

**RESOLUTION NO. 071198**

**BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA**

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**RESOLUTION APPROVING AMENDMENT TO THE OPERATIONS AGREEMENT  
WITH SOUTH BAY RECYCLING, LLC FOR OPERATION OF THE SHOREWAY  
RECYCLING AND DISPOSAL CENTER IN SAN CARLOS**

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**RESOLVED**, by the Board of Supervisors of the County of San Mateo, State of California, that

**WHEREAS**, on July 23, 2009, the South Bayside Waste Management Authority (SBWMA) Board approved the Operations Agreement (Agreement) with South Bay Recycling, LLC (SBR) to operate the Shoreway Recycling and Disposal Center (Shoreway Center), consisting of a transfer station for garbage and materials recovery facility for recyclables located in San Carlos; and

**WHEREAS**, the Agreement became effective after eight of the twelve SBWMA Member agencies approved the Agreement as provided in Section 7.1.1 of the SBWMA First Amended and Restated Joint Exercise of Powers Agreement; and

**WHEREAS**, on October 20, 2009, the Board adopted Resolution No. 070422 which approved a new Agreement between SBWMA and SBR for operation of the Shoreway Center from January 1, 2011 through December 31, 2020; and;

**WHEREAS**, in connection with the Agreement and commencement of the new garbage and recyclables collection service for the SBWMA service area effective January 1, 2011, construction at the Shoreway Center has included substantial

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renovations to the existing transfer station and construction of a materials recovery facility; and

**WHEREAS**, construction at the Shoreway Center was to be completed by January 1, 2011 consistent with commencement of the Agreement, however, the estimated completion of the Shoreway Center is now April 2011; and

**WHEREAS**, due to the anticipated timing for completion of the Shoreway Center construction and discussion between SBWMA and SBR, proposed modifications to the Agreement are warranted and recommended; and

**WHEREAS**, the SBWMA Board approved the amendment to the Agreement at their meeting on October 28, 2010 and has requested that the Member Agencies consider approval of the amendment; and

**WHEREAS**, the Department has reviewed the amendment and is recommending that the Board approve the amendment to the Agreement.

**NOW THEREFORE, IT IS HEREBY DETERMINED AND ORDERED** as follows:

The Board of Supervisors hereby approves the amendment to the Agreement for Operation of the Shoreway Recycling and Disposal Center between the SBWMA and the South Bay Recycling, LLC. Provided, however, that the amendment to the Agreement shall not become effective until at least eight (8) of the twelve (12) Member Agencies approve the amendment to the Agreement (per Section 7.1.1 of the SBWMA First Amended and Restated Joint Exercise of Powers Agreement).

\* \* \* \* \*

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Regularly passed and adopted this 14<sup>th</sup> day of December, 2010.

AYES and in favor of said resolution:

Supervisors:

MARK CHURCH

CAROLE GROOM

ROSE JACOBS GIBSON

ADRIENNE J. TISSIER

NOES and against said resolution:

Supervisors:

NONE

Absent Supervisors:

NONE

Carole Groom

Vice President, Board of Supervisors  
County of San Mateo  
State of California

Certificate of Delivery

I certify that a copy of the original resolution filed in the Office of the Clerk of the Board of Supervisors of San Mateo County has been delivered to the President of the Board of Supervisors.

Marie L. Peterson

Marie L. Peterson, Deputy  
Clerk of the Board of Supervisors

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