

CODE OF ETHICS AND CONDUCT  
REVIEW AD HOC COMMITTEE  
MONDAY, AUGUST 3, 2015, 6 P.M.  
MAYOR'S CEREMONIAL ROOM

MINUTES

PRESENT: Chair Blumenthal and Members Manning, Zarate, Pacheco, Stahovich, Macias, House, Webb (arrived at 6:17 p.m.), Vaughn-Blakely, and Palacios, and Alternates Barth and Sayavong (arrived at 6:40 p.m.)

ABSENT: Alternate Greene

STAFF PRESENT: Colleen Nicol, Robert Hansen, and Lorena Verduco

Chair Blumenthal convened the Committee at 6 p.m.

ORAL COMMUNICATIONS FROM THE AUDIENCE

Rich Gardner spoke regarding announcement and video of meetings, open government, a GTV video on government, and Riverside residents.

APPROVAL OF MINUTES

Following discussion, it was moved by Member Pacheco and seconded by Member House to approve the minutes of the meeting of July 20, 2015, as presented. Motion carried unanimously with Member Stahovich abstaining and Member Webb absent.

COMPLAINT PROCESS

Chair Blumenthal distributed as reference material "Developing an Ethics Code" published by the League of California Cities Institute for Local Self Government.

The Committee discussed the proposed motion prepared for discussion purposes by Member Pacheco. The following amendments were agreed upon and the City Attorney was requested to draft language for the proposed resolution:

- I. It was moved by Member Manning and seconded by Member Stahovich to amend paragraph I to read, "A standing Ethics Commission shall be created to hear ethics complaints." Motion carried unanimously. The City Attorney will replace "standing Ethics Commission" with "Adjudicating Body" throughout the resolution.
- II. By consensus, the City Attorney was requested to draft a new paragraph II to provide that (a) Ethics Commission members shall be appointed by the Mayor

and City Council in the same manner as the currently serving Code of Ethics and Conduct Ad Hoc Review Committee; (b) the framework for conduct of the Ethics Commission business shall be crafted similar to the Planning Commission; (c) the Ethics Commission shall consist of seven members, one from each of the seven City Council Wards; three at-large members; and a non-voting Chair; (d) for appointment of Chair preference shall be given to applicants with legal expertise; (e) no preselection shall occur by Councilmembers prior to the formal Mayor and City Council selection process; and (f) a co-chair shall be selected by the Ethics Commission from among its members who shall retain voting status.

- III. Following discussion, it was moved by Member Zarate and seconded by Member Stahovich to amend paragraph III to read, "The role of the Chair shall be to preside over all hearings, organize the Commission, coordinate with City staff and ensure the rules and practices of the Commission are followed closely. The Chair shall ensure a fair process and that all hearings are transparent and open to the public. The Chair shall be a non-voting member." Motion carried unanimously.
- IV. Following discussion, it was moved by Member Manning and seconded by Member Stahovich to amend paragraph IV to read, "The role of the remaining Commissioners will be to hear ethics complaints, deliberate, and ensure that a fair process occurs. Each Commissioner, other than the Chair, shall be a voting member." Motion carried unanimously.
- V. (There was no draft paragraph numbered V.)
- VI. Following discussion, it was moved by Member Manning and seconded by Member Zarate to amend paragraph VI to read, "The term of the Chair and Commission members shall be two years, with a term limit of no more than three consecutive terms per individual. Upon conclusion of three terms, there shall be at least two years intervening prior to reappointment. Five (5) of the original members, other than the Chair, shall start with terms of one year, the remaining five (5) members and the Chair shall start with two-year terms to ensure continuity of the Commission in the future." Motion carried unanimously.

The Ethics Commission appointment process shall mirror that for appointments to the Planning Commission, Board of Public Utilities, and Community Police Review Commission.

Member Pacheco will draft a proposed motion for the following in conformance with prior Committee discussions:

1. The City Clerk shall review complaints for completeness only.
2. Motion to dismiss by subject of the complaint.
3. Recusal of Chair or members of the Commission.

The meeting adjourned at 7:28 p.m.

Respectfully submitted,



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COLLEEN J. NICOL  
City Clerk