

#606  
01/30/2023

(R-2023-365)

RESOLUTION NUMBER R- 314582

DATE OF FINAL PASSAGE FEB 01 2023

A RESOLUTION OF THE COUNCIL OF THE CITY OF  
SAN DIEGO CONFIRMING AN APPOINTMENT TO THE  
PRIVACY ADVISORY BOARD.

WHEREAS, the Privacy Advisory Board (Board) is established in San Diego Municipal Code sections 26.42 and 26.43 (Municipal Code) to advise the Mayor and Council of the City of San Diego (Council) on policies and issues related to privacy and surveillance intended to ensure transparency, accountability, and public deliberation in the City of San Diego's (City) acquisition and use of surveillance technology; and

WHEREAS, the Municipal Code provides that the Board consist of nine members appointed by the Mayor and confirmed by a majority vote of the Council. Six of the nine members of the Board shall reside in the City of San Diego; and

WHEREAS, members of the Board shall have a demonstrated interest in privacy rights through work experience, civic participation, and/or political advocacy. The Mayor shall appoint the nine members from the following representative areas of organizational interest, expertise, and background: at least one attorney or legal scholar with expertise in privacy or civil rights, or a representative of an organization with expertise in privacy or civil rights; one auditor or certified public accountant; one computer hardware, software, or encryption security professional; one member of an organization that focuses on open government and transparency or an individual, such as a university researcher, with experience working on open government and transparency; and at least four members from equity-focused organizations serving or protecting the rights of communities and groups historically subject to disproportionate

surveillance, including communities of color, immigrant communities, religious minorities, and groups concerned with privacy and protest; and

WHEREAS, no member may have a prohibited financial interest, employment, or policy-making position in any commercial or for profit facility, research center, or other organization that sells data products, surveillance equipment, or otherwise profits from recommendations made by the Board; and

WHEREAS, members serve two-year terms, limited to a maximum of eight consecutive years, and until a successor is duly appointed and confirmed; and

WHEREAS, initial members shall be appointed in staggered terms. For the initial appointments, five members shall be appointed to an initial term that will expire in 2023, and four members shall be appointed to an initial term that will expire in 2024. Initial appointments for less than the full term of two years shall not have the initial term count for purposes of the eight-year term limit; and

WHEREAS, all terms shall expire on March 15 in the year of termination; and

WHEREAS, the Mayor now seeks Council confirmation of an appointment for the term expiring as indicated; and

WHEREAS, the Office of the City Attorney has drafted this resolution 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,

BE IT RESOLVED, by the Council of the City of San Diego, that the following appointment by the Mayor, to serve as a member of the Privacy Advisory Board, for a term expiring as indicated, is made and hereby confirmed:

NAME	CATEGORY	TERM ENDING
Lee Michael Duran (Pacific Beach, District 1) (Appointment filling a vacant seat)	CPA/Auditor Seat	March 15, 2023

APPROVED: MARA W. ELLIOTT, City Attorney

By /s/Kathy J. Steinman  
Kathy J. Steinman  
Deputy City Attorney

KJS:jvg  
January 23, 2023  
Or.Dept: Mayor  
CC No. N/A  
Doc. No. 3198607

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JAN 30 2023

DIANA J.S. FUENTES  
City Clerk

By Connie Patterson  
Deputy City Clerk

Approved: 2/1/23  
(date)

Todd Gloria  
TODD GLORIA, Mayor

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

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

Passed by the Council of The City of San Diego on JAN 30 2023, 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"/>
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"/>
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 FEB 01 2023.

**(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)

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

By Connie Patterson, Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- 314582