

CHAPTER 3.03 COMMISSIONS, COMMITTEES AND BOARDS

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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 opinions 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 resident members 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.

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:

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| Planning Commission | 5 Members |
| Marketing Committee | 12 Members ⁶ 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:

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| Joslyn Senior Center Board | Either 1 Council Member or other Indian Wells resident |
| Coachella Valley Mosquito & Vector Control | Either 1 Council Member or other Indian Wells resident |

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

⁶ 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.

(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 on outside organizations and regional authorities, and any term limits applicable thereto shall be subject to the policies and procedures of such organization or regional authority.

The following provisions shall apply to 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 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 appointment 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 current Commission, Committee or Board Members if said member have a two-year term remaining on the same Commission, Committee or Board.

(f) 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.

(g) 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.

(g)(2) Expired Term.

By 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.

(g)(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 appointment 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 foreseen committee's 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.

**CHAPTER 3.04
OUTSIDE ORGANIZATIONS, REGIONAL AUTHORITIES
AND CITY COMMITTEES**

Sections:

- 3.04.010 Outside Organizations, Regional Authorities and City Committees.
- 3.04.020 Procedure for Council Member Assignments.
- 3.04.030 Reporting Responsibilities of Appointees.
- 3.04.040 Representational Responsibilities of Appointees.
- 3.04.050 Current Appointments.

3.04.010 OUTSIDE ORGANIZATIONS, REGIONAL AUTHORITIES AND CITY COMMITTEES.

The City of Indian Wells has numerous relationships with outside organizations and regional authorities, such as the League of California Cities and the Coachella Valley Association of Governments (CVAG). The City Council annually assigns, pursuant to the “Draft” system set forth in section 3.04.020, one or more Council Members, as applicable, to serve as the City’s representative on the governing bodies of such organizations and authorities. Alternates appointed to these outside organizations have the same authority as the primary appointee when the appointee is absent. Once a Council Member has been assigned to participate in an outside organization or regional authority, separate approval is not needed to participate in a subcommittee of that organization or regional authority. The Council also annually assigns, pursuant to the “Draft” system set forth in section 3.04.020, Council Members to serve on City standing committees. Finally, the Council from time to time assigns Council Members to serve on City Ad-Hoc Committees without using the “Draft” system (See Chapter 3.05).

These outside organizations and regional authorities may provide a stipend, compensation, or reimbursement of expenses. Income derived from serving on these outside organizations and regional authorities is to be reported as required by the FPPC (Form 806).

3.04.020 PROCEDURE FOR COUNCIL MEMBER ASSIGNMENTS.

Annually or as vacancies occur, the City Clerk shall present to the Council a list of such outside organizations, regional authorities and City standing committees, and the names of Council Members currently assigned to them. The Council shall attempt to spread the various Council member assignments so that each Council Member fairly shares the responsibility of representing or conducting business for the City. At the time of assigning Council Members to such outside organizations, authorities and City standing committees, the Council shall first review the list of all such organizations, regional authorities and City standing committees. The Council shall then review the policies and procedures pertaining to the assignment of individual Council Members to such bodies prior to making assignments (as described below).

The Council shall then vote to assign Council Members to such outside organizations, authorities and City standing committees. Assignments may thereafter be exchanged by affected Council Members at any time without need for approval by the entire Council.

The City utilizes what is commonly called the "Draft" system to assign Council Members to outside organizations, regional authorities and City standing committees. The "Draft" is based on seniority of the Council Members' consecutive years of service. In the case where two or more Council Members have been initially elected on the same date, the Council member receiving more votes shall be deemed to have seniority. Each Council member, in order of seniority, selects one (1) choice of assignment followed in turn by the other Council Members choices, until all positions have been filled.

The Mayor shall automatically have priority right to serve on the CVAG Executive Committee. The Mayor and Mayor Pro Tem shall also automatically serve on the Council Standing Personnel Committee and Tee Standing Committee. For purposes of the "Draft", the Mayor and/or Mayor Pro Tem may place their assignment on the CVAG Executive Committee, Personnel Standing Committee and Tee Standing Committee as their selection at any stage or in any of their turns in the "Draft". Ad hoc committees comprised solely of Council Members are not subject to the "Draft."

Concerning the foregoing Council Member assignments, Council Members serve as "non-voting" Members on their assigned City Commissions, Committees and Boards, including any Ad-Hoc Committee that includes resident members. For those years that there is/are no new Council Member(s), the Council in its sole discretion can chose to retain the existing assignments for another year, make some modifications to the existing assignments, or utilize the "draft" for Council member assignments.

3.04.030 REPORTING RESPONSIBILITIES OF APPOINTEES.

All Council Members representing the City on outside organizations, regional authorizes and City Committees should summarize their activities at Council meetings during Council Member's reports. If the City reimburses a Council Member his/her actual and necessary expenses incurred in such representation, he/she shall give a report on the meetings he/she attended at the expense of the City at the next regular meeting of the City Council.

3.04.040 REPRESENTATIONAL RESPONSIBILITIES OF APPOINTEES.

Council Members assigned to outside organizations or regional authorities represent the City's interest, generally as determined by a majority of the Council. Council Members are not to represent or vote their own or individual positions on an issue, but that of the City, as articulated, directed or instructed by a majority of the Council. Wherever possible, all significant policy issues shall be brought before the Council for determination and instruction to the assigned Council Member. The assigned Council Member shall represent that position until such time as a majority of the Council changes or modifies its position on a policy issue.

3.04.050 CURRENT APPOINTMENTS.

Current assignments to outside organizations and regional authorities are on file in the office of the City Clerk.