

**PROCLAMATION OF A LOCAL EMERGENCY
BY THE DIRECTOR OF EMERGENCY SERVICES
OF THE CITY OF SAN FERNANDO, CALIFORNIA
IN RESPONSE TO WIDESPREAD CIVIL UNREST**

WHEREAS, since at least May 28, 2020, there has been widespread arson, looting, assaults, vandalism and rioting in cities throughout California and across the country in reaction to the May 25, 2020 death of Minneapolis, Minnesota resident George Floyd while in detained by the Minneapolis Police Department; and

WHEREAS, there has been arson, looting, assaults, vandalism and rioting in the nearby City of Los Angeles, and other nearby cities since May 30, 2020, and continuing to the present in connection with the same; and

WHEREAS, on May 30, 2020 Board of Supervisors for the County of Los Angeles (the “Board of Supervisors”) issued a Proclamation declaring the Existence of a Local Emergency by the Chair of the Los Angeles County Board of Supervisors and Requesting a State Proclamation in connection with the above-referenced civil unrest; and

WHEREAS, on May 30, 2020, Governor Gavin Newsom, at the request of the County of Los Angeles and the City of Los Angeles, issued a Proclamation of a State of Emergency for Los Angeles County and the City of Los Angeles (the “Governor’s Civil Unrest Proclamation”); and

WHEREAS, under the State Civil Unrest Proclamation, the Governor has orders:

1. All agencies of the state government to use and employ state personnel, equipment and facilities or perform any and all activities consistent with the direction of the Office of Emergency Services and the State Emergency Plan.
2. All residents to heed the advice of emergency officials with regard to the Governor’s Civil Unrest Proclamation to protect their safety.
3. The Office of Emergency Services to provide assistance to Los Angeles County and the City of Los Angeles, if appropriate and necessary under the authority of the California Disaster Assistance Act, Govt. Code Section 8550 et seq. and California Code of Regulations, Title 19, Section 2900 et seq.
4. The California National Guard to mobilize under Military and Veterans Code sections 143 and 146 to support response efforts in Los Angeles County and the City of Los Angeles; and

WHEREAS, on May 31, 2020, an Executive Order of the Chair of the County of Los Angeles Board of Supervisors Following Proclamation of Existence of a Local Emergency Due to Civil Unrest (the “County Curfew Order”) was issued which declares and orders the following:

1. A Countywide curfew, inclusive of incorporated areas of the County, between

6:00PM and 6:00AM of the following day.

2. No person, except as set forth in the County Curfew Order shall be upon a public street, avenue, boulevard, place, walkway, alley, park or any public area or unimproved private realty within the County between 6:00PM and 6:00AM of the following day.
3. The County Curfew Order shall not apply to peace officers, fire fighters and National Guard or other military personnel deployed to the area, individuals traveling to and from work, people experiencing homelessness and without access to a viable shelter, and individuals seeking medical treatment.
4. Any violation of the County Curfew Order is a misdemeanor, punishable by a fine not to exceed \$1,000 or by imprisonment for a period not to exceed six months or both, as provided by Los Angeles County Code Section 2.68.320 or any applicable state or municipal law.
5. To the extent the terms of the County Curfew Order are more stringent (e.g., that the start time is earlier or the end time is later), than any city's curfew order, the County's curfew Order would apply within such city to that extent.
6. The County Curfew Order may be renewed in accordance with Government Code Section 8634 and Los Angeles County Code Section 2.68.150.

WHEREAS, Government Code Section 8634 provides in relevant part:

“During a local emergency the governing body of a political subdivision, or officials designated thereby, may promulgate orders and regulations necessary to provide for the protection of life and property, including orders or regulations imposing a curfew within designated boundaries where necessary to preserve the public order and safety. Such orders and regulations and amendments and rescissions thereof shall be in writing and shall be given widespread publicity and notice. The authorization granted by this chapter to impose a curfew shall not be construed as restricting in any manner the existing authority of counties and cities and any city and county to impose pursuant to the police power a curfew for any other lawful purpose.”

WHEREAS, pursuant to Sections 26-62 and 26-63 of the San Fernando Municipal Code, the City Manager of the City of San Fernando is designated the “Director of Emergency Services” (hereinafter, the “Director”) and as such is empowered to make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by any proclamation of local emergency or by the proclamation of a state of emergency by the Governor or the Director of the State Office of Emergency Services; and

WHEREAS, the Director does hereby find that an extreme threat to public health and safety now exists in the City of San Fernando due to the violence surrounding the protests

concerning the tragic death of George Floyd; and

WHEREAS, the Director further finds that the above conditions constitute the existence of conditions of extreme peril to the safety of persons and property within the City, which conditions are likely to be beyond the control of the services, personnel, equipment and facilities of the City and require the combined forces of other political subdivision to combat.

WHEREAS, the City Council of the City of San Fernando is not in session and cannot immediately be called into session, and that the aforementioned conditions of extreme threat to public health and safety warrant and necessitate that the Director of Emergency Services proclaim the existence of a Local Emergency on the grounds of an ongoing and imminent threat of civil unrest which has resulted in great violence and damage to property in Los Angeles County and elsewhere in the country; and

WHEREAS, although peaceful demonstrations are essential to our democratic system, some individuals have engaged in dangerous and unlawful activity, threatening the safety of lawful demonstrators, surrounding communities, and first responders, thereby necessitating immediate action by the Director of Emergency Services.

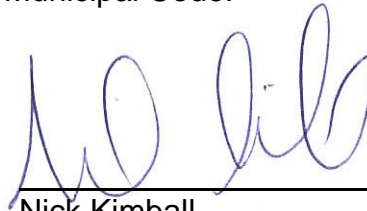
NOW THEREFORE, IT IS HEREBY PROCLAIMED AND ORDERED by the Director of Emergency Services:

1. That the foregoing Recitals are true and correct.
2. That a Local Emergency exists in the City of San Fernando incident to ongoing civil unrest sparked by the May 25, 2020 George Floyd incident referenced, above.
3. Said Local Emergency shall not remain in effect for a period in excess of seven (7) calendar days unless it has been ratified by the City Council pursuant to Section 26-63(a)(1) of the San Fernando Municipal Code.
4. IT IS FURTHER PROCLAIMED AND ORDERED that during the existence of said Local Emergency the powers, functions, and duties of the emergency organization of the City shall be those prescribed by state law, by ordinances, and resolutions of the City or as prescribed by the County of Los Angeles and/or the County Sheriff (collectively, the "County") to the extent any order or proclamation of the County applies to the City of San Fernando.
5. IT IS FURTHER PROCLAIMED AND ORDERED that all City Departments shall review and revise their operational plans, in coordination with the Director, to address the risks the Local Emergency poses to their critical functions; and shall coordinate all crisis communications to employees and the public with the Director and the Director's designated crisis communication team.
6. IT IS FURTHER PROCLAIMED AND ORDERED that (i) a copy of this Proclamation be forwarded to the Los Angeles County Office of Emergency Management, to be forwarded to the Director of California Governor's Office of Emergency Services,

requesting that the Director find it acceptable in accordance with State law; and (ii) the Governor declare the City of San Fernando to be in a state of emergency.

7. IT IS FURTHER PROCLAIMED AND ORDERED that this Proclamation of Local Emergency shall take effect immediately and that widespread publicity and notice shall be given of this Proclamation throughout the City as directed by the Director.
8. The City Manager shall report to the City Council on the status of the Local Emergency declared herein at the earliest possible opportunity as provided under Section 26-63(a)(1) of the San Fernando Municipal Code.

Date: May 31, 2020



Nick Kimball
Emergency Services Director/ City
Manager