

**CITY OF SAN LEANDRO
PROCLAMATION NO. 20-02**

**A PROCLAMATION OF THE EMERGENCY SERVICES DIRECTOR OF THE CITY
OF SAN LEANDRO PROCLAIMING THE EXISTENCE OF A LOCAL EMERGENCY
RELATING TO POTENTIAL CIVIL UNREST**

WHEREAS, Section 8630, Article 14, of the California Emergency Services Act empowers the City Council to proclaim the existence or threatened existence of a local emergency when the City of San Leandro is affected or likely to be affected by a public calamity;

WHEREAS, San Leandro Municipal Code section 3-4-124(a) authorizes the City Manager, in his capacity as the Director of Emergency Services, to declare and proclaim the existence or threatened existence of a “local emergency” if the City Council is not in session;

WHEREAS, San Leandro Municipal Code section 3-4-124(b) provides that whenever a local emergency is proclaimed by the Director of Emergency Services, the City Council shall take action to ratify the proclamation within seven (7) days thereafter or the proclamation shall have no further force or effect;

WHEREAS, San Leandro Municipal Code section 3-4-105 defines “local emergency” where conditions of disaster or of extreme peril to the safety of persons and property within the territorial limits of this City are or are likely to be beyond the control on this City and require the combined forces of other political subdivisions. Such a “local emergency” may be caused by such conditions as air pollution, fire, flood, storm, epidemic, riot, drought, sudden and severe energy shortage, plant or animal infestation or disease, the Governor’s warning of an earthquake or volcanic prediction, or an earthquake or other conditions, other than a labor controversy;

WHEREAS, protesters have gathered throughout the country to protest in response to George Floyd’s death while being detained by a Minneapolis police officer on May 25, 2020;

WHEREAS, although the majority of protesters have acted peacefully and lawfully, some protests throughout the state and in surrounding cities such as San Francisco, Oakland, Emeryville and Vallejo have increasingly resulted in injuries to persons and destruction of property;

WHEREAS, posts on social media sites, including Twitter, indicate that protests are being organized in San Leandro between May 31, 2020 and June 4, 2020, and that some protesters are being encouraged to riot and act in a violent and destructive manner and to wreak havoc within San Leandro;

WHEREAS, civil unrest including property damage and potential looting began in San Leandro at approximately 4:30 p.m. on May 31, 2020;

WHEREAS, civil unrest conditions similar to those occurring in the above-referenced Bay Area cities has begun to occur within the City of San Leandro, and such conditions create a threat to life and property within San Leandro and require additional services, personnel, and equipment beyond the City’s current capacity; and

WHEREAS, the Director of Emergency Services intends to proclaim the existence of a local emergency to ensure the availability of mutual aid and an effective response to potential injuries or property damage resulting from civil unrest that may accompany or arise in relation to protests concerning the tragic death in Minnesota of George Floyd, as demonstrated by the civil unrest that has occurred in connection with protests in the other Bay Area cities including San Francisco, Oakland, Vallejo and Emeryville.

NOW, THEREFORE, BE IT RESOLVED the Director of Emergency Services of the City of San Leandro hereby proclaims that:

1. The above recitals are true and correct and incorporated herein by this reference.
2. Based on the existence of (a) civil unrest in other Bay Area communities and other cities elsewhere in California and the United States that has occurred as part of or arising out of otherwise lawful and peaceful protests in response to the death of George Floyd and (b) social media posts calling for riots and other forms of civil unrest in San Leandro, the City of San Leandro is, has been or is likely to be affected by a public calamity due to potential civil unrest.
3. A local emergency exists in the City of San Leandro.

BE IT FURTHER RESOLVED that as required by Government Code section 8630, the City Council shall review the need for continuing the local emergency within seven (7) days and thereafter at least once every 60 days until the governing body terminates the local emergency, and shall proclaim the termination of the local emergency at the earliest possible date that conditions warrant.

BE IT FURTHER RESOLVED that during the existence of said local emergency, the powers, functions, and duties of the Director of Emergency Services and the City's emergency organization shall be those prescribed by state law, local ordinance and resolutions.

BE IT FURTHER RESOLVED that this resolution shall become effective immediately and shall remain in effect until 11:59 p.m. on June 8, 2020, unless extended or expressly superseded by a duly enacted Resolution of the City Council.



Jeff Kay,
City Manager and Director of Emergency Services