

RESOLUTION NUMBER R- 313389

DATE OF FINAL PASSAGE DEC 09 2020

A RESOLUTION OF THE COUNCIL OF THE CITY OF  
SAN DIEGO DECLARING A CONTINUED LOCAL  
EMERGENCY REGARDING THE CORONAVIRUS  
COVID-19 OUTBREAK.

WHEREAS, on March 4, 2020, the Governor of California declared a state of emergency as a result of the threat of the novel coronavirus, COVID-19; and

WHEREAS, on March 12, 2020, the Mayor of the City of San Diego (Mayor) proclaimed the existence of a local emergency related to the COVID-19 threat, which was ratified by the San Diego City Council on March 17, 2020 by Resolution No. R-31289; and

WHEREAS, since that time, the California Governor, the County of San Diego Public Health Official (Public Health Official), and the Mayor have all issued directives and guidance to state and local residents to stay home or at their place of residence, limiting activities outside the home and practicing safe-distancing measures; and

WHEREAS, the Centers for Disease Control and Prevention and the Public Health Official have issued public health guidance related to the operation of shelters and addressing unsheltered homeless populations in light of the COVID-19 threat, including guidance to implement social distancing and housing the unsheltered population; and

WHEREAS, the Centers for Disease Control and Prevention considers the virus to be a very serious public health threat; and

WHEREAS, conditions of disaster or extreme peril to the safety of persons and property continue to directly affect the safety of persons and property within the City; 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 least every sixty days until the emergency is declared to be terminated and shall proclaim the termination of the local emergency at the earliest possible date that conditions warrant; and

WHEREAS, the City Council, since declaring the local emergency on March 17, 2020, has regularly continued the declaration as required by State law; and

WHEREAS, since the last extension of the state of local emergency, COVID-19 has continued to spread and impact nearly all sectors of California and the State of Emergency has continued at the State level; and

WHEREAS, the State of California has provided a Blueprint for a Safer Economy, a color-coded, four-tier system that dictates what can reopen and how businesses can operate; and

WHEREAS, as of November 16, 2020, San Diego County moved from Tier 2, the Red Tier, which indicates that the region is under a substantial risk of the spread of the virus, to Tier 1, the Purple Tier, due to increased spread of the virus. New restrictions have gone into effect, stopping indoor operations at a variety of businesses. State orders in effect continue to recommend practicing safe physical distancing and wearing masks in public places and indoors where safe physical distancing cannot be observed; and

WHEREAS, per federal and State guidance, the necessary requirements for lifting the state of emergency declaration and associated policies have not been observed, NOW,

THEREFORE,

BE IT RESOLVED, by the City Council of the City of San Diego, that pursuant to California Government Code section 8630, a state of local emergency is declared to persist in the City of San Diego.

BE IT FURTHER RESOLVED, that the Council hereby ratifies and approves, in accordance with the police powers vested in City Officials under the Constitution of the State of California, the City Charter, and the laws of this State including the aforementioned Government Code provisions, and the San Diego Municipal Code, all orders and regulations promulgated, issued and carried out by City officers and City officials from February 14, 2020, until the passage of this resolution, which were necessary to provide for the protection of life and property.

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 state of local emergency shall be deemed to continue until its termination is proclaimed by the City Council.

APPROVED: MARA W. ELLIOTT, City Attorney

By /s/ Prescilla Dugard  
Prescilla Dugard  
Senior Chief Deputy City Attorney

PMD:sc  
11/19/2020  
Or.Dept: Mayor  
Doc. No.:2530623

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of 12/08/2020.

ELIZABETH S. MALAND  
City Clerk

By /s/ Connie Patterson  
Deputy City Clerk

Approved: 12/9/2020  
(date)

  
\_\_\_\_\_  
KEVIN L. FAULCONER, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on DEC 08 2020, 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"/>
Vacant	<input 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 DEC 09 2020.

**(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.

(Seal)

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

By Connie Patterson, Deputy

Office of the City Clerk, San Diego, California  
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