



CITY OF LAGUNA HILLS

City Council

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August 29, 2007

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

RE: Response to Grand Jury Report, "Assembly Bill 939 Waste Diversion: Are We Finally Making Progress?"

Honorable Judge Stock:

As requested by the Orange County Grand Jury letter, dated May 25, 2007, the City of Laguna Hills is responding to the findings and recommendations of the Grand Jury Report, "Assembly Bill 939 Waste Diversion: Are We Finally Making Progress?" as directed for an Orange County City. Specifically, the City of Laguna Hills is responding to Finding number six (F-6) and Recommendation number six (R-6).

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's Response: In accordance to the specific required permissible response to the Grand Jury's report finding, as set forth in the California Penal Code, the City of Laguna Hills **agrees** with this finding.

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."

Honorable Nancy Wieben Stock
August 29, 2007
Page Two

City's Response: The City of Laguna Hills, per subdivision (b) of Section 933 of the California Penal Code, reports that this recommendation (R-6) **has been implemented** and a summary of the implemented actions follows.

The City of Laguna Hills, on May 10, 2005, repealed and replaced Chapter 5-32 of the City of Laguna Hills Municipal Code, which regulates the storage, removal, transportation, and disposal of Solid Waste, in order to enable the City to impound non-franchised bins deposited within the City. In addition, the City Council adopted a resolution on May 10, 2005, that set the fees for removal, impound, and storage of non-franchised bins. Since the adoption of this ordinance and resolution, the City continues to work with its franchised hauler, CR&R, to enforce the City's Municipal Code relating to the impoundment of illegal bins.

The City is in the process of reviewing Chapter 5-32 of the City of Laguna Hill's Municipal Code that addresses the impoundment of unauthorized bins, and the City Council may consider additional enhancements to the City's Municipal Code related to this subject matter.

Sincerely,


MELODY CARRUTH
Mayor

cc: Orange County Grand Jury (electronic copy)
Laguna Hills City Council
City Attorney