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NB-19

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June 16, 2020

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Review the need for continuing the local emergency, proclaimed by the Director of Civil Defense on May 31, 2020 and ratified by the City Council on June 5, 2020, and determine whether to terminate the local emergency at this time; and

If the conditions so warrant, adopt a Resolution terminating the existence of a local emergency related to civil unrest. (Citywide)

DISCUSSION

George Floyd tragically died in Minneapolis, Minnesota, shortly after his detention and arrest by the Minneapolis Police Department, which resulted in nationwide grief and widespread demonstrations throughout the country. Despite the peaceful intentions and actions of the majority of protestors, many regions, including Los Angeles County, faced civil unrest including but not limited to acts of arson, vandalism, assault, rioting, and looting. On May 30, 2020, Governor Gavin Newsom proclaimed a State of Emergency for all of Los Angeles County in accordance with the California Emergency Services Act due to civil unrest. On May 31, 2020, the Director of Civil Defense (City Manager) of the City of Long Beach declared a local emergency related to such civil unrest.

Honorable Mayor and City Council
June 16, 2020
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On June 5, 2020, the City Council ratified the City Manager's May 31, 2020 proclamation of the existence of a local emergency, as well as confirmed the City Manager's issuance of local emergency curfew regulations through June 4, 2020 (Attachment A). On June 9, 2020, the City Council reviewed the need for continuing the local emergency, and determined to continue said emergency at that time.

Today's action requests that, pursuant to LBMC Section 2.69.060.B, the City Council will again review the need for continuing the local emergency, including whether to terminate the local emergency if the conditions warrant such action. In the event the City Council terminates the local emergency, a Resolution is attached for approval by the Council to effectuate said termination. If the local emergency is not terminated, the City Council must continue to review, at least every fourteen (14) days, the need for continuing the local emergency.

SUGGESTED ACTION:

Approve recommendation.

Very truly yours,

CHARLES PARKIN, City Attorney

By:



MONICA J. KILAITA
Deputy City Attorney

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Attachments:

Attachment A – City Council Resolution Ratifying Local Emergency
Resolution Terminating Local Emergency

RESOLUTION NO. RES-20-0064

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF LONG BEACH RATIFYING THE DIRECTOR OF
CIVIL DEFENSE'S PROCLAMATION OF THE EXISTENCE
OF A LOCAL EMERGENCY AND CONFIRMING THE
DIRECTOR'S REGULATIONS PROCLAIMING LOCAL
EMERGENCY CURFEWS

WHEREAS, on May 25, 2020, George Floyd tragically died in Minneapolis, Minnesota, shortly after his detention and arrest by the Minneapolis Police Department resulting in nationwide grief, as well as widespread demonstrations;

WHEREAS, unfortunately, despite the peaceful intentions and actions of the majority of protestors, many areas around the country, including Los Angeles County, faced and continue to face actual or threatened civil unrest including but not limited to acts of arson, vandalism, rioting, assault, and looting; and

WHEREAS, on May 30, 2020, due to ongoing acts of civil unrest and limited local resources, Governor Gavin Newsom proclaimed a State of Emergency for all of Los Angeles County in accordance with the California Emergency Services Act (in particular, Government Code section 8625), and directed all residents to heed the advice of local emergency officials with respect to the emergency existing by virtue of said civil unrest; and

WHEREAS, Section 2.69.060 of the Long Beach Municipal Code empowers the Director of Civil Defense (City Manager) of the City of Long Beach to proclaim, when the Long Beach City Council is not in session, the existence or threatened existence of a local emergency when said City is affected or likely to be affected by a public calamity; and

WHEREAS, conditions of extreme peril to the safety of persons and property were anticipated to and did so arise within the City caused by civil unrest, including but not

1 limited to arson, vandalism, and looting, commencing on or about May 31, 2020, following
2 demonstrations; and

3 WHEREAS, the Council does hereby find that the aforesaid conditions of
4 extreme peril did warrant and necessitate the proclamation of the existence of a local
5 emergency, and other emergency actions as deemed necessary; and

6 WHEREAS, the Director of Civil Defense of the City of Long Beach did
7 proclaim the existence of a local emergency within the City on May 31, 2020; and

8 WHEREAS, the Director of Civil Defense of the City of Long Beach did issue
9 regulations proclaiming local emergency curfews within the City commencing on May 31,
10 2020, and ending on June 4, 2020, and may continue to issue such curfew regulations as
11 he may deem necessary in accordance with his authorized duties, to be later confirmed by
12 the City Council at the earliest time practicable;

13 NOW THEREFORE, IT IS HEREBY PROCLAIMED AND ORDERED that
14 said proclamation of existence of a local emergency, as issued by the Director of Civil
15 Defense on May 31, 2020, is hereby ratified by the City Council pursuant to Section
16 2.69.060(B)(1) of the Long Beach Municipal Code; and

17 IT IS FURTHER PROCLAIMED AND ORDERED that said local emergency
18 shall be deemed to continue to exist until its termination is proclaimed by the City Council.
19 The City Council shall review the need for continuing this local emergency at least every
20 14 days and shall terminate it at the earliest possible date the conditions warrant; and

21 IT IS FURTHER PROCLAIMED AND ORDERED that pursuant to Section
22 2.69.070(A) of the Long Beach Municipal Code, the City Council hereby confirms the local
23 emergency curfews, as issued by the Director of Civil Defense, which ordered that all
24 persons, except certain individuals such as law enforcement and firefighting personnel,
25 emergency health care providers, emergency medical personnel, civilians engaged in
26 police or emergency work, individuals seeking emergency care, individuals traveling to and
27 from their place of employment, representatives of the media, businesses closing up their
28 operation(s), persons experiencing homelessness and without viable access to shelter,

1 commercial trucking and delivery services, and persons assisting with clean-up efforts of
2 any destruction resulting from civil unrest, are prohibited from being or traveling upon the
3 public streets, avenues, alleys, parks, or any other public place, during the following dates
4 and times and at the following locations:

5 (1) Commencing on May 31, 2020, at 8:00 p.m., and expiring on June 1,
6 2020, at 5:00 a.m., citywide;

7 (2) Commencing on June 1, 2020, at 4:00 p.m., and expiring on June 2, 2020,
8 at 5:00 a.m., citywide;

9 (3) Commencing on June 1, 2020, at 1:00 p.m., and expiring on June 2, 2020,
10 at 5:00 a.m., within the boundaries of the following Business Improvement Districts (BIDs)
11 or other business districts of the City of Long Beach as follows:

- 12 a. Belmont Shore PBIA/ Naples
- 13 b. Bixby Knolls PBIA
- 14 c. Downtown Long Beach PBIA
- 15 d. Downtown Long Beach PBID
- 16 e. East Anaheim PBIA
- 17 f. Fourth Street PBIA
- 18 g. Long Beach Tourism BIA - Downtown
- 19 h. Long Beach Tourism BIA - Airport
- 20 i. Magnolia Industrial Group PBID
- 21 j. Midtown PBID
- 22 k. Uptown PBID
- 23 l. The Pike
- 24 m. Long Beach Towne Center
- 25 n. Douglas Park Business District
- 26 o. 2ND & PCH; and

27 (4) Commencing on June 2, 2020, at 6:00 p.m., and expiring on June 3, 2020,
28 at 6:00 a.m., citywide; and

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1 (5) Commencing on June 3, 2020, at 9:00 p.m., and expiring on June 4, 2020,
2 at 5:00 a.m., citywide.

3 The Director of Civil Defense may issue additional curfew or other Regulations
4 pursuant to his authority under Long Beach Municipal Code Section 2.69.070(A) and as he
5 may deem necessary during the existence of this local emergency, and such Regulations
6 shall be confirmed by the City Council at the soonest time practicable.

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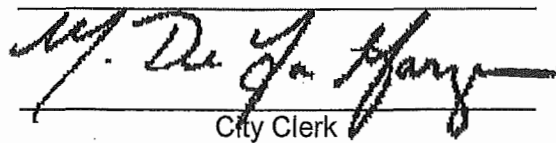
I hereby certify that the foregoing resolution was adopted by the City Council
of the City of Long Beach at its meeting of June 5, 2020, by the following vote:

Ayes: Councilmembers: Zendejas, Pearce, Price,
Supernaw, Uranga, Austin,
Richardson.

Noes: Councilmembers: None.

Absent: Councilmembers: Mungo, Andrews.

Recusal(s) Councilmembers: None.


City Clerk

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF LONG BEACH TERMINATING THE EXISTENCE
OF A LOCAL EMERGENCY RELATED TO CIVIL UNREST

WHEREAS, on May 25, 2020, George Floyd tragically died in Minneapolis, Minnesota, shortly after his detention and arrest by the Minneapolis Police Department resulting in nationwide grief, as well as widespread demonstrations; and

WHEREAS, unfortunately, despite the peaceful intentions and actions of the majority of protestors, many areas around the country, including Los Angeles County, faced and/or continue to face actual or threatened civil unrest including but not limited to acts of arson, vandalism, rioting, assault, and looting; and

WHEREAS, on May 30, 2020, due to ongoing acts of civil unrest and limited local resources, Governor Gavin Newsom proclaimed a State of Emergency for all of Los Angeles County in accordance with the California Emergency Services Act (in particular, Government Code section 8625), and directed all residents to heed the advice of local emergency officials with respect to the emergency existing by virtue of said civil unrest; and

WHEREAS, Section 2.69.060 of the Long Beach Municipal Code empowers the Director of Civil Defense (City Manager) of the City of Long Beach to proclaim, when the Long Beach City Council is not in session, the existence or threatened existence of a local emergency when said City is affected or likely to be affected by a public calamity; and

WHEREAS, conditions of extreme peril to the safety of persons and property were anticipated to and did so arise within the City caused by civil unrest, including but not limited to arson, vandalism, and looting, commencing on or about May 31, 2020, following demonstrations; and

WHEREAS, the City Council did find that the aforesaid conditions of extreme

1 peril warranted and necessitated the proclamation of the existence of a local emergency,
2 and other emergency actions as deemed necessary; and

3 WHEREAS, the Director of Civil Defense of the City of Long Beach did
4 proclaim the existence of a local emergency within the City on May 31, 2020; and

5 WHEREAS, on June 5, 2020, the City Council proclaimed and ordered that
6 said proclamation of existence of a local emergency, as issued by the Director of Civil
7 Defense on May 31, 2020, was ratified by the City Council pursuant to Section
8 2.69.060(B)(1) of the Long Beach Municipal Code; and

9 WHEREAS, the City Council further proclaimed and ordered that said local
10 emergency shall be deemed to continue to exist until its termination is proclaimed by the
11 City Council, and that the City Council shall review the need for continuing this local
12 emergency at least every 14 days and shall terminate it at the earliest possible date the
13 conditions warrant; and

14 WHEREAS, on June 9, 2020, the City Council reviewed the need for
15 continuing the local emergency and determined that the local emergency would continue
16 within the City of Long Beach at that time; and

17 WHEREAS, on June 16, 2020, the City Council again reviewed the need for
18 continuing the local emergency and determined that the conditions warranted termination
19 of the local emergency within the City of Long Beach; and

20 WHEREAS, specifically, the situation resulting from said conditions of extreme peril
21 is now deemed not to be beyond the control of normal protective services, personnel,
22 equipment, and facilities of and within the City of Long Beach;

23 NOW THEREFORE, IT IS HEREBY PROCLAIMED AND ORDERED that,
24 pursuant to Section 2.69.060(B)(1) of the Long Beach Municipal Code, and due to the
25 current conditions within the City of Long Beach, the City Council terminates the existence
26 of a local emergency, related to civil unrest, proclaimed by the Director of Civil Defense on
27 May 31, 2020, and ratified by the City Council on June 5, 2020.

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Ayes:	Councilmembers:	_____

Noes:	Councilmembers:	_____

Absent:	Councilmembers:	_____

Recusal(s)	Councilmembers:	_____

