

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, PROVIDING FOR REGULATIONS PURSUANT TO SECTION 9-2601(p) OF THE FRESNO MUNICIPAL CODE, RELATING TO THE USE AND POSSESSION OF WEAPONS AND SECURITY

WHEREAS, the Council has approved changes to 9-2601 providing for security of City Hall and other City facilities; and

WHEREAS, 9-2601(p) now provides:

The Council, by resolution, may provide for and publish further security regulations and/or exceptions to implement this section.

WHEREAS, the Council desires to provide more detailed security regulations so that 9-2601 may be implemented.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Fresno as follows:

1. City Hall Entrance Screening Stations - All persons not excepted by 9-2601 or this resolution entering the building are subject to search as follows:

a. Upon entrance to the building through the City Hall front entrance, all persons, except as provided herein, will be guided through the screening process by security personnel.

b. The security screening process requires and includes, but is not limited to, passage through a metal detector device, a hand-wand, or manual inspection.

c. Persons can expect to empty their pockets and place all contents into a container for screening by visual inspection, an X-ray device or similar technology.

d. Items such as overcoats, purses, briefcases, backpacks, parcels and

Date Adopted:

Date Approved:

Effective Date:

City Attorney Approval: 

Resolution No. _____

other hand-carried objects will also be subjected to screening by an X-ray device or similar technology.

e. If screening devices detect items that may be prohibited in the building, security personnel will conduct additional hand-wand and/or physical screening as necessary to verify.

f. Security personnel may also conduct hand-wand and/or physical screening as necessary in the event of a screening device malfunction.

g. Individuals possessing prohibited items will be advised to remove the item from the building or surrender it to security staff for disposal before entrance into the building is permitted.

h. Upon completion of the screening process, persons will be able to collect any personal belongings and enter the building.

i. City employees, unless exempted, shall be subject to the same screening process as all other persons with the exception security personnel may opt to screen their bags and belongings for prohibited items via a visual inspection.

j. City Employee electronic identification cards shall be subject to verification, visually and/or electronically. If employees are not in possession of their electronic identification card, they shall be subjected to the same screening process as members of the public entering the building.

k. If individuals exit the building and return, they will go through the security screening process again.

l. During busy and congested times of the day, particularly early morning and after lunch, security personnel will prioritize and expedite screening and

entry for City employees with identification.

m. City Facilities Management personnel shall have the responsibility and authority to screen large or bulky items using a suitable method when it is not possible or practical to screen the items per the methods listed in this resolution. Reasonable caution shall be exercised to minimize a safety or security risk.

n. City Public Safety personnel (police and fire) shall have the ability to access the building and bypass security to address emergencies or immediate safety and security risks or threats.

o. Authorized City Facilities Management, Information Services Department, and critical emergency response staff shall have after-hours access to the building or bypass security to address emergencies or immediate safety and security risks or threats; also, maintenance employees or contractors who work at City Hall during non-business hours are not required to be screened, but City staff shall take reasonable measures to ensure they are not bringing prohibited items into the building.

2. Pursuant to and subject to the provisions of 9-2601, prohibited items include:

a. Weapons, but are not limited to firearms, stun guns or tasers, switch blade knives/gravity knives having a blade longer than two inches, tear gas, and explosives. Any item or article having the potential to inflict or cause physical harm shall be inspected to determine whether it has been filed, sharpened, honed, or in any other manner altered to the extent that it meets the definition of prohibited weapons as defined in Penal Code Sections 12020 and 171b. However, this policy shall not exclude entrants to City Hall from carrying bona fide religious articles of faith (such as a Sikh kirpan) so

long as: (1) such articles are secured in a protective sheath; (2) carried in a discrete manner; and (2) do not exceed a blade length of seven inches.

b. Peace officers, as provided in 9-2601, will be allowed to possess employer approved firearms and other weapons in a manner consistent with their employment duties, requirements, and limitations.

c. The following are also prohibited, and signs shall be clearly posted at all entrances to City Hall stating they are prohibited:

Batons	Handcuffs/Handcuff Keys	Sharp Metal Cans
Box Cutters	Knitting/Craft Needles	Spray Paint
Ammunition	Knives/Pocket Knives	Razor Blades
Corkscrews	Keychain Weapons	Scissors
Illegal Drugs	Large Glass Bottles	Silverware
Drug Paraphernalia	Large Spray Cans	Stun Guns
Explosives	Laser Pointers	Tools of Any Kind
Replica or Toy Guns	Leatherman Tools	Torch Lighters
Mace or Pepper Spray		

d. Building security personnel and City peace officers shall have the authority to prohibit additional items that may pose a safety or security risk on a case-by-case basis.

e. For City employees and contractors hired by the City, items necessary and appropriate to perform a job function or for food preparation and consumption, such as tools, scissors, kitchen utensils, shall be allowed. Nonetheless, except for the food concessions contractor, any knife with a blade exceeding three inches in length shall be blunt or round tipped only. City Facilities Management personnel shall exercise reasonable caution in allowing items to be brought into the building to minimize safety or security risk associated with doing so.

f. Any prohibited item that may be in the possession or control of a City

official or employee within City Hall prior to the effective date of this resolution shall be removed from City Hall by the effective date of this resolution.

g. The City Manager may issue additional regulations in consultation with the Police Chief and determination by the City Attorney that the additional regulations are not inconsistent with the Fresno Municipal Code and this resolution.

3. Pursuant to 9-2601(l), Councilmembers shall have continuous electronic key card access to the following areas of City Hall controlled by key card access: Council offices area; all hallways; Council chambers; the City Attorneys' offices; the City Clerk's offices; all stairwells; all external doorways; meeting rooms that Council offices typically utilize for meetings and events. This section does not necessarily grant access to specific offices with keyed locks or specific security requirements (e.g. server rooms/secured records/cash handling areas). Despite having access, no person shall utilize that access for any improper purpose.

4. Pursuant to 9-2601(k)(2), Charter officials may allow guests who will be accompanying them in City Hall (not simply granting entry) to enter with them without passing through security; however the officials shall take reasonable measures to ensure the guests are not in possession of items prohibited in the building.

5. For the purposes of 9-2601 and this resolution, "Charter officials" shall include sitting Fresno City Councilmembers, the Mayor, City Manager, City Clerk, City Attorney, and City Controller.

6. Any City official or employee, other than Charter officials, or employees exempted pursuant to paragraph 7(d) below, desiring entry to City Hall outside of regular business hours, 7 a.m. to 6 p.m. Monday through Friday, excepting holidays (or earlier

morning hours or later evening hours, as may be established), should make prior arrangements for entry through security. If a public meeting is to take place outside of regular business hours, all persons attending the meeting shall pass through security, and prior arrangements shall be made for security services.

7. The provisions of 9-2601 shall be further implemented as follows:

a. The construction of the fence described in 9-2601(m), shall be constructed as soon as the procurement and construction process can take place, and Council shall be kept informed of the progress and anticipated timeline of completion. The fenced area shall also provide for emergency pedestrian fire exit from that area. All persons who have entered City Hall through security may also exit through the fenced area; however, no person shall allow unauthorized entry access to anyone from the exterior gates or doors.

b. The Q Street center glass doorway (east doorway) to City Hall shall also be made available for employee only entry during City Hall regular business days from 7 a.m. to 5 p.m. (or earlier morning hours or later evening hours, as may be established), contingent upon Council approving necessary funding for this purpose, along with an implementation plan.

c. During Council meetings and for 30 minutes thereafter, the second floor west glass doorways shall be made available for exit only, and attended to by security or another responsible employee to ensure no one shall enter through those doors.

d. All City officials and employees who have a permit to park in the City Hall south lot adjacent to Tulare Street shall also be permitted to enter through the

pedestrian gate into the fenced area of the parking lot, as well as the City Hall southeast doorway, without screening. They shall not be permitted to allow other persons to enter with them, unless the other persons are also qualified to enter through the southeast doorway.

e. For all City employees not exempted from security screening, those employees shall pass through screening at the City Hall front doorway; however, until the City has funded and implemented additional equipment and/or personnel necessary to accommodate employee screening so that entry is not unreasonably delayed, if due to the number of employees in line to enter there would be a wait in excess of 5 minutes in the judgment of security personnel, those employees with proper identification shall be permitted to enter without security screening; the Administration shall provide to the Council for approval a cost estimate and implementation plan for the necessary equipment and/or personnel within 90 days of the effective date of this resolution.

8. The City Manager may establish security regulations for other City facilities that are not inconsistent with any City ordinance or Council resolution, as may be published in an Administrative Order.

9. Council hereby directs the Administration, Staff, and the City Attorney to take all actions necessary to implement this resolution, which may include returning to Council for such further approvals as required, including any amendments to the Annual Appropriation Resolution or contract approvals.

These regulations shall become effective concurrently with the effective date of the amendments to FMC 9-2601 approved by the Council on January 30, 2020.

* * * * *

STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.
CITY OF FRESNO)

I, YVONNE SPENCE, City Clerk of the City of Fresno, certify that the foregoing resolution was adopted by the Council of the City of Fresno, at a regular meeting held on the _____ day of _____, 2020.

AYES :
NOES :
ABSENT :
ABSTAIN :

Mayor Approval: _____, 2020
Mayor Approval/No Return: _____, 2020
Mayor Veto: _____, 2020
Council Override Vote: _____, 2020

YVONNE SPENCE, MMC
City Clerk

By: _____
Deputy

APPROVED AS TO FORM:
DOUGLAS T. SLOAN
City Attorney

By: _____
Doug Sloan [Date]

RECEIVED
2020 FEB 20 P 4:02
CITY OF FRESNO
CITY CLERK'S OFFICE