


Date: March 16, 2023

To: Mayor and Members of the City Council

From: Thomas B. Modica, City Manager 

Subject: **Ethics Commission 2022 Annual Report**

On January 11, 2023, the Ethics Commission (Commission) approved a recommendation to transmit the Commission's 2022 Annual Report to the Mayor and City Council.

If you would like further information regarding this communication, please contact April Walker, Administrative Deputy City Manager, at (562) 570-6561 or via email at April.Walker@longbeach.gov.

ATTACHMENT

CC: DAWN A. MCINTOSH, CITY ATTORNEY
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KEVIN LEE, CHIEF PUBLIC AFFAIRS OFFICER
MONIQUE DE LA GARZA, CITY CLERK
DEPARTMENT HEADS

CITY OF LONG BEACH ETHICS COMMISSION

Margo Morales, Chair
Barbara A. Pollack, Vice Chair
Raul Añorve, Commissioner
Lani De Benedictis, Commissioner



Luke Fiedler, Commissioner
J.P. Shotwell, Commissioner
Susan Wise, Commissioner

2022 Annual Report

Calendar Year 2022 marked the third full year of activity for the Ethics Commission (Commission). As adopted by voters in 2018, Measure CCC created the Commission to monitor, administer, and implement government ethics in the City of Long Beach (City) and to develop an education program to enhance understanding of the importance of ethics to public confidence in City government. The Commission continued work throughout the year to fulfil the voters' mandate. This report provides an overview of the activities undertaken by the Commission to meet that mandate and support overall government transparency.

During 2022 the Commission conducted thirteen meetings. A surge in COVID-19 cases at the beginning of the year required a return to virtual meetings. Later in the year the Commission was able to return to hybrid and in person meetings at City Hall. The December Commission meeting was conducted at the El Dorado Park Thomas Clark Senior Center.

TRANSITIONS

The Fiscal Year 2022 (FY 22) Budget included structural funding for a full-time Ethics Officer. The City Manager's Office conducted the search for qualified candidates and those candidates meeting the qualification standards were referred to the Commission for first-round interviews. Three Commissioners participated in the first round of interviews and recommended the most highly qualified candidates to City Manager's Office for a second interview panel comprised of Ethics Commission staff including the Deputy City Manager, Assistant to the City Manager, Deputy City Attorney, and City Clerk Analyst. In April 2022, Heather Van Wijk joined the Commission in the role of Ethics Officer. Her prior experience working for the City enabled her to hit the ground running, and she quickly became a vital resource for the Commission.

The Commission experienced its first leadership transition in 2022. Inaugural Chair Susan Wise termed out of her leadership role in July. Former Chair Wise led the Commission through development of the Action Plan and implementation of structural processes. In addition, she facilitated Commission discussions during the selection processes for At-Large Commissioners and the City's first Independent Redistricting Commission. The Commission thanks former Chair Wise for her leadership as the Commission's Inaugural Chair. In July the Commission selected Margo Morales to serve as Chair and Barbara Pollack to serve as Vice Chair.

Additionally, the Commission underwent the first member transition in 2022. At the conclusion of her first term Commissioner Kimmy Maniquis resigned her position; she graciously agreed to continue participating in Commission business as former Mayor Robert Garcia searched for a replacement. The Commission would like to recognize former Commissioner Maniquis for her many insightful contributions during her tenure. In August the Commission welcomed Commissioner Raul Añorve. Commissioner Añorve has been an active community member and served previously on the City's Citizens Police Complaint Commission, and Grants Committee Panel for the Arts Council. Commissioner Anorve joined this Commission in August 2022 and serves concurrently on the Long Beach Transit Board of Directors.

ACTION PLAN

The Ethics Commission [Action Plan](#) outlines the policies, processes, and procedures the Commission has identified for review and, if appropriate, development of recommended enhancements and/or changes. During 2022 the Commission undertook and/or completed work on the following components of the Action Plan:

- **Code of Conduct and Ethics:** During the September meeting the Commission voted to recommend the City Council amend and restate Chapter 2.07 of the Long Beach Municipal Code to adopt the Code of Conduct and Ethics as drafted by the Commission. The recommendation was forwarded to and adopted by the City Council. The revised Code of Conduct and Ethics was codified in January 2023. The Commission believes this is the first of many steps to ensure that all City elected officials and staff share a common ethics language.
In support of the revised Code of Conduct and Ethics and the new ethics education program (Program), the Commission requested that City staff develop promotional items and a Program emblem and motto. The new motto, selected by City employees using two Citywide surveys, is “Anchored in Ethics.” The new emblem, based on feedback from the same two surveys, illustrates the City’s commitment to this motto. The Program will be rolled out in Spring 2023 upon implementation of the City’s new learning management system. Educational cohorts will focus on various aspects of the Code of Conduct and Ethics to facilitate staff understanding of expectations.
- **Supplier Code of Conduct:** Financial Management staff made a presentation to the Commission in February 2022 on current procurement process. Following the presentation, the Commission decided that development of a Supplier Code of Conduct would be a good companion document in alignment with the Code of Conduct and Ethics. The Commission thanks Financial Management, Development Services, the Office of Equity, and Commission support staff for their work in this area. A special thank you to Management Assistant, Sydney Thompson, who led the various teams to culminate a great draft for the Commission’s consideration.
- **Lobbyist Ordinance:** In February the Commission established an ad hoc work group to review and, if appropriate, recommend revisions to the Lobbyist Ordinance. The ad hoc began by reviewing lobbyist ordinances currently in place within California and other states. In June the full Commission conducted a special study session to review the information gathered by the ad hoc and provided recommendations on revisions the ad hoc should pursue. Given the depth of this issue, the ad hoc will continue its work into 2023, with the goal to provide recommendations to the City Council by Summer 2023.
- **Policy Presentations:** The Commission received staff presentations on the following topics:
 - Anti-Retaliation Protection Policy – no recommended changes at this time.
 - Conflict of Interest (Form 700) – The Commission adopted the City Clerk’s recommended process for the Commission to review proposed addition and/or deletion of positions from the reporting requirement.
 - Disclosure of Any Members of Immediate Family on Staff with City – The Commission provided input to the Human Resources staff tasked with updating the policy.
 - Informational only presentations were received on Gift Acceptance, Hiring Process, and Position Classification Development.

CITY CLERK’S CANDIDATE WORKSHOP

In February former Chair Susan Wise and then Vice Chair Margo Morales participated in the City Clerk’s Candidate Workshop. During the workshop Chair Wise reiterated the City’s commitment to ethical principles and encouraged all candidates to affirm their commitment to the Fair Campaign Practices Pledge.

REDISTRICTING COMMISSION SELECTION PROCESS

The Charter amendment to establish an Independent Redistricting Commission charged the Ethics Commission with responsibility to select the members of the Redistricting Commission. While the amendment requires the Redistricting Commission to file a report of their activities, no such corollary report is required of the Commission. The full Commission felt strongly that a report on lessons learned while selecting members should be filed with staff for use by the Commission in place in 2030. None of the Commission members who participated in the process will still be on the Commission at that time. The report, with recommendations on process improvements, was prepared and has been filed with City staff.

COMMISSION GOVERNANCE

The Commission remains committed to ensuring transparency in its meetings, operations, and processes, consistent with the revised Code of Conduct and Ethics. In October the Commission adopted a Disclosure Policy to further promote transparency in government. The Disclosure Policy requires Commission members to report public contacts where Commission business has been discussed (verbally or in writing). These disclosures are posted on the Commission’s website. The Commission voted to include the Disclosure Policy and its Campaign Contribution Policy in the [Rules and Procedures for the Commission](#).

CONCLUSION

The Commission strives to recommend policies, practices and procedures geared toward enhancing the public’s confidence in our City government.

The Commission would like to close by thanking the outstanding staff assigned to support these efforts:

JT Nagayama, City Clerk Analyst

April Walker, Administrative Deputy City Manager

Heather Van Wijk, Ethics Officer

Julian Cernuda, Assistant to the City Manager

Taylor Anderson, Deputy City Attorney