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RESOLUTION NO. 2020_____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CULVER CITY, CALIFORNIA, CONFIRMING PUBLIC ORDERS
NUMBERS 1 THROUGH 5, ISSUED MAY 30, MAY 31, JUNE 1,
JUNE 2 AND JUNE 3, 2020, IMPOSING CURFEWS FOR THE
PUBLIC SAFETY IN THE CITY OF CULVER CITY DURING THE
LOCAL EMERGENCY DUE TO VIOLENCE AND THE THREATS
OF VIOLENCE IN THE CITY**

WHEREAS, on May 30, 2020, the City Manager, in his role as the Director of
Emergency Services ("Director of Emergency Services") proclaimed the existence of a local
emergency pursuant to Chapter 3.09 of the Culver City Municipal Code (CCMC), to ensure an
effective response to the violence surrounding the protests concerning the tragic death in
Minneapolis, Minnesota of George Floyd, as demonstrated by the violence that has occurred in
connection with protests in the neighboring cities; and

WHEREAS, on May 30, 2020, the cities of Los Angeles, Beverly Hills, Santa
Monica and West Hollywood declared local emergencies, and further determined that in response
to the violence and property damage surrounding the protests, and the threats posed to the
public, and public and private property, by such violence, it was necessary to impose, and they
imposed, curfews restricting the use of public streets, avenues, alleys, parks, and other public
place, as well as unimproved private real property, between the hours of 8:00 p.m. and 5:30
a.m.; and

WHEREAS, after the Chief of Police determined that the safety of the public, and
of public and private property required the imposition of a curfew, the Director of Emergency
Services, pursuant to the authority granted under CCMC Section 3.09.020 and California
Government Code Section 8634, issued Order No. 1 Imposing a Curfew on May 30, 2020

1 between the hours of 8:00 p.m. and 5:30 a.m.; and

2 **WHEREAS**, in the afternoon and evening of May 30, 2020, protests in Los
3 Angeles and Beverly Hills were accompanied by violent looting of retail businesses including at
4 a major shopping mall; and

5 **WHEREAS**, on May 31, 2020, the neighboring cities of Santa Monica and Beverly
6 Hills imposed a curfew beginning at 4:00 p.m., due to the ongoing violence, and after reports of
7 scheduled protests posted on various social media outlets, as well as social media posts
8 specifically calling for violence and looting in Culver City; and

9 **WHEREAS**, on May 31, 2020, as the result of the increasing imminent danger to life
10 and to property, and the necessity to preserve the public order and safety, the Director of
11 Emergency Services issued Order No. 2 Imposing a Curfew Beginning at 4:00 pm May 31, 2020;
12 and
13

14 **WHEREAS**, a peaceful protest was conducted in Santa Monica on the afternoon
15 of May 31, but at the same time there occurred extensive looting in stores located in Santa
16 Monica, with windows and doors broken in large numbers of stores in the downtown business
17 district, fires set in buildings and vehicles in and around the downtown business district, and the
18 National Guard arriving to provide additional assistance due to the violence and looting; and
19

20 **WHEREAS**, on May 31, 2020 and through the early morning of June 1, 2020,
21 there were numerous calls to the Culver City Police Department (CCPD) for service related to
22 break-ins, burglary and vandalism. Further, similar to the caravans witnessed in neighboring
23 cities, hundreds of vehicles arrived in Culver City over several hours, descending on various
24 areas of the City, including the area around the Westfield Mall, where there were multiple
25 attempts to breach the mall's security, causing the CCPD to block off several major arteries
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1 into the City with Culver City buses; and

2 **WHEREAS**, more peaceful protests were scheduled for June 1, 2020 in Culver
3 City and the communities surrounding Culver City; however, the violence and threats of
4 targeted violence, which were posted on social media, that warranted the imposition of a
5 curfew on May 30 and 31, 2020 remained in place. In addition, the County of Los Angeles
6 imposed a curfew from 6:00 pm to 6:00 a.m., and the cities of Beverly Hills and Santa Monica
7 imposed curfews on June 1, 2020 in anticipation of expected protests in their jurisdictions; and
8

9 **WHEREAS**, on June 1, 2020, the Director of Emergency Services issued Order
10 No. 3 Extending the May 31/June 1 Curfew Beginning at 4:00 p.m. June 1, 2020 through 5:30
11 a.m. on June 2, 2020; and
12

13 **WHEREAS**, on June 1, 2020, despite enhanced police presence and patrols,
14 dozens of vehicles continued to descend on Culver City, causing the CCPD to again block
15 major arteries around the Westfield Mall, and barricade the mall entrances; additional retail
16 businesses in the City were broken into and/or vandalized; and violence and looting occurred
17 in other parts of Los Angeles, including Van Nuys and Hollywood; and
18

19 **WHEREAS**, on June 2, 2020, the ongoing threats of targeted violence posted on
20 social media and in reports received by CCPD and retail stores in the City, that warranted the
21 imposition of a curfew on May 30 and 31 and June 1, remained in place; the County of Los
22 Angeles's curfew from 6:00 p.m. to 6:00 a.m. remained in place; and the cities of Beverly Hills
23 and Santa Monica again imposed citywide curfews; and
24

25 **WHEREAS**, on June 2, 2020, the Director of Emergency Services issued Order
26 No. 4 Extending the May 31/June 1 Curfew Beginning at 4:00 p.m. June 2, 2020; and

27 **WHEREAS**, on June 3, 2020, the County of Los Angeles and City of Los Angeles
28

1 modified their curfews to run from 9:00 p.m. to 5:00 a.m., while the cities of Santa Monica and
2 Beverly Hills continued with citywide curfews at 6:00 p.m. and 4:00 p.m., respectively; and

3 **WHEREAS**, on June 3, 2020, with CCPD intelligence indicating there remained
4 ongoing threats of targeted violence and looting, the same conditions that warranted the
5 imposition of a curfew on May 30 and 31 and June 1 and 2 remained in place; and
6

7 **WHEREAS**, on June 3, 2020, in consultation with the Chief of Police, the Director
8 of Emergency Services issued Order No. 5: Curfew Beginning at 6:00 p.m. June 3, 2020.
9

10 **NOW, THEREFORE**, the City Council of the City of Culver City, California,
11 **DOES HEREBY RESOLVE** as follows:

- 12 1. Pursuant to CCMC Section 3.09.020.B.1.h(2), the City Council hereby confirms
13 Order No. 1 Imposing a Curfew issued by the Director of Emergency Services on
14 May 30, 2020, attached hereto as Exhibit A and incorporated herein as though
15 fully set forth.
16
- 17 2. Pursuant to CCMC Section 3.09.020.B.1.h(2), the City Council hereby confirms
18 Order No. 2 Imposing a Curfew Beginning at 4:00 pm May 31, 2020, issued by the
19 Director of Emergency Services on May 31, 2020, attached hereto as Exhibit B
20 and incorporated herein as though fully set forth.
21
- 22 3. Pursuant to CCMC Section 3.09.020.B.1.h(2), the City Council hereby confirms
23 Order No. 3 Extending the May 31/June 1 Curfew Beginning at 4:00 June 1,
24 2020, issued by the Director of Emergency Services on June 1, 2020, attached
25 hereto as Exhibit C and incorporated herein as though fully set forth.
26
- 27 4. Pursuant to CCMC Section 3.09.020.B.1.h(2), the City Council hereby confirms
28 Order No. 4 Extending the May 31/June 1 Curfew Beginning at 4:00 p.m. June 2,

2020, issued by the Director of Emergency Services on June 2, 2020, attached hereto as Exhibit D and incorporated herein as though fully set forth.

5. Pursuant to CCMC Section 3.09.020.B.1.h(2), the City Council hereby confirms Order No. 5: Curfew Beginning at 6:00 p.m. June 3, 2020, issued by the Director of Emergency Services on June 3, 2020, attached hereto as Exhibit E and incorporated herein as though fully set forth.
6. The City Council finds that this Resolution is not subject to the California Environmental Quality Act ("CEQA") pursuant to CEQA guidelines, California Code of Regulations, Title 14, Chapter 3, §15060(c)(2) [the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment] and §15060(c)(3) [the activity is not a project as defined in §15378] because it has no potential for resulting in physical change to the environment, directly or indirectly.
7. This Resolution shall take effective immediately upon its adoption.

APPROVED and ADOPTED this _____ day of _____ 2020.

GÖRAN ERIKSSON, MAYOR
City of Culver City, California

ATTEST:

JEREMY GREEN
City Clerk

A20-00239

APPROVED AS TO FORM:

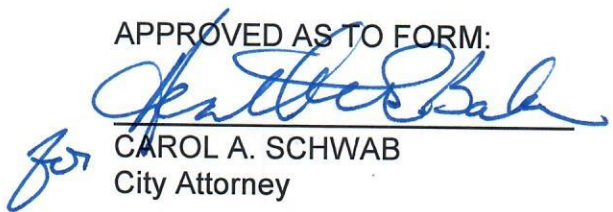

CAROL A. SCHWAB
City Attorney

EXHIBIT "A"

DECLARATION OF THE DIRECTOR OF EMERGENCY SERVICES OF THE CITY OF CULVER CITY, CALIFORNIA: LOCAL EMERGENCY DUE TO VIOLENT PROTESTS ORDER NO. 1 IMPOSING A CURFEW

WHEREAS, on May 30, 2020, at ~~6:42~~ 6:42 p.m., the City Manager, as the Director of Emergency Services, proclaimed the existence of a local emergency when the City of Culver City was potentially subject to violent protests concerning the tragic death of George Floyd; and

WHEREAS, the proclamation of a local emergency empowers the Director of Emergency Services to make and issues rules and regulations on matters reasonably related to the protection of life and property as affected by such local emergency, under authority contained in California Government Code Section 8634, and Culver City Municipal Code Section 3.09.020; and

WHEREAS, under conditions of the emergency, it is deemed necessary in the interest of public safety to restrict the use of certain public areas of the City; and

WHEREAS, life and property are deemed to be in peril and speed is of the essence; and

WHEREAS, the Chief of Police has determined that the safety of the public, and public and private property, requires the imposition of a curfew; and

WHEREAS, it is imminently necessary to use extraordinary measures to protect public peace, safety and welfare.

NOW, THEREFORE, IT IS HEREBY ORDERED by the Director of Emergency Services:

1. A curfew is hereby imposed in the City of Culver City.
2. No persons shall be upon the public streets, avenues, alleys, parks, ways, or any other public place or upon unimproved private real property in the City of Culver City between the hours of 8:00 p.m. and 5:30 a.m., effective immediately.
3. The law enforcement personnel of this City along with other law enforcement authorities cooperating with the City are hereby authorized and charged to the extent provided by law with the responsibility of enforcing this curfew, and are further authorized to arrest any such person as does not obey this curfew after due notice, oral or written, has been given to said person.
4. Any violation of curfew may be enforced under the Culver City Municipal Code,

which provides for fines not to exceed \$1,000 or imprisonment not to exceed six months.

5. Law Enforcement personnel, firefighting personnel, emergency health care providers, civilians engaged in police or emergency work, and representatives of the media are exempt from the Local Emergency Order No. 1.
6. This regulation shall remain in effect until such time as it is determined by the Director of Emergency Services or the City Council of the City of Culver City.

Date: May 30, 2020



John M. Nachbar, City Manager
Director of Emergency Services
City of Culver City, California

EXHIBIT "B"

**DECLARATION OF THE DIRECTOR OF EMERGENCY SERVICES OF THE
CITY OF CULVER CITY, CALIFORNIA:
LOCAL EMERGENCY DUE TO VIOLENT PROTESTS
ORDER NO. 2 IMPOSING A CURFEW
BEGINNING AT 4:00 P.M. MAY 31, 2020**

WHEREAS, on May 30, 2020, at 6:42 p.m., the City Manager, as the Director of Emergency Services, proclaimed the existence of a local emergency when the City of Culver City was potentially subject to violence after peaceful protests concerning the tragic death of George Floyd; and

WHEREAS, the proclamation of a local emergency empowers the Director of Emergency Services to make and issues rules and regulations on matters reasonably related to the protection of life and property as affected by such local emergency, under authority contained in California Government Code Section 8634, and Culver City Municipal Code Section 3.09.020; and

WHEREAS, under conditions of the emergency, it is deemed necessary in the interest of public safety to restrict the use of certain public areas of the City; and

WHEREAS, life and property are deemed to be in peril and speed is of the essence; and

WHEREAS, the Chief of Police has determined that the safety of the public, and public and private property, requires the imposition of an additional curfew on May 31, 2020 beginning at 4:00 p.m., in conjunction with the actions of neighboring cities; and

WHEREAS, it is imminently necessary to use extraordinary measures to protect public peace, safety and welfare.

NOW, THEREFORE, IT IS HEREBY ORDERED by the Director of Emergency Services:

1. A curfew is hereby imposed in the City of Culver City.
2. No persons shall be upon the public streets, avenues, alleys, parks, ways, or any other public place or upon unimproved private real property in the City of Culver City **on May 31, 2020 beginning at 4:00 p.m. until June 1, 2020, at 5:30 a.m.**
3. The law enforcement personnel of this City along with other law enforcement authorities cooperating with the City are hereby authorized and charged to the extent provided by law with the responsibility of enforcing this curfew, and are further authorized to arrest any such person as does not obey this curfew after due notice, oral or written, has been given to said person.

4. Any violation of curfew may be enforced under the Culver City Municipal Code, which provides for fines not to exceed \$1,000 or imprisonment not to exceed six months.
5. Law Enforcement personnel, firefighting personnel, emergency health care providers, civilians engaged in police or emergency work, and representatives of the media are exempt from the Local Emergency Order No. 1.
6. All other curfew orders remain in full force and effect.

Date: May 31, 2020



John M. Nachbar, City Manager
Director of Emergency Services
City of Culver City, California

EXHIBIT "C"

**DECLARATION OF THE DIRECTOR OF EMERGENCY SERVICES OF THE
CITY OF CULVER CITY, CALIFORNIA:
LOCAL EMERGENCY DUE TO VIOLENT PROTESTS
ORDER NO. 3 EXTENDING THE MAY 31/JUNE 1 CURFEW
BEGINNING AT 4:00 P.M. JUNE 1, 2020.**

WHEREAS, on May 30, 2020, at 6:42 p.m., the City Manager, as the Director of Emergency Services, proclaimed the existence of a local emergency when the City of Culver City was potentially subject to violence after peaceful protests concerning the tragic death of George Floyd; and

WHEREAS, the proclamation of a local emergency empowers the Director of Emergency Services to make and issues rules and regulations on matters reasonably related to the protection of life and property as affected by such local emergency, under authority contained in California Government Code Section 8634, and Culver City Municipal Code Section 3.09.020; and

WHEREAS, under conditions of the emergency, it is deemed necessary in the interest of public safety to restrict the use of certain public areas of the City; and

WHEREAS, life and property are deemed to be in peril and speed is of the essence; and

WHEREAS, the Chief of Police had determined that the safety of the public, and public and private property, required the imposition of a curfew on May 31, 2020 beginning at 4:00 p.m., in conjunction with the actions of neighboring cities; and

WHEREAS, the Chief of Police has determined that the safety of the public, and public and private property, requires that the 4:00 p.m. curfew remain in effect; due to the ongoing violence and threats of violence, to neighboring communities and to Culver City; and

WHEREAS, it is imminently necessary to use extraordinary measures to protect public peace, safety and welfare.

NOW, THEREFORE, IT IS HEREBY ORDERED by the Director of Emergency Services:

1. A curfew is hereby imposed in the City of Culver City.
2. No persons shall be upon the public streets, avenues, alleys, parks, ways, or any other public place or upon unimproved private real property in the City of Culver City **on June 1, 2020 beginning at 4:00 p.m. until June 2, 2020, at 5:30 a.m.**

3. The law enforcement personnel of this City along with other law enforcement authorities cooperating with the City are hereby authorized and charged to the extent provided by law with the responsibility of enforcing this curfew, and are further authorized to arrest any such person as does not obey this curfew after due notice, oral or written, has been given to said person.
4. Any violation of curfew may be enforced under the Culver City Municipal Code, which provides for fines not to exceed \$1,000 or imprisonment not to exceed six months.
5. Law Enforcement personnel, firefighting personnel, emergency health care providers, civilians engaged in police or emergency work, and representatives of the media are exempt from the Local Emergency Order No. 1.
6. All other curfew orders remain in full force and effect.

Date: June 1, 2020



John M. Nachbar, City Manager
Director of Emergency Services
City of Culver City, California

EXHIBIT "D"

**DECLARATION OF THE DIRECTOR OF EMERGENCY SERVICES OF THE
CITY OF CULVER CITY, CALIFORNIA:
LOCAL EMERGENCY DUE TO VIOLENT PROTESTS
ORDER NO. 4 EXTENDING THE MAY 31/JUNE 1 CURFEW
BEGINNING AT 4:00 P.M. JUNE 2, 2020.**

WHEREAS, on May 30, 2020, at 6:42 p.m., the City Manager, as the Director of Emergency Services, proclaimed the existence of a local emergency when the City of Culver City was potentially subject to violence after peaceful protests concerning the tragic death of George Floyd; and

WHEREAS, the proclamation of a local emergency empowers the Director of Emergency Services to make and issues rules and regulations on matters reasonably related to the protection of life and property as affected by such local emergency, under authority contained in California Government Code Section 8634, and Culver City Municipal Code Section 3.09.020; and

WHEREAS, under conditions of the emergency, it is deemed necessary in the interest of public safety to restrict the use of certain public areas of the City; and

WHEREAS, life and property are deemed to be in peril and speed is of the essence; and

WHEREAS, the Chief of Police had determined that the safety of the public, and public and private property, required the imposition of a curfew on May 31, 2020 beginning at 4:00 p.m. to 5:30 a.m., and again on June 1, 2020 at 4:00 p.m. to 5:30 a.m., in conjunction with the actions of neighboring cities; and

WHEREAS, the Chief of Police has determined that the safety of the public, and public and private property, requires that the 4:00 p.m. curfew remain in effect; due to the ongoing violence and threats of violence, to neighboring communities and to Culver City; and

WHEREAS, it is imminently necessary to use extraordinary measures to protect public peace, safety and welfare.

NOW, THEREFORE, IT IS HEREBY ORDERED by the Director of Emergency Services:

1. A curfew is hereby imposed in the City of Culver City.
2. No persons shall be upon the public streets, avenues, alleys, parks, ways, or any other public place or upon unimproved private real property in the City of Culver City **on June 2, 2020 beginning at 4:00 p.m. until June 3, 2020, at 5:30 a.m.**

3. The law enforcement personnel of this City along with other law enforcement authorities cooperating with the City are hereby authorized and charged to the extent provided by law with the responsibility of enforcing this curfew, and are further authorized to arrest any such person as does not obey this curfew after due notice, oral or written, has been given to said person.
4. Any violation of curfew may be enforced under the Culver City Municipal Code, which provides for fines not to exceed \$1,000 or imprisonment not to exceed six months.
5. Law Enforcement personnel, firefighting personnel, emergency health care providers, civilians engaged in police or emergency work, and representatives of the media are exempt from this Local Emergency Order No. 4.
6. All other curfew orders remain in full force and effect.

Date: June 2, 2020



John M. Nachbar, City Manager
Director of Emergency Services
City of Culver City, California

EXHIBIT "E"

**DECLARATION OF THE DIRECTOR OF EMERGENCY SERVICES OF THE
CITY OF CULVER CITY, CALIFORNIA:
LOCAL EMERGENCY DUE TO VIOLENT PROTESTS
ORDER NO. 5
CURFEW BEGINNING AT 6:00 P.M. JUNE 3, 2020.**

WHEREAS, on May 30, 2020, at 6:42 p.m., the City Manager, as the Director of Emergency Services, proclaimed the existence of a local emergency when the City of Culver City was potentially subject to violence after peaceful protests concerning the tragic death of George Floyd; and

WHEREAS, the proclamation of a local emergency empowers the Director of Emergency Services to make and issues rules and regulations on matters reasonably related to the protection of life and property as affected by such local emergency, under authority contained in California Government Code Section 8634, and Culver City Municipal Code Section 3.09.020; and

WHEREAS, under conditions of the emergency, it is deemed necessary in the interest of public safety to restrict the use of certain public areas of the City; and

WHEREAS, life and property are deemed to be in peril and speed is of the essence; and

WHEREAS, the Chief of Police had determined that the safety of the public, and public and private property, required the imposition of a curfew on May 30, 2020, from 8:00 p.m. to 5:30 a.m.; May 31, June 1 and June 2 beginning at 4:00 p.m. to 5:30 a.m., in conjunction with the actions of neighboring cities and due to escalating violence in the region; and

WHEREAS, the Chief of Police has determined that the safety of the public, and public and private property, requires that a 6:00 p.m. to 6:00 a.m. curfew remain in effect; due to the ongoing violent incidents and threats of violence, to neighboring communities, the County of Los Angeles, and to Culver City; and

WHEREAS, it is imminently necessary to use extraordinary measures to protect public peace, safety and welfare.

NOW, THEREFORE, IT IS HEREBY ORDERED by the Director of Emergency Services:

1. A curfew is hereby imposed in the City of Culver City.
2. No persons shall be upon the public streets, avenues, alleys, parks, ways, or any other public place or upon unimproved private real property in the City of Culver City **on June 3, 2020 beginning at 6:00 p.m. until June 4, 2020, at 6:00 a.m.**

3. The law enforcement personnel of this City along with other law enforcement authorities cooperating with the City are hereby authorized and charged to the extent provided by law with the responsibility of enforcing this curfew, and are further authorized to arrest any such person as does not obey this curfew after due notice, oral or written, has been given to said person.
4. Any violation of curfew may be enforced under the Culver City Municipal Code, which provides for fines not to exceed \$1,000 or imprisonment not to exceed six months.
5. Law Enforcement personnel, firefighting personnel, emergency health care providers, civilians engaged in police or emergency work, and representatives of the media are exempt from this Local Emergency Order No. 5.

Date: June 3, 2020



John M. Nachbar, City Manager
Director of Emergency Services
City of Culver City, California