

**RATIFIED AND MODIFIED  
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**, on May 31, 2020, the Director issued an initial Proclamation of Local

Emergency Due to Civil Unrest as authorized under Section 2.36.070 of the San Fernando Municipal Code wherein the Director found 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, as part of the May 31, 2020 Proclamation of Local Emergency also found that the above conditions constituted 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 Director issued the May 31, 2020 Proclamation on his own initiative because the City Council of the City of San Fernando was not in session and could not immediately be called into session, and that the aforementioned conditions of extreme threat to public health and safety warranted and necessitated 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**, on June 1, 2020, the Board of Supervisors extended its Countywide curfew in response to ongoing civil unrest, which curfew commenced at 6:00PM on June 1, 2020 and ends at 6:00AM on June 2, 2020; and

**WHEREAS**, the City Council, at its Regular meeting of June 1, 2020 pursuant to Government Code Section 54954(b)(2), added unpublished business Item 8 to its Regular Meeting agenda for the purpose ratifying the May 31, 2020 Local Emergency Proclamation of the Director as required by Section 2.36.070(A)(1) of the San Fernando Municipal Code and subsequently approved its ratification, subject to modification by unanimous vote of those present.

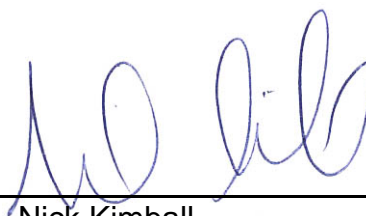
**NOW THEREFORE, IT IS HEREBY PROCLAIMED AND ORDERED** by the Director of Emergency Services as ratified by the City Council at its meeting of June 1, 2020:

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. As authorized by the City Council as part of its ratification of this Proclamation at its meeting of June 1, 2020, said Local Emergency shall remain in effect until 11:59 PM on Monday, June 15, 2020 ("Local Emergency Term"), the date of the City Council's next Regular Meeting, unless this Proclamation and the declaration of local emergency stated herein are earlier rescinded by action of either the Director or the City Council before the expiration of the Local Emergency Term.
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. The City Council further empowers the Director to implement such curfews for the City as may be necessary or appropriate to maintain the peace and the safeguard life and property in the City to the extent such action is not superseded by action of the Board of Supervisors or the County.

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 City Council meeting of June 15, 2020 unless an earlier Special Meeting is called.

Date: June 1, 2020



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Nick Kimball  
Emergency Services Director/ City  
Manager