conduct, BOE shall dismiss complaint and adopt findings at next meeting. No appeal. Only if determine "more likely than not that there may be a potential violation of the prohibited conduct" a hearing panel shall be drawn and hearing scheduled for next regular meeting date when possible but no later than 65 calendar days.
2.80.040 (B)(3.e)	Panel must be confirmed not less than 15 days prior to PHC	Feb. 15th		Draw all BOE members names for hearing panel. No disqualifications except members may recuse for due cause.
2.78.040(C.) and 2.80.040 (B)(8)	At regular meeting, BOE may determine if they want outside counsel.	Regular meeting March 2nd (+58 days)		BOE can determine if they want outside counsel for the hearing. If outside counsel is requested, hearing shall be set no later than 65 calendar days (within 2 months)
2.80.040 (B)(3.c)	PHC must be on same day as a BOE Meeting and since hearing panel must be selected no later than 30 calendar days prior to pre-hearing conference, February BOE meeting would not work.	PHC March 2nd (+58 days)	Feb. 17th	Reply from public official shall be filed within 15 calendar days following the PHC if a hearing is set.

Current RMC Procedure		Timeline Difference of Current Code v. Proposed Change		Proposed Procedure
		Current Code using filing date below as example	Holding Pre-hearing conference at regular BOE meeting	
2.78.080 (7)	Only if determine " more likely than not that there may be a potential violation " of the prohibited conduct" a hearing date shall be withing 45 business days following PHC.	Hearing must be between March 24 - May 4th (+121 days)	Hearing March 2nd (+58 days)	Conduct hearing immediately after next BOE meeting if possible
2.78.070 (I)	Reply from public official would be due 20 days before hearing therefore hearing cannot happen sooner than 20 days after the PHC.	Hearing no earlier than March 23rd	No later than March 16th	If appealed, parties have up to 10 business days from the hearing to file appeal form must go to City Council
2.78.090 (B)	If appealed, parties have up to 10 business days from to file appeal form must go to City Council	No later than May 18th	No later than April 25th	City Clerk shall agendize appeal for City Council within 30 business days
	City Clerk shall agendize appeal for City Council within 30 business days	No later than June 27th		

Current RMC Procedure		Timeline Difference of Current Code v. Alternate Proposed Change Eliminating Pre-hearing Conference		Proposed Procedure
		Current Code using filing date below as example	Eliminate Pre-hearing Conference	
RMC 2.78.070 (F)	Complaint is filed/Deemed Complete	January 3rd	January 3rd	<--- Complaint is filed/deemed complete
2.78.070 (G)	Set pre-hearing conference (PHC) within 45 business days . <i>If more than one public official is subject of complaint, then separate PHC must be scheduled and hearing panels drawn according to Hearing Procedures adopted by BOE.</i>	Must be scheduled by no later than March 9th (45 business days = 65 calendar days)	Hearing cannot be earlier than Feb. 2nd	Select panel no later than 30 days prior to hearing and DO NOT disqualify members from elected official(s) Ward and Citywide seat(s)
2.80.040 (B)(3.c) and 2.80.040 (3.h)	Select panel no later than 30 days prior to PHC and disqualify members from elected official(s) Ward and Citywide seat(s)	Jan. 31st	Due no later than Feb. 10th	Reply from public official shall be filed no later than 20 calendar days prior to the hearing
2.80.040 (B)(3.e)	Panel must be confirmed not less than 15 days prior to PHC	Feb. 15th	Regular meeting March 2nd (+58 days)	Set hearing within 45 business days.
2.78.040(C.) and 2.80.040 (B)(8)	At regular meeting, BOE may determine if they want outside counsel.	Regular meeting March 2nd (+58 days)	No later than March 16th	If appealed, parties have up to 10 business days from hearing to file appeal form must go to City Council
2.80.040 (B)(3.c)	PHC must be on same day as a BOE Meeting and since hearing panel must be selected no later than 30 calendar days prior to pre-hearing conference, February BOE meeting would not work.	PHC March 2nd (+58 days)	No later than April 25th	City Clerk shall agendize appeal for City Council within 30 business days
2.78.080 (7)	Only if determine " more likely than not that there may be a potential violation of the prohibited conduct" a hearing date shall be withing 45 business days following PHC.	Hearing must be between March 24 - May 4th (+121 days)		
2.78.070 (I)	Reply from public official would be due 20 days before hearing therefore hearing cannot happen sooner than 20 days after the PHC.	Hearing no earlier than March 23rd		
2.78.090 (B)	If appealed, parties have up to 10 business days from to file appeal form must go to City Council	No later than May 18th		
	City Clerk shall agendize appeal for City Council within 30 business days	No later than June 27th		