

OFFICE OF THE CITY ATTORNEY  
CHARLES PARKIN, City Attorney  
411 West Ocean Boulevard, 8th Floor  
Long Beach, CA 90802

1 THIRD AMENDMENT TO NON-EXCLUSIVE FRANCHISE AGREEMENT NO. 32625

2 **32625**

3 THIS THIRD AMENDMENT TO NON-EXCLUSIVE FRANCHISE  
4 AGREEMENT NO. 32625 is made and entered as of July 11, 2022, for reference purposes  
5 only, pursuant to a minute order adopted by the City Council of the City of Long Beach at  
6 its meeting on August 13, 2019, by and between EDCO DISPOSAL CORPORATION DBA  
7 LITTERBOX, a California corporation ("Franchisee"), with its principal place of business  
8 located at 6670 Federal Blvd., Lemon Grove, California 91945, and the CITY OF LONG  
9 BEACH, a municipal corporation ("City").

10 WHEREAS, the City is responsible for the protection of public health and  
11 safety of its citizens, including the collection and transportation of municipal solid waste,  
12 the diversion of municipal solid waste from landfills and conservation of natural resources  
13 and energy, and may provide and regulate private solid waste handling, as defined by  
14 Public Resources Code section 40195, and solid waste disposal, as defined by Public  
15 Resources Code section 40192, by private refuse haulers for commercial and multi-family  
16 residential buildings in the City in order to fulfill those obligations; and

17 WHEREAS, City and Franchisee (the "Parties") entered into Agreement No.  
18 32625 (the "Agreement") whereby Franchisee agreed to provide integrated waste  
19 management services for commercial and multi-family establishments in the City of Long  
20 Beach for an initial period of seven (7) years; and

21 WHEREAS, in accordance with the Agreement, since the Franchisee  
22 provided proof that one hundred percent (100%) of the vehicles used by Franchisee to haul  
23 refuse in the City were Alternative Fuel Vehicles by October 1, 2012, the Agreement  
24 authorized a three (3) year extension to the term; and

25 WHEREAS, the Parties entered into a First Amendment to the Agreement to  
26 extend the term to September 30, 2019; and

27 WHEREAS, on August 13, 2019, the City Council authorized an extension,  
28 which allowed haulers to provide service through September 30, 2022, with two (2)

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1 additional one-year extensions at the City Manager's discretion; and

2 WHEREAS, the Parties entered into a Second Amendment to the Agreement  
3 to extend the term to September 30, 2022, and update the required operational standards;  
4 and

5 WHEREAS, the Parties desire to utilize their first option to extend the term  
6 one additional one-year period;

7 NOW, THEREFORE, in consideration of the mutual terms, covenants, and  
8 conditions herein contained, the Parties agree as follows:

9 1. Section 3.1 of the Agreement is hereby amended to read as follows:

10 "3.1. Term. Unless this paragraph is subsequently modified by a written  
11 amendment to this Agreement, the term of this Agreement will begin on the Effective Date  
12 and terminate at the end of day on September 30, 2023, unless sooner terminated as  
13 provided elsewhere in the Agreement. The Agreement may be extended for one (1)  
14 additional one-year period, at the discretion of the City Manager."

15 2. Except as expressly modified herein, all of the terms and conditions  
16 contained in Agreement No. 32625 are ratified and confirmed and shall remain in full force  
17 and effect.

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IN WITNESS WHEREOF, the Parties have caused this document to be duly executed with all formalities required by law as of the date first stated above.

EDCO DISPOSAL CORPORATION DBA  
LITTERBOX, a California corporation

OCTOBER 3, 2022

By [Signature]  
Name STEVE SUTEL  
Title PRESIDENT

October 3, 2022

By [Signature]  
Name Alan Walsh  
Title C.F.O.

"Franchisee"

CITY OF LONG BEACH, a municipal corporation

February 2, <sup>2023</sup>~~2022~~

By [Signature]  
City Manager

"City"

This Third Amendment to Non-Exclusive Franchise Agreement No. 32625 is approved as to form on NOVEMBER 1, 2022.

CHARLES PARKIN, City Attorney

By [Signature]  
Deputy

EXECUTED PURSUANT  
TO SECTION 301 OF  
THE CITY CHARTER.