

**CITY OF LONG BEACH ETHICS COMMISSION**  
**DRAFT ACTION PLAN 3.24.21- Updated 1.7.22**

| Workstream                                 | Deliverable   | Timeline Priority* | Audit Ref.   | Additional Budget Needed  | Authority / Additional Authority Needed | Notes / Next Steps  |
|--|---|--------------------|--|---|---|---|
| <b>Ethics Office Structure &amp; Staff</b> |   |                    |  |   |   |   |
| 1.1.                                       | Assess/Propose <b>Roles and Responsibilities:</b> Structure, Staffing, Leadership and Reporting | Q4 FY21            | <a href="#">Rec. #1</a><br>(p. 13)   | Need budget analysis then EC makes recommendation to Mayor and City Council delegates authority to EC | 2,3,4/No                                | Where within the city should the Ethics Commission report? City Manager? Define relationship between Commission and City Manager. How should the Ethics Commission be organized? Should there be an Ethics Office under the Commission? Should the Ethics Commission / Office be supported by a dedicated director? What is the optimal size of the Ethics Commission / Office Staff?<br><br>The Ethics Commission provides recommendations on policy direction pertaining to the City Ethics Program. The Commission is supported by the City Manager's Office, lead department, and the City Attorney's Office and City Clerk's Office. An Ethics Officer is expected to join the team in early 2022. |
| 1.2.                                       | Publish <b>Annual Report</b> on Ethics in the City with achievements of the EC in the past year | Q2 Annual          | <a href="#">Rec. #3</a><br>(p. 14);<br><a href="#">Rec. #10</a> ,<br>(p. 30) | No  | 3,4/No                                  | Public Report<br><br>A 2020 Annual Report was published in early 2021. An item to initiate a 2021 Annual Report has been added to the January 12, 2022 meeting agenda.  |
| 1.3.                                       | Establish a <b>Values Statement</b> for Ethics Commission                                       | Q3 FY21            | <a href="#">Rec. #5</a><br>(p. 18-19)  | No  | 1,2,3,4,5/No                            | Pre-work in full commission meeting, serves as foundation of work ahead.<br><br>The Commission has established the following values:<br><br>• Accountability—the willingness to accept responsibility and account for one's actions.  |

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|-------------------------|---|---------------------------|-------------------------------------|--------------------------------|--|--|
|                         |   |                           |                                     |                                |  | <ul style="list-style-type: none"> <li>• Fairness—ensuring equity and due process.</li> <li>• Impartiality—loyalty to the public good.</li> <li>• Diversity—embracing histories, values, and ideas from all backgrounds, and recognizing their contribution to improving the City’s operations, services, and programs.</li> <li>• Transparency—policies and procedures that are open to public observation and scrutiny.</li> <li>• Integrity—the practice of being truthful, seeking truth, and adherence to the City’s values.</li> </ul>   |
| 1.4.                    | Compile and Issue<br><b>Quarterly Ethics Reports</b>                          | Q2 FY22 then<br>quarterly | <a href="#">Rec. #10</a><br>(p. 30) | No                             | 1,2,3,4/Yes                                      | <p>City auditor to present annual fraud report to EC when ready. Quarterly reports 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 and the public periodically.</p> <p>In September 2021, the City Auditor presented on the case handling process and provided a report on the Fraud Hotline aimed to deter, detect, and disclose fraud within the City.</p> |
| <b>Ethics Resources</b> |   |                           |                                     |                                |  |  |
| 2.1.                    | Develop and Deploy <b>Ethics Media Site with resources for City Employees</b> | Q2 FY22<br>Then maintain  | <a href="#">Rec. #3</a><br>(p. 14)  | No                             | 3,4/No   | <p>Create/revamp digital home for all ethics and policy resources for City employees. Consider e-blast to employees re availability of resources. Site will be available to the public.</p> <p>Staff has created a <a href="#">Disclosure Reports and Ethics Portal</a> webpage that brings together various reporting resources and forms for the public, staff, and elected officials to access with ease. This work,</p>  |

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|            |   |  |  |                          |   | along with reviewing ethics resources on the Intranet (staff portal), is ongoing.  |
| 2.2.       | Develop and Deploy <b>Ethics Media Site with additional resources intended for the Public</b>       | Q3 FY22<br>Then maintain                   | <a href="#">Rec. #6</a><br>(p. 21)<br><a href="#">Rec. #7</a> ,<br>(p. 24) | No                       | 3,4/No                                  | Create/revamp digital home for ethics resources for public.<br><br>Staff has created a <a href="#">Disclosure Reports and Ethics Portal</a> webpage that brings together various reporting resources and forms for the public, staff, and elected officials to access with ease. This work, along with reviewing ethics resources on the Intranet (staff portal), is ongoing.  |
| 2.3.       | Develop “ <b>Code of Conduct</b> ” for city officials and staff (all departments)                   | Q3 FY21<br>(to begin process for adoption) | <a href="#">Rec. #5</a><br>(p. 18-19)                                      | No                       | 1,2,3,4,5/No                            | Research model versions of other municipalities. Code to communicate a definition of “Ethics” for LB (Audit Rec. #6; p. 21) Consult with the City Attorney and City Manager to ensure Code is in sync with existing City policies. Goal is to establish clear expectations for all City officials, employees, and the public. See Item 2.5 for timeline to adoption.<br><br>The Code has been drafted by the Commission, completed the internal review process, and is currently awaiting Meet and Confer with Human Resources. Meet and Confers are expected to be scheduled for February 2022. |
| 2.4.       | Create comprehensive <b>Companion Document to the Ethics Code</b> to replace current “Ethics Guide” | Q2 FY22                                    | <a href="#">Rec. #3</a> , <a href="#">Rec. #4</a><br>(pp. 14-16)           | No                       | 1,2,3,4,5/No                            | Document to include citation to source regulations, policies, and procedures. 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 policy; reference to any additional adopted ethics policies, ordinances, and regulations   |

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|            |   |   |  |                          |   | The Commission has been and will continue to review pertinent City policy to provide recommendations to staff. This work will also draw from the recommendations provided by the Ethics Capstone Team to ensure alignment with the City's ethics educational program. Work is ongoing.  |
| 2.5.       | Implement new Code and Guide to all City Employees                | Q3 FY22   |  | No                       | 1,2,3,4,5/Yes                           | Collaborate with the City Manager and Human Resources regarding implementation. Function as subject matter experts in any dialogue with unions as may be necessary. Communicate with City Council and semi-independent Commissions (Harbor, etc.); work with non-City Manager departments to obtain buy-in and adoption of new ethics document; time issuance with bargaining unit negotiations. Submit final Code to City Council for adoption and work with City Attorney to draft communication re expectations around adherence to Code of Ethics.<br><br>Awaiting completion of foundation deliverables. |
| 2.6.       | Develop Supplier Code of Conduct                                  | Q4 FY22   | <a href="#">Rec. #16</a> (p. 34);<br><a href="#">Rec #18</a> (p. 34) | No                       | 1,2,5/No                                | Conduct an assessment of current requirements, standards and policies applicable to procurement and contracts and incorporate into useful document for vendor employees. Consider financial disclosures by consultants involved in decision making positions. Work with City Manager.<br><br>Financial Management staff will present on current procurement process and Supplier's Code work in February 2022.  |
| 2.7.       | Review, consolidate, and modify (if appropriate) Anti-Retaliation | Q1 FY22 (for final draft to begin process for adoption if substantive changes | <a href="#">Rec. #20</a> (p. 39)                                     | No                       | 1,2,3/No                                | Collaborate with City Attorney, City Manager, and other departments. Submit to City Council, if needed.<br><br>Human Resources is preparing to present on existing policy in March 2022.  |

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|                                  | <b>Protection Policy</b> , as needed   | recommended )  |   |                          |  |  |
| 2.8.                             | Establish process to provide <b>Advice and Information</b> to City employees and the public on Ethics related Issues                       | Q1 FY23  | <a href="#">Rec. #8</a> (p. 26)                                     | Yes                      | 1,2,3,4/No                                 | Website and/or anonymous email / phone.<br><br>The Ethics Capstone Team recommendations will be reviewed for potential next steps.   |
| 2.9.                             | Review, consolidate, and propose modification or update, if needed, <b>Conflict of Interest</b> policies                                   | Q1 FY22 (for final draft to begin process for adoption of any recommended changes) | <a href="#">Rec. #5</a> (p. 18-19; <a href="#">Rec. #13</a> (p. 33) | Yes                      | 1,2,5/Yes                                  | Review process for oversight of outside employment by City employees; Develop a policy for adoption by the City Council requiring certification of absence of conflict at each City Council meeting (Audit Rec. #13; p. 33). Advocate / obtain compliance by non-CM departments.<br><br>City Attorney's Office, Human Resources, and City Manager's Office will be working to develop a presentation for the Commission in May/June of 2022. |
| 2.10.                            | Require that newly elected officials and City staff sign <b>Disclosure of Any Members of Their Immediate Family on Staff with the City</b> | Q4 FY22  | <a href="#">Rec. #14</a> (p. 34)                                    | No                       | 1,2/No                                     | Draft amendment to Policy 32-1 and submit for adoption. (Does City Manager have authority to change <a href="#">administrative regulation</a> or must this go to City Council?). Recommend process for monitoring.<br><br>Human Resources is preparing to present on existing policy in April 2022.  |
| <b>Engagement &amp; Outreach</b> |  |  |   |                          |  |  |
| 3.1.                             | Integrate Ethics Program language clearly in <b>City's Municipal Code</b> ; draft language and identify where in                           | Q3 FY23  | <a href="#">Rec. #5</a> (pp. 18-19)                                 | No                       | 1,2,3,4,5/<br>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.  |

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|            | Municipal code to insert   |                    |  |                          |   | Specific requirements pertaining to: Campaign finance; Lobbying; Conflict of Interest; Anti-corruption; Governmental Ethics   |
| 3.2.       | Create <b>Ethics Training Program</b> based on Code of Conduct, plan roll-out, and oversee deployment. Provide tracking / reporting mechanism for compliance oversight | Q4 FY22            | <a href="#">Rec. #12,</a><br><a href="#">Rec. #19</a><br>(pp. 33 & 37) | Yes                      | 1/No                                    | Annual training specifically targeted for Elected & Appointed; Leaders; all others. To include tracking of mandatory sexual harassment prevention training. Support from Human Resources and other departments will be needed.<br><br>Awaiting completion of foundation deliverables, and Commission and Staff to review Capstone Report.           |
| 3.3.       | Incorporate <b>Supplier Code of Conduct</b> into contracting; develop communications/ outreach to vendors  | Q1 FY23            | <a href="#">Rec. #16</a><br>(p. 34)                                    | No                       | 1,2,5/No                                | Work with City Staff to incorporate into contracting (at issuance or renewal); include reporting and oversight mechanism. Require consultants to submit financial disclosures, where appropriate. (Audit Rec. #18; p. 34).<br><br>Financial Management staff will present on current procurement process and Supplier's Code work in February 2022. |
| 3.4.       | Create and execute <b>Outreach Plan</b> to City employees, elected and appointed officials   | Q3 FY22            | <a href="#">Rec. #6,</a><br><a href="#">Rec. #7</a><br>(pp. 21 & 24)   | No                       | 1,3,4/No                                | The Ethics Capstone Team recommendations will be reviewed for potential next steps.   |
| 3.5.       | Create and execute <b>Public Outreach Plan</b> with resources for public on ethics issues, including penalties   | Q3 FY22            | <a href="#">Rec. #6</a><br>(p. 21)                                     | No                       | 4/No                                    | Establish website (per 2.2 above) to house all materials, processes; include a guide with questions to understand what might be a conflict; look to use FPPC advice line and resources; other modes.<br><br>The Ethics Capstone Team recommendations will be reviewed for potential next steps.   |

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| <b>Intake &amp; Investigation</b> |   |                    |                                    |                          |   |   |
| <b>4.1.</b>                       | Identify and if needed establish <b>Clear Paths for Reporting of Ethics Violations</b> , including an anonymous reporting tool (hotline and on-line) and a city-wide database (to be used regardless of the reporting path) | Q2 FY22            | <a href="#">Rec. #7</a><br>(p. 24) | ?                        | 1,2,5/No  | Identify current paths for reporting certain offenses and identify gaps; assess how investigations are assigned / conducted and identify gaps; identify other resources to receive complaints. Include sexual harassment and discrimination policies. What does accountability look like?<br><br>Civil Service and Human Resources Departments presented information on reporting pathways to the Commission as well as violation outcomes from 2019. The Ethics Capstone Team recommendations will also be reviewed for potential next steps on best way to educate staff on reporting pathways. |
| <b>4.2.</b>                       | Obtain necessary authority to work with City Auditor to implement process of <b>Audits and Effectiveness Checks</b>   | Q2 FY22            | <a href="#">Rec. #1</a><br>(p. 13) |                          | 1,2,5/Need access to info without broader publication |   |
| <b>4.3.</b>                       | Establish / enhance <b>Investigation Function</b> within city and develop guidelines for City conducted investigations. Establish <b>EC Role in Investigatory Process</b>   | Q3 FY23            | <a href="#">Rec. #1</a><br>(p. 13) | Yes                      | 1,2,5/Yes: If EC takes on investigative function.     | Prepare matrix of investigative authorities, including FPPC. Charter Amendment will be needed if EC to take on investigations.  |

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| <b>Oversight of City Ethics Program</b> |  |                    |  |                          |   |  |
| <b>5.1.</b>                             | Implement <b>Proactive Measures and Checks</b> for Ethics Program effectiveness  | Q2 FY22            | <a href="#">Rec #1, Std #1</a> (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. Work with City Manager, City Attorney, and City Auditor on process for receiving reports, data and information on Ethics issues  |
| <b>5.2.</b>                             | Identify <b>Penalties and Discipline</b> that can be imposed for violations. Assess possible changes.  | Q1 FY23            | <a href="#">Rec. #9</a> (p. 28)            | No                       | 1,2,3/ Potentially yes                  | Consult with Human Resources and the City Attorney any proposed changes. Establish Corrective Action Guidelines  |
| <b>5.3.</b>                             | Implement <b>Annual Certification of Compliance</b> with City's Ethics Code  | Q3 FY22            | <a href="#">Rec. #11</a> (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. as needed. May need amendment to Municipal Code.  |
| <b>5.4.</b>                             | Improve <b>Form 700 Compliance</b> , enforcement, and investigation  | Q2 FY22            | <a href="#">Rec. #21</a> (p. 44)           | No                       | 2,5/No                                  | Request updated report on status of Form 700 filings. May include recommendation of local fines and/or other penalties for adoption by City Council.<br><br>City Clerk provided multiple reports on Form 700 compliance and announced 100% Form 700 compliance for the latest filing period. |
| <b>5.5.</b>                             | Review existing Gift Disclosure policy and propose, if needed, improved process for <b>Review of Gift Disclosures and Donors</b> against City contracts, development | Q2 FY23            | <a href="#">Rec. #22, Rec #23;</a> (p. 47) | No                       | 1,2,5/No                                | 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; <a href="#">AR8-2</a> and <a href="#">AR2-5</a>   |



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|   | projects to ensure there is no conflict of interest  |                    |                                  |                          |   |  |
| 5.6.  | Direct appropriate staff to <b>Periodically Audit City Buyers' Activities</b>                      | Q3 FY22            | <a href="#">Rec. #17</a> (p. 34) | No                       | 1,2,5/Yes                               | Charter Amendment may be needed as well as assistance from City Auditor's Office.  |
| 5.7.  | EC to conduct <b>Proactive Audits on Select Campaign Contributions and Expenditures</b>            | Q2 FY23            | <a href="#">Rec. #15</a> (p. 34) | Yes, if conducted by EC  | 1,2,5/Yes                               | Charter Amendment may be needed. Once process has been established, would EC hire a consultant/outside auditor?  |
| <b>Lobbying &amp; Campaign Financing Requirements</b> |  |                    |                                  |                          |   |  |
| 6.1.  | Create <b>Action Plan for Lobbying &amp; Campaign Financing Requirements</b> workstream            | Q3 FY21            | <a href="#">Rec. #5</a> (p. 18)  | No                       | No                                      | Consider retention of external expert to conduct workshop with EC re best practices. For reference, resources and code <a href="#">LBMC 2.08</a> relating to Lobbying can be found here: <a href="http://www.longbeach.gov/cityclerk/services/lobbyist/">http://www.longbeach.gov/cityclerk/services/lobbyist/</a> |
| 6.2.  | Review <b>City Lobbying &amp; Campaign Financing Requirements</b> and recommend changes, as needed | Q4 FY21            | <a href="#">Rec. #5</a> (p. 18)  | No                       | 2/No                                    | Benchmark; review distinction between advocacy and lobbying; non-profits/charitable organizations<br><br><i>City Clerk will present on this issue in February 2022.</i>  |
| 6.3.  | Review sample of <b>Mayor and City Council Visit</b>   | Q4 FY22            | <a href="#">Rec. #24</a> (p. 49) | No                       | 1,2,5/If needed to get access           | Calendars to be included in definition of public records   |

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|             | <b>Logs and Calendars</b> to identify lobbyists and ensure compliance with requirements |                    |                                     |                          | to the records                          |                    |
| <b>6.4.</b> | <b>Oversight of City Revolving Door Regulations</b>                                     | Q1 FY23            | <a href="#">Rec. #25</a><br>(p. 49) | No                       | 1,2,5/Yes                               |                    |
| <b>6.5.</b> | <i>Workstream deliverables to be expanded</i>   |                    |                                     |                          |   |                    |

#### 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

\*Timeline Priority: Fiscal Year (FY): October 1 to September 30

Q1: October 1 to December 31

Q2: January 1 to March 31

Q3: April 1 to June 30

Q4: July 1 to September 30