



City of Long Beach
Working Together to Serve

Office of the City Attorney

Memorandum

DATE: March 4, 2021

To: Ethics Commission

FROM: Amy R. Webber, Deputy City Attorney *AKW*

SUBJECT: Legislative Process and Timing of Commission Action Items

This memo is intended to address the process and timing considerations related to the adoption of current Commission action items: the Code of Conduct and Ethics ("Code of Conduct"), the Values Statement, and the Action Plan.

Of the three items, the Code of Conduct appears likely to replace the current "Ethics Pledge" contained in Long Beach Municipal Code section 2.07.010. The process for moving this item forward as an ordinance applying to City employees, volunteers and elected officials is as follows:

1. Commission finalizes draft Code of Conduct;
2. Commission staff forwards draft to the Human Resources Department for their determination of whether "meet-and-confers" with employee unions is required. The standard is whether the proposed ordinance would affect hours, wages or working conditions.
3. If required, allow time for the Human Resources Department to set up meet-and-confer consultations with employee unions. This process could take from a few weeks to several months.
4. Once meet-and-confers are either determined not to be necessary or completed, the draft is forwarded to all City departments, including City Attorney, City Prosecutor, City Auditor, Civil Service, Harbor and Water, for review and comment. This process could take a couple of months.
5. After the processes outlined in items 2 to 4 are completed, staff will bring to the Commission feedback received for Commission consideration and incorporation into the final draft, and subsequent adoption by the Commission.
6. The draft recommendation from the Commission to the City Council would be for the City Council to consider adoption of the Code of Conduct and request

Legislative Process and Timing of Commission Action Items

March 4, 2021

Page 2

the City Attorney to prepare an amendment to the Long Beach Municipal Code. At the Council meeting, the Council could (1) vote to approve this recommendation, with or without additional comments or feedback; (2) return it to the Commission for further revisions consistent with their directions; or (3) refer the item to a City Council committee (such as the Government, Personnel, and Elections Oversight Committee) for in-depth discussion. This process could take from one to several weeks. Following consideration by the Council committee, if applicable, it would be returned to the full City Council for their action at a future meeting.

7. Once the action is approved by the City Council, the City Attorney's Office prepares the ordinance and places it on the Council agenda. Ordinances are required by the Government Code to have two "readings" at least one week apart. The City Charter requires a majority vote for approval. A non-emergency ordinance takes effect 30 days after final passage.

As can be seen from this summary, once the draft is transmitted, it could take from several weeks to several months until a final ordinance is "on the books."

If you have questions regarding this memo, please let me know.

ARW:bg A21-00744
01246456.DOCX