

ORDINANCE NO. 2025-09

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS AMENDING CHAPTER 2, ADMINISTRATION, ARTICLE 2, CITY COUNCIL, DIVISION 2, MEETINGS, OF THE SAN MARCOS CITY CODE TO ESTABLISH RULES GOVERNING COUNCIL MEMBER ABSENCES FROM MEETINGS OF EXTERNAL BOARDS OR COMMISSIONS TO WHICH THEY ARE APPOINTED; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING A SAVINGS CLAUSE; AND DECLARING AN EFFECTIVE DATE.

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

SECTION 1. Chapter 2, Administration, Article 2, City Council, Division 2, Meetings, of the San Marcos City Code is hereby amended to add a new Section 2.047 to read as set forth below. Added text is indicated by underlining.

Sec. 2.047. Absence from meetings of external boards or commissions.

(a) The voluntary absence of a council member from three consecutive regular meetings of an external board will result in automatic resignation of the member from the external board.

(b) The voluntary absence of a member of an external board that meets quarterly from two regular meetings during a fiscal year of the external organization will result in automatic resignation of the member from the external board. The voluntary absence of a member of any other external board from more than 25 percent of the external board's regular meetings during a calendar year will result in automatic resignation of the member from the external board.

(c) For purposes of this section:

(1) Regular meeting includes only regularly scheduled meetings, and does not include special meetings, workshops, or committee meetings of an external board.

(2) Excused absence means an absence by an external board member that results from a medical reason of the member or a relative of the member, child care for a newly born or newly adopted child during the first eight weeks of the child's life, family emergency, or jury duty.

(3) Voluntary absence means an absence other than an excused absence, to also include failure to inform the staff liaison of an absence prior to a scheduled meeting.

(4) Council member includes the mayor.

(5) External board means the governing body of an organization, other than a board or commission governed by Chapter 2 of the City Code or a council committee, to which the city council appoints a council member.

(d) The City Clerk will periodically review minutes of the external boards to keep track of absences. At such time that absences would result in automatic resignation of the member from the external board the City Clerk will place that vacancy on the city council agenda.

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 resolution or parts of ordinances or resolutions in conflict with this ordinance are repealed.

SECTION 4. This ordinance shall become effective upon adoption on second reading.

PASSED AND APPROVED on first reading on March 4, 2025.

PASSED, APPROVED AND ADOPTED on second reading on March 18, 2025.

Jane Hughson
Mayor

ATTEST:

APPROVED:

Elizabeth Trevino
City Clerk

Samuel J. Aguirre
City Attorney