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09/10/2024

(O-2025-7)

ORDINANCE NUMBER O- 21863 (NEW SERIES)

DATE OF FINAL PASSAGE SEP 17 2024

AN ORDINANCE AMENDING CHAPTER 2, ARTICLE 6, DIVISION 5 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 26.0501, 26.0502, AND 26.0503, RELATING TO THE COMMUNITY FOREST ADVISORY BOARD.

WHEREAS, San Diego Municipal Code Chapter 2, Article 6, Division 5, sections 26.0501 through 26.0503 (Municipal Code) established the Community Forest Advisory Board (Board) to advise the Mayor and Council of the City of San Diego (Council) on policy issues relating to urban forestry; and

WHEREAS, under the Municipal Code, the Board's duties include suggesting mechanisms that establish and maintain a healthy urban forest for City residents and visitors; and

WHEREAS, under the Municipal Code, the Board shall consist of 15 members appointed by the Mayor and confirmed by the Council; and

WHEREAS, under the Municipal Code, nine of the members shall be from a list of two nominations submitted by each Councilmember to represent their district; and

WHEREAS, under the Municipal Code, the Mayor shall also appoint five members who shall be a landscape architect; a certified arborist; urban forester; a horticulturist/nursery industry representative; a representative from a non-profit organization or governmental agency involved with forestry; and an artist; and

WHEREAS, under the Municipal Code, in January of each year, the Mayor may designate one member as Chair, and in the absence of such designation the Board shall, on or after February 15, select a Chair from among its members; and

WHEREAS, City staff have been informed that the current Municipal Code requirements for this Board have limited the Board's ability to meet quorum and carry out the vision of the Board; and

WHEREAS, the Council now desires to amend the Municipal Code to reduce the total membership of the Board and change the appointment of the Chair to better enable the Board to meet quorum and carry out its duties and functions; and

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

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

Section 1. That Chapter 2, Article 6, Division 5 of the San Diego Municipal Code is amended by amending sections 26.0501, 26.0502, and 26.0503, to read as follows:

§26.0501 Purpose and Intent

It is the purpose and intent of the City Council to establish a Community Forest Advisory Board to serve in an advisory capacity to the Mayor and City Council on policy issues relating to urban forestry. The Board's duties include suggesting mechanisms that establish and maintain a healthy urban forest for City residents and visitors.

§26.0502 Composition of the Community Forest Advisory Board

The Community Forest Advisory Board shall consist of thirteen members who shall serve without compensation. The members shall be appointed by the Mayor and confirmed by the City Council. The Mayor shall appoint nine members, one each from nominations submitted by each Councilmember to represent their district.

Additionally, the Mayor shall appoint four members who shall be any of the following: a licensed landscape architect; a certified arborist; urban forester; a representative of the horticulturist/nursery industry; a representative from a non-profit organization involved with forestry as demonstrated in the organization's articles of incorporation, or a governmental agency involved with forestry; or an artist. Members shall serve three-year terms and each member shall serve until a successor is duly appointed and confirmed. The members shall be appointed such that the terms of not more than five members shall expire in any year. The expiration date of all terms shall be December 31. On or after February 15 of each year, the Board shall select a Chair from among its members. Any vacancy shall be filled for the unexpired term of the member whose place becomes vacant. The Board shall adopt rules and procedures consistent with the law for the conduct of its responsibilities.

§26.0503 Duties and Functions

The Board shall:


- (a) Provide advice and recommendations to the Mayor and City Council on policy issues relating to urban forestry.
- (b) Advocate and formulate proactive urban forestry policies, ordinances, and guidelines.
- (c) [No change in text.]
- (d) Review and comment on the coordination of urban forestry-related policies and programs.
- (e) Network with other boards, agencies, and community residents.

(f) through (i) [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 
Kathy J. Steinman
Senior Deputy City Attorney

KJS:jvg
July 2, 2024
Or.Dept: CD-1
Doc. No. 3711252

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of SEP 10 2024.

DIANA J.S. FUENTES
City Clerk

By 
Deputy City Clerk

Approved: 9/17/24
(date)


TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

STRIKEOUT ORDINANCE

OLD LANGUAGE: ~~Struck-Out~~

NEW LANGUAGE: Double Underline

ORDINANCE NUMBER O-_____ (NEW SERIES)

DATE OF FINAL PASSAGE _____

AN ORDINANCE AMENDING CHAPTER 2, ARTICLE 6, DIVISION 5 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 26.0501, 26.0502, AND 26.0503, RELATING TO THE COMMUNITY FOREST ADVISORY BOARD.

Article 6: Board and Commissions

Division 5: Community Forest Advisory Board

§26.0501 Purpose and Intent

It is the purpose and intent of the City Council to establish a Community Forest Advisory Board to serve in an advisory capacity to the Mayor ~~and~~ City Council; ~~and City Manager~~ on policy issues relating to urban forestry. ~~The Board's duties include~~ The vision statement for the Board is to "create suggesting mechanisms for that establishing, and maintain advocating and stewarding, in perpetuity, a healthy urban forest for City residents and visitors and ~~thereby~~ a healthy, attractive and prosperous city."

§26.0502 Composition of the Community Forest Advisory Board Established

There is ~~hereby~~ created a Community Forest Advisory Board ~~shall~~ consisting of ~~fifteen~~ thirteen members, who shall serve without compensation. The members shall be appointed by the Mayor and confirmed by the City Council. The Mayor shall appoint ~~one member who shall be designated as Chair~~ and nine members, one each from a ~~list of two~~ nominations submitted by each Councilmember to

represent their district. Additionally, the Mayor shall appoint ~~five~~four members who shall ~~represent or be~~ any of the following: a licensed landscape architect; a certified arborist/urban forester; a representative of the horticulturist/nursery industry ~~representative~~; a representative from a non-profit organization involved with forestry as demonstrated shown in the organization's articles of incorporation, or a governmental agency involved with forestry; ~~and/or~~ an artist. ~~The m~~Members shall serve three-year terms and each member shall serve until a successor is duly appointed and confirmed. The members shall be appointed such that the terms of not more than five members shall expire in any year. The expiration date of all terms shall be December 31. ~~During January of each year,~~ ~~the Mayor may designate one member as Chair; however, in the absence of such designation, the Board shall e~~On or after February 15 of each year, the Board shall select a Chair from among its members. Any vacancy shall be filled for the unexpired term of the member whose place becomes vacant. The Board shall adopt rules and procedures consistent with the law for the conduct of its responsibilities ~~government of its business and procedures.~~

§26.0503 Duties and Functions

The Board shall:

- (a) Provide advice and recommendations ~~directly to the Mayor, and City Council and City Manager~~ on all policy issues relating to urban forestry.
- (b) Advocate and formulate proactive urban forestry policies, ordinances, and guidelines.
- (c) [No change in text.]

- (d) Review and comment on the coordination of urban forestry-related policies and programs.
- (e) Network with other boards, agencies, and community residents.
- (f) through (i) [No change in text.]

KJS:jvg
July 2, 2024
Or.Dept: CD-1
Doc. No. 3711251

Passed by the Council of The City of San Diego on SEP 10 2024, 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Foster III	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kent Lee	<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 SEP 17 2024.

AUTHENTICATED BY:

(Seal)

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

DIANA J.S. FUENTES
City Clerk of The City of San Diego, California.

By Linda Irwin, Deputy
For Connie Patterson

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 JUL 30 2024, and on SEP 17 2024.

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)

DIANA J.S. FUENTES
City Clerk of The City of San Diego, California.

By Linda Irwin, Deputy
For Connie Patterson

Office of the City Clerk, San Diego, California
Ordinance Number O- <u>21863</u>