

ATTACHMENT #2
CHAPTER 3.03
COMMISSIONS, COMMITTEES AND BOARDS

Sections:

- 3.03.010 Introduction.
- 3.03.020 Council Relationship with Commissions, Committees and Boards.
- 3.03.030 Role of Ex-Officio Member.
- 3.03.040 Work Plan.
- 3.03.050 Appointment of Resident Members.
- 3.03.060 Membership of Current Commissions, Committees and Boards.
- 3.03.070 Policy for Selection and Appointment of Resident Members.
- 3.03.080 Simultaneous Service Prohibition.
- 3.03.090 Annual Review of Commission, Committee and Board Relevance.

3.03.010 INTRODUCTION.

The Council shall establish such commissions, committees, and boards as it deems appropriate to provide recommendations. Committees may be either standing committees, or ad hoc committees established by the Council from time to time. Each Commission, Committee, and Board shall be advisory only, unless otherwise specified in the resolution or motion establishing the Commission, Committee, or Board, and shall be established by a specific resolution or motion with its purpose, duties, and number of members defined by the resolution or motion. In addition, the Council periodically appoints persons other than Council Members to certain outside organizations or regional authorities listed in Section 3.04.010. Such outside organizations and regional authorities shall be governed by their own policies.

3.03.020 COUNCIL RELATIONSHIP WITH COMMISSIONS, COMMITTEES AND BOARDS.

Council Members must recognize that it is important for Commissioners and Committee Members to be able to make objective recommendations on items related to the City. Council Members must be certain that any opinion expressed to members of Commissions and Committees are clearly identified as individual personal opinions, unless official Council action has been taken on the subject in question.

The Council has determined that Council Members should not lobby Commissioners, Committee, or Board Members for votes. However, Council Members may attend meetings in their unofficial capacity as residents and request that Commissioners, Committee, or Board Members consider certain issues during their deliberations or may do so in unusual instances in their capacity as Council Members to reflect the views of the Council as a body. Council Members should not engage in advocacy before a Commissioners, Committee, or Board on any matter which will likely thereafter come before the Council at a public hearing.

Council Members choosing to attend Commission, Committee, or Board meetings should be sensitive to the fact that they are not participating members of the body. Council Members have

the rights, and only the rights, of ordinary citizens with respect to Commission, Committee, or Board– including the right to write to and speak to the Commission, Committee, or Board during public comment periods.

3.03.030 **ROLE OF EX-OFFICIO MEMBER.**

Members of the Council are assigned to serve in an ex-officio capacity to various City Committees. The purpose of the ex-officio assignment is to facilitate communication between the Council and the advisory body and to help to increase the Council’s familiarity with the membership, programs, and issues of the advisory body. In fulfilling their ex-officio assignment, Council 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 non-voting members of the Committee. Being an ex-officio member bestows no special right with respect to the Commission, Committee or Board business.

3.03.040 **WORK PLAN.**

All programs, projects, funding, and staffing requests must be approved by the Council. The work plan of every Commission, Committee and Board shall include those items under their purview along with any additional duties or assignments delegated to the body by the City Council.

3.03.050 **APPOINTMENT OF RESIDENT MEMBERS.**

Resident members of each Commission, Committee, or Board shall be appointed by the Council during a regular or special meeting of the Council. The terms of all appointees shall expire on June 30. Appointees shall take office on July 1.

Council recommendations of residents to outside organizations and regional authorities shall be made during a regular or special meeting of the City Council. Resident terms on outside organization and regional authorities shall be subject to the policies and procedures of such outside organizations and regional authorities.

(a) Ralph M. Brown Act Training

The Ralph M. Brown Act Training mandates that meetings of legislative bodies of local agencies be open and accessible to the public. While the Act applies to City Council and Boards, it also extends to standing committees and advisory committees.

To ensure compliance and promote good governance, all appointed members of these bodies shall participate in an annual Brown Act training. This training will cover key provisions of the Act, including the definition of legislative bodies, public notice and agenda requirements, rules relating to public participation, prohibited serial meetings and communications, and consequences of non-

compliance. Committee members who fail to complete the required training may be subject to removal from appointment.

3.03.060 MEMBERSHIP OF CURRENT COMMISSIONS, COMMITTEES AND BOARDS.

Current City standing Commission, Committee, and Board subject to appointment procedures of this Chapter 3.03 are:

Planning Commission	5 Members
Marketing Committee	12 Members ¹ including 2 Councilmembers
Community Activities Committee	6 Members including 1 Councilmember
Golf Resort Advisory Committee	7 Members including 2 Councilmember
Grants-in-Aid Committee	6 Members including 1 Councilmember

Current outside organizations or regional authorities are subject to selection procedures of this Chapter 3.03 and subject to appointment and terms governed by the relevant outside organization/regional authorities' policies and procedures:

Joslyn Senior Center Board Either 1 Council Member or other Indian Wells resident

Coachella Valley Mosquito Either 1 Council Member or other Indian Wells resident
& Vector Control

Palm Springs International Airport Regional Commission Either 1 Council Member or other Indian Wells resident

3.03.070 POLICY FOR SELECTION AND APPOINTMENT OF RESIDENT MEMBERS.

In order to secure broad and knowledgeable representation on the City's Commission, Committee, and Board it is desirable that a standard policy be formulated for selection to these bodies.

(a) Eligibility Criteria.

All members of a Commission, Committee or Board shall be residents of the City, with a must be the minimum age of 18, unless an exception is provided by the Council. Also, the membership of such bodies shall be representative of the entire community to that extent

¹ Marketing Committee membership includes local hotels and resorts, Indian Wells Golf Resort, and other City partners. Membership of the Marketing Committee fluctuates based on participation from these partners.

possible, and members on such Commissions, Committees, and Boards shall be willing to serve as a civic responsibility and without compensation.

(b) Term Limitations.

The term of appointees to a City Commission, Committee or Board shall be one (1) term unless reappointed by the Council. The term of appointees serving outside organizations and regional authorities, and any term limits applicable thereto shall be subject to the policies and procedures of such an organization or regional authority.

The following provisions apply to the City Commission, Committee, and Board 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. Notwithstanding any provision to the contrary, if a committee is placed on hiatus by City Council action, the appointee's term is considered active and continuous; therefore, any period that the committee is on hiatus shall be included as part of the appointee's term.

(c) Outreach Efforts.

Staff will employ one or more of the following methods of outreach to attract applications from qualified candidates: (1) send letters to persons who previously have applied for a City appointment for any City Commission, Committee or Board, and who wish to be notified of open positions, and to other individuals who have expressed interest in notification of such openings (list to be maintained by City Clerk's office); (2) place notice of vacancies in the City's newsletter, and/or in a separate flyer; (3) publish notice of vacancies in a local newspaper; or (4) place notice on the City's website.

(d) Application Process.

Each applicant shall be given an application packet that will include: an informational document including the eligibility criteria for appointments and a description of the role and responsibilities of the City Commission, Committee or Board; frequency, time, and location of meetings; Code of Ethics, Fair Political Practices Commission (FPPC) financial disclosure requirements; and reference to California open meetings law.

(e) Selection Process.

As a part of the selection/appointment process applicable to proposed members other than Council Members, the Council may interview any or all the individual's submitting applications, as determined by the Council, in its discretion. The Council will implement a two Council Member Ad-hoc Committee to interview the applicants. Council Members serving in a committee will be assigned to that Ad-Hoc Interview Committee. Additional Council Members will be designated to all other Commission, Committees, and Boards without Council representation. Each Ad-hoc Committee will select interview dates and after candidates, if any, have been interviewed, the Ad-hoc Committees will forward their recommendations to the City Clerk.

The Council has the option, at its sole discretion, of re-appointing the current Commission, Committee or Board Members if said member have a two-year term remaining on the same Commission, Committee or Board.

(f) Removal of Committee Members

The Council retains authority to remove any appointed members from an advisory committee or commissions, or other body within the City at any time. An Appointed members may be removed from the positions for any reason, with or without cause. For cause may ,s include, for example, violation of City Ppolicy or codes of conduct; failure to fulfill assigned duties or responsibilities; unprofessional or disruptive behavior; conflict of interest or ethical concerns; or more than two unexcused absences. The goal is to ensure accountability, maintain program integrity, and uphold the City's standards of conduct and service.

(gf) Voting Procedure.

In a regularly scheduled or special Council meeting, the Council shall vote for the proposed Ad-Hoc Council Interview Committee recommendations. All candidates will be appointed by majority of vote for a particular commission, committee, or board.

(gh) Appointment Requirements.

The following requirements apply to the schedule for filling vacancies created by the expiration of a term, or vacancies created by a resignation requiring an appointment for the remainder of that term.

(gh)(2) Expired Term.

At the first Council meeting in May every year, the City Clerk shall submit to the Council a "Council Appointments List" of vacancies for terms expiring on June 30 of that year on all Commission, Committee and Board. Both incumbents seeking re-appointment and new applicants must apply. Appointments should be made by the second Council meeting in June every year.

(gh)(3) Unscheduled Vacancies.

In the event of an unscheduled vacancy on the City's Commission, Committee or Board, the City Clerk shall post a special vacancy notice no earlier than twenty (20) days before, nor later than twenty (20) days after the vacancy occurs. Final appointments to the Commission, Committee or Board cannot take place for at least ten (10) working days after the posting of the notice (Gov. Code 54974).

The Council may consider candidates for unscheduled or foreseeable committee vacancies that occur within a 6-month period of the annual recruitment. Following the conclusion of the annual recruitment, applications will remain active in the City Clerk's office for 6 months.

3.03.080 **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 Commission, Committee, or Board on which the member serves as a non-voting member.

3.03.090 **REVIEW OF COMMISSIONS, COMMITTEES AND BOARDS RELEVANCE.**

The Council will periodically, in consultation with Staff, review each of the City's commissions, committees and boards to determine the relevance of their duties, 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 duties, work plans, membership and organization of the Commissions, Committees, and Boards, on an as-needed basis.