

ORDINANCE NO. 2022-39

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS AMENDING CHAPTER 2, ARTICLE 3 – BOARDS, COMMITTEES AND COMMISSIONS, OF THE SAN MARCOS CITY CODE BY AMENDING SECTION 2.111 RELATING TO THE COMPOSITION OF THE NEIGHBORHOOD COMMISSION; SECTION 2.172 RELATING TO THE COMPOSITION OF THE PARKING ADVISORY BOARD; SECTION 2.211 RELATING TO THE COMPOSITION OF THE MAIN STREET ADVISORY BOARD; SECTION 2.271 RELATING TO THE COMPOSITION OF THE CITIZEN UTILITY ADVISORY BOARD; SECTION 2.351 RELATING TO THE COMPOSITION OF THE CONVENTION AND VISITOR BUREAU BOARD; AND SECTION 2.369 RELATING TO THE COMPOSITION OF THE ECONOMIC DEVELOPMENT SAN MARCOS BAORD; INCLUDING PROCEDURAL PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS:

SECTION 1. Sections 2.111, 2.172, 2.211, 2.271, 2.351, and 2.369 of the San Marcos City Code pertaining to Boards, Committees and Commissions are hereby amended to read as follows (Added text is indicated by underlining. Deleted text is indicated by ~~strikethroughs~~):

Sec. 2.111. - Established; composition; appointment of members.

(a) There is hereby established the neighborhood commission. The commission is composed of nine voting members and three alternates appointed by the city council. Eight members will be citizens who reside in sectors 1, 2, 3, 4, 5, 6, 7, 8 and 9 as previously established in San Marcos by the Horizons Master Plan. The city council will consider recommendations from sector residents and organizations such as homeowners associations or the Council of Neighborhood Associations (CONA). At least one member of the neighborhood commission shall be a member nominated by CONA. A member shall be a representative nominated by the Texas State University Division of Student Affairs. Three alternate voting member positions shall be appointed; one from Sector 5, Sector 6, and a representative that resides in an apartment. ~~the Texas State University Student Government Representative.~~ The alternates can be counted toward a quorum and vote in absence of any member of the nine voting slots. The apartment representative ~~Texas State University Student Government Representative~~, also considered an alternate, will act as a tie breaker to any tie vote. ~~and shall be a representative nominated by the Texas State University Student Government.~~

Summary Chart

Number of Appointments	Representing
1 citizen from either sector	Sectors 1 and 8

5 citizens one from each of	Sectors 2, 3, 4, 7, and 9
2 citizens (1 as an alternate voting member)	Sector 5
2 citizens (1 as an alternate voting member)	Sector 6
1 representative	Texas State University, Division of Student Affairs
1 representative (alternate voting member)	Apartment Representative Texas State University Student Government Representative

(b) The voting members of the commission will be appointed to serve in staggered three-year terms and shall maintain his or her principal physical residence in the corporate limits of San Marcos; for purposes of this subsection. A voting member must meet all of the following to meet the requirements for principal physical residence:

- a. The person must use the residence address for voter registration and driver's license purposes;
- b. The person must use the residence address as the person's home address on documents such as employment records, resumes, business cards, government forms and application forms;
- c. The person must not claim a homestead exemption on any property other than the residence.

(c) A map depicting the location of each sector may be viewed at the office of the city clerk and on the City of San Marcos, Neighborhood Commission webpage.

DIVISION 6. - PARKING ADVISORY BOARD

Sec. 2.172. - Composition; appointment of members.

The board will be comprised of seven voting members, and two non-voting city council members. The city council shall appoint all members of the board. When considering appointments to the board, the city council shall endeavor to appoint individuals who represent the variety of downtown stakeholders, and who meet the following qualifications: One member recommended by the Main Street Advisory Board, one member recommended by the Downtown Association of San Marcos Board, one member who is a business owner within the Downtown Parking Benefit District, one member who is a property owner within the Downtown Parking Benefit District, one member who is a resident within the Downtown Parking Benefit District, two members at-large, and two non-voting city council members.

Summary Chart

<u>Number of Appointments</u>	<u>Representing</u>
<u>1 member</u>	<u>Recommended by the Main Street Advisory Board</u>

<u>1 member</u>	<u>Recommended by the Downtown Association of San Marcos</u>
<u>1 member</u>	<u>Business owner within the Downtown Parking Benefit District</u>
<u>1 member</u>	<u>Property Owner within the Downtown Parking Benefit District</u>
<u>1 member</u>	<u>Resident within the Downtown Parking Benefit District</u>
<u>2 members</u>	<u>At Large</u>
<u>2 members</u>	<u>City Council Members (ex-officio non-voting member)</u>

DIVISION 8. - MAIN STREET ADVISORY BOARD

Sec. 2.211. - Established; composition; appointment of members.

(a) There is established the Main Street Advisory Board. The board is composed of nine members appointed by the city council, ~~six~~ five of whom must be citizens of the city, ~~and three~~ two of whom may be persons who may live out of the city but work and/or own a business in the city, one ex-officio voting city council member, and one ex-officio voting Hays County official. Membership will be widely representative of the community, including but not limited to downtown business owners, downtown building owners, downtown association leaders, ~~city officials, county officials,~~ architects, chamber of commerce leaders, bankers, attorneys, historical group leaders, interested citizens and media representatives.

Summary Chart

<u>Number of Appointments</u>	<u>Representing</u>
<u>5 members</u>	<u>Citizen of San Marcos</u>
<u>2 members</u>	<u>Member may live out of the city but works and/or owns a business in the city.</u>
<u>1 member</u>	<u>City Council Member (ex-officio voting member)</u>
<u>1 member</u>	<u>Hays County Official (ex-officio voting member)</u>

(b) Members are appointed to three-year staggered terms. The members will, at their first meeting following annual appointments, elect a chairperson, vice-chairperson and secretary. They may elect other officers and form committees as they may determine necessary for the proper performance of their duties.

DIVISION 11. - CITIZENS UTILITY ADVISORY BOARD

Sec. 2.271. - Created; composition.

There is hereby created the City of San Marcos Citizen Utility Advisory Board, hereinafter referred to as the "board." The board will be comprised of five voting members. The council shall appoint two citizens at large. When considering appointments to the remaining three positions on the board, council shall endeavor to appoint individuals meeting the following qualifications: Experience as a licensed professional engineer, experience in the operation and management of public utility systems or education and experience in finance or accounting. These qualifications are encouraged, but not required. All voting members must be customers of the city's water, wastewater, or electric utility systems and must reside within the

city limits. The city council may remove and replace members of the board at any time. A member of city council of the City of San Marcos will be a non-voting, ex officio member of the board.

Summary Chart

<u>Number of Appointments</u>	<u>Representing</u>
<u>2 members</u>	<u>Citizen-at-large</u>
<u>1 member</u>	<u>Licensed professional engineer</u>
<u>1 member</u>	<u>Representative with experience in the operation and management of a public utility system</u>
<u>1 member</u>	<u>Representative with experience in finance or accounting</u>
<u>1 member</u>	<u>City Council Member (ex officio non-voting member)</u>

DIVISION 15. - CONVENTION AND VISITOR BUREAU ADVISORY BOARD

Sec. 2.351. - Created; composition; terms; officers.

(a) The convention and visitors bureau advisory board is created, composed of 15 voting members appointed by the city council as described in subsection (b), and five non-voting ex-officio members: the city manager or a designee of the city manager, the president of the San Marcos Area Chamber of Commerce or a designee of the president, the economic development director of [the] Greater San Marcos Partnership or a designee of the partnership president, a parks and recreation staff member and the Main Street coordinator.

(b) The city council will endeavor to appoint persons who are representative of the following groups, organizations or interests as voting members of the board:

No. of appointments	Representing
1 <u>member</u>	City Council Members (<u>ex officio voting member</u>)
1 <u>member</u>	Hotel/motel industry in the city
1 <u>member</u>	Owner/general manager/senior manager of a hotel/motel in the city (90 or more rooms)
1 <u>member</u>	Owner/general manager/senior manager of a hotel/motel in the city (less than 90 rooms)
1 <u>member</u>	Owners/general managers/senior management of tourist attractions in the city
1 <u>member</u>	Owners/general managers/senior management of food/beverage establishments in the city
± 2 <u>members</u>	Managers/senior management of outlet malls in the city
1 <u>member</u>	Heritage Association/museums located in the city
1 <u>member</u>	Downtown/main street business owner/general manager/senior management
1 <u>member</u>	Texas State University Athletics

1 <u>member</u>	Texas State University Academics/Media/Public Relations
1 <u>member</u>	Art/culture in the city
1 <u>member</u>	Organizer/manager of an annual or ongoing event in the city impacting the hotel and travel industry
1 <u>member</u>	River/natural area preservationist
<u>5 members</u>	<u>Five ex-officio non-voting members: the city manager or a designee of the city manager, the president of the San Marcos Area Chamber of Commerce or a designee of the president, the economic development director of [the] Greater San Marcos Partnership or a designee of the partnership president, a parks and recreation staff member and the Main Street coordinator.</u>

(c) The voting members of the board are appointed for staggered three-year terms.

DIVISION 19. - ECONOMIC DEVELOPMENT BOARD

Sec. 2.369. - Created; composition; terms; officers.

(a) The economic development board is created, composed of 13 members consisting of ~~12~~ 10 voting members and ~~one~~ three non-voting members, eight must be residents of the city, as follows:

No. of appointments	Representing
1	CEO or senior management staff member of financial institution working in the city
1	CEO or senior management staff member of large company (100+ employees) working in the city
1	CEO or senior management staff member of a medium company (26—100 employees) working in the city
1	CEO or senior management staff member of manufacturing firm working in the city
1	Citizen at-large
1	City council member (ex officio <u>non</u> -voting member)
1	City manager (ex officio <u>non</u> -voting member)
1	Hays County (designated by commissioner's court and confirmed by council)
1	President of the Greater San Marcos Partnership (ex officio non-voting member)
2	Small business owners with (1—25 employees) in the city that are citizens of San Marcos
1	San Marcos Area Chamber of Commerce Representative (designated by the chamber of commerce and confirmed by the council, must be a resident of the city)

1	San Marcos Consolidated Independent School District (SMCISD) Representative (designated by SMCISD and confirmed by council.)
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(b) The members of the board other than the ex officio members are appointed for staggered three-year terms.

(c) The board may create ad-hoc subcommittees that also include other community members to assist in the economic development efforts of the city, to work on specific areas of economic development, or on specific economic development projects.

(d) The board will have at least four meetings per year, and will meet at least once per quarter, and as needed.

SECTION 2. If any word, phrase, clause, sentence, or paragraph of this ordinance is held to be unconstitutional or invalid by a court of competent jurisdiction, the other provisions of this ordinance will continue in force if they can be given effect without the invalid portion.

SECTION 3. All ordinances and resolutions or parts of ordinances or resolutions in conflict with this ordinance are repealed.

SECTION 4. This Ordinance will take effect after its adoption on second reading.

PASSED AND APPROVED on first reading on May 3, 2022

PASSED, APPROVED AND ADOPTED on second reading on May 17, 2022.

Jane Hughson
Mayor

Attest:

Elizabeth Trevino
Interim City Clerk

Approved:

Michael J. Cosentino
City Attorney