

Santa Cruz Port District
Resolution 22-02

**DECLARATION OF EMERGENCY AT SANTA CRUZ HARBOR
TSUNAMI OF JANUARY 15, 2022**

A declaration of emergency at Santa Cruz Harbor by the Santa Cruz Port District Commission.

WHEREAS, the Santa Cruz Port District Commission does hereby declare that:

- I. Conditions of extreme peril to the safety of persons and property arose on January 15, 2022, within Santa Cruz Harbor as a result of a major underwater volcanic eruption near the Island Nation of Tonga, thereby causing major damage to Santa Cruz Harbor and threatening and damaging public and private properties;
- II. The significant tsunami surge and associated flooding caused damage throughout the harbor including, but not limited to, damage to pilings, docks, utility service, and landside facilities infrastructure; damage to critical dredge equipment; and severe erosion of the embankment along the eastside access road; and
- III. That the emergency will cause Santa Cruz Harbor to seek public assistance including all levels of state and federal aid; and
- IV. That the aforesaid conditions of extreme peril warrant and necessitate the proclamation of the existence of an emergency at Santa Cruz Harbor.

Now, therefore, be it resolved that the Santa Cruz Port District Commission, under emergency meeting provisions of the Brown Act, does declare that an emergency situation exists that severely impairs public health and safety and has caused significant damage to Santa Cruz Harbor; and,

It is further declared and ordered that said emergency declaration shall remain in effect until terminated by the Santa Cruz Port District Commission.

PASSED AND ADOPTED, by the Santa Cruz Port District Commission this 18th day of January 2022, at a special emergency meeting of the Commission, by the following vote:

AYES: _____

NOES: _____

ABSENT: _____

Approved by:

Reed Geisreiter, Chairman
Santa Cruz Port Commission

Santa Cruz Port District
Resolution No. 22-03

January 18, 2022

A resolution finding, with regard to Santa Cruz Harbor, that an emergency exists that requires the immediate expenditure of public funds to safeguard life, health, and property without a competitive solicitation of bids to respond to the emergency; and authorizing the Port Director to enter into contracts up to \$100,000 each to address the emergency without a competitive solicitation for bids.

RESOLVED, by the Santa Cruz Port District Commission, State of California, acting as the governing board of the Santa Cruz Port District, that

WHEREAS, Santa Cruz Harbor was inundated by a series of tsunami surge waves beginning on January 15, 2022, as a result of a major underwater volcanic eruption near the Island Nation of Tonga; and,

WHEREAS, the Santa Cruz Port District Commission acted to declare an emergency on January 18, 2022; and,

WHEREAS, the tsunami surge waves and associated flooding caused significant damage throughout the harbor including, but not limited to, damage to pilings, docks, utility service, and landside facilities infrastructure; damage to critical dredge equipment; and severe erosion of the embankment along the eastside access road; and

WHEREAS, immediate emergency repair is required to restore the integrity and serviceability of harbor infrastructure, to protect the environment, safeguard property, ensure public safety, and ensure public access and navigability of harbor waters; and,

WHEREAS, the marine environment, public interest and general welfare will be served by performing emergency repair work in an expedited manner; and,

WHEREAS, contractors must be selected utilizing a streamlined process in order to complete repairs, prevent further damage, provide protection of existing harbor infrastructure, and such other work as may be deemed necessary during and immediately after the emergency response; and,

WHEREAS, the Santa Cruz Port District Commission has authority to waive the formal bidding requirements when it determines that an emergency exists that requires the immediate expenditure of public money to safeguard life, health and/or property and that it is in the best interest of the Santa Cruz Port District to respond to such emergency.

NOW THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that:

1. It is found that an emergency exists at Santa Cruz Harbor that requires the immediate expenditure of public money to safeguard life, health and/or property that will not permit a delay resulting from a competitive solicitation for bids, and that emergency repair work is necessary to respond to such emergency.

2. The Port Director is authorized to enter into individual contracts for emergency repair work up to \$100,000 to address the emergency and to safeguard life, health and/or property without a competitive solicitation for bids.
3. It is determined to be in the best interests of the Santa Cruz Port District, that the requirements under the Port District's Ordinance Section 108, Contracting, be waived in connection with the contracts necessary to respond to the emergency, if determined by the Port Director to be necessary and appropriate.

NOW, THEREFORE, BE IT RESOLVED THAT THE Santa Cruz Port District Commission hereby approves Resolution 22-03, finding, with regard to Santa Cruz Harbor, that an emergency exists that will not permit a delay resulting from a competitive solicitation for bids, and that emergency repair work is necessary to safeguard life, health and/or property and respond to the emergency; and authorizing the Port Director to enter into individual contracts up to \$100,000 to address the emergency without a competitive solicitation for bids.

PASSED AND ADOPTED, by the Santa Cruz Port District Commission this 18th day of January 2022, by the following vote:

AYES: _____

NOES: _____

ABSENT: _____

APPROVED BY:

Reed Geisreiter, Chairman