

#609
01/30/2023

(R-2023-375)

RESOLUTION NUMBER R- 314589

DATE OF FINAL PASSAGE FEB 01 2023

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO RATIFYING THE MAYOR'S JANUARY 24,
2023 PROCLAMATION OF A LOCAL EMERGENCY
REGARDING THE DECEMBER 2022 AND JANUARY
2023 WINTER STORMS.

WHEREAS, a series of severe winter storms began in San Diego on December 27, 2022;
and

WHEREAS, the storms were extraordinary in their duration and the amount of rainfall
produced; and

WHEREAS, the storms caused widespread flooding, wind damage, and debris flows
throughout the City, resulting in significant City emergency response and recovery activities; and

WHEREAS, the City's emergency response and recovery activities included swift water
rescues, traffic control, debris removal, clearing or repairing of storm drains, and tree and mud
removal; and

WHEREAS, City public facilities were damaged by flooding, high winds, and fallen trees
caused by the storms; and

WHEREAS, preliminary estimates calculate the amount of damage caused by the storms
and the cost of the City's emergency response at approximately \$8 million dollars; and

WHEREAS, on December 27, 2022, the Governor of California, Gavin Newsom,
declared a statewide state of emergency due to the winter storms; and

WHEREAS, on January 24, 2023, pursuant to San Diego Municipal Code section
51.0105(a)(1), the Mayor of the City of San Diego (Mayor) proclaimed the existence of a local
emergency due to the December 2022 and January 2023 winter storms; and

WHEREAS, the state and local declared emergencies will enable the City to apply for state financial assistance through the California Disaster Assistance Act, potentially covering seventy-five percent of the City's cost eligible damages and activities; and

WHEREAS, the City Council is committed to working with the Mayor to develop recommendations for any necessary emergency and mutual aid plans and agreements and such ordinances, resolutions, rules, and regulations necessary to implement such plans and agreements; 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, San Diego Municipal Code section 51.0105(a)(1) and California Government Code section 8630(b) require that the City Council ratify the proclamation within seven days thereafter or the proclamation shall have no further force or effect; 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, 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 due to the December 2022 and January 2023 winter storms is declared to exist in the City of San Diego, and has existed

since December 27, 2022, throughout the City, and the proclamation of the local emergency declared by the Mayor on January 24, 2023 is hereby ratified.

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 December 27, 2022, 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
January 23, 2023
Or.Dept:PSE
Doc. No. 3198782

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JAN 30 2023

DIANA J.S. FUENTES
City Clerk

By Connie Patterson
Deputy City Clerk

Approved: 2/1/23
(date)

Todd Gloria
TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on JAN 30 2023, 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 FEB 01 2023

(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:

(Seal)

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

DIANA J.S. FUENTES
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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