

RESOLUTION NO. _____

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. 2022-97

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 December 15, 2022, the City Council adopted Resolution No. 2022-97, 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 13, 2024, the City Council adopted Resolution No. 2024-026 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 September 12, 2024, the City Council received and filed the 2024 Local Agency Biennial Notice and directed staff to promulgate the necessary amendments to the City's Conflict of Interest Code.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PALM DESERT DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. Resolution No. 2022-97 is hereby rescinded and replaced.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.

PASSED, APPROVED AND ADOPTED BY THE PALM DESERT CITY COUNCIL
THIS ____ DAY OF _____, 2024.

Mayor

ATTEST:

Anthony J. Mejia
City Clerk

I, ANTHONY J. MEJIA, City Clerk of the City of Palm Desert, hereby certify that Resolution No. _____ 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 _____, 2024, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Palm Desert, California, this ____ day of _____, _____.

Anthony J. Mejia, MMC
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 investments¹ and business positions in business entities, and sources of income, including gifts², 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 investments¹ and business positions in business entities, and sources of income, including gifts², 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 investments¹ and business positions in business entities, and sources of income, including gifts², 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 investments² and business positions in business entities, and sources of income, including gifts², 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 investments¹ and business positions in business entities, and sources of income, including gifts², loans and travel payments, subject to the regulatory, permit, or licensing authority of the designated position's department, unit or division.

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.

- Financial Consultants

DESIGNATED POSITIONS	DISCLOSURE CATEGORIES
Members of Boards, Commissions, & Committees	
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
Finance Committee	1, 2
Homelessness Taskforce	5
Housing Commission	2, 5, 6
Library Advisory Committee	5
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
Staff Positions/Titles	
Accounting Manager	4
Assistant Building Official	2, 3, 5, 6
Analyst (All)	5
Assistant City Manager	1, 2
Business Enterprise Systems Administrator	5
Business Operations Manager	5
Capital Projects Manager	2, 4
Chief Building Official	2, 3, 5, 6
City Clerk	1, 2
City Engineer	1, 2
Code Compliance Supervisor	2, 3, 5, 6
Communications and Marketing Coordinator	5
Community Relations Supervisor	5
Community Services Manager	2, 3, 5
Deputy City Attorney	1, 2
Assistant/Deputy Director (All)	1, 2
Director (All)	1, 2

Executive Coordinator	2, 5
Finance Supervisor	4
Homeless & Supportive Services Manager	2, 5
Housing Manager	2, 3, 5, 6
Information Systems Manager	5
Landscape Supervisor	2, 3, 5
Library Manager	5
Principal Planner	2, 3, 5, 6
Project Manager (All)	2, 5
Public Affairs Manager	5
Senior Building Inspector	2, 3, 5, 6
Senior Engineer	2, 4
Senior GIS Administrator	5
Senior Network Engineer	5
Senior Planner	2, 3, 5, 6
Special Events Coordinator	2, 3, 5, 6
Streets Maintenance Supervisor	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>	