

RESOLUTION NO. 09-50

A RESOLUTION of THE CITY COUNCIL OF THE CITY OF RIDGECREST rescinding Resolution 09-36 and DECLARING ITS INTENTION TO ENTER INTO AGREEMENT WITH BENZ SANITATION INC./TEHACHAPI RECYCLING inc. FOR THE IMPLEMENTATION OF MANDATORY COMMERCIAL AND RESIDENTIAL RECYCLING AND SOLID WASTE COLLECTION

WHEREAS, the Compliance Order IWMA BR07-07 of the California Integrated Waste Management Board and Local Assistance Plan adopted pursuant to the order mandates implementation of specified recycling programs by January 4, 2010:-

WHEREAS, the City intends to comply with the order by agreement with Benz Sanitation Inc./Tehachapi Recycling Inc., the franchise rubbish hauler of the City for 30 years.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Ridgecrest as follows:

1. The City will negotiate with the current franchisee, Benz Sanitation Inc./Tehachapi Recycling Inc, ("franchisee") to provide recycling services necessary to comply with Order IWMA BR07-07 ("Order").
2. After the effective date of this resolution, the franchisee may expend not to exceed \$4,000,000.00 for equipment to provide recycling services to the City to comply with the Order, until a final agreement can be reached.
3. If the City and the franchisee cannot reach agreement, the City will reimburse the franchisee for the cost incurred by the franchisee to purchase equipment under this resolution within 6 months of the date of acknowledgement of failure to reach agreement.

APPROVED AND ADOPTED this 2nd day of September, 2009 by the following vote.

AYES: Mayor Morgan, Council Members Carter, Wiknich, Holloway, and Taylor

NOES: None

ABSTAIN: None

ABSENT None



Steven P. Morgan, Mayor

ATTEST:



Rita Gable
City Clerk