November 10, 2026

Board of Supervisors
Kern County Administrative Center
1115 Truxtun Avenue
Bakersfield, CA 93301

PROPOSED AMENDMENT NO. 1 TO AGREEMENT NO. 067-2023, THE RESTATED EXCLUSIVE SOLID WASTE FRANCHISE AGREEMENT WITH VARNER BROS., INC., TO CONSOLIDATE FRANCHISE SERVICE AREAS AND TERMINATE FRANCHISE AGREEMENTS NO. 058-2023 AND NO. 063-2023
(All S.D.s)
(Fiscal Impact: None)

The Public Works Department requests your Board's approval of Amendment No. 1 to Agreement No. 067-2023, the Restated Exclusive Solid Waste Franchise Agreement with Varner Bros., Inc. On April 22, 2026, the Contractor submitted a written request to consolidate the franchise service areas operated by Howard's Garbage Service, Inc. and Superior Sanitation Service, Inc. into Varner Bros. Inc.'s exclusive franchise area. The County issued written consent to the consolidation on May 12, 2026, pursuant to Section 16.7(B) of the Agreement.

Effective January 1, 2027, the franchise areas previously served by Howard's Garbage Service, Inc. and Superior Sanitation Service, Inc. will be consolidated into Varner Bros., Inc.'s exclusive service area. As part of this action, the existing franchise agreements with these haulers will be terminated on January 1, 2027, except for obligations that expressly survive termination, including recordkeeping and reporting, indemnification, confidentiality, and accrued payment obligations.

Amendment No. 1 updates Exhibits A, J, and K to reflect revised franchise boundaries, designated facilities, and County service areas. Amendment No. 1 also revises Section 9.3 (Containers) to allow the Contractor to update its name and telephone number displayed on collection containers at the time a container is replaced or within ten (10) years. Within six months, the Contractor must update all collection vehicles to display the required identifying information and ensure all corresponding public contact information is updated.

These changes will improve administrative efficiency, eliminate overlapping franchise boundaries, and ensure accurate representation of service areas and contractor information. The amendment becomes effective January 1, 2027.

County Counsel has reviewed and approved Amendment No. 1 as to form.

Therefore, IT IS RECOMMENDED that your Board approve and authorize the Chairman to sign Amendment No. 1 to Agreement No. 067-2023 with Varner Bros., Inc.

Sincerely,

Joshua Champlin
Director

JC:LS:DS:mm
K:\Administration\Board\2026\11 - November\11-10-2026\W_Varner Bros. Amendment\Varner Bros. Inc. Amendment #1 Board Ltr.docx
Attachment
cc: County Administrative Office

AMENDMENT NO. 1
TO AGREEMENT NO. 067-2023 RESTATED EXCLUSIVE SOLID WASTE FRANCHISE AGREEMENT

(County of Kern – Varner Bros., Inc.)

THIS AMENDMENT NO. 1 ("Amendment") to the RESTATED EXCLUSIVE SOLID WASTE FRANCHISE AGREEMENT ("Agreement") is made and entered into this _____ day of _____, 2026, by and between the **COUNTY OF KERN** ("County") and VARNER BROS., Inc. ("Contractor") and Howard's Garbage Service, Inc. ("Consolidated Contractor") and Superior Sanitation Service, Inc. ("Consolidated Contractor").

W I T N E S S E T H:

WHEREAS, the County and Contractor entered into the Restated Exclusive Solid Waste Franchise Agreement 067-2023 on February 7, 2023; and

WHEREAS, on April 22, 2026, Contractor submitted a written request to the County proposing consolidation of the franchise areas served by Howard's Garbage Service, Inc. and Superior Sanitation Service, Inc. into the Contractor's franchise area; and

WHEREAS, on May 12, 2026, the County issued written consent to the proposed consolidation pursuant to Section 16.7(B) of the Agreement; and

WHEREAS, the County and Contractor desire to amend the Agreement to implement the consolidation effective January 1, 2027, and to update Exhibits A, J, and K accordingly; and

WHEREAS, as part of such consolidation, the franchise agreements between the County and Howard's Garbage Service, Inc. and between the County and Superior Sanitation Service, Inc. shall be terminated effective January 1, 2027.

NOW, THEREFORE, IT IS HEREBY AGREED by and between the County and Contractor as follows:

1. Effective January 1, 2027, the franchise areas previously served by Howard's Garbage Service, Inc. and Superior Sanitation Service, Inc. shall be consolidated into Contractor's exclusive Service Area under the Agreement.

2. The franchise agreements between the County and Howard's Garbage Service, Inc., and Superior Sanitation Service, Inc. are hereby terminated effective January 1, 2027. Any obligations (i) expressly surviving termination under those agreements (Section 10.4 Record Keeping and Reporting and Section 13.1

Indemnification), (ii) relating to accrued payment obligations (Articles 7, 11, and 12), and (iii) relating to confidentiality (Section 10.3.B), shall remain in full force and effect.

3. Exhibit A of the Agreement is deleted in its entirety and replaced with "Exhibit A", attached hereto and incorporated herein by reference.

4. Exhibit J of the Agreement is deleted in its entirety and replaced with "Exhibit J", attached hereto and incorporated herein by reference.

5. Exhibit K of the Agreement is deleted in its entirety and replaced with "Exhibit K", attached hereto and incorporated herein by reference.

6. Contractor will update its name and telephone number displayed on containers at the time a container is replaced or within ten (10) years. All containers must comply with the requirements as outlined in the Agreement.

7. Within six (6) months, Contractor shall update all collection vehicles to display its name, telephone number, and vehicle number, and shall also update all associated website and telephone contact information.

8. Except as expressly amended herein, all terms and conditions of the Agreement shall remain unchanged and in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be executed by their respective authorized officers on the day and date hereinabove set forth.

APPROVED AND RECOMMENDED:
Public Works Department

By: _____
Joshua Champlin,
Public Works Director

COUNTY OF KERN
"County"

By: _____
Chairman, Board of Supervisors

APPROVED AS TO FORM:
Office of County Counsel

By: _____
Joshua Rudnick
Deputy County Counsel

VARNER BROS., INC.
"Contractor"

By: _____
Tracy A. Sweeney, Vice President

HOWARD'S GARBAGE SERVICE, INC.
"Consolidated Contractor"

By: _____
Tracy A. Sweeney, Vice President

SUPERIOR SANITATION SERVICE, INC.
"Consolidated Contractor"

By: _____
Tracy A. Sweeney, Vice President

EXHIBIT A
APPROVED AND DESIGNATED FACILITIES

DESIGNATED FACILITIES

Designated Disposal Facility

American Refuse – Shafter Landfill or Bena Landfill
South Tulare-Richgrove Refuse – Shafter Landfill or Bena Landfill
Westside Waste Management – Taft Landfill, Shafter Landfill or Bena Landfill
Varner Brothers – Bena Landfill or Shafter Landfill
Price Disposal – Bena Landfill, Shafter Landfill or Taft Landfill
Valley Garbage – Bena Landfill or Shafter Landfill
Thomas Refuse – Bena Landfill or Ridgecrest Landfill
USA Waste of California, Inc. – Ridgecrest Landfill, Mojave Landfill, Tehachapi Landfill or Bena Landfill

Designated Transfer Facility

Price Disposal – Lebec Transfer Station (Kern County only – no "out of County" waste)
Thomas Refuse – Kern Valley Transfer Facility

APPROVED FACILITIES

Approved C&D Processing Facility

Hauler Preferences

Approved Recyclable Materials Processing Facility

Hauler Preferences

Approved Organic/Green Waste Processing/Transfer Facility

American Refuse – Shafter Diversion Area or Mt. Vernon Composting Facility
South Tulare-Richgrove Refuse – Shafter Diversion Area or Mt. Vernon Composting Facility
Westside Waste Management – Shafter Diversion Area or Mt. Vernon Composting Facility
Varner Brothers – Bena Diversion Area, Shafter Diversion Area or Mt. Vernon Composting Facility
Price Disposal – Bena Diversion Area, Shafter Diversion Area, Lebec Transfer Station or Mt. Vernon Composting Facility

Valley Garbage – Bena Diversion Area, Shafter Diversion Area or Mt. Vernon Composting Facility
Thomas Refuse – Kern Valley Transfer Station, Ridgecrest Diversion Area, or Bena Diversion Area
USA Waste of California Inc. – Ridgecrest Diversion Area, Mojave Diversion Area, Tehachapi Diversion Area or Bena Diversion Area

Approved Green Waste Processing Facility

American Refuse – Shafter Diversion Area or Mt. Vernon Composting Facility
South Tulare-Richgrove Refuse – Shafter Diversion Area or Mt. Vernon Composting Facility
Westside Waste Management – Shafter Diversion Area or Mt. Vernon Composting Facility
Varner Brothers – Bena Diversion Area, Shafter Diversion Area or Mt. Vernon Composting Facility
Price Disposal – Bena Diversion Area, Shafter Diversion Area or Mt. Vernon Composting Facility
Valley Garbage – Bena Diversion Area, Shafter Diversion Area or Mt. Vernon Composting Facility
Thomas Refuse –Bena Diversion Area or Mt. Vernon Composting Facility
USA Waste of California, Inc. – Bena Diversion Area, Shafter Diversion Area or Mt. Vernon Composting Facility

EXHIBIT J
COUNTY FRANCHISE ZONE AND AREA

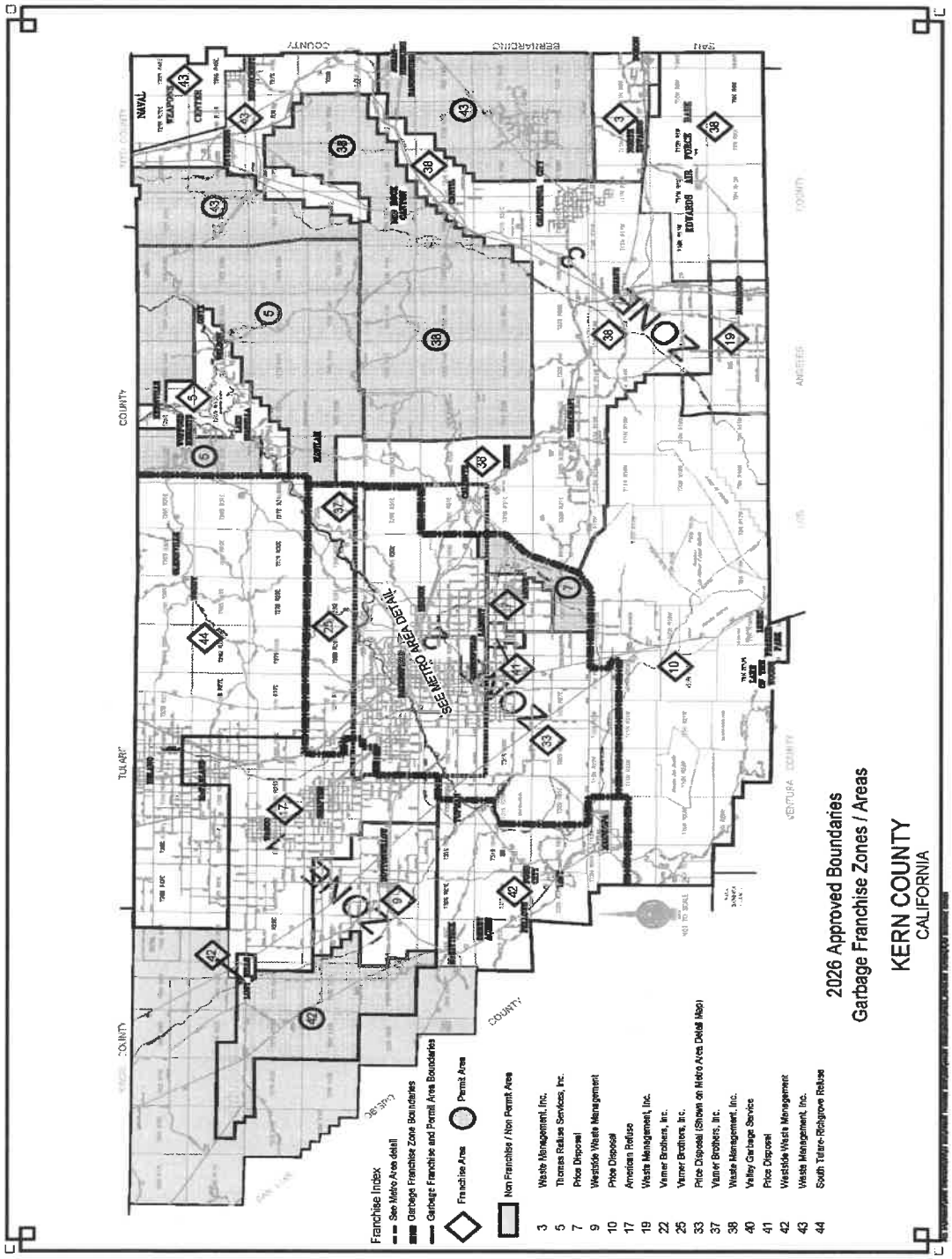


EXHIBIT K
COUNTY SERVICE AREA

