

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

1. CALL TO ORDER

The Torrance Blue Ribbon Committee on Ethics and Integrity convened in a regular meeting at 7:00 p.m. on June 6, 2007, in the Cultural Arts Center Garden Room.

2. ROLL CALL

Present: Members Adelsman, Furey, Gallagher, Gottshall-Sayed,* Mayeda, McCabe, Montoya, Payne, and Chair Hardison

Absent: Members Benoit and Skoll

Also Present: Assistant City Attorney Pohl, and Assistant City Manager Sunshine

* Member Gottshall-Sayed arrived at 7:07 p.m.

3. AFFIDAVIT OF POSTING

Assistant City Manager Sunshine indicated that the affidavit had been posted.

4. APPROVAL OF MINUTES – MAY 2, 2007

MOTION: Member Mayeda moved to approve the May 2, 2007 minutes as written. Member Payne seconded the motion and a voice vote reflected unanimous approval (absent Members Benoit and Skoll) with Members McCabe and Adelsman abstaining due to their absence from the meeting.

5. Discussion items which may involve review of such issues as gifts and gratuities, campaign finances, conflicts of interest, statements of economic interest, misuse of public funds; revolving door issues (post employment lobbying), meals, and staging photos for elections involving city vehicles and uniformed employees.

a) Review Standards for Final Draft

Member Gottshall-Sayed arrived at 7:07 p.m.

Chair Hardison distributed recommendations for changes to standards 7, 8, 12, 17 and 20 noting that she had worked to vary the wording. The Committee discussed the changes and adjusted some of them slightly to read as follows:

7. I accept individual differences and beliefs without prejudice and judge others based on their character, ability and conduct.

8. I gain personal value by respecting others' ideas, diversity, skills and knowledge.

12. I encourage others to be responsible by the example I set.

17. I will view my conduct through the eyes of those watching my actions to build and maintain the public's confidence.

20. I will uphold the public trust by never using city assets, information, or relationships for personal gain.

MOTION: Moved by Member Gottshall-Sayed and seconded by Member Gallagher to approve wording changes to standards 7, 8, 12, 17 and 20. A voice vote reflected unanimous approval (absent Members Benoit and Skoll).

b) Review Quarterly Report

The Committee discussed the need to make clear that the code and implementation of the code should be sustainable. Several copy editing and content revisions were made to the Quarterly Report including:

- Changing the second sentence to read:
The committee is now developing an implementation plan that will include long-term sustainable components.
- Changing wording in the first bullet under April 4, 2007 to read:
Compiled a number of scenarios that can be used as examples of ethical behavior with scenarios tailored to target groups.
- The paragraph under Work Still to be Accomplished as of June 26, 2007 was changed to read:
The first phase will focus on application of the code for:
elected officials
appointed officials including commissioners and ad hoc committee members
candidates for appointed or elected office
The second phase will address City of Torrance employees.
- One code will be applicable for all of these groups.
- The order of the bullets in the sub-group beneath that was changed with bullet three moved up to be the first bullet and everything else left as is.

Vice Chair Gallagher observed that the components of the code had been created but not packaged yet and a preamble to the code was still needed.

The Committee discussed the function of the preamble and different ways to create it, agreeing that each person would come to the next meeting with a maximum of five ideas in short bullet form for discussion about what should be included in the preamble.

Assistant City Manager Sunshine requested that Committee Members provide their information to him by June 27.

Chair Hardison requested that staff ask other cities for information about their implementation procedures as well as for copies of any posters or brochures they might use.

Member Gottshall-Sayed asked that staff investigate whether other cities have an annual letter to sign, a software program, an annual program at review time, or a requirement to sign a form as part of their performance based reviews.

Vice Chair Gallagher clarified that the Committee was working to develop a one-page code of conduct indicating what the City stood for and would also create a process for implementation.

Chair Hardison questioned whether the Committee wanted to focus on improving ethics or help with a better ethics culture in the city. She noted that implementation came before the preamble which would be discussed at the next meeting.

Member Adelsman suggested that department heads be separated out and treated as City officials rather than going through ethics training with their employees.

Chair Hardison indicated that executive staff had an organization and she pointed out that those issues would be addressed during implementation.

MOTION: Moved by Member Adelsman and seconded by Member Montoya to approve the report to the City Council as amended. A voice vote reflected unanimous approval (absent Members Benoit and Skoll).

Chair Hardison indicated that the committee had four months to complete the preamble and implementation and they should consider whether there were city regulations or ordinances they wanted to revisit.

Member Payne received clarification that more time was available if the Committee needed it.

c) Discuss Implementation Plan

The group discussed whether implementation should be separate from sustainability and agreed that enforcement might be a separate item as the Council might not want to support that element. Chair Hardison indicated a preference for using the word accountability rather than enforcement.

Vice Chair Gallagher pointed out that with accountability there is recognition.

The Committee discussed ethics success stories and how to recognize individuals and agreed that Implementation Strategy, Sustainability Strategy and Accountability were key elements in the process which included:

- Adoption of the Code by the Council,
- Kick-off Event
- Marketing
- Training
- Annual Review
- Self Evaluation Tool
- Community Assessment
- Small Ad Hoc Committee to Guide the Annual Review Process

Chair Hardison presented Metropolitan Water District materials, posters, whistle blower information, a pamphlet, and MWD fast facts, noting that she had envisioned something like what Torrance did during strategic planning that addressed values.

The Committee discussed marketing, training, and education and Vice Chair Gallagher commented that the task of the Committee was to determine the content while implementation is a suggested plan and up to someone else to determine. He felt it was not for the Committee to design the training program or lay out the details.

Member Payne noted that he had addressed the issue by noting "Council to direct implementation of ethics administration function within city management organization."

Assistant City Manger Sunshine noted that implementation depended on the direction of the Council. There could be a punitive implementation strategy, or a code of ethics and standards could be adopted as a guide to allow the Council to see if and where the violations are and an approach could then be created to deal with falling out of the ethics guidelines. He commented that ethical violations were not usually punished unless they were against the law.

Member Payne observed that there is usually a method to address purely ethical violations like a closed session where people are spoken to since if they have not broken the law they can not be fired.

Vice Chair Gallagher suggested that unless a committee is assigned it is management's decision as to whether there is an ethical violation and they then determine what is to be done to address it.

Chair Hardison reminded the Committee not to focus too much on employees as there is a process in place to handle that but she noted that there isn't a defined process for elected or appointed officials. She felt that the Council would have to determine who would take responsibility for implementation and would probably request a plan for implementation from the City Manager.

Member Mayeda suggested investigating what other cities do and forming subcommittees to brainstorm ideas for each component in the implementation strategy.

The Committee considered different ways to address the Sustainability Strategy including having some sort of self evaluation with input from the commissions and an annual review of the code. Various scenarios were put forth to address how to deal with complaints and monitor the program, including a committee appointed by the Mayor, a small citizen's committee, Council committees, or a bi-annual ad hoc Council committee and it was noted that there had to be someone from the City Manager's Office that was part of sustainability.

Member Adelsman noted that Los Angeles had an Ethics Commission.

Member Gottshall-Sayed suggested establishing a commission that only meets when there is an issue.

Chair Hardison related that when she was Mayor she dealt with ethics issues among commissioners by meeting with them and clarifying that they could not do certain things but she was not sure how to handle issues with Councilmembers.

Member Gottshall-Sayed indicated that might become more clear when the Committee knows how far it is going to go and how it is going to be and she suggested they wait to determine that piece.

Vice Chair Gallagher stated that it was easier to deal with in a structured environment and he proposed suggesting alternatives for the Council to consider.

Chair Hardison asked for discussion on the accountability piece and she felt employees were pretty much covered although maybe there needed to be a separate place for employees to go outside of their own boss for whistle blowing. Consequences would be separate and she supported the idea of employee or commissioner recognition.

Vice Chair Gallagher observed that in reality there were not many opportunities to reward people for doing what they were supposed to do but rewarding put a positive side on it rather than just being punitive.

Member Payne praised the Dawn Anfusio article and found the survey results interesting noting that training and penalties were least effective. He pointed out that what determined ethical behavior was the behavior of top management and positive reinforcement for ethical behavior by management noting that the Council themselves would be the biggest players in establishing the standard.

6. ACTION ITEMS

- a. Approve Standards**
- b. Approve Quarterly Report**
- c. Approve Segments of Implementation Plan as Appropriate**

7. ORAL COMMUNICATIONS

Member McCabe indicated that he would have to miss the July meeting and Member Mayeda indicated that he would be unable to attend in August. Chair Hardison noted that Member Skoll would be unavailable in July but had agreed to provide input on the draft report.

Chair Hardison asked for Oral Communications from the audience but there were none.

8. ADJOURNMENT

At 9:05 p.m., the meeting was adjourned to Wednesday, July 11, 2007 at 7:00 p.m., in the City Manager's Assembly Room, Third Floor of Torrance City Hall.

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| Approved as Submitted July 11, 2007 s/ Sue Herbers, City Clerk |
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