

Date: March 3, 2022

To: Mayor and Members of the City Council

From: Thomas B. Modica, City Manager



Subject: **ETHICS COMMISSION 2021 ANNUAL REPORT**

On January 12, 2022, the Ethics Commission (Commission) approved a recommendation to transmit the Commission's 2021 Annual Report to the Mayor and City Council.

If you would like further information regarding this communication, please contact April Walker, Administrative Deputy City Manager, at (562) 570-6561 or via email at April.Walker@longbeach.gov.

ATTACHMENT

CC: CHARLES PARKIN, CITY ATTORNEY
DOUGLAS P. HAUBERT, CITY PROSECUTOR
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TERESA CHANDLER, DEPUTY CITY MANAGER
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MONIQUE DE LA GARZA, CITY CLERK
KEVIN LEE, CHIEF PUBLIC AFFAIRS OFFICER
DEPARTMENT HEADS

CITY OF LONG BEACH ETHICS COMMISSION

Susan Wise, Chair
Margo Morales, Vice Chair
Lani De Benedictis, Commissioner
Luke Fiedler, Commissioner



Kimmy Maniquis, Commissioner
Barbara A. Pollack, Commissioner
J.P. Shotwell, Commissioner

2021 Annual Report

The Ethics Commission (Commission) worked deliberately throughout 2021 to fulfill the mandate of the voters in adopting Measure CCC in 2018 to create a commission which would take responsibility for the impartial and effective administration and implementation of the provisions of the Charter, statutes and ordinances concerning campaign financing, lobbying, conflicts of interest, and governmental ethics.

The Commission met 14 times during 2021, sometimes in person in the City Hall Civic Chambers or the Billie Jean King public library, sometimes remotely, and sometimes in hybrid fashion, depending on the recommended COVID-19 protocols and the capabilities of the City of Long Beach's (City) technology to also make meetings available and accessible to the public.

VALUES, CODE OF CONDUCT AND ETHICS, AND WORK PLAN

During the first quarter of the year, the Commission worked to develop a mission statement for the Commission, a statement of ethical values for the City, and a Code of Conduct and Ethics (Code) embracing those values. These items were adopted by the Commission during the April 14, 2021 meeting. The Statement of Values provides that the City commits to:

- Accountability – the willingness to accept responsibility and account for one's actions.
- Fairness – ensuring equity and due process.
- Impartiality – loyalty to the public good.
- Diversity – embracing histories, values, and ideas from all backgrounds, and recognizing their contribution to improving the City's operations, services, and programs.
- Transparency – policies and procedures that are open to public observation and scrutiny.
- Integrity – the practice of being truthful, seeking truth, and adherence to the City's values.

The Statement of Values and Code were forwarded to the City Manager, Human Resources, and other departments for review and comment. The Code is currently in the Meet and Confer process and remains subject to review by various employee labor organizations. Once it is returned to the Commission, it is hoped that it can move swiftly to the City Council for formal adoption.

In April 2021, the Commission also agreed upon an [Action Plan \(Plan\)](#) for itself for the next several years. The Plan sets out in various work streams the steps necessary to address the deficiencies and implement the recommendations set forth in the 2020 Performance Audit of the [City of Long Beach Ethics Program \(Audit\)](#).

ESTABLISHING AN ETHICS OFFICER

The scope of the Plan demonstrated the need for dedicated staff to address ethics within the City, to focus on the issues identified in the Audit and fulfill the mandate of the voters that the City bring ethics to the forefront. The Commission had begun its work in 2019 without any identifiable expenditures in the City budget. For the 2021-2022 budget year, the Commission recommended to the Budget Oversight Committee and the entire City Council that dedicated funding be provided to support the work identified by the Plan to carry out the intent of Measure CCC. The City Manager, the Mayor and the City Council did provide for such funding in the budget, and steps are now underway to hire a dedicated Ethics Officer to work alongside City staff that currently assist the Commission from the Offices of the City Manager, City Clerk, and City Attorney.

ASSISTING THE CITY CLERK INCORPORATE ETHICS INTO ELECTION INFORMATION FOR CANDIDATES AND ORIENTATION MATERIALS FOR MEMBERS OF BOARDS AND COMMISSIONS

The City Clerk presented the Commission the proposed Candidates' Handbook and the Commission provided suggestions and edits, including an introductory letter to the candidates from the Commission. A similar process was followed to assist the Clerk with the Authorities, Boards, Committees and Commissions Handbook. The Commission Chair and Vice Chair were also invited by the City Clerk to address the 2022 candidates at the Candidate Workshop meeting.

DISCLOSURE REPORTS AND ETHICS PORTAL

The City Clerk created a Disclosure Reports and Ethics [portal webpage](#) that centralizes various reporting resources and forms to make them readily accessible to the public, City staff, and elected officials and thereby increase transparency. This portal allows the user to view information on how the City complies with the Political Reform Act, as well as access regulations from the Fair Political Practices Commission, view economic filings, and submit referrals for Political Reform Act violations.

LEARNING FROM AND ASSISTING THE CITY AUDITOR

The City Auditor presented a report regarding the use of the office's fraud line in 2020, which included much information about the processes followed by the Auditor when replying to a "tip" regarding possible fraud or abuse of City assets. In follow up, during 2021, a subcommittee of the Commission prepared a suggested protocol for intake, investigation and disposition of allegations of improper conduct, and that has been provided to the City Auditor and Human Resources for consideration and feedback.

EXTERNAL COLLABORATIONS

In search of talent, and economical expertise on ethics in the municipal context, City staff pursued local universities for students to assist. The Commission was very fortunate that a group of four graduate students at the University of Southern California, Price School of Public Policy, took on as their capstone project the development of an ethics education program for the City. The [results](#) capture ideas and best practices from ethics leaders in industry and local governments across the country. The Commission is integrating these into its Plan to establish a clear path for the Ethics Officer to follow when they are selected!

COMMISSION GOVERNANCE

The Commission remains committed to ensuring that its meetings, operations, and processes are consistent with the values that it intends to promote for all those involved in the City's work. In that spirit, the Commission adopted Resolution No. E.C. 01-2021, which adopts a campaign contribution policy for Commissioners to refrain from contributing to or working on the campaigns of candidates for elected office in Long Beach, including positions with the City, Long Beach Unified School District and Long Beach City College.

The Commission is dedicated to improving the confidence of the public in our City government.

In closing, the Commission would like to acknowledge the outstanding assistance and guidance over the past year from the following members of the City staff:

JT Nagayama, City Clerk Analyst

Rebecca Guzman Garner, Administrative Deputy City Manager (retired)

April Walker, Administrative Deputy City Manager

Julian Cernuda, Assistant to the City Manager

Amy Webber, Deputy City Attorney (retired)

Taylor Anderson, Deputy City Attorney

We also wish a special congratulations to Rebecca and Amy who retired after over 60 years of combined public service!