

MEMORANDUM OF UNDERSTANDING NO. 10776

DESCRIPTION: THIRD AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN PLACER COUNTY AND NEVADA COUNTY FOR USE OF THE EASTERN REGIONAL MATERIAL RECOVERY FACILITY

This Third Amendment is made and entered into this 17th day of December, 2019, by and between the County of Placer, hereinafter referred to as "Placer County", and the County of Nevada, hereinafter referred to as "Nevada County".

WITNESSETH

WHEREAS, on the 9TH day of December, 1997, Placer County and Nevada County entered into a Memorandum of Understanding for use of the Eastern Regional Material Recovery Facility (ERMRF) located at 900 Cabin Creek Road off State Route 89, approximately three miles south of the Town of Truckee, California for the recovery of recyclable materials from the waste stream delivered to the ERMRF from various local jurisdictions including Placer County and Nevada County; and,

WHEREAS, Memorandum of Understanding expired twenty (20) years from the date of signing; and,

WHEREAS, on the 10th day of January, 2018, Placer County and Nevada County executed the First Amendment to extend the term of the Memorandum of Understanding to December 31, 2018; and,

WHEREAS, on the 11th day of December, 2018, Placer County and Nevada County executed the Second Amendment to extend the term of the Memorandum of Understanding to December 31, 2019; and,

WHEREAS, Placer County and Nevada County desire to extend the term of the Memorandum of Understanding to January 31, 2020 for the purposes of finalizing negotiations on a proposed new multiyear Memorandum of Understanding between the parties for use of the ERMRF; and,

WHEREAS, Placer County and Nevada County wish to memorialize in this Third Amendment their agreement regarding the foregoing issues.

NOW, THEREFORE, it is hereby agreed by the parties as follows:

I. Section 2. TERM: Paragraph 1, First Sentence, revise as follows:

"This Memorandum of Understanding shall expire on January 31, 2020 unless terminated under the following circumstances:"

II. Except as expressly provided in this Third Amendment, the Memorandum of Understanding shall remain unchanged and in full force and effect. After this Third Amendment is duly executed and delivered by Placer County and Nevada County, this

Third Amendment shall be and constitute an integral part of the Memorandum of Understanding.

[Signatures on following page]

County of Nevada (Nevada County)

By: _____
Chair, Board of Supervisors

_____ Date

APPROVED AS TO FORM

By: _____
Nevada County Counsel

County of Placer (Placer County)

By: _____
Print Name: _____
Title: _____
Date: _____

APPROVED AS TO FORM:

By: _____
Placer County Counsel