

**A PROCLAMATION OF THE CITY MANAGER OF THE CITY OF GARDEN GROVE, CALIFORNIA, ACTING AS THE DIRECTOR OF EMERGENCY SERVICES, DECLARING THE EXISTENCE OF A LOCAL EMERGENCY DUE TO CIVIL UNREST AND SETTING A CITYWIDE NIGHT TIME CURFEW.**

WHEREAS, Garden Grove Municipal Code Section 6.08.070(A)(1) empowers the City Manager, as the Director of Emergency Services, to declare 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; and

WHEREAS, Government Code Section 8550 et seq., including Section 8558(c), authorize the City Manager to proclaim a local emergency when the City is threatened by conditions of disaster or extreme peril to the safety of persons and property within the City that are likely to be beyond the control of the services, personnel, equipment, and facilities of the City; and

WHEREAS on May 25, 2020, George Floyd tragically died in Minneapolis, Minnesota, shortly following his arrest in which an officer of the Minneapolis Police Department kneeled on his neck to detain him during the arrest, and then did not respond to Mr. Floyd's requests for help when he stated that he could not breathe; and

WHEREAS, the death of George Floyd has given rise to protests that unfortunately have turned to violence, looting, and property damage in various metropolitan areas across the United States; and

WHEREAS, Los Angeles County and the City of Los Angeles requested State assistance including the activation of the California National Guard based on the civil unrest, including arson, vandalism, looting, and destruction of public and private property the City and County of Los Angeles have reported and based on limited local resources; and

WHEREAS, on May 30, 2020, Governor Newsom proclaimed a state of emergency in Los Angeles County and the City of Los Angeles and deployed the California National Guard to support response efforts in Los Angeles County and the City of Los Angeles; and

WHEREAS, on May 30, 2020, Garden Grove Police Officers were deployed in response to the request of the City of Santa Ana for mutual aid after several hundred protestors gathered in Santa Ana with some throwing rocks, bottles and mortars and igniting fireworks in the direction of police officers, and thereafter vandalized and looted public and private properties during the civil unrest; and

WHEREAS, on May 31, 2020, civil unrest ensued in the Cities of Long Beach and Santa Monica, including looting and vandalism;

WHEREAS, these civil unrest conditions, if fully manifested, are, or are likely to be, beyond the control of the services, personnel, equipment, and facilities of the City of Garden Grove; and

WHEREAS, on social media there is a protest planned for 4:00 p.m. on June 3, 2020 at Garden Grove City Hall; and

WHEREAS, there are protests scheduled for other cities in Orange County; and

WHEREAS, the mobilization of local resources, ability to coordinate interagency response, accelerate procurement of vital supplies, use mutual aid, and allow for future reimbursement by the state and federal governments will be critical to successfully responding to the civil unrest and therefore, these conditions warrant and necessitate that the City of Garden Grove proclaim the existence of a local emergency; and

WHEREAS, the City Manager, as the City's Director of Emergency Services, has the power to declare a local emergency as authorized by Government Code section 8630 and Garden Grove Municipal Code section 6.08.070(A)(1).

**NOW, THEREFORE, IT IS PROCLAIMED AND ORDERED by the City Manager of the City of Garden Grove as follows:**

- A. As contemplated in the Emergency Services Act contained in Government Code Section 8550 et seq., including Section 8558(c), and Chapter 6.08 of Title 6 of the Garden Grove Municipal Code, a local emergency exists based on the existence of conditions of extreme peril to the safety of persons and property caused by civil unrest, as detailed in the recitals set forth above.
- B. The area of the City which is endangered/imperiled is the entire City.
- C. During the existence of this local emergency, the powers, functions, and duties of the emergency organization of this City shall be those prescribed by state law and by ordinances, resolutions, and orders of this City, including but not limited to the City of Garden Grove Emergency Operations Plan.
- D. The City Council shall review and ratify this proclamation within 7 days of its effective date as required by state law, and if ratified, shall continue to exist until the City Council proclaims the termination of this local emergency. The City Council shall review the need for continuing the local emergency as required by state law until it terminates the local emergency, and shall terminate the local emergency at the earliest possible date that conditions warrant.
- E. **Nighttime Curfew.** That the City of Garden Grove orders that, within the boundaries of the City of Garden Grove, a curfew is imposed in all public places within the City of Garden Grove effective **from 6:00 p.m. on Tuesday, June 2, 2020, to 5:00 a.m. Wednesday, June 3; and from 6:00 p.m. Wednesday, June 3, 2020 to 5:00 a.m., Thursday, June 4.**
  1. During the curfew, it shall be unlawful for any person, except as set forth below, to be upon any public street, sidewalk, avenue, boulevard, place,

alley, park or other public place or unimproved private property within the City of Garden Grove.

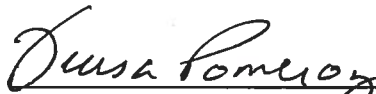
2. The curfew shall not apply to the following:
  - (a) Peace officers, fire fighters, Emergency Operations Center (EOC) personnel, other responding public safety personnel deployed to the area.
  - (b) Authorized representatives of any news service, newspaper, or radio or television station or network.
  - (c) Individuals traveling to and from work, individuals seeking or providing emergency medical care, fleeing dangerous circumstances, or any persons experiencing homelessness who are sheltered in the City are also exempt.
  - (d) The Chief of Police may designate additional exempt personnel.
3. This regulation shall be enforceable pursuant to the provisions of Chapter 6.08 of Title 6, and Chapters 1.04 and 1.22 of Title 1 of the Garden Grove Municipal Code, which provides for enforcement of violations of emergency orders and regulations as misdemeanors or administrative citations.

F. That a copy of this proclamation 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; that the Governor of California, pursuant to the Emergency Services Act, issue a proclamation declaring an emergency in the City of Garden Grove; that the Governor waive regulations that may hinder response and recovery efforts; that recovery assistance be made available under the California Disaster Assistance Act; and that the State expedite access to State and Federal resources and any other appropriate federal disaster relief programs.

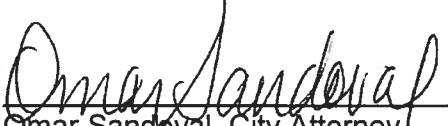
Executed this 2<sup>nd</sup> day of June 2020.

ATTEST:

  
\_\_\_\_\_  
Scott C. Stiles, City Manager

  
\_\_\_\_\_  
Teresa Pomeroy, City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Omar Sandoval, City Attorney