

**FOURTH AMENDMENT TO INTERLOCAL AGREEMENT
BETWEEN ALACHUA COUNTY AND THE CITY OF GAINESVILLE
FOR SOLID WASTE MANAGEMENT SERVICES**

THIS FOURTH AMENDMENT TO AGREEMENT, made and entered into this _____ day of _____ A.D., 2019, by and between Alachua County, a charter county and political subdivision of the State of Florida, hereinafter referred to as “County”, and the City of Gainesville, a municipal corporation of the State of Florida, hereinafter referred to as “City”, by and through their respective Boards of County Commissioners, hereinafter collectively referred to as “Parties”.

W I T N E S S E T H:

WHEREAS, the Parties previously entered into the *Interlocal Agreement for Solid Waste Management Services* dated May 12, 1998, (the “Interlocal”); and

WHEREAS, the Parties entered into a First Amendment to Interlocal Agreement for Solid Waste Management Services dated September 28, 2004 (the “First Amendment”) through which the Parties agreed to adjust solid waste disposal fees for different users of the County’s solid waste management system; and

WHEREAS, the Parties entered into a Memorandum of Understanding for Solid Waste Management Services dated November 23, 2004 (the “Memorandum”) through which the Parties agreed to establish additional intergovernmental coordination involving the solid waste management system; and

WHEREAS, the Parties entered into a Second Amendment to Interlocal Agreement for Solid Waste Management Services dated October 23, 2007 (the “Second Amendment”) through which the term of the Interlocal was extended through September 30, 2009 and the Parties added Article V to the Interlocal Agreement which stipulated that City funds required, pursuant to the Interlocal Agreement, are from monies available after those for essential City services have been budgeted and appropriated; and

WHEREAS, the Parties entered into a Third Amendment to Interlocal Agreement for Solid Waste Management Services dated October 1, 2009, (the “Third Amendment”) through which the term of the Interlocal Agreement was extended through December 31, 2018 and to add numerous provisions to further define the relationship of the Parties involving the solid waste management system; and

WHEREAS, the Parties desire to extend the term of the Interlocal Agreement, in accordance with Article VI, Section 4 of the Interlocal Agreement, through September 30, 2021.

NOW, THEREFORE, the Parties hereby agree to amend the Interlocal Agreement, as previously amended, for Solid Waste Disposal Services as follows:

A. Article VI , SECTION 1, of the Interlocal is amended in its entirety to read:

This Agreement became effective on the date the County began operations at the Alachua County Solid Waste Transfer Station and shall remain in effect until September 30, 2021 , unless earlier terminated as provided herein. The parties agree that since the time the County began operations at the Transfer Station, the parties have been operating according to the terms of the Interlocal (as amended), and the parties hereby ratify the terms of the Interlocal and its amendments and the actions and performance of the parties as if the Interlocal, as amended, has been continuously in effect since such time.

B. SAVE and EXCEPT as expressly amended herein, all other terms and provisions of the Interlocal Agreements shall be and remain in full force and effect. This Forth Amendment shall commence and become effective after execution by both Parties and a copy of this Fourth Amendment is filed with the clerk of the circuit court in and for Alachua County, Florida.

IN WITNESS WHEREOF, the parties have caused this Second Amendment to Agreement to be executed for the uses and purposes therein expressed on the day and year first above-written.

ALACHUA COUNTY, FLORIDA

BY: _____

Charles Chestnut, IV, Chair
Board of County Commissioners

ATTEST:

J. K. "Jess" Irby, Esq., Clerk
(SEAL)

APPROVED AS TO FORM

Alachua County Attorney's Office

Legislative ID# 190143

CITY OF GAINESVILLE

BY: _____

ATTEST:

APPROVED AS TO FORM AND
LEGALITY

Gainesville City Attorney