

Date: December 28, 2023

To: Thomas B. Modica, City Manager *T.M.*

From: Heather Van Wijk, Ethics Officer

For: Mayor and Members of the City Council

Subject: **Ethics Commission Recommendation: AB 1234 Ethics Training**

On September 13, 2023 the Ethics Commission approved a letter of recommendation be drafted and sent by the Chair and Vice Chair to the Mayor and City Council regarding changes to Fair Political Practices Commission's (FPPC) Assembly Bill 1234 Ethics Training. The Commission's request is that this letter ultimately be shared with the FPPC.

If you have any questions, please contact Heather Van Wijk, Ethics Officer at heather.vanwijk@longbeach.gov or (562) 570-7443.

ATTACHMENT – ETHICS COMMISSION LETTER OF RECOMMENDATION RE: AB 1234 TRAINING

CC: DAWN MCINTOSH, CITY ATTORNEY
DOUGLAS P. HAUBERT, CITY PROSECUTOR
LAURA L. DOUD, CITY AUDITOR
APRIL WALKER, ASSISTANT CITY MANAGER
TERESA CHANDLER, DEPUTY CITY MANAGER
MEREDITH REYNOLDS, DEPUTY CITY MANAGER
TYLER CURLEY, DEPUTY CITY MANAGER
KEVIN LEE, CHIEF PUBLIC AFFAIRS OFFICER
MONIQUE DE LA GARZA, CITY CLERK
DEPARTMENT HEADS

**CITY OF LONG BEACH
ETHICS COMMISSION**

**Margo Morales, Chair
Barbara A. Pollack, Vice Chair
Raul Añorve, Commissioner
Lani De Benedictis, Commissioner**



**VACANT, Commissioner
J.P. Shotwell, Commissioner
Susan Wise, Commissioner**

October 23, 2023

Honorable Mayor and Members of the City Council
City Manager Tom Modica
City of Long Beach
411 West Ocean Boulevard
Long Beach, CA 90802

RE: AB1234 Ethics Training

Honorable Mayor Richardson and Members of the City Council, and City Manager Tom Modica:

On or about August 7, the Fair Political Practices Commission (FPPC) informed Long Beach and other affected cities that the FPPC will stop providing up-to-date training content for compliance with the AB 1234 Ethics training mandate. This action will result in an unfunded requirement for Long Beach, and numerous other California cities, to create duplicative training updates or pay thousands of dollars to third parties for access to training materials.

The Ethics Commission respectfully recommends that the City requests the State to allocate funding to the FPPC to allow the FPPC to continue to provide up-to-date AB 1234 training materials free of charge to California cities.

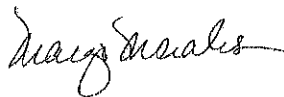
As you know, AB 1234 (Ca. Gov. Code Section 53235) requires that agency officials in Long Beach and many other California cities receive at least two hours of training in specific government ethics principles every two years. In prior years, the FPPC and the Attorney General's Office partnered with the Institute for Local Government to create and provide training content, without cost to local governments. Long Beach and other cities used and supplemented the FPPC's training materials with materials covering additional local requirements.

In order to comply with AB 1234 without FPPC updates, Long Beach will have to spend substantial time to update the prior FPPC materials or pay the Institute for Local Governments \$35-\$75 per person for access to their materials and administration of the training process. Due to a robust advisory body structure, in Long Beach, over 900 City officials must complete AB 1234 training every two years. If staff does not create a replacement training by January 1, 2024, it will cost the City anywhere from \$31,500 to \$67,500 to pay for an off-the-shelf training. This expenditure will be replicated in other local jurisdictions throughout the state.

The FPPC was established to administer and enforce the Political Reform Act, which is the primary subject of the AB 1234 training. The Ethics Commission views this mandatory training as a critical piece of the City's ethics program. Additionally, it is important for the State to ensure consistency of AB 1234 training by all local jurisdictions.

The allocation of funding for FPPC to update their AB 1234 training materials and continue to provide those materials free of charge to Long Beach and other California cities is the best vehicle to achieve this goal. Otherwise, valuable staff time must be diverted away from building a local ethics program to ensure that Long Beach's city officials remain compliant this State ethics requirement.

Sincerely,



Margo Morales
Ethics Commission, Chair



Barbara A. Pollack
Ethics Commission, Vice Chair

CC: APRIL WALKER, ADMINISTRATIVE DEPUTY CITY MANAGER
HEATHER VAN WIJK, ETHICS OFFICER
JORGE GODINEZ, ASSISTANT TO THE CITY MANAGER
TAYLOR ANDERSON, DEPUTY CITY ATTORNEY
MONIQUE DE LA GARZA, CITY CLERK
JT NAGAYAMA, CITY CLERK ANALYST