



CITY OF FULLERTON

Office of the Mayor and City Council

Mayor, Shawn Nelson
Mayor Pro Tem, Sharon Quirk
Don Bankhead
F. Richard Jones, M.D.
Pam Keller

July 17, 2007

Honorable Nancy Wieben Stock
Presiding Judge of the Superior Court
700 Civic Center Drive West
Santa Ana, CA 92701

Subject: Response to Recommendations of Grand Jury Report "Assembly Bill
939 Waste Diversion: Are We Finally Making Progress?"

Dear Judge Wieben Stock:

As requested by the 2006-07 Orange County Grand Jury, the City of Fullerton offers the following responses related to the issue of non-franchise haulers and unauthorized waste bins in cities:

Finding F-6: The presence of non-franchise haulers and so-called "Ghost Haulers" bins, in cities which bypass the recycling system, needs to be corrected to establish the waste haulers' confidence that their municipalities are looking out for their best interests.

City Response: *The City of Fullerton agrees with the finding. The non-franchised haulers intentionally ignore exclusive franchises which in turn hampers cities' efforts to comply with the AB 939 mandate.*

Recommendation R-6: Municipalities need to solve their unauthorized waste bin problems by enacting city ordinances forbidding these practices, imposing fines, including stepped-up fines for additional violations, and impounding unauthorized bins.

City Response: *The recommendation has not yet been implemented, but will be implemented in the future. Staff has drafted an ordinance that addresses unauthorized bins, drop-off boxes, trailers and other waste receptacles; impoundment procedures and applicable fees and charges. The ordinance will go before the City Council prior to the Grand Jury's progress report scheduled date of March 31, 2008.*



Judge Nancy Wieben Stock

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Re: Response to Recommendations of Grand Jury Report "Assembly
Bill 939 Waste Diversion: Are We Finally Making Progress?"

Thank you for the opportunity to respond to this Grand Jury Report.

Sincerely,

A handwritten signature in black ink, appearing to read "Shawn Nelson", written over a horizontal line.

Shawn Nelson
Mayor

Copies: City Council

Chris Meyer, City Manager

Glenn Steinbrink, Director of Administrative Services

Phyllis Garrova, City Treasurer/Revenue & Utility Services Manager