

## CHAPTER 9.08 PARKS AND RECREATION COMMISSION<sup>1</sup>

### 9.08.010 Creation.

There is hereby created for the City of San Marcos, the Parks and Recreation Commission hereinafter called "Commission."

(Ord. No. 2017-1452, § 2(Exh. A), 10-10-2017)

### 9.08.020 "Parks and Recreation" Defined.

For the purposes of this chapter, the term "Parks and Recreation" shall mean those functions of the City of San Marcos involved with parks acquisition, development and maintenance; recreation programs; community beautification projects; provision for the enhancement of the cultural arts in the community; provisions for social services and recreational programs for senior citizens; coordination of City involvement with community-based organizations such as youth-serving organizations, civic societies, library services, clinics, and similar organizations.

(Ord. No. 2017-1452, § 2(Exh. A), 10-10-2017)

### 9.08.030 Number of Members, Qualifications, Appointment.

Said Commission shall consist of seven regular members, and up to two alternate members, who shall be qualified electors of the City of San Marcos. The members and alternates shall be appointed by the Mayor, with the approval of the City Council.

(Ord. No. 2017-1452, § 2(Exh. A), 10-10-2017)

### 9.08.040 Terms of Members.

~~The terms of all members shall be modified as follows:~~

- ~~(a) The terms of the two members currently scheduled to expire on June 30, 1987, shall now expire on April 14, 1987. The terms of the individuals appointed to succeed these members shall expire on December 31, 1990.~~
- ~~(b) The terms of the two members currently scheduled to expire on June 30, 1988, shall now expire on December 31, 1987.~~
- ~~(c) The terms of the two members currently scheduled to expire on June 30, 1989, shall now expire on December 31, 1988.~~
- ~~(d) The term of the member currently scheduled to expire on June 30, 1990, shall now expire on December 31, 1989.~~

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<sup>1</sup>Editor's note(s)—Ord. No. 2017-1452 renamed Ch. 9.08 as herein set out, formerly entitled "Community Services Commission."

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~~Except as provided above, the~~The term of each regular and alternate member shall be four years. When a vacancy occurs other than by expiration of a term, a new member may be appointed~~the position shall be filled to serve~~ for the remainder of the term of the member who has vacated his or her position. All vacancies shall be filled by the Mayor with the approval of the City Council.

(Ord. No. 2017-1452, § 2(Exh. A), 10-10-2017)

### **9.08.045 Alternate Members**

An alternate member of the Commission shall be considered a member of the Commission and may participate in all meetings of the Commission, but shall not be entitled to vote on any matter coming before the Commission except when a regular member of the Commission is absent for any reason from the meeting or the agenda item during which the vote is taken. Alternate members shall not be qualified to serve as Officers of the Commission.

### **9.08.050 Compensation of Members.**

Each member of the Parks and Recreation Commission, including the Chairman shall receive compensation as established by resolution adopted by the City Council.

(Ord. No. 89-811, 3-14-89; Ord. No. 2017-1452, § 2(Exh. A), 10-10-2017)

### **9.08.060 Removal of Members.**

Any member's term of the Commission may be terminated by the majority vote of the City Council.

(Ord. No. 2017-1452, § 2(Exh. A), 10-10-2017)

### **9.08.070 Chairman and Vice-Chairman.**

The appointed members of the Commission shall elect their own Chairman and Vice-Chairman to serve for a period of one year. Thereafter, successive electrons shall elect a Chairman and Vice-Chairman at each succeeding year. A Chairman may serve more than one successive term.

(Ord. No. 2017-1452, § 2(Exh. A), 10-10-2017)

### **9.08.080 Meeting Generally; Quorum.**

Said Commission shall meet at such time or times as they may in their discretion see fit, provided that such meetings be held at least once each month on a regularly scheduled basis. The majority of ~~said~~-appointed regular members shall constitute a quorum for the purposes of transacting the business of said Commission.

(Ord. No. 2017-1452, § 2(Exh. A), 10-10-2017)

### **9.08.090 Absence from Meetings.**

If a member of the Commission shall be absent from two successive, regular meetings of the Commission, without cause, the office of said member shall be deemed to be vacant and the term of the member shall be ipso facto terminated and the Commission shall immediately inform the City Council of the vacancy and terminated term.

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An absence of any member of the Commission due to illness or an unavoidable absence from the City, if written notice thereof is given to the Commission on or before the day of any missed regular meeting of the Commission, shall be deemed an absence for cause.

(Ord. No. 2017-1452, § 2(Exh. A), 10-10-2017)

### **9.08.100 Recording Minutes.**

Said Commission shall record the minutes of said Commission meetings.

(Ord. No. 2017-1452, § 2(Exh. A), 10-10-2017)

### **9.08.110 Powers and Duties Generally.**

The Commission shall have the power and it shall be the duty of said Commission to make recommendations to the City Council and to advise said Council in matters pertaining to the creation, operation, maintenance, management and control of the community recreation programs, or playgrounds and indoor and outdoor recreations, activities and facilities.

The Commission shall continuously advise the Parks and Recreation Director on the development of recreational areas; facilities, senior citizens affairs programs, cultural arts programs, and in the improvement of such services and programs, and in matters related to the development of parks, community beautification projects, and facilities for recreational and cultural arts programs.

(Ord. No. 2017-1452, § 2(Exh. A), 10-10-2017)

### **9.08.120 Jurisdiction over Public Parks and Playgrounds.**

The public parks and playgrounds of the City of San Marcos now in existence, and those which may hereafter be established, and all present park buildings and those which may be installed hereinafter, with all playground fixtures, shall hereby be placed under the control of the Commission, and said Commission shall have the power to make and alter, from time to time, all legal rules and regulations for the maintenance of order, safety, and decency in said parks and playgrounds, and shall supervise the expenditures of such funds as may be appropriated and authorized by the City Council.

(Ord. No. 2017-1452, § 2(Exh. A), 10-10-2017)

### **9.08.130 Powers Regarding Recreational Facilities.**

The Commission shall have the power to equip, operate, and maintain playground, athletic fields, swimming pools, swimming centers, indoor recreation centers, auditoriums, and/or other park or recreational facilities on or in any public grounds or buildings in or about the City, which the Commission may from time to time acquire, provide, authorize, and designate for such use subject to the approval of the City Council.

(Ord. No. 2017-1452, § 2(Exh. A), 10-10-2017)

### **9.08.140 Funds.**

- (a) May be Received by Commission. Said Commission is authorized to and may receive donations, gifts, legacies, endowments and/or bequests made to the City or to the Commission for or in behalf of the City for the

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acquisition of park and recreation facilities and the construction, maintenance and operation of any of the foregoing facilities, subject to the approval of the City Council.

- (b) Gifts Paid to Treasurer. All donations, gifts, legacies, endowments and/or bequests so received by said Commission shall be turned over to the City Treasurer of the City of San Marcos, and shall be kept in a special fund to be designated as the park and recreation fund.
- (c) Park and Recreation Fund. The City Council of the City of San Marcos shall establish a fund to be known as the park and recreation fund. There shall be deposited to and expended from this fund all fees or moneys received by the Commission, including the proceeds of other sources managed or controlled by the Commission and derived by it in connection with the operation of the public recreational activities and facilities under its jurisdiction. All monies in said fund shall be used for the promotion, supervision and operation of public recreation, and not otherwise, and if not used during any current year shall accumulate in said park and recreation fund.

(Ord. No. 2017-1452, § 2(Exh. A), 10-10-2017)

### **9.08.150 Budget.**

Said Commission shall submit a budget for required funds to the City Council on or before the first day of May of each year.

(Ord. No. 2017-1452, § 2(Exh. A), 10-10-2017)

### **9.08.160 Advisory Capacity.**

Nothing in this chapter shall be construed as restricting or curtailing any of the powers of the City Council, or as a delegation to said Commission of any of the authority or discretionary powers vested and imposed by law in the City Council. The City Council hereby declares that the public interest, convenience and welfare require the appointment of a Parks and Recreation Commission to act in purely advisory capacity to said City Council for the purposes enumerated. Any power herein delegated to said Commission to adopt rules and regulations shall not be construed as a delegation of legislative authority but purely a delegation of administrative authority.

(Ord. No. 2017-1452, § 2(Exh. A), 10-10-2017)

### **9.08.170 Recommendations Regarding Contracts for Facilities.**

The Commission shall make recommendations to the Parks and Recreation Director and the Council concerning desirable contractual relations between the City and public schools and other agencies for use of buildings, playgrounds and other recreation facilities.

(Ord. No. 2017-1452, § 2(Exh. A), 10-10-2017)

### **9.08.180 Interpretation of Policies and Functions and Informing Public of City's Programs.**

The Commission shall interpret the policies and functions of the Commission for the public and convey to the public the City's programs for parks, youth, adult and family recreation, senior citizens affairs, cultural arts programs and community beautification, and through this effort, encourage the public to participate in recreation programs, senior programs, senior citizens affairs programs and parks and beautification.

(Ord. No. 2017-1452, § 2(Exh. A), 10-10-2017)

