

#114
12/13/22

(R-2023-301)
COR.COPY

RESOLUTION NUMBER R- **314540**
DATE OF FINAL PASSAGE **DEC 20 2022**

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

WHEREAS, on March 4, 2020, the Governor of California (Governor Newsom) 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 (City Council) on March 17, 2020 by Resolution No. R-312895; and

WHEREAS, in response to the COVID-19 pandemic, Governor Newsom, the Centers for Disease Control and Prevention (CDC), the County of San Diego Public Health Official (Public Health Official), and the Mayor, have issued directives and guidance to state and local residents that include limiting activities outside the home, housing the unsheltered population, requiring masks to be worn while indoors in public places, practicing safe-distancing measures, isolating if diagnosed with, or likely to have COVID-19, and administering vaccinations; 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 (60) 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, since declaring a local emergency in the City of San Diego, City Council has regularly continued the declaration as required by State law, last extending the local emergency on November 1, 2022, by Resolution No. R-314425; and

WHEREAS, the State of California and the County of San Diego have declared public health emergencies in effect; and

WHEREAS, on November 10, 2022, County of San Diego's Health and Human Services Agency (HHSA) encouraged members of the public to get their COVID-19 vaccinations in time for winter family gatherings because winter viruses, which include COVID-19, are occurring early this year, especially in children; and

WHEREAS, on November 11, 2022, the CDC reported that two new omicron subvariants have become dominant in the United States, raising fears they could fuel yet another surge of COVID-19 infections; and

WHEREAS, the subvariants, called BQ.1 and BQ.1.1, appear to be among the most adept yet at evading immunity from vaccination and previous infection; and

WHEREAS, the subvariants BQ.1 and BQ.1.1 have overtaken the BA.5 omicron subvariant, which was the dominant United States variant since summer 2022; and

WHEREAS, as of November 14, 2022, HHSA reported a total of 935,554 positive COVID-19 cases and 5,557 deaths in San Diego County due to the COVID-19 pandemic; and

WHEREAS, on November 17, 2022, HHSA reported close to 2.69 million, or 80.3 percent of San Diegans, have received the primary series of one of the approved COVID-19 vaccines; and

WHEREAS, COVID-19 booster vaccines have been administered to 1,495,492 people, or 60 percent of eligible San Diegans; and

WHEREAS, the County of San Diego has begun separately tracking COVID-19 bivalent (combination) booster vaccines; and

WHEREAS, as of November 17, 2022, 15.1 percent of eligible San Diegans have received a bivalent COVID-19 booster vaccine; and

WHEREAS, the COVID-19 pandemic continues to directly affect the safety of persons and property within the City of San Diego and the conditions that warrant the termination of the local emergency have not been observed; and

WHEREAS, the Office of the City Attorney has drafted this resolution based on the information provided by City staff, with the understanding that this information is complete, true, and accurate; 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 City 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/ Michelle A. Garland
Michelle A. Garland
Chief Deputy City Attorney

MAG:hm
November 21, 2022
December 8, 2022 COR.COPY
Or.Dept: PSE
Doc. No.: 3138028

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of DEC 13 2022.

ELIZABETH S. MALAND
City Clerk

By Kristine Medina
Deputy City Clerk

Approved: 12/20/22
(date)

Todd Gloria
TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on DEC 13 2022, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<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"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery Steppe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kent Lee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Raul A. Campillo	<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"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage DEC 20 2022.

(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:

TODD GLORIA
Mayor of The City of San Diego, California.

(Seal)

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

By Krystelle Medina, Deputy

Office of the City Clerk, San Diego, California

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