

**ORDINANCE NO. 2018-**

**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 REPLACING DIVISION 6 TO ESTABLISH A PARKING ADVISORY BOARD; INCLUDING PROCEDURAL PROVISIONS AND PROVIDING AN EFFECTIVE DATE**

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

**SECTION 1.** Chapter 2, Article 3, Boards, Committees, and Commissions, of the San Marcos City Code is hereby amended by replacing Division 6 (previously Sunset Advisory Commission, which was dissolved) to establish a Parking Advisory Board to read as follows:

**DIVISION 6. PARKING ADVISORY BOARD**

**Sec. 2.171. Created.**

There is hereby created the City of San Marcos Parking Advisory Board, hereinafter referred to as the “Board.”

**Sec. 2.172. Composition; appointment of members.**

The Board will be comprised of 5 voting 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, and one member who is a resident within the Downtown Parking Benefit District.

**Sec. 2.173. Term of office.**

The term of office for members shall be as set forth in division 1 of this chapter. Members are appointed to three-year staggered terms.

**Sec. 2.174. Duties and responsibilities.**

- (a) The Board will serve an advisory function, providing recommendations to the city manager and city council regarding creation and operation of the parking management program including, but not limited to, the establishment, modification or termination of parking benefit districts;

on-street parking regulations including areas, hours of operation, time limits, rates, citations and penalties; off-street parking regulations including areas, hours of operation, time limits, rates, citations and penalties; parking permit areas and rates; and codes and ordinances governing the planning, design, construction, operation and maintenance of parking facilities.

- (b) The Board will develop written guidelines regarding the process for allocation of city parking benefit district funds, and in accordance with the codes and ordinances governing city parking benefit districts shall provide oversight for the expenditure of city parking benefit district funds for the promotion of economic development, community vitality, and quality of life.
- (c) The Board and its members have no authority to expend funds, make obligations on behalf of the city or to give instructions to city staff.

#### **Sec. 2.175. Officers.**

Unless otherwise specified in this chapter or in bylaws adopted by the board in accordance with this chapter, the Board shall elect a chairperson and a vice-chairperson from among its members at the first regular meeting following any regular appointment cycle. The chairperson will preside over all meetings of the board. The vice-chairperson will serve in the absence of the chairperson.

#### **Sec. 2.176. Compensation.**

All members of the Board shall serve without compensation, but may be reimbursed for all expenses reasonably incurred by them in the performance of their duties as members of the Board, when authorized in advance by the city council.

#### **Sec. 2.177. Meetings.**

Unless otherwise provided in the bylaws of the Board adopted in accordance with this chapter, the Board will meet at least quarterly and will have the authority to schedule special meetings if required to fulfill the Board's obligations or to meet deadlines set by the city council.

#### **Sec. 2.178. Bylaws.**

The board shall adopt bylaws in accordance with the requirements of division 1 of this chapter.

**SECTION 2.** In codifying the changes authorized by this ordinance, paragraphs, sections and subsections may be renumbered and reformatted as appropriate consistent with the numbering and formatting of the San Marcos City Code.

**SECTION 3.** 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 4.** All ordinances and resolution or parts of ordinances or resolutions in conflict with this ordinance are repealed.

**SECTION 5.** This ordinance will take effect immediately following its adoption on second reading.

**PASSED AND APPROVED** on first reading on December 4, 2018.

**PASSED, APPROVED AND ADOPTED** on second reading on December 12, 2018.

Jane Hughson  
Mayor

Attest:

Approved:

Jamie Lee Case  
City Clerk

Michael J. Cosentino  
City Attorney