

**TENTH AMENDMENT
SOLID WASTE COLLECTION FRANCHISE AGREEMENT
FOR THE NORTHWESTERN AREA OF HUMBOLDT COUNTY**

This Tenth Amendment to the Solid Waste Collection Franchise Agreement dated December 13, 2011, by and between the County of Humboldt, a political subdivision of the State of California, hereinafter referred to as "COUNTY," and Humboldt Sanitation Company, Inc., a California corporation, hereinafter referred to as "CONTRACTOR," shall be effective as of September 1, 2018.

RECITALS

WHEREAS, on December 13, 2011, COUNTY and CONTRACTOR entered into a Solid Waste Collection Franchise Agreement ("Franchise Agreement") for the handling and disposal of solid waste in the northwestern area of Humboldt County for the period of January 1, 2012 to December 31, 2031; and

WHEREAS, COUNTY and CONTRACTOR subsequently amended the Franchise Agreement nine (9) times; and

WHEREAS, the COUNTY is a party to a Memorandum of Understanding Between the Humboldt Waste Management Authority ("HWMA") and its Member Agencies to Participate in a Recycling Processing and Marketing of Curbside Collected Recyclable Material Proposal dated February 8, 2018 (the "MOU"); and

WHEREAS, the Franchise Agreement and California law allow for the adjustment of the rates which may be charged by CONTRACTOR for the handling of solid waste and provision of curbside recycling services pursuant to the Franchise Agreement, such as annual index-based adjustments, changes in the franchise fee or changes in disposal and/or processing costs; and

WHEREAS, consistent with the MOU, the Franchise Agreement and California law, COUNTY and CONTRACTOR wish to amend the Franchise Agreement to adjust the rates charged by CONTRACTOR for the provision of curbside recycling services.

NOW THEREFORE, the parties mutually agree as follows:

1. The rates which may be charged by CONTRACTOR pursuant to Section 14(B)(iv) of the Franchise Agreement shall be as shown in the modified version of Exhibit B – Northwest Humboldt Area Franchise Rates, which is attached hereto and incorporated herein by reference. Such rates shall supersede and replace all prior rates set forth in the Franchise Agreement, and all previous amendments thereto, as of the effective date of this Tenth Amendment. If, at the time this Tenth Amendment is entered into, CONTRACTOR has already billed customers under the previous rates for the period beginning September 1, 2018, then, in a subsequent billing, CONTRACTOR may bill customers for the difference between such rates and the new rates, with respect to services provided from and after September 1, 2018.
2. Except as modified herein, the Franchise Agreement dated December 13, 2011, as previously amended, shall remain in full force and effect. In the event of a conflict between the provisions of this Tenth Amendment and the original Franchise Agreement, or any prior amendments thereto, the provisions of this Tenth Amendment shall govern.

[Signatures on Following Page]

IN WITNESS WHEREOF, the parties hereto have entered into this Tenth Amendment as of the dates indicated below.

TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS:

(1) CHAIRPERSON OF THE BOARD, PRESIDENT, OR VICE PRESIDENT; AND

(2) SECRETARY, ASSISTANT SECRETARY, CHIEF FINANCIAL OFFICER OR TREASURER

HUMBOLDT SANITATION COMPANY, INC.:

By: Greg D. Cain
Gregory D. Cain, President

Date: 9/8/2018

By: Christine A. Cain
Christine A. Cain, CFO

Date: 9/8/2018

COUNTY OF HUMBOLDT:

By: Rex Bohn
Vice Chair, Humboldt County Board of Supervisors

Date: 9/25/18

INSURANCE CERTIFICATES APPROVED:

By: Raughy
Risk Management

Date: 9/21/18

EXHIBIT B: NORTHWEST HUMBOLDT AREA FRANCHISE RATES
EFFECTIVE Sep 1, 2018

Blended Rate \$ 128.89

1	2	3	4	5	6	7	8	9	10	11	
Type of Service	Current Base	Automation	Disposal \$ 128.89	Sub-Total	Franchise Fee	Sub total	Recycling	Total Rate	Frequency of Service	Rounded to 5¢	4.1352% Increase

TABLE 1 CAN RATES - RESIDENTIAL and COMMERCIAL

20 Gallon Can	\$16.30	\$2.66	\$5.59	\$24.55	\$2.43	\$26.97	\$3.39	\$30.37 Weekly		\$ 30.35	\$1.02
30 Gallon Can	\$17.40	\$0.00	\$8.38	\$25.78	\$2.55	\$28.33	\$0.00	\$28.33 Weekly		\$ 28.35	
35 Gallon Can	\$17.43	\$2.88	\$9.77	\$30.08	\$2.97	\$33.05	\$3.83	\$36.88 Weekly		\$ 36.85	\$1.25
45 Gallon Can	\$23.92	\$0.00	\$12.57	\$36.49	\$3.61	\$40.10	\$0.00	\$40.10 Weekly		\$ 40.10	
65 Gallon Can	\$32.80	\$5.41	\$18.15	\$56.37	\$5.57	\$61.94	\$7.19	\$69.13 Weekly		\$ 69.15	\$2.33
95 Gallon Can	\$34.88	\$5.77	\$26.53	\$67.18	\$6.64	\$73.82	\$7.94	\$81.76 Weekly		\$ 81.75	\$2.78

TABLE 2 LARGE CONTAINERS

Monthly service											
1.0 CY	86.98	17.53	56.41	160.92	15.91	176.83	\$22.35	199.18 ONCE PER WEEK		\$ 199.20	\$6.65
	20.07	3.99	13.02	37.08	3.67	40.75	\$5.11	45.86 EACH ADDITIONAL, per		\$ 45.85	\$1.53
1.5 CY	\$119.66	\$19.77	\$84.62	\$224.05	\$22.15	\$246.20	\$26.97	\$273.18 ONCE PER WEEK		\$ 273.20	\$9.26
	\$27.71	\$4.68	\$19.53	\$51.92	\$5.13	\$57.05	\$6.33	\$63.39 EACH ADDITIONAL, per		\$ 63.40	\$2.15
2.0 CY	\$159.52	\$26.36	\$112.82	\$298.70	\$29.53	\$328.23	\$35.96	\$364.19 ONCE PER WEEK		\$ 364.20	\$12.35
	\$36.95	\$6.24	\$26.04	\$69.22	\$6.84	\$76.07	\$8.45	\$84.51 EACH ADDITIONAL, per		\$ 84.50	\$2.86
3.0 CY	\$239.29	\$39.55	\$169.23	\$448.07	\$44.30	\$492.37	\$53.94	\$546.32 ONCE PER WEEK		\$ 546.30	\$18.53
	\$55.44	\$9.51	\$39.05	\$104.01	\$10.28	\$114.29	\$12.68	\$126.96 EACH ADDITIONAL, per		\$ 126.95	\$4.30
4 YD	\$319.31	\$49.43	\$225.64	\$594.39	\$58.77	\$653.16	\$68.86	\$722.01 ONCE PER WEEK		\$ 722.00	\$24.58
	\$73.76	\$12.45	\$52.07	\$138.28	\$13.67	\$151.95	\$16.87	\$168.82 EACH ADDITIONAL, per		\$ 168.80	\$5.72

LARGE CONTAINERS

Per Pick up rates for one container											
5 YD	\$137.23	\$22.67	\$65.09	\$224.98	\$22.24	\$247.23	\$29.60	\$276.83 3 DAY RENTAL		\$ 276.85	\$9.30
14 YD	\$225.28	\$37.23	\$182.25	\$444.75	\$43.98	\$488.73	\$55.98	\$544.70 3 DAY RENTAL		\$ 544.70	\$18.39
18 YD	\$250.82	\$41.46	\$234.32	\$526.60	\$52.07	\$578.67	\$58.90	\$637.57 3 DAY RENTAL		\$ 637.55	\$21.78
20 YD	\$267.21	\$44.16	\$260.36	\$571.73	\$56.53	\$628.26	\$63.19	\$691.45 3 DAY RENTAL		\$ 691.45	\$23.64
40 YD	\$525.48	\$86.85	\$520.72	\$1,133.04	\$112.03	\$1,245.07	\$124.62	\$1,369.70 3 DAY RENTAL		\$ 1,369.70	\$46.85
OVERWEIGHT BINS								\$137.10		\$ 137.10	
Bin Cover for 1.5 YD	\$17.25	\$0.00	\$0.00	\$17.25	\$1.71	\$18.95	\$0.00	\$18.95 1.5 yd bin		\$ 18.95	

TABLE 3 CONTAINER RENTAL RATES

	Current Year Base Rate			
	Monthly	Rounded to 5¢	Daily	Rounded to 5¢
Bin Cover for 20 or 40 YD	\$76.52	\$76.50	\$20.39	\$20.40

TABLE 4 CHARGES FOR SPECIAL SERVICES

	Current	Rounded to 5¢
PER HOUR FOR ONE (1) MAN AND ONE (1) TRUCK:	\$ 83.13	\$83.15
PER CUBIC YARD PICKUP:	\$ 40.26	\$40.25

1.5 Cubic Yard Container occasional use

CHARGE

Prior	Current	Rounded to 5¢
NA	\$69.30	TO DELIVER TO SITE, PLUS
NA	\$58.64	PER EMPTY
NA	\$127.94	\$127.95

TABLE 5

CURBSIDE RECYCLING \$4.00 per month
Once every two weeks