

RESOLUTION NUMBER R- 314571
DATE OF FINAL PASSAGE FEB 01 2023

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO DECLARING A CONTINUED LOCAL
EMERGENCY REGARDING THE CORONAVIRUS
COVID-19 PANDEMIC AND PROCLAIMING
TERMINATION OF THE LOCAL EMERGENCY ON
FEBRUARY 28, 2023.

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 December 13, 2022, by Resolution No. R-314540; and

WHEREAS, on October 17, 2022, Governor Newsom announced that California's COVID-19 state of emergency will end on February 28, 2023; and

WHEREAS, Governor Newsom stated California has the tools needed to continue fighting COVID-19 after termination of the emergency, including vaccines, boosters, testing, treatments, and other mitigation measures such as masking and indoor ventilation; and

WHEREAS, as of January 5, 2023, the San Diego County Health and Human Services Agency (HHSA) reported a total of 967,078 positive COVID-19 cases and 5,662 deaths in San Diego County due to the COVID-19 pandemic; and

WHEREAS, on December 8, 2022, the U.S. Food and Drug Administration authorized bivalent (combination) COVID-19 vaccines for children age six months and older, with the CDC quickly following course; and

WHEREAS, on December 15, 2022, HHSA urged parents to protect their children and themselves by getting vaccinated with the new booster vaccine; and

WHEREAS, on January 5, 2023, HHSA reported 2.51 million people, or 75 percent of San Diegans, received the primary series of an approved COVID-19 vaccine; and

WHEREAS, on January 5, 2023, HHSA reported 1.51 million people, or 60.8 percent of eligible San Diegans, received a COVID-19 booster vaccine, with 21 percent of eligible San Diegans receiving a bivalent booster; and

WHEREAS, although the COVID-19 pandemic continues to directly affect the safety of persons and property within the City of San Diego, the City Council finds that the conditions necessitating the local emergency due to COVID-19 are steadily improving and will be

sufficiently abated by February 28, 2023 such that the local emergency will no longer be warranted; and

WHEREAS, with a San Diego County vaccination rate of 75 percent, declining hospitalization rates, and declining deaths due to COVID-19, the City Council finds the current state of the pandemic is manageable and will no longer necessitate a state of local emergency as of February 28, 2023; 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 until February 28, 2023.

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 based on the improving public health, safety, and welfare conditions related to the COVID-19 pandemic, and the provisions of California Government Code section 8630(d), the state of local emergency shall be terminated on February 28, 2023.

APPROVED: MARA W. ELLIOTT, City Attorney

By /s/ Michelle A. Garland
Michelle A. Garland
Chief Deputy City Attorney

MAG:hm
January 9, 2023
January 19, 2023 COR.COPY
Or.Dept: PSE
Doc. No. 3178053_2

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JAN 24 2023

DIANA J.S. FUENTES
City Clerk

By [Signature]
Deputy City Clerk

Approved: 2/1/23
(date)

[Signature]
TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

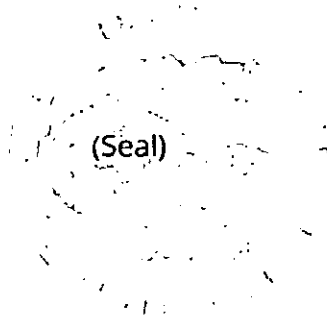
Passed by the Council of The City of San Diego on JAN 24 2023, by the following vote:

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

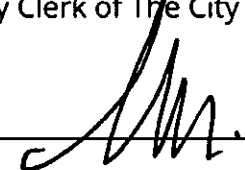
(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:



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

DIANA J.S. FUENTES
City Clerk of The City of San Diego, California.

By , Deputy

Office of the City Clerk, San Diego, California

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