

Council Meeting of  
August 10, 2010

Honorable Mayor and Members  
Of the City Council  
City Hall  
Torrance, California

**Members of the Council:**

**SUBJECT: Report of the Ethics and Integrity Committee regarding the  
Status of Ethics Training**

**RECOMMENDATION:**

Recommendation of the City Manager that the City Council accept and file a report from the Ethics and Integrity Committee concerning status of ethics training efforts within the City of Torrance

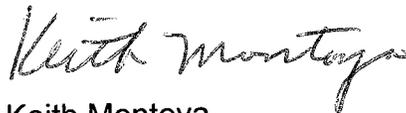
**FUNDING:**

Not applicable

**BACKGROUND AND ANALYSIS:**

The Ethics and Integrity Committee was established by the City Council Ordinance adopted on May 20, 2008 and the Committee has conducted 13 twelve meetings since June 24, 2009. During the fall, the Committee had an opportunity to review the ethics training given to City employees as well as providing input into the City's New Employee Orientation process. Among the powers and duties granted to the Committee by Section 13.20.7 §(b), the Committee shall have the power to "...develop reports to the City Council on the status of the development of the Ethics and Integrity program inclusive of types of training, marketing and outreach...." The Committee's report is attached for the Council's Consideration.

Respectfully submitted,



Keith Montoya  
Chairman of the Ethics and  
Integrity Committee

  
Laura Lohnes  
Staff Liaison to the Ethics and  
Integrity Committee

NOTED:

  
LeRoy Jackson  
City Manager

Attachment A: Report of the Ethics and Integrity Committee regarding the status of ethics training and outreach efforts

**City of Torrance**

**Ethics and Integrity Committee**

**Report to the City Council Regarding the Status of Ethics  
Training**

**Date August 10, 2010**

## **Introduction**

Since the Committee first began meeting in June of 2009, the Ethics and Integrity Committee has had the opportunity to participate in and/or make recommendations to the Torrance University Ethics Training Program and for the City's New Employee Orientation. In the report that follows, the Committee reviews these initiatives and offers insights and recommendations that will ensure that the City's culture reflects the ethical practices expected by the Torrance community.

### **Torrance University**

Torrance University is a relatively new initiative designed to provide training to employees on the core knowledge that is expected of them as they serve the public. The first course offering, referred to as CORE, spans six sessions and includes the following topics: customer service, communication, ethics and municipal government. Each session is 4 hours in length and that time is divided between facilitated exercises (about 80%) and instructional videos and lecture presentation (20%). It is the City's plan to have all full-time City employees (approximately 1,400) complete their CORE training classes by the end of 2012.

Torrance University embraces a philosophy that emphasizes small class size and shared experience among the students. Students are required to complete their session with all of the same classmates and rescheduling class sessions is strongly discouraged. Ethics is taught as the fifth session in the series and by the time the class reaches this session, it is hoped that a sense of community has developed, creating the trust necessary for employees to tackle this highly personal and emotional subject in an honest and constructive manner.

While the Committee did not attend an actual class session, Torrance University personnel arranged for an instructor to present the Torrance University Ethics Program over two meeting sessions held on September 23, and October 21, 2009. At these sessions, the Committee worked through the same exercises, viewed the same video presentations, and received the same supplementary materials (see Appendix A) that are used for the actual Torrance University classes. Mr. Viet Hoang, member of the Training Team responsible for the development of Torrance University, also attended the training and addressed many of the questions and concerns raised by the Ethics and Integrity Committee after the Ethics Training Program Instruction was concluded.

Overall, the Committee was pleased with the material contained in the Ethics Program contained in the Torrance University Curriculum. The Committee; however, did have some concerns, which are listed below:

1. The amount of time required for all employees to complete Ethics Training is too long.
2. New employees should receive immediate training on Ethics
3. Assessment and follow-up should be undertaken to ensure that the principles learned during the Ethics Program are actually being applied when the employee returns to work
4. Ethics training needs to be ongoing and held at regular intervals
5. The scenarios contained in the training are too generic and need to be revised to include more Torrance-specific scenarios
6. Ethics training should contain one code of conduct for all employees and a consistent set of values should be developed for inclusion into the Ethics program (i.e. employees should be asked to commit to a code of conduct in a manner similar to the City Council's adoption of the City's Code of Ethics as developed by the Blue Ribbon committee).

In regards to the Committee's assertion regarding the length of time in which all employees would be taking the Ethics program, the Committee suggested that perhaps the Ethics program should be handled outside of the Torrance University initiative. Committee Members voiced support for computer-based courses; employing a "train the trainer" methodology; and examining ethics resources available in the Library. Mr. Hoang indicated that at one point the Training Team had considered idea of a keynote speaker offering ethics training to approximately 500 employees at one time. While this approach would enable the City to train staff more quickly, the research conducted by the Training Team indicated that this type of training does not provide the level of engagement found in the small group participation method employed by Torrance University. Similar problems of engagement might also occur with the use of computer-based courses. Mr. Hoang also indicated that all new employees will be expected to complete CORE training within their first year of employment.

Committee Member Gottshall-Sayed asked Mr. Hoang if the concept of a "secret shopper" could be used to assess if employees are actually applying the concepts presented in the Torrance University program. Mr. Hoang cautioned the Committee that this type of assessment tool could impact labor relations and require the City to meet and confer. As an alternative, Committee Member Matsuda introduced the idea of supervisors periodically offering vignettes for employees to discuss after the training is completed.

Mr. Hoang voiced support for creating a follow-up survey after ethics training is completed. Further, in keeping with the University's goal of providing continuous

learning opportunities for City employees, employees will be expected to complete refresher training every three years. In addition, the Training Team would be conducting focus groups with first line supervisors to determine if the training program was achieving goal in obtaining a noticeable improvement in employee behaviors.

Mr. Hoang also indicated that the CORE values as displayed in the training program were taken from the City's strategic plan document, which had been developed from Blue Ribbon Report<sup>1</sup>. In regards to Torrance-specific scenarios, Mr. Hoang explained that the curriculum contains 70% generic scenarios and 30% Torrance-specific scenarios; however, based on the Committee's input, the allocation would be reversed with Torrance-specific scenarios comprising 70% of the curriculum. The Committee's legal advisor, Deputy City Attorney Tatia Strader indicated that while it would be acceptable to ask the unions to act with integrity and transparency; she cautioned that any actual imposition of a code of ethics on the various labor groups would likely be subject to the meet and confer process.

When staff followed up with the Training Team, Mr. Hoang confirmed that the following action had been taken with regard to input received from the Ethics Committee:

- Curriculum training currently in development for supervisors includes strategies for following up with staff regarding CORE ethics training concepts
- More Torrance-specific scenarios have been developed for use in the CORE Ethics Program
- The CORE training program is meeting its enrollment goals and as of this writing, approximately 350 city employees have graduated from the program, representing 25% of the City's full-time employees

## **NEW EMPLOYEE ORIENTATION (NEO)**

On the first Tuesday of every month, the City conducts New Employee Orientation for newly hired employees. Unlike the Torrance University—which has a mission to train employees—NEO provides the City with an opportunity to set expectations for the new employees and to inform them of the City's values and history. As part of the current employee orientation, the City Manager introduces the document, "Serving the Public Trust," (see Appendix A, page A-9) This document defines the City's expectations regarding conduct for City

---

<sup>1</sup> The values section of the CORE training brochure contains nine values that were taken directly from the City's 2008 Strategic Plan document. The Code of Conduct adopted by the City Council on April 1, 2008 includes five values: Honesty; Respect; Responsibility; Transparency; and Trust—all of which are reflected in the Strategic Plan values.

The City Manager also distributes Administrative Policy 30, the City of Torrance Policy on Gifts and Gratuities (see Appendix B).

In fall of 2009, the City Manager approached staff and asked that the Committee recommend improvements to the City's orientation program regarding the introduction of ethics. On September 23, 2009, staff included an item on the agenda for the Ethics and Integrity Committee to consider and recommend possible improvements to the City's orientation program.

The Committee considered the matter and made the following motion concerning recommendations for an ethics package for use at NEO:

1. Develop a message from the Mayor or City Manager about the importance of ethics, with personal references, to reinforce why ethics and integrity are important to the City of Torrance.
2. Compose a visual reminder for employees about ethics and what is expected of them that can be placed in their office for reference;
3. Revise information in the yellow pamphlet<sup>2</sup> so that it is specifically tailored to employees
4. Review scenarios contained in the "Values" section of the Blue Ribbon Committee report and determine which apply to City employees and could be used in an ethics package.

Shortly after the meeting, the City Manager asked the City's Training Team to review the agenda for the City's orientation program and to develop a new outline for the NEO presentation, and specifically, asked for the development of a "quick tips" pocket card which would include a checklist for making ethical decisions. This checklist is also used in the Torrance University class, so this pocket card represents a coordinated effort to reflect consistency in ethics messages.

Staff also followed up with Mr. Hoang to gauge the progress of the new format for NEO. Mr. Hoang indicated that the City Manager had recently approved a conceptual outline for NEO, which includes a section on Ethical Decision making. While the exact ethics presentation is still in development, the outline for the ethical decision making section includes the following:

1. Ethics and Integrity Committee
2. Gift and Gratuity
3. Using the Ethical Decision Making Checklist

---

<sup>2</sup> This reference is to the Torrance Code of Ethics that was adopted by the City Council in April of 2008. A smaller yellow document was produced for distribution and is available in the City Clerk's office.

#### 4. Exercise: What would you do?

Staff continues to work with the Training Team to communicate the input from the Ethics and Integrity Committee as the materials are being developed for NEO. The new format for NEO is expected to debut in August, 2010.

#### **Conclusion**

During the next twelve months, the Ethics and Integrity Committee will monitor employee training programs to follow-up on Committee recommendations. However, the main focus of the Committee's efforts, as directed by the Mayor and Council at the May 25<sup>th</sup> Joint Meeting, will be the development of package for use by candidates for elective office. As a result, the Committee expects that the next status report regarding training will be primarily focused on ethics training for candidates.

**Appendix A – Torrance University Ethics Training Materials**

# Ethics



**Ethics in the individual and professional  
arenas.**

**City of Torrance  
Torrance University**

**Ethics Module**



**Overview of Class**

**Icebreaker – Sinbad the Sailor**

**Definition of Ethics**

**Ethical Dilemmas**

**4 Step Checklist**

- **Checklist for Monitoring Conduct**

**Why do People Do Wrong?**

- **Five Principles of Ethical Power**

**BREAK**

**Video: “A.C.T. with Integrity”**

- **Activity**

**Ethics as a Public Servant**

- **What drives/destroys citizens’ trust in public institutions?**
- **Do you know your written code of ethics?**
- **Common “Ethical Issues” in Government**

**Insight and Summary**

## Sinbad the Sailor

### The Story

Once upon a time, four people lived on a river deep in an Amazon jungle. On one side of the river lived Jack and Jill. On the other side of the river, lived Peter and Paul. Jack and Jill were friends and Jack was Jill's confidant. On the other side of the river, Peter and Paul were also friends.

None of the people could cross the river because they had no boats and there were no bridges or safe places to swim across. The river was infested with crocodiles and piranhas. It was possible to talk across the river, and over a period of time, Jill and Paul fell in love and spent a great deal of time looking at and talking to each other. They became engaged but had no way of getting together.

One day, a sailor named Sinbad came down the river on his boat. He was hailed by Jill, who asked him to take her across the river so that she could be with Paul, her fiancée. Sinbad agreed to do this on one condition – that she pay him \$150,000.

Jill was placed in a deep conflict by this offer as she did not have this kind of money, but she knew that her fiancée, Paul, did have this kind of money. She sought help from Jack, her friend and confidant. Jack spent several hours talking with Jill. He was most sympathetic to her plight, but essentially communicated that he had confidence that Jill could make up her own mind about this decision.

Jill decided to take up Sinbad's offer. She signed a promissory note stating that she would deposit the money into Sinbad's account within a week. The next day Sinbad dropped her on the opposite shore. Paul was awaiting her landing and they embraced at once.

After a while, Paul asked her how she had managed to convince Sinbad to take her across the river. Jill told him the whole story and asked Paul to help pay Sinbad's bill. Upon hearing the story, Paul pushed Jill away and said he would have nothing more to do with her.

Just at this time, Peter came by. He had overheard what happened, and as soon as he saw Paul pushing Jill away, he moved in and beat up Paul thoroughly.

### The Task

1. Individually, rank order the five characters in the story from "best" to "worst" on the basis of your judgment of their behavior.
2. With your group, reach consensus on rank order.

(Rank each person's behavior – 1=BEST, 5=WORST)

	INDIVIDUAL	GROUP
Jack		
Jill		
Peter		
Paul		
Sinbad		

## **Definition of Ethics**

**In it's most basic meaning, the practice of ethics is doing what is correct and fair. It is engaging in business practices that are correct and fair to all concerned be they client, employee, supplier, competitor or the public.**

## **The 4 Step Checklist**

- 1. Would you do the same thing if all the facts were on the front page of the tomorrow's newspaper or on the www?**
- 2. Would you do the same thing if your family was watching?**
- 3. Would you want someone to do the same thing to you?**
- 4. What would the consequences be if everyone did it?**

## Checklist for Monitoring Conduct

- Can I take pride in the example I set for others?
- What is the motivation behind my actions & decisions?
- Will I be proud or ashamed of my decision tomorrow?
- How will people whose opinions I value evaluate my conduct?
- Even if my conduct is not illegal or unethical, is it done at someone else's expense? Will it hurt their reputation?
- Is my conduct fair and morally right?
- Do I show respect for others? Do I show them support?
- Would I want someone to treat me the way I am treating them?
- Will my actions violate the trust, rights or good will of others?
- Does my conduct give others reason to trust or distrust me?
- Am I willing to make my ethical beliefs publicly known?
- Is my conduct consistent in both my private and personal lives?
- Do I listen and strive to understand the points-of-views of others?
- Do I question and confront different points of view in a constructive manner?
- Do I seek mutual agreement and to resolve differences?
- Will my conduct cause someone else public embarrassment?

## The Case of the Mangled Data

Fred Jones, program manager in the County Executive's Office, listened intently as a member of the County Board of Supervisors responded to a question from the public during the hearings on the county budget. The data quoted by the board member was accurate but was being completely misrepresented. The data, which was being quoted to demonstrate that the county had gotten costs under control in one specific area, was incomplete. Fred knew that the complete data, which had also been given to the full board, indicated costs had actually risen.

What was his responsibility, Fred wondered, to correct the answer being given by the board member to the public? Fred was not sure whether the misrepresentation by the board member was accidental or deliberate. Fred knew the supervisor had promised the year before to get costs under control and now was under pressure to show progress.

---

What should Fred do? Answer the following questions:

Should Fred speak up publicly in the meeting?

Should he pass a note to the board member suggesting that he correct the impression he had given?

Should Fred give the correct numbers to another supervisor? To a reporter after the session?

What was his responsibility, as a county employee, to make sure the public got the correct information?

## The Mayor and the Manager

Like most accountants in the city of Turner, Paul Vasquez kept a keen eye on the local economy. When it became evident that Putnam Industries, a large local employer, would be expanding its headquarters and adding a new manufacturing facility, Vasquez, who was also a council member, decided to invest in real estate. After earning his broker's license, Vasquez purchased two single-family homes, then heard of a small apartment complex near the edge of town that was on the market. He invited his brother and cousin to join him in purchasing the property with the hopes of assembling adjacent lots as they became available.

City Manager Daniel Brinkman learned of the partnership over coffee in the city hall cafeteria. The planning director asked casually what plans the city might have for the north side of town, saying that a council member had purchased a complex and had been asking staff for advice on nearby vacant properties. Reminding him that staff doesn't provide investment advice, Brinkman asked to be kept apprised of any future inquiries.

Two months later, Vasquez was unanimously chosen by his colleagues to serve as mayor. The one-year appointment to the largely ceremonial post was especially significant, as he had been passed over the previous year after he had lost his composure at several council meetings, berating the city manager and city attorney. The night he was sworn in, he thanked the council for their confidence and pledged to take a higher profile role than previous mayors. "I vow to work tirelessly for the citizens of Turner. And I'll make sure the city staff does things the right way." Brinkman was alarmed by the comment and the next morning instructed department heads to advise him immediately if Vasquez approached them directly.

Within weeks, Vasquez began a series of phone calls and meetings with planning and public works staffs, at first asking generally about economic development, then about properties on the north side of the city, finally turning to more specific questions about lot lines, zoning restrictions, and potential developers. The director of planning notified the city manager, saying, "The mayor seems to be throwing his weight around. My staff is totally intimidated by the tone he's taking. He's even asking staff to change recommendations for the upcoming Planning Commission hearing."

Brinkman consulted with city attorney Peter Moore, who met with the mayor to outline the protocol for elected officials when dealing with staff. Moore shared the League of California Cities materials about conflicts of interest and strongly suggested the mayor avoid future direct contact with staff and recuse himself should the council vote on proposals near his property.

At the next council meeting Vasquez blasted Brinkman for trying to micromanage the city council, saying the city attorney was the hammer the bureaucrats used to squash council members who don't tow the line. "This city manager doesn't want me to ask questions. He doesn't want me to show leadership. He's trying to shut me up because I've got a better vision for our city than he does."

---

Question:

Do you think the Mayor's behavior is ethical? Why or why not?

---

Reprinted with permission of the Markkula Center for Applied Ethics at Santa Clara University ([www.scu.edu/ethics](http://www.scu.edu/ethics))

## *City of Torrance*

### **Serving the Public Trust**

Public employees have a responsibility to uphold the public trust. This responsibility demands the highest standards of conduct and dedication to our individual work assignments. The City will endeavor to create a workplace free from conflicts of interest, or the use of inappropriate influence inside or outside the immediate work environment.

As an expression of the concern and respect of the City for its citizens, we are expected to be courteous and helpful in our contact with the public and to present ourselves in a professional manner. Complaints and inquiries should be handled in a prompt, business-like way.

We report for work at the appropriate time, neatly dressed and properly equipped. For the protection of employees and the public we serve, we observe safety regulations and wear appropriate safety gear. We are responsible for maintaining a clean, neat and safe work environment.

We have an obligation to remain objective and to render impartial service. The acceptance of any gift or gratuity from any business or individual that could reflect poorly on the integrity of the City is to be avoided.

Equipment and supplies are provided to serve the citizens. Misuse or abuse of equipment diminishes the quality of service that can be provided. Personal use of supplies and equipment is a misuse of public funds.

Appropriate social interaction in the workplace is beneficial. However, we should avoid lengthy conversations or visits. Socializing which diminishes productivity deprives the public of service it deserves.

We in public service have a special and important role. We are expected to observe and respond to community needs. In the event of a major disaster, we are disaster service workers. In time of need, we are subject to additional duties as required. We are visible and expected to assist the public whenever possible.

## City of Torrance

### Serving the Public Trust

Public employees have a responsibility to uphold the public trust by maintaining:

- the highest standards of conduct and dedication to individual work assignments
- a workplace free from conflicts of interest and free from use of inappropriate influence inside or outside the immediate work environment

As an expression of the concern and respect of the City for its citizens:

- be courteous and helpful in our contact with the public
- present ourselves in a professional manner
- handle complaints and inquiries in a prompt, business-like way

For a safe and professional work environment:

- report for work at the appropriate time, neatly dressed and properly equipped
- observe safety regulations and wear appropriate safety gear
- maintain a clean, neat and safe work environment

To honor our obligation to remain objective and to render impartial service:

- avoid acceptance of any gift or gratuity from any business or individual that could reflect poorly on the City

Equipment and supplies are provided to serve the citizens:

- misuse or abuse of equipment diminishes the quality of service
- personal use of supplies and equipment is a misuse of public funds

Maintain appropriate social interaction in the workplace:

- avoid lengthy conversations or visits
- minimize socializing which diminishes productivity

To observe and respond to community needs in disasters:

- we may be subject to additional duties as required
- are expected to assist the public whenever possible



**Appendix B– Gift and Gratuity Policy 30**

Gift and Gratuity

Policy 30  
Procedure 130

---

---

# Contents

Gift and Gratuity Policy ..... 2  
Definitions ..... 2  
Acceptance of Gifts ..... 2

## Gift and Gratuity

## Policy Chapter 30

### *Chapter* 30 **Gift and Gratuity Policy**

The City of Torrance shall have a uniform policy and procedure to guide department heads and City employees when accepting gifts or gratuities from public or private entities. All City employees must observe all federal and state laws and the regulations of the California Fair Political Practices Commission. As a government agency and custodian of public services, the City of Torrance is concerned that there be safeguards against any appearance of favoritism in its relationship with public and private entities. Therefore, neither employees nor departments may accept gift/gratuities which are offered or appear to be offered in an attempt to influence the employee except as set forth in this policy. The department head must review any gifts that are bestowed to an employee or department before acceptance of the gift.

### *Article* 30.05 **Definitions**

- ⇒ *Gift or Gratuity:* Any payment or other benefit of value to a City employee. Gifts include, but are not limited to: merchandise, service, money, or entertainment, and any rebate or discount on merchandise, food, travel or services.
- ⇒ *Conflict of Interest:* Soliciting or accepting "anything of value" which can lead to the perception or the reality that an employee's official action or judgment could be influenced.

### **30.10 Acceptance of Gifts**

Gifts that may be accepted by employees or departments from a business entity or organization include:

- ⇒ Meals, tickets or gifts cumulatively valued at less than \$25 from the same entity in any 12 month period per employee.
- ⇒ A rebate or discount that is available on an equal basis to other public or private agencies (i.e., amusement park discounts as provided by the City's Human Resources Department).
- ⇒ A gift valued at more than \$25 that is consumable or

## Gift and Gratuity

Policy  
Chapter 30

---

usable by the office. If gifts are bestowed upon an employee, the department head must be notified before an employee can accept the gift. These gifts must remain on City premises at all times and should be reported immediately to the department head.

Employees offered a gift outside the realm of this policy should express appreciation for the thoughtful gesture and make reference to the City's policy when declining. The City Manager's Office may be contacted with questions regarding gifts and gratuities outside the scope of this policy. **NOTE: Gifts of alcoholic beverages may not be accepted at any time.**