

RESOLUTION NUMBER R- 307104

DATE OF FINAL PASSAGE NOV 17 2011

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO DECLARING AN END TO THE STATE
OF EMERGENCY REGARDING THE LANDSLIDE ON
MOUNT SOLEDAD.

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); and

WHEREAS, on October 5, 2007, the City Council adopted Resolution No. R-303041 declaring the existence of a state of local emergency regarding the landslide on Mount Soledad and ratifying the Mayor's declaration of a state of local emergency of October 3, 2007; and

WHEREAS, on October 8, 2007, the Governor of the State of California issued a proclamation declaring a state of emergency to exist within the City based on conditions of extreme peril to the safety of persons and property due to the landslide on Mount Soledad; and

WHEREAS, the City Council has reviewed the state of local emergency regarding Mount Soledad at least once every 30 days; and

WHEREAS, California Government Code Section 8630 requires local governing bodies to declare an end to local emergencies as soon as conditions warrant; and

WHEREAS, remediation of the landslide and repairs to Mount Soledad Road and Desert View Drive are complete, with a notice of completion having been filed with the County Recorder on July 9, 2010; and

WHEREAS, the repairs to the landslide area have successfully withstood the unusually heavy rains experienced in the City during the winter season of 2010-2011; and

WHEREAS, on May 18, 2011, the Governor of the State of California issued a proclamation declaring an end to the state of emergency regarding the landslide on Mount Soledad; and

WHEREAS, much of the Mount Soledad area is underlain by the middle Eocene Ardath Shale, a formation known to be susceptible to landslides, and Mount Soledad in fact includes many ancient landslide deposits; and

WHEREAS, the Mount Soledad area is transected by the Rose Canyon – County Club fault system, which was first recognized in the 1970's after many homes in the area were built; and

WHEREAS, in 1961 a landslide on Mount Soledad destroyed seven homes under construction, and additional landslides have occurred in 1990 and 1994; and

WHEREAS, portions of Mount Soledad are included in the highest hazard area in the California Division of Mines and Geology (now the California Geological Survey) Open File Report 95-04, "*Landslide hazards in the northern part of the San Diego Metropolitan area, San Diego County, California*"; and

WHEREAS, there is no further action the City can reasonably take to eliminate the possibility of future landslides on Mount Soledad; NOW, THEREFORE,

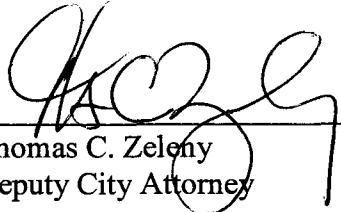
BE IT RESOLVED, by the Council of the City of San Diego, that pursuant to California Government Code section 8630(d), the continued state of emergency regarding the landslide on Mount Soledad is hereby terminated.

BE IT FURTHER RESOLVED, that appropriate geologic investigations must be submitted to the City for all new structures or changes to existing non-exempt structures on Mount Soledad when required by Chapter 14, Article 5, Division 18 of the San Diego Municipal Code (Sections 145.1801 – 145.1805) to help ensure the safety of current and future residents.

BE IT FURTHER RESOLVED, that the City is authorized to inspect property, install inclinometers and conduct surveys and investigations in response to reports or discovery of evidence of earth movement, subject to City Council approval of funding when required by the San Diego Municipal Code.

APPROVED: JAN I. GOLDSMITH, City Attorney

By



Thomas C. Zeleny
Deputy City Attorney

TCZ:mb
08/23/11
Or.Dept: Public Works
Doc. No:172209

(R-2012-97)

I hereby certify that the foregoing resolution was passed by the Council of the City of San Diego,
at its meeting of NOV 8 2011.

ELIZABETH S. MALAND, City Clerk

By Karin C.
Deputy City Clerk

Approved: 11-17-11
(date)

JRS
JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor