

NAPA COUNTY RESOLUTION NO. 2014-107

**CONFIRMATION AND CONTINUANCE OF
PROCLAMATION OF LOCAL EMERGENCY DUE TO THE SOUTH
NAPA COUNTY EARTHQUAKE**

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 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, on August 24, 2014, and pursuant to the foregoing provisions, the acting Napa County Director of Emergency Services in the absence of the Napa County Executive 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. 2014-100, adopted on August 24, 2014, attached hereto as Attachment "1"; and

WHEREAS, Public Contract Code sections 20134 and 22050 allow the Board to let emergency repair contracts without the delays that would otherwise result from having to adopt plans and specifications and then award construction contracts only after completing an advertised competitive bidding process; and

WHEREAS, to further reduce delay in emergency repairs, Section 22050(b) allows the Board to delegate this emergency contracting authority to the County Executive Officer and Director of Public Works by adoption of a resolution approved by a 4/5 vote of the governing board, subject to compliance with reporting and reviewing requirements during each emergency where the delegated authority is used; 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 earthquake 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", ratified and continued in effect by Board Resolution No. 2014-100 adopted on August 24, 2014, attached hereto as Attachment "1", plus the additional orders subsequently issued by this Board in its Resolutions Nos. 2014-101 and 2014-102, attached hereto as Attachments "2" and "3", shall continue to remain in place as orders of the Board of Supervisors.

4. The Board further expressly delegates the authority found in subsection (b) of Section 22050 of the Public Contract Code to the County Executive Officer and Director of Public Works to order any emergency repair or replacement action specified in subsection (a)(1) of Section 22050, subject to compliance with the review and reporting requirements set forth in subsections (b)(3) and (c)(2) and (3) of Section 22050.

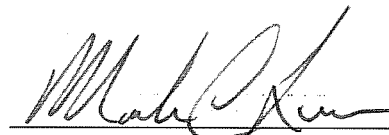
5. The Board of Supervisors hereby also proclaims and orders that until the local emergency is terminated the powers, functions, and duties of the Napa County Executive Officer/Director of Emergency Services and the emergency organization of Napa County shall be those prescribed by State law and the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

6. 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.

7. 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, CALDWELL, WAGENKNECHT, DODD 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

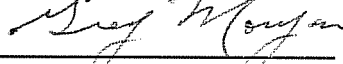
By: Jackie Gong (by e-signature)

Date: 9/5/14

**APPROVED BY THE NAPA COUNTY
BOARD OF SUPERVISORS**

Date: September 9, 2014

Processed by:


Deputy Clerk of the Board