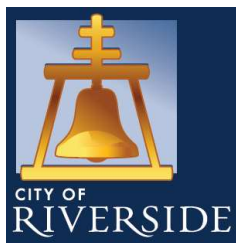


CC Date: 12-9-25

Item No.: 43



RIVERSIDE MUNICIPAL CODE 2.78 CODE OF ETHICS AND CONDUCT ANNUAL REVIEW PUBLIC HEARING

GPC Chair: **Council member Falcone**
December 9, 2025

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1

BACKGROUND

The City Charter mandates the adoption of a Code of Ethics and Conduct for Public Officials.

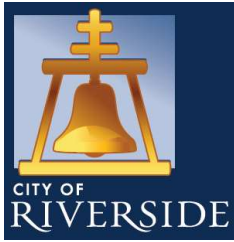
In accordance with the Municipal Code, all Board and Commissions including the Board of Ethics (BOE), reviewed and submitted **seven (7)** proposed revisions to the Governmental Processes Committee (GPC).

The GPC met on **November 18, 2025**, to evaluate the proposals. **Six (6)** of the seven BOE recommendations and **three (3)** additional GPC recommendations were forwarded to City Council for consideration.



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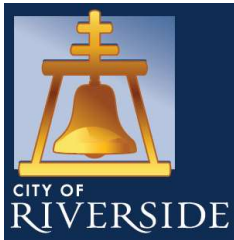
GPC RECOMMENDATION

RMC Section 2.78.040.F, insert the phrase "***including vendors and contractors***" to clarify eligibility for filing complaints:

F. Only those who live, work (including vendors and contractors), or attend school in Riverside may bring a complaint, unless the alleged violation took place outside of the boundaries of the City of Riverside and the complaining party must have personally witnessed or observed the alleged violation.

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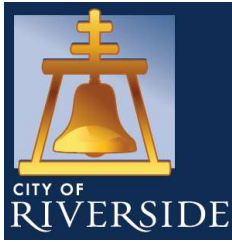
GPC RECOMMENDATION

RMC Section 2.78.070.A – Add language to support whistleblower protections:

A. Only alleged violations of the prohibited conduct section of this chapter shall be grounds for a complaint against any public official pursuant to this chapter. Complainants are covered by whistleblower policies and the City will not retaliate nor tolerate retaliation against those who, in good faith, report suspected fraud, waste, or abuse, or participate in an investigation of a suspected violation.

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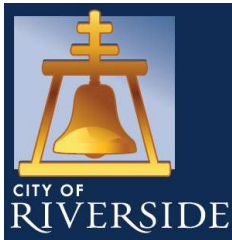
GPC RECOMMENDATION

Correct clerical reference from “**2.78.070(M)**” to “**2.78.060(M)**” and remove outdated language regarding policy establishment:

...For alleged violations of RMC Section 2.78.060(M), the complaining party must identify the specific section(s) of the Charter of the City of Riverside or the Riverside Municipal Code, or the policy of the City of Riverside, ~~including when the policy of the City of Riverside was established~~, that is alleged to have been violated...

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5



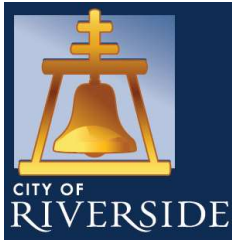
GPC RECOMMENDATION

RMC 2.78.110, update committee reference to reflect the approval of the name change on January 16, 2024:

From “Inclusiveness, Community Engagement, and Governmental Processes Committee” to “**Governmental Processes Committee.**”

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6



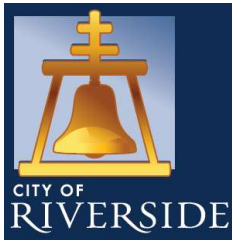
GPC RECOMMENDATION

RMC 2.78.075(D) 5 – Pre-Conference Procedures, regarding evidence consideration:

The complainant may verbally present to the Board of Ethics any and all evidence, both tangible and testimonial, that will be presented at the hearing to prove the allegations in the complaint. The public official will have the option or opportunity to present to the Board of Ethics any and all evidence, both tangible and testimonial, that will be presented at the hearing or address the evidence presented by the complainant, including whether the complainant has shown that the evidence, ~~if taken as true~~, more likely than not shows that there may be a potential violation of the prohibited conduct ~~section of this chapter~~ alleged in the complaint. During the pre-conference, any member of the Board of Ethics may ask questions of the parties.

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7



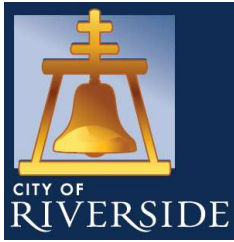
GPC RECOMMENDATION

RMC 2.78.075(D) 6 – Pre-Conference Procedures, regarding weight of evidence:

The Board of Ethics shall determine, by a majority vote, whether the complainant has shown that the evidence, more likely than not shows that there may be a potential violation of the prohibited conduct alleged in the complaint. All evidence submitted by the complainant and public official shall be taken in its totality with equal weight given to both parties.

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8



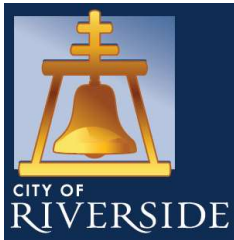
GPC RECOMMENDATION

RMC 2.78.075(D) 7 – Pre-Conference Procedures, regarding review of evidence:

If it is determined by the Board of Ethics that ~~the evidence shows~~ ~~section of this chapter~~ ~~alleged in the complaint~~ it is more likely than not that there may be a potential violation of the prohibited conduct ~~has occurred~~, then a hearing panel shall be selected in accordance with RMC Section 2.80.040(B). The City Clerk shall set a hearing date on the complaint within 20 City business days of the pre-conference. The hearing date shall be within 45 City business days following the pre-conference.

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9



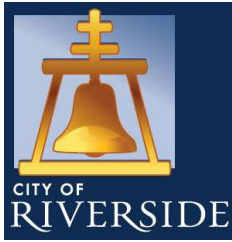
GPC RECOMMENDATION

RMC 2.78.050 - Core Values, add new subsection "I" on digital communications:

Digital communication must reflect the City's commitment to impartiality, fairness, and integrity. Online activity, messages or actions should not create, or appear to create, bias, partisanship, a conflict of interest, or predisposition on pending City matters.

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10



GPC RECOMMENDATION

RMC 2.78.060 - Prohibited conduct" - add new subsection "O" on digital misconduct:

O. Digital misconduct prohibited. Those subject to this code are prohibited from engaging in digital misconduct. Online activity or messages that create, or appear to create, bias, partisanship, a conflict of interest, or predisposition on pending City matters are strictly prohibited. Any violation of prohibited conduct under this code shall encompass online activity while representing your appointed or elected position.

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11

CITY ATTORNEY'S OFFICE REVIEW

The GPC requested the CAO review proposed RMC 2.78.050 and 2.78.060 additions regarding digital misconduct

CAO raised concerns that proposed language may trigger First Amendment challenges, is duplicative of other sections, and is too broad.

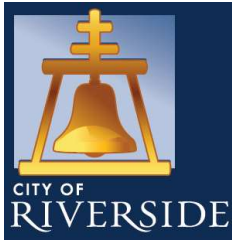
CAO recommends further revisions and referral back to Board of Ethics and GPC



12

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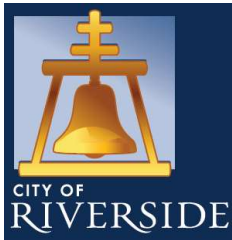
POTENTIAL REVISION

RMC 2.78.050 - Core Values, add new subsection "I" on digital communications:

Digital communication must reflect the City's commitment to impartiality, fairness, and integrity. Online activity, messages or actions should not create, or appear to create, bias, partisanship, ~~a conflict of interest~~, or predisposition on pending City matters **that fall within the subject matter jurisdiction of the public office and are not quasi-judicial proceedings.**

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13



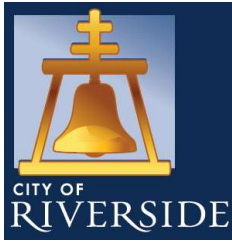
POTENTIAL REVISION

RMC 2.78.060 - Prohibited conduct" - add new subsection "O" on digital misconduct:

O. Digital misconduct prohibited. Those subject to this code are prohibited from engaging in digital misconduct, **while acting in an official capacity**. Online activity or messages that create, or appear to create, bias, partisanship, ~~a conflict of interest~~, or predisposition on pending City matters **that fall within the subject matter jurisdiction of the public office and are not quasi-judicial proceedings** are strictly prohibited. Any violation of prohibited conduct under this code shall ~~encompass~~ **be limited to** online activity while representing ~~your~~ **the public official's** appointed or elected position **using official City accounts.**

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14



RECOMMENDATIONS

That City Council:

1. Perform the annual review of the Code of Ethics and Conduct for its effectiveness;
2. Approve the Governmental Processes Committee recommended revisions to the Code of Ethics and Conduct, with the exception of new sections to be added to RMC 2.78.050 and .060 to address digital communications;
3. Review and consider proposed revisions to the new sections to be added to RMC 2.78.050 and .060 to address digital communications and refer those sections back to the Board of Ethics and the Governmental Processes Committee for further review and consideration; and
4. Direct the City Attorney to draft an ordinance for introduction and adoption reflecting the revisions as outlined in Exhibit A, except as referenced herein.

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