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DATE: April 3, 2023

TO: Honorable Mayor and Members of the City Council through City Manager

FROM: Eric Danly, City Attorney  
Peggy Flynn, City Manager

SUBJECT: Resolution 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 8360(C) Regarding COVID-19 and Finding this Action is not a Project Pursuant to CEQA Guidelines Section 15378(b)(5)

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### **RECOMMENDATION**

It is recommended that the City Council adopt the attached Resolution 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 8360(C) regarding COVID-19 and find this action is not a project pursuant to CEQA Guidelines Section 15378(b)(5)

### **BACKGROUND**

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. 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, on March 9, 2020, 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. 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. 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

## **DISCUSSION**

Since March 2020 California has administered more than 88 million COVID-19 vaccines, which translates to 73% of California's population being vaccinated. Specifically, 79.23% of Sonoma County's population is fully vaccinated. On February 28, 2023, Governor Newsom terminated the state's COVID-19 State of Emergency, Sonoma County lifted their state of emergency also on February 28, 2023, and on May 11, 2023, the Federal Government terminated their Federal State of Emergency due to the COVID-19 pandemic.

As part of the County's termination, Sonoma County Health Officer Dr. Sundari Mase stated that, "The end of the emergency does not suggest that we have eliminated COVID-19 but rather that we are nearing the endemic phase of the virus that has altered so much of our lives for the past three years. The variants of COVID-19 in circulation today are not as severe as those of the early days of the pandemic. Armed with widely available vaccines and much more knowledge about the virus, we no longer have to treat COVID-19 as an emergency."

As the federal, California, and County State of Emergencies have been terminated, Petaluma is similarly, rescinding their local emergency due to COVID-19.

## **PUBLIC OUTREACH**

This agenda item appeared on the City's tentative agenda document on March 20, 2023 which was a publicly-noticed meeting.

## **COUNCIL GOAL ALIGNMENT**

N/A

## **CLIMATE ACTION/SUSTAINABILITY EFFORTS**

There is no climate action or sustainability impacts associated with this item.

## **ENVIRONMENTAL REVIEW**

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.

## **FINANCIAL IMPACTS**

Rescinding the local emergency will not have any direct financial effects.

## **ALTERNATIVES**

## **ATTACHMENTS**

1. Resolution