



# City of La Habra

OFFICE OF THE MAYOR

201 E. La Habra Boulevard  
P.O. Box 337  
La Habra, CA 90633-0337  
Office: (562) 905-9701  
Fax: (562) 905-9781

August 13, 2007

James Gomez  
Mayor

Rose M. Espinoza  
Mayor Pro Tem

Steve Anderson  
Councilmember

G. Steve Simonian  
Councilmember

Tom Beamish  
Councilmember

Orange County Grand Jury  
700 Civic Center Drive West  
Santa Ana, CA 92701

**Re: City of La Habra Response to 2006-2007 Orange County Grand Jury Report "Assembly Bill 939 Waste Diversion: Are We Finally Making Progress?"**

Dear Nancy Wieben Stock,

On May 25, 2007, the 2006-2007 Orange County Grand Jury issued a report titled "Assembly Bill 939 Waste Diversion: Are We Finally Making Progress?" All Orange County Cities are required to respond to both Finding F-6 and Recommendation R-6 relating to the issue of non-franchise haulers and unauthorized waste bins in cities. The City of La Habra's responses are as follows:

**Finding F-6:**

Finding F-6 states, "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 La Habra Response to Finding F-6:**

The City of La Habra agrees with the above finding. As non-franchise haulers subvert our recycling system and franchise agreements, the useful life of Orange County Landfills is shortened and franchised haulers' confidence in the system is weakened. These actions challenge the rule of law, result in miscalculations of our waste stream reporting, and must be corrected. Extending the life of Orange County Landfills is an important goal for the City of La Habra.

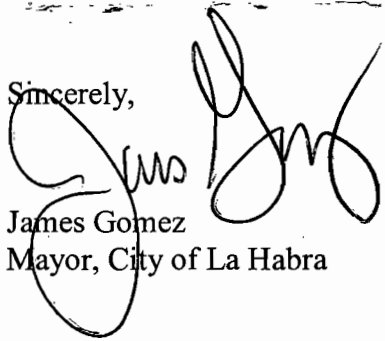
**Recommendation R-6:**

Recommendation R-6 states, "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 La Habra Response to Recommendation R-6:**

The City of La Habra reports that Recommendation R-6 has not been implemented, but will be implemented in the future. Specifically, the City operates under an exclusive franchise for waste hauling, which makes it illegal for others to offer this service without having such a franchise. Staff is in the process of updating the Municipal Code, which is expected to carry additional fines and the impoundment of unauthorized bins. Although the City has partially implemented the recommendation, the City intends to fully implement the matter by City Ordinance and will report back to the Orange County Grand Jury by December 5, 2007, once our Ordinance is updated.

Sincerely,



James Gomez  
Mayor, City of La Habra