

Date: October 11, 2023

To: Honorable Members of the Ethics Commission

From: Heather Van Wijk, Ethics Officer

Subject: Application and Selection Process for Current Commission Vacancy

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Effective October 12, 2023, Commissioner Luke Fiedler will be stepping down from his role as an Ethics Commissioner. Since Commissioner Fiedler was appointed by the Ethics Commission (Commission) pursuant to its authority in the Charter, the Commission is responsible for filling this vacancy.

### **CHARTER GUIDELINES FOR VACANCY**

Per [Charter Section 2401\(e\)](#):

1. The vacancy must be filled within 60 days of its occurrence.
2. The Commission must use the same method and procedure used for initial appointment.
3. The new Commissioner will serve the remainder of Commissioner Fielder's term, which will conclude on June 30, 2024. Following the expiration of the partial term, the Commission has the discretion to reappoint the incumbent or initiate an application process to select a different Commissioner.
4. Appointments to a partial term do not count towards the term of office of an Ethics Commissioner. Any person appointed for a partial term is eligible to serve for two (2) additional four (4) year terms. No member may serve for more than two (2) consecutive terms.

### **PROPOSED SELECTION PROCESS**

The process proposed below is consistent with the process and procedures used to select Commissioner Fielder, including the application, interview questions, and the interview process. After conferring with Chair Morales and Vice Chair Pollack, the staff is proposing the following technology and timing of selecting an interim commissioner.

This process is subject to approval by the Commission.

#### Timeline

- **Thursday, October 12<sup>th</sup> to Monday, October 30<sup>th</sup>** - Staff launches the recruitment and application.

- **Tuesday, October 31<sup>st</sup> to Friday, November 3<sup>rd</sup>** - Staff will review applications and resumes to ensure all applicants have met the minimum required qualifications. The list of qualified candidates will be placed on the Commission's Wednesday, November 8<sup>th</sup> agenda for discussion and selection of applicants for interviews. To ensure a fair and transparent selection process, all identifying information will be redacted from applications and resumes before given to the Commission.
- **Wednesday, November 8<sup>th</sup>** - Commission discusses and selects applicant pool for interviews.
- **Wednesday, November 15<sup>th</sup>** - Interviews and final selection at Billie Jean King Library (time TBD).
- **(TENTATIVE) Wednesday, December 6<sup>th</sup>** - If more time is needed for interviews or discussion, an additional meeting will be held and the final selection will be made.

#### Application

The application included as Attachment A was created using Microsoft Forms and is based on the previous [Commission application](#) to select Commissioner Fielder and the current City of Long Beach "[Commissioners, Boards and Committees Application](#)".

The Commission previously communicated that it prefers not to use NeoGov as the primary portal for collecting applications and resumes. Therefore, applicants will be prompted to send their resumes directly to Heather Van Wijk, Ethics Officer.

#### Minimum Qualifications:

- Must be a resident of the City of Long Beach.
- Must submit a resume.
- No member of the Commission, during his or her term, shall:
  - Currently hold elective office in the City of Long Beach, including the Long Beach Unified School District Board or the Long Beach Community College Board of Trustees.
  - Serve as an officer in any election campaign for or against a candidate for any current elected office in the City of Long Beach, Long Beach Unified School District or the Long Beach Community College District, or any City or District measure.
  - Be an employee of the City of Long Beach.
  - Employ or be employed as a person required to register as a lobbyist with the City of Long Beach.

#### Desirable Qualifications:

- The most qualified candidates will reflect the interests of the greater Long Beach neighborhood, non-profit and business communities.
- Candidates DO NOT have to have a background in ethics review; however, successful candidates will have a resume that demonstrates:
  - Significant involvement with local community organizations or other non-profit organizations in Long Beach; and,
  - Volunteerism within the Long Beach community.

Incomplete applications or candidates who do not meet the requirements to serve in this position will not be considered. Final appointment is contingent upon completing the onboarding process, including a background check.

#### Interview Questions

A list of example interview questions provided to the Commission during the initial round of appointments in 2020 is included as Attachment B. It was recommended by the Commission in 2020 that candidates selected for interviews be given the interview questions one week in advance. It was also recommended to allow candidates 5-6 minutes to answer questions and 4-5 minutes for any follow-up questions. This structure anticipates a significant number of interviews. However, if the number of candidates is limited, the time frames can be adjusted accordingly.

#### Interview Process

The entire interview and selection process is required to occur during open and public Brown Act meetings.

The Brown Act has limited exceptions to allow for a closed session of a body. The closed session exception for employment is limited to considering “the appointment, employment, evaluation or performance, discipline, or dismissal of a public employee or to hear complaints or charges brought against the employee.” This exception does not apply to the selection of a new commissioner since commissioners are not employees of the City.

To allow for as much anonymity as possible, candidates will be assigned a number instead of using their names.

#### Outreach

Outreach will comprise of the following strategies.

- Public Notice
- Ethics Commission LinkLB email

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- Ethics Commission Website
- Social media posts on City and City Clerk accounts, including Facebook, X, and LinkedIn
- Request to be included in Council District Newsletters
- Go Long Beach Citywide Newsletter
- Email to Neighborhood Resource Center groups and leaders

If you have any questions, please contact me at (562) 570-7443.

ATTACHMENTS:

- Attachment A - Application
- Attachment B - Sample Interview Questions

Cc: APRIL WALKER, ADMINISTRATIVE DEPUTY CITY MANAGER  
JORGE GODINEZ, ASSISTANT TO THE CITY MANAGER  
TAYLOR M. ANDERSON, DEPUTY CITY ATTORNEY  
JT NAGAYAMA, CITY CLERK ANALYST



## Ethics Commission Application - OPEN October 12, 2023 through October 30, 2023

Specific to the requirements outlined in the Long Beach City Charter (City Charter), the Ethics Commission (Commission) is seeking to fill one Commission-appointed vacancy by December 13, 2023. The appointment will be for a partial term that expires June 30, 2024. After the partial term is completed, the appointee has an opportunity to be appointed by the Commission to two additional full terms of four (4) years. Ethics Commissioners are limited to two consecutive full terms.

If you are interested in serving on this Commission, please be sure to answer all required questions below and follow all prompts correctly. This opportunity is only available to Long Beach residents.

Qualified applicants will be selected for interviews during the Wednesday, November 8, 2023 Commission meeting. If you are selected for an interview, you will be formally notified by email no later than November 9, 2023. Interviews will take place on **Wednesday, November 15, 2023**, and if needed, December 6, 2023, in a public meeting of the Commission.

Please read the roles and responsibilities of the Commission below or review Article XXIV of the City Charter:  
[https://library.municode.com/ca/long\\_beach/codes/city\\_charter?nodeId=CH\\_ARTXXIVETCO](https://library.municode.com/ca/long_beach/codes/city_charter?nodeId=CH_ARTXXIVETCO)

The role of the Commission is:

- To provide support to agencies and public officials in administering the provisions of the City Charter and other laws relating to campaign finance, conflicts of interest and governmental ethics;
- To make recommendations to the Mayor and the City Council concerning campaign finance reform, lobbying, governmental ethics and conflicts of interest and to report to the Council concerning the effectiveness of these laws; to assist departments in developing their conflict of interest codes as required by state law;
- To advocate understanding of the City Charter, City ordinances and the roles of elected and other public officials, City institutions and the City electoral process;
- To develop an educational program to familiarize newly elected and appointed officers and employees, candidates for elective office and their campaign treasurers, and lobbyists with City, state and federal ethics laws and the importance of ethics to the public's confidence in municipal government; and,
- Other duties as may be established by the City Charter or the Long Beach Municipal Code.

For additional information on the Commission, please visit the Ethics Program website:  
<https://longbeach.gov/citymanager/ethics-program/>

If you have questions, have technical issues, or need this form in an alternative format, please reach out to Heather Van Wijk at (562) 570-7443 or [heather.vanwijk@longbeach.gov](mailto:heather.vanwijk@longbeach.gov).

\* Required

1. First Name \*

2. Last Name \*

3. Email Address \*

4. Phone Number: \*

5. Home residential address, including city, state, and zip code \*

6. What district do you live in?

If you are not sure what district you live in, please visit the following website: <https://gis.longbeach.gov/MapIt/> \*

☐ 1

☐ 2

☐ 3

☐ 4

☐ 5

☐ 6

☐ 7

☐ 8

☐ 9

7. Why are you interested in serving on the Ethics Commission? \*

8. What is your personal definition of ethics and integrity? \*

9. Please describe your experience volunteering and/or community involvement in the Long Beach area. \*

10. Do you currently serve on any commissions, committees, or boards? \*

☐ Yes

☐ No

11. Do you or your employer contract with the City of Long Beach? \*

☐ Yes

☐ No

12. Do you currently hold elective office in the City of Long Beach, Long Beach Unified School District, or Long Beach Community College District? If yes, what office(s)? \*

☐ Yes

☐ No

13. Do you currently hold elective office in the City of Long Beach, Long Beach Unified School District, or Long Beach Community College District? If yes, what office(s)? \*

☐ Yes

☐ No

14. If you answered 'yes' to #12, please share below what elected position you currently hold. \*

15. Are you an employee of the City of Long Beach? \*

☐ Yes

☐ No

16. Do you employ or are you employed as a person required to register as a lobbyist with the City of Long Beach? \*

☐ Yes

☐ No

17. Do you serve as an officer in any election campaign for or against a candidate for any current elected office in the City of Long Beach, Long Beach Unified School District, Long Beach Community College District, or any City or District Measure? \*

☐ Yes

☐ No

18. REQUIRED: Code of Ethics and AB 1234 Ethics Training

*I understand Long Beach Municipal Code Chapter 2.07 requires Long Beach Commissioners to submit a written pledge, and complete the AB 1234 Local Ethics training required by California Government Section 53234 and every 2 years thereafter. If appointed, I agree to comply with these requirements in a timely manner.*

\*

☐ I agree

☐ I do not agree



19. REQUIRED: Statement Of Economic Interest Form: (700 Form)

*I understand that Long Beach commissioners are required file a Statement of Economic Interest (Form 700) disclosing their financial interests upon appointment, annually thereafter, and when leaving office. If appointed, I agree I will comply with this requirement and I will file my Form 700 prior to the deadline. \**

☐ I agree

☐ I do not agree

20. REQUIRED: Background Check

*I understand that as applicant for a Long Beach commission, I will be required to submit to a LiveScan background check and CA Department of Justice fingerprint check with the Long Beach Police Department. As an applicant for a Long Beach commission, I agree to submit a LiveScan background check and CA Department of Justice fingerprint check as part of the application process.*

*\**

☐ I agree

☐ I do not agree

21. REQUIRED: Public Scrutiny

*I understand that if appointed as to a Long Beach commissioner, I will be subject to general public scrutiny. I also understand that, if appointed, I will be subject the Brown Act and California Public Records Requests as a Long Beach commissioner, and I agree to comply with such laws. \**

☐ I agree

☐ I do not agree

22. REQUIRED: Service for Compensation or as a Volunteer

*The Salary Resolution for the City of Long Beach allows members of City advisory bodies to serve in one of three capacities: for (1) compensation, (2) as a volunteer without compensation, or (3) as a volunteer eligible for an expense reimbursement payment not to exceed \$500 per calendar year.*

Per federal tax regulations, members of advisory bodies choosing to volunteer must affirm their choice to volunteer on a yearly basis and prior to the tax year they are entitled to receive compensation pursuant to the City's Salary Resolution.

The amount of compensation for members of City advisory bodies and terms of compensation may be found starting on page of the FY 2023 Salary Resolution at <https://longbeach.legistar.com/View.ashx?M=F&ID=12288688&GUID=D95E1F15-72B5-4AF3-A7AC-576895C12C26>

I understand that, if appointed, I will be required to serve either for: (1) compensation, (2) as a volunteer without compensation, or (3) as a volunteer eligible for an expense reimbursement payment not to exceed \$500 per calendar year.

\*

☐ I understand

☐ I do not understand

23. Ethnicity: Please select all that pertain to you.

☐ American Indian or Alaska Native

☐ Asian

☐ Black or African American

☐ Hispanic or Latino

☐ Native Hawaiian or Other Pacific Islander

☐ White

☐ Prefer not to say

24. Date of Birth:

25. Gender:

- ☐ Female
- ☐ Male
- ☐ Non-binary
- ☐ Prefer not to say

26. Sexual Orientation:

- ☐ Straight/Heterosexual
- ☐ Gay or Lesbian
- ☐ Bisexual
- ☐ Prefer to self-describe
- ☐ Prefer not to say

27. If you selected 'prefer to self-describe' in question #23, please fill in the blank below.

28. RESUME REQUIRED: I understand that **I must send my resume** to [heather.vanwijk@longbeach.gov](mailto:heather.vanwijk@longbeach.gov) by October 30, 2023 to be considered for this vacancy or I will automatically be disqualified. \*

- ☐ Yes, I understand
- ☐ No, I do not understand

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**Example Interview Questions****Sacramento**

Why are you interested in serving on this commission?

Briefly describe the knowledge and experience that qualify you for this Commission.

**Irwindale****Parks & Recreation Commission**

Please tell us why you want to serve as a City Commissioner.

What do you believe is the role of a City Commissioner? Do you believe you possess the knowledge and background to serve effectively? Please explain.

In the area of parks and recreation, what do you believe the City should be doing?

If you were able to make a change, what areas in parks and recreation would you focus your attention on, and why?

**Planning**

Please tell us why you want to serve as a City Commissioner.

What do you believe is the role of a City Commissioner? Do you believe you possess the knowledge and background to serve effectively? Please explain.

In the area of planning, what do you believe the City should be doing?

If you were able to make a change, what areas in planning would you focus your attention on, and why?

1. What is your interest in becoming involved in serving our City on a Commission/Committee?
2. What did you do to prepare for this interview? Based on your preparation, please describe how you understand the position and its role with the City and its relationship to the community?
3. What is your experience of serving on a board that meets regularly or in attending formal meetings of an organization?
6. What specific qualities do you have that you feel will make you a good Commission/Committee member?
7. What do you think are essential elements of developing an annual program of work of a Commission/Committee?
9. What would be the one accomplishment that you most hope to look back upon at the end of your service as a City Commission/Committee member?

### **2020 Ethics Commission Interview Questions**

1. What specific qualities do you have that you feel will make you a good Ethics Commission member?
2. What is your interest in becoming involved in the City's Ethics Commission?
3. What would be the one accomplishment that you most hope to look back upon at the end of your service as an Ethics Commission member?