

Agenda Date: 12/8/2020
Special Council Meeting

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CITY OF FRESNO
CITY CLERK'S OFFICE

FRESNO CITY COUNCIL



Information Packet

ITEM(S)

File ID 20-001707

BILL (for introduction and adoption) - Adopting emergency amendment to Section 2-514 of the Fresno Municipal Code (Response to COVID-19 Emergency) to prohibit residential gatherings of 15 or more people (requires 5 votes).

Contents of Supplement: Community emails, and eComments.

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.

Bernard Canez

From: RITA FLORES <frita.flores60@gmail.com>
Sent: Monday, December 07, 2020 5:20 PM
To: Clerk
Subject: Emergency city council meeting 12/8/2020: 4pm Section 2-514

External Email: Use caution with links and attachments

I am opposed to your regulation of limiting # of people in residential. If the police will not enforce it, don't waste your time.

Bernard Canez

From: Janey Williams <janey.williams@ymail.com>
Sent: Tuesday, December 08, 2020 11:57 AM
To: Clerk
Subject: Public Comment on Emergency Ordinance to Limit Gatherings

External Email: Use caution with links and attachments

I would like to submit a public comment in regards to the emergency ordinance to limit gatherings for the meeting at 4pm. Let me know if you need anything from me.

"As a resident of Fresno County, I am strongly in favor of the emergency ordinance to limit gatherings. Furthermore, I am strongly in favor of our police enforcing the ordinance - I am ashamed at their public stance. I have watched world leaders and am truly disheartened at the lack of regard for our most vulnerable populations in the Central Valley compared to other jurisdictions. I am heartbroken at the failure of leadership from our local officials to keep our county safe, in the name of misguided freedom and mislabeled notions of self liberty. Freedom isn't free in America and it never has been - this we know to be true due to the constant sacrifice of our service members, and personal liberty does not come without great responsibility to act morally and with regard for others under the eyes of the law.

We, as a community, should be coming together to protect and do everything we can to safeguard our precious citizens. Human life should be valued over the ability to attend a party, a wedding, or an in-person and indoors church service. Ask why I should have the legal freedom and choice to spend a few hours in fellowship at the expense of risking someone's very life? Even if those attending consented to the risk, the dozens of people they may come in contact after the event did not - not the mother by whom they pulled their mask down under their nose at the grocery store who had no choice but to run out to grab diapers for their child last minute, not the person they had to hand something to at their essential job who is afraid every time they work but whose role cannot be performed from home, and certainly not the health care worker who is exhausted from performing their job duties in the (full) ICU. Morally, we have a responsibility to put flock and duty over self, and officials need to elevate this priority and enact. Our path is at a critical point, and it is time to finally do the right thing - change our rhetoric and stance to the public and shift our course. We have the ability to make a difference and save lives."

Thank you,
Janey

Bernard Canez

From: Ezzie Mendoza <ezziemendoza45@gmail.com>
Sent: Tuesday, December 08, 2020 12:44 PM
To: Clerk
Subject: A Comment Regarding the Ordinance

External Email: Use caution with links and attachments

My comment is mainly directed at Andy Hall and the Fresno Police Department's response to this potential ordinance. How can you call yourselves law enforcement officers and in the same breath refuse to enforce an ordinance that will save lives? Isn't your job's purpose to serve and protect the people of Fresno? If so, then why are you so unwilling to do your part to protect and serve us? To the City Council: We need this ordinance. People are dying.

Bernard Canez

From: Amber Morris <anmorris@ucdavis.edu>
Sent: Tuesday, December 08, 2020 1:40 PM
To: Clerk
Subject: Comment - Dec 8 Fresno City Council Mtg

External Email: Use caution with links and attachments

Good afternoon,

I am writing this comment to be read at the December 8th, 2020 Fresno City Council meeting occurring at 4 PM regarding an emergency ordinance to limit gatherings.

As most of us know by now, Fresno County is at 0% ICU capacity due to the stress of COVID-19 on the system. Furthermore, hundreds of thousands of people are dying due to the lack of leadership of our elected officials in this country.

I urge the Fresno City Council to enforce proper protocols as instructed by the CDC, WHO, and other reputable scientists in order to promote public health. The time to act urgently and proactively was yesterday.

By enforcing an ordinance that limits gatherings and requires masks everywhere, lives can be saved. This must be done by collaborating with the Fresno Police Department and DA office to ensure we have leaders for the COVID-19 public health crisis.

Thanks for your time.

Respectfully,

Amber Morris, B.S.

Bernard Canez

From: Mandy.Lorenzi <mandy.lorenzi@yahoo.com>
Sent: Tuesday, December 08, 2020 2:10 PM
To: Clerk
Subject: Comment to all council members

External Email: Use caution with links and attachments

Hello,

I have already submitted this comment via web submission to all seven district members individually. I have since been instructed that this is the official route to use. I would like to send a copy of the comment to this email for archival purposes and to hopefully make it onto the agenda for official and public consideration.

Hello, and thank you for your service. Today I'm writing to express my objection to the proposed fine for home gatherings of 15+.

This proposed ordinance removes the common sense from the capable shoulders of Fresno county residents and places it within the perspective of one resident only who happens to sit on the council.

While most of us agree that large home gatherings are an unnecessary risk. Yet still, for some, these risks may have legitimate reasons. Introducing a fine for a flat number of people overlooks many reasonable personal, spiritual and familial situations.

Let's consider the many people who have reduced exposure in many areas but have sheltered in place with other family members for childcare and extended family reasons. Family units make up more than just who resides in one brick and mortar abode. Often there are a collection of grandparents and aunts and sisters and brothers who are pitching in for caring for aging parents and children and combined households. This law would effectively penalize some of the critical functions of family units for supporting daily life across generations. Even just two large families living next door to shelter in place together could fall under this penalization.

While it's true that reducing exposure is wise, there always may be a reasonable exception. Applying this prescription to all households at all times has the unintended impact of adversely restricting poor households moreso than rich households. This is a startling overreach of government using fear and finances to punish, rather than good sense to protect and serve.

These gatherings are happening few and far between and it's with household who are keeping with each other for the most part. We cannot oversee and enforce every single home—it's overreach.

Let's also remember that the safety procedures that are being followed and other public places can be followed in the home as well. We are sensible people that do not need these sort of fines to teach us common sense.

This fine will not change a thing except who is hurt most. The poor large families who have to use the support of one another in order to live will still gather in excess of 15 people, and the rich people who can afford the fine will still have their bougie parties in excess of 15 people. Do what's right for everyone. Leave common sense in the senses of the commoners.

Furthermore, to verify the number of people within the home would require inspecting the home which is unconstitutional. We are in no position to set a precedent like this, it is an assault on freedom.

Bernard Canez

From: Natalie Tieche <ndtieche@gmail.com>
Sent: Tuesday, December 08, 2020 2:26 PM
To: Clerk
Subject: Gathering restrictions must be implemented AND enforced!

External Email: Use caution with links and attachments

I am a Fresno resident from District 6. Unfortunately, my council rep Mr. Bredefield does NOT care about flattening the curve, and continues to deny science and put his own selfish agenda ahead of his constituents' needs.

I urge the Council to not only pass the gathering restriction ordinance, but to DEMAND that Fresno PD enforce it. Fresno PD is funded by MY tax dollars. They are there to serve MY community, not pick and choose which laws and ordinances they will enforce based on their own personal beliefs and biases. Imagine if the local hospitals were allowed to pick and choose which patients they treated based on their personal beliefs and biases! Fortunately, for these folks getting sick with COVID after abandoning all scientific facts and common sense and attending super spreader gatherings, the hospitals accept and treat them with the same care they give to all patients. If Fresno PD has the time and resources to harass homeless people and the mentally ill, then they have time to break up gatherings and fine people who continue to selfishly put our entire community at risk. Hospital workers, from doctors and nurses to housekeepers and security guards, pay their taxes too, and deserve to be protected as well.

Thank you.
-Natalie Tieche

Bernard Canez

From: Mandy.Lorenzi <mandy.lorenzi@yahoo.com>
Sent: Tuesday, December 08, 2020 2:43 PM
To: Clerk
Subject: Opposition to proposed fine 15+

External Email: Use caution with links and attachments

Can this be added to the agenda for today at 4 pm? I tried to submit online but was unable to. I am opposed.

Rather than imposing a fine on household, I think one way our city Council can show commitment to enhancing health equity is by identifying one area for immediate and wide reaching impact. And that is the call upon retailers to identify that they are enhancing truly impactful measures and where correction is helpful. Two that I can think of:

Ensuring keypads are sanitized regularly. In my experience, businesses have become lax with this.

Improve indoor air quality through increased filtration, especially HEPA filters. Large retailers can of course afford to implement advanced filtration technologies because they have a financial incentive to protect both their employees and customers. Perhaps we can have a rebate program for small businesses who implement upgrades. Particularly in restrooms to reduce exposure to toilet-borne droplets. Is this already happening? Please tell me it is.

Many have compared the efficacy of cloth masks with bacteria and viruses to the efficacy of masks with smoke smells. Meaning potentially quite little protection. Meanwhile, proper filtration systems are quite effective at removing smoke, bacteria, viruses and other pollutants from environments and improving air quality. Just a thought. Does this make sense?

Bernard Canez

From: Brandi Nuse-Villegas <brandiangela78@gmail.com>
Sent: Tuesday, December 08, 2020 3:23 PM
To: Clerk
Subject: Special meeting item ID 20-001707

External Email: Use caution with links and attachments

Dear City Council,

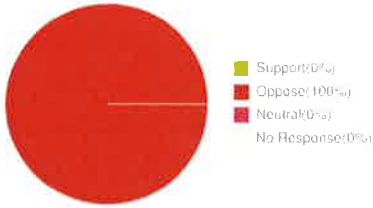
I recognize that you are in a tough position and a lot of it has been because of community response and leaders who haven't been supporting safety regulations.

Growing up, we were supposed to learn that there are consequences for our actions. If we do something unsafe or wrong, there are consequences and sometimes innocent people suffer for it. People have been minimizing this pandemic and refusing to wear masks because of "freedom" and not doing what we need to do to avoid where we are now. In addition, federal leaders haven't done what they need to do protect workers, businesses, etc. Now, we are seeing the consequences, and I am sorry that the city leadership is being blamed for trying to do what you can to keep the community safe.

Please know that there are community members who have been doing what we can to protect ourselves and our community and appreciate that you aren't just dismissing the regulations intended to support our healthcare workers and protect our community.

My request is that you take into consideration any ways in which those who are most vulnerable, such as the more poverty stricken parts of time, might be disproportionately effected or targeted. One community member noted that higher income persons can more easily hide gatherings because they have larger houses and options for indoor, thus more undetectable gatherings, whereas those in poor neighborhoods are more likely to be outdoors. We need to ensure that the ordinance enforcement is equal.

Overall Sentiment



Concerned Mother

Location:

Submitted At: 1:04pm 12-08-20

I oppose this government overreach. Instead of stand up to uphold the freedoms of those whom you represent. The city does not pay our mortgages, nor do we want it to. Our American Constitutional Freedom should rule your vote.

Donald Trump

Location:

Submitted At: 11:22am 12-08-20

Very little legal standing can be used as precedent for the authority being used to consider a fine for gatherings of greater than 15 people. The tool as "We the People..." do have is to remove or replace each of you city councilman who endorse this over reach into our private property.

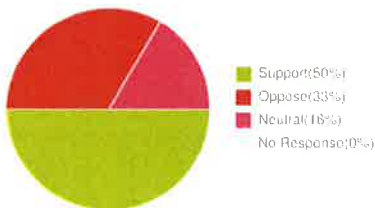
We are Americans, we pay taxes and we have elected officials who work for us - not us working for them. Shame on each of you for not realizing what the promise our founders provided in the Constitution.

So tomorrow morning, we will take note of each of your names who voted to approve this ordinance and will use our rights provided by the constitution to make sure you realize why in 1776 we stood up British Tyranny and will stand up to the tyranny which is prevalent throughout what our local and state government representation has become in a single minded one party representation.

These rights provided shall be exercised!

Agenda Item: eComments for ID 20-001707 BILL (for introduction and adoption) - Adopting emergency amendment to Section 2-514 of the Fresno Municipal Code (Response to COVID-19 Emergency) to prohibit residential gatherings of 15 or more people (requires 5 votes)

Overall Sentiment



Andrew Poland

Location: 93720, Fresno
Submitted At: 3:33pm 12-08-20

This is a waste of taxpayers money. While you sit in your room and take away our freedoms you are missing the bigger picture. Every citizen's health is their own responsibility. I will wear a mask for myself, not for you. If you are afraid or have fear then stay home. It's amazing what can happen when you allow the citizens to make their own choices. sure there will be some people who make poor choices, but who are we to judge everyone by the actions of a few. Everyone thinks that they can control a virus, they obviously know nothing about viruses. The same goes for human beings. Those who are asleep you will be able to control, the rest of us you cannot. If the penalty for a crime is a fine, Then that crime is only for the poor.

Mandy Lorenzi

Location: 93727, Fresno
Submitted At: 2:36pm 12-08-20

This proposal removes the common sense from the capable shoulders of Fresno residents. Most of us agree that large gatherings are an unnecessary risk. For some, these risks have legitimate reasons. Introducing a fine for a flat number of people overlooks context of many reasonable personal, spiritual and familial situations.

Family units make up more than just who resides together. Often there are a collection of families who are communally caring for aging parents and children in combined households.

Applying this prescription universally has the unintended impact of adversely restricting poor households moreso than rich.

We cannot oversee and enforce every home—it's overreach.

Let's remember that safety procedures that are being followed in other public places can be followed in the home as well. We are sensible people that do not need these fines to teach us common sense.

This fine will not change a thing except who is hurt most. The poor large families who have to use the support of one another in order to live will still gather in excess of 15 people, and the rich people who can afford the fine will still have their bougie parties in excess of 15 people. Leave common sense in the sense of commoners.

Furthermore, to verify the number of people within the home would require inspecting the home which is unconstitutional. We are in no position to set a precedent like this, it is an assault on freedom.

Christopher Molina

Location: 93704, Fresno
Submitted At: 1:47pm 12-08-20

Stop giving in to these people who's beliefs have no basis in reality. Limit gatherings and have PD actually enforce it with their outrageous budget.

Concerned Citizen

Location: Fresno
Submitted At: 1:34pm 12-08-20

I have a friend who is symptomatic and tested positive for covid on Friday who AFTER they confirmed they had it went to the car show in Clovis on Sunday as well as a couple of different bars over the weekend. They don't think masks work and don't think it's serious since they are only having mild symptoms.

N C

Location:
Submitted At: 12:46pm 12-08-20

I feel it is in the best interest for our elected officials to come together on a plan that puts the health and safety of this community first. That we show our support for our healthcare workers and hospitals. We are relying on our elected officials to protect the health and well being of it's citizens. Please put aside partisan comments and divisive statements and altruisms and instead find solutions for the greater interest of our community that you can all agree on and stand behind.

James Mason

Location: 93619, Clovis

Submitted At: 8:50am 12-08-20

I do not live in the city of Fresno, however I feel compelled to speak on this issue. If you vote this in you will be violating the, 1st, 3rd., 4th, and 14th. Amendments to the U.S. Constitution. You also put Fresno P.D. in the position of trying to enforce a UNCONSTITUTIONAL Law.