

INDIAN WELLS CITY COUNCIL

January 15, 2026



To: City Council
From: City Manager Department
Prepared by: Angelica Avila, City Clerk
Subject: **Governance Ad Hoc Committee Recommendation to Amend Municipal Code Section 2.12.010 to Clarify Planning Agency Authority**

RECOMMENDED ACTIONS:

Council **APPROVES** Governance Ad Hoc Committee recommendation to amend the Planning Agency ordinance for clarification purposes; and

INTRODUCES Ordinance to be read by title only and further reading waived, amending Section 2.12.010 of the Municipal Code relating to Planning Agency; and

FINDS the action to be exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15060.

BACKGROUND:

In 2025, the Governance Ad Hoc Committee ("Committee") was established to review and recommend updates to various City processes and policies. The Committee's purpose is to promote transparency and improve governance efficiency in alignment with the City Charter. On December 4, 2025, the Committee presented several items for City Council review and consideration. Pursuant to Council direction, staff is proceeding with the implementation of these recommendations in the coming months. The proposed ordinance here implements prior Council direction.

DISCUSSION:

One key recommendation is to amend the Municipal Code to clarify the establishment of the Planning Agency. The current code contains outdated references, such as references to the Architecture and Landscape Committee, which no longer exists. And it lacks clarity regarding authority. The proposed amendment confirms that the City Council serves as the Planning Agency in accordance with Government Code Section 65100 et seq., with authority to delegate duties to the Planning Commission or the Building and Planning Departments as needed. This change eliminates ambiguity and reflects current practice.

Existing Municipal Code Section 2.12.010:

Pursuant to the provisions of Section 65100 et seq., of the California Government Code, the Planning Agency is established for the City as a combination of the City Council, Planning Commission, Architectural and Landscaping Committee, and the Building and Planning Departments.

Revised Municipal Code Section 2.12.010:

Pursuant to the provisions of Section 65100 et seq., of the California Government Code, the Planning Agency is established for the City as the City Council. The Council may delegate related duties to the Planning Commission or the Building and Planning Departments, as needed.

Adopting the recommended ordinance amendment will ensure compliance with state law and clarify the City's governance structure regarding planning responsibilities. Staff recommend that the Council adopt the Committee recommendation to adopt the proposed changes and proceed with first reading.

CITY COUNCIL STRATEGIC GOAL:

The Governance Ad Hoc Committee's policy review underscores the Council's commitment to principled governance and its mission to serve the community with transparency, accountability, and continuous improvement. These efforts reflect a proactive approach to strengthening civic engagement, ensuring clarity in municipal processes, and enhancing the overall quality of life for residents of Indian Wells.

FISCAL IMPACT:

There is no fiscal impact.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA):

This action has been reviewed per the authority and criteria contained in the California Environmental Quality Act (CEQA), the State and local CEQA Guidelines, and the City's environmental regulations. The City, acting as the Lead Agency, determined that this resolution is not subject to CEQA pursuant to Sections 15060(c)(2), 15060(c)(3), and 15061(b)(3) of the State CEQA Guidelines, because it will not result in a direct or reasonably foreseeable indirect physical change to the environment as there is no possibility that the action would result in a significant environmental impact, and because it does not constitute a "project" as defined in Section 15378 of the State CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3.

ATTACHMENTS:

1. Ordinance