

## **FIRST 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 Town of Los Gatos (CITY) and the County of Santa Clara (COUNTY) previously entered into on June 17, 2021, is hereby amended as set forth below.

The COUNTY and the CITY agree that:

1. Section 16. ADDITIONAL SERVICES UNDER THIS AGREEMENT is amended in full to read:

### 16. ADDITIONAL SERVICES UNDER THIS AGREEMENT

CITY must augment funding provided under this Agreement to cover the cost of a minimum participation level of 4% of CITY households; CITY may also elect to augment funding to provide additional services to increase CITY participation beyond the 4% minimum participation level. Additional services shall be made available upon written agreement between the CITY's authorized representative and the County Executive Officer or designee. Additional services may include, but are not limited to, additional appointments (charged at the Variable Cost Per Car rate), door-to-door HHW collection, used oil filter collection, universal waste collection, electronic waste collection, and abandoned waste collection.

CITY agrees to augment up to an additional \$66,018 to the Countywide HHW Program during Fiscal Year 2022 for the purpose of attaining or increasing CITY household participation above the 4% minimum participation level at the scheduled collection dates listed in Attachment C, attached hereto and incorporated herein. Augmentation will be calculated, where applicable, at the Variable Cost Per Car rate. 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 offset the above agreed additional augmentation amount.

CITY agrees to augment up to an additional \$64,552 to the Countywide HHW Program during Fiscal Year 2023 for the purpose of attaining or increasing CITY household participation above the 4% minimum participation level at the scheduled collection dates listed in Attachment C-1, attached hereto and incorporated herein. Augmentation will be calculated, where applicable, at the Variable Cost Per Car rate. 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 offset 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.

- 2. Attachment C-1 "HHW Schedule For Collection Events for Fiscal Year 2022/2023" attached hereto and incorporated herein by this reference is hereby added to the AGREEMENT.

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 First Amendment to the AGREEMENT on the last date shown below:

COUNTY OF SANTA CLARA

TOWN OF LOS GATOS

Signature:

Signature:

\_\_\_\_\_  
Jeffery V. Smith  
County Executive

\_\_\_\_\_  
Laurel Prevetti, Town Manager

Date: \_\_\_\_\_

Date: \_\_\_\_\_

**APPROVED AS TO FORM AND LEGALITY**

APPROVED AS TO FORM:

\_\_\_\_\_  
Willie Nguyen  
Deputy County Counsel

\_\_\_\_\_  
Robert Schultz, Town Attorney

Date: \_\_\_\_\_

Date: \_\_\_\_\_

**ATTACHMENT C-1: HHW SCHEDULE OF PERMANENT & TEMPORARY  
COLLECTION EVENTS FOR FISCAL YEAR 2022-2023\***

HHW SCHEDULE FOR FISCAL YEAR 2022/2023*					
2022/Month	Day	Date	Location	Type of Event	County Holidays/ Notes
July	Fri	1	San Jose	Permanent	
	Saturday	2	No Event	No Event	4th OF JULY WEEK
	Wed,Thurs,Fri,Sat	6,7,8,9	San Jose	Permanent	
	Fri,Sat	8,9	San Martin	Permanent	
	Thurs,Fri	14,15	San Jose	Permanent	
	Saturday	16	Sunnyvale	Temporary	TBD
	Wed,Thurs,Fri,Sat	20,21,22,23	San Jose	Permanent	
	Thurs,Fri,Sat	28,29,30	San Jose	Permanent	
August	Wed,Thurs,Fri,Sat	3,4,5,6	San Jose	Permanent	
	Fri,Sat	5,6	San Martin	Permanent	
	Thurs,Fri	11,12	San Jose	Permanent	
	Saturday	13	Mountain View	Temporary	TBD
	Wed,Thurs,Fri,Sat	17,18,19,20	San Jose	Permanent	
	Thurs,Fri,Sat	25,26,27	San Jose	Permanent	
	Wed	31	San Jose	Permanent	
September	Thurs,Fri	1,2	San Jose	Permanent	
	Saturday	3	No Event	No Event	LABOR DAY WEEKEND
	Thurs,Fri,Sat	8,9,10	San Jose	Permanent	
	Fri,Sat	9,10	San Martin	Permanent	
	Wed,Thurs,Fri	14,15,16	San Jose	Permanent	
	Saturday	17	Santa Clara	Temporary	TBD
	Thurs,Fri,Sat	22,23,24	San Jose	Permanent	
	Thurs,Fri	29,30	San Jose	Permanent	
October	Sat	1	San Jose	Permanent	
	Wed,Thurs,Fri,Sat	5,6,7,8	San Jose	Permanent	
	Fri,Sat	7,8	San Martin	Permanent	
	Thurs,Fri	13,14	San Jose	Permanent	
	Saturday	15	Sunnyvale	Temporary	TBD
	Wed,Thurs,Fri,Sat	19,20,21,22	San Jose	Permanent	
	Thurs,Fri,Sat	27,28,29	San Jose	Permanent	
November	Wed,Thurs,Fri,Sat	2,3,4,5	San Jose	Permanent	
	Fri, Sat	4,5	San Martin	Permanent	
	Wed, Thurs	9,10	San Jose	Permanent	
	Fri	11	No Event	No Event	VETERANS DAY
	Saturday	12	San Jose	Permanent	
	Wed,Thurs,Fri,Sat	16,17,18,19	San Jose	Permanent	
	Wednesday	23	San Jose	Permanent	
	Thurs,Fri,Sat	24,25,26	No Event	No Event	THANKSGIVING
	Wed	30	San Jose	Permanent	
December	Thurs,Fri,Sat	1,2,3,	San Jose	Permanent	
	Fri, Sat	2,3	San Martin	Permanent	
	Wed,Thurs,Fri,Sat	7,8,9,10	San Jose	Permanent	
	Thurs,Fri,Sat	15,16,17	San Jose	Permanent	
	Wed,Thurs	21,22	San Jose	Permanent	
	Fri,Sat	23,24	No Event	No Event	CHRISTMAS
	Wed,Thurs	28,29	San Jose	Permanent	
	Fri,Sat	30,31	No Event	No Event	NEW YEAR'S DAY

\*SUBJECT TO CHANGE

**ATTACHMENT C-1: HHW SCHEDULE OF PERMANENT & TEMPORARY  
COLLECTION EVENTS FOR FISCAL YEAR 2022-2023\* (Continued)**

HHW SCHEDULE FOR FISCAL YEAR 2022/2023-continued*					
2023/Month	Day	Date	Location	Type of Event	County Holidays/ Notes
January	Thurs,Fri,Sat	5,6,7	San Jose	Permanent	
	Fri, Sat	6,7	San Martin	Permanent	
	Wed,Thurs,Fri	11,12,13	San Jose	Permanent	
	Saturday	14	Sunnyvale	Temporary	TBD
	Wed,Thurs,Fri,Sat	18,19,20,21	San Jose	Permanent	
	Thurs,Fri	26,27	San Jose	Permanent	
	Saturday	28	Santa Clara	Temporary	TBD
February	Wed,Thurs,Fri,Sat	1,2,3,4	San Jose	Permanent	
	Fri, Sat	3,4	San Martin	Permanent	
	Thurs,Fri,Sat	9,10,11	San Jose	Permanent	
	Wed,Thurs,Fri,Sat	15,16,17,18	San Jose	Permanent	
	Thurs,Fri,Sat	23,24,25	San Jose	Permanent	
March	Wed,Thurs,Fri,Sat	1,2,3,4	San Jose	Permanent	
	Fri, Sat	3,4	San Martin	Permanent	
	Thurs,Fri,Sat	9,10,11	San Jose	Permanent	
	Wed,Thurs,Fri,Sat	15,16,17,18	San Jose	Permanent	
	Thurs,Fri,Sat	23,24,25	San Jose	Permanent	
	Wed,Thurs,Fri	29,30,31	San Jose	Permanent	
April	Sat	1	San Jose	Permanent	
	Wed,Thurs,Fri,Sat	5,6,7,8	San Jose	Permanent	
	Fri, Sat	7,8	San Martin	Permanent	
	Thurs,Fri	13,14	San Jose	Permanent	
	Saturday	15	Sunnyvale	Temporary	TBD
	Wed,Thurs,Fri	19,20,21	San Jose	Permanent	
	Saturday	22	Los Altos	Temporary	TBD
	Thurs,Fri	27,28	San Jose	Permanent	
	Saturday	29	Santa Clara	Temporary	TBD
May	Wed,Thurs,Fri,Sat	3,4,5,6	San Jose	Permanent	
	Fri, Sat	5,6	San Martin	Permanent	
	Thurs,Fri,Sat	11,12,13	San Jose	Permanent	
	Wed,Thurs,Fri,Sat	17,18,19,20	San Jose	Permanent	
	Wed,Thurs,Fri	24,25,26	San Jose	Permanent	
	Saturday	27	No Event	No Event	MEMORIAL DAY WEEKEND
June	Thurs,Fri,Sat	1,2,3	San Jose	Permanent	
	Fri, Sat	2,3	San Martin	Permanent	
	Thurs,Fri	8,9	San Jose	Permanent	
	Saturday	10	Milpitas	Temporary	TBD
	Wed,Thurs,Fri,Sat	14,15,16,17	San Jose	Permanent	
	Thurs,Fri,Sat	22,23,24	San Jose	Permanent	
	Wed,Thurs,Fri	28,29,30	San Jose	Permanent	

\*SUBJECT TO CHANGE