



City of Arts & Innovation

City Council Memorandum

TO: HONORABLE MAYOR AND CITY COUNCIL **DATE: JUNE 7, 2016**
FROM: CITY CLERK **WARDS: ALL**
SUBJECT: CODE OF ETHICS AND CONDUCT – STAY OF COMPLAINT PROCESS

ISSUE:

The issue for City Council is consideration of a further stay for the Code of Ethics and Conduct complaint process to allow for seating of the Board of Ethics and other procedural matters.

RECOMMENDATION:

That the City Council extend the stay for Code of Ethics and Conduct complaints from the initial date of September 23, 2014, through September 1, 2016.

BACKGROUND:

On April 5, 2016, the City Council adopted Chapter 2.78 of the Riverside Municipal Code (Ordinance No. 7328) establishing a Code of Ethics and Conduct and Chapter 2.80 establishing a Board of Ethics. Applications for appointment to the Board of Ethics will be reviewed by the Mayor's Nominating and Screening Committee on Tuesday, May 24, 2016, and interviews conducted thereafter by the Mayor and City Council.

The new Code of Ethics and Conduct became effective on May 5, 2016, providing that complaints filed against an elected official or member of a board, commission, or committee be heard within forty-five days. Considering the time required for interview, appointment, and convening of the Board of Ethics to set regular meetings, calendar hearing days/times for complaints, review the complaint form and supporting materials, and adopt any additional desired hearing protocols, it is not practical to accept complaints at this time and also meet the forty-five day requirement for scheduling of the hearing.

A stay of the complaint process until the Board of Ethics is seated and prepared for panels to hear complaints would guarantee fairness to potential complainants as complaints must be filed within 180 calendar days of discovery of an alleged violation, but in no event later than three (3) years from the date of the alleged violation and at the same time allow the newly seated Board of Ethics to complete its inaugural foundational work. If the stay is approved as proposed, time elapsed between September 23, 2014, and September 1, 2016, will be excluded from the 180-day and not-to-exceed three-year parameters for filing of a complaint.

FISCAL IMPACT:

There is no fiscal impact associated with a stay of the Code of Ethics and Conduct complaint process.

Prepared by: Colleen J. Nicol, City Clerk

Certified as to

availability of funds: Scott Miller, Interim Finance Director/Treasurer

Approved by: John A. Russo, City Manager

Approved as to form: Gary G. Geuss, City Attorney

Concurs with,



ANDY MELENDREZ, Chair
Governmental Affairs Committee