

ATTACHMENT #2
RESOLUTION NO. 2023-38

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDIAN WELLS,
CALIFORNIA, ADOPTING A COMMUNITY ASSISTANCE FUNDING POLICY
AND RESCINDING PRIOR DISCRETIONARY FUNDING POLICIES**

WHEREAS, the City Council of the City of Indian Wells recognizes the importance of a prudent long-term financial plan, as well as the value in providing financial assistance to organizations whose work benefits the City and the Coachella Valley; and

WHEREAS, the City desires and intends to adopt a funding plan for community assistance expenditures consistent with a prudent long-term financial plan; and

WHEREAS, the City desires and intends to amend the funding plan to make provisions for pledging monies.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF INDIAN WELLS, CALIFORNIA,
DOES HEREBY RESOLVE AS FOLLOWS:**

SECTION 1. The City Council hereby **RESCINDS** prior resolutions amending or approving the Community Assistance Policy, including Resolution No. 2022-40.

SECTION 2. The City Council hereby **ADOPTS** that specific Community Assistance Funding Policy set forth in Exhibit "A" attached hereto and incorporated herein by reference.

SECTION 3. This Resolution shall take effect upon adoption.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Indian Wells, California, at a regular meeting held on this 2nd day of November 2023.

E-SIGNED by Donna J.H. Griffith
on 2023-11-03 14:24:49 PDT

DONNA J.H. GRIFFITH
MAYOR

CERTIFICATION FOR RESOLUTION NO. 2023-38

I, Angelica Avila, 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 a regular meeting of the City Council of the City of Indian Wells on this 2nd day of November 2023, by the following vote:

AYES: Griffith, Peabody, Reed, Sanders, Whitman
NOES: None

ATTEST:

APPROVED AS TO FORM:

E-SIGNED by Angelica Avila
on 2023-11-03 14:48:32 PDT

ANGELICA AVILA
CITY CLERK

E-SIGNED by Todd Leishman
on 2023-11-03 14:47:35 PDT

TODD LEISHMAN
CITY ATTORNEY

EXHIBIT "A"

CITY OF INDIAN WELLS COMMUNITY ASSISTANCE FUNDING POLICY

1. PURPOSE OF THIS POLICY

The Policy's purpose is to establish annual procedures and approvals associated with funding community assistance expenditures during the development of the City budget. In addition, the Policy sets defined processes to ensure the City's financial goals are maintained and opportunities for public input are available.

The City Council defines community assistance funding as optional expenditures that the City Council can disburse annually to financial aid-worthy non-profit organizations within the Coachella Valley that provide services that the City may not otherwise offer.

Budgetary approval is required for all community assistance funding. The City Council will publicly discuss community assistance funding at budgetary study sessions and council meetings during the review and adoption of the City budget. Public input is essential during these meetings.

2. COMMUNITY ASSISTANCE FUNDING

Community Assistance Funding for each new budget year shall be established as follows:

- A. For each new budget year, the amount of the community assistance funding budget shall be established by calculating twenty-five percent (25%) of the prior year's General Fund's Net Change in Fund Balance (after all capital contributions) using year-end estimates established during the last quarter of each fiscal year.
- B. Maximum funding shall not exceed \$200,000 during each budget year.
- C. Annual funding shall be split into two separate pools. The Grants-in-Aid program shall receive 80% of the available funding. The second pool shall operate at the sole discretion of the City Council and will receive the remaining 20% of the available funding.
- D. The City has qualified its ability to meet its financial obligations under the current General Fund cash flow plan as approved and amended by the Finance Committee and consistent with the adoption of the City's Annual Budget.
- E. If funds are insufficient, the amount of community assistance funding shall be reduced or eliminated until all criteria have been met.
- F. Budget Roll Forwards: Prior to the close of each fiscal year, the Finance Director shall roll forward any unexpended community assistance funds from either pool. For the avoidance of doubt, any unexpended community assistance funds shall "roll forward" into the next year's budget, shall be available for spending, and shall be separate from the annual calculation establishing the annual Community Assistance Funding Program.

3. EXTRAORDINARY FUNDING REQUESTS IN EXCESS OF \$200,000

Extraordinary funding requests received by the City of more than \$200,000 shall be considered separately from the policy requirements set forth above and shall be subject to the following criteria prior to City Council approval:

- A. City staff shall request and require documentation in keeping with Community Assistance Grant Program Requirements. The Extraordinary Grants Committee will review the funding proposal as required for all Community Assistance Grants. The Committee shall make a written recommendation to the City Council of their findings.
- B. A staff report summarizing the Committee's recommendations shall be placed on the City Council agenda for consideration.
- C. The Applicant shall have the opportunity to present to the Council when the item is scheduled for Council consideration.
- D. If the City Council approves by a majority vote to move the item forward, a Community Involvement component will be required. The Applicant will oversee and direct the Community Involvement component at the Applicant's own expense. This component shall include a program to inform the public about the long-range financial impact, share the funding proposal, and obtain feedback from the community. This will be accomplished through press releases, distributing informational materials pertinent to the proposal, public hearings, meetings, and surveys. The following steps must be taken and reviewed before a final decision by the City Council regarding the potential funding of a proposal exceeding \$200,000:
 - i. The City will hold a minimum of one Public Hearing and Town Hall meeting to discuss the said proposal with the Applicant present.
 - ii. A minimum of one written communication shall be sent via U.S. Postal Service to all Indian Wells residents to include summary information on the funding request, the budgetary impact to the City is funded, and the date, time, and location of Public Hearing and Town Hall meeting to accept community input on proposed funding. Each mailing shall be at the expense of the Applicant.
 - iii. The Applicant shall cause to be submitted to the media no less than one press release announcing the date, time, and location of the public hearing or meeting held to discuss and take testimony regarding the funding proposal.
 - iv. A Community-wide mail survey or cloud-based online civic engagement platform/poll shall be used to provide an additional vehicle to inform and provide community feedback as it relates to the funding proposal. Each poll shall be at the expense of the Applicant. A subsequent report on the poll results shall be provided to the City Council.

- v. The City Council shall be responsible for ensuring that legal and financial advice has been obtained and must consider whether the scope of the proposed funding request warrants further legal or financial advice from an independent source.

At such a time that all of the above community input methods have been completed, and considering the information obtained, the City Council shall determine the award of any such funding during a regularly scheduled City Council meeting.