

11/21/13

Item #614

(R-2014-10
COR.COPY)

RESOLUTION NUMBER R- 308585

DATE OF FINAL PASSAGE DEC 09 2013

A RESOLUTION OF THE COUNCIL OF THE CITY
OF SAN DIEGO DECLARING A CONTINUED STATE
OF EMERGENCY REGARDING THE DISCHARGE OF
RAW SEWAGE FROM TIJUANA, MEXICO.

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, the Council of the City of San Diego adopted Resolution No. R-282544 on September 7, 1993, declaring the existence of a state of emergency regarding the escalated discharge of sewage across the international border into the City of San Diego from Tijuana, Mexico; and

WHEREAS, the escalated discharge of sewage across the international border into the City of San Diego continues to pose the possibility of peril to persons or property; and

WHEREAS, under Charter section 265(i), resolutions adopted by the City Council are not subject to veto pending an election to fill the vacancy in the Office of the Mayor, but the Council President, during the period of vacancy, generally has authority to approve resolutions in circumstances where expeditious approval is necessary to meet a legal requirement imposed by a court or another governmental agency; and

WHEREAS, California Government Code section 8630 mandates that the local governing body review the need for continuing the local emergency at least once every thirty days until the governing body terminates the local emergency; and

WHEREAS, in light of these circumstances, it is requested that the Council President approve this resolution expeditiously in order to meet the state-imposed statutory review requirement; NOW, THEREFORE,

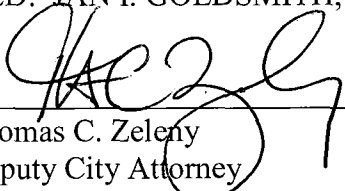
BE IT RESOLVED, by the Council of the City of San Diego, that pursuant to California Government Code section 8630, a continued state of emergency is declared to persist relative to the escalated discharge of raw sewage from Tijuana, Mexico.

BE IT FURTHER RESOLVED, that the Council President in his capacity under Charter section 265(i), or his designee, is authorized to execute all necessary contracts for the diversion, treatment, and disposal of international raw sewage.

BE IT FURTHER RESOLVED, that the measures previously taken by the City Council in Resolution No. R-282544 shall continue to have full force and effect.

APPROVED: IAN I. GOLDSMITH, City Attorney

By



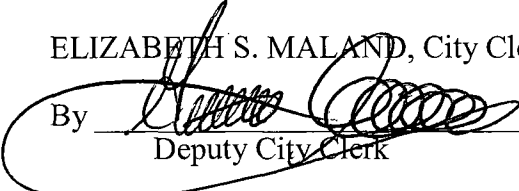
Thomas C. Zeleny
Deputy City Attorney

TCZ:mb
09/20/13
10/22/13 Cor.Copy
Or.Dept:P.Util.
Doc.No:590694

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at its meeting of NOV 21 2013.

ELIZABETH S. MALAND, City Clerk

By



Deputy City Clerk

Approved pursuant to Charter section 265(i)

Date

TODD GLORIA, Council President

Passed by the Council of The City of San Diego on NOV 21 2013, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherri Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Faulconer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage DEC 09 2013.

(Please note: When a resolution is approved by the Council President as interim 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, COUNCIL PRESIDENT

as interim Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND

City Clerk of The City of San Diego, California.

By , Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- 308585