



City of Arts & Innovation

City Council Memorandum

TO: HONORABLE MAYOR AND CITY COUNCIL DATE: OCTOBER 2, 2018
FROM: GOVERNMENTAL AFFAIRS COMMITTEE WARDS: ALL
SUBJECT: CODE OF ETHICS ANNUAL REVIEW

ISSUE:

Conduct annual review of the Code of Ethics and Conduct.

COMMITTEE RECOMMENDATIONS:

That the City Council:

1. Conduct the annual review of the effectiveness of the Code of Ethics and Conduct and recommendations of other City boards and commissions, if any, as required by Section 2.78.110 of the Riverside Municipal Code; and
2. Determine no further amendments to the Code of Ethics and Conduct are needed at this time.

LEGISLATIVE HISTORY/BACKGROUND:

Charter Section 202 requires adoption of a Code of Ethics and Conduct for elected officials and members of appointed boards, commissions, and committees to assure public confidence in the integrity of local government and its effective and fair operation. The first Code of Ethics and Conduct adopted by Resolution of the City Council on July 1, 2005, was amended on several occasions.

In 2014, the City Council appointed an ad hoc citizen committee to review the Code of Ethics and make recommendations. Subsequently, Chapters 2.78 and 2.80 added to the Riverside Municipal Code effective May 5, 2016, adopting a revised Code of Ethics and Conduct and establishing the Board of Ethics. RMC Section 2.78.110 provides the following monitoring and oversight steps:

- Prior to the end of July of each year, the boards and commissions shall agendaize and discuss at a regular meeting this Code of Ethics and Conduct and submit to the Board of Ethics any recommendations for the Board's consideration.
- Prior to the end of August of each year, the Board of Ethics shall agendaize and discuss at a regular meeting the effectiveness of this Code of Ethics and Conduct, recommendations of the other boards and commissions, and submit to the Governmental Affairs Committee its recommendations.

- Prior to the end of September of each year, the Governmental Affairs Committee shall agendaize and discuss at a regular meeting the effectiveness of this Code of Ethics and Conduct and the recommendations of the Board of Ethics and other boards and commissions, and instruct the City Manager to present a report to the City Council for its discussion and consideration.

Prior to the end of each year, the Chair of the City Council Governmental Affairs Committee shall present a report to the City Council which shall include the recommendations of the Board of Ethics, the other boards and commissions, and the Governmental Affairs Committee. The City Council shall hold a public hearing on its evening agenda at a regularly scheduled meeting, and shall review the report and make an independent evaluation of the effectiveness of this chapter and discuss and direct the Attorney to make any changes to this chapter it deems appropriate.

Board and commission Chairs and staff liaisons were reminded of their obligations to review the Code of Ethics and Conduct and invited to submit written comments and/or appear at the Board of Ethics or Governmental Affairs Committee meetings.

The Code of Ethics and Conduct was amended during the past year in the following manner:

ORDINANCE	ADOPTED	AMENDMENT
O-7403	12/19/2017	Violations of Federal, State, or local law or policies must be intentional or repeated
		Public official must be <u>convicted</u> of violation of Federal, State, or local law
		Replaces City Manager with Chair of Governmental Affairs Committee as party presenting recommended changes to the Code with the annual review
		Clarifies it <u>may</u> be unethical to engage in prohibited actions
		Timeline changes for simplification and scheduling accommodations
O-7419	5/14/2018	Provides for a pre-hearing conference
O-7433	8/14/2018	Defines scope of examination of witnesses and presentation of rebuttal evidence at complaint hearings

At their meeting of August 2, 2018, the Board of Ethics conducted the annual review including the attached comments from the Board of Public Utilities. The Board of Ethics had no further recommended amendments to the Code of Ethics at this time.

On September 5, 2018, Governmental Affairs Committee reviewed and concurred with the report of the Board of Ethics forwarding the matter to the City Council with no additional changes to the Code of Ethics and Conduct recommended at this time.

FISCAL IMPACT:

There is no fiscal impact associated with the annual review.

Prepared by:

A large, stylized handwritten signature in black ink, likely belonging to Andy Melendrez, is written over a horizontal line.

ANDY MELENDREZ, Chair
Governmental Affairs Committee

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

Attachments:

Riverside Municipal Code Chapter 2.78
Riverside Municipal Code Chapter 2.80
Board/commission letter
Complaint log
BPU Minutes of 7-9-18
BOE Minutes of 8-2-18