



December 13, 2024

Maria Hernandez
Presiding Judge of the Superior Court
Orange County Grand Jury
700 Civic Center Drive, West
Santa Ana, CA 92701

Subject: Follow-Up Response to the City of Dana Point Response to the Orange County Grand Jury Report Entitled "Talking Trash: Recyclable and Organic Waste"

Dear Judge Hernandez,

On June 5, 2024, the Orange County Grand Jury (OCGJ) sent a letter to Mayor Federico that contained a report entitled "Talking Trash: Recyclables and Organic Waste" hereafter defined as Report.

On August 16, 2024, the City of Dana Point (City) submitted responses to the Report (Attachment A) to the Presiding Judge of the Superior Court.

On September 25, 2024, City Manager Mike Killebrew received correspondence from the OC Grand Jury (Attachment B) pertaining to the City's original response to Recommendation 7, which consisted of the following:

- **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 jurisdiction's procurement requirements to better represent the jurisdiction's varying populations, population densities, and geographic size, and to delay associated enforcement actions by the State.*
- **Response:** *The City appreciates the recommendation and will consider implementing it.*

In response to the OC Grand Jury's inquiry confirming the intent of the original response, the City's amendment to the original response to Recommendation R7 is as follows:

Amended Response to Recommendation R7: In the OC Grand Jury's letter to City Manager Mike Killebrew (dated September 25, 2024), the letter states the OC Grand Jury interpreted the City's Response to Recommendation R7 as meaning "further analysis is needed" with a reference to the Penal Code on requirements associated with such a response.

The City had not intended to suggest by its response that it believed more analysis was needed.

To eliminate any ambiguity, please consider this an update to the City's response to Recommendation R7. The City's amended response is: "The City wholly disagrees with Recommendation R7. In this regard, the City observed that CalRecycle was not persuaded by similar efforts during the regulation drafting process, and hence, does not believe a lobbying effort will be productive".

If you should have any questions or need any additional information, please contact me at (949) 248-3523.

Respectfully,



Michael A. Killebrew
City Manager