

BOARD OF ETHICS
THURSDAY, SEPTEMBER 2, 2021, 5 P.M.
PUBLIC COMMENTS IN PERSON/VIRTUAL MEETING
ART PICK COUNCIL CHAMBER
3900 MAIN STREET, RIVERSIDE

MINUTES

PRESENT: Chair Nelson, Vice Chair Stahovich, Members Foley, Ford, Graham, Huerta, Keen, Newman, and Vega

ABSENT: None

STAFF PRESENT: Donesia Gause, Susan Wilson, and Lorena Verduco

Chair Nelson convened the Board of Ethics meeting at 5:06 p.m.

The Pledge of Allegiance was given to the Flag.

ORAL COMMUNICATIONS FROM THE AUDIENCE

There was no one wishing to speak.

MINUTES

Following discussion, it was moved by Member Huerta and seconded by Member Newman to approve the minutes of August 5, 2021, as presented. The motion carried with Vice Chair Stahovich and Member Foley abstaining.

EXCUSAL OF ABSENCE

Following discussion, it was moved by Member Huerta and seconded by Member Keen by to excuse the absence of Vice Chair Stahovich and Member Foley from the meeting of August 5, 2021. The motion carried with Vice Chair Stahovich and Member Foley abstaining.

USE OF OUTSIDE LEGAL COUNSEL IN LIEU OF THE CITY ATTORNEY

Following discussion, it was moved by Member Huerta and seconded Vice Chair Stahovich that the Board of Ethics use outside legal counsel to advise the Board of Ethics and its hearing panel on the City Council v Councilmember Conder complaint. The motion carried unanimously.

Following further discussion, it was moved by Vice Chair Stahovich and seconded Member Huerta requesting outside counsel address the following questions regarding the Brown Act and for transparency purposes: (1) should the City Council have approved the complaint on a published agenda and during an open City Council Meeting(a) the complaint against Councilmember Conder

before it was accepted by the City Clerk?; (b) the completion of the complaint form by the City Council before it was submitted?; and, (c) subsequent actions including the random drawing for the hearing panel members?, (2) should have the pre-hearing been published as a joint meeting?; and (3) clarification of Riverside Municipal Code Section 2.80.040 (B)(3)(h) as to whether or not the complaint language refers only to the subject of the complaint or does it refer to any councilmember or members that might be a part of the complaint process to be disqualified from participating on the hearing panel? The motion carried unanimously.

Following further discussion, it was moved by Member Huerta and seconded Member Foley requesting an item be placed on the discussion agenda regarding authority and conditions in which to hire outside counsel for future Board meetings. The motion carried unanimously.

BOARD OF ETHICS PRE-HEARING CONFERENCE PROCESS OVERVIEW

Assistant City Attorney Wilson presented training on ethics pre-hearing conference process. No formal action was required or taken.

RIVERSIDE MUNICIPAL CODE CHAPTER 2.78 CODE OF ETHICS AND CONDUCT AND CHAPTER 2.80 BOARD OF ETHICS REVIEW AND RECOMMENDATIONS

There were no comments on Riverside Municipal Code Chapter 2.78 Code of Ethics and Conduct and Chapter 2.80 Board of Ethics.

REPORT ON INCLUSIVENESS, COMMUNITY ENGAGEMENT, AND GOVERNMENTAL PROCESSES COMMITTEE AND CITY COUNCIL ACTIONS

Chair Nelson reported on the presentation made to the Inclusiveness, Community Engagement, and Governmental Processes Committee on September 1, 2021. No formal action was required or taken.

AD HOC COMMITTEE REPORT ON VALIDATION PROCESS FOR APPOINTED AND ELECTED OFFICIALS TO VET POLICY PROPOSALS AND AMENDMENT OF COMPLAINT AFTER FILING

Member Huerta provided a report regarding the Ad Hoc Committee validation process for appointed and elected officials to vet policy proposals and amendment of complaint after filing. She requested a discussion item be placed on next month's agenda for the Board to consider policy proposals and amendments.

REPORT OF MEETINGS AND ACTIVITIES BY BOARD MEMBERS

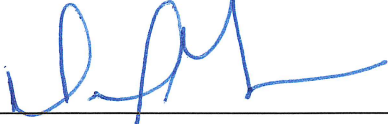
There was nothing to report on meetings and activities by Board Members.

ITEMS FOR FUTURE BOARD CONSIDERATION AS REQUESTED BY BOARD OF ETHICS MEMBERS

Chair Nelson requested staff provide additional time between Board of Ethics meeting and pre-hearing panel meetings. Member Huerta requested a discussion regarding feasibility of the City providing City emails to the Board members.

The meeting adjourned at 6:29 p.m.

Respectfully submitted,



DONESIA GAUSE
City Clerk