

RESOLUTION NO. 2018-43

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDIAN WELLS, CALIFORNIA, RESCINDING RESOLUTION NO. 2013-58 AND RE-ESTABLISHING THE GOLF RESORT ADVISORY COMMITTEE

WHEREAS, the City Council of the City of Indian Wells re-established the Golf Resort Advisory Committee on December 19, 2013 by adopting Resolution No. 2013-58; and

WHEREAS, the Committee responsibilities include the service levels, maintenance, and quality of the guest's experiences at the Indian Wells Golf Resort; and

WHEREAS, the City Council now desires and intends to revise the policies governing the Golf Resort Advisory Committee.

NOW, THEREFORE, the City Council of the City of Indian Wells, California does hereby **RESOLVES** as follows:

SECTION 1. Rescission of Resolution No. 2013-58. Resolution No. 2013-58 is hereby rescinded.

SECTION 2. Establishment of the Golf Resort Advisory Committee. The Golf Resort Advisory Committee (the "Committee") is established to advise and make recommendations to the City Council on issues pertaining to the Indian Wells Golf Resort. The Committee shall consist of the following members with voting authority for purposes of the Committee's work: the General Managers from each of the City's Resort Hotels, the General Manager of the Indian Wells Golf Resort, the Indian Wells Golf Resort's Director of Golf, the Indian Wells Golf Resort's Director of Agronomy, and five (5) resident members. The resident members of the Committee shall be registered voters and shall maintain residency in Indian Wells throughout their term. The Committee will also include two City Council members who serve in an ex-officio capacity. The Committee can be terminated at any time by the affirmative vote of three (3) members of the City Council. The City Manager and/or his designee shall serve as the staff liaison for the Committee.

SECTION 3. Role of Ex-Officio Member. Members of the City Council are assigned to serve in an ex-officio capacity 1) to facilitate communication between the City Council and the Committee and 2) to help to increase the City Council's familiarity with the membership, programs and issues of the Committee. In fulfilling their ex-officio assignment, members will attend committee meetings to observe the activities and maintain communication with the Committee.

Ex-officio members should be sensitive to the fact they are a non-voting member of the Committee. Being an ex-officio member bestows no special right with respect to the Committee's business.

SECTION 4. Functions of the Golf Resort Advisory Committee. The Committee's primary responsibilities are to make recommendations to the City Council regarding the Indian Wells Golf Resort and its service levels, maintenance, and quality of its guest's experiences.

SECTION 5. Appointment and Term. All appointments to the Committee shall be by three (3) affirmative votes of the City Council. The resident members shall serve two (2) year

staggered terms. The hotels' and Golf Resort managers shall serve for the period they are serving in their designated managerial positions. The City Council ex-officio member serving on the Committee will serve a one (1) year term.

SECTION 6. Term Limitations. Except for Council Members whose term on a commission, committee or board shall be one (1) year unless reappointed by the Council, the following provisions apply to appointees. Appointees are limited to two (2) consecutive two-year terms of membership on a specific commission, committee or board, including a partial term. An appointee may not be reappointed to the same commission, committee or board after completion of two consecutive terms, including a partial term. After serving a maximum of two two-year terms (including a partial term), an appointee shall not be reappointed to the same commission, committee or board unless at least one year has elapsed between the expired term limit and the effective date of commencement of the new term. Notwithstanding any provision to the contrary, an appointee shall not be precluded at any time following completion of service on a commission, committee or board from being appointed to another commission, committee or board without the lapse of time between appointments. Term limits will be applied prospectively, commencing with appointments made on or after January 1, 2009.

SECTION 7. Attendance Requirements and Conditions of Removal. Any member of the Committee may be removed during the term of office by the affirmative vote of three (3) members of the City Council. Members of the Committee are expected to make every effort to attend all meetings and be present for the entire meeting. Members are expected to contact the responsible staff member in the event of any absence in a timely manner. Members are allowed two (2) unexcused absences in each twelve-month period from the anniversary date of their appointment. The chair of the Committee shall notify the City Clerk in writing of any member that is in violation of this policy. The City Clerk will then send a letter to the member indicating his/her non-conformance to this policy stating that with an additional unexcused absence in that same twelve-month period, the member's position on the Committee will be automatically vacated. If an additional unexcused absence occurs within the same twelve-month period, the position shall be automatically vacated. The City Clerk shall notify the member, the City Council, and the Committee of the vacancy.

The following is a sample of the types of absences that will be excused:

- Travel plans
- Illness
- Family emergency
- Work or business conflicts

SECTION 8. Regular Meetings – Day and Time. The Committee shall hold at least one (1) meeting each month. Regular meetings shall be held on the fourth Tuesday of each month at 2:00 p.m. The day and time of the regular meeting may be amended by a majority vote of the City Council. The Committee may elect to cancel meetings upon good and valid reason. Additional meetings and/or study sessions may be called as required.

SECTION 9. Brown Act. This Committee is subject to all of the requirements of the Ralph M. Brown Act.

SECTION 10. Decorum and Order. Each member of the Committee has a duty to:

- Represent and work for the common good of the City and not for any private interest.
- Provide fair and equal treatment for all persons and matters coming before the body.
- Read and understand the background and purpose of the items of business before voting.
- Refuse to accept gifts of favors or promises of future benefits which might compromise or tend to impair independent judgment or action.
- Faithfully perform all duties of the body.

Each Committee meeting will also adhere to Chapter 3.04 of the Indian Wells City Council Policy Manual, Rules of Decorum for Members of the Public at Meetings.

The actions of the Committee have significant impact on the residents of Indian Wells. Public participation in the democratic process is strongly supported and actively encouraged by the City Council. Adherence to this policy will encourage broad public participation while ensuring meetings are conducted in the most professional and courteous manner possible.

SECTION 11. Minute Preparation. Action minutes will be produced by City staff for all Committee meetings in a similar format used for City Council meetings. Additions or corrections to the minutes are made at the next public meeting of the Committee upon approval of the majority of the Committee. Draft minutes of all commission, committees or boards will be made available to the City Council in a timely manner in accordance to the annual selection by each Council Member as to receipt of agendas/minutes.

SECTION 12. Staff Involvement. The City Manager and/or his designee, shall provide staff assistance. While staff may work closely with the Committee, staff members remain responsible to their immediate supervisors and ultimately the City Manager and the City Council. The members of the Committee are responsible for the functions of the Committee.

Staff support often includes preparation of an agenda and its' posting in compliance with the Brown Act. Staff also prepares reports providing background on an issue, alternatives, a recommendation, and appropriate support materials, if necessary. Committee members should have sufficient information to reach decisions based upon a clear explanation of the issues.

It is important that the Committee communicate recommendations to the Council do so through approved Council agenda procedures. In addition, if the Committee wishes to correspond with an outside agency, that correspondence will be prepared by staff for review by the City Manager and possible approval by the City Council.

Any request for information and/or research that is outside the regular work of the Committee and meets any of the following is considered a major study and requires City Council approval prior to any staff time being expanded.

- Requires more than 10 staff hours to complete.

- Not a planned budgeted activity.
- Possible change in current policy which was the culmination of extensive public input and/or as a result of committee deliberations.
- New policy research on which there has been no Council discussion or direction or because of its sensitivity would involve more than 10 hours of staff time.

A request for work outside the regular work of the Committee must be submitted in writing from the Committee to the City Clerk to be placed on a City Council agenda. The responsible department will recommend courses of action which consider budgeted workloads and annual work plans to the City Council. It is the policy of the City Council that such requests must adhere to the following provisions:

- 1) Approval of the majority of the City Council;
- 2) All requests by commissions, committees or boards for reports or information items that will take longer than five (5) hours, must be written and should be directed to the responsible department with a copy to the City Manager in order that staff work may be properly coordinated. This does not prevent the commission, committee or board from getting written information that may require minor staff time or is already consistent with the commission, committee or board's normal work plan, such staff support should be accommodated.
- 3) At the City Manager's discretion, the Council may be informed that numerous requests for work outside the adopted work plan represent a workload sufficiently large enough to disrupt the on-going, planned work for which the department is responsible. In these cases, the City Manager will propose to the City Council review the Work Plan and for the City Council to direct staff where, in the priority list, the new requests for work belong.

SECTION 13. Simultaneous Service Prohibition. Members shall not serve simultaneously on more than one commission, committee or board. However, a member may be appointed to an additional advisory body as a representative of the Committee on which the member serves as a non-voting member.

SECTION 14. Annual Review of Committee Relevance. The City Council will annually review each of the City's commissions, committees and boards to determine the relevance of their work plan, membership and organization to the accomplishment of the Council's Goals and Objectives. The Council may make such changes as it deems necessary to the work plans, membership and organization of the Committee on an as-needed basis.

SECTION 15. Effective Date. This Resolution shall take effect upon adoption.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Indian Wells, California, at an adjourned regular meeting held on this 18th day of October 2018.



KIMBERLY MUZIK
MAYOR

CERTIFICATION FOR RESOLUTION NO. 2018-43

I, Anna Grandys, City Clerk of the City Council of the City of Indian Wells, California, **DO HEREBY CERTIFY** that the whole number of the members of the City Council is five (5); that the above and foregoing Resolution was duly and regularly passed and adopted at an adjourned regular meeting of the City Council of the City of Indian Wells on the 18th day of October 2018, by the following vote:

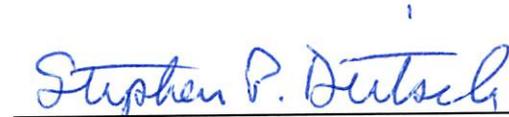
AYES: Balocco, Mertens, Muzik, Peabody, Reed
NOES: None

ATTEST:



ANNA GRANDYS
CITY CLERK

APPROVED AS TO FORM:



STEPHEN P. DEITSCH
CITY ATTORNEY