

FIRST AMENDMENT TO CASPAR TRANSFER STATION OPERATIONS  
AGREEMENT & LEASE BETWEEN COUNTY OF MENDOCINO AND SOLID  
WASTES OF WILLITS, INC. [BOS AGREEMENT #11-008]

This first amendment to the Caspar Transfer Station Operations Agreement & Lease is made this \_\_\_\_ day of December, 2011, at Ukiah, California between the County of Mendocino [hereinafter, "County"] and Solid Wastes of Willits, Inc.[hereinafter, "SWOW"].

WHEREAS, County and SWOW entered into an agreement on January 25, 2011, with the consent and concurrence of the City of Fort Bragg, providing for operation of the Caspar Transfer Station by SWOW; and

WHEREAS, the agreement provided in Section 14(D) for an annual adjustment to the gate fees based on changes in an index of recycling commodity values; and

WHEREAS, the recycling commodity value adjustment effective January 1, 2012 will apply an increase of \$18,713 in recycling revenue toward reduction in gate fees; and

WHEREAS, County and SWOW wish to apply this adjustment effective January 1, 2012 exclusively to the gate fee for recyclable yard waste, metal and wood, and thereafter allow County to determine how future recycling commodity value adjustments, positive or negative, will be apportioned between solid waste, yard waste, metal and wood;

NOW, THEREFORE the agreement is amended as follows:

1. The following gate fees in Exhibit B of the agreement will be amended effective January 1, 2012 to be:

Solid Waste and Demolition Waste: \$22.75 per cubic yard and \$11.50 per one-half cubic yard, plus any rent as set forth in Section 16(B).

Yard waste, wood waste & metal: \$18.50 per cubic yard and \$9.25 per one-half cubic yard.

2. The following sentence is added to Section 14(D): Recycling commodity value adjustments effective January 1, 2013 and thereafter, either positive or negative,

will be apportioned between solid waste, yard waste, wood waste and metal as directed by County.

3. All other terms and conditions of the agreement remain in effect.

COUNTY OF MENDOCINO

SOLID WASTES OF WILLITS, INC.

\_\_\_\_\_  
Kendall Smith  
Chair, Board of Supervisors

\_\_\_\_\_  
Gerald Ward, CEO

Attest:

\_\_\_\_\_  
Clerk of the Board

Approved as to form:

\_\_\_\_\_  
Jeanine B. Nadel  
County Counsel

Approved as to Insurance Requirements:

\_\_\_\_\_  
Kristin McMenomey, Risk Manager

AMENDMENT APPROVED BY CITY OF FORT BRAGG

\_\_\_\_\_  
Linda Ruffing, City Manager

DATE: \_\_\_\_\_

Attest:

\_\_\_\_\_  
Cynthia M. VanWormer, CMC, City Clerk