

ORDINANCE NO. 484

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA QUINTA, CALIFORNIA, AMENDING CHAPTER 2.60 SECTION 2.60.020 RELATING TO THE CITY OF LA QUINTA 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 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:

2.6.020 Designated employees - Disclosure categories

- Accounting Manager ¹
- Assistant City Attorney *
- Assistant City Manager ¹
- Assistant City Engineer *
- Building and Safety Director¹
- Building and Safety Manager¹
- City Attorney *
- City Clerk¹
- City Manager *
- Community Development Director¹
- Community Safety Manager¹
- Community Services Director¹
- Consultants^{1 * *}

Deputy City Attorney¹
Economic Development Project Manager¹
Finance Director*
Golf and Parks/Landscape Manager¹
Maintenance Manager¹
Management Analyst¹
Mayor*
Member of the Architecture & Landscape Review Committee¹
Members of the City Council*
Members of the Community Services Commission¹
Members of the Cultural Arts Commission¹
Members of the Historic Preservation Commission¹
Members of the Housing Commission¹
Members of the Investment Advisory Board¹
Members of the Planning Commission*
Members of the Project Area Committee¹
Museum Services Manager¹
Personnel/Risk Manager¹
Planning Director¹
Planning Manager¹
Principal Planner¹
Public Works Director/City Engineer¹
Senior Engineer¹

¹ Persons listed in this category shall disclose 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.

* Persons holding these positions file the Form 700 Statement of Economic Interest pursuant to Government Code Section 87200.

** Commission Regulation 18700 defines "consultant" as an individual who, pursuant to a contract with a state or local government agency:

- A. Makes a governmental decision to:
1. Approve a rate, rule or regulation,
 2. Adopt or enforce a law,
 3. issue, deny, suspend or revoke any permit, license, application, certificate, approval, order or similar authorization or entitlement,
 4. Authorize the agency to enter into, modify or renew a contract provided it is the type of contract which requires agency approval,
 5. Grant agency approval to a contract which requires agency approval and in which the agency is a party or to the specifications for such a contract,
 6. Adopt or grant agency approval of policies, standards, or guidelines for the agency, or for any subdivision thereof; or
- B. Serves in a staff capacity with the agency and in that capacity performs the same or substantially all the same duties for the agency that would otherwise be performed by an individual holding a position specified in the agency's conflict of interest code.

Consultants shall be included in the list of designated employees and shall disclose pursuant to the broadest disclosure category in the code subject to the following limitation:

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.

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.

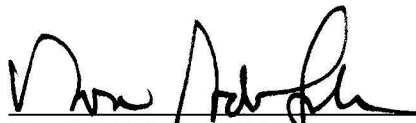
PASSED, APPROVED, and ADOPTED this 16th day of November 2010, by the following vote:

AYES: Council Members Evans, Franklin, Henderson, Sniff, Mayor Adolph

NOES: None

ABSENT: None

ABSTAIN: None



DON ADOLPH, Mayor
City of La Quinta, California

ATTEST:


VERONICA J. MONTECINO, City Clerk
City of La Quinta, California

(City Seal)


APPROVED AS TO FORM:


M. KATHERINE JENSON, City Attorney
City of La Quinta, California

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF LA QUINTA)


I, VERONICA J. MONTECINO, 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. 484, which was introduced at a regular meeting on the 2nd day of November 2010, and was adopted at a regular meeting held on the 16th day of November 2010, 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 City Council Resolution No. 2006-115.


VERONICA J. MONTECINO, City Clerk
City of La Quinta, California

DECLARATION OF POSTING

I, VERONICA J. MONTECINO, City Clerk of the City of La Quinta, California, do hereby certify that the foregoing ordinance was posted on November 22, 2010, pursuant to Council Resolution.


VERONICA J. MONTECINO, City Clerk
City of La Quinta, California