

BOARD OF ETHICS HEARING PANEL
STATEMENT OF FINDINGS AND DECISION
As Amended and Approved on May 6, 2021

Complainant: Jason Hunter
Public Official: Councilwoman Plascencia
Alleged Violation Date: December 17, 2019
Hearing Panel Decision: Wednesday, April 14, 2021
Alleged Violations: Riverside Municipal Code Sections 2.78.060(D) Advocacy of private interests of third parties in certain circumstances prohibited and (M) Violations of federal, State, or local law prohibited

Hearing Panel Members Present: Chair Keen and Members Ford, Nelson, and Graham

Hearing Panel Member Absent: Member Newman

FINDINGS AND DECISIONS (as amended)

On May 6, 2021, following discussion, it was moved by Hearing Panel Chair Keen and seconded by Panel Member Graham to amend the Statement of Findings and Decision that Councilwoman Plascencia violated **Riverside Municipal Code Section 2.78.060(M) Violations of federal, State, or local law prohibited** by failing to meet the Riverside Municipal Code Section 4.05.050(D)(2)(a) Excuse of Sunshine Notice Requirements because the need to take immediate action was not discussed or considered and to include that (1) Councilwoman Plascencia, the City Council, and the City Manager were well aware of the request to put the union bug on the business cards long before the agenda was created; and (2) to include the quotes from City Manager Zelinka from the transcript of the September 30, 2020, Board of Ethics Hearing Panel, page 86, line 24-25 "...indicated we had met. And I believe, based on my Outlook archives, we met on November 12th of 2019. And..." and page 87, lines 5-7," During that conversation, the councilwoman, then the councilmember-elect, indicated interest in the union bug logo on her card. And while I have family", and page 88 lines 1-9, "the -- I think it was the next -- the next day, Shanae received a call in response to the email from multiple councilmembers, but -- or other councilmembers, I don't know who all, but Councilwoman-Elect Plascencia communicated with Shanae about a lot of those logistics and -- and mentioned or had conversations about, brought up the topic of the union bug, or had a conversation with Shanae about the topic. Shanae brought that to my attention, and ..." The motion carried unanimously.

Following further discussion, it was moved by Panel Member Nelson and seconded by Panel Chair Keen to amend the Statement of Findings and Decision that Councilwoman Plascencia violated **Riverside Municipal Code Section 2.78.060(D) Advocacy of private interests of third parties in certain circumstances prohibited** by use of the union bug. The findings were based on the evidence presented that the union bug is the registered trademark and logo with a stated purpose including use as part of a public relations campaign to induce customers to buy union made product and it is a badge of union prestige to attract new members and certifies allegiance to a specific party. The motion carried unanimously.

A handwritten signature in cursive script, appearing to read "Eva Arseo", written in dark ink.

EVA ARSEO
Assistant City Clerk