

**AMENDMENT #3 TO FRANCHISE AGREEMENT  
FOR AREAS OF HUMBOLDT COUNTY (EUREKA AREA)**

This is an amendment to the Franchise Agreement entered into on April 26, 2011 executed by and between the County of Humboldt (COUNTY) and Recology Humboldt County (CONTRACTOR). The parties entered into this amendment on June \_\_\_\_, 2012, and the effective date of this amendment is July 1, 2012.

**RECITALS**

WHEREAS, COUNTY and CONTRACTOR have entered into an Amended and Restated Solid Waste Collection Franchise Agreement dated April 26, 2011 for the handling of solid waste and recyclables in the above-mentioned area (the “Franchise Agreement”), which agreement took effect on January 1, 2011 and is set to expire on December 31, 2020; and

WHEREAS, COUNTY and CONTRACTOR subsequently amended the Franchise Agreement twice, both such amendments having effective dates of July 1, 2011; and

WHEREAS, the Franchise Agreement and state law allow for the adjustment of the Maximum Service Rates to which the rates charged by CONTRACTOR pursuant to said agreement are subject; and

WHEREAS, Section 521-8(b) of Chapter 1 of Division 2 of Title V of the Humboldt County Code provides for rate changes (such as annual index-based adjustments, changes in the franchise fee and/or the recycling percentage set forth in the Franchise Agreement, and changes to disposal and/or processing costs) with a total annual rate increase not exceeding eight percent (8%), to be implemented by amendment to the Franchise Agreement executed by the Franchise Contract Administrator; and

WHEREAS, the parties have agreed to amend the Franchise Agreement to adjust Maximum Service Rates effective July 1, 2012.

NOW, THEREFORE, IT IS AGREED as follows:

1. The Maximum Service Rates which may be charged by CONTRACTOR pursuant to Section 14 of the above-referenced Franchise Agreement shall be as shown in Exhibit A attached hereto and incorporated by reference, and such Exhibit A shall supersede and replace prior Exhibit A of the Franchise Agreement, effective July 1, 2012. Exhibit A-1 of the Franchise Agreement shall be deleted in its entirety.
2. Except as modified herein or by prior amendments, the Franchise Agreement shall remain in full force and effect. In the event of a conflict between the provisions of this amendment and any previous amendment, the provisions of this amendment shall govern. Capitalized terms used but not defined herein shall have the meanings given to them in the Franchise Agreement.

*[Signature page follows]*

IN WITNESS WHEREOF, the parties hereto have executed this amendment on the date set forth above.

**COUNTY OF HUMBOLDT**

BY: *Jasmine N. Murray*  
Franchise Contract Administrator

APPROVED AS TO FORM:

BY: *[Signature]*  
Deputy County Counsel

INSURANCE CERTIFICATES REVIEWED  
AND APPROVED:

BY: *Katya Gaudin for Don Felke*  
Risk Manager

**RECOLOGY HUMBOLDT COUNTY**

BY: *Ed Farewell*  
Ed Farewell  
Vice President & Group Manager

BY: *Michael Leggins*  
Michael Leggins  
Vice President & General Manager

**EXHIBIT A: EUREKA AREA FRANCHISE RATES**

EFFECTIVE JULY 1, 2012

Based on Tip Fee/Ton at HWMA TS of:

\$120.23

Based on Processing Fee/Ton:

\$0.00

**TYPE OF SERVICE**

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
/mo./cont.		Add'l cont.	/cont.		Add'l cont.	/cont.		Add'l cont.	/cont.		Add'l cont.	/cont.		Add'l cont.	/cont.		Add'l cont.

**CAN RATES - RESIDENTIAL**

20 Gallon Cart	\$9.84	\$8.51	\$4.24	\$3.63	\$0.54	\$0.47	\$4.77	\$4.14	\$1.19	\$1.10	\$10.74	\$9.34	\$5.68	\$5.68	\$16.42	\$15.02	Weekly
30 Gallon Cart	\$14.62	\$12.53	\$6.28	\$5.35	\$0.82	\$0.70	\$7.11	\$6.07	\$1.77	\$1.63	\$15.98	\$13.75	\$8.52	\$8.52	\$24.50	\$22.27	Weekly
48 Gallon Cart	\$19.35	\$16.47	\$8.32	\$7.04	\$1.08	\$0.91	\$9.40	\$7.96	\$2.35	\$2.16	\$21.15	\$18.07	\$13.63	\$13.63	\$34.78	\$31.70	Weekly
64 Gallon Cart	\$25.07	\$21.69	\$10.66	\$9.15	\$1.41	\$1.19	\$12.03	\$10.37	\$3.47	\$3.19	\$27.56	\$23.90	\$18.18	\$18.18	\$45.74	\$42.08	Weekly
93 Gallon Toter	\$32.22	\$26.88	\$13.69	\$11.29	\$1.78	\$1.47	\$15.44	\$12.78	\$4.58	\$4.22	\$35.49	\$29.76	\$26.41	\$26.41	\$61.90	\$56.17	Weekly
OCCASIONAL 30 gal.	\$5.76		\$2.50		\$0.32		\$2.83		\$0.58	\$4.22	\$6.23		\$1.97	\$8.20			Per pick-up

**CAN RATES - COMMERCIAL**

20 Gallon Can	\$10.71	\$9.02	\$4.61	\$3.87	\$0.61	\$0.49	\$5.22	\$4.38	\$1.25	\$1.13	\$11.69	\$9.87	\$5.68	\$5.68	\$17.37	\$15.55	Weekly
30 Gallon Can	\$21.41	\$17.97	\$9.23	\$7.69	\$1.20	\$1.01	\$10.43	\$8.70	\$2.50	\$2.26	\$23.36	\$19.67	\$11.36	\$11.36	\$34.72	\$31.03	Twice Weekly
40 Gallon Can	\$32.08	\$26.62	\$13.82	\$11.42	\$1.80	\$1.48	\$15.64	\$12.89	\$3.74	\$3.36	\$35.00	\$29.15	\$17.04	\$17.04	\$52.04	\$46.19	Twice Weekly
64 Gallon Can	\$42.80	\$35.58	\$18.45	\$15.24	\$2.39	\$1.97	\$20.86	\$17.25	\$5.00	\$4.49	\$46.71	\$38.96	\$27.26	\$27.26	\$73.97	\$66.22	Twice Weekly
93 Gallon Can	\$54.60	\$48.20	\$23.26	\$20.47	\$3.03	\$2.66	\$26.30	\$23.15	\$7.36	\$6.70	\$59.94	\$52.97	\$36.36	\$36.36	\$96.30	\$89.33	Twice Weekly
	\$36.26	\$30.33	\$15.46	\$12.82	\$2.01	\$1.67	\$17.49	\$14.52	\$4.86	\$4.46	\$39.82	\$33.46	\$26.41	\$26.41	\$66.23	\$59.87	Weekly
	\$72.52	\$60.78	\$30.92	\$25.72	\$4.03	\$3.34	\$34.97	\$29.08	\$9.72	\$8.91	\$79.63	\$67.05	\$52.82	\$52.82	\$132.45	\$119.87	

**LARGE CONTAINERS Monthly service**

1.0 CY	\$113.13		\$48.81	\$0.00	\$6.34	\$0.00	\$55.18	\$0.00	\$12.99	\$0.00	\$123.33	\$57.37	\$57.37	\$180.70	\$180.70	ONCE PER WEEK
	\$199.41		\$85.72	\$0.00	\$11.15	\$0.00	\$96.93	\$0.00	\$24.07	\$0.00	\$217.87	\$114.74	\$114.74	\$332.61	\$332.61	2x per week
	\$286.07		\$122.79	\$0.00	\$15.97	\$0.00	\$138.88	\$0.00	\$35.20	\$0.00	\$312.84	\$172.11	\$172.11	\$484.95	\$484.95	3x per week
	\$372.62		\$159.83	\$0.00	\$20.78	\$0.00	\$180.77	\$0.00	\$46.30	\$0.00	\$407.68	\$229.48	\$229.48	\$637.16	\$637.16	4x per week
	\$459.18		\$196.87	\$0.00	\$25.59	\$0.00	\$222.64	\$0.00	\$57.41	\$0.00	\$502.52	\$286.85	\$286.85	\$789.37	\$789.37	5x per week
	\$545.78		\$233.93	\$0.00	\$30.41	\$0.00	\$264.57	\$0.00	\$68.52	\$0.00	\$597.43	\$344.22	\$344.22	\$941.65	\$941.65	6x per week
1.5 CY	\$162.88		\$70.20	\$0.00	\$9.12	\$0.00	\$79.38	\$0.00	\$18.99	\$0.00	\$177.69	\$86.06	\$86.06	\$263.75	\$263.75	ONCE PER WEEK
	\$240.95		\$102.80	\$0.00	\$13.36	\$0.00	\$116.29	\$0.00	\$32.02	\$0.00	\$264.47	\$172.12	\$172.12	\$436.59	\$436.59	2x per week
	\$365.76		\$156.12	\$0.00	\$20.31	\$0.00	\$176.58	\$0.00	\$48.33	\$0.00	\$401.34	\$258.18	\$258.18	\$659.52	\$659.52	3x per week
	\$482.76		\$206.00	\$0.00	\$26.77	\$0.00	\$232.98	\$0.00	\$64.10	\$0.00	\$529.85	\$344.24	\$344.24	\$874.09	\$874.09	4x per week
	\$598.12		\$255.11	\$0.00	\$33.19	\$0.00	\$288.56	\$0.00	\$79.75	\$0.00	\$656.61	\$430.30	\$430.30	\$1,086.91	\$1,086.91	5x per week
	\$691.18		\$294.40	\$0.00	\$38.27	\$0.00	\$332.94	\$0.00	\$93.84	\$0.00	\$759.45	\$516.36	\$516.36	\$1,275.81	\$1,275.81	6x per week
2.0 CY	\$161.68		\$69.01	\$0.00	\$8.98	\$0.00	\$78.02	\$0.00	\$21.42	\$0.00	\$177.43	\$114.74	\$114.74	\$292.17	\$292.17	ONCE PER WEEK
	\$284.20		\$120.65	\$0.00	\$15.68	\$0.00	\$136.45	\$0.00	\$40.10	\$0.00	\$312.88	\$229.48	\$229.48	\$542.36	\$542.36	2x per week
	\$406.88		\$172.35	\$0.00	\$22.40	\$0.00	\$194.94	\$0.00	\$58.81	\$0.00	\$448.49	\$344.22	\$344.22	\$792.71	\$792.71	3x per week
	\$529.40		\$223.99	\$0.00	\$29.13	\$0.00	\$253.34	\$0.00	\$77.50	\$0.00	\$583.96	\$458.96	\$458.96	\$1,042.92	\$1,042.92	4x per week
	\$651.88		\$275.59	\$0.00	\$35.82	\$0.00	\$311.74	\$0.00	\$96.21	\$0.00	\$719.36	\$573.70	\$573.70	\$1,293.06	\$1,293.06	5x per week
	\$774.56		\$327.31	\$0.00	\$42.54	\$0.00	\$370.21	\$0.00	\$114.92	\$0.00	\$854.98	\$688.44	\$688.44	\$1,543.42	\$1,543.42	6x per week

**EXHIBIT A- EUREKA AREA FRANCHISE RATES**  
EFFECTIVE JULY 1, 2012

Based on Tip Fee/Ton at HWMA TS of:  
Based on Processing Fee/Ton:

\$120.23  
\$0.00

TYPE OF SERVICE	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	
	PR.YR BASE RATE	Rate Adj.	Rate Adj.	LABOR	FUEL	NO'S	RECYCLING COSTS	CURRENT BASE RATE	DISPOSAL FEES	COMBINED NEW RATE	FREQUENCY OF SERVICE								
	/mo./cont.	Add'l cont.	3.6700%	One cont.   Add'l cont.	One cont.   Add'l cont.	One cont.   Add'l cont.	One cont.   Add'l cont.	One cont.   Add'l cont.	One cont.   Add'l cont.	One cont.   Add'l cont.	One cont.   Add'l cont.	One cont.   Add'l cont.	One cont.   Add'l cont.	One cont.   Add'l cont.	One cont.   Add'l cont.	One cont.   Add'l cont.	One cont.   Add'l cont.	One cont.   Add'l cont.	
2.5 CY	\$202.04			\$86.23	\$0.00	\$11.21	\$0.00	\$97.52	\$0.00	\$26.77	\$0.00	\$221.73	\$143.43	\$143.43	\$365.16	\$365.16			ONCE PER WEEK
	\$361.09			\$153.38	\$0.00	\$19.95	\$0.00	\$173.49	\$0.00	\$50.54	\$0.00	\$397.35	\$286.86	\$286.86	\$684.21	\$684.21			2x per week
	\$520.21			\$220.60	\$0.00	\$28.67	\$0.00	\$249.48	\$0.00	\$74.32	\$0.00	\$573.07	\$430.29	\$430.29	\$1,003.36	\$1,003.36			3x per week
	\$679.37			\$287.78	\$0.00	\$37.41	\$0.00	\$325.49	\$0.00	\$98.14	\$0.00	\$748.82	\$573.72	\$573.72	\$1,322.54	\$1,322.54			4x per week
	\$838.37			\$354.94	\$0.00	\$46.13	\$0.00	\$401.46	\$0.00	\$121.88	\$0.00	\$924.41	\$680.58	\$680.58	\$1,641.56	\$1,641.56			5x per week
	\$997.58			\$422.18	\$0.00	\$54.88	\$0.00	\$477.48	\$0.00	\$145.69	\$0.00	\$1,100.22	\$860.58	\$860.58	\$1,960.80	\$1,960.80			6x per week
3.0 CY	\$222.76			\$94.74	\$0.00	\$12.32	\$0.00	\$107.16	\$0.00	\$30.75	\$0.00	\$244.97	\$172.11	\$172.11	\$417.08	\$417.08			ONCE PER WEEK
	\$400.04			\$169.31	\$0.00	\$22.01	\$0.00	\$191.51	\$0.00	\$58.35	\$0.00	\$441.18	\$344.22	\$344.22	\$785.40	\$785.40			2x per week
	\$577.52			\$243.97	\$0.00	\$31.70	\$0.00	\$275.94	\$0.00	\$85.96	\$0.00	\$637.57	\$516.33	\$516.33	\$1,153.90	\$1,153.90			3x per week
	\$754.85			\$318.57	\$0.00	\$41.40	\$0.00	\$360.32	\$0.00	\$113.57	\$0.00	\$833.85	\$688.44	\$688.44	\$1,522.29	\$1,522.29			4x per week
	\$932.14			\$393.15	\$0.00	\$51.08	\$0.00	\$444.66	\$0.00	\$141.17	\$0.00	\$1,030.06	\$860.55	\$860.55	\$1,890.61	\$1,890.61			5x per week
	\$1,109.60			\$467.79	\$0.00	\$60.79	\$0.00	\$529.10	\$0.00	\$168.79	\$0.00	\$1,226.47	\$1,032.66	\$1,032.66	\$2,259.13	\$2,259.13			6x per week
4.0 CY	\$282.25			\$119.77	\$0.00	\$15.57	\$0.00	\$135.48	\$0.00	\$39.96	\$0.00	\$310.79	\$229.48	\$229.48	\$540.27	\$540.27			ONCE PER WEEK
	\$512.94			\$216.68	\$0.00	\$28.17	\$0.00	\$245.08	\$0.00	\$76.37	\$0.00	\$566.30	\$458.96	\$458.96	\$1,025.26	\$1,025.26			2x per week
	\$743.49			\$313.54	\$0.00	\$40.73	\$0.00	\$354.62	\$0.00	\$112.78	\$0.00	\$821.67	\$688.44	\$688.44	\$1,510.11	\$1,510.11			3x per week
	\$974.19			\$410.44	\$0.00	\$53.31	\$0.00	\$464.23	\$0.00	\$149.20	\$0.00	\$1,077.18	\$917.92	\$917.92	\$1,995.10	\$1,995.10			4x per week
	\$1,204.95			\$507.35	\$0.00	\$65.93	\$0.00	\$573.87	\$0.00	\$185.63	\$0.00	\$1,332.79	\$1,147.40	\$1,147.40	\$2,480.19	\$2,480.19			5x per week
	\$1,435.55			\$604.22	\$0.00	\$78.51	\$0.00	\$683.41	\$0.00	\$222.05	\$0.00	\$1,588.19	\$1,376.88	\$1,376.88	\$2,965.07	\$2,965.07			6x per week
5.0 CY	\$338.61			\$143.43	\$0.00	\$18.64	\$0.00	\$162.23	\$0.00	\$48.97	\$0.00	\$373.27	\$286.85	\$286.85	\$660.12	\$660.12			ONCE PER WEEK
	\$651.96			\$275.62	\$0.00	\$35.82	\$0.00	\$311.78	\$0.00	\$96.22	\$0.00	\$719.44	\$573.70	\$573.70	\$1,293.14	\$1,293.14			2x per week
	\$900.78			\$379.22	\$0.00	\$49.25	\$0.00	\$428.93	\$0.00	\$139.03	\$0.00	\$996.43	\$860.55	\$860.55	\$1,856.98	\$1,856.98			3x per week
	\$1,181.92			\$497.12	\$0.00	\$64.60	\$0.00	\$562.30	\$0.00	\$184.07	\$0.00	\$1,308.09	\$1,147.40	\$1,147.40	\$2,455.49	\$2,455.49			4x per week
	\$1,463.01			\$615.03	\$0.00	\$79.92	\$0.00	\$695.65	\$0.00	\$229.09	\$0.00	\$1,619.69	\$1,434.25	\$1,434.25	\$3,053.94	\$3,053.94			5x per week
	\$1,744.14			\$732.94	\$0.00	\$95.24	\$0.00	\$829.02	\$0.00	\$274.12	\$0.00	\$1,931.32	\$1,721.10	\$1,721.10	\$3,652.42	\$3,652.42			6x per week
6.0 CY	\$393.56			\$166.45	\$0.00	\$21.63	\$0.00	\$188.25	\$0.00	\$57.90	\$0.00	\$434.23	\$344.22	\$344.22	\$778.45	\$778.45			ONCE PER WEEK
	\$723.67			\$304.72	\$0.00	\$39.60	\$0.00	\$344.67	\$0.00	\$111.41	\$0.00	\$800.40	\$688.44	\$688.44	\$1,488.84	\$1,488.84			2x per week
	\$1,063.92			\$443.06	\$0.00	\$57.57	\$0.00	\$501.16	\$0.00	\$164.98	\$0.00	\$1,166.77	\$1,032.66	\$1,032.66	\$2,199.43	\$2,199.43			3x per week
	\$1,384.04			\$581.34	\$0.00	\$75.52	\$0.00	\$657.57	\$0.00	\$218.54	\$0.00	\$1,532.97	\$1,376.88	\$1,376.88	\$2,909.85	\$2,909.85			4x per week
	\$1,714.15			\$719.63	\$0.00	\$93.50	\$0.00	\$813.97	\$0.00	\$272.08	\$0.00	\$1,899.17	\$1,721.10	\$1,721.10	\$3,620.27	\$3,620.27			5x per week
	\$2,044.30			\$857.91	\$0.00	\$111.46	\$0.00	\$970.41	\$0.00	\$325.64	\$0.00	\$2,265.42	\$2,065.32	\$2,065.32	\$4,330.74	\$4,330.74			6x per week
7.0 CY	\$441.04			\$186.15	\$0.00	\$24.19	\$0.00	\$210.54	\$0.00	\$66.30	\$0.00	\$487.18	\$401.59	\$401.59	\$888.77	\$888.77			ONCE PER WEEK
	\$813.46			\$341.84	\$0.00	\$44.41	\$0.00	\$386.64	\$0.00	\$127.89	\$0.00	\$900.78	\$803.18	\$803.18	\$1,703.96	\$1,703.96			2x per week
	\$1,185.93			\$497.53	\$0.00	\$64.63	\$0.00	\$562.76	\$0.00	\$189.51	\$0.00	\$1,314.44	\$1,204.77	\$1,204.77	\$2,519.21	\$2,519.21			3x per week
	\$1,558.47			\$653.25	\$0.00	\$84.87	\$0.00	\$738.92	\$0.00	\$251.13	\$0.00	\$1,728.16	\$1,606.36	\$1,606.36	\$3,334.52	\$3,334.52			4x per week
	\$1,930.74			\$808.86	\$0.00	\$105.08	\$0.00	\$914.94	\$0.00	\$312.73	\$0.00	\$2,141.61	\$2,007.95	\$2,007.95	\$4,149.56	\$4,149.56			5x per week
	\$2,303.34			\$964.63	\$0.00	\$125.30	\$0.00	\$1,091.10	\$0.00	\$374.37	\$0.00	\$2,555.41	\$2,409.54	\$2,409.54	\$4,964.95	\$4,964.95			6x per week

**EXHIBIT A: EUREKA AREA FRANCHISE RATES**  
EFFECTIVE JULY 1, 2012

Based on Tip Fee/Ton at HWMA TS of: \$120.23  
Based on Processing Fee/Ton: \$0.00

TYPE OF SERVICE	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	
	PR YR BASE RATE	LABOR	FUEL	Includes Recycling and Automated Service Rate Components			RECYCLING COSTS	CURRENT BASE RATE	DISPOSAL FEES	COMBINED NEW RATE	FREQUENCY OF SERVICE								
	/mo./cont.	Add'l cont.	3.67/00%	One cont.	Add'l cont.	One cont.	Add'l cont.	One cont.	Add'l cont.	One cont.	Add'l cont.	One cont.	Add'l cont.	One cont.	Add'l cont.	One cont.	Add'l cont.	One cont.	Add'l cont.

**(TABLE 2; CONTINUED)**

LARGE CONTAINERS		Per Pick up rates for one container	
15 YD	\$202.22	\$84.99	\$0.00
18 YD	\$209.54	\$87.30	\$0.00
20 YD	\$214.43	\$88.81	\$0.00
30 YD	\$238.74	\$93.57	\$0.00
40 YD	\$263.23	\$103.57	\$0.00

**TOTAL:**

\$422.48	Per pick up to 1.515 Tons
\$471.48	Per pick up to 1.818 Tons
\$504.13	Per pick up to 2.0196 Tons
\$667.31	Per pick up to 4.0392 Tons
\$830.70	Per pick up to 4.0392 Tons
\$131.08	per ton for overweight

**TABLE 3**

**CONTAINER RENTAL RATES**

PR YR BASE RATE	Monthly	Daily
1 YARD	\$22.24	N/A
1.5 YARD	\$22.24	N/A
2 YARD	\$22.24	N/A
2.5 YARD	\$22.24	N/A
3 YARD	\$22.24	N/A
4 YARD	\$22.24	N/A
5 YARD	\$22.24	N/A
6 YARD	\$22.24	N/A
7 YARD	\$22.24	N/A
15 YARD	\$139.67	\$19.82
20 YARD	\$139.67	\$19.82
40 YARD	\$139.67	\$19.82

**CURRENT BASE RATE**

Monthly	Daily
\$23.06	N/A
\$23.06	N/A
\$23.06	N/A
\$23.06	N/A
\$23.06	N/A
\$23.06	N/A
\$23.06	N/A
\$23.06	N/A
\$144.80	\$20.55
\$144.80	\$20.55
\$144.80	\$20.55

**TABLE 4 CHARGES FOR SPECIAL SERVICES**

PER HOUR FOR ONE (1) MAN AND ONE (1) TRUCK:	\$62.03
OR	\$26.65 WHICHEVER IS GREATER
PER CUBIC YARD PICKUP	\$8.04 BASE + \$13.24 Disposal
OCCASIONAL USE CONTAINERS:	\$28.70 TO DELIVER TO SITE, PLUS \$39.13 PER EMPTY
(includes container rental)	\$20.53 BASE, + \$13.24 DISPOSAL
REINSTATEMENT OF SERVICE	\$25.00
SPECIAL COLLECTION AFTER IMPROPER SET-OUT	\$25.00
SENIOR SERVICE RATE	\$10.00

**SPECIAL SERVICE FOR BULKY ITEMS & APPLIANCES:**

\$41.25 PER STOP, PLUS "PASS-THROUGH" COST OF DISPOSAL OR RECYCLING

**TABLE 5**

RECYCLING SERVICE	Weekly	\$4.00 per month
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