



BETH KROM, Mayor

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August 22, 2007

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

Dear Judge Wieben Stock:

The City of Irvine has reviewed the Orange County Grand Jury Report, "Assembly Bill 939 Waste Diversion: Are We Finally Making Progress?" and appreciates the opportunity to respond.

As required by California Penal Code Sections 933.05(a) and (b), we are submitting the following responses from the City Council of the City of Irvine addressing the report's findings and recommendations as appropriate.

**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 in order to establish the waste haulers' confidence that their municipalities are looking out for their best interests.**

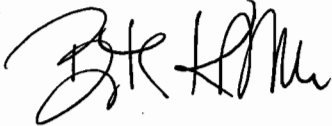
**City of Irvine Response to F-6:** The City agrees that unauthorized waste haulers and bins undermine the ability of cities to effectively manage their waste streams, aggravate AB939 compliance, and that all Orange County cities should take steps to address this issue. Irvine has consistently taken this matter seriously and has employed its Public Works and Code Enforcement personnel, with assistance from the City's authorized waste haulers, to manage the issue and protect the integrity of our franchise waste hauling systems. The City will continue to do so into the future.

**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 of Irvine Response to R-6:** The City of Irvine acknowledges that municipalities should take feasible and reasonable measures to solve their unauthorized waste bin problems through various methods that may include city ordinances, levying of graduated fines, and impounding of unauthorized bins. Irvine has implemented municipal codes and enforcement measures to discourage such activity.

Thank you for the opportunity to respond to these findings and recommendations. Please feel free to contact my office at (949) 724-6234 if you have any questions regarding our responses.

Sincerely,



BETH KROM  
Mayor

cc: Orange County Grand Jury,  
700 Civic Center Drive West, Santa Ana, CA 92701  
Sean Joyce, City Manager  
Wally Kreutzen, Assistant City Manager  
Manuel Gomez, Director of Public Works  
Philip D. Kohn, City Attorney  
Marcia Beckett, Fiscal & Environmental Program Administrator  
Mike Byrne, Senior Management Analyst