

ORDINANCE NO. 2025-XXXX

AN ORDINANCE OF THE CITY OF SAN MARCOS, CALIFORNIA, AMENDING SAN MARCOS MUNICIPAL CODE CHAPTER 9.08, "PARKS AND RECREATION COMMISSION," TO ADD TWO ALTERNATE MEMBERS

WHEREAS, the City's previously established a Parks and Recreation Commission (the "Commission"); and

WHEREAS, the Commission is governed by the provisions of San Marcos Municipal Code Chapter 9.08, "Parks and Recreation Commission;" and

WHEREAS, Chapter 9.08 currently provides for seven regular Commission members and does not address alternate members; and

WHEREAS, the City desires to amend Chapter 9.08 to provide for two alternate members on the Commission in order to provide increased public participation on the Commission and to provide a larger panel of Commissioners to help ensure the Commission has an available quorum to conduct its business; and

WHEREAS, the proposed amendments to Chapter 9.08 would: (i) add two alternates to the Commission, with one-year terms; (ii) provide that alternates can participate in all meetings, but may not vote unless a regular Commissioner is absent; (iii) give alternate members priority for appointment when a regular Commission seat is vacated; and (iv) make other conforming changes to the Chapter.

WHEREAS, this Ordinance is exempt from review under the California Environmental Quality Act ("CEQA;" California Public Resources Code Section 21000 *et seq.*) and CEQA regulations (Title 14, California Code of Regulations Section 15000, *et seq.*) because an ordinance adopted to add alternate members to the Parks and Recreation Commission is not considered a project under Division 13 (commencing with Section 21000) of the Public Resources Code.

NOW, THEREFORE, the City Council of the City of San Marcos, California, in accordance with the freedom afforded to charter cities generally, and by the Charter of the City of San Marcos specifically, does ordain as follows:

Section 1. The foregoing recitals are found to be true and correct and are incorporated herein as though set forth in full at this point.

Section 2. Title 9 of the San Marcos Municipal Code is hereby amended to add Chapter 9.08, as set forth in Exhibit 1 to this Ordinance.

Section 3. If any section, sentence, clause or phrase of this Ordinance is determined to be invalid, illegal or unconstitutional by a decision or order of any court or agency of competent jurisdiction, then such decision or order will not affect the validity and enforceability of the

remaining portions of this Ordinance. The City Council declares that it would have passed and adopted the Ordinance, and each section, sentence, clause or phrase thereof, regardless of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid or unconstitutional.

Section 4. Within fifteen (15) days following adoption of this Ordinance, the City Clerk shall certify to the passage of the Ordinance and cause the same to be published, or the title thereof as a summary, in accordance with the provisions of State law in a newspaper of general circulation designated for legal notices publication in the City of San Marcos.

INTRODUCED at a regular meeting of the City Council of the City of San Marcos, California, held on the 11th day of March, 2025, by the following roll call vote:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:

APPROVED:

Rebecca D. Jones, Mayor
City of San Marcos

ATTEST:

APPROVED AS TO FORM:

Phillip Scollick, City Clerk
City of San Marcos

Helen Holmes Peak, City Attorney
City of San Marcos