



City of Arts & Innovation

Governmental Affairs Committee

TO: GOVERNMENTAL AFFAIRS COMMITTEE DATE: SEPTEMBER 2, 2015
FROM: CITY CLERK AND CITY ATTORNEY WARD: ALL
SUBJECT: ANNUAL REVIEW OF THE CODE OF ETHICS AND CONDUCT

ISSUE:

The issue presented for consideration by the Governmental Affairs Committee is to review and assess the effectiveness of the Code of Ethics and Conduct as well as its application over the past year as required by Resolution No. 22461.

RECOMMENDATIONS:

That the Governmental Affairs Committee:

1. Assess the effectiveness of the Code of Ethics and Conduct as well as its application over the past year; and
2. Recommend to the City Council the inclusion of new values or procedures, if any, which the Committee deems appropriate.

BACKGROUND:

On November 2, 2004, the voters of the City of Riverside approved Measure DD adding Section 202 to the Riverside City Charter and requiring the adoption of a Code of Ethics and Conduct for elected officials and for members of appointed boards and commissions within six months of the effective date of the Charter. On July 12, 2005, the City Council adopted Resolution No. 20986 in compliance with Charter Section 202. The Code of Ethics and conduct has been amended on several occasions and the current Code of Ethics is set forth in Resolution No. 22461 which was adopted by the City Council on October 11, 2012, and is attached to this report. The 2013 review did not result in any changes to the Code.

The Code provides that the Governmental Affairs Committee of the City Council shall annually assess the effectiveness and application of the Code and present a report to the City. Annually, the City Council shall review the report and make an independent evaluation of the effectiveness of the Code of Ethics and Conduct.

As provided in the Code, the Chairs of the City's thirteen boards and commission received notice of the annual review requesting comment on the current Code and inviting their attendance at the Governmental Affairs Committee and City Council meetings. In addition to

the Mayor and City Council, all members of City boards and commissions are subject to the Code. Board and commission chairs, selected by lottery for each occurrence, serve as members of the adjudicating body five-member panels to hear complaints filed and make a determination if the Code of Ethics was violated.

Every two years, the City Attorney also provides AB 1234 training for the Executive Leadership Team as well as for staff to the Mayor, City Council, and City Manager. The City Attorney also provided training to recently elected Councilmember John Burnard on July 12, 2015. The next AB 1234 biennial training for the Mayor and City Council will occur in October of 2016.

Over the past year, forty-six members of City boards, commissions, and committees attended training to fulfill their requirement under the City's Code of Ethics and Conduct. Each year the event is video-recorded as an ongoing training tool for new board and commission members. The training covers the Ralph M. Brown Act, Conflicts of Interest, and the Code of Ethics.

During this review period, no complaints were filed with the City. The attached log lists all complaints filed since the Code was adopted and identifies the date, person filing the complaint, nature of the complaint, official against whom the complaint was filed, upcoming election date, if applicable, and hearing outcome.

At the September 23, 2014, annual review the City Council approved appointment of a nine-member ad-hoc committee with representation from each Ward to review the Code of Ethics and Conduct and forward recommendations on the complaint process to the Governmental Affairs Committee within 90 days. The City Council subsequently approved two extensions through September 1, 2015. Ad Hoc Committee Chair Virginia Blumenthal will report again to the City Council on September 22, 2015, with completion of the work anticipated by the end of the year. The City Council stayed the complaint process pending further action by the City Council. There are two complaints awaiting processing.

FISCAL IMPACT:

There is no fiscal impact associated with this report.

Prepared by: Gary G. Geuss, City Attorney
Colleen J. Nicol, City Clerk

Attachments: Resolution No. 22461
Complaint log
Brochure