

# THE BUSINESS JOURNAL

FRESNO | KINGS | MADERA | TULARE

P.O. Box 126  
Fresno, CA 93707  
Telephone (559) 490-3400

(Space Below for use of County Clerk only)

## IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA

### PUBLIC NOTICE

ADOPTED ORDINANCE NO. 24-013

Date of Adoption:

August 20, 2024

### MISC. NOTICE

### DECLARATION OF PUBLICATION (2015.5 C.C.P.)

### STATE OF CALIFORNIA

### COUNTY OF FRESNO

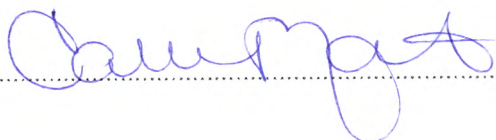
I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of **THE BUSINESS JOURNAL** published in the city of Fresno, County of Fresno, State of California, Monday, Wednesday, Friday, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Fresno, State of California, under the date of March 4, 1911, in Action No.14315; that the notice of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

AUGUST 23, 2024

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed at Fresno, California,

AUGUST 23, 2024

ON .....



PUBLIC NOTICE  
ADOPTED ORDINANCE NO. 24-013  
SUMMARY  
NOTICE is hereby given that at its regularly scheduled meeting on August 20, 2024, the Fresno County Board of Supervisors adopted Ordinance No. 24-013, an Ordinance of the County of Fresno, State of California.  
SUMMARY OF ORDINANCE  
The Ordinance to add Chapter 10.70, to Title 10 of the County of Fresno Ordinance Code (the Ordinance Amendment) to declare unlawful camping and obstruction of public rights of way to be a public nuisance, to protect public health, safety, and welfare, to discourage and prevent unlawful encampments from interfering with the public's right to use and enjoy publicly accessible buildings and spaces, and to accomplish these objectives in a manner that preserves the dignity and safety of all residents of the County of Fresno.  
The full text of this Ordinance is available online at <https://fresnocounty.legistar.com/Calendar.aspx> under the August 20, 2024, meeting date, or at the office of the Clerk to the Board of Supervisors, 2281 Tulare Street, Room 301, Fresno, California.  
This Ordinance was adopted by the following vote:  
AYES: Supervisors Brandau, Magsig, Mendes, Pacheco, Quintero  
NOES: None  
ABSENT: None  
ATTEST:  
Bernice E. Seidel  
Clerk, Board of Supervisors  
08/23/2024

---

**From:** Brandon Gumm <brandongumm1996@gmail.com>  
**Sent:** Sunday, August 18, 2024 6:35 PM  
**To:** Clerk/BOS  
**Subject:** Regarding the Ordinance on Encampments, & Prop 36

---

**CAUTION!!! - EXTERNAL EMAIL - THINK BEFORE YOU CLICK**

[Report Suspicious](#)

To whom this concerns,

If the ordinance is able to target activities outside of the encampment aspect, and if the ordinance targets “sitting, lying, and sleeping”, then it violates the 14th amendment and even the 1st amendment when applied to public property.

If a diabetic has a health emergency, and if they sit down to check their blood sugar and correct it, or if they lie down due to being near comatose, or if they sleep due to being comatose, then their 14th amendment rights to “equal protections of the law” are violated since they are able to be prosecuted for things they could not avoid even this ordinance isn’t intended for that. This applies to asthmatics and elderly people too; the latter becoming a larger percentage of the homeless population, which shows how little our American values are respected by our government bodies.

Like homeless people, who have no real way to protect themselves with their labor: medically vulnerable people are vulnerable people, and this ordinance will treat them in ways that people with inheritance or with no genetic illness will not be treated.

The propertyless and the medically vulnerable are left in the wayside for those who have the most property. This is an unequal protection of the laws for the most propertyless against those that include workers who have so little property that they have to live on sidewalks before a “law enforcement officer” can steal the homeless person’s last property and identification to where they become more vulnerable.

I ask: How can you and the whole “American” ruling class claim to be Americans when kicking homeless folks around like cans on the street, where this Board and the city of Fresno will kick the cans into deceptive conditions, jobs with unlivable compensation (which is no reward), or forced detention (like mental hospitals or “treatment places” that must ignore the economic ruin of capitalism and imperialism) or imprisonment (which is punishment stemming from their lack of reward for their work that they’ve done for others)?

This ordinance will not only harm those homeless people treated as cans on the street, but it will harm those who are most vulnerable in our community which also restricts their 1st amendment rights that, at least in public property, are supposed to be protected and not deprived.

This issue is Congressional it’s root, since many other states send homeless folks to California, and since Congress fails to “provide for the common defense and general Welfare of the United States” by ignoring the material causes of homelessness:

a lack of property, and the refusal to put the 14th amendment into practice through universal housing and universal healthcare that would address the issues that lead or come from homelessness.

That last point, regarding Prop 36, is the cause of most petty crime in our country and our state since people are punished for working as is, some don’t handle it well due to not being rewarded for their work that they do for capitalist-imperialist dictator-tyrants, and then some lash out or steal. We leave people in the cracks as a country while calling ourselves “Americans”, and then we will try to be more harsh on crimes of poverty and apathy than even Texas?

Crime rates have gone down, but imperialist-capitalist media pushes this “oh no, whoa is me (the corporations), crime has gone down — what ever will we do?!” narrative that those spineless anti-American exploiters push like the traitors that they are. Like how slaveowners were against American values so too are the exploiters of Americans (large capitalists) and the world: imperialists.

Capitalism and imperialism are anti-American since they don't achieve the principles of the constitution's Preamble in practice, since they lead to preventable crimes, and since they exploit the most vulnerable (mentioned in my first few paragraphs) on behalf of the most economically power (the imperialists such as military contractors) that take our rights away in lawmaking in our communities.

8-1-24

RECEIVED  
AUG 19 2024

To Whom It May Concern:

CLERK: BOARD OF SUPERVISORS

I am writing in regards to the way you "Politicians" all of a sudden don't have space for the homeless. You provide \$100,000 - \$250,000 homes for upper class citizens.

You even provide special busing for their children. yet for those struggling and receiving state financial aid you don't seem to care about their future.

Already African-Americans are under constant scrutiny. But to fall under the stress of trying keep up with the latest trend while working a 9-5 at \$15-20 an hour, tell me, could I pay your house note, PGE, and pet's not forget that fancy can no less than a 2023.

We need to provide the type housing that you, yourselves would dwell! Show them that it's still possible for them to live

treated humanly. To be seen as a person deserving of concern, respect and common courtesy.

The Poverello house been providing for the homeless and those in need of food closes sense the late 70.

Now you upper class citizens and politicians have some type of scheme that would put money in your pockets, but the "undesirable citizens" of Fresno in a corner, only to be cited if they remain too long. So once you've shuffled the homeless away from places where they receive clean clothes, or a place to lay their head what will you do? Where will the the homeless dwell in peace???

Do you believe in Jesus?  
Do you know the sacrifices he made for not only you, but the homeless too.

There was peddler in the story of Jesus. Never did Jesus

3

treat the needy any different from how he treated those in palaces.

So what makes you guys special? you politicians when needing the votes from the hopeless you promise affordable housing and increasing in financial aid. But once you're in office you fail to keep those promises you made to the less fortunate.

Then as you continue your journey you make the homeless out to be your mission to expose.

The homeless are residents of Fresno too. Some born right here and do you declare them to be trash now???

If he or she was a member of your family would you still see them as less than???

With the homeless shelters full to the max. And dare you say place the contempt, the

4

less fortunate, in one of your fancy hotels.

Tell me how long could one of you upper class citizens make it on the streets???

If you couldn't change clothes everyday, sleep in a clean bed, or for that matter have what you want to eat???

What would you do to survive

If the voices in your head told you constantly that you were at war.

Or if you were that young lady raped and assaulted left for dead only to be found treated and find out she's now left to raise a child she really can't love.

So tell me, who do you turn to when trauma like that strikes???

Who can you trust after that? And yourself - esteem no longer exists. For some may say it was her fault for being in the wrong area. But it is where she lives.

5

and what about the young boys ..... lookin' and watching what's left of their drug addicted mother father wipig gone. with no one to look up to, but the constituents on the streets to mold them into manhood. Not to mention the boy beaten and molested..... how many boys and men confess to being violated??? Not many! So they turn to a life of gangs for protection and selling drugs to survive.

without the education of the upper class society, politically correct healing does not exist for the tormented. So again I ask where do the homeless dwell???

General Relief only gives out \$245.00 a month where can you live for \$245.00 a month. Let me see you pay rent, buy clothes, hygiene, and pay P, G, & E with \$245.00. That enough to buy the drugs flip it and then pay

5

and what about the young boys..... lookin' and watching what's left of their drug addicted mother father wipig gone. with no one to look up to, but the constituents on the streets to mold them into manhood. Not to mention the boy beaten and molested..... how many boys and men confess to being violated??? Not many! So they turn to a life of gangs for protection and selling drugs to survive.

without the education of the upper class society, politically correct healing does not exist for the tormented. So again I ask where do the homeless dwell???

General Relief only gives out \$245.00 a month. Where can you live for \$245.00 a month. Let me see you pay rent, buy clothes, hygiene, and pay P, G, T, E with \$245.00. That enough to buy the drugs flip it and then pay

5-1-24

Take a look back in time  
when everyone knew their  
neighbor like family.  
when people were not afraid  
to allow their children to  
go to a sleep-over at the  
neighbor's house.

A place in time when  
neighborhoods had functions  
together and no one went  
without, bills being paid  
or food.

Now your Neighbor is just  
that you don't even know  
their name. And heaven  
for-bide you ask for a  
little assistance.

If they don't slam the door  
in your face, laugh, or give  
you many excuses on why  
they won't help, they'll  
simply call you.

What happen to brotherly  
love??? what happen to  
love your neighbor as your  
self???

by Audrey Jackson Turner

# Questions

What do you see, when you look at me???. Do you see a victim, or a survivor of a horrendous act???

Do you see in me a strength stronger than I appear to be?? Can you acknowledge for just a moment that I stayed to fight and not took that ~~fight~~ fight??

When glancing in my direction do you recognize a kindred spirit from beyond your birth and mine??

Do you realize that you could be me at some point in your life??

So when you step into my shoe's would you want society to judge negatively???

would you want the newest generation to push you away from the only home you know???

How would you feel if life put you down and your next door wouldn't even look back to see if you had housing and not sleep.

Audrey Turner  
1828 Santa Ana  
Davis, CA 93611

FRESNO CA 936  
15 AUG 2024 PM 1 L



County of Fresno

Hall of Records, 2281 Tulare St  
Fresno, CA 93721

93721-2193



**From:** Luis Rosario <Luis.Rosario@fresnomaderahomeless.org>  
**Sent:** Monday, August 19, 2024 4:46 PM  
**To:** Clerk/BOS  
**Subject:** FMCoC Letter Re. Fresno County Agenda Item #22  
**Attachments:** FMCoC Letter re- Jurisdictional Ordinances 8\_13\_24.pdf

**CAUTION!!! - EXTERNAL EMAIL - THINK BEFORE YOU CLICK**

Report Suspicious

Good Afternoon,

Please see the attached letter of response from the FMCoC regarding tomorrow's Board agenda item #22 concerning Fresno County Ordinance Code, Title 10, Chapter 10.70. Thank you.



**Luis Rosario**

FMCoC System Coordinator  
3040 N. Fresno Street  
Fresno, CA 93703

559-660-2657

[luis.rosario@fresnomaderahomeless.org](mailto:luis.rosario@fresnomaderahomeless.org)

559-223-2898



## FRESNO MADERA CONTINUUM OF CARE

August 14, 2024

The County of Fresno Board of Supervisors  
2281 Tulare Street  
Fresno, CA 93724

RE: Fresno County Ordinance Code, Title 10, Chapter 10.70

Dear County of Fresno Board of Supervisors:

**On behalf of the Fresno Madera Continuum of Care (FMCoC)<sup>1</sup>, we are writing to communicate our concerns with the proposed amendment to the Fresno County Ordinance Code, Title 10, to add Chapter 10.70, “Unlawful Camping and Obstruction of Public Rights of Way” and any related policies.** We understand the pressure Counties throughout California feel to comply with Governor Newsom’s recent Executive Order<sup>2</sup>, which encourages local governments to update their policies to clear encampments. However, we believe that these ordinances could be perceived as criminalizing the presence and possessions of people experiencing homelessness and may have a disproportionate adverse impact on unhoused residents.

Governor Newsom’s Order also encourages collaboration “through partnerships with other state and local agencies” and urges counties “to use all available resources and infrastructure,” including “housing and intervention programs,” to carry out its policies. **We therefore request that the County engage homeless services and housing providers, the FMCoC, and most importantly, people with lived experience of homelessness in reviewing any proposed ordinances and related policies and the implementation of those policies that may impact the unhoused resident of Fresno County.**

Homelessness is an incredibly complicated social problem that requires an urgent and unified response. The FMCoC recognizes the County of Fresno’s commitment to providing equitable and compassionate support to all its residents, including those experiencing unsheltered homelessness. However, we believe that the answer to ending homelessness in Fresno County does not lie in criminalizing those experiencing it. We believe that to end homelessness the County must harness the incredible expertise, resourcefulness, and thoughtfulness of this community and all its cross-system partners, including the FMCoC and people with lived experience of homelessness in Fresno County.

We are eager to collaborate with you, whether that be through revisiting the proposed Ordinance or assisting in its implementation in a way that ensures a humane and compassionate approach in carrying out this and any policies that impact the unhoused community in Fresno County. We believe that together, we can enact policies that minimize harm to all of Fresno’s residents and advance our collective goal of housing and supporting people.

Below we have provided some helpful information that we believe is necessary for your Board to be aware of and consider as you make policy decisions that may impact the unhoused community in Fresno County.

<sup>1</sup> See <https://fresnomaderahomeless.org/> for more information about the Fresno Madera Continuum of Care.

<sup>2</sup> Available at: <https://www.gov.ca.gov/wp-content/uploads/2024/07/2024-Encampments-EO-7-24.pdf>

Criminalization of homelessness deepens inequities, further destabilizes people experiencing homelessness and exacerbated the root causes of homelessness. Policies and actions by government agencies that criminalize homelessness worsen the underlying causes of growing unsheltered homelessness. The Department of Housing and Urban Development (HUD) stated in their recently released 2024 CoC NOFO funding competition that, “criminalization of homelessness risks the health of people living unsheltered and makes it more difficult to move into permanent housing.” The FMCoC currently receives over \$12 million annually through the HUD CoC Program, which our region relies on to address homelessness. This year’s competition requires CoCs to “work with law enforcement and their state and local governments to enlist their support for housing people in encampments, and to avoid practices that criminalize homelessness.” We are sharing this communication from HUD because the proposed Ordinance and related policies may jeopardize this critical funding if the federal government determines it criminalizes homelessness.

The effects of ordinances and policies that ban camping or sitting, lying, and sleeping in public places may be harmful to people experiencing unsheltered homelessness because they typically include enforcement action including fines and/or jail time. These penalties may require individuals to appear in court, manage critical court information, find a way to pay their fines and fees, and be readily available should the Court, their Probation Officer, or their attorney need to reach them. The reality of homelessness makes meeting these requirements difficult to impossible. People experiencing homelessness may not have a bank account, credit cards, savings to pay their fines or bail, consistent cell phone service, ways to charge their devices, reliable transportation, stable internet access, a mailing address, or places to store their belongings or pets while in Court. These barriers add to the inherent stress of navigating a criminal case and increase the likelihood of worsened criminal legal outcomes.

For people who are already facing financial insecurity, fines pose a major barrier. When left unpaid, they can snowball into larger amounts with serious consequences. A recent study<sup>3</sup> found that for a \$100 base fine in California, the fees increase the total owed to \$490, which can rise to \$815 if the person misses a deadline to pay. [Consequences for non-payment](#)<sup>4</sup> can include losing your driver’s license, jail time, and even not being able to [seal or expunge your record](#)<sup>5</sup>.

Incarceration leads to a host of consequences that worsen homelessness. Formerly incarcerated people are nearly [ten times more likely](#)<sup>6</sup> to experience homelessness than the general population, and people who have been incarcerated more than once experience homelessness at rates [13 times higher](#) than the general public. Those who spend a night or two in jail can lose their jobs or lose a shelter spot. Misdemeanor charges then show up on criminal background checks, which can limit housing options after release.

As stated previously, the FMCoC is willing and eager to provide consultation and assistance in the drafting or implementation of this and any policy that impacts the unhoused population, to ensure the minimization of harm to the most vulnerable members of our community.

Thank you in advance for your consideration.

Respectfully,



Jody Ketchside, Vice Chair  
Fresno Madera Continuum of Care

<sup>3</sup> See, [https://lccrsf.org/wp-content/uploads/LCCR\\_CA\\_Infraction\\_report\\_4WEB-1.pdf](https://lccrsf.org/wp-content/uploads/LCCR_CA_Infraction_report_4WEB-1.pdf)

<sup>4</sup> See, <https://www.vera.org/ending-mass-incarceration/criminalization-racial-disparities/fines-and-fees>.

<sup>5</sup> See, <https://www.americanprogress.org/article/fines-and-fees-are-a-barrier-to-criminal-record-clearing/>

<sup>6</sup> See, <https://www.prisonpolicy.org/reports/housing.html>

**From:** Rachel T <racheltuggy@gmail.com>  
**Sent:** Tuesday, August 20, 2024 10:19 AM  
**To:** District 2; Clerk/BOS  
**Subject:** Comment on consent item #22

**CAUTION!!! - EXTERNAL EMAIL - THINK BEFORE YOU CLICK**

Report Suspicious

Good morning Supervisor Brandau and Board members,

I'm a resident in district 2, and I am writing on consent item #22, urgently requesting that you throw it out and create an effective, research-based and human-centered solution.

This ordinance states that no person may camp in public in any place not designated for camping. Encampments established in violation can be abated (removed) upon advanced notice, although no timeframe is given for how far in advance this must be.

Violation is a misdemeanor. Upon conviction, this can mean imprisonment of up to six months and/or fines of up \$500 per violation.

As an alternative to a fine or jail sentence, the County would encourage the Court to grant diversion or probation with a condition the offender complete a rehabilitation program or treatment plan.

As I told the Fresno city council for their nonsensical ordinance, this county-wide version would also resolve absolutely nothing about our current housing crisis, creating a vicious cycle with either punishment: a jail sentence will further impact someone's ability to find employment and housing on multiple levels, and a fine only adds to financial burden, making stable housing that much further away. Additionally, what alternative to punishment would be provided for those who are not taking drugs? For example, women escaping domestic violence, or older adults who can no longer afford housing costs.

Finally, the ongoing confiscation and destruction of personal items is cruel, and without providing a timeframe for when abatement would take place, unhoused people would face uncertainty and disruptions to efforts to work on their situation.

I don't see any solutions to county problems in this ordinance.

In my email addressing the previous meeting on August 6th, I focused on why this is a violation of the 8th amendment in two ways - this would be cruel and unusual punishment, and these would be excessive fines. Everyone needs sleep, and in lieu of enough shelter beds, which are in short supply, what are the options? Thousands of unhoused folks having to camp in Yosemite? This would create an endless cycle of punishment for an unavoidable need.

Additionally, "excessive fines" applies, regardless of how you interpret it, as the fine is neither justified nor within an unhoused person's ability to pay.

If you have worries about criminal behavior, we have laws in place that address that. But don't criminalize someone's socioeconomic status. Thank you.

Sincerely,  
Rachel Tuggy