

RESOLUTION NO. 2024-XXXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, CALIFORNIA, APPROVING AMENDMENTS TO THE SAN MARCOS BAIL SCHEDULE FOR SUBMISSION TO THE SAN DIEGO SUPERIOR COURT FOR INCLUSION IN THE COUNTY-WIDE BAIL SCHEDULE; AND APPROVING AMENDMENTS TO THE SAN MARCOS PENALTY FEE SCHEDULE FOR PARKING VIOLATIONS

WHEREAS, the San Diego County Superior Court (“Court”) annually publishes its Bail Schedule (“Bail Schedule”) for all misdemeanor and infraction offenses in the County, except Vehicle Code Violations; and

WHEREAS, the Court adopts its Bail Schedule annually, upon approval of a majority of the Superior Court Judges and the Court recently solicited input from the cities and the County for inclusion in its 2025 Bail Schedule; and

WHEREAS, the City of San Marcos (“City”) provides information to the Court for inclusion in the Bail Schedule and input for the 225 Bail Schedule is due by September 27, 2024; and

WHEREAS, penalties for Vehicle Code Violations are not included in the Bail Schedule but, rather, are included in the City’s Penalty Fee Schedule for Parking Violations (“Fee Schedule”); and

WHEREAS, both the Bail Schedule and the Fee Schedule are in need of amendments due to amendments to the City’s Municipal Code since the most recent updates to the Schedules; and

WHEREAS, San Marcos Municipal Code (SMMC) section 1.12 060 authorizes the City Council to approve fine amounts imposed for violations of the SMMC; and

WHEREAS, the City has adopted new ordinances and amended some SMMC provisions since the Schedules were last updated; and

WHEREAS, a comprehensive overview of the current Bail Schedule, the Current Fee Schedule, and the SMMC has been conducted to determine appropriate updates to the Schedules; and

WHEREAS, based on that review, staff has recommended that the Schedules be amended as reflected in the Attachment 1, “Proposed Amendments to City of San Marcos 2024 Misdemeanor and Infraction Bail Schedule” and Attachment 2, “Proposed Amendments to City of San Marcos Penalty Fee Schedule for Parking Violations.”

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of San Marcos does hereby find and approve as follows:

1. The foregoing recitals are incorporated herein by reference;
2. The amendment of the City of San Marcos 2024 Misdemeanor and Infraction Bail Schedule, as reflected in Attachment 1 to this Resolution, is hereby approved;
3. The amendment of the City of San Marcos Penalty Fee Schedule for Parking Violations, as reflected in Attachment 2 to this Resolution, is hereby approved; and
4. The City Attorney, in coordination with the City Manager, to make other minor modifications to the Schedules as may be required to be consistent with this Resolution and to conform to the SMMC.

PASSED, APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SAN MARCOS at a regular meeting held on the 24th day of September 2024, by the following roll call vote:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMENBERS:

Rebecca D. Jones, Mayor
City of San Marcos

ATTEST:

Phillip Scollick, City Clerk
City of San Marcos