



# CITY OF LODI

# COUNCIL COMMUNICATION

**AGENDA TITLE:** Adopt Uncodified Urgency Ordinance of the Lodi City Council Amending Lodi Municipal code Chapter 13.16 relating to industrial waste collection monthly rates.

**MEETING DATE:** November 4, 1992

**PREPARED BY:** Assistant City Manager

**RECOMMENDED ACTION:** The City Council adopt the attached ordinance relating to industrial waste collection monthly rates.

**BACKGROUND INFORMATION:** On May 1, 1991, City Council introduced Ordinance Numbers 1512 and 1513. The effect of these ordinances would be to guarantee all of Lodi's solid waste stream flow through the materials recovery facility to meet AB939 mandates. In turn, this would keep residential and commercial rates down. At that time, City Council indicated it wished the ordinances to become effective at the same time rates for industrial waste collection were set. These ordinances, which will establish an exclusive franchise for Lodi Sanitary City Disposal Company, Incorporated (LSCD), for the collection and disposal of industrial wastes, were laid on the table pending receipt of an industrial rate application from the franchisee-

After many months of deliberations by the Lodi Solid Waste Management Task Force, City Council, staff and LSCD the rates shown on the attached Industrial Rate Structure schedule are now presented by the franchisee. Ordinance Numbers 1512 and 1513 are also included in this agenda packet for second reading, consideration and adoption by City Council.

Industrial customers will be charged a drop-off/pick-up charge for the 15 day use of a drop-box based on either the contract high frequency drop rate (5 or more drop boxes per year) or the one time drop rate. A charge for material processing will be based on the individual tonnage generated by each customer multiplied by the material processing charge. A City of Lodi franchise fee of 4 percent of total bill will be charged.

The proposed Industrial Rate Structure provides for an overall revenue requirement increase of 28% for LSCD. This does not mean that every industrial customer will pay 28% more for waste disposal. The new rate structure is based, in part, on the tonnage of waste generated by the customer. Those who reduce waste generated by their operations will see their costs drop. Those who do not change, or generate more waste, will see their costs escalate.

APPROVED. \_\_\_\_\_

THOMAS A PETERSON



recycled paper

Adopt Uncodified Urgency Ordinance of the Lodi City Council Amending Lodi Municipal Code Chapter 13.16 relating to industrial waste collection monthly rates.

November 4, 1992

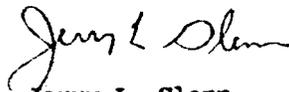
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It should also be noted that LSCD has clearly stated that only those materials which the customer designates as wastes will be collected. "In-house recyclables" are the property and responsibility of the customer. However, any attempt to label waste truly intended for landfill disposal as "recyclables", in an effort to avoid using LSCD's services, will not be permitted.

Revenues generated through this industrial rate application are needed by LSCD in addition to the residential and commercial solid waste collection rates approved by City Council at their meeting of October 21, 1992. Taken in their entirety, these revenues will facilitate the construction and operation of the new Materials Recovery Facility and other recycling/diversion/composting programs which will be implemented by LSCD.

FUNDING: Operating budget.

Respectfully submitted,



Jerry L. Glenn  
Assistant City Manager

Prepared by Kirk J. Evans, Administrative  
Assistant to the City Manager

JLG:tp

ORDINANCE NO. 1562

=====

AN UNCODIFIED URGENCY ORDINANCE OF THE LODI CITY COUNCIL  
AMENDING LODI MUNICIPAL CODE CHAPTER 13.16,  
RELATING TO INDUSTRIAL SOLID WASTE COLLECTION RATES

=====

BE IT ORDAINED BY THE LODI CITY COUNCIL, as follows:

SECTION 1. Lodi Municipal Code Chapter 13.16 - SOLID WASTE - as it relates to industrial solid waste collection rates is hereby amended to read as follows:

Rates.

A. The rates to be charged for garbage collection service shall be as follows:

1. For owners or tenants of business houses, the rates shall be as set forth in the Industrial Rate Structure schedule attached, when industrial bin service is requested.

B. All of the rate schedules set forth in this section shall be effective on all bills which are prepared on or after December 1, 1992.

SECTION 2. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

SECTION 3. This is an urgency ordinance under Government Code Section 36934, and is based on health, safety and welfare

considerations arising from the need to collect appropriate fees for waste removal.

SECTION 4. This urgency ordinance shall be published one time in the "Lodi News Sentinel", a daily newspaper of general circulation printed and published in the City of Lodi and shall be in force and take effect immediately.

Approved this 4th day of November 1992

\_\_\_\_\_  
JAMES W. PINKERTON, JR.  
Mayor

Attest:

ALICE M. REIMCHE  
City Clerk

=====  
State of California  
County of San Joaquin, ss.

I, Alice M. Reimche, City Clerk of the City of Lodi, do hereby certify that Ordinance No. 1562 was adopted as an urgency ordinance at a regular meeting of the City Council of the City of Lodi held November 4, 1992, and was thereafter passed, adopted and ordered to print by the following vote:

Ayes :	Council Members -
Noes :	Council Members -
Absent :	council Members -
Abstain :	Council Members -

I further certify that Ordinance No. 1562 was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.

ALICE M. REIMCHE  
City Clerk

Approved as to Form

BOBBY McNATT  
City Attorney

ORD1562/TXTA.01V

INDUSTRIAL RATE STRUCTURE SCHEDULE

CONTRACT HIGH FREQUENCY DROP RATES  
-----

1.	Drop-off/Pick-up Charge Per Box	\$90.00
2.	Tons Disposed/Box x Processing Charge Processing charge	x\$25.00 -----
3.	Franchise Fee	(4% of 1+2)
	TOTAL BSLL (1+2+3)	-----

ONE-TIME DROP RATE  
-----

1.	Drop-off/Pick-Up Charge Per Box	\$147.00
2.	Tons Disposed/Box x Processing Charge Processing Charge	x\$25.00 -----
3.	Franchise Fee	(4% of 1+2)
	TOTAL BILL (1+2+3)	-----

MEMORANDUM from the Office of the City Manager

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To: All Council Members  
City Manager  
Assistant City Manager  
City Attorney  
City Clerk

FROM: Kirk Evans  
Assistant to the City Manager

DATE: November 4, 1992

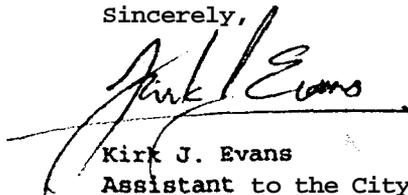
SUBJ: Amendment to Ordinance No. 1562 (Agenda Item L.3.)

California Waste Removal Systems has informed me they would like Ordinance No. 1562 presented for City council's Consideration to be amended as follows :

Under Section 1, Rates, A. please add:

2. A late charge of thirty dollars (\$30.00) per day will be assessed for every day beyond the 15 day service period.

Sincerely,



Kirk J. Evans  
Assistant to the City Manager

KJE:tp

MEMDH87/TXTA.TLP

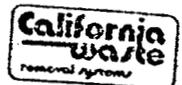
INDUSTRIAL RATE STRUCTURE SCHEDULE

CONTRACT HIGH FREQUENCY DROP RATES

1.	Drop-off/Pick-up Charge Per Box	\$90.00	
2.	Tons Disposed/Box x Processing Charge Processing Charge	11 tons x\$25.00 <hr/>	\$275.00 + 90.00 <hr/>
3.	Franchise Fee	(4% of 1+2)	\$365.00 x 4% <hr/>
	TOTAL BILL (1+2+3)	----- \$379.60	\$14.60
			\$365.00 + \$14.60

ONE-TIME DROP RATE

1.	Drop-off/Pick-Up Charge Per Box	\$147.00	
2.	Tons Disposed/Box x Processing Charge Processing Charge	x\$25.00 <hr/>	
3.	Franchise Fee	(4% of 1+2)	
	TOTAL BILL (1+2+3)	-----	



LODI IRON WORKS  
P.O. BOX 1150  
LODI, CALIF.

RECEIVED SEP - 4 1990

ZIP + 4 95241-1150

BALANCE... 897.28

RETURN BACK COPY WITH YOUR REMITTANCE

ACCOUNT NUMBER 3639/BINS

AMOUNT PAID \$

REFERENCE NUMBER	DATE	DESCRIPTION	AMOUNT
		PREVIOUS BALANCE...	1,416.16
PER VIRGIL	4/01/90	FINANCE CHARGE	4.89CR
PER VIRGIL	5/01/90	FINANCE CHARGE	3.99CR
PER VIRGIL	6/01/90	FINANCE CHARGE	1.64CR
156 ✓	7/27/90	1-16 YD / LODI INDUSTRIAL	157.00
157 ✓	8/01/90	1-16 YD / LODI INDUSTRIAL	157.00
159 ✓	8/08/90	1-16 YD / LODI INDUSTRIAL	157.00
23 ✓	8/15/90	1-16 YD / LODI INDUSTRIAL	157.00
23 ✓	8/16/90	1-16 YD / LODI INDUSTRIAL	157.00
64583	8/20/90	PAYMENT - THANK YOU	1,295.00CR
6. 1990	8/25/90	FINANCE CHARGE	1.64

PAST DUE	CURRENT	BALANCE DUE
	897.28	897.28
	845.64	

PLEASE PAY THIS AMOUNT  
SERVICE WILL STOP ON DELINQUENTS OF 90 DAYS



TURNER RD / P.O. BOX 319  
LODI CA 95241-0319  
TELEPHONE (209) 369-8274

TURNER RD / P.O. BOX 319  
LODI CA 95241-0319  
PHONE (209) 369-8274

1333E TURNER RD / P.O. BOX 319  
LODI CA 95241-0319  
TELEPHONE (209) 369-8274

LODI IR  
P.O. BOX  
LODI,

ZIP + 4 95241-1150

RECEIVED AUG - 1 1990

BALANCE... 1,416.16

ACCOUNT NUMBER 3639/BINS

AMOUNT PAID \$

RETURN BACK COPY WITH YOUR REMITTANCE

REFERENCE NUMBER	DATE	DESCRIPTION	AMOUNT
		PREVIOUS BALANCE...	1,318.52
1	6/21/90	1-16 YD / LODI INDUSTRIAL	109.00
7	6/21/90	1-16 YD / LODI INDUSTRIAL	109.00
8	6/26/90	1-16 YD / LODI INDUSTRIAL	109.00
9	6/28/90	1-16 YD / LODI INDUSTRIAL	109.00
14	7/02/90	1-16 YD / LODI INDUSTRIAL	109.00
11	7/05/90	1-16 YD / LODI INDUSTRIAL	109.00
12	7/09/90	1-16 YD / LODI INDUSTRIAL	109.00
34	7/12/90	1-16 YD / LODI INDUSTRIAL	109.00
64422	7/12/90	PAYMENT - THANK YOU	1,199.00CR