



COUNTY OF HUMBOLDT

For the meeting of: 11/16/2021

File #: 21-1584

To: Board of Supervisors

From: Public Works

Agenda Section: Consent

SUBJECT:

First Amendment to License Agreement for Continued Use of the Shelter Cove Solid Waste Container Site

RECOMMENDATION(S):

That the Board of Supervisors:

1. Approve the First Amendment to License Agreement for continued use of the Shelter Cove Solid Waste Container Site;
2. Authorize the Chair to execute the First Amendment to License Agreement; and
3. Direct the Clerk of the Board to return a fully executed First Amendment to License Agreement to Public Works Facility Management.

SOURCE OF FUNDING:

Solid Waste (3691438)

DISCUSSION:

On March 4, 1997, the county and the Resort Improvement District (District) entered into a License Agreement for the county to use lands belonging to the District for a Solid Waste Container Site in Shelter Cove. (Attachment No. 1 - License Agreement). The Site is operated through a contract with Recology Eel River.

The License Agreement will expire on Jan. 31, 2022. Staff is recommending the License Agreement be amended to extend the term for two (2) periods of one (1) year each.

Attached is the First Amendment to License Agreement to incorporate this term extension for your Board's requested approval and execution. (Attachment No. 2 - First Amendment to License Agreement)

FINANCIAL IMPACT:

Annual rent for use of the site is \$100, due in advance. The fiscal year 2021-22 Solid Waste budget 3691438 will accommodate this rent. There will be no impact to the General Fund.

STRATEGIC FRAMEWORK:

This action supports your Board's Strategic Framework by providing community-appropriate levels of service.

OTHER AGENCY INVOLVEMENT:

None

ALTERNATIVES TO STAFF RECOMMENDATIONS:

Your Board could choose not to approve the proposed First Amendment to License Agreement, however this is not recommended as the License Agreements term will end on Jan. 31, 2022, and thus force the site to close down prior to other service being in place.

ATTACHMENTS:

Attachment No. 1 - License Agreement

Attachment No. 2 - First Amendment to License Agreement

PREVIOUS ACTION/REFERRAL:

Board Order No.:

Meeting of:

File No.:

FIRST AMENDMENT TO LICENSE AGREEMENT

This First Amendment to License Agreement entered into on March 4, 1997 between the COUNTY OF HUMBOLDT, a political subdivision of the State of California, hereinafter called COUNTY, and RESORT IMPROVEMENT DISTRICT NO. 1, hereinafter called LICENSOR, is entered into this 16 day of November, 2021.

WHEREAS, COUNTY leases property located at Telegraph Hill, Shelter Cove, County of Humboldt, State of California for use of a solid waste container site; and

WHEREAS, the License Agreement between the COUNTY and LICENSOR has a term commencing May 4, 1997, and ending on January 31, 2022; and

WHEREAS, COUNTY desires to extend the term of the License Agreement for two (2) options one (1) year each; and

WHEREAS, LICENSOR has agreed to the extension of the term; and

WHEREAS, COUNTY and LICENSOR desire to amend the License Agreement as specified; and

NOW, THEREFORE, it is mutually agreed as follows:

1. Section (4) TERM is amended to read as follows:

COUNTY has the option to extend this License Agreement upon the same terms and conditions for two (2), one (1) year terms. Each option may be exercised by COUNTY giving LICENSOR written notice of its intent to extend the License Agreement. The notice shall be in writing and shall be given to LICENSOR at least sixty (60) days prior to the end of the initial term or either of the two (2) year term extension.

2. In all other respects the License Agreement between the parties entered into on March 4, 1997 shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this First Amendment to License Agreement dated March 4, 1997 on the date indicated above.

COUNTY OF HUMBOLDT

RESORT IMPROVEMENT
DISTRICT NO. 1

By: Virginia
CHAIR
BOARD OF SUPERVISORS

By: [Signature]
Name: Justin R. Robbins
Title: General Manager

FIRST AMENDMENT TO LICENSE AGREEMENT

ATTEST:

By: Joni Jan

Name: Toni Lair

Title: Accounting Administrator