



R-18

Date: November 21, 2006
To: Honorable Mayor and City Council
From: Vice Mayor, Bonnie Lowenthal, Chair, Elections Oversight Committee *BL*
Subject: **CODE OF ETHICS RECOMMENDATION (Revised)**

The Elections Oversight Committee at its meeting on Monday, October 23, 2006, discussed one of the recommendations of the Ethics Review Task Force (ERTF) pertaining to a Code of Ethics.

In 2002, the ERTF recommended adopting the following language: "City officials, elected and appointed, and all City employees should pledge to follow these principles: To place the best interests of the City above all other interests; To uphold all laws, regulations and policies; To take no action for the purpose of benefiting the official or employee personally; To avoid even the appearance of a conflict of interest; To avoid disclosure of confidential information obtained in the performance of their duties or in their official capacity; To exercise prudence and good judgment at all times; To be fair, impartial, and unbiased in the decision-making process; and to treat each other and the public with respect."

In 2003 the City Council adopted a Code of Ethics, which mirrored the ERTF's recommendation with the exception of "To avoid even the appearance of a conflict of interest." The Council passed "To make every effort to avoid a conflict of interest." The Election Oversight Committee discussed returning to the original recommendation of the ERTF.

After much discussion, it was moved and seconded to reinstate the original wording recommended by the ERTF with a small change as follows: "To avoid a conflict of interest or the appearance of a conflict of interest."

This Code of Ethics is intended to enhance public confidence in its governing officials and goes beyond what is required by State ethics laws. It is a pledge, and there is no enforcement provision on the City's Code of Ethics. All city employees are required to sign the City's Conflict of Interest Code, and all commissioners must sign the City's Code of Ethics prior to accepting a board position. The committee believes that strengthening the City's Code of Ethics to reflect the Task Force's original recommendation is crucial to building public trust.

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Recommendation: To request that the City Attorney draft an amendment to the Long Beach Municipal Code Section 2.07.010 [d] pertaining to "Code of Ethics Written Pledge" to be revised to read as follows: To avoid a conflict of interest or the appearance of a conflict of interest.

Respectfully submitted,

ELECTIONS OVERSIGHT COMMITTEE

A handwritten signature in blue ink, appearing to read "Bonnie Lowenthal", written over a horizontal line.

Vice Mayor Bonnie Lowenthal, Chair

Prepared by:
Gloria Harper