

RESOLUTION NUMBER R- 315736

DATE OF FINAL PASSAGE AUG 05 2024

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO CONFIRMING APPOINTMENTS AND
REAPPOINTMENTS TO THE PRIVACY ADVISORY BOARD
AND WAIVING REQUIREMENTS OF COUNCIL POLICY
000-13.

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 Board shall consist of nine members, which six of the nine Board members shall reside in the City; and

WHEREAS, all Board members shall have a demonstrated interest in privacy rights through work experience, civic participation, and/or political advocacy; and

WHEREAS, Board members shall be appointed from the following representative areas of organizational interest, expertise, and background: (1) 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; (2) one auditor or certified public accountant; (3) one computer hardware, software, or encryption security professional; (4) 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 (5) 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 members serve until a successor is duly appointed and confirmed; and

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

WHEREAS, pursuant to San Diego City Charter (Charter) section 43(c) and Council Policy 000-13, if the Mayor is vested with authority to appoint members of boards and does not take such action within 45 days after a vacancy occurs, the Council shall make such appointments; and

WHEREAS, pursuant to Charter section 43(c) and Council Policy 000-13, on July 17, 2024, the Council President issued a memorandum calling for nominations for Council appointments to the Board (Memo); and

WHEREAS, the Memo required Councilmembers to submit all nominations directly to the Director of Legislative Affairs by 5:00 p.m. on July 23, 2024; and

WHEREAS, the Memo identified seven vacant seats on the Board; and

WHEREAS, the applicant and nominee for one of the Equity-Focused Organization seats is Ted Womack Jr., and no other applications or nominations were received for this vacant seat; and

WHEREAS, the applicant and nominee for one Attorney/Legal Scholar seat is Timothy Blood, and no other applications or nominations were received for this vacant seat; and

WHEREAS, the applicant and nominee for a second Attorney/Legal Scholar seat is Brett Diehl, and no other applications or nominations were received for this vacant seat; and

WHEREAS, under Council Policy 000-13, if the number of nominees equals the number of vacancies, the nominees may be elected by general consent or acclamation to fill the position; and

WHEREAS, the Council wishes to reappoint Pegah Parsi and Taura Gentry Kelso to the seats on the Board they currently occupy on expired terms; 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, as follows:

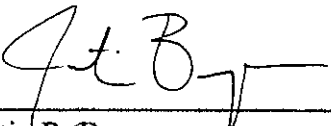
1. That the following appointments and reappointments, to serve as members of the Privacy Advisory Board, for terms expiring as indicated, are made and hereby confirmed:

NAME	CATEGORY	TERM ENDING
Ted Womack Jr. (North Park, District 9) (Appointment filling a vacant seat)	Equity-Focused Organization	March 15, 2026
Timothy Blood (Kensington, District 9) (Appointment filling a vacant seat)	Attorney/Legal Scholar	March 15, 2025
Brett Diehl (Hillcrest, District 3) (Appointment filling a vacant seat)	Attorney/Legal Scholar	March 15, 2025
Taura Gentry-Kelso (Paradise Hills, District 4) (Reappointment)	Computer Hardware/Software/Encryption Security Professional	March 15, 2026

Pegah Parsi (Clairemont, District 2) (Reappointment)	Equity-Focused Organization	March 15, 2026
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2. The Council waives Council Policy 000-13, section C(5)(b), which provides “Councilmembers shall provide any such nominating materials directly to the Director of Legislative Affairs within 10 days” of the Council President posting the memorandum calling for the nominations to the Board.

APPROVED: MARA W. ELLIOTT, City Attorney

By 
 Justin R. Bargar
 Deputy City Attorney

JRB:cw
 July 25, 2024
 Or.Dept: Council President
 CC No.: N/A
 Doc. No.: 3734774

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUL 30 2024

DIANA J.S. FUENTES
 City Clerk
 By 
 Deputy City Clerk

Approved: 8/2/24
 (date)


 TODD GLORIA, Mayor

Vetoed: _____
 (date)

 TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on JUL 30 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 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"/>
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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 AUG 05 2024

(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 *Kristel Medina*, Deputy
for *Gilbert Sanchez*

Office of the City Clerk, San Diego, California

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