

Policy and Problems Ad Hoc Subcommittee Feedback

Long Beach Ethics Commission - Notes following 2/5/2021 telephone meetings of "Values" subcommittee – Chair Susan Wise & Commissioner Luke Fiedler

- Proposed values statement to include in new Code of Ethics:
 - The City of Long Beach depends on a government that operates fairly and transparently, and that works to promote and preserve the confidence of the public.

Commented [JP51]:

To this end, the following values represent the commitment of the City's elected and appointed officials, the members of the City's boards and commissions, and the City's employees to uphold a standard of competence that builds the public trust while conducting the business of the City:

Commented [BP2]: Do we want to include volunteers?

Commented [KM3]: General thought: align the values listed with the Code of Conduct (seven values for seven section in the Code that reflects each value)

- Impartiality - independent thinking and loyalty to the public good above all
- Fairness - ensuring equity and applying principles of due process
- Transparency - processes that are open to public observation and scrutiny
- Accountability
- Trust
- Integrity - being truthful and honest, seeking truth

Commented [KM4]: Is this a value, or something we are trying to establish through the values? This is also folded into integrity

- Proposed mission statement for Ethics Commission:

The Ethics Commission seeks to advance public confidence in our City's government by promoting ethical values through education and the development of policies and processes that emphasize fairness and transparency in the operation of City government.

Commented [KM5]: Thoughts about listing two values versus all?

- Links to San Francisco Ethics Commission meeting summaries:
 - <https://sfethics.org/ethics/category/minutes>
 - Here is a link to the most recent meeting, December 14, 2020. This link demonstrates how this commission provides a more detailed summary of items discussed during that meeting and makes that detailed summary available for public review:
 - <https://sfethics.org/ethics/2021/01/minutes-december-14-2020.html>

Code of Ethics and Ethics Definition Ad Hoc Subcommittee Feedback

Long Beach Ethics Commission - Notes following 2/5/2021 telephone meetings of "Values" subcommittee – Chair Susan Wise & Commissioner Luke Fiedler

- Proposed values statement to include in new Code of Ethics:
 - The ~~City~~citizens of Long Beach depends on a ~~city~~ government that operates ~~fairly~~equitably, ethically and transparently, and ~~that~~ works to promote and preserve ~~the public~~ confidence ~~of the public~~.

~~To this end, the following values represent the commitment of the City's elected and appointed officials, the members of the City's boards and commissions, and the City's employees to uphold a standard of competence that builds the public trust while conducting the business of the City.~~
The City of Long Beach's values are:

- Accountability – the obligation or willingness to accept responsibility and account for one's actions.
- Fairness - ensuring equity and procedural justice.
- Impartiality - independent thinking and ~~loyalty to the public good~~ above all placing the public's interest before personal interest.
- ~~Fairness – ensuring equity and applying principles of due process~~
- Innovative – seeking excellence and being creative in the development and implementation of services for public betterment.
- ~~Transparency – processes that are open to public observation and scrutiny~~
- Integrity - the practice of being truthful, and showing consistent and uncompromising adherence to principles and values.
- ~~Accountability~~
- Transparency - processes and procedures open to public observation and scrutiny.
- Trust – reliability, truth or character.
- ~~Integrity - being truthful and honest, seeking truth~~

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- Proposed mission statement for Ethics Commission:

The Ethics Commission ~~seeks~~endeavors to ~~advance~~ inspire public confidence in the governance of the City of Long Beach ~~our City's government~~ by ~~promoting~~establishing ethical values and an ethical frame work for all policy and operational decisions.

~~through education and the development of policies and processes that emphasize fairness and transparency in the operation of City government.~~

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- Links to San Francisco Ethics Commission meeting summaries:
 - <https://sfethics.org/ethics/category/minutes>
 - Here is a link to the most recent meeting, December 14, 2020. This link demonstrates how this commission provides a more detailed summary of items discussed during that meeting and makes that detailed summary available for public review:
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DRAFT

Values Statement Ad Hoc Subcommittee Feedback
CITY OF LONG BEACH
CODE OF CONDUCT AND ETHICS

It is incumbent for every representative of the City of Long Beach to uphold the Code of Conduct and Ethics (Code). The Code was adopted by the Long Beach Ethics Commission on xxxx xx, 2021, and transmitted to the City Council for codification.

As the elected officials, staff, volunteers, and members of boards, commissions and committees for the City of Long Beach we commit to undertaking our duties with the highest moral principles, placing the public's interest above those of private entities and our own. As representatives of the City of Long Beach (City), we each pledge to uphold the following principles:

1. As a representative of the City of Long Beach, I will be ethical.

- I will be truthful and honest. I will act with integrity and demonstrate moral courage in all dealings on behalf of the City.
- I will protect the interests of the City above all else and those who have placed their trust in me.
- I will comply with all federal, State, and City policies and procedures, as well as applicable state laws and regulations.
- I will treat all stakeholders, such as my colleagues, the public, stakeholders, and anyone those transacting business with the City with respect and dignity.
- I will act with integrity and ensure that all completed work activities are free from bias, correct, accurate, and true.
- I will avoid even the appearance of impropriety and seek ethical guidance and immediately report any potential perceived Code of Conduct violation, conflict of interest, fraud, waste or misuse of City resources, and inappropriate behavior to the appropriate authority for investigation.
- I will recognize and respect the diverse histories, values, and cultures that both my colleagues and the public bring to the City, and I will strive to ensure those values and cultures receive fair treatment and equality of opportunity in the City's operations, services, and programs. connection with City dealings. Add a statement that acknowledges the importance of equity, inclusion and diversity in the work and attitude of all those working for the City.

2. As a representative of the City of Long Beach, I will be impartial in my work activities, dealings, and transactions.

- I will act with impartiality by placing the public's interest trust before personal interest.
- I will be impartial, ensuring that my decisions are free of not influenced by

Commented [S1]: After several discussions within our subcommittee, reading and rereading the draft, we generally think it would be best to shorten the code of conduct, both to avoid repetition, but also to make it more impactful.

Some edits along those lines are shown in our markup. In addition, we have some questions for staff and have identified several areas where further discussion among the commission about the intent of certain provisions could be useful.

Commented [S2]: Question for City Attorney and City Manager: Will this need to be adopted as an ordinance? Will it replace the Code of Conduct now in the Muni Code? Or how will it be implemented or best rolled out?

Commented [S3]: Use officials as it is more inclusive than officers and would include councilmembers.

Commented [S4]: In some situations, the public's interest could be the collective interest of private entities...e.g. initiatives that benefit small businesses, perhaps business licenses?

Commented [LF5]: I'm not sure why these words appear joined together. I've tried adding a space and nothing changes.

Commented [LF6]: Same issue as above re: spacing, not sure how to change.

Commented [S7]: What does reference to "completed work activities" mean? Integrity is already mentioned in first bullet point. So can this bullet be deleted?

Commented [S8]: Question for Luke: how best to put these concepts into an "I will" statement.

bribes, unlawful gifts, ~~narrow~~ political interest, or other influence.

- ~~I will not permit financial and other personal interests to impair my judgment or action.~~
- I will ~~disclose my~~ disclose ~~any~~ personal, financial, and professional interests that may relate to dealings, and transactions on behalf of the City and will recuse myself from the decision making process regarding such dealings and transactions when required.
- ~~recuse myself from the decision making process and any activities, dealings, and transactions on behalf of the City that may relate to my personal, financial, or professional interests.~~
- I will adhere to all policies, ~~and~~ procedures, and contractual commitments to safeguard the City's procurement, ~~and~~ bidding, and competitive processes.

Commented [S9]: For discussion: Make sure this provision aligns with current laws re recusal. Ask City Attorney for guidance. What is the scope of current laws regarding recusal. Looking to align this statement with current laws and address concerns about "backroom deals." Example: if rent control ordinance is being discussed, should persons who are landlords or tenants recuse themselves or disclose their connection to the issue? In example, if landlords and tenants were recused, would only persons who could vote be owners of single-family homes? If it is better to require "disclosure" rather than recusal, then this would be duplicative of the statement in the first bullet point of #3.

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3. As a representative of the City of Long Beach, I will be transparent.

- I will disclose all personal, financial, or professional interests or ~~outside activities/affiliations~~ that may relate or influence my role or official capacity.
- I will promptly report any ~~perceived or actual~~ conflict of interest I observe that may arise prior to rendering a decision, providing information, or making a recommendation.
- I will ensure that all work product is completed in an open manner, with the knowledge that it may be subject to public inspection and/or release.
- I will cooperate with and support inquiries, reviews, audits, or other investigations that may be conducted by the City or other enforcement agencies.
- I will comply with the Brown Act and will observe all rules with respect to notice and public meetings. I will not discuss or communicate on matters to be voted on by the City Council, and/or a commission with a member of that body outside the public meeting.

Commented [S10]: This is duplicative of point discussion in comment 10 re 4th bullet point under #2.

Commented [LF11]: Not exactly sure what is meant by "providing information." Further discussion may be warranted to determine how to clarify.

Commented [LF12]: Would love input from City Attorney here regarding which "work product" in particular is actually subject to potential public disclosure.

4. As a representative of the City of Long Beach, I will not exploit my position of trust with the community.

- I will be accountable and fiscally responsible.
- I will protect all City assets, resources, and information from loss, theft, and misuse.
- I will seek guidance and abide by all applicable regulations pertaining to gifts and gratuities, including donations and honoraria.
- I will not use my position within the City to advocate for or against or leverage my position of trust on behalf of an event, organization, and/or call to action not officially endorsed by the City Council.

Commented [S13]: For discussion: Last sentence needs to be reconsidered and reworded to allow the work of the City to be done. City staff, including Council staffers, will need to communicate with members of the Council and Commissions they work for or with, to discuss many things, including new ideas, problems reported by constituents, and contemplated projects that may be or be destined for decision in a public meeting. E.g. A council members staff likely would talk to council member about matters on the agenda as council member prepares; council members might talk to one another (within that allowed by Brown Act) to look for support for a concern that they have; staff from City manager and council members could meet at various stages of planning a new park or the construction of a new building to talk about the features needed in the facility.

5. As a representative of the City of Long Beach, I will safeguard all information and data (including electronic) entrusted to my care.

- I will protect City data and information to preserve confidentiality and privacy concerning the property, personnel, or other affairs of the City.
- I will handle and safeguard all non-public and proprietary information as protected under agreement or public law.

Commented [S14]: For discussion: What conduct is this intended to modify? At many fundraisers for nonprofits, city VIPs, (elected, appointees and city officials) are recognized from the podium. The hope of the nonprofit is that the attendance of the VIPs shows support for their cause. Would that be prohibited by this?

6. As a representative of the City of Long Beach, I will always communicate openly and honestly.

- I will be accurate, courteous, civil, and honest in all my written and oral interactions with others.
- I will convey value the City's care for, and commitment to, its community.
- ~~I will listen, be approachable, open-minded, ask questions, and participate when engaged.~~

Commented [S15]: Perhaps "I will do my work on behalf of the City in a manner that reflects the City's care and commitment to the community."

7. As a representative of the City of Long Beach, I will be open to change and innovation in the delivery of services.

- I will take actions to ensure all policies and procedures are developed to provide equitable and socially just programs and services for all residents.
- I will exhibit a proactive, innovative approach toward setting goals and conducting the City's business.
- I will be mindful of our community's needs and be cognizant of their experience when interacting with City services.
- I will be a role model by striving for excellence, maintaining standards, but supportive of change, the need to compromise, "thinking outside the box," toward improving the City's programs and services.
- I will promote and support innovation to enrich and transform the City's services, operations, and budget.

Commented [S16]: For discussion: Are innovation and openness to change matters of ethics? Can it be covered under #1 if equity for all is covered there? See new bullet point added to #1.

Policy and Problems Ad Hoc Subcommittee Feedback
CITY OF LONG BEACH
CODE OF CONDUCT AND ETHICS

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-As the elected officers, ~~staff~~employees, volunteers, and members of boards, commissions and committees- for the City of Long Beach we commit to undertaking our duties with the highest ~~moral~~ethical principles, placing the public's interest above those of private entities and our ~~own~~selves. As representatives of the City of Long Beach (City), we ~~each~~ pledge to uphold the following principles:

1. As a representative of the City of Long Beach, I will be ~~ethical~~truthful and honest.

- ~~I will be truthful and honest.~~ I will act with integrity and demonstrate ~~moral~~courage in all dealings.
- ~~I will protect the interests of the City and those who have placed their trust in me.~~
- ~~I will comply with all federal, State and City policies and procedures, as well as applicable laws and regulations.~~
- ~~I will treat all colleagues, the public, stakeholders, and anyone transacting business with the City with respect and dignity.~~
- I will act with integrity and ensure that all completed work activities are ~~free from bias, correct, accurate, and true and free from bias.~~
- ~~I will avoid even the appearance of impropriety and seek ethical guidance and immediately report a perceived Code of Conduct violation, conflict of interest, fraud, waste or misuse of City resources, and inappropriate behavior to the appropriate authority for investigation.~~

2. As a representative of the City of Long Beach, I will ~~place the public's trust before my personal interests~~be impartial in my work activities, dealings, and transactions.

- ~~I will act with impartiality by placing the public's trust before personal interest.~~
- I will be impartial, ensuring that my decisions are free of bribes, unlawful gifts, ~~narrow political interest~~or other ~~improper~~influence.
- I will not permit ~~financial and other~~ personal interests to impair my judgment or action.
- I will recuse myself from the decision-making process and any activities, dealings, and transactions on behalf of the City that may relate to my personal, financial, or ~~professional interests outside activities.~~
- ~~I will adhere to all policy and procedures and contractual commitments to safeguard the City's procurement and bidding and competitive processes.~~

Commented [JPS1]: Note to EC: We have modified this document to follow the Values and we believe the Values statement should be inserted at the beginning of the Code.

Commented [JPS2]: EC: Since "City" is defined here, do we need to restate City of Long Beach in each principle? Also, do you think it would be better to lead each principle with a simple "I will . . ." since the opening paragraph already states "As a representative of the City of Long Beach"?

Commented [JPS3]: We suggest replacing "ethics" here since the entire code of conduct is addressing ethical behavior. We also believe one of the main tenets of the code must be about truth and honesty.

Commented [JPS4]: EC: We debated whether it is more impactful to begin each of these principles with "I will" since "As representatives of the City" is in the lead-in clause introducing the principles, or is it better to remind readers each time that they are representatives of the City?

Commented [JPS5]: Point moved to Principle 5

Commented [BP6]: This point moved to the end

Commented [JPS7]: Point moved to Principle 4

Commented [JPS8]: Point moved to Principle 6

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Commented [JPS9]: Point adequately addressed in main tenet above

Commented [JPS10]: We believe that narrow political interests will be difficult to define and are not always improper. Someone's sole purpose in running for office may to advocate for the homeless and that may appropriately influence all of their decisions. [COMMITTEE: Do you have better examples?]

Commented [BP11]: Re "professional interests": I think transactions may relate to "professional interests," e.g. attorney obligations or accounting obligations. Outside activities should cover situations where someone is just wanting to burnish their resume as well as possible outside employment interests.

Commented [JPS12]: Point moved to Principle 4

3. As a representative of the City of Long Beach, I will be transparent.

- I will ensure that all work product is completed in an open manner, with the knowledge that it may be subject to public inspection and/or release.
- I will disclose all personal, financial, or professional interests or outside activities that may relate to or influence my role or official capacity.
- I will promptly report any perceived or actual conflict of interest that may arise prior to rendering a decision, providing information, or offering a recommendation.
- I will ensure that all work product is completed in an open manner, with the knowledge that it may be subject to public inspection and/or release.
- I will cooperate and support inquiries, reviews, audits, or other investigations that may be conducted by the City or other enforcement agencies.
- I will comply with the Brown Act and will observe all rules with respect to notice and public meetings. I will not discuss or communicate on matters to be voted on by the City Council, and/or a commission with a member of that body outside the public meeting in a manner inconsistent with the Brown Act commitment to openness.

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4. As a representative of the City of Long Beach, I will not exploit my position of trust with the community be accountable.

- I will comply with all federal, State, and City laws and regulations as well as applicable policies and procedures.
- I will be accountable and fiscally responsible.
- I will protect all City assets, resources and information from loss, theft and misuse.
- I will seek guidance and abide by all applicable regulations requirements pertaining to gifts and gratuities, including donations and honoraria.
- I will not use my position within the City to advocate for or against or leverage my position of trust on behalf of an event, organization, and/or call to action not officially endorsed by the City Council sanctioned by the City.
- I will adhere to all policy and procedures and contractual commitments to safeguard the integrity of the City's procurement and bidding and competitive processes.

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Commented [JPS14]: We believe that exploiting positions is handled above and believe it is necessary to have a main principle addressing accountability

Commented [JPS15]: Point moved from Principle 1

Commented [JPS16]: Point moved to Principle 5

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Commented [JPS17]: Point moved from Principle 1

5. As a representative of the City of Long Beach, I will safeguard all information, and data (including electronic), and assets entrusted to my care.

- I will protect City data and information to preserve confidentiality and privacy concerning the property, personnel, or other affairs of the City.
- I will handle and safeguard all non-public and proprietary information as protected under agreement or public law.
- I will protect all City assets, resources, and information from loss, theft, and misuse.
- I will protect the interests of the City and those who have placed their trust in me.

Commented [JPS18]: Point moved from Principle 4

Commented [JPS19]: Point moved from Principle 1

6. As a representative of the City of Long Beach, I will ~~treat others with dignity, always communicate openly and honestly.~~

- I will be accurate, courteous, civil, and honest in all my written and oral interactions with others.
- I will listen, be approachable, open-minded, ask questions, and participate when engaged.
- I will treat all colleagues, the public, stakeholders, and anyone transacting business with the City with respect.
- I will uphold the dignity of all members of the community regardless of identity and background.
- I will be accurate, courteous, civil, and honest in all my written and oral interactions with others.
- I will convey the City's care for, and commitment to, its community.
- I will listen, be approachable, open-minded, ask questions, and participate when engaged.

Commented [JPS20]: Honesty is addressed in Principle 1 and we believe we should have a principle addressing respect and dignity

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Commented [JPS22]: Moved up from below

Commented [JPS23]: Point moved from Principle 1

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7. As a representative of the City of Long Beach, I will ~~embrace be open to change and excellence and~~ innovation in the delivery of services.

- I will be a role model by striving for excellence, maintaining standards, but supportive of change, the need to compromise, toward improving the City's programs and services.
- I will take actions to ensure all policies and procedures are developed to provide equitable and socially just programs and services for all residents.
- I will exhibit a proactive, innovative approach toward setting goals and conducting the City's business.
- I will seek ways to leverage the diversity of the City to strengthen services.
- I will be mindful of our community's needs and be cognizant of their experience when interacting with City services.
- I will be a role model by striving for excellence, maintaining standards, but supportive of change, the need to compromise, "thinking outside the box," toward improving the City's programs and services.
- I will promote and support innovation to enrich and transform the City's services, operations, and budget.

Commented [JPS24]: Moved up from below

Commented [JPS25]: New point to promote a diverse and inclusive city, where we benefit from different perspectives

Commented [JPS26]: EC: We believe that the points under each principle should be reordered most broad to most specific?

I will avoid even the appearance of impropriety and seek ethical guidance and immediately report a perceived Code of Conduct violation, conflict of interest, fraud, waste or misuse of City resources, and inappropriate behavior to the appropriate authority for investigation.

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Situations can be unique. If you have any questions whether certain activities are consistent with this Code of Conduct or wish to raise an anonymous concern, you may reach out to the

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following resources: [INSERT LIST OF TELEPHONE NUMBER/EMAIL ADDRESSES FOR THE VARIOUS REPORTING CHANNELS]

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Values Ad Hoc SubCommittee Feedback
Comments re Action Plan Draft

1. Snackables and Creating Awareness and Culture of Ethics

In addition to the items designated as having top priority as A's, identify a few more "snackables" that would could bring focus and begin to develop more awareness of ethics over the next year and that do not require money or further authority.

Some possible examples:

Action items 2.1 and 2.2: Could the city's website be easily and quickly rearranged to create a direct link to ETHICS and there provide the ethical resources for public and staff that already exist but require numerous searches to locate? For starters, existing documents could be posted in one spot: such as current provisions of Muni Code 2.07 (the code of ethics currently in effect), the annual report for the Commission, the ethics audit, the employee ethics survey, and the most recent fraud report from the Auditor's office. Currently the ethics commission "lives" largely on the page belonging to the City Clerk. Some find it easier to find items regarding ethics in Long Beach by going through Google rather than the City's website. Would it be effective to send e-blast to employees to let them know that many documents regarding ethics can be found in that spot?

Action item 2.9: Carry out Recommendation 13 from Ethics Audit. Formulate recommendation to City Council to adopt policy to attest to the absence of any conflict of interest at each City Council meeting.

Action item 2.10: Formulate recommendation to City Manager to amend administrative code to require new electeds and employees to disclose immediate family on city staff (does CM have authority to change an administrative regulation?)

Action items 2.6 and 3.3: Recommend to/work with City Manager to develop supplier code of conduct

Request report from City Clerk for presentation to Ethics Commission in May or June 2021 re # of employees/electeds/ appointees who fail to timely file Form 700

Have City Auditor present the annual fraud report to Ethics Commission when it is prepared

Action item 6.1: As background and in order to begin to bring attention to ethical issues related to lobbying, retain expert in lobbying and conduct workshop with Ethics Commission regarding best practices. Invite public and elected and persons involved in

contracting process or approving contracts, to participate. Ask staff to research possible experts and cost.

2. No action items are attached to Recommendations 2 (level of staffing for Commission) or 18 (Financial disclosures by consultants in decision making positions). Was this an oversight or intentional? If intended, why?

3. Action item 5.1 (implementation of proactive measures and checks) has not been given an A, B or C designation. What is intended?

Code of Ethics and Ethics Definition Ad Hoc Subcommittee Feedback

CITY OF LONG BEACH ETHICS COMMISSION
DRAFT ACTION PLAN 020421

Workstream	Deliverable	Timeline Priority	Audit Ref.	Additional Budget Needed	Authority / Additional Authority Needed	Notes
Ethics Office Structure & Staff						
1.1.	<u>Where applicable, recommend EC authority/changes</u> <u>Establish City Ethics Action Plan</u> <u>Establish City Ethics Office & identify clearly written Roles and Responsibilities:</u> Structure, Staffing, Leadership and Reporting (<u>Rec. #1</u> (p. 13))	C	Rec. #1 (p. 13)	Need budget analysis then EC makes recommendation to Mayor and City Council delegates authority to EC	2,3,4/TBD	<ul style="list-style-type: none"> Where within the city should the Ethics Office report? (<u>City Manager?</u>) How should the Ethics Office be organized? <u>Centralized or decentralized?</u> Should the Ethics Office be supported by a dedicated director? What is the optimal size of the Ethics Comm Staff? <u>Communication & Awareness/OPS (Hotline/Records/Metrics/Investigations</u> <u>Relationship between the City Manager & Commission</u>

Commented [hi1]: Add a column for "Next Steps" and incorporate Audit Reference into the deliverable column.

Commented [hi2]: What does A, B, and C mean in terms of time? Are we targeting to complete A items in six months?

Commented [hi3]: Do these deliverables all apply to an Ethics Office or the Commission or both? Also, it is easier to delineate the different deliverable if they are separated by bullets.

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Commented [hi4]: Does this more clearly delineate the intent of the work group? We are unclear if the original deliverable addresses just the Commission or also an Ethics Office.

Workstream	Deliverable	Timeline Priority	Audit Ref.	Additional Budget Needed	Authority / Additional Authority Needed	Notes
1.2.	Publish Annual Report (public) on Ethics in the City with achievements of the EC in the past year <u>Adhoc reporting (City Manager/Auditor/OGC</u>	A	Rec. #3 (p. 14); Rec. #10, (p. 30)	No	3,4/No	<u>Identify recipients (public & non-public)</u>
1.3.	Establish a Values Statement for Ethics Commission	A	Rec. #5 (p. 18-19)	No	1,2,3,4,5/No	Pre-work in full commission meeting, serves as foundation of work ahead
1.4.	Compile and Issue Quarterly Ethics Reports	B	Rec. #10 (p. 30)	No	1,2,3,4/Yes	To include City Auditor hotline and cases handled through other channels and Hotline metrics. Additional authority required to access Corrective Action Matrix for auditor findings and results of other City conducted Ethics investigations. Need to determine what else should be reported to EC <u>and the public</u> periodically.
Ethics Resources						
2.1.	Develop and Deploy Ethics Media Site for City Employees	B	Rec. #3 (p. 14)	No	3,4/No	Create/revamp digital home for all ethics and policy resources for City employees
2.2.	<u>Develop and Deploy Ethics Media Site for Public</u>	C	Rec. #6 (p. 21) Rec. #7, (p. 24)	No	3,4/No	Create/revamp digital home for ethics resources for public
2.3.	Develop "Code of Conduct" for city officials and staff (all departments)	A	Rec. #5 (p. 18-19)	No	1,2,3,4,5/No	Research model versions of other municipalities. "Code of Conduct." Ref:

Commented [hi2]: What does A, B, and C mean in terms of time? Are we targeting to complete A items in six months?

Commented [hi5]: Why are there different sites for the employees vs the public? What is the difference in the information on each site?

Workstream	Deliverable	Timeline Priority	Audit Ref.	Additional Budget Needed	Authority / Additional Authority Needed	Notes
						<p>Santa Monica and LA. Code to communicate a definition of "Ethics" for LB (Audit Rec. #6; p. 21) based on stakeholder input and collaboration. Consult with the City Attorney and City Manager to ensure the Code is in sync with existing City policies. Goal is to ensure a common understanding of expectations to establish clear expectations for by all City officials, employees, and the public.</p> <p><u>Function as subject matter experts supporting the City Manager in any dialog with unions as may be necessary.</u></p> <p><u>Submit finalized Code to the City Council for adoption.</u></p>
2.4.	Create comprehensive <u>companion document to the Ethics Code document citing source regulations, policies and procedures. Companion guide to replace current "Ethics Guide."</u>	A	Rec. #3-4 (pp. 14-16)	No	1,2,3,4,5/No	<p>Collaborate with City Attorney, City Auditor, Human Resources, and City Manager as needed. New ethics documents should include: Current Ethics Guide information; Information on pathways to report alleged violations; method(s) to obtain additional information and advice on ethics issues; anti-retaliation protection</p>

Commented [hi2]: What does A, B, and C mean in terms of time? Are we targeting to complete A items in six months?

Workstream	Deliverable	Timeline Priority	Audit Ref.	Additional Budget Needed	Authority / Additional Authority Needed	Notes
						policy; reference to any additional adopted ethics policies, ordinances, and regulations
2.5.	<u>Implement Apply new Ethics Code, and associated documents and web based resources following adoption by City Council and Guide to all City Employees</u>	B		No	1,2,3,4,5/Yes	<u>Charter amendment will be needed as well as assistance from Human Resources and other departments. Communicate with City Council and semi-independent Commissions (Harbor, etc.); work with non-City Manager departments to request buy-in and adoption of new ethics document; time issuance with bargaining unit negotiations; City Attorney to draft communication re expectations around adhering to Code of Ethics Collaborate with the City Manager on the implementation. This includes dialog with other independent commissions to encourage adoption of the Ethics Code.</u>
2.6.	<u>Develop Supplier Code of Conduct Conduct an assessment of current requirements, standards and policies applicable to procurement and contracts to</u>	C	Rec. #16 (p. 34)	No	1,2,5/No	<u>Develop Code of Conduct for city vendors; Assess forward facing public websites to determine if requirements are clearly delineated.</u>

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Workstream	Deliverable	Timeline Priority	Audit Ref.	Additional Budget Needed	Authority / Additional Authority Needed	Notes
	<u>identify if any enhancements are necessary.</u>					<u>Assess if additional terms and conditions language is needed in purchase orders and contracts to define the City's ethical standards.</u>
2.7.	Review, consolidate, and modify Anti-Retaliation Protection Policies , as needed	A	Rec. #20 (p. 39)	No	1,2,3/No	Collaboration with City Attorney, City Manager, and other departments will be needed <u>Submit finished product to the City Council for adoption.</u>
2.8.	Establish process to provide Advice and Information for City employees - to representatives of the City and the public on Ethics related Issues	C	Rec. #8 (p. 26)	Yes	1,2,3,4/No	<u>Website and/or anonymous email?</u>
2.9.	Review, modify <u>update</u> , and consolidate, as needed, Conflict of Interest policies	C	Rec. #5 (p. 18-19; Rec. #13 (p. 33)	Yes	1,2,5/Yes	Additional authority will be needed. Review process for oversight of collateral <u>outside</u> employment by City employees; <u>Develop a policy for adoption by</u> City Council requiring <u>certification of</u> absence of conflict at each meeting (Audit Rec. #13; p. 33) Request compliance by non-CM departments.
2.10.	Require <u>Draft amendment to Policy 32-1 requiring</u> that newly elected officials and City staff sign Disclosure of Any Members of Their Immediate Family on Staff with the City.	C	Rec. #14 (p. 34)	No	1,2/Yes	<u>Submit revised policy to the City Council for adoption.</u>

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Workstream	Deliverable	Timeline Priority	Audit Ref.	Additional Budget Needed	Authority / Additional Authority Needed	Notes
	<u>and recommend a process for monitoring.</u>					
Engagement & Outreach						
3.1.	Integrate Ethics Program language clearly in City's Municipal Code ; draft language and identify where in Municipal code to insert	C	Rec. #5 (pp. 18-19)	No	1,2,3,4,5/ Need approval of the changes	Identify best practices. May include: City's ethics principles; high-level rules and regulations; specification that Program covers City elected, appointed officials, and City employees, including those that do not report to the City Manager. Language of the City's broad ethical values. Specific requirements pertaining to: Campaign finance; Lobbying; Conflict of Interest; Anti-corruption; Governmental Ethics
3.2.	Create Ethics Training Program based on Code of Conduct, plan roll-out, and oversee deployment. Provide <u>Develop</u> tracking/ reporting mechanism for completion management compliance.	B	Rec. #12 & 19 (pp. 33 & 37)	Yes	1/No	Annual training: different <u>specifically targeted</u> for Elected & Appointed; Leaders; all others. To include tracking of mandatory sexual harassment <u>prevention</u> training. Assistance <u>Support</u> from Human Resources and other departments will be needed.
3.3.	Incorporate Supplier Code of Conduct into contracting; develop communications/ outreach to vendors	C	Rec. #16 (p. 34)	No	1,2,5/No	Work with City Staff to incorporate into contracting (at issuance or renewal); include reporting and

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Workstream	Deliverable	Timeline Priority	Audit Ref.	Additional Budget Needed	Authority / Additional Authority Needed	Notes
						oversight mechanism. Require consultants to submit financial disclosures, where appropriate. (Audit Rec. #18; p. 34)
3.4.	Create and execute Outreach Plan to City employees, elected and appointed officials	B	Rec. #6 & 7 (pp. 21 & 24) Are	No	1,3,4/No	
3.5.	Create and execute Public Outreach Plan with resources for public on ethics issues, including penalties	B	Rec. #6 (p. 21)	No	4/No	Establish website to house all materials, processes; include a guide with questions to understand what might be a conflict; look to use FPCC advice line and resources; other modes
Intake & Investigation						
4.1.	Establish Clear Paths for Reporting and investigation of Ethics Violations , including an anonymous reporting tool (hotline and on-line) and a city-wide database (to be used regardless of the reporting path)	A	Rec. #7 (p. 24)	?	1,2,5/No	Identify current paths for reporting certain offenses, <u>how investigations are assigned/conducted (including any legal requirements for conducting investigations)</u> and identify gaps; <u>and other resources to receive specific complaints such as</u> Include sexual harassment and discrimination policies
4.2.	Obtain necessary authority to work with City Auditor to implement process of Audits and Effectiveness Checks	B	Rec. #1 (p. 13)		1,2,5/Need access to info without broader publication	

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Workstream	Deliverable	Timeline Priority	Audit Ref.	Additional Budget Needed	Authority / Additional Authority Needed	Notes
4.3.	Establish / enhance Investigation Function within city and develop guidelines for City conducted investigations. Establish EC Role in Investigatory Process	C	Rec. #1 (p. 13)	Yes	1,2,5/Yes: Need modification to EC Charter	Charter Amendment will be needed. Prepare matrix of investigative authorities, including FPPC
Oversight of City Ethics Program						
5.1.	Implement Proactive Measures and Checks for Ethics Program effectiveness Work with City Manager, City Attorney and Auditor on process for receiving reports, data and information on ethics issues.		Rec #1, Std #1 (pp 11-13)	No	1,2,5/Yes if centralized in EC	Who is responsible for what? Consider centralization to ensure program consistency and effectiveness
5.2.	Specify Develop in collaboration with the City Attorney proposed Charter amendment specifying Penalties and Discipline that can be imposed for violations	C	Rec. #9 (p. 28)	No	1,2,3/Yes	Charter Amendment will be needed as well as assistance from Human Resources and other departments. Establish Corrective Action Guidelines Review what penalties/discipline is in place at other municipalities.
5.3.	Implement Prepare Prepare Municipal Code amendment requiring Annual Certification of Compliance with City's Ethics Code	A	Rec. #11 (p. 33)	No	1,2,5/No	May have different certs for employees, managers, and City Council. Collaborate with City Clerk, City Attorney, HR, City Manager, etc. Needed Submit Municipal Code amendment to City Council for adoption.

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Workstream	Deliverable	Timeline Priority	Audit Ref.	Additional Budget Needed	Authority / Additional Authority Needed	Notes
5.4.	Improve Form 700 Compliance , enforcement, and investigation	B	Rec. #21 (p. 44)	No	2,5/No	<u>May include recommendation of local fines and/or other penalties for adoption by City Council.</u>
5.5.	<u>Recommend improved process for Review existing of Gift Disclosures and Donors against City contracts, development projects to ensure there is no conflict of interest policy and propose updates as necessary. Establish a process for review of gift reports by EC.</u>	C	Rec. #22, 23; (p. 47)	No	1,2,5/No	<u>Collaborate with City Council, City Attorney, and City Manager to draft and recommend language and process that increases timely submission compliance of all applicable gift disclosure forms prior to or within 10 days of gift receipt.</u>
5.6.	Direct appropriate staff to Periodically Audit City Buyers' Activities	C	Rec. #17 (p. 34)	No	1,2,5/Yes	Charter Amendment may be needed as well as assistance from City Auditor's Office.
5.7.	EC <u>or City Auditor</u> to conduct Proactive Audits on Select Campaign Contributions and Expenditures	C	Rec. #15 (p. 34)	Yes, f conducted by EC	1,2,5/Yes	Charter Amendment may be needed <u>as well as assistance from City Auditor's Office Once a process has been established, if the EC does not have staff would we hire a consultant?.</u>
Lobbying & Campaign Financing Requirements						
6.1.	<u>Create Action Plan for Lobbying & Campaign Financing Requirements workstream</u>	B	Rec. #5 (p. 18)			Consider retention of external expert. <u>Review of existing policies and those in place at other municipalities.</u>

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Workstream	Deliverable	Timeline Priority	Audit Ref.	Additional Budget Needed	Authority / Additional Authority Needed	Notes
6.2.	Review City Lobbying & Campaign Financing Requirements and recommend changes, as needed	C	Rec. #5 (p. 18)	No	2/No	Benchmark; review distinction between advocacy and lobbying; non-profits/charitable organizations
6.3.	Review sample of Mayor and City Council Visit Logs and Calendars to identify lobbyists and ensure compliance with requirements	C	Rec. #24 (p. 49)	No	1,2,5/If needed to get access to the records	Calendars to be included in definition of public records <u>Requires staffing</u>
6.4.	Oversight of City Revolving Door Regulations	C	Rec. #25 (p. 49)	No	1,2,5/Yes	<u>Requires staffing</u>
6.5.	<i>Workstream deliverables to be expanded</i>					

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Duties of Ethics Commission

1. Support stakeholders in administering the provisions of the Charter and laws relating to campaign finance, conflicts of interest and governmental ethics
2. Recommend improvements to increase effectiveness of campaign finance reform, lobbying, governmental ethics and conflicts of interest laws
3. Advocate understanding of the Charter, City ordinances and the roles of elected and other public officials, City institutions and the City electoral process
4. Educate stakeholders about City, state, and federal ethic laws and the importance of ethics to the public's confidence in municipal government
5. Assist departments in developing their conflict of interest codes as required by law