



City of Arts & Innovation

Board of Ethics Memorandum

TO: BOARD OF ETHICS

DATE: OCTOBER 14, 2020

FROM: CITY CLERK

WARDS: ALL

SUBJECT: APPROVAL OF STATEMENT OF FINDINGS AND DECISION - HUNTER V PLASCENCIA

ISSUES:

Waive the Board of Ethics Hearing Rules and Procedures provision requiring approval of Statement of Findings and Decision at next regular Board of Ethics meeting; and review and approval of the Statement of Findings and Decision for Hunter v Plascencia by the Hearing Panel Members.

RECOMMENDATIONS:

That the Board of Ethics waive the provision of Paragraph 13 of the Board of Ethics Hearing Rules and Procedures requiring approval of the Statement of Findings and Decision for Hunter v Plascencia at the next regular Board of Ethics meeting.

That the Hearing Panel consisting of Chair Foley and Members Stahovich, Keen, Huerta, and Newman approve the Statement of Findings and Decision for Hunter v. Plascencia.

BACKGROUND:

On September 30, 2020, the Hearing Panel convened to hear the Code of Ethics and Conduct complaint filed by Jason Hunter against Councilwoman Plascencia. The City Clerk's Office drafted the Statement of Findings and Decision presented for the Panel's consideration of approval. Paragraph 13 of the Board of Ethics Rules and Procedures requires that consideration of the Statement occur at the next regular meeting of the Board of Ethics. However, the City Council must consider the matter on or before November 12, 2020. The next regular meeting of the Board of Ethics occurring on November 5, 2020, does not allow for the twelve-day publication requirement for the City Council agenda.

Chair Nelson called a special meeting to take the required action and meet the City Council publication deadline. Following today's action, the matter will be scheduled for the City Council meeting of October 27, 2020, at 6:15 p.m.

FISCAL IMPACT:

The fiscal impact to execute procedures for processing of ethics complaints is budgeted annually in the City Clerk's Office and City Attorney's Office budgets.

Prepared by: Colleen J. Nicol, City Clerk
Approved as to form: Gary G. Geuss, City Attorney

Attachments: Statement of Findings and Decision