

RESOLUTION NO. 09 -22

**A RESOLUTION OF THE RIDGECREST CITY COUNCIL AUTHORIZING PAYMENT OF A PENALTY TO THE CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD PURSUANT TO THE BOARD'S COMPLIANCE ORDER NO.IWMA BR 07-07**

**WHEREAS**, the City Council is mandated by the California Integrated Waste Management Board pursuant to the following finding:-

*During a Public Hearing held on March 24, 2009 the California Integrated Waste Management Board (CIWMB) determined that the City of Ridgecrest (City) failed to comply with Compliance Order IWMA BR07-07 and failed to make a good faith effort to implement its Source Reduction and Recycling element. Pursuant to testimony heard at the March 24, 2009 hearing the CIWMB imposed, among other potential penalties a one-time penalty of \$47,580 pursuant to Public Resources Code 41850. However, \$27,580 was held in abeyance to the extent that the City fulfills the requirements of Compliance Order IWMA BR07-07 by that compliance order's express revised due date of January 4, 2010. As such \$20,000 is due and payable immediately.*

**WHEREAS**, the California Integrated Waste Management Board has presented Invoice No. 8230-387-2008 in the amount of \$20,000.00, and

**WHEREAS**, the City of Ridgecrest 2008-2009 Approved Budget has no appropriation or authorization of expenditure for said penalty, The City Manager is authorized to make the budget amendment and appropriation of \$20,000.

**NOW THEREFORE, BE IT RESOLVED** that the City Council of the City of Ridgecrest authorizes the City Manager, or his designee, to make payment thereof of the submitted invoice.

**APPROVED AND ADOPTED THIS** 06<sup>TH</sup> day of May, 2009 by the following vote.

AYES: Mayor Pro Tem Carter, Council Members Wiknich, Holloway

NOES:

ABSTAIN:

ABSENT: Mayor Morgan, Council Member Taylor



Ronald H. Carter, Mayor Pro Tem

ATTEST:



Rachel J. Ford  
Deputy City Clerk

