

Exhibit F

June 4, 2017

City of Fresno
Planning and Development
Text Amendment Application No. TA-17-002
Letter of Objection

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DARM - DEVELOPMENT SERVICES
CITY OF FRESNO

Gentlemen,

It is the opinion of our planning expert that the city is required to produce a mandatory environmental report with its distribution required before any hearing on the text amendment.

On December 16, 2016, the City Council authorized staff to prepare a text amendment relating to recycling centers.

At that hearing, the Fresno City Council, upon the recommendation of Fresno city staff, determined that “a Finding of No Possibility indicating that the initiation of this text amendment will have no impacts on the environment pursuant to Section 15061(b)(3) of the CEQA Guidelines.”

This stance should not be carried out during the public hearings because there is a conflict with the General Plan. Therefore consider this a formal objection to the proposed text amendment.

To quantify the economic effect of closing recycling centers within the city, staff should request a report from CalRecycle. Using the authority of PRC 14551.4 request the amount of CRV dollars paid to the public by certified recyclers within the city. You might also want to request the volumes of material by weight. This will provide an economic benchmark as to the benefit provided to the residents in the public of Fresno.

Aesthetic issues must also be considered when containers, in the form of litter, would remain on the streets. Additionally, the impacts of non-industrial type traffic on the industrial districts must be addressed because many needy persons often access recycling centers on foot or on bicycles. Without an environmental statement enactment of the proposed ordinance increases the city’s susceptibility to successful court action.

The proposed text amendment, Ordinance TA-17-002, presents an appearance of local government overreach to rid the City of Fresno of recycling centers by veiled

means with dire consequences for these local small businesses. It seems clear from the meeting that city council ignored state mandated diversion goals, the General Plan and the state mandated requirements imposed upon grocers and the economic consequences in failing to meet convenience.

News stories have documented the city Council's displeasure with the homeless. Not unlike other communities, Fresno has a homeless population which is a societal problem stemming from numerous factors. But recyclers have few controls and safety of their workers must be considered. Also, many of Fresno's residents have relatively low household incomes as identified in its General Plan. Recyclers know that their customers depend on money gained from recycling of containers. Recyclers fear that the proposed text amendment is based on a conjecture that eliminating them as a source of revenue might eliminate the homeless. It appears to presume that without recyclers it will reduce crime in the city and eliminate unwelcome calls to police. But homeless are a small portion of their customers.

There are other known businesses in all communities which attract the homeless and needy populations. They include fast-food establishments with \$1 meals, dollar stores, stores that sell cheap liquor and cigarettes, libraries that provide heating and air-conditioning and use of computers, and facilities and structures whose physical designs provide shelter found suitable for sleeping. Yet none of these facilities are the targets of the proposed text amendment. The mislaid blame for the ills judged to be the source are the recycling centers and not individuals who commit crimes. There is no evidence that reducing one's income results in reducing crime.

The City will suffer from unintended and unfortunate consequences should the Council adopt the seemingly deceptive amendment:

- without local recycling centers residents will leave the city and go elsewhere.
- The proposed ordinance could result in the loss of an estimated 100 plus jobs in Fresno. Some would be forced to leave the city for employment. Some might place the burden of support on the social services provided by the tax payers.

- The proposed ordinance is so financially onerous and limits recycling centers to inconvenient or nonexistent locations so as to render them no longer viable.
- Because the proposed ordinance is inconsistent with formally adopted Fresno General Plan, the Council is ignoring that previous city leaders went to a great deal of effort and cost to formulate.
- The proposed ordinance conflicts with State of California laws which encourage the establishment of convenient locations for recycling centers in every city in California. This is an integral part of this states plan to achieve diversion and a part of the Fresno General Plan.
- The proposed ordinance would result in an estimated 25 large commercial retailers which sell beverages each having to pay the State of California \$36,500 a year, a total of almost a million dollars added to the cost of groceries because there would be no permitted recycling centers.
- The money generated from commercial space leased to recyclers in Fresno would be lost by city land owners and would be a needless loss of approximately \$300,000 a year.
- The average recycling center annually injects an estimated \$500,000 into the Fresno economy from all recycling services to the public which would no longer happen in Fresno.

Homelessness is a serious, vast and complex social problem. However, holding recycling centers responsible for contributing to crimes committed by homeless individuals to the extent they should be eliminated is unjust. The Council should consider this. Assume at the elimination of recycling centers would eliminate \$15 million into the community. At the same time grocers are hit with penalties of approximately \$1 million from the state. Losses to property owners could also exceed \$1 million per year and render

some of those properties useless to the owners. These are only some issues must be considered before proceeding.

Respectfully,

Leonard Lang
President
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