

RESOLUTION NUMBER R- 313501

DATE OF FINAL PASSAGE MAY 05 2021

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO APPROVING INTERIM STANDARD
OPERATING PROCEDURES FOR THE COMMISSION ON
POLICE PRACTICES, IN ACCORDANCE WITH SAN DIEGO
CHARTER SECTION 41.2.

WHEREAS, on November 3, 2020, City of San Diego (City) voters approved Measure B to establish the Commission on Police Practices (Commission), which supersedes the City's Community Review Board on Police Practices (CRB); and

WHEREAS, Measure B amended the City Charter (Charter) to, among other things, add section 41.2; and

WHEREAS, the Charter amendments set forth in Measure B took effect on December 18, 2020, when the California Secretary of State chaptered them; and

WHEREAS, under Charter section 41.2, the Commission is established as an investigatory body of the City, independent of the Mayor and the Police Department; and

WHEREAS, the Commission has certain mandatory duties and discretionary powers, as described in section 41.2, and the City Council (Council) may, by ordinance, mandate additional duties and authorize additional powers for the Commission, consistent with the Charter and applicable federal and state law; and

WHEREAS, Charter section 41.2 provides that the Commission will be composed of members of the CRB serving at the time the section takes effect (interim Commission), until the Council has formally appointed members to the Commission; and

WHEREAS, the Council recognizes that there are several policy determinations that the Council must make to fully implement the Commission, relating to its composition and how the Commission will carry out its Charter-mandated duties; and

WHEREAS, the Council further recognizes that the City must ensure compliance with the Meyers-Milias-Brown Act (MMBA), California's collective bargaining law that applies to public agencies like this City, before the Council makes final implementation decisions on matters subject to collective bargaining; and

WHEREAS, the Council wishes to adopt interim standard operating procedures; and

WHEREAS, the interim Commission is proposing approval of interim standard operating procedures to be used while final implementation decisions can be discussed and made; and

WHEREAS, on January 21, 2021, in accordance with the MMBA, the City's Management Team for labor relations provided notice to all of the City's recognized employee organizations of the proposed interim standard operating procedures; and

WHEREAS, on March 5, 2021, in accordance with the MMBA, the City's Management Team for labor relations met with representatives from the San Diego Police Officers Association and addressed their concerns with the proposed interim standard operating procedures, by agreeing to add express language covering the City's duty to comply with the Public Safety Officers Procedural Bill of Rights, set forth at California Government Code sections 3300 through 3312; and

WHEREAS, on March 10, 2021, the Council's Public Safety and Livable Neighborhoods Committee considered the proposed interim standard operating procedures and voted to advance the proposed procedures to Council for approval; NOW THEREFORE,

BE IT RESOLVED by the Council of the City of San Diego that, in accordance with Charter section 41.2, the Council approves the standard operating procedures proposed by the interim Commission, on file in the Office of the City Clerk as Document No.

RR- 313501, as the procedures to govern the Commission's activities until the Council makes formal determinations on full implementation of the Commission.

APPROVED: MARA W. ELLIOTT, City Attorney

By Joan F. Dawson
Joan F. Dawson
Senior Deputy City Attorney

JFD:myb
March 24, 2021
Or.Dept: Council District 4
Doc. No.: 2618186

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of 4/26/2021.

ELIZABETH S. MALAND
City Clerk

By /s/ Matthew R. Hilario
Deputy City Clerk

Approved: 5/4/21
(date)

Todd Gloria
TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on APR 26 2021, by the following vote:

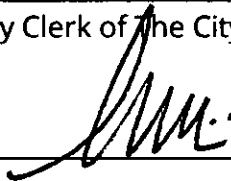
Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery Steppe	<input 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"/>
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 MAY 05 2021.

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

(Seal) ELIZABETH S. MALAND
City Clerk of the City of San Diego, California.

By , Deputy

Office of the City Clerk, San Diego, California
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