

BOARD OF ETHICS HEARING PANEL
STATEMENT OF FINDINGS AND DECISION

Complainant: Jason Hunter
Public Official: Councilwoman Plascencia
Alleged Violation Date: December 17, 2019
Hearing Panel Decision: Wednesday, September 30, 2020
Alleged Violations: Riverside Municipal Code Sections 2.78.060(C) Use of City resources for non-City purposes prohibited, (D) Advocacy of private interests of third parties in certain circumstances prohibited, (E) Endorsements for compensation prohibited, (F) Violation of Government Code §§ 87100 et seq., prohibited, and (M) Violations of federal, State, or local law prohibited

Hearing Panel Members Present:
Chair Foley, Member Huerta, Member Keen, Member Newman, and Member Stahovich

Hearing Panel Member Absent:
Alternate Member Ford

Findings and Decisions

Based upon all evidence presented and after due consideration, it was moved by Panel Member Stahovich and seconded by Panel Chair Foley that the facts in support of a violation of **Riverside Municipal Code Section 2.78.060(M) Violations of federal, State, or local law prohibited** by Councilwoman Plascencia include (1) the Sunshine Ordinance was violated by circumventing the twelve-day posting requirement; (2) there was discussion at the prior City Council meeting to consider the request at a later date; (3) the Sunshine Ordinance was reviewed to determine how to circumvent the twelve-day publication requirement; and (4) the agenda and written report failed to fully and clearly disclose the action to be taken. The motion carried unanimously.

Following discussion, it was moved by Panel Member Huerta and seconded by Panel Member Keen finding Councilwoman Plascencia violated **Riverside Municipal Code Section 2.78.060(M) Violations of federal, State, or local law prohibited** as alleged in the complaint of Jason Hunter based upon all evidence presented at the hearing and after due consideration by the Hearing Panel. The motion carried unanimously.

Following discussion, it was moved by Panel Member Huerta and seconded by Panel Member Stahovich finding no facts in support of a violation by Councilwoman Plascencia of **Riverside Municipal Code Section 2.78.060(C) Use of City resources for non-City purposes prohibited** as alleged in the complaint of Jason Hunter based upon all evidence presented at the hearing and after due consideration by the Hearing Panel. Motion carried unanimously.

Following discussion, it was moved by Panel Member Newman and seconded by Panel Member Keen finding that (1) the fact in support of a violation is that the use of the union bug on the business card constitutes advocacy for the private interest of a third party; and (2) Councilwoman Plascencia violated **Riverside Municipal Code Section 2.78.060(D) Advocacy of private interests of third parties in certain circumstances prohibited** as alleged in the complaint of Jason Hunter based upon all evidence presented at the hearing and after due consideration by the Hearing Panel. The motion carried with Members Huerta, Keen, Newman, and Stahovich voting aye and Chair Foley voting no.

Following discussion, it was moved by Panel Member Stahovich and seconded by Panel Member Newman finding no facts in support of a violation by Councilwoman Plascencia of **Riverside Municipal Code Section 2.78.060(E) Endorsements for compensation prohibited** as alleged in the complaint of Jason Hunter based upon all evidence presented at the hearing and after due consideration by the Hearing Panel. The motion carried unanimously.

Following discussion, it was moved by Panel Member Huerta and seconded by Panel Member Stahovich finding no facts in support of a violation by Councilwoman Plascencia of **Riverside Municipal Code Section 2.78.060(F) Violation of Government Code §§ 87100 et seq., prohibited** as alleged in the complaint of Jason Hunter based upon all evidence presented at the hearing and after due consideration by the Hearing Panel. The motion carried unanimously.

Attest:



EVA ARSEO
Assistant City Clerk

Dated this 2nd day of October 2020.