

# Resolution No. 2023-XXX N.C.S. of the City of Petaluma, California

## **PROCLAIMING THE TERMINATION OF THE LOCAL EMERGENCY PROCLAMATION OF THE DIRECTOR OF EMERGENCY SERVICES DATED EFFECTIVE MARCH 9, 2020 PURSUANT TO SECTION 2.32.060(A) OF THE PETALUMA MUNICIPAL CODE AND RATIFIED BY THE CITY COUNCIL MARCH 16, 2020 IN ACCORDANCE WITH GOVERNMENT CODE SECTION 8630(C) REGARDING COVID-19**

**WHEREAS**, Section 2.32.060 of the Petaluma Municipal Code empowers the Director of Emergency Services or a designated Acting Director of Emergency Services to proclaim the existence or threatened existence of a local emergency when the City is affected or likely to be affected by a public calamity and the City Council is not in session, subject to ratification by the City Council within seven (7) days; and

**WHEREAS**, due to the threats posed by the COVID-19 virus to the health, safety and welfare of Petaluma residents and visitors and to continuity of services provided by the City, other local governments, businesses and non-profit organizations in the City, the Director of Emergency Services of the City of Petaluma did proclaim the existence of a local emergency within the City effective as of the 9th day of March, 2020; and

**WHEREAS**, in accordance with Section 2.32.060, paragraph A of the Petaluma Municipal Code and Section 8630, subdivision (b) of the California Government Code, on March 16, 2020, the City Council ratified the proclamation of existence of a local emergency issued by the Director of Emergency Services by adoption of Resolution No. 2020-040 N.C.S.; and

**WHEREAS**, Section 8630, Subdivision (d) of the California Government Code requires that local emergency proclamations be terminated at the earliest possible date that conditions warrant terminating the proclamation; and

**WHEREAS**, California has administered more than 88 million COVID-19 vaccines, which translates to 73% of California's population being vaccinated; and

**WHEREAS**, 84% of Sonoma County's population is fully vaccinated; and

**WHEREAS**, on February 28, 2023, Governor Newsom terminated the state's COVID-19 State of Emergency; and

**WHEREAS**, Sonoma County lifted the County's public health emergency on February 28, 2023; and

**WHEREAS**, on May 11, 2023, the Federal Government terminated their Federal State of Emergency

**WHEREAS**, Petaluma staff follow-up activities related to the proclaimed COVID-19 emergency has concluded, City facilities have transitioned to normal operations, and City emergency response costs have been tabulated and submitted for reimbursement; and

**WHEREAS**, the proposed action is exempt from the requirements of the California Environmental

Quality Act (CEQA) in accordance with CEQA Guidelines Section 15378(b)(5), in that rescinding an emergency proclamation does not meet CEQA's definition of a "project," because the action does not have the potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment, and because the action constitutes organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment.

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

1. The City Council has reviewed the Proclamation of the Existence of a Local Emergency within the City effective as of the 9<sup>th</sup> day of March, 2020, and City Council Resolution No. 2020-040 N.C.S. adopted March 16, 2020 ratifying the March 9, 2023 proclamation of the Director of Emergency Services in accordance with the requirements of California Government Code section 8630, subdivision(c).
2. The City Council finds that City staff follow-up efforts related to the proclaimed emergency have concluded, City facilities have transitioned to normal operations, and City emergency response costs have been tabulated and submitted for reimbursement.
3. In accordance with California Government Code section 8630, subdivision (d), the City Council hereby proclaims the termination of the Local Emergency Proclamation of the Director of Emergency Services Dated Effective March 9, 2020 Pursuant to Section 2.32.060(A) of the Petaluma Municipal Code and Ratified by the City Council March 16, 2020 in Accordance with Government Code Section 8630(c).
4. In accordance with Section 2.32.060, paragraph (F)(3) of the Petaluma Municipal Code, the City Manager, as the City's Emergency Services Director, no longer requires emergency service of City officers or employees regarding the local emergency proclaimed March 16, 2020.
5. In accordance with Section 2.32.090 of the Petaluma Municipal Code, officers and employees of the City, along with volunteer forces and groups aiding during the emergency, are no longer charged with duties incident to the protection of life and property in the City as they were during the emergency proclaimed in the City on March 9, 2020.
6. In accordance with Government Code Section 3100, City employees' disaster service worker activities in response to the local emergency proclaimed March 9, 2020 are hereby terminated.
7. Finds that the proposed action is exempt from the requirements of the California Environmental Quality Act (CEQA) in accordance with CEQA Guidelines Section 15378(b)(5), in that rescinding an emergency proclamation does not meet CEQA's definition of a "project," because the action does not have the potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment, and because the action constitutes organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment.

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**REFERENCE:**

I hereby certify the foregoing Resolution was introduced and adopted by the Council of the City of Petaluma at a Regular meeting on the 3<sup>rd</sup> day of April, 2023, by the following vote:

Approved as to  
form:

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Eric W. Danly  
City Attorney

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

**ATTEST:**

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Kendall Sawyer  
City Clerk

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Kevin McDonnell  
Mayor