

OFFICE OF THE CITY ATTORNEY  
CHARLES PARKIN, City Attorney  
411 West Ocean Boulevard, 9th Floor  
Long Beach, CA 90802

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FOURTH AMENDMENT TO NON-EXCLUSIVE FRANCHISE AGREEMENT NO. 32127

32127

THIS FOURTH AMENDMENT TO NON-EXCLUSIVE FRANCHISE AGREEMENT NO. 32127 is made and entered as of July 11, 2022, for reference purposes only, pursuant to a minute order adopted by the City Council of the City of Long Beach at its meeting on August 13, 2019, by and between CONSOLIDATED DISPOSAL SERVICE, L.L.C. DBA REPUBLIC SERVICES, a Delaware limited liability company ("Franchisee"), with its principal place of business located at 18500 N. Allied Way, Phoenix, Arizona 85054, and the CITY OF LONG BEACH, a municipal corporation ("City").

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

WHEREAS, City and Franchisee (the "Parties") entered into Agreement No. 32127 (the "Agreement") whereby Franchisee agreed to provide integrated waste management services for commercial and multi-family establishments in the City of Long Beach for an initial period of seven (7) years; and

WHEREAS, in accordance with the Agreement, since Franchisee provided proof that one hundred percent (100%) of the vehicles used by Franchisee to haul refuse in the City were Alternative Fuel Vehicles by October 1, 2013, the Agreement authorized a two (2) year extension to the term; and

WHEREAS, the Parties entered into a First Amendment to the Agreement to extend the term to September 30, 2018; and

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

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1 WHEREAS, on August 13, 2019, the City Council authorized an extension,  
2 which allowed haulers to provide service through September 30, 2022, with two (2)  
3 additional one-year extensions at the City Manager's discretion; and

4 WHEREAS, the Parties entered into a Third Amendment to the Agreement  
5 to extend the term to September 30, 2022, and update the required operational standards;  
6 and

7 WHEREAS, the Parties desire to utilize their first option to extend the term  
8 one (1) additional one-year period;

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

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

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

17 2. Except as expressly modified herein, all of the terms and conditions  
18 contained in Agreement No. 32127 are ratified and confirmed and shall remain in full force  
19 and effect.

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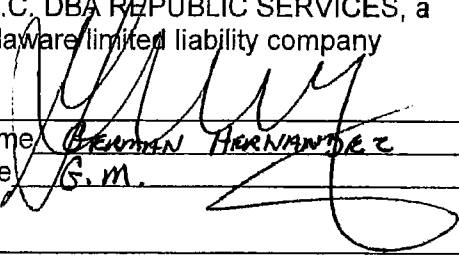
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IN WITNESS WHEREOF, the Parties have caused this document to be duly executed with all formalities required by law as of the date first stated above.

CONSOLIDATED DISPOSAL SERVICE,  
L.L.C. DBA REPUBLIC SERVICES, a  
Delaware limited liability company

September 25, 2022

By   
Name BENJAMIN HERNANDEZ  
Title S.M.

\_\_\_\_\_, 2022

By \_\_\_\_\_  
Name \_\_\_\_\_  
Title \_\_\_\_\_

EXECUTED PURSUANT  
TO SECTION 301 OF  
THE CITY CHARTER.

"Franchisee"

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

CITY OF LONG BEACH, a municipal  
corporation

By Linda F. Jatum  
City Manager

"City"

This Fourth Amendment to Non-Exclusive Franchise Agreement No. 32127  
is approved as to form on NOVEMBER 1, 2022.

CHARLES PARKIN, City Attorney

By   
Deputy