

ORDINANCE NO. 2014-17

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS AMENDING SECTION 2.069 ABSENCE FROM MEETINGS OF THE SAN MARCOS CITY CODE; INCLUDING PROCEDURAL PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. Section 2.069 of the San Marcos City Code is amended as follows (underlining indicates added text and strikethroughs indicate deleted text):

Sec. 2.069. Absence from meetings.

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

(b) The voluntary absence of a member of a board or commission that meets quarterly from two regular meetings during a fiscal year of the city will result in automatic resignation of the member from the board or commission. The voluntary absence of a member of any other board or commission from more than 25 per cent of the board or commission's regular meetings during a calendar year will result in automatic resignation of the member from the board or commission.

(c) In this section:

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

(2) *Excused absence* means an absence by a board or commission 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, vacation or jury duty. ~~or from an unexpected factor beyond the control of the board or commission member. The chair of a board or commission shall be responsible for determining whether an absence is excused. The determination is subject to appeal to the entire board or commission.~~

(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.

(d) The staff liaison of a board or commission will inform the city clerk of the automatic resignation of a member of the board or commission

under subsection (a) or (b). The city clerk shall submit the member's position to the city council for appointment of a replacement.


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 March 18, 2014.

PASSED, APPROVED AND ADOPTED on second reading on April 1, 2014.



Daniel Guerrero
Mayor

Attest:



Jamie Lee Pettijohn
City Clerk

Approved:



Michael J. Cosentino
City Attorney