

**CITY OF MODESTO GOLF COURSES COMMITTEE**  
**CONSTITUTION AND BYLAWS**

# Article I

## Definitions

- Section 1 There is created a Committee to be known and designated as the City of Modesto Golf Courses Committee.
- Section 2 As used in these Bylaws, unless a different meaning clearly appears from the context:
- A. "Member" shall mean a member of the Modesto Golf Courses Committee.
  - B. "Modesto Golf Courses Committee" and "Committee" shall mean the City of Modesto Golf Courses Committee.
  - C. "Modesto golf courses" shall mean Dryden Park Golf Course and Creekside Golf Course.
  - D. "Regular meeting" shall mean the bi-monthly Committee meetings.
- Section 3 The fiscal year shall coincide with the City's fiscal year, July 1 to June 30.

## Article II

### Objectives

- Section 1 The Committee shall be responsible for promotion of the game of golf in the Modesto area.
- Section 2 The Committee shall operate as an advisory body for and among organized golf clubs and the general golfing public of the City of Modesto golf courses.
- Section 3 The Committee shall act as liaison between the general golfing public, golf clubs, and the City of Modesto Parks, Recreation and Neighborhoods Department, and
- A. Shall receive and consider all proposals for innovations or material changes in established procedures or the modification of the golf courses.
  - B. Endorse participation in golf through the Player Development Programs and Tournament activities with a special emphasis on Junior, Senior and Disabled golf.
- Section 4 The Committee shall encourage, promote and maintain a high standard of sportsmanship among golfers.
- Section 5 The Committee shall consider the annual budget for the Golf Enterprise Fund during the process of its preparation and make recommendations to the Director of Parks, Recreation and Neighborhoods concerning the annual budget of the Golf Enterprise Fund, including the fees and rates to be charged for the use of golf course facilities.
- Section 6 The Committee shall perform such other duties relating to the Modesto Golf Courses as may be assigned by the Director of Parks, Recreation and Neighborhoods.
- Section 7 Nothing in this article shall be deemed to invest the Committee with any supervisory powers over the actions and duties of City employees, or of any Lessee of the City, engaged in work relating to the construction, improvement, repair, maintenance or operations of the Modesto golf courses.

## Article III

### Membership

- Section 1 The City of Modesto Golf Courses Committee shall consist of eleven (11) Members.
- Section 2 The Members of the Committee shall reside within the city limits of the City of Modesto at the time of appointment and must maintain residence within the City at all times during their service on the Committee.
- Section 3 None of the members shall hold any paid office or employment or shall be currently a contractor with the City of Modesto.
- Section 4 Five (5) members of the Committee shall represent organized golf clubs at the municipal golf courses, one from each of the following clubs: Muni Niners; SIRS; Modesto Golf Club; Dryden Park Women's Club; and Creekside Golf Club. Five(5) members shall be appointed at large One (1) youth member, between 16 and 25 years of age, shall be appointed at large.
- Section 5 The membership of each organized golf club shall recommend one member to represent their respective clubs, with the remaining six (6) at-large members to be approved by a majority vote of the City Council.
- Section 6 The Director of Parks, Recreation and Neighborhoods, or his/her designee, will serve as staff to the Committee and represent the City of Modesto, within the limits dictated by fiscal constraints.

# Article IV

## Terms of Office

- Section 1 The term of office shall be effective as of the first of January.
- Section 2 The terms of office shall be as follows:
- A. Four (4) years for each Member of the Committee. Members may be re-appointed after their initial term, but in no event shall any person who has served two (2) consecutive terms on the Committee be eligible for re-appointment to the Committee. Committee members are eligible for reappointment to the Committee after a two- (2) year absence from the Committee has transpired.
  - B. One (1) year for each youth member appointed at large. Youth members may be re-appointed after their initial term, but in no event shall any youth member who has served two (2) consecutive terms on the Committee be eligible for reappointment to the Committee.
- Section 3 Serving any portion of an unexpired term shall not be counted as service of one term. Members not eligible for reappointment may continue to serve until their successors are appointed and meet all of the qualifications outlined in Article III Membership of these bylaws. No member shall serve more than a maximum of eight (8) consecutive years.
- Section 4 The terms of office for the inaugural Committee will be two (2) years for five (5) members of the Committee, and four (4) years for the remaining six (6) members. Each member's term of office shall terminate on December 31 of their respective year.
- Section 5 The Members of the Committee shall receive no compensation for the performance of their official duties.
- Section 6 Appointments to fill vacancies on the Committee shall be handled in the same manner as original appointments. When a vacancy occurs during a term, the appointment to fill such vacancy shall be for the unexpired portion of the term.
- Section 7 Members of the Committee may be removed by a majority vote of the City Council after a recommendation by the Director of Parks, Recreation and Neighborhoods and a majority vote of the Committee. Examples of reasons for removal of a Committee Member from the Committee are:
- A. Incompetence, malfeasance, misfeasance, neglect of duty, or conviction of a crime involving moral turpitude.
  - B. Refusal to resign from the Committee when no longer a resident of the City of Modesto.
  - C. Automatic removal from the Committee will be required when a member is absent from three (3) meetings within a twelve- (12) month period without official permission

expressed in the official minutes.

## **Article V**

### **Attendance at Meetings**

- Section 1 It shall be the responsibility of each Member to know the dates and times of all regular meetings of the Committee. If a Member knows he or she will not be able to attend a regularly scheduled meeting, it shall be his or her responsibility to notify the Committee Chair or Staff Liaison at least forty-eight hours (48 hours) before the meeting, in order for the absence to be recorded as an excused absence.
- Section 2 The Recording Secretary will document when any Committee Member is late arriving for a meeting or when a Committee Member leaves a meeting before adjournment. The minutes of each meeting will list those Members in attendance, those who are excused and those who are unexcused.

## Article VI

### Officers and Their Duties

- Section 1 Officers shall consist of Chair and Vice-chair, elected by a majority vote of the Members of the Committee. Officers shall serve a one- (1) year term commencing on January 1. The election shall be held at the January meeting, or the first meeting of the year.
- Section 2 All officers shall exercise all privileges of membership, including the making of motions, seconding and debate.
- Section 3 The Chair may serve consecutive terms. The Vice-Chair may serve consecutive terms.
- Section 4 The Chair shall preside at all meetings and appoint all sub-committees of the Committee and shall ensure that the bylaws, rules and regulations as adopted by the Committee are properly enforced. The Chair shall be an ex-officio member of all sub-committees.
- Section 5 The Vice-Chair shall assist the Chair in his/her duties and in the absence of the Chair shall perform all duties usually performed by the Chair.
- Section 6 The Parks, Recreation and Neighborhoods Department shall provide a staff member to serve as Recording Secretary. He/she shall keep a record of the minutes of all meetings, reports of sub-committees and such other duties as are usually performed by a secretary. He/she shall supply the Members of the Committee and any sub-committees and the Director of Parks, Recreation and Neighborhoods and his/her designee(s) with copies of all records taken within three (3) weeks after a meeting takes place. He/she shall also assist in publicity releases concerning Committee activities.

## Article VII

### Meetings

- Section 1 Regular meetings of the Committee shall be held at such times and places as from time to time may be designated by a majority vote of the Committee.
- Section 2 In the event that a regular meeting falls on a holiday, the meeting shall be scheduled by a vote of the Committee. Special meetings shall be called by the Chair as necessary.
- Section 3 Notices of all meetings, including an agenda, shall be given to all members of the Committee, to the City Clerk, to the City Manager, to the Director of Parks, Recreation and Neighborhoods and to all others as provided by law. All such notices shall be furnished to the Committee in writing at least seventy-two hours (72 hours) prior to the time of such meeting.
- Section 4 All meeting agendas will be posted at Tenth Street Place and will be available at the following public facilities: Tenth Street Place, the Main Branch of the Stanislaus County Free Library and at City of Modesto golf courses.
- Section 5 All meetings shall comply with the requirements of the Ralph M. Brown Act.
- Section 6 A quorum is necessary for the Committee to transact any business. A quorum shall be defined as a simple majority of active Committee members.
- Section 7 All meetings of the Committee, or its standing or special sub-committees, shall be open to the public and shall be held at a public facility which is accessible in accordance with the regulations of the Americans with Disabilities Act.

## Article VIII

### Order of Proceedings

- Section 1 Sturgis' Standard Code of Parliamentary Procedure shall be the guide for parliamentary procedures in the conduct of Committee meetings.
- Section 2 The order of proceedings of all meetings shall be as follows, subject to majority vote of the Members present:
- A. Call to Order
  - B. Approval of Minutes
  - C. Written Communications
  - D. Old Business
  - E. New Business
  - F. Oral Communications
  - G. Matters Too Late for the Agenda
  - H. Adjournment
- Section 3 Members of the public shall not speak unless recognized by the Chair and shall state their names and addresses before making any statement, which shall become a part of the public record. The Chair may remove any person who refuses to follow these rules or the decision of the Chair.

## Article IX

### Amendments

- Section 1 The Constitution and Bylaws may be recommended for amendment at a regularly scheduled meeting of the Committee. A written notice containing the proposed changes shall be provided to each member at least sixty (60) days prior to the meeting. When all other conditions are met, an amendment requires a simple majority vote of the active members of the Committee.
- Section 2 The Constitution and Bylaws and any future amendments shall be subject to the final approval of the City Council and shall not and are not intended to go beyond any of the powers and duties given to the Committee by the City Council.