(R-94-355)

RESOLUTION NUMBER R-282544

ADOPTED ON SEP 07 1993

A RESOLUTION OF THE CITY OF SAN DIEGO DECLARING THE EXISTENCE OF A STATE OF EMERGENCY WITHIN SAID CITY RELATING TO THE ESCALATED DISCHARGE OF RAW SEWAGE ACROSS THE INTERNATIONAL BORDER INTO THE CITY.

WHEREAS, upwards of fifteen million (15,000,000) gallons of contaminants and raw sewage are flowing daily across the international border into the City of San Diego; and

WHEREAS, the raw sewage causes contamination of the Tijuana River Valley and the ocean beaches, thereby threatening the health, safety and welfare of the citizens of San Diego; and

WHEREAS, this flow continues to escalate due to increased water availability and use in the City of Tijuana; and

WHEREAS, this flow is the acknowledged responsibility of the federal governments of the United States and Mexico; and

WHEREAS, the International Boundary and Water Commission and the U.S. Environmental Protection Agency are coordinating both interim and long term measures to provide for the treatment and disposal of this raw sewage; and

WHEREAS, the City of San Diego desires to assist both state and federal agencies in expediting treatment of this international sewage to protect its citizens from existing harm and potential disease; and

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WHEREAS, pursuant to Section 8558(c) of the California

Government Code, the flow of this renegade sewage is "beyond

the control of the services, personnel, equipment and facilities

of the political subdivision" of the City of San Diego; and

WHEREAS, pursuant to the authority of the Charter of the City of San Diego and Section 51.0106 of the San Diego Municipal Code, the City Manager of the City of San Diego has requested the Mayor and the City Council to proclaim that a state of local emergency exists; and

WHEREAS, pursuant to Section 8625(b) of the California Government Code, the Governor may be requested to proclaim a state of emergency in the area affected and make available any state or federal assistance to the City of San Diego; and

WHEREAS, pursuant to Sections 28 and 94 of the San Diego City Charter, in the event of an emergency affecting public health and safety, the City Council may authorize the City Manager to enter into contracts requiring the expenditure of necessary sums on hand in the City Treasury and available for necessary emergency assistance; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that the request by the City Manager to the Mayor and Council to declare a state of local emergency pursuant to Section 51.0106 of the San Diego Municipal Code is hereby approved.

BE IT FURTHER RESOLVED, that the Governor of California is hereby requested to proclaim a state of emergency in San Diego, pursuant to Section 8625(b) of the California Government Code and Section 51.0106a.2 of the San Diego Municipal Code.

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BE IT FURTHER RESOLVED, that the City Manager, pursuant to Sections 28 and 94 of the San Diego City Charter, is hereby authorized and empowered, on behalf of said City, to provide all necessary assistance to federal and state agencies for the diversion, treatment and disposal of international raw sewage as may be required.

APPROVED: JOHN W. WITT, City Attorney

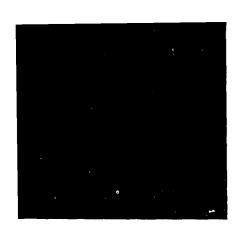
Ву

Ted Bromfield

Chief Deputy Clity Attorney

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and adopted by the Council following vote:	2. 2.1.0 0.19 0.100	2.080 Oix	3E	7 1993
Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer				
Ron Roberts				
John Hartley				
George Stevens				
Tom Behr				
Valerie Stallings				
Judy McCarty				
Juan Vargas				
Mayor Susan Golding	Ŋ	Ш		
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Office of the City Clerk, San Diego, California

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Number Adopted