

BOARD OF ETHICS
THURSDAY, NOVEMBER 4, 2021, 5 P.M.
PUBLIC COMMENTS IN PERSON/VIRTUAL MEETING
ART PICK COUNCIL CHAMBER
3900 MAIN STREET, RIVERSIDE

MINUTES

PRESENT: Chair Nelson, Vice Chair Stahovich, and Members Huerta, Newman, and Vega

ABSENT: Members Foley, Ford, and Keen

STAFF PRESENT: Donesia Gause and Susan Wilson

Chair Nelson convened the Board of Ethics meeting at 5:04 p.m.

The Pledge of Allegiance was given to the Flag.

ORAL COMMUNICATIONS FROM THE AUDIENCE

There was no one wishing to speak.

BROWN ACT TRAINING

Following discussion, it was moved by Chair Nelson and seconded Vice Chair Stahovich to (1) receive and order filed a presentation from the City Attorney's Office on the Brown Act, also known as California's Open Meeting Law; and (2) to move the order of agenda. The motion carried with Members Foley, Ford, and Keen.

MINUTES

Following discussion, it was moved by Member Huerta and seconded by Member Vega to approve the minutes of October 7, 2021, as presented. The motion carried with Vice Chair Stahovich abstaining and Members Foley, Ford, and Keen absent.

EXCUSAL OF ABSENCE

Following discussion, it was moved by Member Huerta and seconded by Member Newman to excuse the absence of Vice Chair Stahovich and Member Graham from the meeting of October 7, 2021. The motion carried with Vice Chair Stahovich abstaining and Members Foley, Ford, and Keen absent.

WRITTEN STATEMENT OF FINDINGS AND DECISION FOR SELMA KELLY AGAINST COUNCILMEMBERS FIERRO AND CERVANTES, MAYOR PRO TEM PLASCENCIA, AND MAYOR LOCK DAWSON - OCTOBER 7, 2021

Following discussion, it was moved by Panel Member Huerta and seconded by Panel Member Newman to adopt the Statement of Findings and Decision for Selma Kelly against Councilmembers Fierro and Cervantes, Mayor Pro Tem Plascencia, and Mayor Lock Dawson complaint as follows:

“The Board of Ethics Hearing Panel determined the complainant failed to show that it was more likely than not that there may have been a violation of prohibited conduct finding there was no evidence of a violation in the complaint in regard to Riverside Municipal Code 2.78.060(D) Advocacy of private interests of third parties in certain circumstances prohibited, Riverside Municipal Code 2.78.060(M) Violations of federal, State, or local law prohibited, and Riverside Municipal Code 2.78.060(1) Knowingly assisting another Public Official in violating this Code of Ethics and Conduct prohibited.

The motion carried with Panel Members Newman, Huerta, and Stahovich voting aye and Panel Members Ford, and Keen absent.

SUBJECT MATTER JURISDICTION AND TIMELINE OF AD HOC COMMITTEE ON VALIDATION PROCESS FOR APPOINTED AND ELECTED OFFICIALS TO VET POLICY PROPOSALS AND AMENDMENT OF COMPLAINT AFTER FILING AND AD HOC COMMITTEE FOR REVISIONS TO CODE OF ETHICS AND CONDUCT FOR SUBMITTAL TO INCLUSIVENESS, COMMUNITY ENGAGEMENT, AND GOVERNMENTAL PROCESSES COMMITTEE

Following discussion, no action was taken regarding a report on subject matter jurisdiction and timeline of Ad Hoc Committee on validation process for appointed and elected officials to vet policy proposals and amendment of complaint after filing and Ad Hoc Committee for revisions to Code of Ethics and Conduct for submittal to Inclusiveness, Community Engagement, and Governmental Processes Committee.

RIVERSIDE MUNICIPAL CODE CHAPTER 2.78 CODE OF ETHICS AND CONDUCT AND CHAPTER 2.80 BOARD OF ETHICS REVIEW AND RECOMMENDATIONS

Following discussion, no action was taken regarding a report on Riverside Municipal Code Chapter 2.78 Code of Ethics and Conduct and Chapter 2.80 Board of Ethics review and recommendations.

REVIEW BOARD OF ETHICS ANNUAL REPORT TO CITY COUNCIL

Following discussion, it was moved by Member Huerta and seconded by Vice Chair Stahovich to officially request a joint workshop between the Board of Ethics;

and (1) direct Chair Nelson to present the Board of Ethics recommendations to the Inclusiveness, Community Engagement, and Governmental Processes Committee; and (2) list items to be addressed in the future. The motion carried with Members Foley, Ford, and Keen absent.

BOARD OF ETHICS STANDING RULES REVIEW

Following discussion and without formal motion, the Standing Rules review will be tabled to the next regular meeting of the Board of Ethics.

DIRECTION ON BOARD MEMBERS SUBMITTING INFORMATION TO OTHER CITY COUNCIL STANDING COMMITTEES PRIOR TO APPROVAL BY THE BOARD

Following discussion, the Board agreed that members will seek prior approval by the Board before submitting information to other City Council Standing committees. No action was taken.

AUTHORITY AND CONDITIONS FOR USE OF OUTSIDE LEGAL COUNSEL IN LIEU OF THE CITY ATTORNEY TO ADVISE THE BOARD OF ETHICS

Following discussion and without formal motion, the Board agreed to place a standing item on the agenda on the use of outside legal counsel to advise the Board of Ethics and its hearing panels on specific matters in accordance with Riverside Municipal Code Section 2.78.040.

STAFF'S ROLE IN BOARD OF ETHICS MEETING AND COMPLAINT PROCESSES

Following discussion and without formal motion, staff's role in Board of Ethics meeting and complaint processes will be continued to the next regular meeting of the Board of Ethics.

REPORT ON INCLUSIVENESS, COMMUNITY ENGAGEMENT, AND GOVERNMENTAL PROCESSES COMMITTEE AND CITY COUNCIL ACTIONS

There were no Inclusiveness, Community Engagement, and Governmental Processes Committee or City Council actions to report at this time.

REPORT OF MEETINGS AND ACTIVITIES BY BOARD MEMBERS

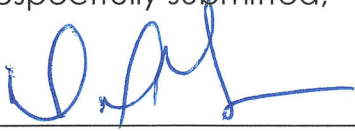
There was nothing to report on meetings and activities by Board Members.

ITEMS FOR FUTURE BOARD CONSIDERATION AS REQUESTED BY BOARD OF ETHICS MEMBERS

Member Huerta requested discussion item for City identification cards and emails.

The meeting adjourned at 6:47 p.m.

Respectfully submitted,



DONESIA GAUSE

City Clerk