

#131
4/5/2022

(R-2022-394)

RESOLUTION NUMBER R- 314028

DATE OF FINAL PASSAGE APR 12 2022

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 (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 January 11, 2021, by Resolution No. R-313893; and

WHEREAS, on January 15, 2022, after City Council's last extension of the local emergency, the California Department of Public Health (CDPH) extended the statewide mandate requiring people in San Diego County to wear masks while indoors in public places until February 15, 2022, when it expired; and

WHEREAS, on February 23, 2022, according to the County of San Diego's Health and Human Services Agency (HHSA), San Diego County surpassed 5,000 COVID-19 related deaths since the first local case of the virus was identified in the region in March 2020; and

WHEREAS, on March 1, 2022, the CDPH terminated the universal masking requirement for K-12 schools and Childcare effective March 12, 2022; and

WHEREAS, the CDPH maintained the masking requirements in specified high-risk settings, consistent with CDC recommendations, allowing for continued protections for the most vulnerable populations and the workforce that delivers critical services in these settings; and

WHEREAS, the CDPH still recommends that all persons, regardless of vaccine status, continue indoor masking, asserting that regardless of vaccination status masking will continue to be an important layer of protection against COVID-19; and

WHEREAS, on March 11, 2022, the Public Health Officer updated the Health Order on isolation of those persons with, or likely to have, COVID-19; and

WHEREAS, the Health Order proclaimed that "[e]veryone is at risk for becoming ill with COVID-19, but some people are more vulnerable to serious illness due to age or underlying health conditions [and] . . . [i]n order to slow the spread of COVID-19 and prevent the healthcare

system in San Diego County from being overwhelmed, it is necessary . . . to require the isolation of persons diagnosed with, or likely to have COVID-19;” and

WHEREAS, the Health Order requires 5 to 10 days of isolation depending on symptoms and vaccination status; and

WHEREAS, as of March 18, 2022, the HHS reported a total of 745,684 positive cases and 5,133 deaths due to the COVID-19 pandemic, and

WHEREAS, the HHS also reported that over 2.94 million people had at least one dose of the COVID-19 vaccine, or 93.4% of San Diego County residents age 5 years and older; and

WHEREAS, as of March 21, 2022, due to the COVID-19 pandemic, California is still under a proclaimed state of emergency and San Diego County is still subject to a declared local health emergency; 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, 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/ Paige E. Folkman
Paige E. Folkman
Chief Deputy City Attorney

PEF:hm
March 21, 2022
Or.Dept: PSE
Doc. No. 2921895

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of APR 05 2022.

ELIZABETH S. MALAND
City Clerk

By Connie Peterson
Deputy City Clerk

Approved: 4/12/22
(date)

Todd Gloria
TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on APR 05 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 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"/>
Chris Cate	<input type="checkbox"/>	<input checked="" 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 APR 12 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 Kristell Medina, Deputy

Office of the City Clerk, San Diego, California

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