

#54
6/29/2021

(O-2021-144)

ORDINANCE NUMBER O-21339 (NEW SERIES)

DATE OF FINAL PASSAGE JUL 16 2021

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
SAN DIEGO AUTHORIZING AN APPLICATION TO THE
CALIFORNIA DEPARTMENT OF WATER RESOURCES FOR
THE HIGH HAZARD POTENTIAL DAM REHABILITATION
GRANT PROGRAM.

WHEREAS, the U.S. Department of Homeland Security (DHS) Federal Emergency Management Agency (FEMA), Federal Insurance and Mitigation Administration (FIMA), National Dam Safety Program Office (NDSP) provide funding for the Rehabilitation of High Hazard Potential Dams (HHPD) Grant program; and

WHEREAS, the State of California's Department of Water Resources (DWR) will administer and coordinate the HHPD Grant program for California and will prepare a grant agreement with the City of San Diego (City) for each dam project approved under the program to provide financial assistance for technical, planning, design, and pre-construction activities for dams identified by the state as a "High" or "Extremely High" hazard potential and will support FEMA's National Dam Safety Program (NDSP) objective to protect lives and property from the risks associated with dams; and

WHEREAS, to ensure the safety of all residents and property surrounding neighboring dams, the Public Utilities Department (PUD) works closely with California Division of Safety of Dams (DSOD), and dams deemed Extremely High Hazard Potential have been identified as inundation areas having a considerable chance for major impacts on human life and critical infrastructure due to dam failure. PUD has secured funding to conduct condition and risk assessments for five eligible dams: Hodges, Morena, El Capitan, Barrett, and Savage Dams; and

WHEREAS, federal funding for the HHPD Grant program has been authorized per the Water Infrastructure Improvements for the Nation (WIIN) Act of 2016, for a total amount of \$445,000,000 through FY 2026 for the nation. PUD has applied for both FY 2019 and FY 2020 grant funding and will continue to pursue funding during each year of the grant opportunity to complete rehabilitation efforts of each eligible dam; and

WHEREAS, the HHPD grant will assist the City in offsetting expenses and ensure that the City continues to be proactive in maintaining safe infrastructure for all residents and industries within dam inundation zones; and

WHEREAS, this action will authorize the Mayor, or designee, all necessary actions to apply for, accept, appropriate and expend grant funds for the HHPD Grant program with the DWR, which is funded by FEMA and DHS, requiring an ordinance as the grant reporting requirements exceed 5-years; and

WHEREAS, under Charter section 99, no contract, agreement or obligation extending for a period of more than five years may be authorized except by Ordinance approved by a two-thirds majority vote of the City Council; NOW, THEREFORE,

BE IT ORDAINED, by the Council of the City of San Diego, as follows:

Section 1. That the Mayor, or his designee, is authorized to execute, for and on behalf of the City, a financial assistance application to the State of California Department of Water Resources and to take all necessary actions to secure funding in an amount not to exceed \$439,234 from Federal Emergency Management Agency (FEMA), and Department of Homeland Security (DHS) grant funds, for the Rehabilitation of High Hazard Potential Dams (HHPD), under the terms and conditions set forth in the grant agreement, on file in the Office of the City Clerk as Document No. OO- 21339 (Grant Agreement).

Section 2. That the Chief Financial Officer is authorized to accept, appropriate and expend an amount not to exceed \$439,234 from the State of California's Department of Water Resources (DWR), Rehabilitation of High Hazard Potential Dams (HHPD), for the purpose of executing this financial assistance application, contingent upon receipt of a fully executed Grant Agreement.

Section 3. That the Chief Financial Officer is authorized to establish a special interest-bearing account for the grant, if required.

Section 4. That the Chief Financial Officer is authorized to accept, appropriate and expend an amount not to exceed \$439,234 from the State of California's Department of Water Resources (DWR), Rehabilitation of High Hazard Potential Dams (HHPD).

Section 5. That a full reading of this ordinance is dispensed with prior to passage, a written copy having been made available to the Council and the public prior to the day of its passage.

Section 6. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

APPROVED: MARA W. ELLIOTT, City Attorney

By /s/ Raymond C. Palmucci
Raymond C. Palmucci
Deputy City Attorney

RCP:cw
06/01/21
Or.Dept: Public Utilities Department
CC No.: N/A
Doc. No.: 2673764

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of 06/29/2021.

ELIZABETH S. MALAND
City Clerk

By /s/Linda Irvin
Deputy City Clerk

Approved: 7/14/21
(date)


TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on JUN 29 2021, 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"/>
Chris Cate	<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 JUL 16 2021

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 Linda Irwin, Deputy

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

JUN 15 2021, and on JUN 29 2021.

I FURTHER CERTIFY that said ordinance was read in full prior to passage or that such reading was dispensed with by a vote of five members of the Council, and that a written copy of the ordinance was made available to each member of the Council and the public prior to the day of its passage.

(Seal)

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

By Linda Irwin, Deputy

Office of the City Clerk, San Diego, California
-21339
Ordinance Number O-_____