

CODE OF ETHICS AND CONDUCT
REVIEW AD HOC COMMITTEE
MONDAY, SEPTEMBER 21, 2015, 5:30 P.M.
MAYOR'S CEREMONIAL ROOM

MINUTES

PRESENT: Chair Blumenthal and Members Manning, Pacheco (arrived at 5:41 p.m.), Stahovich, Macias, House, Webb, and Palacios, and Alternates Greene (voting in the absence of Member Zarate), Sayavong (voting in the absence of Vaughn-Blakely)

ABSENT: Members Zarate, Vaughn-Blakely, and Barth

STAFF PRESENT: Sherry Morton, Robert Hansen, and Lorena Verduco

Chair Blumenthal convened the Committee at 5:37 p.m.

ORAL COMMUNICATIONS FROM THE AUDIENCE

There were no public comments.

APPROVAL OF MINUTES

Following discussion, it was moved by Member Manning and seconded by Member Webb to approve the minutes of the meeting of August 17, 2015, as presented.

Member Pacheco arrived during the following discussion.

COMPLAINT PROCESS

Paragraph VIII.

Following discussion and without formal motion, the Committee unanimously agreed that the subject of the complaint shall be entitled to receive the complaint filed against them, the name of the person who filed the complaint, the names of any witnesses, and any evidence submitted along with the complaint submitted to or in possession of the City Clerk no later than ten days after filing of the complaint and exchanged between parties at least thirty days prior to the hearing. The duty to provide the exchange of information shall be an on-going obligation. Failure to provide the above information may be considered by the Commission at the hearing before evidence is received.

Paragraph IX.

Following discussion, it was moved by Member Stahovich and seconded by Member Webb that neither party is to be represented by attorneys at the hearing and the City Attorney is at the hearing to give procedural advice only to the Adjudicating Body. Motion carried with Member Greene voting no.

Following further discussion, it was moved by Member Pacheco and seconded by Member Stahovich that each side shall have the right to cross examine witnesses offered against them. Motion carried unanimously.

Following further discussion and without formal motion, the Committee unanimously agreed that language be added stating affidavits may not be submitted in lieu of testimony.

Paragraph X

Following discussion and without formal motion, the Committee agreed in lieu of Paragraph X, that the procedure for conducting the hearing be added and that the complainant is to present their evidence first. Member House stated that he drafted a motion regarding the handling of frivolous complaints and requested this discussion be continued to the next meeting.

Paragraph XI.

Following discussion, it was moved by Member Pacheco and seconded by Member Palacios that should a complaint be sustained the Adjudicating Body shall consider all options for penalty or punishment against an appointed official and will make the determination. Only recommendations for removal of an appointed official from a Board and Commission, censure of an elected official, and appeals will go to the City Council. Motion carried unanimously.

The meeting adjourned at 7:07 p.m.

Respectfully submitted,



SHERRY MORTON
Assistant City Clerk