

ORDINANCE NUMBER O- 21580 (NEW SERIES)

DATE OF FINAL PASSAGE DEC 14 2022

AN ORDINANCE AMENDING CHAPTER 2, ARTICLE 6,  
DIVISION 00 OF THE SAN DIEGO MUNICIPAL CODE BY  
RETITLING AND AMENDING SECTIONS 26.30 AND 26.31,  
RELATING TO PARKS AND RECREATION ADVISORY  
BOARDS.

WHEREAS, the Park and Recreation Advisory Board (Board) is established in  
San Diego Municipal Code (Municipal Code) section 26.30(a) to serve as a policy advisory  
board on matters relating to the acquisition, development, maintenance, and operation of parks,  
beaches and recreation property, and facilities; and

WHEREAS, the Board's powers and duties are set forth in Municipal Code  
section 26.31, and include advising the Council of the City of San Diego (City Council) on  
public policy matters relating to parks, beaches, playgrounds, and recreational activities;  
reviewing the City of San Diego's (City) recreational program; coordinating committee work  
related to developing policy recommendations; and conducting investigations, studies, and  
hearings that, in the Board's judgment, will aid in effectuating its general purposes; and

WHEREAS, Municipal Code section 22.1801 establishes the departments of the City of  
San Diego (City), and includes the Parks and Recreation Department (Department); and

WHEREAS, in 2017, the City Council adopted Ordinance O-20864, which amended  
Municipal Code section 22.1801 to change the Department's name from Park and Recreation  
Department to Parks and Recreation Department; and

WHEREAS, the City Council now desires to change the title of the Park and Recreation  
Board to the Parks and Recreation Board, so that the name is consistent with the Department's  
name; and

WHEREAS, the Mission Bay Park Committee (Committee) is established in Municipal Code section 26.30(c) to serve in an advisory capacity to the Parks and Recreation Board, Mayor, City Council, and City Manager on policy issues relating to the acquisition, development, maintenance, and operation of Mission Bay Park; and

WHEREAS, effective July 1, 2009, the Committee also serves as the Mission Bay Park Improvement Fund Oversight Committee, as described in San Diego Charter section 55.2; and

WHEREAS, Municipal Code section 26.30(c) provides that the Committee shall consist of eleven members appointed by the Mayor and confirmed by the City Council, and that terms shall be staggered so that no more than six members have terms expiring in any one year; and

WHEREAS, Municipal Code section 26.30(c) provides that each member of the Committee shall possess expertise relevant to the Committee and shall include three members from nominations submitted by the Councilmember for Council District Two; three members from nominations submitted by the Councilmember for Council District Six; three at-large members; one Mission Bay lessee who shall represent a hotel in Mission Bay Park; and one Mission Bay lessee who shall represent a lessee in Mission Bay Park other than a hotel; and

WHEREAS, on December 15, 2021, the City of San Diego's Redistricting Commission adopted a redistricting plan (Plan) that changed the boundaries of council districts within the City including the council districts in which Mission Bay Park is located. Under the Plan, the majority of Mission Bay Park is located in Council District Two, and a small portion is located in Council District One; and

WHEREAS, under San Diego City Charter section 5.1, the new council district boundaries are effective after the general election which will be held on November 8, 2022; and

WHEREAS, in its Performance Audit of the Mission Bay and San Diego Regional Parks Improvement Funds, Fiscal Year 2021, the Office of the City Auditor recommended that the Municipal Code be amended to ensure proper representation of council districts on the Committee; and

WHEREAS, the City Council now desires to amend Municipal Code section 26.30(c) to authorize the councilmembers for the districts in which Mission Bay Park is located to nominate members for the Mission Bay Park Committee; and

WHEREAS, the Office of the City Attorney has drafted this Ordinance based on the information provided by City staff, including information provided by affected third parties and verified by City staff, with the understanding that this information is complete, true, and accurate; NOW, THEREFORE,

Section 1. That Chapter 2, Article 6, Division 00 of the San Diego Municipal Code is amended by amending sections 26.30 and 26.31 to read as follows:

**Article 6: Board and Commissions**

**Division 00**

**§26.30 Parks and Recreation Advisory Boards**

**(a) Parks and Recreation Board**

It is the purpose and intent of the City Council to establish a policy advisory board on matters relating to the acquisition, development, maintenance and operation of parks, beaches and recreation property and facilities and that the Parks and Recreation Board will, along with other duties, perform the functions of the former Parks and Recreation Commission. Effective July 1, 2009, the Parks and Recreation Board shall

also fulfill the role of the San Diego Regional Parks Improvement Fund Oversight Committee as described in Charter Section 55.2. In order to fulfill the responsibilities under Charter section 55.2, new qualifications are established to ensure each member is qualified to perform effective oversight.

(1) There is hereby created a Parks and Recreation Board consisting of eleven (11) members who shall serve without compensation.

(A) Each of the members of the Parks and Recreation Board shall possess expertise, or demonstrated experience or knowledge, in one or more of the following areas: auditing, finance or municipal finance, general business, planning, biology or environmental science, resource management or protection, wildlife management or protection, construction management, recreation management or planning.

(B) through (D) [No change in text.]

(E) The Parks and Recreation Director shall serve as Secretary to the Board.

(2) through (3) [No change in text.]

(4) There shall be a standing committee whose purpose it shall be to give advice relative to the maintenance of the San Diego - La Jolla Underwater Park as a marine life reserve to the end that the total environment, geological, biological, and botanical, of said park be preserved and protected. Said committee shall render such advice

as to the management, operation and necessary restrictions on the use of the park as may be required. The advisory committee shall consist of nine (9) members, one of which shall be a representative of the general public, and the others representing pertinent City, State, and Federal government and recreation interests.

Members shall be representatives of the University of California-Scripps Institution of Oceanography; the U.S. Fish and Wildlife Service; State of California Department of Fish and Wildlife; San Diego Council of Divers; San Diego sport fishing interests; one geologist; one marine biologist; and two members at large. Members shall be appointed by the Mayor with the consent of the Council.

The members shall serve two (2) year terms and each member shall serve until his successor is duly appointed and qualified. The members shall be appointed in such a manner that the terms of not more than five (5) members shall expire in any year. The expiration date shall be March 1. During March of each year, the Mayor may designate one (1) member as Chair; however, in the absence of such designation, the Board shall, on or after April 15, select from among their members a Chair.

(b) Balboa Park Committee

There is hereby established a Balboa Park Committee to serve in an advisory capacity to the Parks and Recreation Board, Mayor, City

Council, and City Manager on policy issues relating to the acquisition, development, maintenance and operation of Balboa Park. The Balboa Park Committee shall consist of twelve members, who shall serve without compensation. The members shall be appointed by the Mayor and confirmed by the City Council, subject to the following conditions:

(1) The Mayor shall appoint one member from among the members of the Parks and Recreation Board who shall be designated Chair;

(2) through (4) [No change in text.]

(5) The Mayor shall appoint one member from the Balboa Park/Morley Field Community Recreation Group; and

(6) [No change in text.]

(c) Mission Bay Park Committee

There is hereby established a Mission Bay Park Committee to serve in an advisory capacity to the Parks and Recreation Board, Mayor, City Council, and City Manager on policy issues relating to the acquisition, development, maintenance, and operation of Mission Bay Park. Effective July 1, 2009, the Mission Bay Park Committee shall also fulfill the role of the Mission Bay Park Improvement Fund Oversight Committee as described in Charter section 55.2. In order to fulfill the responsibilities under Charter section 55.2, new qualifications are established to ensure each member is qualified to perform effective oversight.

(1) through (2) [No change in text.]

(3) The members shall be appointed by the Mayor and confirmed by the City Council, subject to the following conditions:

(A) The Mayor shall appoint three members from nominations submitted by the Councilmember representing the Council District that contains the largest geographic area of Mission Bay Park, and three members from nominations submitted by the Councilmember representing the Council District that contains the next largest area of Mission Bay Park, or if none, the Council District located in closest proximity to Mission Bay Park;

(B) through (D) [No change in text.]

(4) through (7) [No change in text.]

(d) **Municipal Golf Committee**

There is hereby established a Municipal Golf Committee to serve in an advisory capacity to the Parks and Recreation Board, Mayor, City Manager, and City Council on policy issues relating to the acquisition, development, maintenance, and operation of the following municipal golf courses: Balboa Golf Course, Mission Bay Golf Course, and Torrey Pines Golf Course.

(1) through (4) [No change in text.]

**§26.31 Parks and Recreation Board — Powers and Duties**

The powers and duties of the Parks and Recreation Board shall be as follows:

(a) through (d) [No change in text.]

Section 2. That a full reading of this Ordinance is dispensed with prior to passage, a written copy having been made available to the Council and the public prior to the day of its passage.

Section 3. That 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 /s/Kathy J. Steinman  
Kathy J. Steinman  
Deputy City Attorney

KJS:jvg  
October 3, 2022  
Or.Dept: Office of Boards and Commissions  
Doc. No.: 3107490

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of DEC 06 2022.

ELIZABETH S. MALAND  
City Clerk

By Kristell Medina  
Deputy City Clerk

Approved: 12/14/22  
(date)

Todd Gloria  
TODD GLORIA, Mayor

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

\_\_\_\_\_  
TODD GLORIA, Mayor



**STRIKEOUT ORDINANCE**

**OLD LANGUAGE: ~~Struck Out~~**

**NEW LANGUAGE: Double Underline**

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**§26.30**

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(B) through (D) [No change in text.]

(E) The Parks and Recreation Director shall serve as Secretary to the Board.

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Members shall be representatives of the University of California-- Scripps Institution of Oceanography; the U.S. Fish and Wildlife Service~~Interior Department Bureau of Sports Fishery and Wildlife~~

~~or Bureau of Commercial Fisheries~~; State of California Department of Fish and ~~Wildlife Game~~; San Diego Council of ~~Diversing Clubs~~; San Diego sport fishing interests; ~~one member of the California State Advisory Board on Underwater Parks and Reserves~~; one geologist; one marine biologist; and ~~two~~one members at large. Members shall be appointed by the Mayor with the consent of the Council.

The members shall serve two (2) year terms and each member shall serve until his successor is duly appointed and qualified. The members shall be appointed in such a manner that the terms of not more than five (5) members shall expire in any year. The expiration date shall be March 1. During March of each year, the Mayor may designate one (1) member as Chairman; however, in the absence of such designation, the Board shall, on or after April 15, select from among their members a Chairman.

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(1) The Mayor shall appoint one member from among the members of the Parks and Recreation Board who shall be designated Chair;

(2) through (4) [No change in text.]

(5) The Mayor shall appoint one member from the Balboa Park/Morley Field Community Recreation Group Council; and

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~~Council District Six~~ representing the Council District that contains the next largest area of Mission Bay Park, or if none, the Council District located in closest proximity to Mission Bay Park;

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The powers and duties of the Parks and Recreation Board shall be as follows:

(a) through (d) [No change in text.]

KJS:jvg  
October 3, 2022  
Or.Dept: Office of Boards and Commissions  
Doc. No.: 3107487

Passed by the Council of The City of San Diego on DEC 06 2022, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<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"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery Steppe	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<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"/>
Raul A. Campillo	<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"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage DEC 14 2022.

AUTHENTICATED BY:

TODD GLORIA  
Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.

By Kristell Medina, 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

NOV 15 2022

DEC 14 2022

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 Kristell Medina, Deputy

Office of the City Clerk, San Diego, California

Ordinance Number O- 21580