

RESOLUTION 2019-029

RESOLUTION BY A FOUR-FIFTHS (4/5) VOTE AUTHORIZING CONTINUED ACTION FOR THE EMERGENCY STORM WATER MANAGEMENT AT THE CHULA VISTA BAYFRONT

WHEREAS, the San Diego Unified Port District (District) is a public corporation created by the Legislature in 1962 pursuant to Harbors and Navigation Code Appendix I (Act); and

WHEREAS, the District imported approximately 220,000 cubic yards of soil to two development sites at the Chula Vista Bayfront; and

WHEREAS, between November 29 and December 7, 2018, two storms occurred that damaged the sites creating the need for cleanup and repairs; and

WHEREAS, to meet this need and avoid further damage to District property, the Executive Director declared an emergency and authorized the immediate execution of contracts to design a plan, repair the damage, and deploy additional erosion control and sediment runoff prevention measures termed Best Management Practices (BMP's) to protect the Districts property; and

WHEREAS, the declaration of the emergency waived the necessity of formal bidding procedures as required by the State of California Public Contract Code; and

WHEREAS, the contract was implemented, and the contractor began site repairs and BMP installation and maintenance; and

WHEREAS, on January 16, 2019, at its regularly scheduled meeting the San Diego Unified Port Board of Port Commissioners (Board), by a four-fifths (4/5) vote, ratified the declaration of emergency by the Executive Director; and

WHEREAS, pursuant to Board Resolution 2000-03, the Board is required to review the need for continued emergency action at every regularly scheduled meeting to determine, by a four-fifths (4/5) vote, that there is a need to continue the emergency action; and

WHEREAS, additional storm events occurred in January and February 2019 resulting in additional unanticipated minor damage to the site and slowing the repair and additional BMP implementation efforts already underway; and

WHEREAS, the Board authorized continued action at the February 12, 2019 and March 12, 2019 meetings; and

WHEREAS, repairs are ongoing and continued implementation and maintenance of the BMP's are necessary to assure that District property is fully protected; and

WHEREAS, District staff recommends the Board authorize continuing the emergency action.

NOW THEREFORE, BE IT RESOLVED that the Board of Port Commissioners of the San Diego Unified Port District, have determined that there is a need to continue the emergency action, and hereby authorizes continued action for the emergency storm water management at the Chula Vista Bayfront.

APPROVED AS TO FORM AND LEGALITY:
GENERAL COUNSEL


By: ~~Assistant~~/Deputy


PASSED AND ADOPTED by the Board of Port Commissioners of the San Diego Unified Port District, this 9th day of April 2019, by the following vote:

AYES: Bonelli, Castellanos, Merrifield, Moore, and Valderrama
NAYS: None.
EXCUSED: Malcolm, Zucchet
ABSENT: None.
ABSTAIN: None.



Garry J. Bonelli, Chairman
Board of Port Commissioners

ATTEST:



Donna Morales
District Clerk

(Seal)