



RESOLUTION No. 18-587

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

APPROVAL OF AMENDMENT NO. 2, TO THE MEMORANDUM OF UNDERSTANDING BETWEEN PLACER COUNTY AND NEVADA COUNTY FOR USE OF THE EASTERN REGIONAL MATERIAL RECOVERY FACILITY (DISTRICT 5)

WHEREAS, on December 9, 1997, the Nevada County Board of Supervisors approved Resolution 97-523, authorizing a Memorandum of Understanding between Placer County and Nevada County for use of the Eastern Regional Material Recovery Facility for disposal of solid waste generated in Eastern Nevada County; and

WHEREAS, this 20-year agreement was scheduled to expire on December 9, 2017 and Resolution 17-600 extended the expiration date to December 31, 2018; and

WHEREAS, this amendment would extend the term of the existing Memorandum of Understanding to December 31, 2019, with no other changes proposed; and

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Nevada County Board of Supervisors:

1. Approves Amendment No. 2 and authorizes the Chair of the Board of Supervisors to execute on behalf of Nevada County the attached Amendment No. 2 to the Memorandum of Understanding between Placer County and Nevada County for use of the Eastern Regional Material Recovery Facility, extending the expiration date to December 31, 2019.

PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 11th day of December, 2018, by the following vote of said Board:

Ayes: Supervisors Heidi Hall, Edward Scofield, Dan Miller, Hank Weston and Richard Anderson
Noes: None.
Absent: None.
Abstain: None.

ATTEST:

JULIE PATTERSON HUNTER
Clerk of the Board of Supervisors

By: 


Edward Scofield, Chair

12/11/2018 cc: DPW*
AC* (Hold)

1/25/19 cc: DPW*
AC* (Release)
Placer County

MEMORANDUM OF UNDERSTANDING NO. 10776**DESCRIPTION: SECOND AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN PLACER COUNTY AND NEVADA COUNTY FOR USE OF THE EASTERN REGIONAL MATERIAL RECOVERY FACILITY**

This Second Amendment is made and entered into this 11th day of December, 2018, 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, Placer County and Nevada County desire to Amend the Agreement to extend the term of the Memorandum of Understanding to December 31, 2019; and,

WHEREAS, Placer County and Nevada County wish to memorialize in this 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 December 31, 2019 unless terminated under the following circumstances:"

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

County of Nevada (Nevada County)

By: 
Chair, Board of Supervisors

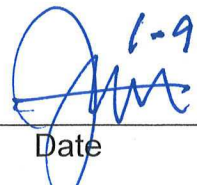
12/14/18
Date

APPROVED AS TO FORM

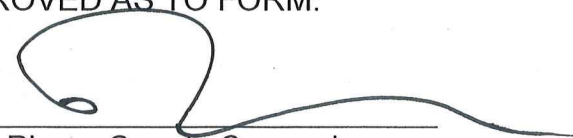
By: 
Nevada County Counsel

County of Placer (Placer County)

By: 
Chair, Board of Supervisors

By: 
Date 1-9-19

APPROVED AS TO FORM:

By: 
Placer County Counsel