



Legislation Text

File #: 20-324, Version: 1

RESOLUTION of the City of San Leandro City Council Terminating the Proclamation of a Local Emergency By the Director of Emergency Services Due to Civil Unrest

WHEREAS, the Emergency Services Act, California Government Code sections 8558(c) and 8630 authorize the proclamation of a local emergency when conditions of extreme peril to the safety of persons and property within the territorial limits of a city exist; and

WHEREAS, pursuant to California Government Code section 8630 such an emergency may be proclaimed by the governing body or by an official designated by ordinance adopted by the governing body; and

WHEREAS, subsection (a) of San Leandro Municipal Code section 3-4-124 provides that the Director of Emergency Services is empowered to proclaim the existence of a “local emergency” if the City Council is not in session; and

WHEREAS, in accordance with authority granted under the above provisions of state and local law, the Director of Emergency Services beginning on May 31, 2020 did proclaim the existence of a local emergency and imposed a curfew; and

WHEREAS, the Director of Emergency Services’ proclamation was due to people 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; and

WHEREAS, although the majority of protesters acted peacefully and lawfully, some protests throughout the state and in surrounding Bay Area cities, such as San Francisco, Vallejo, Walnut Creek, and San Leandro, resulted in injuries to persons and destruction of property; and

WHEREAS, posts on social media sites, including Twitter, indicated that protests were organized in San Leandro, and that some protesters were being encouraged to riot and act in a violent and destructive manner and to wreak havoc within San Leandro; and

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

WHEREAS, civil unrest conditions similar to those occurring in other Bay Area cities occurred within the City of San Leandro, and such conditions created a threat to life and property within San Leandro and required additional services, personnel, and equipment beyond the City’s current capacity; and

WHEREAS, the Director of Emergency Services proclaimed 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 accompanied or arose in relation to protests concerning the tragic death in Minnesota of George Floyd;

WHEREAS, the violence and destruction of real and personal property subsequent to the protests has subsided significantly, such that the curfew imposed by the Director of Emergency Services was subsequently rescinded by the Director of Emergency Services on June 4, 2020; and

WHEREAS, the civil unrest described above no longer constitutes a local emergency, and peaceful protests and demonstrations continue to occur in San Leandro, such that the City Council, per San Leandro Municipal Code section 3-4-124(c) must proclaim the termination of local emergency at the earliest possible time that conditions warrant.

NOW, THEREFORE, the City Council of the City of San Leandro **HEREBY RESOLVES** that:

1. The above recitals are true and correct and incorporated herein by this reference.
2. Conditions warrant that the City of San Leandro Director of Emergency Services' proclamation of a local emergency due to civil unrest dated May 31, 2020 is terminated.
3. Upon approval, this resolution shall go into effect immediately.