

RECEIVED

Agenda Item: 10:10 A.M.

Date: 3/6/14

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CITY CLERK, FRESNO, CA

FRESNO CITY COUNCIL



Supplemental Information Packet

Agenda Related Items – 10:10 A.M.

Supplemental Packet Date: March 4, 2014

Item(s)

WORKSHOP regarding California Redemption Value (CRV) beverage container recycling facilities in Fresno, and consider direction to staff regarding any revisions to approval criteria for these facilities – **(Citywide)** – Councilmember Olivier and Development and Resource Management Department

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.

Cindy Bruer

From: Sandra Brock
Sent: Tuesday, March 04, 2014 9:28 AM
To: Dan Vang
Cc: Mike Sanchez; Bonique Emerson; Sophia Pagoulatos; Bruce Barnes; Clerk
Subject: RE: March 6th 10:10am Fresno City Council workshop on beverage container recycling facilities
Attachments: `2013-05-09 City Council Rules of Procedure (Reso).pdf

Dear Mr. Vang,

The email you enclosed (appearing below) was sent out from my computer at 5:55pm on Friday evening, less than a half-hour after the City Council agenda was posted online. Please note that the City's agenda posting time more than complies with the requirements of California's open meeting law ("the Brown Act") which only requires 72 hours prior notice—the City of Fresno routinely provides five days of prior notice. I could not send the workshop report to anyone sooner, because a City Council report is not considered complete--and can't be distributed as public information--until after it is formally released by the City Manager and the City Clerk.

I am not sure why you did not receive the email until Saturday. Your email address did not generate a "delivery delayed" message about (although a few other email addresses did). There were also a few email addresses that generated an "undeliverable" message right away on Friday evening. So, I attempted to get corrected email addresses and I re-sent the email to those addresses later on Friday evening. On Monday morning I went through that process again for those emails which still hadn't worked.

As the attached Council item explains, the City Council's policy for accepting written information was formalized last year (See Rule No. 11, "Written correspondence," in the attached pdf). When Councilmembers are handed something in writing during a hearing, or shortly before a hearing, they may not have time to give it due consideration. Hence the suggestion to submit written testimony by close of business on Tuesday, to give the Clerk and her staff time to aggregate all the comments on the workshop topic, copy them, and distribute them. Technically (as stated on the agenda document itself, for which a link was provided in the earlier email), **comments will be accepted on the workshop topic right up until 10:10am on Wednesday March 5th**--but please understand, that will leave less time for the City Clerk to make copies & distribute them to all Councilmembers, and less time for the Councilmembers to read and consider those comments.

The workshop on Thursday would be considered the re-start of previous work on amending City regulations for recycling facilities, which has been in hiatus since 2009. As the earlier email indicated, our department does plan to involve the industry in the process.

Sincerely,

Sandra Brock

From: Dan Vang [mailto:dan_vang@hotmail.com]
Sent: Monday, March 03, 2014 10:54 PM
To: [industry representatives and staff involved in CRV recycling facilities]
Subject: RE: March 6th 10:10am Fresno City Council workshop on beverage container recycling facilities

Sandra,

I am writing to share with you and your staff that I (along with the recycling industry) have not been given enough time to review this report. This was delivered on the 1st of March (Saturday) and going to workshop on the 6th of March (Thursday) and a written response to be delivered by March the 4th (Tuesday) is absolutely "outrageous". Something that your staff took months to write cannot be consumed and analyzed within several days. I also do not believe that the CRV Beverage Container industry was included in any of this process since 2009. I hope that you will consider us (the people that will be affected) when going further. As of right now I cannot place a position until further review.

Please share this with the Council members at the workshop.

Dan Vang

D&L Recycling, LLC

From: Sandra.Brock@fresno.gov
To: ana.mena@yahoo.com; aandhrecycling@gmail.com; fdelrincon@allencompany.com; jabairos@aol.com; jennifer@bairosrecycling.com; april@bairosrecycling.com; mjost@brunosiron.com; buldogrec@aol.com; dan_vang@hotmail.com; fernh@lize.com; fresnorecycling@aol.com; vang_simon@yahoo.com; rvincent@schm.com; joe.perez@replanet.com; bmorlockrecyco@aol.com; skeesrecycling@yahoo.com; irmaas@hotmail.com; qb11@comcast.net; Kassandra.Harris@CalRecycle.ca.gov; walt.simmons@calrecycle.ca.gov; bmohoff@sunsetwastesystems.com; jmohoff@sunsetwastesystems.com; richard@caglia.com
CC: Mike.Sanchez@fresno.gov; Bonique.Emerson@fresno.gov; Sophia.Pagoulatos@fresno.gov; Bruce.Barnes@fresno.gov
Subject: March 6th 10:10am Fresno City Council workshop on beverage container recycling facilities
Date: Sat, 1 Mar 2014 01:55:21 +0000

A Fresno City Council workshop on beverage container recycling facilities ("recycling stations") has been scheduled for Thursday, March 6th at 10:10am or thereafter. The workshop report

has been posted on the Fresno City Clerk's website as part of the March 6th agenda package. Here is a link you can use to access this report: <http://www.fresno.gov/CouncilDocs/agenda3.6.2014/1010.pdf>

Please note that Council workshops are often held for the purpose of discussion among Councilmembers, without public testimony. (Public testimony would be welcomed at subsequent hearings where the Council may be considering changes in City regulations.) At this time, staff does not know whether the Council will open this particular workshop for public testimony.

However, there is always an opportunity to submit written information/testimony on City Council agenda items, **so long as that testimony is received by the City Clerk's office at least 24 hours prior to the Council hearing on the item.** (Please refer to the procedural information given on pages 1 and 2 of the City Council agenda, which can be accessed via this link:

<http://www.fresno.gov/NR/rdonlyres/9E1B8CF2-FDAF-432D-9DF2-3C59E5762548/0/March62014Councilagenda.pdf>)

If you wish to submit written comments on this matter, please try to get your input to the City Clerk before close of business on Tuesday March 4th (to allow the Clerk's office time to make copies for the Council members). In your correspondence, please indicate that you are writing about the March 6th Council workshop scheduled for 10:10am on recycling facilities, and please provide your name, address, and contact information (phone, email) to facilitate follow-up. You may direct correspondence to:

Yvonne Spence, CMC
Fresno City Clerk
2600 Fresno Street, Room 2133
Fresno, California 93721-3603
The email address to use for sending correspondence is: clerk@fresno.gov
The fax number for the City Clerk's office is: 559-488-1005

After the City Council workshop, the Development and Resource Management Department will be meeting with the recycling industry to review any proposed changes in City ordinances and policies relating to recycling facilities. We look forward to meeting with you.

Sincerely,

Sandra Brock
Planner, City of Fresno
(559) 621-8041