

August 25, 2010

**MINUTES OF A REGULAR MEETING OF THE  
TORRANCE ETHICS AND INTEGRITY COMMITTEE**

**CALL TO ORDER**

The Torrance Ethics and Integrity Committee convened in a regular session at 6:35 p.m. on Wednesday August 25, 2010, in the West Annex Commission Meeting Room, 3031 Torrance Boulevard.

**ROLL CALL**

Present: Committee Members Gottshall-Sayed, Matsuda, Payne and Chairman Montoya

Absent: None

Also Present: Staff Liaison to the Committee Lohnes, Deputy City Attorney Strader

**FLAG SALUTE**

The pledge of Allegiance was led by Member Payne.

**ORAL COMMUNICATIONS #1**

Member Matsuda announced that Centennial Planning Committee 2012 had event applications for any non profit or corporate entity that would like to sponsor an event in support of the 2012 Centennial.

**CONSENT CALENDAR**

**1. Report of staff on posting of the agenda**

Staff Liaison to the Committee Lohnes reported that the agenda for this meeting was appropriately posted.

**2. Approval of Minutes: June 23, 2010**

Considered separately

**3. Approval of Minutes: July 28, 2010**

Considered separately

Staff Liaison Lohnes requested that item 3, Approval of Minutes: June 23, 2010 to be pulled for separate consideration.

**2. Approval of Minutes: June 23, 2010**

Member Matsuda stated that on page 2 of 4, second paragraph, the reference should be to item 7 , not item 6 and that on page 3 of 4 under number 6, the items to be tabled were items 6 and 8, not items 6 and 9.

**MOTION:** Member Gottshall-Sayed moved for the approval of the Ethics and Integrity minutes of June 23, 2010 as amended. The motion was seconded by Member Payne and passed by unanimous roll call vote.

Ayes: Gottshall-Sayed, Matsuda, Payne and Chairman Montoya

Noes: None

Abstain: None  
Absent: None

### **3. Approval of Minutes: July 28, 2010**

City Clerk Herbers stated that the minutes of July 28, 2010 were not completed as finished. She noted that in after reviewing the minutes, she had not been satisfied that her presentation for the meeting was not as clear as she would have liked it to be.

She apologized for the delay and would present the minutes in a format that would be clear and understandable.

City Clerk Herbers proposed that the minutes of tonight's meeting be done in bullet point format noting that a record of any meeting only requires the following:

- Name of Committee/Commission
- Meeting time, date and place
- Name of presiding officer
- Names of all members - present and absent
- Description of each item of business as noted on the agenda, highlights of discussion if applicable
- Motions made, votes taken
- Adjournment time and next regular meeting, if applicable.

In response to a question from Member Gottshall-Sayed, City Clerk Herbers stated that the reasons for the bullet point format for the Ethics and Integrity Committee minutes of July 28 were:

- to clarify the information that the City Clerk presented
- to allow for a training period for the new recording secretary and
- to allow more time for review of the minutes by the City Clerk.

In response to a question from Member Gottshall-Sayed, City Clerk Herbers stated that previous recording secretaries had declined to take this meeting again because of the difficulties with the minutes for the Committee.

Staff Liaison Lohnes, Deputy City Attorney Strader and City Clerk Herbers commented on the structure of the meeting noting that lengthy discussions are not generally found in summary minutes.

The Committee discussed their concerns that the proposed bullet point format for the minutes would not capture all that had been said during the meeting.

The Staff and the City Clerk stressed that minutes never capture all that was said or who made the comments and that a summary by the Chairperson at the end of an item before going on would assist everyone with moving the meeting forward.

It was the consensus of the Committee that they would decide the format to be used for minutes, at the September meeting, after looking at the format for the minutes for the July and August meetings.

City Clerk Herbers stated that the tape of each meeting would be kept until the minutes of that meeting had been approved.

### **PUBLIC WORKSHOP**

The Ethics and Integrity Committee conducted a public workshop to create a complete package to be used by candidates for elective office.

Workshop Agenda:

- Identify components to be included in package
- Create policy statements
- Create a code of conduct
- Design a training component
- Identify next steps in implementing an ethics program for candidates

### **Identify components to be included in package**

Staff Liaison Lohnes noted that she had added the last bullet point, "identify next steps", to the agenda, to allow the committee a broad ability to add steps or processes as needed, within the scope of the existing agenda.

It was the consensus of the committee that the Workshop Agenda list contained the correct sequence and broad components for an ethics package for candidates.

### **Create policy statements**

Deputy City Attorney Strader reminded the Committee that any items that were distributed and used by the Committee during a meeting needed to be made available to the public as well.

Staff Liaison Lohnes noted that the Committee members could send their items to her prior to the meeting and staff would prepare copies for the Committee and the public for use during the meeting.

With a sample of a general policy statement the Committee to use as a reference on display for the Committee and the public Member Matsuda distributed copies of a draft policy statement that she created, incorporating information from the Blue Ribbon Committee documents as well as the City of Santa Clara policies, for the committee to use as a starting point for their policy statement.

Don Clouch, Torrance, suggested that much of the same information was in the City's Commissioner's Training Guide.

Member Matsuda suggested that the reverse side of the policy statement could be used to create a statement for the voter and clarified that the Code of Conduct that was listed in the draft policy statement was the Code of Conduct as created by the Blue Ribbon Committee.

In response to a question from Mr. Clouch, Deputy City Attorney Strader stated that the City could not require a candidate to sign an ethics statement.

Deputy City Attorney Strader clarified that

- the Committee would need to ask the City Council if the Committee would have the ability to contact candidates who failed to sign the ethics statement and that
- she would provide the Committee with the title and/or section numbers for the Torrance Campaign Ordinances for listing in the Policy Statement.

In response to a question from Member Gottshall-Sayed, Staff Liaison Lohnes stated that the Code of Fair Campaign Practices was a State document that was required to be signed and returned at the same time as the candidate's filing documents, if it was not returned at the same time, the document was not considered filed.

### **RECESS AND RECONVENE**

Chairperson Montoya called a recess between 8:20 p.m. and 8:29 p.m.

Member Payne suggested that the City Clerk could incorporate into her documents the items that the Committee had on their policy statement.

The Committee concurred that Member Matsuda and Staff Liaison Lohnes would work together to edit the draft policy and change the format from bullets to headers and distribute the revised version of the policy to all the members prior to the next meeting.

Member Matsuda stated that the reference material listed in the policy statement should be general, not specific.

There was a discussion on the options available to the Ethics and Integrity Committee if a candidate did not sign or file a Torrance ethics statement:

- Member Payne and Chairman Montoya not in favor of the Committee calling candidates that had not signed;
- Member Matsuda suggested sending a letter as a status report to candidates who had not signed
- Member Gottshall-Sayed stated that she did not think City Clerk Herbers could comment to candidates on unsigned ethics statements and thought that the Ethics and Integrity Committee should be the entity contacting candidates.

Chairman Montoya thanked the Committee for the great start to the policy statement.

The Committee concurred on keeping the same workshop agenda for the next meeting.

Chairman Montoya stated that in preparation for the next meeting,

- Member Matsuda would be reviewing the policy statement,
- Chairman Montoya would review various codes of conduct, (such as the Blue Ribbon Committee's) for inclusion in the package and
- asked Members Payne and Gottshall-Sayed to review the codes of conduct as well.

Deputy City Attorney Strader suggested that the Committee might be able to use an existing Code of Conduct, instead of developing a new code with Members Gottshall-Sayed, Matsuda and Payne agreeing that the Blue Ribbon Committee's Code of Conduct could be used for the package.

Staff Liaison Lohnes reminded the Committee members to forward all documents or reference material that they were planning to use at the next meeting, in order for her to make copies for distribution.

In response to a question from Member Gottshall-Sayed, Chairman Montoya noted that he was still waiting for documents on training components from City Clerk Herbers. Member Matsuda noted that City Clerk Herbers had suggested that the Committee assemble their training package and then present the package for her review.

The Committee concurred that they would each develop a list or outline of topics and components that they would include in a candidate training session and submit their information to Staff Liaison to the Committee Lohnes prior to the next meeting.

## **ORAL COMMUNICATIONS # 2**

It was noted that there would not be a new member for the Committee until January.

Staff Liaison Lohnes noted that Deputy City Attorney Strader had given her a draft of the ordinance that would prevent employees from serving on Commissions or Committees and Staff Liaison Lohnes would be preparing the staff report and presenting the ordinance for adoption to the City Council at the September 28 City Council meeting.

Staff Liaison Lohnes stated that the next Ethics and Integrity Committee would be September 22.

Member Payne requested that the Committee reconsider placing a notice in the Daily Breeze announcing the monthly Committee meeting.

There was a consensus to add the issue of placing a notice in the Daily Breeze to the agenda of the September meeting.

Chairman Montoya stated that he would be attending Committee Chair training on September 23 from 6:00 p.m. to 9:00 p.m.

Chairman Montoya announced that he had met with Mayor Scotto for a discussion regarding the Committee and noted that the Mayor had reiterated that he appreciated the tough challenge that the Committee was facing. Chairman Montoya stated that he confirmed with the Mayor that the Committee would be able to complete the candidate's package by next June.

#### **ADJOURNMENT**

At 9:46 p.m., there being no further business, Chairman Montoya adjourned the meeting to Wednesday, September 22, 2010 at 6:30 p.m. in the West Annex Commission meeting room.

Approved as Submitted September 22, 2010 s/ Sue Herbers, City Clerk
---