

600 8-21-23

(R-2024-63)

RESOLUTION NUMBER R- 315098

DATE OF FINAL PASSAGE AUG 28 2023

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO RATIFYING THE MAYOR'S AUGUST 20,
2023 PROCLAMATION OF A LOCAL EMERGENCY
RELATED TO THE THREAT OF SEVERE STORM
CAUSED BY HURRICANE HILARY.

WHEREAS, on August 18, 2023, the National Weather Service issued a Tropical Storm Warning for portions of the Southern California coast, including San Diego County, due to Hurricane Hilary; and

WHEREAS, Hurricane Hilary was forecast to bring heavy rain, flooding, lightning, and gusty winds, necessitating the repositioning of significant resources, including swift water rescue teams and the California National Guard, to protect health and safety and preserve the lives and property of the people in San Diego County; and

WHEREAS, additionally, the National Weather Service issued a series of Flood Watches on August 18, 2023, warning of potential significant flooding between August 19, 2023 and August 22, 2023 in San Diego County; and

WHEREAS, on August 19, 2023, the Governor of California, Gavin Newsom, and San Diego County's Chief Administrative Officer, Helen Robbins-Meyer, on behalf of the San Diego County Board of Supervisors both proclaimed a state of emergency in San Diego County related to effects of Hurricane Hilary; and

WHEREAS, on August 20, 2023, pursuant to California Government Code (Government Code) section 8630 and San Diego Municipal Code (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 threat of severe storm related to Hurricane Hilary; 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 Council of the City of San Diego (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, Municipal Code section 51.0105(a)(1) and Government Code section 8630(b) require that the City Council ratify the Mayor's proclamation within seven days thereafter or the proclamation shall have no further force or effect; and

WHEREAS, Government Code section 8630 authorizes local governing bodies to proclaim local emergencies when such events occur as are defined by Government Code section 8558(e), provided further by section 8630 that the local governing body must review the state of emergency at least every 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 Council of the City of San Diego, that pursuant to Government Code section 8630, a state of local emergency due to the threat of a severe storm related to Hurricane Hilary is declared to exist in the City of San Diego, and has existed since August 19, 2023, throughout the City, and the proclamation of the local emergency declared by the Mayor on August 20, 2023 is hereby ratified.

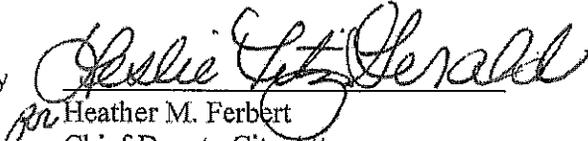
BE IT FURTHER RESOLVED, that the City Council hereby ratifies and approves, in accordance with the police powers vested in City Officials under the Constitution of the State of California, the City Charter, and the laws of this State, including the aforementioned Government Code provisions, and the Municipal Code, all orders and regulations promulgated, issued and carried out by City officers and City officials from August 19, 2023, until the passage of this resolution, which were necessary to provide for the protection of life and property.

BE IT FURTHER RESOLVED, that the City Council hereby finds as a result of the threat of a severe storm related to Hurricane Hilary, pursuant to Government Code section 54953(e), meeting in person would present imminent risks to the health or safety of attendees.

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.

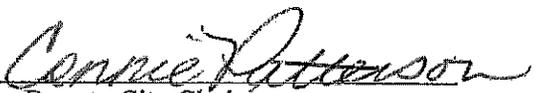
APPROVED: MARA W. ELLIOTT, City Attorney

By 
Heather M. Ferbert
Chief Deputy City Attorney

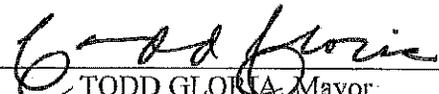
HMF:cm
August 21, 2023
Or.Dept: Mayor's Office
Doc. No. 3392391

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of AUG 21 2023.

DIANA FUENTES
City Clerk

By 
Deputy City Clerk

Approved: 8/28/23
(date)


TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on AUG 21 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 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sean Elo-Rivera	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Date of final passage AUG 28 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:

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

(Seal)

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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