

RESOLUTION NUMBER R- 289778

ADOPTED ON MAR 02 1998

A RESOLUTION DETERMINING AND DECLARING AN  
EMERGENCY RELATING TO A LANDSLIDE ON CITY-  
OWNED PROPERTY ADJOINING THE INTERNATIONAL  
BORDER.

WHEREAS, The City of San Diego owns certain property contiguous to the Mexican border which was purchased from Nelson/Sloan, Inc. for a South Bay Water Reclamation Plant; and

WHEREAS, Nelson/Sloan, Inc. still owns the parcel which adjoins the City parcel on the west; and

WHEREAS, as a result of heavy rains and "El Nino" storm events, on or about February 20, 1998, a landslide occurred on the City and Nelson/Sloan properties; and

WHEREAS, the landslide created an imminent peril to the stability of the fence on the United States-Mexican border, and threatened collapse of adjacent Mexican Highway 1-D; and

WHEREAS, the City Manager determined that the landslide required immediate attention to prevent damage to the border fence and Mexican highway, and thus has directed a City contractor to begin remedial work; and

WHEREAS, the landslide on both the City and Nelson/Sloan properties must be jointly and simultaneously corrected; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that the Council hereby determines and declares that the above facts constitute a public calamity sufficient that the public interest demands the immediate expenditure of public monies to safeguard life, health, and property, all as requested by the City Manager.

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, without advertising for bids or receiving same, to execute for and on behalf of the City, all necessary contracts as may be required for the emergency repair of the City and Nelson/Sloan, Inc. border properties, provided that sums sufficient for said contracts are certified by the City Auditor and Comptroller to be on deposit in the City Treasury and available for such purpose.

BE IT FURTHER RESOLVED, that the City Manager is hereby directed to seek contribution from Nelson/Sloan, Inc. for the benefit of said remedial work to its property.

APPROVED: CASEY GWINN, City Attorney

By  \_\_\_\_\_  
Ted Bromfield  
Deputy City Attorney

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