

## RESOLUTION #23-04-17-05

### AMENDING AND RESTATING THE RESOLUTION ESTABLISHING THE NEW PRAGUE GOLF BOARD

**WHEREAS,** pursuant to Chapter 2, Section 2.02 of the Home Rule Charter, the City Council has the authority to establish boards and wishes to operate and manage the New Prague Golf Club; and

**WHEREAS,** in January 1995, the City passed Resolution #95-1-3-4, establishing the New Prague Golf Board; and made amendments to that establishing resolution with Resolutions #97-11-3-2 and #08-04-21-09; and

**WHEREAS,** the City wishes to modernize and update the rules and powers by which the Golf Board operates.

#### NOW, THEREFORE, THE CITY OF NEW PRAGUE RESOLVES:

##### SECTION 1. APPOINTMENT OF THE GOLF BOARD FOR THE CITY OF NEW PRAGUE, MINNESOTA

Section 1.1. Establishment of Golf Board. There is hereby established a board, to be known as the New Prague Golf Course Board (the “Board”). The Board shall have all the powers, duties, and responsibilities as set forth within this Resolution.

Section 1.2. Purpose. The appointment of a Board, pursuant to the provisions, restrictions, and regulations contained herein, is intended to provide the City with a board comprised of representatives from City Government, ~~and~~ City residents, and Golf Club members capable of overseeing the operations of the New Prague Golf Club and directing growth of the Golf Club. The Board shall be under the authority of the City Council.

Section 1.3. Responsibility. The Board shall have primary responsibility for oversight of the Golf Club budget, to direct golf facility policy development, and lead in the planning for growth, development, and improvements of the Golf Club.

##### SECTION 2. COMPOSITION OF THE GOLF BOARD

Section 2.1. Composition. The seven members of the Golf Board shall be selected or appointed as follows:

- a) One Golf Board member shall be appointed by the City Council from its own members.
- b) The City Council may appoint the remaining Golf Board members to serve at large. To be eligible for appointment, a person must either be a resident of New Prague or have an interest in the continued development of the New Prague Golf Club. No more than two (2) non-residents may serve on the Board.

**Commented [JT1]:** This is set at no more than two non-residents, so that never at any point may non-residents hold a majority.

- c) The City Council has the final discretion as to who may serve on the Board in the best interest of the New Prague Golf Club and New Prague community at large.

Section 2.2. Terms. All terms are for ~~three~~<sup>four</sup> years. The City Council shall set the term of the board members who are members of the City Council to coincide with their term of office as members of the City Council. All terms shall expire at the City Council meeting at which the Board appointments are made.

Section 2.3. Compensation and Reimbursement. Board members shall be reimbursed for actual expenses as determined and approved by the City Council.

Section 2.4. Vacancies. A vacancy is created in the membership of the Board when a City Council member of the Board ends Council membership or when a Board member's service is terminated prior to the end of a term. A vacancy for this or another reason must be filled for the balance of the unexpired term. To fill the vacancy, the Mayor shall recommend an appointment and City Council shall approve.

Section 2.5. Removal for Cause. A Board member may be removed by the City Council should the City Council determine that a Board members involvement is no longer in the best interest of the New Prague Golf Club or New Prague community at large.

**Commented [JT2]:** Because the City Council has the ultimate authority, they have the final say on membership. The Board may certainly recommend that someone be removed but Removal for Cause is not contingent on it.

### SECTION 3. ORGANIZATION MATTERS

Section 3.1. Staffing. The City Administrator and Golf Club Director shall serve as the staff liaisons for the Board. All other required Board staffing will be appointed by the City Administrator from the City of New Prague staff, for purposes of technical assistance, accounting, purchasing supplies, etc., as needed for operation of the Board.

Section 3.2. By-Laws. The Board may adopt bylaws and rules of procedure.

Section 3.3. Officers. The Board shall elect a president, a vice-president, ~~a treasurer, and a secretary, and an assistant treasurer.~~ The Board shall elect the president, vice-president, ~~treasurer,~~ and secretary annually. A board member ~~may~~<sup>must</sup> not serve as president and vice-president at the same time. The other offices may be held by the same board member. The offices of secretary ~~and assistant treasurer~~ need not be held by a board member.

Section 3.4. Public Money. Board money is public money.

Section 3.5. Legal Services. The Board shall use the services of the City Attorney for its legal needs. The City Attorney is its chief legal advisor.

Section 3.6. City Purchasing. The Board may use the facilities of the City's purchasing department in connection with construction work and to purchase supplies, equipment, or materials.

Section 3.7. Delegation of Power. The Board may delegate to one or more of its agents or employees powers or duties as it may deem proper.

Section 3.8 Employment. The Board shall comply with the City's administrative and employment practices.

#### SECTION 4. FINANCIAL MATTERS

Section 4.1. Budget to the City. The Board shall annually submit its budget to the City Council for approval, according to a schedule provided by the City Administrator. The budget must include a detailed written estimate of the amount of money that the Board expects to need from the City to perform its business during the next fiscal year.

Section 4.2. Fiscal Year. The fiscal year for the Board shall be the same as the City.

Section 4.3. Report to City. Annually, at a time and in a form fixed by the City Council, the Board shall make a written report to the Council giving a detailed account of its activities and of its receipts and expenditures during the preceding calendar year, together with additional matters and recommendations it deems advisable for the operations of the Golf Club.

**Commented [JT3]:** This is new. It is not currently being done.

Section 4.4 Funding. It is intended that activities related to the New Prague Golf Club be funded primarily through user charge and there shall be established one or more enterprise funds to account for such activities. Any funding that is transferred to the New Prague Golf Club from other City funds is intended to be temporary in nature and not a permanent source of funding.

Section 4.5 Transfer of Funds. Except when previously pledged by the Board, the City Council may by resolution require the Board to transfer any portion of the reserves generated by activities of the Golf Club that the City Council determines are not necessary for the successful operation of the Golf Club to the debt service fund of the City, to be used solely to reduce tax levies for bond indebtedness of the City.

#### SECTION 5. SCHEDULE OF POWERS

Section 5.1. Operations and Management. The Board shall have authority to operate and manage the New Prague Golf Club, working in conjunction with the City Administrator, and their designees, within the confines of the budget that is approved by the City Council.

Section 5.2. Acquisition of Property. No property may be leased, purchased, gifted, devised, or condemned by the Board without prior approval by the City Council.

Section 5.3. Future Planning. The Board shall be responsible for drafting and keeping a future planning document. This document will include, but not be limited to, expected future projects, sources of funding, and timelines for completion.

**Commented [JT4]:** This does include a Golf Club Manager. Should the position ever change to a full-time position, this wording would change, as the full-time position would work with the Golf Club, similar to how City staff works with the other Boards.

Section 5.4 Improvement Contracts. The Board may enter into contracts for improvements at the New Prague Golf Club for amounts of less than \$50,000 if the amount is within the approved budget of the Golf Club and within the approved future planning document if the golf fund has the available balance to support improvement. Any contracts for improvements that do not meet these criteria must be approved by the City Council.

**Commented [JT5]:** Future plan documents are expected to look out five years. The Board would either do this themselves, or have their designees do the work. In the other Boards, the boards work with staff members to do this.

Section 5.5. Studies, Analysis, and Research. The Board may study and analyze needs of the Golf Club, and ways to meet those needs.

Section 5.6. Public Relations. To further advance its purpose, the Board may: (1) join an official, industrial, commercial, or trade association, or other organization concerned with the purpose; (2) have a reception of officials who may contribute to advancing the Golf Club and its operations; and (3) carry out other public relations activities to promote the City and the Golf Club.

#### SECTION 6. DEBT ISSUANCE.

Section 6.1. Debt Issuance. The Board cannot issue debt obligations without prior approval of the City Council.

Section 6.2. Pledge. All bonds issued by the City Council for the debt obligations of the Golf Club must be secured by the full faith, credit, and resources of the City.

#### SECTION 7. SALE OF PROPERTY

Section 7.1. Power. The Board may not sell and convey property owned by the City without prior approval by the City Council.

#### SECTION 8. DATE EFFECTIVE

Section 8.1. Adoption. This resolution shall be adopted upon affirmative vote of the majority of the City Council.

Section 8.2. Effect. This resolution shall be in full force upon its adoption and shall continue until such a time as it may be amended or rescinded by the City Council.

Section 8.3. Conflicts. Any conflicts arising out of the conduct and operation of the Board shall be resolved with reference to Minnesota Statutes, and if there arises any conflict between this resolution and Minnesota Statutes, Minnesota statutes shall prevail.

**Date Adopted:** 9/18/2023

**New Prague City Council**

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**Duane J. Jirik**

**ATTEST:**

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**Joshua M. Tetzlaff**