

**April 29, 2011 e-mail from Kurt Wilson, Ridgecrest City Manager  
Amended Time Extension Request**

-----Original Message-----

From: Kurt Wilson [mailto:kwilson@ridgecrest-ca.gov]  
Sent: Friday, April 29, 2011 8:40 AM  
To: Kouyoumdjian, Raffy  
Cc: Kurt Wilson  
Subject: RE: Waiting for response

Mr. Kouyoumdjian:

I would first like to thank you and your colleagues for your continued assistance to the City of Ridgecrest as we work toward gaining full diversion compliance. As always, your agency has been responsive and helpful even on short notice.

The purpose of this letter, as discussed yesterday, is to request a time extension for the completion of the final tasks in our LAP. We have made significant progress through the lengthy process but had a significant decline late last year largely as the result of an ongoing dispute between the City and the current hauler. That dispute is currently being litigated. While the City took immediate and decisive steps to prevent, reverse, and later mitigate those actions using all legal means at its disposal, this proved inadequate to avoid the diversion slippage that you witnessed during an inspection visit. The primary factor at that time was a decision by the hauler to retrieve waste and recycling bins from significant numbers of residential and commercial customers. This action impeded the City's progress and resulted in recycling materials temporarily going to the landfill rather than being diverted. While the issues driving the slippage have since been corrected, the effects underscored the dependency that the City has on the hauler with respect to reaching adequate levels of diversion.

As a result of that dependency, the most effective and reliable strategy for the City to reach the appropriate diversion rates in a quick and sustainable manner is to partner with the hauler whose expertise and vantage point are invaluable in this process. The current scenario with the hauler does not reasonably allow this to occur. The relationship with the current hauler is the subject of an ongoing legal dispute in which the semiole issues are likely to be resolved within the next couple of weeks. In one scenario, the City would solicit bids for a new franchise agreement. Unlike the previous decades-old franchise agreement, the new franchise would be more responsive to the modern needs of the City with an emphasis on data reporting, program implementation, and consumer education. Under the new terms, the City will be well positioned to implement a more sustainable and effective diversion program.

The City has contracted with HFH consultants to assist with the RFP process and lend expertise to reach our mutual goals. Based on the series of anticipated events, we anticipate having the new franchise agreement, with the modified terms, in place by October. Many of the programs needed to fully comply with the LAP will be quickly phased in once the new agreement is in place.

The primary remaining LAP task that does not rely on the new franchise agreement is the activation of the drop off facility at the county landfill. After a series of delays, this process is back on track as of last week and the City is currently awaiting a property lease agreement from the county. Upon successful review of the document, I will place the item on the next City Council meeting for consideration and approval by the City Council. The next step would be for the County Board of Supervisors to approve the agreement. While the City has limited control over that timing, the City commits to making every reasonable effort to expedite the process. Once the property lease agreement has been finalized the City will immediately begin making the necessary capital improvements to the site and securing the labor necessary to operate the facility on a day-to-day basis.

After consulting with Mr. Hilton from HFH, I am requesting a time extension until December 31, 2011.

My estimated timeline is listed below:

agreement	May 2011	public input/listening sessions regarding franchise
	May 2011	RFP issuance
drop off	May 2011	City Council approval of property lease agreement for
	June 2011	County approval of property lease agreement for drop off
	July 2011	hauler application selection
	July 2011	Capital improvements for drop off facility
	August 2011	negotiation with prospective hauler
	August 2011	Activation of drop off facility
	September 2011	Phase in new hauler with programs
	November 2011	Full program implementation
	December 2011	contingency time for program corrections or adaptations

Please let me know if you have any questions or need any additional information.

Sincerely,

Kurt Wilson  
City Manager  
City of Ridgecrest