

**From:** Parisa Vinzant [<mailto:parisa@vinzantgroup.com>]  
**Sent:** Wednesday, May 10, 2023 11:08 AM  
**To:** CityClerk <[CityClerk@longbeach.gov](mailto:CityClerk@longbeach.gov)>  
**Subject:** Public Comment - Ethics Commission Meeting 5/10 - Agenda item #3

**-EXTERNAL-**

Dear City Clerk, I hope this note finds you well. I've enclosed below my written public comment for Agenda Item #3 for today's Ethics Commission meeting. Thanks very much in advance for your assistance!

Best wishes,

Parisa Vinzant

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Dear Members of the Ethics Commission,

Good afternoon, my name is Parisa Vinzant, I'm an equity and inclusion consultant, and I was even the City's [Equity Toolkit](#) Consultant. Until I resigned in February 2023, I served five years as a Technology & Innovation commissioner, and I'm confident that without the collaboration of Long Beach's nonprofits, we wouldn't have been as successful as we were, and the City wouldn't have such a nationally recognized [Digital Inclusion Initiative](#).

I'm here to **strongly urge the Ethics Commission to remove** the Ad Hoc Committee's recommendations to include 501(c)(3) nonprofits and *advocacy* in the lobbying ordinance. The Ethics Commission already has *beyond* sufficient written and verbal testimony from its March meeting, and more today, that the proposed changes will not only irreversibly and negatively harm nonprofits but the structurally marginalized communities they serve, and that the City has a duty to serve.

But, if this Commission is unable to truly listen to and respect the voices of community leaders and make the right decision *today*, then I ask you **now to pause and work with the Office of Equity to conduct a racial equity analysis** of the proposed changes from the Ad Hoc Committee. And working with the Office of Equity is *key* here because I've seen community build trust in this Office over time, but the Commission and the Ethics Officer have not yet built this trust, nor has the City Manager's Office (in fact the opposite is true).

To not **pause and perform this equity analysis** would be a breach of your ethical duty under the very [Ethics Code](#) that you have recently revised. I call your attention to the entirety of Section F of the Written Pledge, "To recognize historic inequities and disparities and to support diversity and be inclusive in all the individuals' actions" and then especially F.2, F.3, and F.5:

- *F.2 "Anticipating effects of a decision on people in the City, especially if specific groups may be disproportionately harmed or helped."*

- F.3 “Working to ensure that all people in the City have the ability to actively participate and engage to eliminate barriers to public involvement in decisions, programs, and services.”
- F.5 “Incorporating an equity lens consistent with City policy to ensure all policies and procedures are developed to provide equitable and socially just programs and services for all residents and employees.”

When a substantive equity analysis is done, I am confident that outcome will demonstrate too great of disparate negative impact on specific vulnerable and marginalized communities to justify approval by the full commission of the Ad Hoc Committee’s draft key recommendations, especially since the policy problem identified by the Ad Hoc Committee as justification for removing the lobbyist exemption status for nonprofits lacks credibility and is largely based on hypotheticals.

It’s unfortunate we’re in this position today because the Ethics Commission is still a relatively new commission but decisions to date on this issue have only undercut your trustworthiness with community. The Ad Hoc Committee could have avoided some of this by choosing to reach out to community and nonprofit leaders as part of its research gathering process similarly as it did with city staff, but as far as I know, they did not. So, while one impacted stakeholder group, city staff, got to weigh in at the policy formulation stage—also the most equitable point from which to engage with community and/or impacted stakeholder groups, see the [Equity Toolkit](#) pages 28-29; 12-15—within the more informal setting of the Ad Hoc Committee process, community was shut out. What’s also notable is that the city staff consulted during the Ad Hoc Committee process were able to influence the Ad Hoc Committee to make a significant change—“replaced the proposed requirement for City electeds and staff to prepare reports of contacts by lobbyists, with appropriate funding to provide for robust audits of filings”—yet community and nonprofits had no such opportunity, which raises issues of fairness of process. Considering the City’s Ethics Code has recently been changed to clearly synch a Long Beach public servant’s ethical responsibility for centering and advancing equity goals, it is incumbent that the Ethics Commission try harder to embody those principles in all aspects of its work, especially engaging earlier and more meaningfully with the most impacted communities by your work. With this work though, how will the Ethics Commission remedy some of the ethical and equity missteps to date and ensure that you’re proactively leaning into your equity and inclusion duties?

I know this work is challenging, which is why I’ve shared the above recommendation to work with the Office of Equity in conducting a racial equity analysis on the Ad Hoc Committee’s recommendations should you not be able to reach consensus today to **remove the Ad Hoc Committee’s recommendations to include 501(c)(3) nonprofits and advocacy in the lobbying ordinance.**

For the record, I’m all for added transparency in government, and that goal must be *intentionally* balanced with the goals of equity and inclusion so as not to cause new harms and barriers and/or unintended policy consequences.

Thank you in advance for your consideration of these remarks. Thank you for your service on behalf of Long Beach!

Very best wishes,

Parisa Vinzant, MPA (*she/her/hers*)

Equity and Inclusion Consultant & Strategist, Vinzant Group Inc.

(email: [parisa@vinzantgroup.com](mailto:parisa@vinzantgroup.com))

**From:** James Suazo <[james@lbforward.org](mailto:james@lbforward.org)>

**Sent:** Wednesday, May 10, 2023 12:17 PM

**To:** CityClerk <[CityClerk@longbeach.gov](mailto:CityClerk@longbeach.gov)>; Heather Van Wijk <[Heather.VanWijk@longbeach.gov](mailto:Heather.VanWijk@longbeach.gov)>; Julian Cernuda <[Julian.Cernuda@longbeach.gov](mailto:Julian.Cernuda@longbeach.gov)>

**Cc:** Ishmael Pruitt <[ipruitt@projectoptimism.org](mailto:ipruitt@projectoptimism.org)>; Kathryn Miles <[kathryn.miles@tichenorclinic.org](mailto:kathryn.miles@tichenorclinic.org)>; [pamela@childrentoday.org](mailto:pamela@childrentoday.org); Andre Donado <[andre@wearelbre.org](mailto:andre@wearelbre.org)>; [Longbeachgraypanthers@gmail.com](mailto:Longbeachgraypanthers@gmail.com); Michelle Byerly <[mbyerly@tnpsocal.org](mailto:mbyerly@tnpsocal.org)>; Rocio Torres <[addy1412lbc@gmail.com](mailto:addy1412lbc@gmail.com)>; Romeo Hebron (FMC) <[romeo@filipinomigrantcenter.org](mailto:romeo@filipinomigrantcenter.org)>; [rhonda@dreamkreatorstudio.com](mailto:rhonda@dreamkreatorstudio.com); [david@lbcdesign.org](mailto:david@lbcdesign.org); Nancy Valencia <[nancy.valencia@dayslb.org](mailto:nancy.valencia@dayslb.org)>; [gregj@hannibalmediagroup.com](mailto:gregj@hannibalmediagroup.com); Aliyah Shaikh <[aliyah@lavoice.org](mailto:aliyah@lavoice.org)>; [pam@lbpecc.org](mailto:pam@lbpecc.org); [dora@childlane.org](mailto:dora@childlane.org); [caryn@ictlongbeach.org](mailto:caryn@ictlongbeach.org); Griselda Suarez <[griselda.suarez@artslb.org](mailto:griselda.suarez@artslb.org)>; Melissa Morgan <[melissa@lbforward.org](mailto:melissa@lbforward.org)>; Gaby Hernandez <[gaby@orale.org](mailto:gaby@orale.org)>; Elisa Nicholas <[enicholas@tccfamilyhealth.org](mailto:enicholas@tccfamilyhealth.org)>; susana.sngiem <[susana.sngiem@ucclb.org](mailto:susana.sngiem@ucclb.org)>; Lian Cheun <[lian@kgalb.org](mailto:lian@kgalb.org)>; Marlene Montañez <[marlene@lbforward.org](mailto:marlene@lbforward.org)>; Nubia Flores <[nubia@lbforward.org](mailto:nubia@lbforward.org)>  
**Subject:** RE: Comments on Lobbying Ad Hoc Progress Report to Ethics Commission

**-EXTERNAL-**

Hello-

On behalf of the undersigned community organizations, please see the attached public comment letter regarding Item #3 "Recommendation to discuss the progress report from the Ad Hoc Committee on the Lobbyist Ordinance recommendation." on the agenda for the Ethics Commission meeting scheduled for Wednesday, May 10th, 2023.

We request this letter be shared with members of the commission for their review and consideration. Thank you!

Sincerely,

Anaheim, Orange, Cherry and 7th Street Neighborhood Organization  
Arts Council for Long Beach  
Child Lane  
Children Today  
DAYS Long Beach  
Dreamkreator  
Filipino Migrant Center  
International City Theatre  
Khmer Girls in Action  
LA Voice

Long Beach Community Design Center  
Long Beach Forward  
Long Beach Gray Panthers  
Long Beach Residents Empowered  
Organizing Rooted in Abolition Liberation and Empowerment (ORALE), formerly LBIRC  
Peer Education Community Center  
Project Optimism  
The Children's Clinic (TCC) Family Health  
The Nonprofit Partnership  
Tichenor Clinic for Children  
United Cambodian Community

In solidarity,

**James Suazo** (*he/him/his*)

Executive Director

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May 10, 2023

Ethics Commission  
City of Long Beach

**RE: Comments Re: Lobbying Ad Hoc Progress Report to Ethics Commission and Proposed Recommendation to Amend the Long Beach Lobbying Ordinance**

Dear Commissioners,

Please accept these comments regarding the “Lobbying Ad Hoc Progress Report to the Ethics Commission” and the proposed recommendations to Long Beach’s Lobbying Ordinance, LBMC CH. 2.08. This letter is submitted by the undersigned 501(c)(3) nonprofit organizations who are extremely concerned regarding the proposed recommendations. While we support greater transparency in government, we believe the proposed recommendations as being discussed are a step in the wrong direction for the following reasons.

1. The latest changes to the recommendations from the February Ad Hoc report do not address the concerns raised regarding partnership, collaboration, and financial burden on 501(c)(3) nonprofit organizations and unfairly place even more barriers to the stated objectives than the March 2023 recommendations.

We firmly believe that the Ethics Commission should use their power to build bridges not barriers to community participation and decision making. Eliminating the exemption of 501(c)(3) nonprofit organizations from the Lobbying Ordinance will deter 501(c)(3) nonprofit organizations from partnering and collaborating with the City. Expanding the scope of the ordinance to include “advocacy” is a broad overreach of power that will stifle community participation and democracy. These recommendations will create further burdens to already overburdened organizations that are consistently being tasked with fulfilling the gaps that exist within society and in the community, many times of which we are asked to do directly from the City of Long Beach as good faith partners.

While the revised recommendations call for a continued exemption for “small” 501(c)(3) nonprofit organizations that only file 990-EZ or 990-N forms, this solution does not address the concerns previously raised by organizations and community members directly impacted. In the report, a scenario is given to justify the exemption elimination regarding a major non-profit educational institution. The reality of the matter is that a significant amount of 501(c)(3) nonprofit organizations that do mission-driven work within the City fall between budgets of \$200,000 and \$500,000,000 (the reported assets of the California State University, Long Beach 49er Foundation, a 501(c)(3) nonprofit organization).

Consider, for example, a 501(c)(3) nonprofit organization with a mission of providing job training for people experiencing homelessness, with gross receipts of \$600,000 and a staff of six full-time employees being paid living wages. The organization is aware the City has declared a homelessness crisis and is eager to help yet is overburdened with daily phone calls regarding housing, referrals, and fundraising efforts needed to keep the doors open. Over the span of two weeks, the Executive Director meets with the Mayor to discuss the homelessness crisis and what the organization has heard from people experiencing homelessness, while another employee meets with three other City Council Members to introduce them to the services and support they provide to residents within their respective council districts. For fulfilling their mission driven work and attempting to be good partners with the City, the 501(c)(3) nonprofit organization would meet the threshold requiring them to register as a lobbyist under these proposed recommendations.

2. Continuing to expand the scope of the ordinance to include “advocacy” is a direct barrier to civic participation and democracy that will prevent the City of Long Beach from working with any organizations who share the same community goals as the City.

Broadening the scope of the ordinance to include “advocacy” whether or not there is a specific matter pending for consideration is a chilling and drastic recommendation to make in a landscape where local governments are restricting rights, freedom of speech, and access for many marginalized groups. Labeling “advocacy” as “lobbying” and requiring registration and disclosure for any organization doing such will have a devastating impact on community collaboration and sends the wrong message from the City to any organized group of people who care about improving our City.

3. The recommendations continue to provide a solution in search of a problem while duplicating and complicating existing disclosure and transparency laws and practices.

501(c)(3) nonprofit organizations are unique in that they already have strict lobbying restrictions placed upon them by the federal government. For example, 501(c)(3)’s cannot spend more than approximately 20% of their expenditures on lobbying activities. These organizations are very careful not to exceed the various limitations, as the penalty includes not only fines, but also losing tax exempt status. Annual reports, such as the IRS 990 form, include information about lobbying and are publicly available records. Nonprofit organizations with 501(c)(3) status are allowed to engage in lobbying activities, but they must do so within certain limits to maintain their tax-exempt status. These organizations are permitted to engage in a limited amount of

lobbying activities, but if their lobbying activities become a substantial part of their overall activities, they risk losing their tax-exempt status.

4. The recommendations continue to conflate 501(c)(3) nonprofit organizations with paid lobbyists who gain profit from meeting with elected officials, and with for profit entities who stand to profit individually from their businesses in the City.

501(c)(3) nonprofit organizations are distinct from paid lobbyists who serve special-interest clients because our mission is to serve communities in need and provide a social good, not to turn a profit. The work of 501(c)(3) nonprofit organizations is, by law, designed to serve the most vulnerable within society and our community, many of whom are historically and purposefully left out of decision-making due to discrimination, language and cultural barriers, and fear of retaliation based on past history. Conflating the influence of 501(c)(3) nonprofit organizations to paid lobbyists that lobby for personal wealth or for the profit of corporate interests is unethical and inequitable.

5. Reporting cost and liability will reduce charitable dollars available to nonprofits that directly serve and benefit the Long Beach community.

At the March Ethics Commission meeting, you heard directly from our local foundation funders who grant millions of dollars to 501(c)(3) nonprofit organizations in the Long Beach community that the changes to the ordinance negatively impact their ability to fund nonprofits in Long Beach. In addition, many nonprofits have funding that prohibits lobbying – under a different definition, but using the same word – and so perception or misclassification of their activities will actually result in a catastrophic effect on their work for the Long Beach community. Nonprofits may choose to avoid activities that would require them to register or even be able to respond to requests for input from City officials who rely on input from nonprofits to better understand the needs of the community. Inclusion of 501(c)(3) nonprofit organizations in the revision of the Lobbying Ordinance would greatly shift a nonprofits ability and willingness to work closely with the city.

### Conclusion

We firmly believe that the Ethics Commission should use their power to build bridges, not barriers, to community participation and decision making. We respectfully ask the Ethics Commission to maintain the exemption of all 501(c)(3) nonprofit organizations and not include the broad “advocacy” scope in the key recommendations to the City of Long Beach Lobbying Ordinance.

Sincerely,

Anaheim, Orange, Cherry and 7th Street Neighborhood Organization  
Arts Council for Long Beach  
Child Lane  
Children Today



DAYS Long Beach  
Dreamcreator  
Filipino Migrant Center  
International City Theatre  
Khmer Girls in Action  
LA Voice  
Long Beach Community Design Center  
Long Beach Forward  
Long Beach Gray Panthers  
Long Beach Residents Empowered  
Organizing Rooted in Abolition Liberation and Empowerment (ORALE), formerly LBIRC  
Peer Education Community Center  
Project Optimism  
The Children's Clinic (TCC) Family Health  
The Nonprofit Partnership  
Tichenor Clinic for Children  
United Cambodian Community