

# PROCLAMATION OF LOCAL EMERGENCY

**WHEREAS**, Government Code section 8630 and Napa County Code section 2.80.060(A)(2) authorize and empower the Napa County Executive Officer 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 of Supervisors is not then in session, subject to confirmation by the Board of Supervisors within seven days thereafter; and

**WHEREAS**, the Napa County Executive Officer has found that due to imminent threat of tidal flooding at the Napa County Airport, a condition of extreme peril to life and property now exists in the County of Napa; and

**WHEREAS**, the Board of Supervisors is not presently in session;

**NOW, THEREFORE, THE NAPA COUNTY EXECUTIVE OFFICER DECLARES AND PROCLAIMS** as follows:

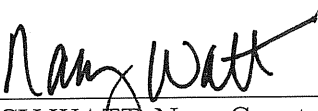
1. On or about July 18, 2006, a culvert and tide gate located on State-controlled land to the west of the Napa County Airport ("Airport") failed during a period of relatively low tides, resulting in tidal water and salt intrusion onto Airport property, with the water-logged soil preventing access around the end of Runway 6/24, and encouraging bird usage at the end of Runway 18R-36L, giving rise to peril from increased bird strikes on aircraft using the Airport.
2. With higher tidal action expected beginning the week of August 7, 2006, the foregoing conditions of heightened peril to Airport facilities are expected to become conditions of extreme peril to the safety of persons and property using the Airport because unless the broken tide gate is repaired before that time it is expected that the higher tides will cause the following interference with vital Airport operations:
  - a. Flooding of the ILS equipment at the end of Runway 18R-36L, causing closure of this main runway to the general aviation traffic which relies upon this regional general aviation facility for emergency as well as normal landings and, due to possible changes in wind directions, for that purpose needs both runways to be in operational condition for take-off and landings to be conducted safely.
  - b. General flooding of the Airport's airfield, leading to possible additional runway and taxi-way closures, because the failed tide gate and culvert system was responsible for all drainage from the middle of the airfield to the south of the Airport;

- c. Limitations on access to portions of the Airport used by Airport patrons;
  - d. Increased incursion of birds into the flight paths of aircraft using the remaining runway, creating peril to such aircraft from bird strikes, large birds such as geese already being observed to use the enlarging tidal pools.
3. While the State Department of Fish and Game which owns property where the failed tide gate is located is either unwilling or unable to repair the damage itself, it has given the County a right-of-entry to permit the County to commence immediate repairs to mitigate the foregoing dangers to the infrastructure and users of the Airport.
4. The County's Public Works Department does not have the appropriate equipment necessary to effect the needed repairs to the tide gate and culvert.
5. In consequence of the foregoing conditions and pursuant to Government Code section 8630 and Napa County Code section 2.80.060(A)(2), a local emergency now exists in that area of Napa County described as the airfield portions of the Napa County Airport, the area located immediately to the west of the Airport where the failed tide gate is located, and the areas located in immediate proximity to such areas.
6. During this local emergency, the powers, functions, and duties of the Napa County Executive Officer 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.
7. In connection with the foregoing proclamation and order of local emergency, the Napa County Executive Officer also authorizes and orders the following actions, for the protection of life and property:
  - a. The hiring of a contractor with appropriate skills and equipment, in accordance with the procedures set forth in Public Contract Code sections 20134 and 22050, to commence repairs to the culvert and tide gate prior to beginning of the period of higher tidal flows, there being insufficient time to complete the work and prevent further damage and increased peril from such flows if the letting of the contract must be delayed by the adoption of plans and specifications and advertising for competitive bids.
  - b. Until the repair work is complete and the tidal intrusion abates, use of the runways and other areas of the Airport affected by the flooding shall be curtailed to the extent and in the manner determined by the Director of Aviation, in consultation with the Airport Manager and the Director of Emergency Services, as necessary to protect the safety of the users of the

Airport's general aviation facilities, including but not limited to, appropriate signage, warning announcements, barriers and closures.

8. This proclamation of local emergency shall be reviewed by the Board of Supervisors within seven days and if not confirmed and ratified by the Board of Supervisors shall expire on the seventh day or such earlier date as specified by the Board of Supervisors.
9. This proclamation and the contents thereof shall be published and promulgated in as widespread a manner as is reasonably feasible in light of the conditions prevailing during the local emergency.

Date: August 2, 2006

  
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NANCY WATT Napa County Executive  
Officer/Director of Emergency Services

APPROVED AS TO FORM:  
ROBERT WESTMEYER,  
Napa County Counsel  
By: *Margaret L. Woodbury*,  
Chief Deputy County Counsel  
(by e-signature)  
Date: August 2, 2006