

RESOLUTION NUMBER R- 315642

DATE OF FINAL PASSAGE JUN 25 2024

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO CONTINUING THE APPOINTMENT OF DANELL SCARBOROUGH AS EXECUTIVE DIRECTOR OF THE COMMISSION ON POLICE PRACTICES ON AN INTERIM BASIS, AS A PROVISIONAL EMPLOYEE, FOR FISCAL YEAR 2025, EFFECTIVE JULY 1, 2024, AND ESTABLISHING HER COMPENSATION FOR FISCAL YEAR 2025.

WHEREAS, by San Diego Resolution R-315292 (Dec. 12, 2023), the San Diego City Council (Council) appointed Danell Scarborough, EdD, to serve as the Executive Director of the Commission on Police Practices (Commission), on an interim basis, while the Council conducted a recruitment process for a successor to fill the position after the previous interim Executive Director separated from City service in November 2023; and

WHEREAS, Dr. Scarborough is a retired City of San Diego (City) employee, whose appointment to the position of interim Executive Director of the Commission is considered provisional under San Diego Municipal Code sections 23.0806(b) and 24.1001; and

WHEREAS, Municipal Code section 23.0806(b) provides, in pertinent part: "With the approval of the Personnel Director, . . . any person who has retired from the City service may be appointed provisionally to a position requiring special skills or knowledge, as determined by the Appointing Authority, for a period not to exceed 720 hours in any one fiscal year"; and

WHEREAS, further, under Municipal Code section 24.1001(a), provisional appointees, who are retired and returning to City service, are paid an hourly wage, but continue to receive their retirement benefits and do not receive specified other benefits that other employees receive; and

WHEREAS, the Council would like Dr. Scarborough to continue in the position of interim Executive Director of the Commission, as a provisional employee, for Fiscal Year 2025, effective July 1, 2024, until her successor to the position is able to fully transition into the position and formally assume the duties, following appointment; and

WHEREAS, the Council authorizes expenditure of funds from the Office of the Commission on Police Practices to allow for the transition from Dr. Scarborough to her successor in the position; 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; and

WHEREAS, the appointment of the Executive Director of the Commission is 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); NOW, THEREFORE,

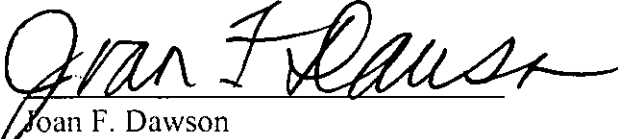
BE IT RESOLVED, by the Council of the City of San Diego, as follows:

1. The Council authorizes Dr. Danell Scarborough to continue in the position of interim Executive Director of the Commission, in Fiscal Year 2025, effective July 1, 2024,

until her successor to the position is able to fully transition into the position and formally assume the duties.

2. In accordance with Charter section 41.2 and Municipal Code sections 22.5601, 23.0806, and 24.1001(a), the Council establishes Dr. Scarborough's continued hourly wage rate for Fiscal Year 2025 as \$116.85; her other benefits, as a retired, provisional appointee, will be paid in accordance with state law, Municipal Code provisions, and the Council's adopted Salary Ordinance, with the personnel costs to be paid out of the Council's adopted budget for the Office of the Commission on Police Practices for Fiscal Year 2025.

APPROVED: MARA W. ELLIOTT, City Attorney

By 
Joan F. Dawson
Senior Deputy City Attorney

JFD:cm
June 14, 2024
Or.Dept: Council District 5
Doc. No. 3683368

I certify that this Resolution was passed by the Council of the City of San Diego, at this meeting of JUN 25 2024.

DIANA J.S. FUENTES
City Clerk

By 
Deputy City Clerk

JUN 25 2024

Passed by the Council of The City of San Diego on _____, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 **JUN 25 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 *Krystell Medina* Deputy

Office of the City Clerk, San Diego, California
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