

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE DECLARING THE EXISTENCE OF A LOCAL EMERGENCY, AUTHORIZING THE DECLARATION OF A CURFEW, AND RATIFYING THE PROCLAMATION AND PRIOR CURFEW ORDERS OF THE DIRECTOR OF EMERGENCY SERVICES**

**WHEREAS**, on March 18, 2020, in accordance with Santee Municipal Code Chapter 2.32, the Santee Director of Emergency Services proclaimed a local emergency regarding COVID-19; and

**WHEREAS**, on March 25, 2020, the Santee City Council ratified the Director's proclamation, and declared a local emergency regarding COVID-19; and

**WHEREAS**, on April 8, 2020, the San Diego County Public Health Officer issued a public health order, prohibiting all public and private "gatherings," as defined as "any event or convening that brings together more than one person in a single room or single indoor or outdoor space at the same time"; which remains in effect pursuant to the Public Health Order Effective June 4, 2020; and

**WHEREAS**, on May 30, 2020, large public gatherings in violation of public health orders and significant rioting and looting occurred in the City of La Mesa and was threatened in other areas of San Diego County; and

**WHEREAS**, on May 31, 2020, based on the risks to public health and safety, the Director of Emergency Services proclaimed a local emergency due to these large public gatherings and issued a Curfew Order in accordance with Santee Municipal Code section 2.32.120 related to both the COVID-19 local emergency and the local emergency created by these large public gatherings;

**WHEREAS**, the Curfew Order issued by the Director of Emergency Services remained in effect until June 1, 2020 at 6:00 a.m.; and

**WHEREAS**, on May 31, 2020, two large gatherings in violation of public health orders occurred in the Town Center area of the City of Santee, and created threats to public safety and property, but the existence of the curfew assisted in the safe and peaceful response to these large gatherings, which response dispersed large crowds that were not practicing social distancing, threatened public health and safety, and were acting in a manner inconsistent with existing public health orders; and

**WHEREAS**, on June 1, 2020, the Director of Emergency Services issued a First Amended Curfew Order to extend the curfew until June 2, 2020 at 6:00 a.m.; and

**WHEREAS**, during the evening of June 1, 2020, two large gatherings in violation of public health orders occurred again in the Town Center area of the City of Santee, and again created threats to public safety and property. A man and a woman were arrested by law enforcement after it was reported that the woman pointed a gun at members of one of the gathered groups, and physical altercations were also reported. The existence of the curfew assisted in the safe and peaceful response to these events; and

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**WHEREAS**, on June 2, 2020, the Director of Emergency Services issued a Second Amended Curfew Order to extend the curfew until June 3, 2020 at 6:00 a.m.; and

**WHEREAS**, during the evening of June 2, 2020, two large gatherings in violation of public health orders occurred again in the Town Center area of the City of Santee, and again created threats to public safety and property. Three arrests were made. The existence of the curfew assisted in the safe and peaceful response to these events; and

**WHEREAS**, during the evening of June 3, 2020, large gatherings in violation of public health orders occurred again in the Town Center area of the City of Santee, and again created threats to public safety and property. Initially, the Director did not issue any curfew order, but after the large gatherings blocked traffic on Mission Gorge Road and would not allow free access to public travel, a Third Amended Curfew Order was issued for the portion of the City west of Magnolia Avenue, and remained in effect until June 4, 2020 at 6:00 a.m. This Third Amended Curfew Order assisted in the peaceful resolution of the issue, although several arrests were made; and

**WHEREAS**, California Government Code section 8630, et seq., and City of Santee Municipal Code section 2.32.060 empower the Director of Emergency Services to proclaim the existence of a local emergency to protect and preserve the public welfare when the City is affected or likely to be affected by a public emergency; and

**WHEREAS**, on May 31, 2020, the Director of Emergency Services, did proclaim the existence of a local emergency; and

**WHEREAS**, under Government Code section 8630(b), a proclamation of local emergency must be ratified by the City Council within seven (7) days to remain in effect; and

**WHEREAS**, in the interest of public health and safety, as affected by the emergency caused by the spread of COVID-19, it is necessary to exercise authority to issue this declaration related to the protection of life and property.

**WHEREAS**, conditions of extreme peril to the safety of persons and property have arisen within and around the City, caused by civil unrest, disturbances, and violence.

**WHEREAS**, the aforesaid conditions of extreme peril warrant and necessitate the declaration of the existence of a local emergency and imposition of a curfew.

**WHEREAS**, the City Council desires to declare a local emergency, authorize the Director of Emergency Services to impose a curfew and to ratify the proclamation of a local emergency and curfew order by the Director of Emergency Services.

**NOW, THEREFORE, IT IS HEREBY DECLARED** by the City Council that a local emergency exists throughout the City of Santee, and the City Council ratifies the proclamation by the Director of Emergency Services, proclaiming the existence of local emergency and Curfew Order issued on May 31, 2020, including all subsequent amendments to the Curfew Order.

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**IT IS FURTHER DECLARED AND RESOLVED** that, as authorized in Government Code section 8630 and City of Santee Municipal Code section 2.32.060, and based on the foregoing, an “emergency” as defined in Government Code Section 54956.5(a) and City of Santee Municipal Code Section 2.32.020 and a “local emergency” as defined in Government Code Section 8558(c) hereby exist within the territorial jurisdiction of the City of Santee and are deemed to continue to exist until their termination is declared by the City Council.

**IT IS FURTHER DECLARED AND RESOLVED** that, as authorized in Government Code section 8634 and City of Santee Municipal Code section 2.32.120, officials may impose a Curfew within designated boundaries where necessary to preserve the public order and safety. The City Council directs the Director of Emergency Services to issue curfews and other orders, as appropriate, to protect public life, safety and property.

**IT IS HEREBY FURTHER DECLARED AND RESOLVED** that the City Manager, acting as the Director of Emergency Services, is hereby authorized to furnish information, to promulgate additional orders and regulations necessary to provide for the protection of life and property pursuant to California Government Code Section 8634, to enter into agreements and to take all actions necessary to obtain State emergency assistance to implement preventive measures to protect and preserve the residents of the City within the scope of the local emergency hereby declared.

**PASSED, APPROVED and ADOPTED** by the City Council of the City of Santee at an emergency meeting of said Council held on the 5<sup>th</sup> of June, 2020, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**APPROVED:**

\_\_\_\_\_  
Mayor, City of Santee

**ATTEST:**

\_\_\_\_\_  
City Clerk

**APPROVED AS TO FORM:**  
BEST, BEST & KRIEGER LLP

\_\_\_\_\_  
City Attorney