

RESOLUTION NUMBER R- 306726

DATE OF FINAL PASSAGE APR 08 2011

A RESOLUTION OF THE CITY OF SAN DIEGO
RATIFYING THE MAYOR'S PROCLAMATION OF
EMERGENCY REGARDING FLOODING CAUSED
BY UNUSUALLY PRECIPITOUS WINTER STORMS.

WHEREAS, beginning on the morning of December 18, 2010, and continuing through December 22, 2010, conditions of extreme peril to the safety of persons and property have arisen at numerous locations in the City of San Diego from flooding caused by unusually precipitous winter storms; and

WHEREAS, the winter storms caused substantial damage and threatened to cause more damage if control and mitigation measures were not immediately undertaken and sustained; and

WHEREAS, section 51.0106 of the Municipal Code authorizes the Mayor to proclaim a local state of emergency when the City Council is not in session; and

WHEREAS, San Diego Municipal Code section 51.0106(a)(1) requires that the City Council ratify the proclamation within seven days thereafter or the proclamation shall have no further force or effect; and

WHEREAS, the Mayor proclaimed a State of Local Emergency for flooding at 12:01 p.m. on December 28, 2010, as authorized by section 51.0106 (a)(1) of the Municipal Code; and

WHEREAS, by Resolution Number R-306511, passed on January 4, 2011, the City of San Diego declared the existence of a state of emergency due to damages caused by flooding caused by unusually precipitous winter storms; and

WHEREAS, California Government Code section 8630 authorizes local governing bodies to proclaim local emergencies when such events occur as are defined by California Government Code section 8558(c), provided further by section 8630 that the local governing body must review the state of emergency at its regularly scheduled meetings or every thirty days until such emergency is declared to be terminated; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that pursuant to California Government Code section 8630, a state of local emergency was proclaimed to exist in the City of San Diego due to the damages and emergency conditions caused by the December 2010 winter storms and that the proclamation of the state of emergency by the Mayor.

BE IT FURTHER RESOLVED, that during the existence of this local emergency, the powers, functions and duties of the Mayor of this City shall be those prescribed by State law and the Charter, ordinances, resolutions, and approved plans of the City of San Diego in order to mitigate the effects of this local emergency, including the receipt, processing, and coordination of all inquiries and requirements necessary to obtain available state and federal assistance.

BE IT FURTHER RESOLVED, that the Mayor, or his designee, is authorized to execute all necessary contracts for the control and mitigation of flood hazards and damage and for the repair of municipal facilities.

BE IT FURTHER RESOLVED, that the measures previously taken in accordance with Resolution Number R-306511 shall continue to have full force and effect.

BE IT FURTHER RESOLVED, that the Mayor or his designee is requested to update the City Council every two weeks on the status of any contract awarded pursuant to this proclamation of local emergency.

APPROVED: JAN I. GOLDSMITH, City Attorney

By Frederick M. Ortlieb
Frederick M. Ortlieb
Deputy City Attorney

FMO: mb
03/22/11
Or.Dept:Mayor

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at its meeting of MAR 29 2011.

ELIZABETH S. MALAND, City Clerk

By Elizabeth S. Maland
Deputy City Clerk

Approved: 4-8-11
(date)

Jerry Sanders
JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor