

ORDINANCE NUMBER O- 21031 (NEW SERIES)

DATE OF FINAL PASSAGE JAN 11 2019

AN ORDINANCE AMENDING CHAPTER 2, ARTICLE 6, DIVISION 00 OF THE SAN DIEGO MUNICIPAL CODE BY REPEALING SECTIONS 26.36 AND 26.37 AND ADDING SECTIONS 26.38 AND 26.39; AND BY AMENDING CHAPTER 2, ARTICLE 6, BY REPEALING DIVISION 18, ALL RELATING TO ESTABLISHING THE MOBILITY BOARD

WHEREAS, modes of transportation in the City of San Diego (City) have evolved dramatically in the past decade, with critical issues emerging within the City's transportation network and a need to better coordinate different transportation decisions; and

WHEREAS, the City thus proposes to create a new Charter section 43(a) citizens' advisory board known as the Mobility Board to advise the Mayor and Council on the City's transportation network; and

WHEREAS, the Mobility Board will analyze transportation decision-making in a holistic way to help the City ensure that people driving, walking, bicycling, taking transit, parking, or using other transportation modes will have safe, easy-to-use choices to move around the City; and

WHEREAS, the Mobility Board will help ensure the development of the City's transportation network meets the City's Climate Action Plan goals; and

WHEREAS, the City currently has two separate citizens' advisory boards advising City officials about bicycle and parking policies and accessibility, a Bicycle Advisory Board and Parking Advisory Board; and

WHEREAS, this Ordinance would sunset those two boards by repealing the San Diego Municipal Code sections that established the Bicycle Advisory Board and the Parking Advisory Board, with 11 and 17 appointed volunteer members, respectively; and

WHEREAS, the Mobility Board will continue the work currently being done by the Bicycle Advisory Board and the Parking Advisory Board by advising on ways to create and maintain a safe and efficient transportation network in the City; and

WHEREAS, the Mobility Board will be composed of 13 appointed volunteer members serving two-year staggered terms; and

WHEREAS, the terms of no more than seven members shall expire in the same year, and members will serve until a new member is duly appointed and confirmed; and

WHEREAS, members of the Mobility Board shall possess expertise in one or more of the following areas: transportation and transit planning, bicycle and pedestrian safety, city planning, the Americans with Disabilities Act (ADA), construction management, environmental sustainability, and public health; and

WHEREAS, one of the 13 members must have expertise in or demonstrated knowledge of the ADA and accommodation issues; and

WHEREAS, the Mobility Board will provide recommendations for policies including the development and maintenance of: pedestrian networks such as sidewalks and street crossings; bicycle networks (such as bicycle lanes and protected bikeways); ADA accessibility; parking; pedestrian plazas; access points for public transit such as the trolley, bus rapid transit, and bus lines, and other public right-of-way improvements; and recommendations for education, encouragement, and awareness programs relating to City circulation goals and policies; and

WHEREAS, the Mobility Board will advise the Mayor and Council on policies and projects that help the City reach its Climate Action Plan mode-share goals for bicyclists and pedestrians, strategies that encourage the growth of multi-modal transportation and transit-oriented development, and the development of the City's Transportation Master Plan; and

WHEREAS, the Mobility Board will advise the Mayor and Council on implementation of the City's Bicycle Master Plan and Pedestrian Master Plan, and advise City officials regarding oversight of the Vision Zero Action Plan; and

WHEREAS, the Mobility Board will make recommendations on standards relating to bicycle, pedestrian, ADA, and other elements of right-of-way design; and

WHEREAS, the Mobility Board will advise City officials about ways City departments can coordinate with stakeholder groups and other government agencies on policies and projects related to multi-modal transportation in the City; and

WHEREAS, the Mobility Board will advise City officials during the City's annual budget cycle about development of the Capital Improvements Program, including performance indicators for transportation projects to improve the City's multi-modal transportation network;  
NOW, THEREFORE,

BE IT ORDAINED, by the Council of the City of San Diego, as follows:

Section 1. Chapter 2, Article 6, Division 00 of the San Diego Municipal Code is amended by repealing sections 26.36 and 26.37 and adding new sections 26.38 and 26.39 to read as follows:

**Article 6: Board and Commissions**

**Division 00**

**§26.38 Mobility Board**

(a) Purpose and Intent

It is the purpose and intent of the Council to establish a Mobility Board to serve as an advisory body to the Mayor and Council on policies and issues related to the City's transportation network. The Board will analyze transportation decision-making in a holistic way to help the City ensure that people driving, walking, bicycling, taking transit, parking, or using other transportation modes will have safe, easy-to-use choices to move around the City. The Board will help ensure the development of the City's transportation network meets the City's Climate Action Plan goals.

(b) Mobility Board Established

There is hereby created a Mobility Board to consist of 13 members, who shall serve without compensation. Members shall be appointed by the Mayor and confirmed by the Council.

(c) Qualification of Members

(1) Each member of the Board shall possess expertise in one or more of the following areas: transportation and transit planning, bicycle and pedestrian safety, city planning, parking management, the Americans with Disabilities Act (ADA), construction management, environmental sustainability, and public health. One of the 13 positions on the Board shall be designated to be filled by a member

with expertise in or demonstrated knowledge of the ADA and accommodation issues.

- (2) The Mayor shall appoint four of the 13 members. The Mayor shall appoint the remaining nine members to represent each Council district based on nominations provided by each Councilmember.

(d) Terms

- (1) Members shall serve two-year terms, and each member shall serve until a successor is duly appointed and confirmed. Members are limited to a maximum of eight consecutive years. Appointments shall be made in such a manner that the terms of not more than seven members shall expire in any year.
- (2) Initial members shall be appointed in such a manner as to allow the terms to be staggered. For the initial appointments, six members shall be appointed to an initial term that will expire in 2020, and seven members shall be appointed to an initial term that will expire in 2021. Initial appointments that are less than the full term of two years shall not have the initial term count for purposes of the eight-year term limit.
- (3) The expiration date of all terms shall be February 1. Any vacancy shall be filled for the remainder of the unexpired term.
- (4) Each March, the Mayor may designate one member as Chairperson; however, in the absence of such designation, the

Board shall, on or after April 15, select a Chairperson from among its members.

(e) Rules

The Board shall adopt rules consistent with the law for the government of its business and procedures.

**§26.39 Mobility Board - Duties and Functions**

The Mobility Board shall:

- (a) Advise the Mayor and Council on policies and issues relating to the development, maintenance, and ADA accessibility of:
  - (1) pedestrian networks such as sidewalks and street crossings;
  - (2) bicycle networks such as bicycle lanes and protected bikeways;
  - (3) parking;
  - (4) pedestrian plazas; and
  - (5) access points for public transit such as the trolley, bus rapid transit, and bus lines, and other public right-of-way improvements.
- (b) Advise the Mayor and Council on education, encouragement, and awareness programs relating to City circulation goals and policies.
- (c) Advise the Mayor and Council on policies and projects that help the city reach its Climate Action Plan mode-share goals for bicyclists and pedestrians; discuss strategies that encourage the growth of multi-modal transportation and transit-oriented development; and provide input on the development of the City's Transportation Master Plan.

- (d) Advise the Mayor and Council on the implementation of the City's Bicycle Master Plan and Pedestrian Master Plan, and advise on oversight of the Vision Zero Action Plan.
- (e) Recommend standards relating to bicycle, pedestrian, ADA, and other elements of right-of-way design.
- (f) Advise on ways City departments can coordinate with stakeholder groups and other government agencies, including, but not limited to, the San Diego Metropolitan Transit System and the San Diego Association of Governments (SANDAG), regarding multi-modal transportation in the City.
- (g) Advise the Mayor and Council during the annual budget cycle regarding the Capital Improvements Program, including performance indicators for transportation projects to improve the City's multi-modal transportation network.
- (h) Provide an annual report to the Mayor and Council detailing the activities and recommendations of the Mobility Board.

Section 2. Chapter 2, Article 6 of the San Diego Municipal Code is amended by repealing Division 18.

Section 3. A full reading of this ordinance is dispensed with prior to its passage, a written or printed copy having been available to the Council and the public prior to the day of its passage.

Section 4. This ordinance shall take effect and be in force on the thirtieth day from  
and after its final passage.

APPROVED: MARA W. ELLIOTT, City Attorney

By *Sharon B. Spivak*  
Sharon B. Spivak  
Senior Deputy City Attorney

SBS:JLB:jdf  
11/13/18  
11/28/18 COR. COPY  
12/04/18 REV.  
Or.Dept: Council District 3  
Doc. No.: 1872825\_7

I hereby certify that the following Ordinance was passed by the Council of the City of  
San Diego, at its meeting of JAN 08 2019.

ELIZABETH S. MALAND  
City Clerk

By *Connie Patterson*  
Deputy City Clerk

Approved: 1/11/19  
(date)

*Kevin L. Faulconer*  
KEVIN L. FAULCONER, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
KEVIN L. FAULCONER, Mayor



#57  
1/8/19

(O-2019-78)  
(COR. COPY)

**STRIKEOUT ORDINANCE**

**OLD LANGUAGE: ~~Struck-Out~~**  
**NEW LANGUAGE: Double Underline**

ORDINANCE NUMBER O-\_\_\_\_\_ (NEW SERIES)

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AN ORDINANCE AMENDING CHAPTER 2, ARTICLE 6, DIVISION 00 OF THE SAN DIEGO MUNICIPAL CODE BY REPEALING SECTIONS 26.36 AND 26.37 AND ADDING SECTIONS 26.38 AND 26.39; AND BY AMENDING CHAPTER 2, ARTICLE 6, DIVISION 18 BY REPEALING DIVISION 18, ALL RELATING TO ESTABLISHING THE MOBILITY BOARD

**Article 6: Board and Commissions**

**Division 00:**

**§26.36 ~~Bicycle Advisory Board~~**

**(a) ~~Purpose and Intent~~**

~~It is the purpose and intent of the Council to establish a Bicycle Advisory Board to advise the Mayor and Council on policies related to the development and maintenance of the City's bicycle network, implement the Bicycle Master Plan, and Vision Zero, and bicycle-related mode share goals of the Climate Action Plan.~~

**(b) ~~Bicycle Advisory Board Established~~**

~~There is hereby created a Bicycle Advisory Board to consist of eleven members who shall serve without compensation. The members shall be appointed by the Mayor and confirmed by the Council. The Mayor shall appoint two members of the eleven members. The Mayor shall appoint the~~

~~remaining nine members, one each from a list of three nominations  
provided by each Councilmember.~~

~~(c) — Terms~~

- ~~(1) — Members shall serve two year terms, and each member shall serve until a successor is duly appointed and confirmed. Members are limited to a maximum of eight consecutive years. Initial members shall be appointed such that the terms of not more than five members shall expire in any year so as to allow the terms to be staggered. Initial appointments that are less than the full term of two years shall not have the initial term count for purposes of the eight year term limit.~~
- ~~(2) — The expiration date of all terms shall be June 30. Any vacancy shall be filled for the remainder of the unexpired term.~~
- ~~(3) — Each June, the Mayor may designate one member as Chairperson; however, in the absence of such designation, the Bicycle Advisory Board shall, on or after July 1, select a Chairperson from among its members.~~

~~(d) — Rules~~

~~The Board shall adopt rules consistent with the law for the government of its business and procedures.~~

~~§26.37 — Duties and Functions~~

~~The Bicycle Advisory Board shall:~~

- ~~(1) Advise the Mayor and Council on policies relating to the development and implementation of the City's Bicycle Master Plan.~~
- ~~(2) Advise the Mayor and Council on policies related to bicycle safety, and infrastructure, and encouraging the use of bicycle transportation as a viable alternative to automobiles.~~
- ~~(3) Advise on ways City departments can coordinate with stakeholder groups and other government agencies on policies related to the use of bicycles in the City.~~
- ~~(4) Advise the Mayor and Council on policies related to the implementation of the strategies in the City's Climate Action Plan related to bicycle mode share goals.~~
- ~~(5) Advise the Mayor and Council on policies that encourage City participation in programs that promote the use of bicycle transportation.~~
- ~~(6) Advise the Mayor and Council on policies to address bicycle and automobile collision data, abandoned bicycles, and bicycle theft in the City based on data from the San Diego Police Department.~~
- ~~(7) Advise the Mayor and Council on policies related to the Vision Zero community goal of improving bicycle safety and infrastructure to achieve zero bicycle injuries and deaths caused by automobile collisions in San Diego.~~

- ~~(8) — Advise the Mayor and Council on policies related to federal, state, and local rules, regulations, and laws related to bicycle use in the City, such as the “Three Feet For Safety Act” established by California Government Code section 21760.~~
- ~~(9) — Provide an annual report to the Mayor and Council detailing the activities and recommendations of the Bicycle Advisory Board.~~

**§26.38**

**Mobility Board**

**(a) Purpose and Intent**

It is the purpose and intent of the Council to establish a Mobility Board to serve as an advisory body to the Mayor and Council on policies and issues related to the City’s transportation network. The Board will analyze transportation decision-making in a holistic way to help the City ensure that people driving, walking, bicycling, taking transit, parking, or using other transportation modes will have safe, easy-to-use choices to move around the City. The Board will help ensure the development of the City’s transportation network meets the City’s Climate Action Plan goals.

**(b) Mobility Board Established**

There is hereby created a Mobility Board to consist of 13 members, who shall serve without compensation. Members shall be appointed by the Mayor and confirmed by the Council.

**(c) Qualification of Members**

- (1) Each member of the Board shall possess expertise in one or more of the following areas: transportation and transit planning, bicycle**

and pedestrian safety, city planning, parking management, the Americans with Disabilities Act (ADA), construction management, environmental sustainability, and public health. One of the 13 positions on the Board shall be designated to be filled by a member with expertise in or demonstrated knowledge of the ADA and accommodation issues.

- (2) The Mayor shall appoint four of the thirteen members. The Mayor shall appoint the remaining nine members based on nominations provided by each Councilmember.

(d) Terms

- (1) Members shall serve two-year terms, and each member shall serve until a successor is duly appointed and confirmed. Members are limited to a maximum of eight consecutive years. Appointments shall be made in such a manner that the terms of not more than seven members shall expire in any year.
- (2) Initial members shall be appointed in such a manner as to allow the terms to be staggered. For the initial appointments, six members shall be appointed to an initial term that will expire in 2020, and seven members shall be appointed to an initial term that will expire in 2021. Initial appointments that are less than the full term of two years shall not have the initial term count for purposes of the eight-year term limit.

(3) The expiration date of all terms shall be February 1. Any vacancy shall be filled for the remainder of the unexpired term.

(4) Each March, the Mayor may designate one member as Chairperson; however, in the absence of such designation, the Board shall, on or after April 15, select a Chairperson from among its members.

(e) Rules

The Board shall adopt rules consistent with the law for the government of its business and procedures.

**§26.39** **Mobility Board - Duties and Functions**

The Mobility Board will:

- (a) Advise the Mayor and Council on policies and issues relating to the development, maintenance, and ADA accessibility of:
- (1) pedestrian networks such as sidewalks and street crossings;
  - (2) bicycle networks such as bicycle lanes and protected bikeways;
  - (3) parking;
  - (4) pedestrian plazas; and
  - (5) access points for public transit such as the trolley, bus rapid transit, and bus lines, and other public right-of-way improvements.
- (b) Advise the Mayor and Council on education, encouragement, and awareness programs relating to City circulation goals and policies.
- (c) Advise the Mayor and Council on policies and projects that help the city reach its Climate Action Plan mode-share goals for bicyclists and

pedestrians; discuss strategies that encourage the growth of multi-modal transportation and transit-oriented development; and provide input on the development of the City's Transportation Master Plan.

- (d) Advise the Mayor and Council on the implementation of the City's Bicycle Master Plan and Pedestrian Master Plan, and advise on oversight of the Vision Zero Action Plan.
- (e) Recommend standards relating to bicycle, pedestrian, ADA, and other elements of right-of-way design.
- (f) Advise on ways City departments can coordinate with stakeholder groups and other government agencies, including, but not limited to, the San Diego Metropolitan Transit System and the San Diego Association of Governments (SANDAG), regarding multi-modal transportation in the City.
- (g) Advise the Mayor and Council during the annual budget cycle regarding the Capital Improvements Program, including performance indicators for transportation projects to improve the City's multi-modal transportation network.
- (h) Provide an annual report to the Mayor and Council detailing the activities and recommendations of the Mobility Board.

**Division 18: Parking Advisory Board**

**§26.1801 Purpose and Intent**

It is the purpose and intent of the City Council to establish a Parking Advisory Board to serve in an advisory capacity to the Mayor, City Council, and City

~~Manager on policy issues relating to parking. The Board's vision is to facilitate information exchange between the Community Parking District advisory boards, parking impacted areas, citizens, and City staff, to enhance the effectiveness of parking options and solutions. Also, the Board shall convey community concerns, advise the City Manager regarding parking control implementation decisions, provide support and input to Community Parking District advisory boards, when requested, and address other parking related policy matters.~~

**§26.1802 Parking Advisory Board Established**

(a) ~~There is hereby established a Parking Advisory Board consisting of seventeen members, each of whom shall serve without compensation. The members shall be appointed by the Mayor and confirmed by the City Council. In making the appointments, the Mayor shall appoint eight members, one each from a list of two nominations submitted by each Councilmember to represent his or her district. Additionally, the Mayor shall appoint one at large member, one member from each of the six Community Parking Districts, one member from the Community Planning Committee, and one member from the Business Improvement District Council. Board members shall be residents of the City of San Diego, unless a conscious exception is made by the Mayor and City Council pursuant to Council Policy 000-13. Every effort should be made to ensure that the membership of the Board includes citizens with a strong interest in parking-related issues, and is representative of both residential and commercial concerns. Membership of the Board may be expanded to~~



~~include members from newly created Community Parking Districts by an appropriate amendment to this Division.~~

- ~~(b) — Initial appointments to the Board shall be for terms commencing on January 1, 2005, at a time when the membership of the Board was to consist of only fourteen members. For these appointments, seven members shall be appointed to an initial term that will expire December 31, 2005, and seven members shall be appointed to an initial term that will expire December 31, 2006.~~
- ~~(c) — Each member shall serve a term of up to two years and until a successor is duly appointed and confirmed. No member shall serve more than two consecutive two year terms. Any member initially appointed to a term of less than two years shall be eligible to subsequently serve two consecutive two year terms. Any member appointed to fill a vacant position shall serve the remaining term of the vacant position, and be eligible to subsequently serve two consecutive two year terms. Vacancy appointment recommendations shall come from the original recommending body. Members shall be appointed in such a manner so that the terms of not more than nine members shall expire in any given year. The expiration date of all terms shall be December 31.~~
- ~~(d) — During January of each year, the Mayor may designate one member as Chairperson of the Board. In the absence of such designation, the Board shall, on or after February 15 of that year, select a Chairperson from amongst its members.~~

~~(e) — The Board shall meet at least once every three months. Nine members of the Board shall constitute a quorum, and the concurring vote of at least nine members shall be required to take any action. The City Manager shall provide appropriate staff support to the Board from City departments directly involved in parking-related matters. The Board shall adopt rules consistent with all laws and regulations governing its business and procedures.~~

**§26.1803 Duties and Functions**

**The Board Shall:**

- ~~(a) — Provide advice and recommendations directly to the Mayor, City Council, and City Manager on all policy issues relating to parking;~~
- ~~(b) — Advise the City Manager regarding parking control implementation decisions;~~
- ~~(c) — Review and comment on all parking policies and programs;~~
- ~~(d) — Advocate, formulate, and recommend for adoption, pro active parking policies, ordinances, and guidelines;~~
- ~~(e) — Network with other boards, agencies, and community residents on parking-related issues;~~
- ~~(f) — Promote a strong sense of community through parking solutions;~~
- ~~(g) — Convey community parking concerns to the Mayor, City Council, and City Manager; and~~
- ~~(h) — Act as a general information resource on parking issues within the City.~~

(O-2019-78)  
(COR. COPY)

SBS:jdf  
11/08/18  
11/28/18 COR. COPY  
Or.Dept:Council District 3  
Doc. No.: 1874692\_2

Passed by the Council of The City of San Diego on JAN 08 2019, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Ward	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Georgette Gómez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage JAN 11 2019.

AUTHENTICATED BY:

KEVIN L. FAULCONER

Mayor of The City of San Diego, California.

ELIZABETH S. MALAND

City Clerk of The City of San Diego, California.

(Seal)

By Connie Patterson, Deputy

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

DEC 04 2018

and on

JAN 11 2019

I FURTHER CERTIFY that said ordinance was read in full prior to passage or that such reading was dispensed with by a vote of five members of the Council, and that a written copy of the ordinance was made available to each member of the Council and the public prior to the day of its passage.

(Seal)

ELIZABETH S. MALAND

City Clerk of The City of San Diego, California.

By Connie Patterson, Deputy

Office of the City Clerk, San Diego, California

Ordinance Number O- 21031