

RESOLUTION R2015-__

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NAPA,
STATE OF CALIFORNIA, CONTINUING THE PROCLAMATION OF
LOCAL EMERGENCY AND REQUESTING THE GOVERNOR TO
REQUEST A STATE OF EMERGENCY AND A PRESIDENTIAL
DECLARATION FOR DISASTER RELIEF

WHEREAS, California Government Code Section 8630 and Napa Municipal Code Section 2.89.060 authorize the City Manager, acting as Director of Emergency Services, to proclaim the existence of a local emergency when the City Council is not in session; and

WHEREAS, California Government Code Section 8558 and Napa Municipal Code Section 2.89.020 defines "local emergency" as the actual or threatened existence of conditions of disaster or of extreme peril to the safety of persons and property within the City caused by any of a list of conditions (including an earthquake), which conditions are or are likely to be beyond the control of the services, personnel, equipment, and facilities of the City, requiring the combined forces of other political subdivisions to combat; and

WHEREAS, on August 24, 2014, at 3:20 a.m., a magnitude 6.0 earthquake struck Napa County, with an epicenter approximately six miles south of the City, which caused severe damage within the City's jurisdictional limits (initial reports of the earthquake identified a magnitude of 6.1, but the U.S. Geological Survey currently identifies the magnitude of the South Napa Earthquake as 6.0); and

WHEREAS, on August 24, 2014, at 7:59 a.m., the City Manager (acting as the City's Director of Emergency Services) proclaimed the existence of a local emergency based on the earthquake, and the resulting conditions of extreme peril to the safety of persons and property (as documented in the Director's Proclamation No. P2014-01); and

WHEREAS, on August 24, 2014, the Napa County Executive Officer (acting as the County's Director of Emergency Services) proclaimed the existence of a local emergency based on the conditions caused by the earthquake, and the County Board of Supervisors adopted a resolution ratifying and continuing the proclamation of a local emergency based on the conditions caused by the earthquake; and

WHEREAS, on August 24, 2014, the Governor of the State of California proclaimed a state of emergency based on the conditions caused by the earthquake; and

WHEREAS, on August 26, 2014, the City Council adopted resolution R2014-146, by which the Council ratified and continued the proclamation of local emergency (as previously documented in Proclamation P2014-01) based on the conditions caused by the earthquake; and

WHEREAS, Napa Municipal Code Section 2.89.060 requires the City Council to review the need for continuing the proclamation of local emergency at least every 21 days; and

WHEREAS, the City Manager has informed the Council that there continues to exist within the City of Napa a condition of extreme peril to life and property due to the earthquake conditions, and has requested that the Council proclaim that a local emergency continues to exist.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Napa as follows:

1. The City Council hereby finds that the conditions of local emergency summarized herein (and as further discussed during the Council meeting on September 16, 2014, and described on the City's website, at www.cityofnapa.org) are beyond the control of the services, personnel, equipment, and facilities of the City, requiring the combined forces of other political subdivisions to combat.

2. The City Council hereby continues the proclamation of local emergency (previously documented in resolution R2014-146, dated August 26, 2014; resolution R2014-151, dated September 16, 2014; R2014-155 dated October 7, 2014; R2014-162 dated October 21, 2014; R2014-171 dated October 30, 2014; R2014-173 dated November 18, 2014; R2014-188 dated December 2, 2014; R2014-190 dated December 16, 2014; R2015-1 dated January 6, 2015; R2015-2 dated January 20, 2015, R2015-12 dated February 3, 2015, R2015-17 dated February 17, 2015, R2015-24 dated March 3, 2015, and R2015-29 dated March 17, 2015), and as described during the noticed public meeting of the City Council on September 16, 2014 October 7, 2014, October 21, 2014, October 30, 2014, November 18, 2014, December 2, 2014, January 6, 2015, January 20, 2015 February 3, 2015, February 17, 2015, March 3, 2015, and March 17, 2015, related to the conditions of extreme peril to the safety of persons and property caused by the earthquake on August 24, 2014.
3. The City Council hereby finds, due to the substantial damage caused to both public and private property (including structures) by the earthquake conditions, that the local emergency conditions continue to exist, and that such conditions continue to warrant and necessitate a proclamation of local emergency.
4. The City Council hereby proclaims and orders that, until the local emergency described in this resolution is terminated, the powers, functions, and duties of the City Manager and the emergency organization of the City of Napa shall be those authorized by City law (including "Emergency and Disaster Preparedness," Napa Municipal Code chapter 2.89, City resolutions, the City's emergency plans, and City Charter).
5. The City Council hereby requests the Governor of the State of California to declare a State of Emergency in and for the City of Napa, related to the earthquake described in this resolution, and make all relevant funds available to the City of Napa and all eligible community members and businesses, including but not limited to funds from the California Disaster Assistance Act and the State Private Nonprofit Organizations Assistance Program. The City Council acknowledges the Proclamation of a State of Emergency ordered by the Governor on August 24, 2014, related to the earthquake described in this resolution; and the City Council requests that the Governor continue to maintain in effect that Proclamation.
6. The City Council hereby requests that the Governor request that the President of the United States make a Presidential Declaration of Emergency in and for the City of Napa, and make all relevant funds available to the City of Napa and all eligible community members and businesses, including but not limited to, federal aid for individual assistance and public assistance, and aid provided by the Small Business Administration.
7. The City Manager is hereby directed to forward a copy of this resolution to the Governor of the State of California, to the State Director of the Office of Emergency Services, and to the Napa County Director of Emergency Services; all in support of the implementation of this resolution.
8. The City Council hereby ratifies and confirms the authority of the City Manager, to not charge fees for inspections or permits, to the extent that the City Manager (or designee) determines that the inspections or permits are needed to repair damages caused by the earthquake conditions described in this resolution. This

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authority to not charge these fees shall be terminated upon termination of the local emergency described in this resolution.

9. The City Manager is hereby ordered and directed to give this Resolution, and the proclamations and orders contained herein, widespread publicity and notice.
10. The City Council hereby determines that the actions authorized by this resolution are exempt from CEQA pursuant to CEQA Guidelines Section 15269.
11. The City Council hereby finds that the facts set forth in the recitals to this resolution are true and correct, and establish the factual basis for the City Council's adoption of this resolution.
12. This Resolution shall take effect immediately upon its adoption.

I HEREBY CERTIFY that the foregoing Resolution was duly adopted by the City Council of the City of Napa at a public meeting of the City Council on the 7th day of April, 2015, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: _____
Dorothy Roberts
City Clerk

Approved as to form:

Michael W. Barrett
City Attorney