

# INDIAN WELLS CITY COUNCIL

## November 28, 2022



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**To:** City Council  
**From:** City Manager Department  
**Prepared by:** Angelica Avila, City Clerk  
**Subject:** **Resolution Amending the Conflict-of-Interest Code of the City of Indian Wells Pursuant to the Political Reform Act of 1974**

### RECOMMENDED ACTION:

Council **ADOPTS** Resolution amending the Conflict-of-Interest Code by updating position titles and assigning disclosure category.

### SUMMARY:

Every two years the Fair Political Practices Commission requires every City to review their Conflict-of-Interest Code ("Code") and make any necessary changes and file a biennial notice regarding the results of the review.

Recently a reorganization of positions in departments was completed. As a result of the reorganization the following positions were reclassified and need to be added to the conflict-of-interest code:

- Housing Manager
- Public Works Inspector
- Public Works Manager
- Senior Management Analyst

### BACKGROUND:

The Political Reform Act of 1974, Government Code section 81000 (the "Act"), requires all public agencies to adopt and maintain a conflict-of-interest code. The Act prohibits the City Council, Planning Commissioners, and designated staff from using his or her official positions to influence a government decision in which there is a financial interest. The fundamentals of the conflict-of-interest code provides officials with specific categories to adequately differentiate between designated employees with different powers of authority.

Attachment 2 is a legislative (redlined) version of the proposed amended Code. The proposed revisions are based on the need to includes new positions that must be designated, delete titles of existing positions that have been abolished and/or positions that no longer make or participate in making governmental decisions and include, revise disclosure category, and include AB1234 training language.

Government Code section 87303 provides that no code or amendment to a code shall be effective until it has been approved by the Council.

After legal review, the reorganized positions are assigned a disclosure category and the designated position titles were amended.

**ATTACHMENTS:**

1. Resolution
2. Amended Conflict of Interest Code- redline