

RESOLUTION NUMBER R- **316220**DATE OF FINAL PASSAGE **MAY 20 2025**

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO CREATING AND ESTABLISHING AN AD HOC COMMITTEE TO RECRUIT AND PROVIDE ADVISORY RECOMMENDATIONS TO THE COUNCIL RELATED TO THE APPOINTMENT OF THE EXECUTIVE DIRECTOR OF THE COMMISSION ON POLICE PRACTICES AND DESIGNATING THE LABOR NEGOTIATORS FOR THE APPOINTMENT.

RECITALS

The Council of the City of San Diego (Council) adopts this Resolution based on the following:

A. On November 3, 2020, City of San Diego (City) voters approved Measure B to establish the Commission on Police Practices (Commission), which superseded the City's Community Review Board on Police Practices. Measure B amended the San Diego City Charter (Charter) to, among other things, add section 41.2. The Charter amendments set forth in Measure B took effect on December 18, 2020, when the California Secretary of State chaptered them.

B. Under Charter section 41.2, the Commission is established as an investigatory body of the City, independent of the Mayor and the Police Department. 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.

C. Charter section 41.2 also provides that the Council must appoint and establish the initial annual compensation for the Commission's Executive Director, who serves at the direction and will of the Commission.

D. The Executive Director's compensation must be consistent with the compensation schedules established by the Council in adopting the annual Salary Ordinance and other applicable laws.

E. By San Diego Ordinance O-21318 (May 19, 2021), codified at San Diego Municipal Code (Municipal Code) section 22.5601, the Council established the Office of the Commission on Police Practices as a City department. Under Municipal Code section 22.5601, the Commission's Executive Director serves as the administrative director of the department. The Executive Director also serves as the appointing authority for all personnel in the department.

F. By San Diego Ordinance O-21557 (Oct. 20, 2022), codified at Municipal Code sections 26.1101 through 26.1115, the Council adopted provisions related to implementation of the Commission.

G. By San Diego Resolution R-315647 (June 25, 2024), the Council appointed Paul Parker to the position of Commission Executive Director. Mr. Parker voluntarily separated from the City in December 2024, leaving a vacancy in the position of Commission Executive Director.

H. By San Diego Resolution R-316162 (April 15, 2025), the Council appointed Bart Miesfeld to the position of Executive Director of the Commission to serve on an interim basis while the Council engages in a recruitment process for Mr. Parker's successor. Mr. Miesfeld started work as a City employee on January 28, 2025, in the position of General Counsel of the Commission. The Council's intent is that Mr. Miesfeld will return to the position of General Counsel of the Commission upon the appointment of the next Executive Director following the recruitment process.

I. Charter section 43(b) authorizes the Council to create and establish citizens' committees for the purpose of advising on questions with clearly defined objectives, as long as

the committees are temporary in nature and are dissolved upon the completion of the objectives for which they were created.

J. The Council wishes to create and establish an Ad Hoc Committee on the Recruitment of the Executive Director of the Commission on Police Practices (Ad Hoc Committee), with members of the Council and the Commission serving on it.

K. The Ad Hoc Committee's purpose is to engage in the recruitment of the Commission's Executive Director and provide advisory recommendations to the Council on candidates for appointment.

L. The duties of the Ad Hoc Committee include obtaining input from community members on the skills and qualities desired in the Commission's Executive Director, preparing recruitment-related documents and distributing them, conducting initial interviews with qualified candidates, making a recommendation regarding the final candidate or candidates who should be considered by the Council for appointment, and making any advisory recommendations on best practices related to the Ad Hoc Committee's work for future needs of the City.

M. The Council determines that the Ad Hoc Committee is temporary in nature and will be dissolved upon the appointment of the Commission's Executive Director.

N. The Council wishes to designate two Councilmembers to serve as representatives of the Council on the Ad Hoc Committee, specifically Council President Joe LaCava (District 1) and Councilmember Henry Foster (Council District 4).

O. The Council also wishes to designate Council President LaCava and Councilmember Foster to serve as the Council's designated labor negotiators, in accordance with California Government Code section 54957.6, for purposes of receiving Council direction and negotiating compensation and other terms and conditions of employment with the Council's

appointee for the position of Commission Executive Director, who will be an unrepresented City employee, in the City's unclassified service.

P. The Council also wishes to appoint the following members of the Commission to serve on the Ad Hoc Committee: John Armantrout, Bonnie Benitez, Darlann Hctor Mulmat, and Clovis Honoré; these citizen members will serve without compensation, in accordance with Charter section 43(b).

Q. The Council requests that the Ad Hoc Committee report back to the Council, as needed, for the Council to make the appointment in accordance with applicable laws, including the Charter, Municipal Code, City personnel rules and regulations, and the Ralph M. Brown Act.

R. The Council also requests the administrative assistance and support of the City's Personnel and Human Resources Departments to ensure that the recruitment and appointment are conducted in accordance with applicable laws and existing City practices and procedures.

S. 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 and accurate.

T. The recruitment and appointment of the Commission's Executive Director are exclusively within the purview of the Council in accordance with Charter section 41.2, and, therefore, this Resolution is not subject to the Mayor's veto authority, as set forth in Charter section 280(a)(1).

ACTION ITEMS

Be it resolved by the Council of the City of San Diego:

1. The Council establishes the Ad Hoc Committee to conduct the recruitment for the Commission's Executive Director and provide advisory recommendations to the Council on a final candidate or candidates to be considered for appointment. The Council determines that the

Ad Hoc Committee is temporary in nature and will be dissolved upon the appointment of the Commission's Executive Director.

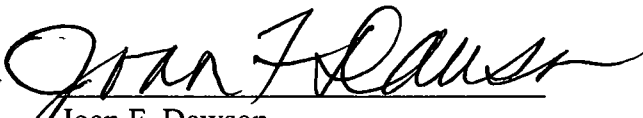
2. The Council designates Council President Joe LaCava and Councilmember Henry Foster to serve as representatives of the Council on the Ad Hoc Committee.

3. The Council designates Council President LaCava and Councilmember Foster to serve as the Council's labor negotiators, in accordance with California Government Code section 54957.6, for purposes of receiving Council direction and negotiating compensation and other terms and conditions of employment with the Council's appointee to the position of Commission Executive Director, who will be an unrepresented City employee, in the City's unclassified service.

4. The Council appoints the following Commission members to serve on the Ad Hoc Committee: John Armantrout, Bonnie Benitez, Darlanne Hctor Mulmat, and Clovis Honoré.

5. The Council requests that the City's Personnel Department and Human Resources Department provide administrative assistance and support for the Ad Hoc Committee.

APPROVED: HEATHER FERBERT, City Attorney

By 
Joan F. Dawson
Senior Deputy City Attorney

JFD:cm

May 9, 2025

Or.Dept: Council District 1

Doc. No. 4055057

I certify that the Council of the City of San Diego adopted this Resolution at a meeting held on
MAY 20 2025.

DIANA J.S. FUENTES
City Clerk

By Connie Patterson
Deputy City Clerk

Passed by the Council of The City of San Diego on MAY 20 2025, 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 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 20 2025.

(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

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