



City of Villa Park

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July 23, 2024

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

RE: CITY OF VILLA PARK RESPONSE TO THE 2023-2024 ORANGE COUNTY GRAND JURY REPORT, “TALKING TRASH: RECYCABLES AND ORGANIC WASTE”

To Whom It May Concern:

On behalf of the City of Villa Park, I am pleased to respond to the Grand Jury’s report regarding the state of recyclables and organic waste in Villa Park. The City of Villa Park provides the following responses:

Finding F1: The majority of Orange County jurisdictions have not yet required their haulers to distribute residential containers that meet the CalRecycle standardized colors, leaving legacy and often incorrect or illegible labeling and embossing in place.

City Response: The City agrees with the finding based on the information provided by the Grand Jury Report. In the meantime, stickers have been provided to residents to put on their bin in order to help differentiate what items to put in each bin.

Finding F2: While a jurisdiction may not delegate its overall responsibility for compliance with State requirements to a hauler, some jurisdictions have designated the task of imposing and collecting fines from residents to the hauler in accordance with State law. However, not all jurisdictions are clear on who ultimately receives and retains the collected fines.

City Response: The City disagrees partly with the finding. As a part of the City’s adopted ordinance there is a fines schedule for purposes of enforcement. After documentation of our hauler and code enforcement reaching out, the City will use fines as a way of enforcement when absolutely necessary.

Finding F3: All jurisdictions will eventually start collecting fines from residents for non-compliance, but some have not yet determined whether the revenues will go into a waste and recycling enterprise fund or into the jurisdiction’s general fund.

City Response: The City disagrees partly with the finding. The City has determined that revenues will go to our jurisdiction’s general fund.

Finding F4: *In most jurisdictions, education and outreach is a joint effort between jurisdiction, hauler, and sometimes consultants, with the jurisdiction reviewing the materials before publication. The methods of dissemination vary by jurisdiction and hauler but frequently rely on a resident actively seeking the information, which requires the resident to have some awareness of the new mandates in the first place. Most efforts primarily revolve around intermittent hard-copy paper mailings.*

City Response: The City agrees with the finding based on the information provided by the Grand Jury Report. Our hauler provides quarterly newsletters that are mailed to all residents. That newsletter is also available on our city website and weekly e-newsletter. Also, education is provided as necessary on our website and weekly e-newsletters.

Finding F5: *Most jurisdictions currently have no way to accurately determine the effectiveness of their respective education and outreach efforts other than the eventual inspections or audits that will take place.*

City Response: The City agrees with the finding based on the information provided by the Grand Jury Report.

Finding F6: *There is some concern that there are not enough composting facilities in Orange County to process all organic waste, forcing some jurisdictions/haulers to transport it long distances for processing.*

City Response: The City agrees with the finding based on the information provided by the Grand Jury Report. However, the City does not have the resources or staffing to independently verify the findings.

Finding F7: *There is currently no infrastructure in the county that is a State-approved source of Renewable Natural Gas (RNG) and energy from organic waste. Jurisdictions that use vehicles running on RNG procured from non-approved sources cannot count that RNG towards fulfillment of their procurement requirement.*

City Response: The City agrees with the finding based on the information provided by the Grand Jury Report. However, the City does not have the resources or staffing to independently verify the findings.

Finding F8: *The formula used by the State to calculate a jurisdiction's procurement target does not account for a jurisdiction's population density or geographic size (square miles). As such, meeting the annual procurement target presents a significant challenge for most jurisdictions.*

City Response: The City agrees with the finding based on the information provided by the Grand Jury Report. However, the City does not have the resources or staffing to independently verify the findings.

Finding F9: *Many Orange County jurisdictions were unable to meet the requirement in SB 1383 to reduce organic waste sent to landfills by the 2020 deadline. It is unlikely the required seventy-five percent reduction will be achieved by the 2025 deadline.*

City Response: The City disagrees partly with the finding. Although the seventy-five percent goal is ambitious, through effective outreach to residents through mailers, quarterly newsletters, and regular site visits to its commercial customers, the City is on a solid trajectory to meet its organic waste reduction goals.

Finding F10: *The current procurement requirements mandated by SB 1383 are unrealistic and likely unachievable by most jurisdictions.*

City Response: The City agrees with the finding based on the information provided by the Grand Jury Report. However, the City does not have the resources or staffing to independently verify the findings.

Recommendation R1: *All jurisdictions should expedite the acquisition and distribution of residential containers that meet the CalRecycle standardized colors. Additionally, until the compliant containers can be distributed, all jurisdictions should ensure the distribution of labeling for non-compliant containers that explain the current SB 1383 requirements applicable to their jurisdiction by June 30, 2025.*

City Response: The recommendation has not yet been implemented, but will be implemented in the future. Standardized bins will be provided soon, but in the meantime, residents have already been provided with labels for their bins with SB1383 requirements.

Recommendation R2: *By December 31, 2024, all jurisdictions should ensure their waste hauling agreements are in compliance with State statute so that haulers may be designated to perform certain required tasks but are not improperly delegated overall responsibility for compliance. Additionally, all jurisdictions should ensure that any fines collected by a hauler are forwarded to the jurisdiction.*

City Response: The recommendation has been implemented. The City is the only authority that will be issuing and collecting fines.

Recommendation R3: *The OCGJ recommends that all jurisdictions utilize a dedicated waste and recycling enterprise fund for collection of fines for non-compliance with SB 1383 by December 31, 2024.*

City Response: The recommendation will not be implemented because it is not warranted or is not reasonable. The City will be working with auditors to ensure it complies with accounting procedures and state law.

Recommendation R4: *By December 31, 2024, all jurisdictions should diversify the methods and media used for education and outreach to include, among others, various social media*

platforms, emails to residents, newspaper, television, flyer mailings, community events, and appearances at other public gatherings.

City Response: The recommendation has been implemented. The City utilizes a variety of methods for education and outreach including, but not limited to social media, e-newsletters and a monthly informational booth in town center.

Recommendation R5: By December 31, 2024, and in order to gauge the effectiveness of their education and outreach efforts, all jurisdictions should develop new methods to engage residents directly to help determine their awareness of the requirements associated with SB 1383, such as surveys, online quizzes, and door-to-door polling.

City Response: The recommendation has not yet been implemented, but will be implemented in the future. The City will develop new methods of education and outreach to help engage residents, such as online surveys and quizzes included in our e-newsletter.

Recommendation R6: By June 30, 2025, the OCGJ recommends that all jurisdictions participate in the OCW&R-led efforts to develop a coordinated county-wide approach to the organics recycling infrastructure and programs as well as procurement requirements associated with SB 1383, working towards creating circular economy as a long-term goal.

City Response: The recommendation has not yet been implemented, but will be implemented based on the time frame determined by OCW&R. The City will support the recommendation at the extent requested by the OCW&R by June 30, 2025.

Recommendation R7: By December 31, 2024, the Orange County Board of Supervisors and all Orange County cities should lobby appropriate members of the State Legislature and/or CalRecycle to revise the organic waste diversion targets to better reflect Orange County's waste amounts, revise the jurisdictions' procurement requirements to better represent the limited options currently available for procurement, the jurisdictions' varying populations, population densities, and geographic size, and to delay associated enforcement actions by the State.

City Response: The recommendation has not yet been implemented, but will be implemented based on the time frame agreed upon by the County Board of Supervisors and consensus of the remaining Orange County cities. The City will support the recommendation to the extent agreed upon by June 30, 2025.

Sincerely,
THE CITY OF VILLA PARK



Vince Rossini
Mayor