

NAPA COUNTY RESOLUTION NO. 2014-106

**CONFIRMATION AND CONTINUANCE OF
PROCLAMATION OF LOCAL EMERGENCY AT BERRYESSA ESTATES**

WHEREAS, Government Code section 8630 and Napa County Code section 2.80.060(A)(2) authorize and empower the Napa County Executive Officer acting as Director of Emergency Services, or designee, to proclaim the existence or threatened existence of a local emergency when the County is affected or likely to be affected by a public calamity and the Board is not in session, subject to confirmation by the Board within seven days and review at least every 30 days until terminated, to determine the need for continuing the local emergency, and termination of the local emergency shall be proclaimed by this Board at the earliest possible date that conditions warrant; and

WHEREAS, California Health and Safety Code sections 101075 *et seq.* confers upon the Local Health Officer emergency powers necessary to protect public health and safety; and

WHEREAS, on August 7, 2014, and pursuant to the foregoing provisions, the acting Napa County Director of Emergency Services in the absence of the Napa County Executive Officer, and the Public Health Officer proclaimed the existence of a local emergency by that proclamation attached hereto as Exhibit "A" and incorporated by reference herein, which was ratified and continued in effect by Board Resolution No. 2014-93, adopted on August 12, 2014, attached hereto as Attachment "1"; and

WHEREAS, the Napa County Executive Officer has informed the Board that there continues to exist within Napa County a condition of extreme peril to life and property due to the shortage of potable water and has requested that the Board confirm that a local emergency continues to exist.

NOW, THEREFORE, BE IT RESOLVED by the Napa County Board of Supervisors as follows:

1. The Board finds the foregoing recitals to be true and correct.
2. The Board finds and proclaims that such local emergency continues to exist for the reasons stated above.
3. The Board finds and declares that the orders previously instituted by the Napa County Executive Officer and/or Director of Emergency Services in the absence of the County Napa Executive Officer in Exhibit "A" shall remain in place as orders of the Board of Supervisors.

4. The Board of Supervisors hereby also proclaims and orders that until the local emergency is terminated the powers, functions, and duties of the Napa County Executive Officer/Director of Emergency Services and the emergency organization of Napa County shall be those prescribed by State law and the ordinances, resolutions, and approved emergency services plans of the County of Napa.

5. The Napa County Executive Officer is hereby ordered and directed to give this Resolution and the proclamations and orders contained therein widespread publicity and notice.


6. This confirmation and continuance of the proclamation of local emergency shall be reviewed by the Board of Supervisors at least every 30 days until terminated, to determine the need for continuing the local emergency, and to terminate such proclamation of local emergency at the earliest possible date that conditions warrant.

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED by the Board of Supervisors of Napa County, State of California, at a special meeting of the Board held on the 9th day of September, 2014, by the following vote:

AYES: SUPERVISORS DILLON, WAGENKNECHT, DODD,
CALDWELL and LUCE

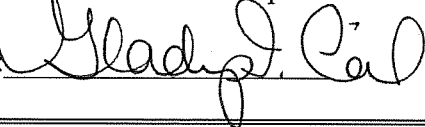
NOES: SUPERVISORS NONE

ABSENT: SUPERVISORS NONE


MARK LUCE, Chairman of the
Board of Supervisors

ATTEST:

Clerk of the Board of Supervisors

By: 

APPROVED AS TO FORM
Office of County Counsel

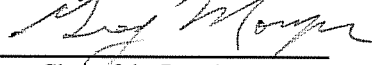
By: Jackie Gong (by e-signature)

Date: 9/5/14

APPROVED BY THE NAPA COUNTY
BOARD OF SUPERVISORS

Date: September 9, 2014

Processed by:


Deputy Clerk of the Board