



City of La Quinta

CITY / SA / HA / FA MEETING DATE: August 5, 2014

ITEM TITLE: SECOND READING AND ADOPTION OF ORDINANCE NO. 519 AMENDING SECTION 2.60.020 OF THE LA QUINTA MUNICIPAL CODE RELATING TO THE CITY'S CONFLICT OF INTEREST CODE

AGENDA CATEGORY:

BUSINESS SESSION:

CONSENT CALENDAR: 3

STUDY SESSION:

PUBLIC HEARING:

RECOMMENDED ACTION:

Adopt Ordinance No. 519 on second reading.

EXECUTIVE SUMMARY:

- At the July 15, 2014 Council meeting, City Council unanimously approved a motion to take up and introduce Ordinance No. 519 on first reading, which amends Section 2.60.020 of the Municipal Code relating to public officials' conflicts of interest.
- The purpose of the code is to designate positions that make or participate in making governmental decisions, which may have a material effect on the financial interests of the persons holding those positions.
- City officials in designated positions must disclose their financial interests annually and refrain from participation in any decision(s) that may affect them financially.

FISCAL IMPACT:

None.

BACKGROUND/ANALYSIS:

Review of the positions and duties of public officials has resulted in the following recommended changes to Section 2.60.020 of the Municipal Code:

Add the following new positions:

- Assistant to City Manager
- Assistant and/or Deputy City Manager

Update the titles of the following positions:

- Building & Safety Director/Planning Director to Director of Community Development
- Building and Safety Manager to Building Official
- Human Resources/General Services Manager to Human Resources/Risk Manager

Delete the following unused titles:

- Community Safety Manager
- Economic Development/Housing Manager
- Museum Services Manager

ALTERNATIVES:

As Council approved this ordinance at first reading, staff does not recommend an alternative.

Report prepared by: Pam Nieto, Administrative Technician

Report approved for submission by: Susan Maysels, City Clerk

ORDINANCE NO. 519

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
LA QUINTA, CALIFORNIA, AMENDING SECTION 2.60.020
OF THE LA QUINTA MUNICIPAL CODE RELATING TO THE
CITY'S CONFLICT OF INTEREST CODE**

WHEREAS, the Political Reform Act, Government Code Section 81000, et seq., requires state and local government agencies to adopt and promulgate conflict of interest codes; and

WHEREAS, the Fair Political Practices Commission (the "FPPC") has adopted a regulation, 2 California Code of Regulations Section 18730, which contains the terms of a standard conflict of interest code which can be incorporated by reference; and

WHEREAS, the City of La Quinta (the "City") has adopted by reference the FPPC's regulation as well as a list of designated employees as Chapter 2.60 of the La Quinta Municipal Code (the "Code"); and

WHEREAS, the City desires to make changes to the list of designated employees and disclosure categories to reflect the current classifications/positions within the City; and;

WHEREAS, the place of filing of the Statements of Economic Interests shall be in accordance with Government Code Section 87500; and

WHEREAS, Statements of Economic Interest are public documents available from the City Clerk of the City of La Quinta; and

WHEREAS, the City believes these changes are in the best interests of the citizens of the City of La Quinta.

NOW THEREFORE, the City Council of the City of La Quinta does ordain as follows:

SECTION 1. AMENDMENT OF CHAPTER 2.60: Section 2.60.020 of the La Quinta Municipal Code is amended to read as follows:

2.60.020 DESIGNATED POSITIONS, DISCLOSURE CATEGORIES

A. Full disclosure on Form 700, Statement of Economic Interest, shall be required from the following positions pursuant to Government Code Section 87200:

DESIGNATED POSITIONS

City Attorney

Assistant and/or Deputy City Attorney(s)

City Manager

Assistant and/or Deputy City Manager(s)
Finance Director/City Treasurer
Mayor
Members of the City Council/Financing Authority/Housing Authority
Members of the Oversight Board to the Successor Agency
Members of the Planning Commission
Members of the Successor Agency to the Dissolved Redevelopment Agency
Candidates for any of the positions above

- B. Limited disclosure on Form 700, Statement of Economic Interest, shall be required from the following officeholders pursuant to Government Code Section 87302:

DESIGNATED POSITIONS

Accounting Manager
Assistant to City Manager
Building Official
City Clerk
Director of Community Development
Director of Community Services
Director of Public Works/City Engineer
Golf & Park Manager
Human Resources/Risk Manager
Maintenance Manager
Management Analyst
Members of the Community Services Commission
Members of the Historic Preservation Commission
Members of the Housing Commission
Members of the Investment Advisory Board
Planning Manager
Principal Engineer
Principal Planner

- C. Limited disclosure on Form 700, Statement of Economic Interest, shall be required from the following positions pursuant to Government Code Section 82019(a) and FPPC Regulation 18701, except that the city manager may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements described in this section. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of the disclosure requirements. 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.

DESIGNATED POSITIONS

Consultants

D. Definitions of Disclosure Categories

1. Full Disclosure – All investments, business positions, and interests in real property held on the date of assuming office and income received during the 12 months immediately preceding assuming office. In accordance with Government Code Section 87500, filers shall submit one original to the City Clerk who shall make and retain a copy and forward the original to the FPPC which shall be the filing officer.
2. Limited Disclosure - All investments, business positions, and income from sources located in or doing business in the city and any interests in real property located in the city, property located not more than two miles outside the boundary of the city or property located within two-miles of any property owned or used by the city. In accordance with Government Code Section 87500, filers shall submit one original to the City Clerk who shall be the filing officer on behalf of the City of La Quinta, which shall be the code reviewing body.

SECTION 2. EFFECTIVE DATE: This Ordinance shall be in full force and effect thirty days (30) days after its adoption.

SECTION 3. POSTING. The City Clerk shall, within 15 days after passage of this Ordinance, cause it to be posted in at least three public places designated by resolution of the City Council, shall certify to the adoption and posting of this Ordinance, and shall cause this Ordinance and its certification, together with proof of posting to be entered into the Book of Ordinances of the City of La Quinta.

PASSED, APPROVED, and ADOPTED at a regular meeting of the La Quinta City Council this 5th day of August 2014, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

DON ADOLPH, Mayor
City of La Quinta, California

ATTEST:

SUSAN MAYSELS, City Clerk
City of La Quinta, California

(City Seal)

APPROVED AS TO FORM:

WILLIAM H. IHRKE, City Attorney
City of La Quinta, California
STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.
CITY OF LA QUINTA)

I, SUSAN MAYSELS, City Clerk of the City of La Quinta, California, do hereby certify the foregoing to be a full, true, and correct copy of Ordinance No. 519 which was introduced at a regular meeting on the 15th day of July, 2014, and was adopted at a regular meeting held on the 5th day of August, 2014, not being less than 5 days after the date of introduction thereof.

I further certify that the foregoing Ordinance was posted in three places within the City of La Quinta as specified in the Rules of Procedure adopted by City Council Resolution No. 2014-013.

SUSAN MAYSELS, City Clerk
City of La Quinta, California

DECLARATION OF POSTING

I, SUSAN MAYSELS, City Clerk of the City of La Quinta, California, do hereby certify that the foregoing ordinance was posted on _____, pursuant to Council Resolution.

SUSAN MAYSELS, City Clerk
City of La Quinta, California

