

GARDEN GROVE SANITARY DISTRICT

RESOLUTION NO.

A RESOLUTION OF THE GARDEN GROVE SANITARY DISTRICT
APPROVING THE REVISED EFFECTIVE DATE TO AN AMENDMENT TO THE 2009
WASTE DISPOSAL AGREEMENT WITH THE COUNTY OF ORANGE

WHEREAS, the Garden Grove Sanitary District (District) has an existing Waste Disposal Agreement (the Waste Disposal Agreement) with the County of Orange (the "County") which requires the District to dispose of all specified solid waste generated within the city to county landfills and for the County to accept all such waste at a price agreed upon by the District and County;

WHEREAS, the Waste Disposal Agreement became effective on or about July 23, 2009, and by its term is set to expire on June 30, 2020;

WHEREAS, the Waste Disposal Agreement provides that the County will not accept waste imported from outside the county at County landfills after June 30, 2016;

WHEREAS, an Amendment to the Waste Disposal Agreement (the "Amendment") has been negotiated between the County and various cities throughout Orange County to provide for continuation of importation of waste from outside the county at County landfills in exchange for allocation to the cities of a portion of future importation revenues and to extend the terms of this activity within the Waste Disposal Agreement to June 30, 2025;

WHEREAS, the District desires to ensure that solid waste generated within the city can be disposed of in an environmentally safe manner and at a reasonable cost for the near future;

WHEREAS, the proposed Amendment furthers these goals by, among other things, ensuring that solid waste generated within the city can be disposed of at County landfills through June 30, 2025; that the landfills will be operated in an environmentally safe and reliable manner; and that the cost of disposing of solid waste at County landfills will be reasonable;

WHEREAS, on May 26, 2015, by Resolution No. 3752-15, the District approved the Amendment in which the effective date was to be extended to be no later than September 30, 2015; and

WHEREAS, the County has requested a revision to the effective date of the Amendment from September 30, 2015 to June 30, 2016 ("Revised Effective Date").

NOW, THEREFORE, the Garden Grove Sanitary District resolves, finds and determines, on the basis of the facts set forth in the agenda report presented to it and any testimony received at the meeting at which this matter was considered, as follows:

Section 1. The foregoing recitals are true and correct.

Section 2. The Garden Grove Sanitary District (District) hereby finds and determines that the Revised Effective Date to the Amendment to the Waste Disposal Agreement between the County of Orange and the City of Orange ("Amendment") furthers the public health, safety and welfare.

Section 3. The Garden Grove Sanitary District (District) hereby finds and determines that the Revised Effective Date shall be amended into the terms and provisions of the Amendment, in the form as submitted by the General Manager, are approved and that the President or is authorized to execute, and the Secretary to attest, the Amendment on behalf of the District.

Section 4. The officers and employees of the District are authorized and directed, jointly and severally, to do any and all things necessary or advisable in order to effectuate the purposes of this Resolution and to administer the District's obligations, responsibilities and duties to be performed.