



DATE: July 10, 2023

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

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

SUBJECT: Resolution 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

RECOMMENDATION

It is recommended that the City Council adopt the attached resolution 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.

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 potential threat posed by the New Years' 2023 Flooding Event, 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 January 3, 2023, 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.

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. Section 8630, Subdivision (d) of the

California Government Code requires that 2 local emergency proclamations be terminated at the earliest possible date that conditions warrant terminating the proclamation.

DISCUSSION

Since December 2022, California has experienced 12 atmospheric rivers. However, as the City and Sonoma County is out of the rainy season, the immediate risk of flooding or other rain-related emergencies has significantly diminished. Petaluma staff follow-up activities related to the proclaimed New Years' 2023 Flooding Event emergency has concluded, City staff have transitioned to normal operations, contractors performing emergency work due to the atmospheric rivers have concluded, and City emergency response costs have been tabulated and submitted for reimbursement. Accordingly, in accordance with Government Code Section 8630, the City hereby rescinds Resolution No. 2023-008 N.C.S. and terminates the local emergency due to the New Years' Flooding Event 2023.

PUBLIC OUTREACH

This agenda item appeared on the City's tentative agenda document on June 19, 2023, which was a publicly-noticed meeting in compliance with the California Brown Act.

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.

ATTACHMENTS

1. Resolution
2. Resolution No. 2023-008 N.C.S. Proclaiming Local Emergency