

City Council on 2020-09-24 9:00 AM - Electronic Meeting

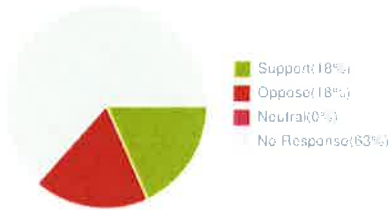
09-24-20 09:00

Agenda Name	Comments	Support	Oppose	Neutral
1-A ID 20-001216 Approval of Minutes for the September 17, 2020 Special Emergency Open Session Meeting and the September 17, 2020 Regular Council Meeting	2	0	0	0
4-A ID 20-001236 BILL (for introduction and adoption) - An Emergency Ordinance amending Section 2-515 of the Fresno Municipal Code relating to Outdoor Dining during the COVID-19 Emergency (Requires 5 affirmative votes)	1	1	0	0
UNSCHEDULED COMMUNICATION	8	1	2	0

Sentiments for All Agenda Items

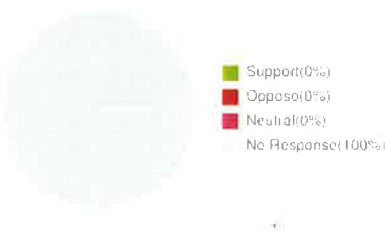
The following graphs display sentiments for comments that have location data. Only locations of users who have commented will be shown.

Overall Sentiment



Agenda Item: eComments for 1-A ID 20-001216 Approval of Minutes for the September 17, 2020 Special Emergency Open Session Meeting and the September 17, 2020 Regular Council Meeting

Overall Sentiment



Jose Magno

Location: 93705, Fresno
Submitted At: 1:11am 09-24-20

I am demanding that the Fresno Independent Police Auditor release reports on police brutality of London Wallace, 17 & Gerald Johnson, 55 immediately and resign. If there is to be any legitimacy to the work police auditors do in Fresno, Any trust in the city, or a sense of safety for the residents of Fresno, these conditions must be met.

David Paredes

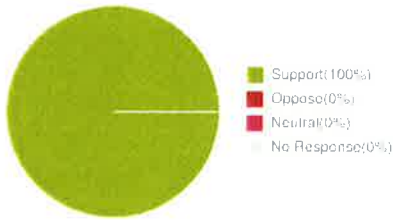
Location: 93706, Fresno

Submitted At: 12:03am 09-24-20

I demand the Fresno Independent Police Auditor release reports on police brutality of London Wallace, 17 & Gerald Johnson, 55 immediately and resign. Our city needs full transparency and it's time we stop protecting those who abuse their power when they should be seeking justice for the community. I pay taxes and believe we need the absolute best for our community. With the mismanagement of reports in today's climate, I demand the resignation of those who chose to sweep the reports under the rug. Please release the reports of police brutality. Thank you.

Agenda Item: eComments for 4-A ID 20-001236 BILL (for introduction and adoption) - An Emergency Ordinance amending Section 2-515 of the Fresno Municipal Code relating to Outdoor Dining during the COVID-19 Emergency (Requires 5 affirmative votes)

Overall Sentiment



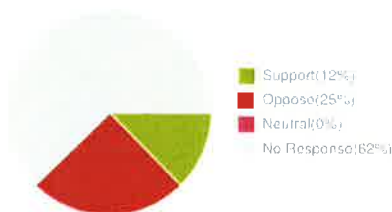
Andrea Torres

Location: 93704, Fresno
Submitted At: 8:53am 09-24-20

I would LOVE to see outdoor entertainment in the Tower District! It would help bring life back into the neighborhood.

Agenda Item: eComments for UNSCHEDULED COMMUNICATION

Overall Sentiment



Kassandra Hishida

Location: 93704, Fresno
Submitted At: 8:59am 09-24-20

We demand the Fresno "Independent" Police Auditor release reports on police brutality of London Wallace, 17 & Gerald Johnson, 55 immediately and resign immediately.

Casey Carrillo

Location: 93721
Submitted At: 8:53am 09-24-20

The failure of the Police auditor to disclose his findings to the public further erodes the community's trust and is inexcusable. His unilateral decision is grounds for removal and he should resign immediately. The Council already ignored our RESOUNDING demands to defund FPD and reallocate resources to other important community functions. Choosing to continue to ignore the community only serves to delegitimize the steps the Council took during the budget hearings.

The status quo of FPD operating with no meaningful oversight needs to end. I am appalled the auditor chose to withhold information, and demand he resign immediately.

District 3, Council President Arias

Anastasia Sotiropulos

Location: 93711, Fresno

Submitted At: 8:35am 09-24-20

Fresno's "Independent" police auditor must resign in light of recent revelations that he willfully concealed findings in the excessive use investigation into the incident involving London Wallace and Gerald Johnson. He has lost the trust of the public and can no longer be of service to this community. The City Council must release the full report and demand John Gliatta's resignation.

Kiel LopezSchmidt

Location: 93704, Fresno

Submitted At: 8:09am 09-24-20

It is inexcusable the Fresno's "Independent" Police Auditor John Gliatta to sit on a report for over five months now for political purposes. He has denied the Fresno public transparency and destroyed our trust in him. He should immediately release his report on the Fresno Police brutality and misconduct related to London Wallace and Gerald Johnson immediately. We also demand John Gliatta's resignation and investigation into who else may have been party to his concealing this vital public document. We demand transparency, accountability and justice.

Gloria Hernandez

Location:

Submitted At: 6:51am 09-24-20

His trust was hanging by a thread, and now the thread has been broken and the Independent Reviewer must release the audit on London Wallace and Gerald Johnson immediately. He should then resign in shame. His violated his job duty to "work to strengthen community trust in the Fresno Police Department by providing neutral, third-party review of police policies, procedures, strategies, and internal investigations" He made a decision that impacts the lives of many in Fresno. as a police commissioner putting in many hours to reform the police, he has made my duty difficult. i have been fighting for Civilian Review since the late 90's and have continued to do so for the well being of our community who has lived in fear and has suffered trauma for too many years. HE MUST RESIGN OR BE TERMINATED.

Dan Waterhouse

Location:

Submitted At: 5:39am 09-24-20

In light of the revelation in yesterday's Fresno Bee that the independent police reviewer concealed the findings regarding an excessive force incident, it is time to reconsider the post. Should it continue to exist in its present form? Should it be responsible to the city council rather than the city manager?

David Bouttavong

Location: Fresno

Submitted At: 12:49am 09-24-20

David Bouttavong (he/him/his)

District 1, Council member Soria

In a recent meeting, Fresno's "Independant" Police Auditor said he intentionally withheld a report Fresno PD brutality against 17 year old London Wallace. He didn't release it because of national unrest about George Floyd. He still hasn't released the report and others. This raises more questions about transparency and trust. The

withholding of information only creates more tension and division between the community and law enforcement which is deeply concerning. This report must be released and the officer who attacked London Wallace should be charged and relieved of his duties. The City and our dollars should not be paying for individuals who are suppose to "protect and serve" us, only to harm us instead, especially our Black and Brown communities.

Matthew Woodward

Location:

Submitted At: 10:13pm 09-23-20

Justice should have been served to Breonna Taylor.

I know that Breonna's case isn't a city of Fresno matter, but the current outcome worries me as a citizen. What assurances do we have that what happened to her in Louisville Kentucky, can't happen here in Fresno? Are no-knock warrants allowed by Fresno PD? If they are, would the council consider passing legislation removing them?

Also, I condemn the move made this week by Fresno's Independent Police Reviewer to withhold his report from the public. His role shouldn't be defending Fresno PD, it should be to determine whether they do their job properly without breaking the law.

Bernard Canez

From: Anthony Yu <anthony.lee.yu@gmail.com>
Sent: Friday, September 25, 2020 1:43 PM
To: Clerk
Subject: Support for RNMA

External Email: Use caution with links and attachments

Dear Fresno City Clerk, at the request of Council President Arias' office, I am forwarding an email I wrote to City Council in regard to RNMA. Please find my letter of support below.

Anthony Yu, MD

Begin forwarded message:

From: Anthony Lee Yu <anthony.lee.yu@gmail.com>
Date: September 25, 2020 at 12:03:05 PM PDT
To: District1@fresno.gov, District2@fresno.gov, District3@fresno.gov, District4@fresno.gov, District5@fresno.gov, District6 <District6@fresno.gov>, District7@fresno.gov
Subject: Support for RNMA

Dear Councilmembers Soria, Arias, Chavez, Esparza, Caprioglio, Karbassi, and Bredefeld:

I am writing in support of the Responsible Neighborhood Market Act. I applaud you all for your vision to make Fresno a safer community with this new law. I live in Northeast Fresno, in the Copper River community. We are currently facing the prospect of 3 new liquor stores along Copper Ave along a 1-mile stretch. A liquor store and gas station have already been approved and obtained a CUP for alcohol sales at Copper and Friant. Two more liquor stores and gas stations are currently proposed at Copper and Maple, one at the northwest corner and another at the northeast corner. By the new law, these 2 proposed liquor stores would violate the new 1000-foot buffers on 3 counts:

- 1) Rite Aid (sells off-sale liquor) - would sit in between these two sites approximately 800 ft from the NW site and 350 ft from the NE site.
- 2) Sensitive Use - Copper Academy Preschool sits approximately 1000 ft from the NW site and 150 ft from the NE site.
- 3) Recreation area - the Copper River Country Club golf course sits within 1000 ft of both sites

One question that has been raised is if our census tract can be considered over-saturated. Based on the 1 store per 2500 residents ratio, we would qualify. Per 2018 data from the CA Office of Environmental Health Hazard Assessment, our census tract holds about 4250 people. We have two off-sale establishments in the census tract (Rite Aid and Cheers Wine & Beer). That is a ratio of 1/2125. If you factor in that a CUP for liquor sales has already been granted for the new Copper/Friant establishment, that is really 3 stores approved for off-sale liquor sales for a ratio of 1/1417.

We have seen what happens to communities that are overrun by liquor stores. We want no part of that. We have created a neighborhood coalition, the Fresno Healthy Neighborhood Alliance, to oppose

these unwanted liquor stores (<https://ceds.org/fhna/>). We have 400 community members who stand with you in your efforts to make Fresno a better place. Please pass RNMA. Please protect us from those whose sole interest is their financial well-being. Our motivation is simple – we wish to protect our health, our families, our neighbors, our homes, our way of life. What is the motivation of Darius Assemi and George Beal? It is certainly not our best interest.

Thank you for your time and consideration.

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Anthony Lee Yu, MD
559-554-5348
anthony.lee.yu@gmail.com

Bernard Canez

From: Richard Krebsbach <richard.krebsbach@outlook.com>
Sent: Wednesday, September 23, 2020 5:17 PM
To: Clerk
Cc: Beal Developments@aol.com
Subject: FW: Council Mtg 9/24/2020 Item ID 20-001194/ID 20-001267
Attachments: Responsible Neighborhood Market Act.pdf

External Email: Use caution with links and attachments

Subject: Council Mtg 9/24/2020 Item ID 20-001194/ID 20-001267

Clerks Office,

We would like to submit the attached for the record for the above IDs. George Beal would like to address the Council on these matters, but with two different times, when will it be for public comment on them?

Thank You,

Richard Krebsbach
Beal Developments LLC
Sterling Hartel Dev. 1 Inc.
(559) 392-9739

Beal Developments LLC

1175 Shaw Ave., #104, PMB 372 Clovis, CA | (559) 288-0211 | bealdevelopments@aol.com

Responsible Neighborhood Market Act

- Enforce the codes on the books, more rules and laws will not help if you do not enforce the laws.
- All of the items the city is trying to change and enforce are defined by the California Business and Professional Code in existing and new ordinances. Speaking with ABC, they will only enforce State Law.
- The state has rules that govern how many alcohol licenses for selling beer, wine and distilled spirits can be granted in a community. A formula in the state's Business and Professions Code says the number should be no more than one for every 1,250 residents. In Fresno, that would work out to 416 off-sale licensees.
- Fresno, however had 468 licenses – or 52 more than specified by the formula in the law – as of mid-2016 to serve the 522,053 inhabitants of California's fifth largest city.
- We should leave the distances for schools and parks as they currently are (500' for a Type 20 & Type 21 license).
- It should be determined what Census tracts exceed the number of License allowed and put a plan together to reduce the license counts in those Census tracts.
- If a person wants to build a new facility that needs to acquire a Type 20 or Type 21 license and the Census Tract exceeds the allowable number of licenses. They should be able to buy a license from any Census Tracts that make up that Council person's district, if the Council person agrees.
- This would help reduce licenses within that council district.
- The Council can set up a charge for inspections once per year at each location – like apartment inspection. The City needs to set up a way to inspect each Licensed business once a year to determine compliance to the CUP or conditions of the ABC License or the California Business and Professional Code. You can handle the ABC CUP Inspections like the City handles weed abatement is handled every year. I know, from experience, that if your lot is not cleared correctly you get a follow-up letter and even a fine.
- Post-pone the vote on the proposed Responsible Neighborhood Market Act till City Hall reopens so people can make an in-person public comment.

Thank You,
George Beal
(559)288-0211

Bernard Canez

From: Brandi Nuse-Villegas <brandiangela78@gmail.com>
Sent: Thursday, September 24, 2020 8:53 AM
To: Clerk
Subject: Public Comment

External Email: Use caution with links and attachments

Unscheduled

Dear council

I want to express again my support for the efforts for the efforts by themayor and those of your on the council who have been following local and CDC guidelines and the state mandates to keep thoe in Fresno safe and open businesses when safe. Thank you for speaking up for the vulnerable population and for pointing out I know that you have received criticism and attacks for not defying those guidelines and mandates, but I wanted you to know that there are a lot of us who are very grateful. I know that it isn't easy for businesses right now, and I empathize with them, but I also perceive that the criticism is for weak areas in assistance that are not the fault of the council. I appreciate the efforts of the council to provide assistance to the business owners and to take steps like the parklets and I appreciate the work that went into last week's plan to open safely.

This hasn't been an easy year, but we can't pretend that this disease isn't has harmful as it is.

I wanted to express my strong disagreement with the disappointment in the actions znd words of Bredefeld with the protest Monday. Like a lot of people have commented, they would have a lot more faith that everyone was going to open up safely if the leaders of the protest guided the people to all follow the safety protocols at the protest.

Council- Please keep following the experts, and not those who politicize and say our own local experts are wrong. And thank you.

Bernard Canez

From: Stacy W <stacyw616@yahoo.com>
Sent: Thursday, September 24, 2020 8:52 AM
To: Clerk
Subject: Unscheduled public comment

External Email: Use caution with links and attachments

My name is Stacy Williams and I reside in Fresno District 3.

I am sad and disappointed that our “office of independent review” has decided to prove his lack of integrity by not releasing important information to the public. The point of this position was to build trust and transparency, that trust is lost with his lies and hiding of information while withholding facts.

Release the records and reports for London Wallace and Gerald Johnson. The OIR does not get to hide and lie. He needs to resign now because he has proven to be nothing more than a puppet of the Police dept.

Bernard Canez

From: Jackie Ryle <drjryle@mac.com>
Sent: Thursday, September 24, 2020 9:11 AM
To: Clerk
Subject: Comment on Item 4-A City Council Agenda 9/24/2020

External Email: Use caution with links and attachments

Please register my support for Item 4-A ID 20-001236 amending Section 2-515 of FMC relating to Outdoor Dining during COVID-19 Emergency.

Thank you
Jackie Ryle

Jacqueline L. Ryle, Ph.D.
<http://www.jackieryle.com>
Empowerment Strategies
P. O. Box 9281
Fresno, CA 93791-9281
Cell: 559/289-1443

Bernard Canez

From: Mariah Thompson <mariah.c.thompson@gmail.com>
Sent: Thursday, September 24, 2020 9:14 AM
To: Clerk
Subject: Office of Independent Police Review

External Email: Use caution with links and attachments

Good morning,

I am writing to demand that the Independent Reviewer of the FPD resign. It is evident he is unable to remain independent and transparent, given that he unilaterally decided to withhold information from the public due to his own opinion that timely reporting on his findings would cause public unrest.

I am on the Police Reform Commission. Just yesterday we discussed recommendations on how to increase citizen oversight over not just the FPD but also OIR. Given the structure of the City Charter, we were told we were unable to give the Citizen Board we are beefing up any kind of real decision-making authority, disciplinary authority, or practical oversight of the OIR or the FPD. The strongest we could grant the Board was "review" and "recommendation" authority. This is not real oversight. The OIR itself is currently unable to conduct real oversight with "teeth" so-to-speak to impose decision making or authority over the Department.

The current system is failing. OIR has NEVER disagreed with a finding of IA in a substantive way, other than making recommendations to the Department. The OIR is a veteran of decades of law enforcement experience at the federal level. He believes that this makes him especially qualified for this role, and spends much of his time boasting about this history. This does not make him independent, but rather makes him more inclined to favor the decisions of the police department. Only real citizen oversight will break the 'thin blue line' issue that obstructs transparency and accountability in police oversight.

John Gliatta has failed citizens. He has shown that he is unable to be independent, and he has lost the trust of the public. He is just another example of how 'reform' of police in Fresno has not succeeded. He must be replaced. And the City should take steps to make the structural changes necessary to ensure that the public has REAL oversight authority over the FPD.

Fresno cannot afford for the public to lose even more trust in the system of police accountability.

Mariah Thompson

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"Justice is what love looks like in public"-- Cornel West

Bernard Canez

From: Aliah Shaath 1748 <ksnc@fresnou.org>
Sent: Thursday, September 24, 2020 1:01 PM
To: Clerk
Subject: ID 20-001267

External Email: Use caution with links and attachments

Good Afternoon,

My name is Aliah Shaath and I am 15 years old and a 10th grader at Edison High School. I am also part of the YLI/FNL group at my school and the leader is Zyanna Maynard. I have been a member of this organization for 2 years and I have been involved since 7th grade. In my time with FNL I have been a part of youth led efforts to reduce youth exposure and access to liquor. This is why I believe it is important and critical that we place a cap on the number of liquor stores in the city of Fresno. As a student who attends Edison we see liquor stores every day on our way to school and at every corner. There are a few that are directly across from each other. That is the only option for students in the area to find food and snacks and it is not a good environment for students to be around.

Thank you for taking my comments into consideration,
Aliah Shaath

Bernard Canez

From: Carol Padilla <Caroline.Padilla-Shaath@fresnounified.org>
Sent: Thursday, September 24, 2020 1:29 PM
To: Clerk
Subject: ID 20-001267

External Email: Use caution with links and attachments

My name is Carol Padilla and I am an educator in the Fresno Unified School District. During my 10 years at Edison High School, I have assumed the role as chapter advisor of YLI/FNL. Building awareness among youth to the effects of underage drinking has been a focus of our efforts, but we also understand our efforts for change need to happen outside of the school boundaries.

The Edison region is an example of oversaturation of liquor stores - as you leave campus, in every direction there is a liquor store. Which means that students on a daily basis walk by or drive by a liquor store - exposed to the advertising and exposed to their customers accessing those stores.

Therefore, I ask the Council to vote to cap the number of liquor stores in the city of Fresno. From a business perspective, yes, there are economic repercussions. However, many of our communities, like southwest could benefit from other businesses that would contribute to the overall well-being of our communities - children, youth and families.

Thank you for taking into consideration my remarks.

Carol Padilla-Shaath

Bernard Canez

From: Terry Fung <tfung771@gmail.com>
Sent: Thursday, September 24, 2020 5:19 PM
To: Clerk
Subject: Prop 16 is discrimination !

External Email: Use caution with links and attachments

Dear City Council, elected official,

My name is Sheere Ye and I am a concerned resident. On November 3, 2020, voters are being presented with a proposition that goes against our city. That is proposition 16. Proposition 16 eliminates language in the California Constitutions that says that government cannot discriminate based on race or gender. We ask you to prevent racism from entering into our government. Let's vote no on proposition 16. Please read out my comments in the meeting.

Sincerely,

Sheere Ye

Bernard Canez

From: Brandi Nuse-Villegas <brandiangela78@gmail.com>
Sent: Thursday, September 24, 2020 11:47 AM
To: Clerk
Subject: Public comment regarding today

Follow Up Flag: Follow up
Flag Status: Completed

External Email: Use caution with links and attachments

Thank you all for discussing the items in unscheduled communication and planning for a workshop. I realize that I should have spoken why I had a concern about Officer Hall's message and not simply agree. I apologize for that. I wasn't prepared for that one and remembered it as Flores stated it. I wanted to let you know my thoughts. Yesterday, the community and nation was grieving. The statement made by the grand jury was a gut punch. I do not condone the violence against the officers, at all, nor any gun violence. My thoughts is that as people were reeling because of the lack of justice and violence by law enforcement, Hall didn't address that at all. We all don't believe that all officers are bad guys, but to say that he doesn't understand how people have arrived at that conclusion is what is concerning. His statement about those who don't support defunding the police ignores the many concerns of those who feel otherwise. Also, the statements he has made could have been made directly to the officers and not to the community. I greatly appreciate that he is asking the officers to not let these protests negatively affect their engagement with the community. I hope he would address why people may lose faith and be upset with law enforcement, even in private. However, he purposefully made the statement to the public, and it feels like he is trying to focus on telling the community not to be upset with law enforcement. This injustice happened in another city, but I have been hearing from many people in Fresno who feel like justice wasn't served in their own experience here. I feel like in this time, again, compassion for the hurting community would be timely and the lack of addressing the issue for the people of Fresno seems like a minimization of the issue of injustice. Again, this statement has important and well stated ideas, such as "*We need to get out of our cars and engage with our community. Treat everyone with dignity and respect. Let them know that we are still here to serve and we will never abandon them. We are Fresno and this is our family,*" but focusing on having faith in the community, as if those opposed to this indictment are the cause and focus for concern, and not the reasons why people are opposed neglects the concerns of a hurting community whose experience has caused them to not have faith in law enforcement.

Bernard Canez

From: Allison Richtel-Smith <allie@sequoiabrewing.com>
Sent: Thursday, September 24, 2020 10:38 AM
To: Clerk
Subject: Comment on City Council Bill Section 2-515 Outdoor Dining

Follow Up Flag: Follow up
Flag Status: Completed

External Email: Use caution with links and attachments

Sequoia Brewing Company, a long-standing presence of Fresno's Tower District, has always had live music for its patrons. Our customers love to come support local musicians while savoring our food and drinks. Live music adds fun to our atmosphere and a return of normalcy to these unusual times. Please bring back happy live music!

Thank you, Jeremy Smith and Allison Richtel-Smith co-owners of Sequoia Brewing Company, a Tower tradition!