

November 1, 2006

**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 November 1, 2006, in the Cultural Arts Center Garden Room.

2. ROLL CALL

Present: Members Adelsman, Benoit, Furey, Gallagher, Gottshall-Sayed, Hardison, Mayeda, McCabe, Montoya, Payne, and Skoll.

Absent: None.

Also Present: Assistant to the City Manager Sunshine, Assistant City Attorney Pohl, and Management Associate Fran Fulton.

3. AFFIDAVIT OF POSTING

City Clerk Herbers indicated that the affidavit had been posted.

4. WELCOME BY MAYOR SCOTTO

Mayor Scotto thanked committee members for agreeing to serve noting it was the first time a diverse group of volunteers like this had ever come together to talk about ethics. He acknowledged the importance of the very difficult task before them and he felt that the work they did would have a lot of meaning for elected officials, commissioners and employees, with the documents they created being used in the City forever.

Mayor Scotto reported that staff had certain goals they wanted to see accomplished but the group would determine the direction of the committee and the ultimate guidelines. He indicated that all meetings would be open to the public, agendaized and posted for anyone who wanted to come and speak, and although they would like to see the code completed in a year, there is no time limit and if there is more to do after that time, the committee can continue work until it is done.

Mayor Scotto indicated that he would not stay for the meeting as he wanted them to know it was their committee and he invited Frank Tyrrell to speak for a few minutes about the importance of what they were doing as he felt Mr. Tyrrell brought a unique amount of knowledge about their task.

Member Hardison thanked Mayor Scotto for coming out on his birthday.

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Dr. Frank Tyrrell presented articles in the Daily Breeze relating to the formation of the Blue Ribbon Committee, thanked the committee members for repeatedly responding to the call of service and invited them to attend his university class on ethical leadership. He provided a background on his life and history in the City and recognized the immense importance of their work noting that it would affect the culture of the community and would be institutionalized into City government and operations for decades to come.

Dr. Tyrrell stated that one of his mentors is Harvard ethics professor and Pulitzer Prize winning author Robert Coles who has written 62 books, all focused on ethics. He noted that out of famous literature is the idea of how we can be better human beings and the committee will be help citizens and employees do that.

Mr. Tyrrell displayed a book he uses in his class is entitled "Smart Communities" by Suzanne Morse which helps communities be more responsive to the people that they serve. He commented that it was important to preserve the past that has been good and part of the culture of the City, but it is also important to find ways to do a better job by building on community strengths. He stated that they were growing leaders by practicing democracy, serving the public, speaking the truth and always going back to the values, integrity, ethics and standards that they are developing.

Mr. Tyrrell cited a new book by Kim Blanchard, author of "The Ten Minute Manager" which espouses the belief that we are servant leaders and hope will shine as a result of our work to improve the community. He encouraged members to take what is good and move to great by defining organizational values, the mission, visions, and strategic plan and then provide for continuous improvement.

Mr. Tyrrell emphasized that they would be going through a process where they would be learning, studying, sharing knowledge, and experiences, shaping and re-shaping their work, ideas and thoughts just as an artist does. Their vision for their work will include expectations that center around how to help the City and every single person grow and learn. Committee members will learn from each other and have access to materials from other cities that they will be implementing and revisiting. He felt that the code should be a living document that does not sit on a shelf, but rather grows with feedback and experience.

Mr. Tyrrell suggested members think about very ethical people that they have known or even someone they would have liked to have met from history. He distributed an article from the Santa Clarita University Center for Ethical Studies entitled "A Framework for Ethical Studies" and he also presented the books "Making Ethical Decisions" and "The Five Principles of Public Service Ethics" to each committee member.

Assistant City Manager Sunshine clarified that the books were presented as a flavor of what is available and he added that some information had been distributed with additional information handed out as available.

Staff and committee members introduced themselves and provided short summaries of their backgrounds and history with the City.

5. ACTION ITEMS

5a. Selection of Chair

MOTION: Moved by Member Benoit, seconded by Member Gottshall-Sayed and unanimously passed by roll call vote that Member Hardison serve as Chair for the Blue Ribbon Committee on Ethics and Integrity, with the exception of Member Hardison who abstained.

Chair Hardison thanked committee members for their vote of confidence and she commented that the City seemed ready for a codified ethics code. She felt that instances when the City did not operate ethically were few and far between but she felt it important to learn from experiences and put things down in writing.

5b. Selection of Vice-Chair

Member Gallagher was nominated to serve as Vice Chair of the Blue Ribbon Committee on Ethics and Integrity and a roll call vote reflected unanimous approval.

The committee discussed meeting dates and times and it was agreed that the first Wednesday of the month was a good time for everyone.

6. REVIEW ITEMS

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.

Assistant City Attorney Pohl explained that the language of item 6 was broad language taken from the resolution as staff was not sure in what direction the committee wanted to go. He pointed out that the committee needed to determine what their priorities were, how they would deal with them, and whether tasks would be delegated. He added that staff would need instruction as to what would be needed for the next meeting.

Responding to Chair Hardison, Assistant City Attorney Pohl explained that the committee was required to abide by the Brown Act and he would act as policeman to ensure it was followed. He emphasized the importance of not violating the Brown Act by talking amongst themselves outside of the meeting unless they are on a subcommittee and he added that while one or two people can talk, there can not be a collective consensus developed outside of the meeting.

a) Prioritizing areas of review and study

Chair Hardison discussed the process and structure of the committee noting that there were things that the City Council felt important to be included. She felt it important in the beginning to keep the group together and have discussion, but as the process continued and things need to be written, subcommittees could be formed to handle assigned tasks.

City Clerk Herbers announced upcoming commission training in November.

The committee agreed to operate on an informal basis, making decisions by general consensus

Member Furey suggested that the call for a code of ethics had come from the community's perception of unethical behavior.

Vice Chair Gallagher observed that people identified with examples and noted that their intent was to teach and guide rather than trying to catch anybody doing anything wrong. He added that the goal should be a good balance based on values with the integration of minimum standards to hold people to.

Member Gottshall-Sayed proposed that the code would be used as part of the employee manual for staff and materials for any candidate to study so they have a clear understanding of where their boundaries are. She felt the mission should be to create an operative manual for staff, those working in a volunteer capacity and for elected officials so they have a clear understanding of what is expected with them, stated in a positive way with examples of what can and can't be done. She also suggested providing a contact person to give guidance if there are questions and she noted that the code would serve as a tool to protect and help people, not to punish them.

Committee members discussed the Metropolitan Water District and Metropolitan Transit Authority codes of ethics and the costs associated with developing them. Assistant to the City Manager Sunshine indicated that there was a budget in place to support the committee and staff could approach the City Council for additional support if the committee felt that was required for implementation.

The committee agreed to set quarterly goals and provide quarterly status reports to the City Council to receive feedback and keep them up to date. Protocol in contacting staff was discussed and Assistant City Attorney Pohl cautioned against members emailing each other about committee matters during their tenancy on the committee as that could easily violate the Brown Act.

The group considered whether to focus on a values approach or a composite of the law and values and Vice Chair Gallagher felt they should be consistent with the strategic plan. He read values contained in the Torrance strategic plan and Chair Hardison received clarification that everyone was comfortable starting out with the strategic plan values and adding and adjusting as necessary. She suggested summing up the value sentences in one word to make them easier to remember.

Member Skoll suggested having a subcommittee work out details and Assistant City Attorney Pohl explained that the subcommittee would need to contain less than a quorum, and if they communicated with others outside of the subcommittee they would be violating the Brown Act.

Member Skoll suggested four members serve on the subcommittee with Chair Hardison or Vice Chair Gallagher also serving. Member Gottshall-Sayed questioned whether a minutes secretary would attend the subcommittee meetings and Chair

Hardison explained that would not be necessary as they would be meeting in small groups to wordsmith in order to bring back a product that the group would accept as a whole.

The Committee discussed general goals they foresaw needing to accomplish:

- Determining who the Code applies to
- Determining whether the committee has responsibility for training
- Examining current laws
- Keeping the Code simple, straightforward and unambiguous
- Enforcement
- Ongoing Education
- Providing a draft to those parties affected for feedback
- Crafting a preamble to explain ethics in the City

Suggestions included:

- Modeling the code after existing codes and shaping it to Torrance
- Enforcement Agency: City Attorney's office or an Ethics Commission
- Failure to report unethical conduct is not ethical
- Including not only what is ethical conduct but also specifying unethical conduct
- Examining past problems with ethical conduct in the City
- Starting with elected officials, and following with Commissioners and staff

b) Information and agenda for next meeting

Chair Hardison suggested that the committee spend time at the next meeting formulating the values and simplifying them. She suggested that the group might then be ready to divide into subcommittees to do tasks and she noted that by the January meeting they should be into the implementation aspect of the code, and by the end of January she wanted to see progress on the section dealing with elected officials.

c) Instruction to staff

The Committee asked staff to provide:

- Ethics Guidelines or Standards already in place, for the City overall, for commissions, and by department
- Executive Summary of the Strategic Plan
- A copy of City Campaign Law
- Campaign Finance Information
- Torrance Gift and Gratuity Policy
- Commission public trust documents
- Commissioner training relating to the Brown Act
- A calendar of meeting dates for the next 12 months

Member Skoll agreed to provide staff with information to be included in next packet and Chair Hardison asked that all requested material be provided one week before the next meeting.

7. **ORAL COMMUNICATIONS**

None.

8. **ADJOURNMENT**

At 8:56 p.m., the meeting was adjourned to Wednesday, December 6, 2006 at 7:00 p.m., in the Cultural Arts Center Garden Room.

Approved as Submitted December 6, 2006 s/ Sue Herbers, City Clerk
