

CITY OF RIVERSIDE BOARD OF ETHICS

PROPOSAL FOR INCREASED VETTING OF COMPLAINTS

In light of counsel received from various voices in the community, and based on the Board of Ethics current experience, developing a system of vetting complaints presented to the Board should receive further consideration.

It is therefore proposed that the Governmental Affairs Committee and the full City Council consider amending RMC 2.78.070 to include the following provisions:

1. Upon the filing of a complaint with the City Clerk's office, the matter in question shall be placed on the agenda at the next regular meeting of the Board of Ethics. The City Clerk will continue to certify that complaints made are proper as to form (2.78.070F)
2. The complainant shall be granted a minimum of five (5) minutes, and in no case more than grand total of fifteen (15) minutes, with extension(s) granted by majority vote of the Board, to present the essence of the complaint before the entire Board of Ethics. This is, in effect, a presentation of a precis of the complaint. It is not a hearing. Evidence is not admissible. It is a description of the complaint by the complainant.
3. Upon completion of the complainant's presentation, the Board of Ethics may ask the complainant questions regarding the presentation.
4. After the presentation and the questioning session, the Board may take any of the following actions by a 2/3rd majority (i.e., six of nine members voting in the affirmative for one or more of these actions):
 - a. To defer action to a later date.
 - b. To decline to hear the complaint.
 - c. To refer the complaint to a more appropriate venue (e.g., if a complaint is made with respect to possible Brown Act violations, the Brown Act itself describes several appropriate remedies. Or, if the complaint centers on the procedural conduct of a commission, the Board of Ethics may ask said commission to effect its own review of the matter and report back to the Board of Ethics).
 - d. To ask the City Clerk to draw a hearing panel to conduct, as prescribed, any and all preliminary review(s) of the evidence and hold hearings as appropriate under the rules into whether the city's code of conduct was violated or not.

Such a vetting system gives voice to the complainant and calls upon the Board of Ethics to use their collective good judgement with respect towards maintaining public accountability.

Submitted by Jeffrey Wright | December 12, 2018