SECOND AMENDMENT TO THE AGREEMENT FOR COUNTYWIDE HOUSEHOLD HAZARDOUS WASTE COLLECTION PROGRAM

The Agreement for Countywide Household Hazardous Waste Collection Program (AGREEMENT) by and between the City of Milpitas (CITY) and the County of Santa Clara (COUNTY) previously entered into on July 1, 2012, as amended on April 23, 2013, is hereby amended as set forth below.

The COUNTY and the CITY agree that:

1. Section 18. ADDITIONAL SERVICES UNDER THIS AGREEMENT is amended in full to read:

   18. ADDITIONAL SERVICES UNDER THIS AGREEMENT

   CITY may elect to augment funding provided for in this Agreement with CITY funds. Additional services shall be made available upon written agreement between the CITY's authorized representative and the Director of the Department of Agriculture and Environmental Management. Additional services may include, but are not limited to, additional appointments (charged at the variable cost per car rate), door-to-door HHW collection, universal waste collection, and abandoned waste collection.

   CITY agrees to augment up to an additional $ 5,000 to the Countywide HHW Program during Fiscal Year 2015 for the purpose of increased resident participation above the 4% service level at the scheduled collection dates listed in Attachment C. Augmentation will be calculated at the Variable Cost per Car rate which is $62.00 per car. Other services will be charged based on a cost recovery basis. CITY authorizes the COUNTY to use CITY'S Available Discretionary Funding portion of the AB939 HHW Fee, if available, to pay for the above agreed additional augmentation amount.

   At the end of each fiscal year, a final annual cost statement shall be prepared by COUNTY and issued to CITY by November 30th. The annual cost statement will take into consideration costs incurred on behalf of CITY for additional services and all payments made by CITY to COUNTY. If any balance is owed to COUNTY, it will be due within 30 days following receipt of the annual cost statement. If any credit is owed to CITY, COUNTY will refund that amount to CITY within 30 days following delivery of the annual cost statement.

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2. Attachment C to the AGREEMENT is replaced in full by the Exhibit C "HHW Schedule for Collection Events for Fiscal Year 2014/2015" attached hereto and incorporated herein by this reference.

Except as provided herein, all terms and conditions of the AGREEMENT shall remain in full force and effect.

IN WITNESS WHEREOF, COUNTY and CITY, through their duly authorized representatives, have entered into this Second Amendment to the AGREEMENT on the last date shown below:

COUNTY OF SANTA CLARA

Signature:

Amy L. Brown
Director, Department of Agriculture and Environmental Management

Date: 3/20/14

CITY OF MILPITAS

Signature:

Name:

Title:

Date:

APPROVED AS TO FORM AND LEGALITY

Michael L. Rossi
Deputy County Counsel

Date: 3/12/14

APPROVED BY THE OFFICE OF THE COUNTY EXECUTIVE

Sylvia Gallegos
Deputy County Executive

Date: 03-17-2014

EXHIBIT C: HHW SCHEDULE FOR COLLECTION EVENTS FISCAL YEAR 2014/2015

2014/Month	Day	Date	Location	Type of Event	County Holidays/ Notes
July	Saturday	5	No Event	No Event	FOURTH OF JULY
	Fri,Sat	11,12	San Jose	Permanent	
	Fri,Sat	18,19	San Jose	Permanent	
	Saturday	19	Sunnyvale	Permanent	
	Fri,Sat	25,26	San Jose	Permanent	
August	Fri,Sat	1,2	San Martin	Permanent	
	Fri,Sat	1,2	San Jose	Permanent	
	Fri,Sat	8,9	San Jose	Permanent	
	Fri,Sat	15,16	San Jose	Permanent	
	Saturday	16	Sunnyvale	Permanent	
	Fri,Sat	22,23	San Jose	Permanent	
	Fri	29	San Jose	Permanent	
	Saturday	30	No Event	No Event	LABOR DAY WEEKEND
September	Fri,Sat	5,6	San Martin	Permanent	
	Fri,Sat	5,6	San Jose	Permanent	
	Fri,Sat	12,13	San Jose	Permanent	
	Fri,Sat	19,20	San Jose	Permanent	
	Saturday	20	Sunnyvale	Permanent	
	Fri,Sat	26,27	San Jose	Permanent	
	Saturday	27	Santa Clara	Temporary	
October	Fri,Sat	3,4	San Martin	Permanent	
	Fri,Sat	3,4	San Jose	Permanent	
	Fri,Sat	10,11	San Jose	Permanent	
	Fri,Sat	17,18	San Jose	Permanent	
	Saturday	18	Sunnyvale	Permanent	
	Fri,Sat	24,25	San Jose	Permanent	
November	Fri,Sat	31,1	San Martin	Permanent	
	Fri,Sat	31,1	San Jose	Permanent	
	Fri,Sat	7,8	San Jose	Permanent	
	Fri,Sat	14,15	San Jose	Permanent	
	Saturday	15	Sunnyvale	Permanent	
	Fri,Sat	21,22	San Jose	Permanent	
	Saturday	29	No Event	No Event	THANKSGIVING
December	Fri,Sat	5,6	San Martin	Permanent	
	Fri,Sat	5,6	San Jose	Permanent	
	Fri,Sat	12,13	San Jose	Permanent	
	Fri,Sat	19,20	San Jose	Permanent	
	Saturday	27	No Event	No Event	CHRISTMAS
2015/Jan	Saturday	3	No Event	No Event	NEW YEAR
	Fri,Sat	9,10	San Jose	Permanent	
	Fri,Sat	16,17	San Jose	Permanent	
	Saturday	17	Sunnyvale	Permanent	
	Fri,Sat	23,24	San Jose	Permanent	
	Fri,Sat	30,31	San Jose	Permanent	

HHW SCHEDULE FOR COLLECTION EVENTS FISCAL YEAR 2014/2015-continued

2015/Month	Day	Date	Location	Type of Event	County Holidays/ Notes
February	Fri,Sat	6,7	San Martin	Permanent	
	Fri,Sat	6,7	San Jose	Permanent	
	Fri,Sat	13,14	San Jose	Permanent	
	Fri,Sat	20,21	San Jose	Permanent	
	Saturday	21	Sunnyvale	Permanent	
	Fri,Sat	27,28	San Jose	Permanent	
March	Fri,Sat	6,7	San Martin	Permanent	
	Fri,Sat	6,7	San Jose	Permanent	
	Fri,Sat	13,14	San Jose	Permanent	
	Fri,Sat	20,21	San Jose	Permanent	
	Saturday	21	Sunnyvale	Permanent	
	Fri,Sat	27,28	San Jose	Permanent	
April	Fri,Sat	3,4	San Martin	Permanent	
	Fri,Sat	3,4	San Jose	Permanent	
	Fri,Sat	10,11	San Jose	Permanent	
	Saturday	11	Los Altos	Temporary	
	Fri,Sat	17,18	San Jose	Permanent	
	Saturday	18	Sunnyvale	Permanent	
	Fri,Sat	24,25	San Jose	Permanent	
	Saturday	25	Santa Clara	Temporary	
May	Fri,Sat	1,2	San Martin	Permanent	
	Fri,Sat	1,2	San Jose	Permanent	
	Fri,Sat	8,9	San Jose	Permanent	
	Fri,Sat	15,16	San Jose	Permanent	
	Saturday	16	Sunnyvale	Permanent	
	Fri	22	San Jose	Permanent	
	Saturday	23	No Event	No Event	MEMORIAL DAY WEEKEND
	Fri,Sat	29,30	San Jose	Permanent	
June	Fri,Sat	5,6	San Martin	Permanent	
	Fri,Sat	5,6	San Jose	Permanent	
	Fri,Sat	12,13	San Jose	Permanent	
	Fri,Sat	19,20	San Jose	Permanent	
	Saturday	20	Sunnyvale	Permanent	
	Fri,Sat	26,27	San Jose	Permanent	
	Saturday	27	Milpitas	Temporary	

*SUBJECT TO CHANGE 3/17/2014