



Committee Charge and Scope/ Brown Act Requirements/Code of Ethics

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Committee Charge



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City Charter Section 1403

In February 2019, and in February every eight years thereafter, the City Council shall appoint and appropriate adequate funds for a Charter Review Committee. The Charter Review Committee shall have the power and duty to:

1. Recommend to the City Council which, if any, Charter amendments should be placed on the ballot
2. Hold public meetings to receive input on proposed Charter amendments.
3. Present a final report with its recommendations to the City Council



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July 21, 2020 City Council Meeting

On July 21, 2020, the City Council voted to refer:

1. Granting the Mayor a vote, and
2. Publication of an annual report on written complaints or whistle-blower complaints alleging fraud, waste, abuse, or criminal conduct

To an Ad Hoc Charter Review Committee for recommendation for placement on the ballot in 2021.



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THE BROWN ACT



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THE BROWN ACT

"...public commissions, boards and councils and other public agencies in this State exist to aid in the conduct of **the people's business**. It is the intent of the law that their actions be **taken openly and** that their deliberations be **conducted openly**."



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MEETINGS

1. Any congregation of a majority of the members at the same time and place to discuss any item that is within the subject matter of the Committee.
2. Except at a meeting, a majority cannot communicate directly, through intermediaries, or technological devices to develop a collective concurrence as to action to be taken on an item.
3. A majority of the Committee may not text or e-mail each other to develop a collective concurrence as to action to be taken by the Committee.



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SERIAL MEETINGS

1. A series of communications, each less than a quorum, but which taken as a whole involves a majority of the Committee's members.
2. Does not require a collective concurrence to occur in order for there to be a violation.
3. Staff may communicate with members outside of a public meeting to answer questions or provide information, but cannot pass communications between members.



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AGENDAS

1. The agenda must specify the time and location of the meeting and a “brief general description” of each item of business to be transacted or discussed.
2. If a matter is not on the agenda, it may not be discussed or acted upon.
3. City's Sunshine Ordinance requires posting the agenda (with all reports and presentations) publically no less than 12 days before the meeting.



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AGENDA EXCEPTIONS

1. Brief responses to statements or questions posed by the public.
2. Questions to staff for clarification.
3. Requests to staff to report back on an issue at a subsequent meeting.
4. Requests to agendize a matter of business for some future meeting.
5. Brief announcement by members of the body or staff and brief reports on their activities.



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Public Comment

1. Public has the right to address the Charter Review Committee at any meeting on any subject that is within the Committee's subject matter jurisdiction.
2. The Committee may impose reasonable restrictions on such comment; generally three minutes.
3. Committee chair responsible for enforcing the limit.
4. The Committee may require members of the public to voluntarily fill out a speaker's card.



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Code of Ethics and Conduct

1. Riverside Municipal Code Chapter 2.78.010
2. Applies to the Committee Members only when acting in their official capacities
3. Core Values (RMC 2.78.050)
 - Meant to be 'aspirational' in nature
 - Not subject to the complaint process
4. Prohibited Conduct (RMC 2.78.060)
 - Subject to the complaint process



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PROHIBITED CONDUCT

- Use of official title or position for personal gain.
- Use or divulgence of confidential or privileged information.
- Use of City resources for non-city purposes.
- Advocacy of private interest of third parties in certain circumstances.
- Endorsements for compensation.
- Violation of Government Code sections 87100 *et. seq.*
- Certain political activity.
- Display of campaign materials in or on City vehicles.
- Knowingly assisting another public official in violating Code of Ethics and Conduct.
- Negotiation for employment with any party having a matter pending.
- Ex parte contact in quasi-judicial matters.
- Attempts to coerce official duties.
- Violations of federal, state, or local law.



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Complaint Procedure

1. Only Prohibited Conduct alleged violations shall be grounds for a complaint
2. Complaints heard by the City's Board of Ethics
3. Appeals are to the City Council



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QUESTIONS?



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