

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

**PROCLAIMING THE TERMINATION OF THE LOCAL EMERGENCY PROCLAMATION BY
DIRECTOR OF EMERGENCY SERVICES DATED EFFECTIVE JANUARY 3, 2023, PURSUANT TO
SECTION 2.32.060(A) OF THE PETALUMA MUNICIPAL CODE, RATIFIED BY THE CITY
COUNCIL ON JANUARY 9, 2023, IN ACCORDANCE WITH GOVERNMENT CODE SECTION
8360(C) REGARDING THE NEW YEARS' 2023 FLOODING EVENT**

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 atmospheric river events starting in December 2022 and continuing early January 2023 due 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 3rd day of January, 2023; 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 January 9, 2023, the City Council ratified the proclamation of existence of a local emergency issued by the Director of Emergency Services by adoption of Resolution No. 2023-008 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, Petaluma staff follow-up activities related to the proclaimed New Years' 2023 Flooding Event emergency has concluded, City staff have transitioned to normal operations, and City emergency response costs have been tabulated and submitted for reimbursement; and

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 3rd day of January 2023, and City Council Resolution No. 2023-008 N.C.S. adopted January 9, 2023, ratifying the January 3, 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 staff 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 January 3, 2023 Pursuant to Section 2.32.060(A) of the Petaluma Municipal Code and Ratified by the City Council on January 9, 2023, Resolution No 2023-008, 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 January 3, 2023.

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 January 3, 2023.

6. In accordance with Government Code Section 3100, City employees' disaster service worker activities in response to the local emergency proclaimed January 3, 2023 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.

Under the power and authority conferred upon this Council by the Charter of said City.

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 10th day of July 2023, by the following vote:

Approved as to
form:

City Attorney

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

City Clerk

Mayor