



City of Mission Viejo

Office of the Mayor and City Council

Trish Kelley
Mayor
Frank Ury
Mayor Pro Tem
John Paul "J.P." Ledesma
Council Member
Lance R. MacLean
Council Member
Gail Reavis
Council Member

April 3, 2008

The Honorable Nancy Wieben Stock
Presiding Judge of the Superior Court
700 Civic Center
Santa Ana, California 92701

Dear Judge Wieben Stock:

On July 5, 2007, the City of Mission Viejo submitted a response to the 2006-2007 Orange County Grand Jury report titled "Assembly Bill 939 Waste Diversion: Are We Finally Making Progress?"

The City of Mission Viejo agreed with the Grand Jury's findings identified in F-6 that the presence of illegal waste haulers needs to be corrected so that franchise haulers will have confidence that the cities they contract with are looking out for their best interests.

Cities were also required to respond to the Grand Jury's recommendation (R-6) that 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. Mission Viejo's response stated that further analysis was necessary.

On November 8, 2007, the City submitted a second letter to you indicating that more time was needed to gather information to determine if the Grand Jury's recommendation (R-6) is needed in Mission Viejo. The City worked with its waste hauler, Waste Management of Orange County, for over six months to determine if the presence of illegal haulers was significant enough to warrant an ordinance that would include stepped-up fines for additional violations and impoundment of illegal bins.

The City and its waste hauler discovered that some illegal hauling is occurring in Mission Viejo; however, the problem is not significant at this time. City staff believes that Mission Viejo can continue to control its illegal haulers through phone calls and



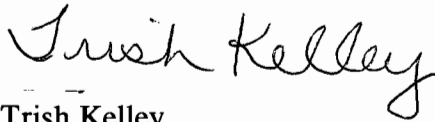
April 3, 2008

letters explaining that Mission Viejo has an exclusive solid waste franchise agreement and requesting that illegal hauler cease solid waste service in our city.

We will, of course, continue to monitor this issue. If the problem with illegal haulers becomes more significant, we will consider an unauthorized bin ordinance at that time.

Thank you for the opportunity to respond to the Grand Jury's findings.

Sincerely,



Trish Kelley
Mayor

cc: City Council
City Manager
Orange County Grand Jury ✓
Waste Management of Orange County