

RESOLUTION NO. 2022-97

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
PALM DESERT, CALIFORNIA, ADOPTING THE CITY'S  
CONFLICT OF INTEREST CODE AND REPEALING  
RESOLUTION NO. 2020-78

WHEREAS, the Political Reform Act (Government Code Section 81000 et seq.) requires local government agencies to promulgate and adopt a Conflict of Interest Code; and

WHEREAS, on November 19, 2020, the City Council adopted Resolution No. 2020-78, adopting a Conflict of Interest Code for the City of Palm Desert; and

WHEREAS, the Political Reform Act requires that the City Council review its Conflict of Interest Code biennially to determine whether amendments are required; and

WHEREAS, on June 23, 2022, the City Council adopted Resolution No. 2022-49 directing staff to review the City's Conflict of Interest Code; and

WHEREAS, a staff-level review of the City's Disclosure Categories and the List of Designated Positions reveals that amendments are necessary; and

WHEREAS, on October 13, 2022, the City Council received and filed the 2022 Local Agency Biennial Notice and directed staff to promulgate the necessary amendments to the City's Conflict of Interest Code.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Palm Desert, California, as follows:

SECTION 1. Resolution No. 2020-78 is hereby rescinded and replaced.

SECTION 2. The City Council adopts the Conflict of Interest Code promulgated by the Fair Political Practices Commission as set forth in Section 18730 of the California Code of Regulations by reference, and which, together with the City's Disclosure Categories and List of Designated Positions collectively constitutes the City of Palm Desert's Conflict of Interest Code, a copy of which is attached hereto and shall be on file with the City Clerk, and available to the public for inspection and copying, during regular business hours.

SECTION 3. The Conflict of Interest Code shall become effective immediately upon the date of its adoption and approval.

ADOPTED ON DECEMBER 15, 2022.



Kathleen Kelly (Dec 22, 2022 12:10 PST)

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KATHLEEN KELLY  
MAYOR

ATTEST:



Anthony Mejia (Dec 22, 2022 12:19 PST)

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ANTHONY J. MEJIA  
CITY CLERK

I, Anthony J. Mejia, City Clerk of the City of Palm Desert, hereby certify that Resolution No. 2022-97 is a full, true and correct copy, and was duly adopted at a regular meeting of the City Council of the City of Palm Desert on December 15, 2022, by the following vote:

AYES: HARNIK, NESTANDE, QUINTANILLA, TRUBEE, AND KELLY  
NOES: NONE  
ABSENT: NONE  
ABSTAIN: NONE  
RECUSED: NONE

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Palm Desert, California, on Dec 22, 2022.



Anthony Mejia (Dec 22, 2022 12:19 PST)

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ANTHONY J. MEJIA  
CITY CLERK

**CONFLICT OF INTEREST CODE OF THE  
CITY OF PALM DESERT, CALIFORNIA**

The Political Reform Act (Government Code § 81000, et seq.) requires state and local government agencies to adopt and promulgate Conflict of Interest Codes. The Fair Political Practices Commission has adopted a regulation (2 California Code of Regulations Section 18730) that contains the terms of a standard Conflict of Interest Code, which can be incorporated by reference in an agency's Code. After public notice and hearing, the standard code may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This incorporation page, regulation 18730, and the attached Appendix designating positions and establishing disclosure categories, shall constitute the Conflict of Interest Code of the City of Palm Desert (City).

The Mayor, Members of the City Council and Planning Commission, the City Manager, the City Attorney and the City Treasurer, may electronically file their annual statements of economic interests directly with the Fair Political Practices Commission. All other officials and designated positions required to submit a statement of economic interests shall file their statements with the **City Clerk** as the City's Filing Officer. The **City Clerk** shall retain the original statements filed by all other officials and designated positions and will make all retained statements available for public inspection and reproduction during regular business hours. (Gov. Code § 81008.)

## APPENDIX

[The Appendix is the attachment to the incorporation page and is separated into two parts – Part A and Part B]

**PART A  
DISCLOSURE CATEGORIES**

The disclosure categories listed below identify the types of economic interests that the designated position must disclose for each disclosure category to which he or she is assigned.

**CATEGORY 1: Investments/Sources of Income**

All investments<sup>1</sup> and business positions in business entities, and sources of income, including gifts<sup>2</sup>, loans and travel payments, that are located in, doing business in, or own real property within the jurisdiction of the CITY.

**CATEGORY 2: Real Property Interests**

All interests in real property which is located in whole or in part within, or not more than two (2) miles outside, the jurisdiction of the CITY, including any leasehold, beneficial or ownership interest or option to acquire property.

**CATEGORY 3: Land Development/Construction/Acquisition**

All investments<sup>1</sup> and business positions in business entities, and sources of income, including gifts<sup>2</sup>, loans and travel payments, that are engaged in land development, construction or the acquisition or sale of real property within the jurisdiction of the CITY.

**CATEGORY 4: Contracting/Procurement (Citywide)**

All investments<sup>1</sup> and business positions in business entities, and sources of income, including gifts<sup>2</sup>, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by the City.

**CATEGORY 5: Contracting/Procurement (Department/Division)**

All investments<sup>2</sup> and business positions in business entities, and sources of income, including gifts<sup>2</sup>, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by the designated position's department, unit or division.

**CATEGORY 6: Regulatory/Permits/Licensing Authority**

All investments<sup>1</sup> and business positions in business entities, and sources of income, including gifts<sup>2</sup>, loans and travel payments, subject to the regulatory, permit, or licensing authority of the designated position's department, unit or division.

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1 "Investment" means financial interest in any business entity (including a consulting business or other independent contracting business) and are reportable if they are either located in or doing business, are planning to do business, or have done business during the previous two years in the jurisdiction of the CITY.

2. This Conflict of Interest Code does not require the reporting of gifts from outside this City's jurisdiction if the source does not have some connection with or bearing upon the functions or duties of the position. (Reg. 18730.1)

**PART B  
DESIGNATED POSITIONS**

The Mayor, Members of the City Council and Planning Commission, the City Manager, the City Attorney, the City Treasurer, and all other City Officials who manage public investments as defined by 2 California Code of Regulations § 18700.3(b), are NOT subject to the City's Code but must file disclosure statements under Government Code section 87200 et seq. [Regs. § 18730(b)(3)]

It has been determined that the positions listed below are the Other City Officials who manage public investments. These positions listed below are for informational purposes only.

- Finance Committee
- Deputy City Treasurer
- Financial Consultants

<b>DESIGNATED POSITIONS</b>	<b>DISCLOSURE CATEGORIES</b>
<b>Members of Boards, Commissions, &amp; Committees</b>	
Architectural Review Commission	2, 6
Building Board of Appeals	2, 6
Civic Engagement Committee	5
Cultural Arts Commission	2, 5
Cultural Resources Preservation Committee	2, 6
El Paseo Business Improvement District	5
Homelessness Taskforce	5
Housing Commission	2, 5, 6
Marketing Committee	5
Parks and Recreation Commission	2, 3, 5
Public Safety Commission	5
Rent Review Board	2, 6
Resource Preservation & Enhancement Committee	5
University Planning & Development Committee	2, 3, 5
<b>Staff Positions/Titles</b>	
Assistant City Clerk	5
Assistant City Manager	1, 2
Assistant Planner	2, 3, 5, 6
Assistant to the City Manager	2, 4
Associate Planner	2, 3, 5, 6
Building Inspector	2, 3, 5, 6
Business Enterprise Systems Administrator	5
Buyer	4
Chief Building Official	2, 3, 5, 6
City Clerk	1, 2
Code Compliance Officer	2, 3, 5, 6
Code Compliance Supervisor	2, 3, 5, 6
Communications Analyst	5
Community Services Manager	2, 3, 5
Deputy City Attorney	1, 2
Deputy Director (All)	2, 3, 5, 6
Director (All)	1, 2

Environmental Programs Coordinator	5, 6
Facilities Manager	5
Finance Manager	5
Finance Supervisor	5
Housing Manager	2, 3, 5, 6
Human Resources Analyst	5
Human Resources Manager	5
Information Systems Manager	5
Landscape Inspector	2, 3, 5, 6
Management Analyst	5
Permit Center Supervisor	2, 3, 5, 6
Planning Manager	2, 3, 5, 6
Principal Planner	2, 3, 5, 6
Project Manager	2, 5
Public Affairs Manager	5
Public Works Inspector	2, 3, 5, 6
Senior Building Inspector	2, 3, 5, 6
Senior Contracts and Grants Analyst	4
Senior Financial Analyst	4
Senior GIS Administrator	5
Senior Management Analyst	5
Senior Network Administrator	5
Senior Planner	2, 3, 5, 6
Senior Project Manager	2, 5
Social Services Coordinator	5, 6
Special Events Coordinator	5, 6
Special Programs Manager	2, 3, 5, 6
Streets Maintenance Manager	2, 5
Transportation Manager	2, 5
<p>Consultants and New Positions</p> <p><i>Individuals serving as consultants as defined in FPPC Reg 18700.3(a) or in a new position created since this Code was last approved that makes or participates in the making of decisions must file under the broadest category set forth in this Code subject to the following limitation: The City Manager may determine that, due to the range of duties or contractual obligations, it is more appropriate to assign a limited disclosure requirement. A clear explanation of the duties and a statement of the extent of the disclosure requirement must be in a written document (see Form 804). The City Manager's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.</i></p>	