

RESOLUTION NUMBER R- 311568

DATE OF FINAL PASSAGE MAR 01 2018

A RESOLUTION OF THE COUNCIL OF THE CITY OF  
SAN DIEGO CONFIRMING THE APPOINTMENT OF DAVID  
NISLEIT AS CHIEF OF POLICE

WHEREAS, San Diego Charter section 57 states that the Chief of Police for the City of San Diego (City) is appointed by the City Manager – now the Strong Mayor, as stated in San Diego Charter section 260 – and the appointment must be confirmed by a majority of the City Council; and

WHEREAS, Mayor Faulconer has appointed David Nisleit to serve as Chief of Police, following the March 1, 2018 retirement of Police Chief Shelley Zimmerman, and is presenting his appointment to the City Council for confirmation; and

WHEREAS, in accordance with San Diego Charter section 57 and 265, the Chief of Police may be removed by the Mayor, subject to a right to appeal to the City Council under specified procedural requirements; and

WHEREAS, the Mayor has authority to set the compensation for the Chief of Police, in accordance with San Diego Charter sections 28 and 70, so long as the compensation is within the salary rates for the position as established by the City Council in adopting the annual Salary Ordinance; and

WHEREAS, once appointed and confirmed, the Chief of Police has the power and authority necessary for the operation and control of the Police Department; and

WHEREAS, the Chief of Police, with the approval of the Mayor, appoints, directs, and supervises the personnel of the Police Department, subject to Civil Service Rules and applicable

Personnel and Administrative Regulations; has charge of the property and equipment of the Police Department; and exercises all powers and duties provided by the laws of the State of California and by ordinance of the City Council; and

WHEREAS, City Council Policy 300-08 sets forth the procedure for confirmation of the Chief of Police; and

WHEREAS, on February 12, 2018, the Council Committee of the Whole held a public hearing, in accordance with City Council Policy 300-08, for the purpose of seeking community comments on the Chief of Police appointee; and


WHEREAS, following the public hearing on February 12, 2018, the Council Committee of the Whole voted to accept the report prepared by Mayor Faulconer's staff, providing relevant information on the Mayor's appointment, and to forward the report to a meeting of the City Council to consider confirmation of David Nisleit to serve as Chief of Police, effective March 2, 2018; and

WHEREAS, on February 12, 2018, the Council Committee of the Whole, composed of all members of the City Council, under City Council Rule 6.11.2, also voted to waive City Council Policy 300-08 to allow for the confirmation hearing to be set on February 26, 2018, which is longer than time frame set forth in City Council Policy 300-08; the later date is necessary due to the legislative recess on February 19, 2018 and February 20, 2018; and

WHEREAS, the City Council now wishes to confirm the appointment of David Nisleit to the position of Chief of Police; NOW, THEREFORE,

BE IT RESOLVED by the Council of the City of San Diego that the Council confirms the appointment of David Nisleit to the position of Chief of Police, effective March 2, 2018.

APPROVED: MARA W. ELLIOTT, City Attorney

By   
Joan F. Dawson  
Deputy City Attorney

JFD:jdf  
02/14/18  
Or.Dept: HR  
Doc. No.: 1688751

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of FEB 26 2018.

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 3/11/18  
(date)

  
KEVIN L. FAULCONER, Mayor

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

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

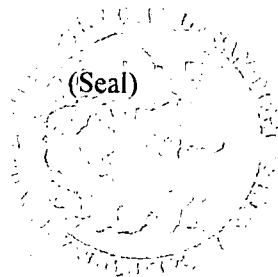
Passed by the Council of The City of San Diego on FEB 26 2018, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<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"/>
Myrtle Cole	<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"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Georgette Gomez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage MAR 01 2018

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

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.

By Ginda Bruin, Deputy

Office of the City Clerk, San Diego, California  
Resolution Number R- 311568