

Date: August 9, 2023

To: Honorable Ethics Commission Members

From: Monique De La Garza, City Clerk

Subject: Conflict of Interest Code Amendments

City Charter Section 2402(c) states the Ethics Commission has the duty and responsibility of assisting departments in development their conflict of interest codes, as required by State law. The Political Reform Act requires the City to adopt initial Conflict of Interest Codes (COI Codes). Government Code Section 87303 requires that each local government agency approve the COI Codes, including any amendments.

The following advisory bodies are submitted to the Ethics Commission for feedback prior to the submission of these amendments to the City Council for approval (Exhibit A):

- Long Beach Continuum of Care Board
- Golf Advisory Committee

These amendments are being requested pursuant to Fair Political Practices Commission Regulation Section 18700, which requires bodies that make substantive recommendations that are approved without significant amendment by another public official or a governmental agency to be included in a local Conflict of Interest Code. Though both bodies are advisory, they make recommendations to the City regarding policy and financial matters which are approved/adopted with little to no changes. All advisory bodies of the City are required to file Form 700s to ensure that there is transparency surrounding commissioners who make recommendations to City departments and the City Council.

Long Beach Continuum of Care Board

The Long Beach Continuum of Care Board (Long Beach CoC Board) serves as the locally designated primary decision-making group whose purpose and scope is to steward the planning, coordination, and implementation activities of the Continuum of Care (CoC) program as set out in 24 CFR 578. Under the HEARTH Act and 24 CFR 578, the main responsibilities of a CoC include:

- Operating the CoC system;
- Implementing a Homeless Management Information System (HMIS);
- CoC Planning;
- Operating a Coordinated Entry System (CES); and
- Preparing annual applications for CoC Funds.

The Long Beach CoC Board is a separate entity from the City of Long Beach. Details about the Long Beach CoC Board may be found [here](#).

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Golf Advisory Committee

The Golf Advisory Committee (Committee) provides a mechanism for resident input to the Director of the Department of Parks, Recreation and Marine (PRM), who is the City Manager's designee for the operation of the City's municipal golf course system. General duties of the Committee are to:

- Suggest and/or review proposed modifications to the City's Golf Operations Manual, and various Policies and Procedures for the City's golf operation;
- Suggest and/or review proposed changes to the City golf course fees and charges;
- Recommend annual expenditures from the City Golf Capital Improvements Fund;
- Apprise the PRM of trends and issues in the golf business; and
- Perform such other tasks as requested by the Director of PRM in furtherance of the purpose of the Committee.

Committee members are appointed by the Director of PRM. Bylaws of the Committee are enclosed as Exhibit B.

If you have any questions, please let us know.

ATTACHMENTS

CC: APRIL WALKER, ADMINISTRATIVE DEPUTY CITY MANAGER
JULIAN CERNUDA, ASSISTANT TO THE CITY MANAGER
HEATHER VAN WIJK, ETHICS OFFICER
TAYLOR M. ANDERSON, DEPUTY CITY ATTORNEY
JONATHAN NAGAYAMA, CITY CLERK ANALYST



Conflict of Interest Code EXHIBIT A (Final Draft)

Entity: Boards and Commissions

Agency: Long Beach Continuum of Care - HHS

Position	Disclosure Category	Files With	Status
Commissioner/Board Member	LBC-01	City Clerk	Added
Reason: Initial Code Adoption			

Total: 1



Conflict of Interest Code EXHIBIT A (Final Draft)

Entity: Boards and Commissions

Agency: Golf Advisory Committee - PRM

Position	Disclosure Category	Files With	Status
Commissioner/Board Member	LBC-01	City Clerk	Added
Reason: Initial Code Adoption			

Total: 1

Golf Advisory Committee

BY-LAWS

Article I – TITLE

Section 1

The title of this organization is the City of Long Beach Department of Parks, Recreation and Marine Golf Advisory Committee.

Article II – PURPOSE

Section 1 Public Input

The Committee's purpose is to provide a mechanism for ongoing citizen input to the Director of the Department of Parks, Recreation and Marine, who is the City Manager's designee for the operation of the City's municipal golf course system.

Section 2 Committee Duties

The general duties of the Committee are to:

- 1) Suggest and/or review proposed modifications to the City's Golf Operations Manual, and various Policies and Procedures for the City's Golf Operation.
- 2) Suggest and/or review proposed changes to the City Golf Course Fees.
- 3) Recommend annual expenditures from the City Golf CIP Fund.
- 4) Apprise the Department of trends and issues in the golf business.
- 5) Perform such other tasks as requested by the Director in furtherance of the Purpose of the Committee.

Article III – MEMBERSHIP

Section 1 Appointments

The Director of the Department of Parks, Recreation and Marine will make all appointments to this Committee.

Section 2 Number

The Committee will consist of no more than 9 members.

Section 3 Composition

Committee members will be selected from the following categories:

Description	Maximum Seats
A. <u>Golf Clubs:</u>	4
Each Men's and Women's Club may forward a nominee as chosen by the Club's Board of Directors and up to four members from this pool will be appointed by the Director	
B. <u>At Large</u>	5
Persons generally interested in golf, who have demonstrated intense involvement with and/or dedicated service to, the City of Long Beach Golf Operation, or have a background that could enhance discussions or recommendations relative to the Golf Operation	
C. <u>Concessionaire</u>	1
American Golf shall designate a non-voting, Ex-Officio representative to the Committee. This representative may serve on, and vote on actions of, Sub Committees	

Section 4 Nominations

Appointments from the Men's and Women's Clubs will be selected from nominations presented to the Director by their existing Boards of Directors. At Large appointments will be made from a pool of applications solicited and/or received by the Department of Parks, Recreation and Marine.

Section 5 Length of Service

Members will serve for a term of two (2) years. Members may be reappointed to the Committee following their first term, but in no event will any person serve more than four two-year terms in succession.

Section 6 Attendance

Any member with three unexcused absences during the calendar year's regular membership meetings will be subject to removal from the Committee by the Director. Absences may be excused in extenuating circumstances if submitted to the Secretary in advance.

Section 7 Powers

Nothing in this Article will be deemed to invest in the Committee, or its members, any supervisory powers over the actions and duties of any City employees, or of any lessee or any of said lessee's employees providing services on City golf courses. The Committee has no authority relative to the oversight of the Lease between the City and American Golf Corporation, however will be encouraged to opine and recommend on best practices for the operation of the courses.

Section 8 Vacancies

Appointments to fill vacancies will be handled in the same manner as original appointments. When a vacancy occurs during a term, the appointment to fill the vacancy will be for the unexpired term, and the appointee will be eligible for appointment in accordance with Article III, Section 4.

Article IV – MEETINGS

Section 1 Meeting Agenda

The Director or designee will be responsible for the preparation of the Agenda. The Secretary will prepare and post all Meeting Agendas prior to the scheduled meeting time.

Section 2 Time and Place

The Committee will meet at least quarterly. Scheduled Meetings will occur 4 times per year. Special Meetings may be called by the presiding officer, the Director or designee, or by a majority vote of the Committee members to conduct the business of the Committee.

Section 3 Notices and Minutes

The Secretary will maintain a record of each meeting's minutes that will become the official record of the Committee's proceedings. In addition, the Secretary will be responsible for the maintaining of minutes, mailing of meeting materials, and posting of required notices.

Section 4 Public Meetings

All meetings of the Committee will be open to the public and will comply with the intentions of the Ralph M. Brown Act of the State of California.

Section 5 Quorum

A majority of the appointed Committee members will constitute a quorum. A simple majority of votes cast when a quorum is present will decide a matter of question or a recommendation.

Section 6 Voting

Voting at Scheduled Meetings, Special Meetings and Sub Committee Meetings will be by members only. There will be no voting by proxy.

Section 7 Order of Business

A quorum being present, the order of business at all Scheduled Meetings of the Committee will be as follows:

- Roll Call
- Introduction of Guests
- Approval of Minutes
- Golf Operations Report
- Lessee's Report
- Committee Reports
- Unfinished Business
- New Business
- Future Agenda Items – Committee Members' Requests
- Public Comment
- Staff Comment
- Committee Members' Comment
- Adjournment

(Note: Agenda Items may be taken in any order at the discretion of the Chair)

Article V – OFFICERS

Section 1 Election

At the first meeting after the start of the City's Fiscal Year, the membership of the Committee will select the officers for the coming year as the first item of business.

Section 2 Officers

The elected officers will be the Committee Chair, and the Vice Chair. The duties of the officers will be expressly limited to presiding over the meetings of the Committee. The Secretary will be a non-voting, ex-officio member of the Committee, appointed by the Director from the Department's Golf Operations staff.

Section 3 Terms of Office

Officers other than Secretary will hold offices for a term of one year. No officer will serve more than two consecutive one-year terms.

Article VI – SUB-COMMITTEES

Section 1 Sub Committees

The Committee will have the following standing Sub Committees:

- Fees and Charges Sub Committee
- Policies and Procedures Sub Committee
- Capital Improvements Sub Committee
- Maintenance and Environmental Best Practices Committee

Section 2 Sub Committee Membership

Membership on Sub-committees will be through appointment by the Chair, with the consent of the entire Committee. Sub Committees must contain at least three members of the Committee and no more than one member less than a quorum of the Committee. Sub Committees may include non-members of the Committee based on expertise in the field of the particular Sub Committee, with no limits to the number or time of service for such members.

Section 4 Ad Hoc Committees

Additional Sub Committees or Ad Hoc Committees may be established by a majority vote of the Committee membership or at the direction of the Director. Ad Hoc committees will consist of at least three (3) members of the Committee.

Article VII – PARLIAMENTARY AUTHORITY

Section 1 Robert's Rules of Order

All committee business will be conducted in accordance with these By-Laws and governed by Robert's Rules of Order (revised), where the By-Laws are silent.

Article VIII – AMENDMENTS

Section 1 Notice

These By-Laws may be amended at any regular meeting of the Committee by majority vote of the members present, provided that notice of such proposed amendments is given to the Committee members at least one month prior to the meeting where the amendments will be considered.

Section 2 Ratification

The By-Laws and any future amendments will be subject to the final approval of the Director.

Approved August 2012

APPROVED


George Chapjian
Director