

1 FIRST AMENDMENT TO AGREEMENT NO. 28344

2 **28344**

3 THIS FIRST AMENDMENT TO AGREEMENT NO. 28344 is made and
4 entered, in duplicate, as of October 6, 2009 for reference purposes only, pursuant to
5 Resolution No. C-28109 adopted by the City Council of the City of Long Beach at its
6 meeting held on November 12, 2002, by and between WASTE MANAGEMENT
7 COLLECTION AND RECYCLING, INC., a California corporation, doing business as
8 WASTE MANAGEMENT OF SAN GABRIEL/POMONA VALLEY ("Contractor") located at
9 13940 East Live Oak Avenue, Baldwin Park, California 91706, and the CITY OF LONG
10 BEACH, a municipal corporation ("City").

11 WHEREAS, Section 1802 of the Long Beach City Charter permits the City
12 to enter contracts through the contracts of governmental agencies when authorized to do
13 so by a resolution; and

14 WHEREAS, Resolution No. C-28109 authorized the City Manager to enter
15 a contract with Contractor to obtain recycling services; and

16 WHEREAS, the parties entered Agreement No. 28344 whereby Contractor
17 agreed to provide recycling services pursuant to Resolution No. C-28109; and

18 WHEREAS, the parties desire to extend the term of Agreement No. 28344;

19 NOW, THEREFORE, in consideration of the mutual terms and conditions
20 herein, the parties agree as follows:

21 1. Section 3 of Agreement No. 28344 is amended in its entirety to read
22 as follows:

23 "3. The initial term of this Agreement shall begin on January 1, 2003 and
24 shall end on December 31, 2009. The extended term of this Agreement shall begin on
25 January 1, 2010 and shall end on December 31, 2012. This Agreement may be
26 terminated as stated in the Pasadena Contract."

27 2. Except as expressly amended in this First Amendment, all terms and
28 conditions in Agreement No. 28344 are ratified and confirmed and shall remain in full

OFFICE OF THE CITY ATTORNEY
ROBERT E. SHANNON, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

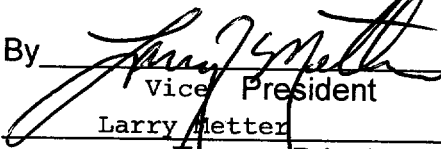
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Long Beach, CA 90802-4664

1 force and effect.

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

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8 _____, 2009

WASTE MANAGEMENT COLLECTION
AND RECYCLING, INC., a California
corporation doing business as WASTE
MANAGEMENT OF SAN
GABRIEL/POMONA VALLEY

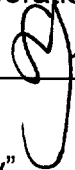
By 
Vice President
Larry Metter
Type or Print Name

9
10 _____, 2009


By _____
Secretary

Type or Print Name

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15 Dec 1, 2009

"Contractor"
CITY OF LONG BEACH, a municipal
corporation -
By  Assistant City Manager
City Manager
**EXCLUDED PURSUANT
TO SECTION 301 OF
THE CITY CHARTER.**
"City"

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18 This First Amendment to Agreement No. 28344 is approved as to form on
19 Nov. 5, 2009.

ROBERT E. SHANNON, City Attorney
By 
Deputy

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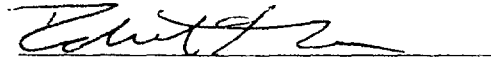
ASSISTANT SECRETARY'S CERTIFICATE

USA WASTE OF CALIFORNIA, INC.

The undersigned, being the Assistant Secretary of USA Waste of California, Inc., a Delaware corporation ("the Company"), do hereby certify that the following resolution was adopted by the Board of Directors of the Company and that such resolution has not been amended, modified or rescinded and is in full force and effect as of the date hereof:

RESOLVED, that Larry Metter (Vice President), or any officer of the Company be, and hereby is authorized, following compliance with appropriate corporate policies and procedures, to execute by and on behalf of the Company any and all agreements, instruments, documents or papers, as they may deem appropriate or necessary, pertaining to, or relating to the RFP PW 09-007 between USA Waste of California, Inc. dba Waste Management and the City of Long Beach, California, in connection with Receiving, Processing and Transfer and Disposal Service, and that any such action taken to date is hereby ratified and approved.

Dated: October 13, 2009



Robert E. Longo
Assistant Secretary