

FIRST AMENDMENT TO FRANCHISE AGREEMENT BETWEEN THE CITY OF FORT BRAGG AND USA WASTE OF CALIFORNIA INC., DBA EMPIRE WASTE MANAGEMENT

This first amendment to the 2007 Franchise Agreement between the City of Fort Bragg ("City") and USA Waste of California Inc., dba Empire Waste Management ("Grantee"), is entered into on the 23rd day of ~~February~~, February, 2009.

City and Grantee agree as follows:

1. The first sentence of Section 6, Subsection H, Residential Bulky Waste Pickup, is amended to read as follows:

Grantee will provide an annual Bulky Waste pickup without charge to residential customers in March or April.

2. The second paragraph of Section 13, Subsection L, Reporting Requirements, is amended to read as follows:

Grantee shall submit monthly reports within 15 calendar days after the end of the reporting month. Grantee shall submit annual reports no later than 150 calendar days after the end of the reporting year.

3. Except as expressly amended herein, the 2007 Franchise Agreement between the City of Fort Bragg and USA Waste of California Inc. is reaffirmed.

IN WITNESS WHEREOF, the parties have executed this Amendment:

CITY OF FORT BRAGG

Linda Ruffing
Linda Ruffing, City Manager

ATTEST:

Cynthia M. VanWormer
By: Cynthia M. VanWormer, CMC,
City Clerk

GRANTEE:

Bruce Steinhilber
USA Waste of California, Inc. dba Empire Waste Management
Bruce Steinhilber as Vice President

APPROVED AS TO FORM:

see attached
Michael Gogna, City Attorney

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FORT BRAGG AND USA WASTE OF CALIFORNIA INC., DBA EMPIRE WASTE
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ATTEST:

APPROVED AS TO FORM:

By: Cynthia M. VanWormer, CMC,
City Clerk

Michael Gogna
Michael Gogna, City Attorney