

City Council Regular Meeting

December 4, 2025

FRESNO CITY COUNCIL



Public Comment Packet

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CITY OF FRESNO
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ITEM(S)

2-B (ID 25-1625) Actions pertaining to the amendment of various ordinances: 1. BILL - (For Introduction) - Amending Chapter 9 Article 31 Section 9-3104 of the Fresno Municipal Code, relating unlawful possession and abandonment of carts

[TITLE TRUNCATED FOR SUPPLEMENTAL PACKET COVER PAGE]

Contents of Supplement: Public comment emails

Item(s)

Supplemental Information:

Any agenda related public documents received and distributed to a majority of the City Council after the Agenda Packet is printed are included in Supplemental Packets. Supplemental Packets are produced as needed. The Supplemental Packet is available for public inspection in the City Clerk's Office, 2600 Fresno Street, during normal business hours (main location pursuant to the Brown Act, G.C. 54957.5(2)). In addition, Supplemental Packets are available for public review at the City Council meeting in the City Council Chambers, 2600 Fresno Street. Supplemental Packets are also available on-line on the City Clerk's website.

Americans with Disabilities Act (ADA):

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, sign language interpreters, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 621-7650. Please keep the doorways, aisles and wheelchair seating areas open and accessible. If you need assistance with seating because of a disability, please see Security.

From: [REDACTED]
To: [REDACTED]
Subject: [BULK] New eComment for City Council on 2025-12-04 9:00 AM - Regular Meeting
Date: Saturday, November 29, 2025 7:50:53 AM

External Email: Use caution with links and attachments

[City of Fresno](#)

New eComment for City Council on 2025-12-04 9:00 AM - Regular Meeting

R M submitted a new eComment.

Meeting: City Council on 2025-12-04 9:00 AM - Regular Meeting

Item: 2.-B. ID 25-1625 Actions pertaining to the amendment of various ordinances: 1. BILL - (For Introduction) - Amending Chapter 9 Article 31 Section 9-3104 of the Fresno Municipal Code, relating unlawful possession and abandonment of carts 2. BILL - (For Introduction) - Amending Chapter 9 Article 25 Section 9-2507 of the Fresno Municipal Code relating to exposure of minors to tobacco products 3. BILL - (For Introduction) - Amending Sections 10-2101 of the Fresno Municipal Code relating to the prohibition of camping in public places 4. BILL - (For Introduction) -Adding Chapter 9, Article 37 of the Fresno Municipal Code, Relating to unauthorized possession and use of a City, an Authorized Cart/Bin Collection Agent, or Authorized Roll-Off Collector owned trash containers 5. BILL - (For Introduction) - Adding Chapter 9, Article 38 of the Fresno Municipal Code, Relating to criminal prosecution of wage theft

eComment: Our unhoused neighbors aren't there by their own choice. The choices of others have denied them the resources they need to stay housed. And now this council makes even more choices for them to deny them even the indignity of sleeping in public. Not because there's more resources available to house our neighbors. Oh no. It's because the well-off in the city do not want to see what happens when choices are made for you that strip you of everything. The County itself made me homeless in 2019 and did nothing to help until we had less than \$20 to our names. The only reason I'm housed now is because we took the only offer and it was a roach infested dump with a landlord currently under investigation for being a slumlord. These are the options given to our unhoused neighbors, and they're awful. Inhumane. The City cannot keep imposing criminal charges on a situation these people did not put themselves into. Their bosses, their landlords, the City and County make these decisions and it costs someone their entire life and then acts like an abusive parent forcing certain behaviors in order to earn help. Being alive means they deserve to live in dignity. Our unhoused neighbors owe us nothing and we owe them so much more than they're given because the City wants to play abusive parent to grown adults.

Not on my time or my dime. Find funding to help them or leave them alone. Quit charging poor people for being poor in public.

[View and Analyze eComments](#)

This email was sent from



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From: [REDACTED]
To: [REDACTED]
Subject: Public Comment, 2B
Date: Friday, November 28, 2025 9:12:56 AM

External Email: Use caution with links and attachments

Please do not expand the No Camping Ban in any way at all.

It is already too restrictive.

Thank you for sharing my non support on his issue with the City Council.

Happy Thanksgiving,

Jim Grant

[REDACTED]

Fresno, CA 93722

[REDACTED]

From: [REDACTED]
To: [REDACTED]
Subject: [BULK] New eComment for City Council on 2025-12-04 9:00 AM - Regular Meeting
Date: Tuesday, December 2, 2025 2:39:57 PM

External Email: Use caution with links and attachments

[City of Fresno](#)

New eComment for City Council on 2025-12-04 9:00 AM - Regular Meeting

Cynthia Piombino submitted a new eComment.

Meeting: City Council on 2025-12-04 9:00 AM - Regular Meeting

Item: 2.-B. ID 25-1625 Actions pertaining to the amendment of various ordinances: 1. BILL - (For Introduction) - Amending Chapter 9 Article 31 Section 9-3104 of the Fresno Municipal Code, relating unlawful possession and abandonment of carts 2. BILL - (For Introduction) - Amending Chapter 9 Article 25 Section 9-2507 of the Fresno Municipal Code relating to exposure of minors to tobacco products 3. BILL - (For Introduction) - Amending Sections 10-2101 of the Fresno Municipal Code relating to the prohibition of camping in public places 4. BILL - (For Introduction) -Adding Chapter 9, Article 37 of the Fresno Municipal Code, Relating to unauthorized possession and use of a City, an Authorized Cart/Bin Collection Agent, or Authorized Roll-Off Collector owned trash containers 5. BILL - (For Introduction) - Adding Chapter 9, Article 38 of the Fresno Municipal Code, Relating to criminal prosecution of wage theft

eComment: Item 2B, City of Fresno you will be in complete violation of Amendments 4 and 8 in the US constitution. Affordable housing is unattainable due to our city being 10 yrs behind in building such. Thus making housing harder to achieve. There is no where for our unhoused to live!!!! With the closing of 2 shelters and 2 more in 2026 we really have a problem. From the streets to shelter to housing is NOT WORKING. By adding and amending existing laws to no sit, no sleep, no lay your not reaching for solutions, you are dehumanizing our unhoused. It is not a crime to not have a home to live in. SAFE LOTS. Also I have grandkids that are Afro-American and they ride the bus and my fear is has these teenagers and young children are at the bus stop that they can be mistaken for an unhoused Community member and get arrested or cited by our police department. Just for standing on the street!!! This is way too generalized. I strongly oppose.

[View and Analyze eComments](#)

This email was sent from [REDACTED]

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From: [REDACTED]
To: [REDACTED]
Cc: [Clerk](#)
Subject: Re: City Ordinance 10-2101 public comment
Date: Tuesday, December 2, 2025 3:28:31 PM

Mr. McCloskey, thank you for sending your comments. I am forwarding them to our City Clerk's office so that they will be recorded in their entirety.

In Service,

Mike

On Dec 2, 2025, at 3:11 PM, Bob McCloskey [REDACTED] >
wrote:

External Email: Use caution with links and attachments

Council, my public comment exceeded the 1,440 word limit in the public comment form so I am submitting it directly to you all.

In the proposed changes to City Ordinance 20-2021, (the No-camping Ordinance), the council is proposing prohibiting not only storing and placing tents but materials used for shelter and sleeping. The council is proposing changing the wording to include "sitting, lying, and sleeping" and adding to the prohibited spaces not only public space but other spaces where the city has an easement.

The city is proposing prohibiting "standing or loitering" in a manner that may impede pedestrian traffic. While not impeding pedestrian traffic may seem reasonable, this will likely be used to justify police arresting people for simply standing, as people have already been arrested when they have just been standing and not blocking anyone.

It gives the city attorney more power, including issuing an injunction against someone who already violated an ordinance.

It also gives the city attorney the power to enforce court issued injunctions and adds penalties of \$1,000 fine, up to 6 month imprisonment, or both and that each day a violation continues is a new offense.

The ACLU NorCal has constitutional concerns around the City's proposed changes to Sections 10-2101. The amendments include a prohibition on the (1) "storing" or "placing" "material intended or may be used for shelter or bedding" and (2) "loiter[ing] and stand[indg]" "in such a manner as to obstruct or interfere with the free passage of pedestrians." The changes also purport to empower the

City to seek abatement orders. The city is proposing to further criminalize, dehumanize and persecute the poorest residents and taxpayers of Fresno.

The city continues to arrest, cite, harass, force people to move, and throw their property away, a violation of the 4th Amendment of the U.S. Constitution and the city is not above the law.

It is clear that enforcement of the no camping ordinance has not solved anything. It has only “disappeared” the unhoused into jail and into constant temporary hiding. Residents and businesses continue to call 311 to ask the FPD to endlessly force the homeless to move. Although they are moved temporarily, they often return to the same location a day later or even on the same day, often without their survival gear because the FPD illegally confiscated it, in violation of the U.S. Constitution.

The mayor and council should consider Kincaid et al vs the City of Fresno, a 4th Amendment based lawsuit that the city lost under the leadership of then police chief Jerry Dyer. The case of Kincaid v. City of Fresno was a class-action lawsuit filed in 2006 on behalf of homeless residents whose personal property was unconstitutionally seized and destroyed by city workers during encampment “sweeps”. The case ended in a settlement in 2008 (which concluded in 2013), with total damages awarded at \$1,485,000. In 2025, in a total disregard for the law, and once again under Dyer’s leadership, the city is facing a similar lawsuit.

Besides creating a legal liability, the enforcement of the ordinance has made the poorest residents of Fresno more miserable. The proposed changes will only increase suffering. The mayor and city council seem to lack empathy for all of the unhoused residents of Fresno. The mayor, council and city attorney have saddled over 1,650 unhoused community members with permanent criminal records, and many with failure to appear bench warrants, making it almost impossible to ever get permanent housing.

Sweeps and harassment of homeless people often lead to severe negative health outcomes, including increased trauma, anxiety, and depression due to displacement and loss of belongings, as well as higher risks of overdose and death from losing medications and harm reduction supplies. These actions also disrupt access to healthcare, increase physical injuries, and fragment social support systems. Sweeps and displacement also cause trauma and anxiety. Sweeps can be a traumatizing experience, causing residents to feel dehumanized. The constant fear of future displacement, coupled with sleep deprivation, worsens anxiety and other mental health conditions. The unpredictability of sweeps leads to chronic stress and the “anticipatory anxiety” of a sweep occurring at any time. Displacement disrupts routines, removes familiar social connections, and can lead to a general deterioration of mental health.

Fresno’s No Camping Ordinance and the policy and practice of sweeping encampments is dangerous and even deadly. Sweeps are linked to a higher risk of overdose, partly because they cause people to lose vital medications for opioid use disorder (MOUD), sterile injection equipment, and naloxone. Studies show a significant increase in overdose deaths among those who are frequently displaced.

People often lose critical medications for chronic conditions like HIV, hepatitis C, or opioid use disorder, as well as essential medical equipment like wheelchairs or walkers. Displacement can lead to a higher risk of contracting infectious diseases and Involuntary displacement is associated with a significant increase in hospitalizations. The constant movement and lack of stable shelter can contribute to increased physical injuries. Sweeps lead to the disruption of care and services and the loss of access to services. Sweeps in Fresno frequently occur without connecting people to alternative services or housing, forcing them to disperse and lose access to support systems. The disruption of daily routines and relocation make it difficult for people to maintain connections with healthcare providers, leading to less effective management of chronic and infectious diseases which leads to increased emergency room use, and, by disrupting ongoing care, sweeps can indirectly lead to increased use of hospitals.

While the city has recently cut back by all department by 5%, except the police department, city leadership is willing to waste public dollars on a failed campaign to “disappear” the unhoused. The costs of the no camping ordinance enforcement to taxpayers is very high and a total waste of public resources. To date, Fresno Police officers have arrested over 764 unhoused community members and cited over 905 unhoused community members for violations of the no camping ordinance. It has been very costly for the taxpayers of Fresno, and the estimated cost to the court system and the prosecution (City Attorney’s office) for handling 1,600 misdemeanor, (and criminal) cases in the Fresno Superior Court is difficult due to a lack of publicly available, specific cost-per-case data for California prosecutors. The cost varies widely based on case complexity, whether the case goes to trial, and other factors. Based on general legal cost estimates, a single misdemeanor case can cost the anywhere from \$1,500 to over \$5,000. Applying a conservative average of \$2,500 per case (assuming most are resolved without a full jury trial), the total estimated cost for 1,600 misdemeanors would be approximately \$4 million. These costs do not include police time for arresting and citing people, booking costs, and arraignment costs.

What is the City’s intent? Will the City continue to arrest and cite unhoused members of our community in a continued effort to make the homeless “disappear” at great cost to the taxpayers of Fresno? Will the City prosecute the over 1,669 pending no camping ordinance violations at great expense to the taxpayers? Will the City continue to violate the 4th Amendment of the U.S. Constitution? (The Fourth Amendment prohibits “unreasonable searches and seizures,” meaning that the government generally needs a warrant to seize property. This warrant must be supported by probable cause, an oath, and must specifically describe the place to be searched and the items to be seized.”)

Many community members are saying it's time to end the enforcement of the ordinance, comply with the U.S. Constitution and work towards a more humane and less costly solution. Many are opposed to the proposed increased criminalization of the unhoused community members of Fresno, judging from the public comments submitted to this date.

Bob McCloskey
Board Member, Fresno Community Alliance

From: [REDACTED]
To: [REDACTED]
Subject: [BULK] New eComment for City Council on 2025-12-04 9:00 AM - Regular Meeting
Date: Tuesday, December 2, 2025 11:31:09 PM

External Email: Use caution with links and attachments

[City of Fresno](#)

New eComment for City Council on 2025-12-04 9:00 AM - Regular Meeting

Rachel T submitted a new eComment.

Meeting: City Council on 2025-12-04 9:00 AM - Regular Meeting

Item: 2.-B. ID 25-1625 Actions pertaining to the amendment of various ordinances: 1. BILL - (For Introduction) - Amending Chapter 9 Article 31 Section 9-3104 of the Fresno Municipal Code, relating unlawful possession and abandonment of carts 2. BILL - (For Introduction) - Amending Chapter 9 Article 25 Section 9-2507 of the Fresno Municipal Code relating to exposure of minors to tobacco products 3. BILL - (For Introduction) - Amending Sections 10-2101 of the Fresno Municipal Code relating to the prohibition of camping in public places 4. BILL - (For Introduction) - Adding Chapter 9, Article 37 of the Fresno Municipal Code, Relating to unauthorized possession and use of a City, an Authorized Cart/Bin Collection Agent, or Authorized Roll-Off Collector owned trash containers 5. BILL - (For Introduction) - Adding Chapter 9, Article 38 of the Fresno Municipal Code, Relating to criminal prosecution of wage theft

eComment: I couldn't have said it better than RM & Cynthia below, and I agree that this ordinance is a violation of the 8th Amendment (cruel and unusual punishment, and excessive fines). I remember when this first came out, there were over 4 hours of public opposition in the first meeting alone. At the time, I said that this ordinance would resolve absolutely nothing about our current housing crisis, creating a vicious and ineffective cycle: a jail sentence will further impact someone's ability to find employment and housing on multiple levels, and a fine will only add to financial burden, making stable housing that much further away. Additionally, the ongoing confiscation and destruction of personal items will further harm and traumatize people already living in incredibly difficult circumstances, as well as stymie efforts to work on their situation. I have heard awful stories of people's medication being destroyed, or other sentimental items, such as photos. This takes it further. Someone could set their things on the sidewalk to rest, and because that takes up the sidewalk, they could get a fine of up to \$1,000, or up to a year in jail, or both! Additionally, each day that they sleep, lie down, sit down, or "stand in the way" in public, is a separate offense, which means it could be a separate misdemeanor! I am

disgusted by this ordinance and the effort to expand it. We need ethical, effective solutions. This is neither.

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This email was sent from <https://fresno.granicusideas.com>.

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From: [REDACTED]
To: [Clerk](#)
Subject: Public Comment, 2-B: Prohibition of camping in public spaces
Date: Tuesday, December 2, 2025 11:40:56 PM

External Email: Use caution with links and attachments

Good evening,

I am sending my comment by email as well just in case. Thank you for recording and sharing them.

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As I and others said in the e-comment for the City Council meeting, this ordinance is a violation of the 8th Amendment (cruel and unusual punishment, and excessive fines). I remember when this first came out, there were over 4 hours of public opposition in the first meeting alone. At the time, I said that this ordinance would resolve absolutely nothing about our current housing crisis, creating a vicious and ineffective cycle: a jail sentence will further impact someone's ability to find employment and housing on multiple levels, and a fine will only add to financial burden, making stable housing that much further away. Additionally, the ongoing confiscation and destruction of personal items further harms and traumatizes people already living in incredibly difficult circumstances, as well as stymies efforts to work on their situation. I have heard awful stories of people's medication being destroyed, or other sentimental items, such as photos.

This takes it even further. Someone could set down their things on the sidewalk to rest, and because that takes up the sidewalk, they could get a fine of up to \$1,000, or up to a year in jail, or both! Additionally, each day that they sleep, lie down, sit down, or "stand in the way" in public, is a separate offense, which means it could be a separate misdemeanor! I am utterly boggled by this ordinance and the effort to expand it.

We need ethical, effective solutions. This is neither. I continue to be appalled.

Sincerely,  
Rachel Tuggy