

#108
9/10/19
(R-2019-709)

RESOLUTION NUMBER R- 312652

DATE OF FINAL PASSAGE SEP 12 2019

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO DECLARING A STATE OF EMERGENCY
REGARDING THE DISCHARGE OF SOLID WASTE AND
SEDIMENT FROM TIJUANA, MEXICO, AND 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, solid waste and sediment flowing across the international border with Mexico, via the Tijuana River and other waterways, poses significant peril to persons and property in the City of San Diego by contaminating the soil and degrading the natural environment of the Tijuana River Valley; and

WHEREAS, the City has engaged in dredging, trash collection, and other efforts, but effective management of the pollution is beyond the control of the services, personnel, equipment, and facilities of the City; and

WHEREAS, the Council of the City of San Diego adopted San Diego Resolution R-282544 on September 7, 1993, declaring the existence of a state of emergency regarding the escalated discharge of raw sewage across the international border into the City from Tijuana, Mexico; and

WHEREAS, the raw sewage coming across the international border is a source of noxious odors and potentially harmful airborne microorganisms within the City; and

WHEREAS, California Government Code section 8630 further provides that the local governing body review the need for continuing the local emergency at least once every 60 days until the governing body terminates the local emergency; and

WHEREAS, the escalated discharge of raw sewage across the international border into the City of San Diego continues to pose the possibility of peril to persons and property; 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 emergency is declared to exist due to solid waste and sediment coming from Tijuana, Mexico.

BE IT FURTHER RESOLVED, that pursuant to California Government Code section 8630, a continued state of emergency is declared to persist due to raw sewage coming from Tijuana, Mexico.

BE IT FURTHER RESOLVED, that the Mayor or his designee is authorized to execute all necessary contracts for the diversion, treatment, and disposal of raw sewage, solid waste, and sediment coming from Tijuana, Mexico.

BE IT FURTHER RESOLVED, that the measures previously taken by the Council of the City of San Diego in Resolution R-282544 shall continue to have full force and effect.

APPROVED: MARA W. ELLIOTT, City Attorney

By 

Thomas C. Zeleny
Chief Deputy City Attorney

TCZ:cw
06/14/19
Or.Dept: N/A
Doc. No.: 2029537

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of SEP 10 2019.

ELIZABETH S. MALAND
City Clerk

By *Linda Brown*
Deputy City Clerk

Approved: 9/12/19
(date)

Kevin L. Faulconer
KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on SEP 10 2019, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Ward	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery	<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"/>
Chris Cate	<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"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Georgette Gómez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage SEP 12 2019

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:



KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By Ginda Owen, Deputy

Office of the City Clerk, San Diego, California

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