

**AMENDMENT NO. 5 TO FRANCHISE AGREEMENT BETWEEN THE CITY OF
FORT BRAGG AND USA WASTE OF CALIFORNIA INC. DBA EMPIRE WASTE
MANAGEMENT**

This Fifth Amendment to Franchise Agreement Between the City of Fort Bragg and USA Waste of California, Inc. DBA Empire Waste Management (hereinafter, the "Fifth Amendment") is by and between USA Waste of California, Inc., dba Empire Waste Management, hereinafter called "GRANTEE", and the City of Fort Bragg, hereinafter called "CITY," and is made this 10 day of October, 2018 at Fort Bragg, California.

WHEREAS, CITY and GRANTEE entered into a Franchise Agreement (the "Agreement") for the collection, transportation, and disposal of solid waste in the CITY on January 8, 2007; and

WHEREAS, CITY and GRANTEE amended the Agreement by approving a first amendment in 2009, a second amendment in 2011, a third amendment in 2011, and a fourth amendment in 2013; and

WHEREAS, the parties wish to further modify the Agreement to add certain service levels and customer rates;

NOW THEREFORE, it is agreed as follows:

1. The following service levels and rates are hereby added to Exhibit A of the Agreement:

2/CY x 4/WK	\$ 934.24
3/CY x 3/WK	\$ 1,019.26
3/CY x 4/WK	\$ 1,329.34
3/CY x 5/WK	\$ 1,639.42
4/CY x 4/WK	\$ 1,920.26
4/CY x 5/WK	\$ 2,414.81

2. All other terms and conditions of the Agreement shall remain in full force and effect.

CITY OF FORT BRAGG

USA WASTE OF CALIFORNIA, INC.

By:

Title:

Zabotko Miller
City Manager

By:

Title:

[Signature]
Barry Skolnick, President

ATTEST:

By: Jane Lemos
Title: CITY CLERK

APPROVED AS TO FORM:

By: Russell A. Ho
Title: City Attorney