



**CITY OF LODI
COUNCIL COMMUNICATION**

TM

AGENDA TITLE: Adopt Resolution Approving Irrevocable Dedication of Solid Waste Improvements Located at 114 West Oak Street

MEETING DATE: May 7, 2014

PREPARED BY: Public Works Director

RECOMMENDED ACTION: Adopt resolution approving Irrevocable Dedication of solid waste improvements located at 114 West Oak Street.

BACKGROUND INFORMATION: In 2012, the City of Lodi and Waste Management partnered with several property owners and business owners in the block bounded by Church Street, Oak Street, Walnut Street and School Street to clean up visual and odor blight caused by the collection of individual solid waste handling bins clustered together in the City's parking lot located at 114 West Oak Street. The City and Waste Management contributed \$19,900 and \$34,100, respectively, toward the cost to construct a masonry block enclosure housing one solid waste compactor, three recycling bins, one grease storage unit, and the appurtenant utilities. The project cost a total of \$80,000. A copy of the improvements site plan is provided in Attachment A.

The property owners and business owners involved in the project have entered into an agreement setting forth the monthly percent shares of the cost for the Waste Management service, including an amortized repayment of \$25,859 over a period of five years for the cost of the solid waste compactor. The agreement obligates all parties to use the new garbage facility for all trash, grease, and recycling and that they shall not allow other garbage cans, dumpsters, or grease receptacles on or around the property. The list of parties to the agreement and their proportional responsibility of the monthly solid waste charges is provided below.

Name	Percentage
Woolworth Place Owners Association	32
Scott Tonn/Downtown Lodi Partners (restaurant/vacant)	21
Morris Brown Realty (Synowick's Jewel Box)	2
Morris Brown Realty (Nationwide Insurance)	2
Phillips (The Dermal Clinic)	2
Fluetsch (professional offices)	3
City of Lodi (parking lot/special events)	0
Dave Kirsten (Clear Wire store)	2
Hohn (Brodie Jane Photography)	2
Biddle (Vine & Branches)	2
Rehmke (Lodi Beer Company & Textures Hair Salon)	32
Total	100

APPROVED:

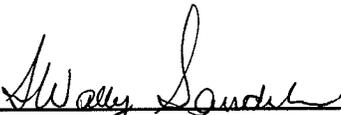
Stephen Schwabauer, Interim City Manager

Adopt Resolution Approving Irrevocable Dedication of Solid Waste Improvements Located at
114 West Oak Street
May 7, 2014
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The improvements have been completed in substantial conformance with approved building permit for the project. As agreed by all parties, the City would accept dedication of the improvements upon completion from the contracting agent, the Michael Fluetsch and Kristina Fluetsch Revocable Trust. Staff recommends approval of the Irrevocable Dedication provided in Attachment B.

FISCAL IMPACT: None.

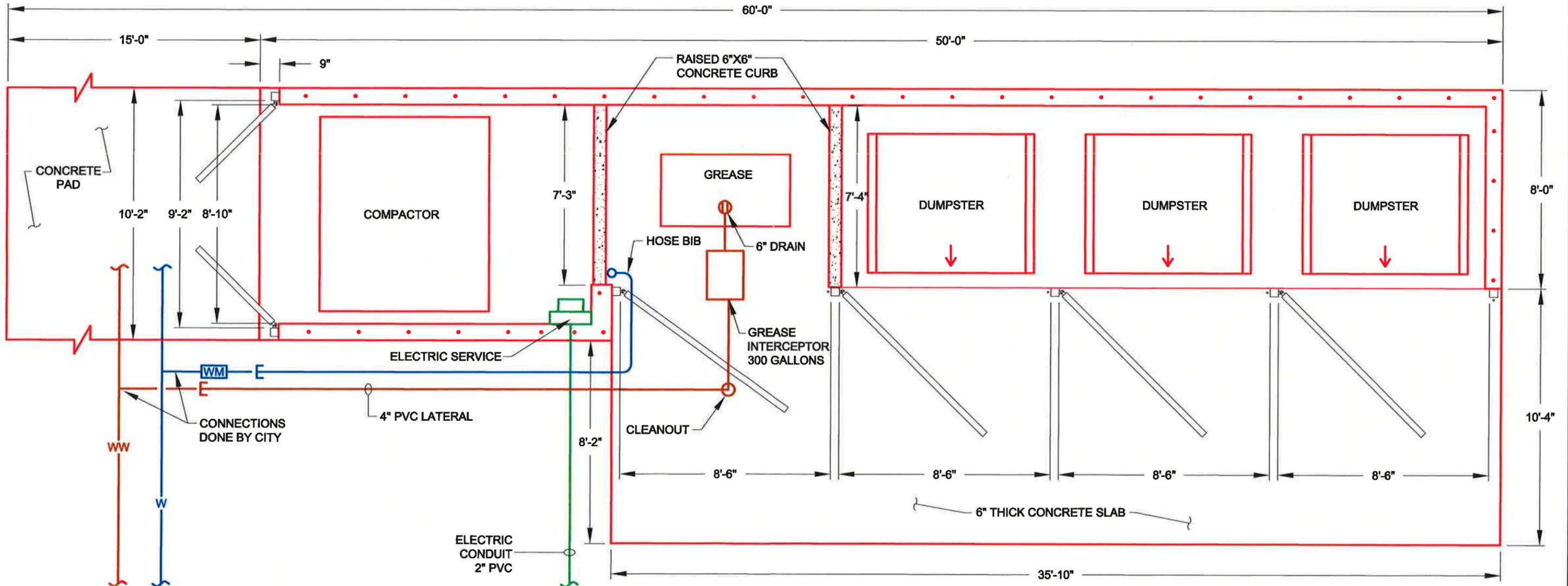
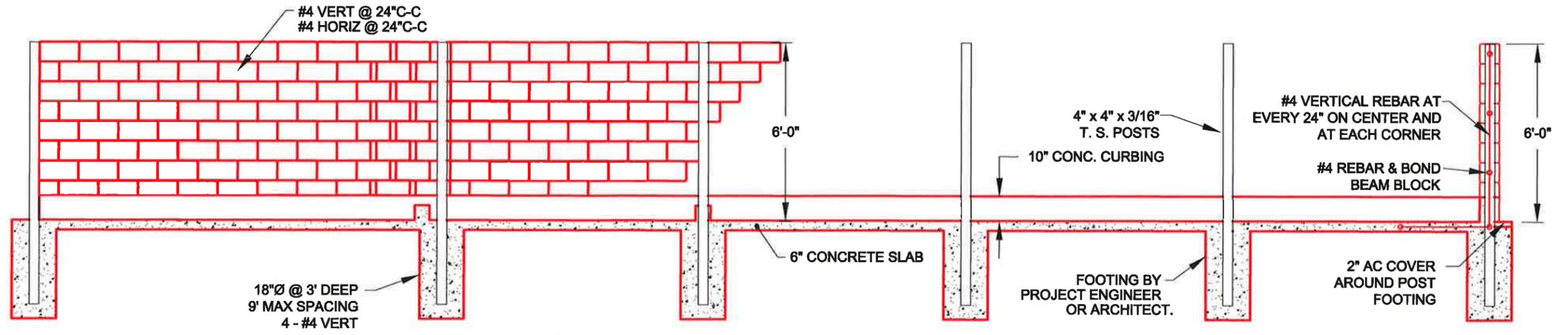
FUNDING AVAILABLE: Not applicable.



F. Wally Sandelin
Public Works Director

FWS/pmf
Attachments
cc: Michael Fluetsch and Kristina Fluetsch Revocable Trust

NOTES:
1. ALL CONCRETE SHALL INCLUDE MACRO FIBERS



NO.	DATE	BY	DRAWN	AJD	DESIGN	AJD	SCALE	1/4" = 1'	JOB NUMBER
			CHECKED		DATE		APPROVED		
			RECORD DWG				PUBLIC WORKS DIRECTOR RCE NO. 39895		DATE



CITY OF LODI
PUBLIC WORKS DEPARTMENT

WOOLWORTH SITE TRASH ENCLOSURE
PLAN & ELEVATION

12X003-2

IRREVOCABLE DEDICATION OF IMPROVEMENTS
TO THE CITY OF LODI

THIS AGREEMENT is made and entered into the ____ day of April, 2014, by and between the City of Lodi, a municipal corporation ("CITY") and MICHAEL FLUETSCH and KRISTINA FLUETSCH, as Trustees of the Michael Fluetsch and Kristina Fluetsch Revocable Trust, ("GRANTORS"). This Agreement is made with reference to the following facts:

WHEREAS, GRANTORS constructed certain improvements in a City-owned public parking lot located on Church Street, between Walnut and Oak Streets, in Lodi, California (Parking Lot"), the location of which are more particularly described in Exhibit A ("Woolworth Trash Enclosure Site Plan"); and

WHEREAS, GRANTORS desires to dedicate to, and CITY desires to accept the improvements referred to as the Woolworth Trash Enclosure and more particularly described in Exhibit B attached hereto and incorporated herein (the "Improvements"); and

WHEREAS, the Improvements will provide certain property owners with trash disposal facilities; and

WHEREAS, the Improvements are more efficient and more visually appealing than the numerous dumpsters previously located in the Parking Lot, and insure that trash and rubbish is not scattered in the Parking Lot or onto the adjoin street; and

WHEREAS, in consideration of GRANTORS' dedication, City has paid GRANTORS the sum of \$19,900.00 for the Improvements.

NOW THEREFORE in consideration of the mutual promises and consideration contained in this Agreement, the parties mutually agree as follows:

- 1. Entire Agreement:

This is the entire agreement between the parties for the GRANTORS' dedication of the Improvements to CITY. GRANTORS shall not have any obligation to maintain the Improvements. This Agreement may only be amended in a writing signed by the parties.

- 2. Irrevocable Dedication.

By executing this Agreement, GRANTORS irrevocably dedicate the Improvements to CITY.

- 3. CITY shall:

Have the right to relocate, reconstruct or expand the Improvements at its own expense and in its sole discretion.

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4. Binding on Successors and Assigns:

This Agreement shall be binding on and inure to the benefit of the respective heirs, successors and assigns of the parties to this Agreement.

5. Consent of CITY:

CITY consents the dedication of the Improvements on the terms and conditions set forth above.

IN WITNESS WHEREOF, the City of Lodi and the Grantors have executed this Agreement.

CITY OF LODI, a municipal corporation

GRANTORS

By: _____
STEPHEN SCHWABAUER
Interim City Manager

By: 
MICHAEL FLUETSCH, as Trustee
of the Michael Fluetsch and Kristina
Fluetsch Revocable Trust

ATTEST:

By: _____
RANDI JOHL-OLSON
City Clerk

By: 
KRISTINA FLUETSCH, as Trustee
of the Michael Fluetsch and Kristina
Fluetsch Revocable Trust

APPROVED AS TO FORM:

By: _____
JANICE D. MAGDICH
Interim City Attorney 



CITY OF LODI

PUBLIC WORKS DEPARTMENT

Woolworth Trash Enclosure Site Plan

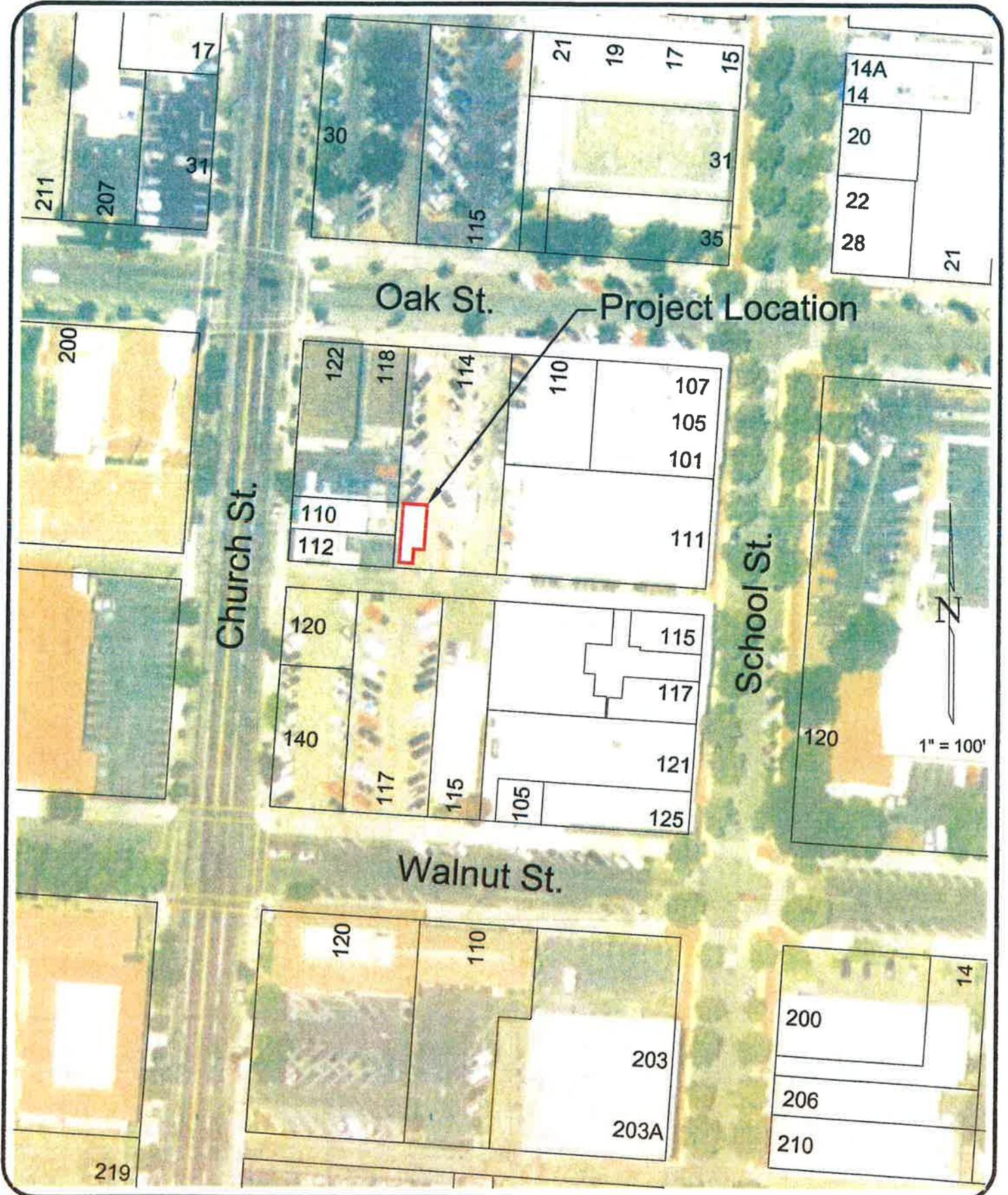


EXHIBIT B

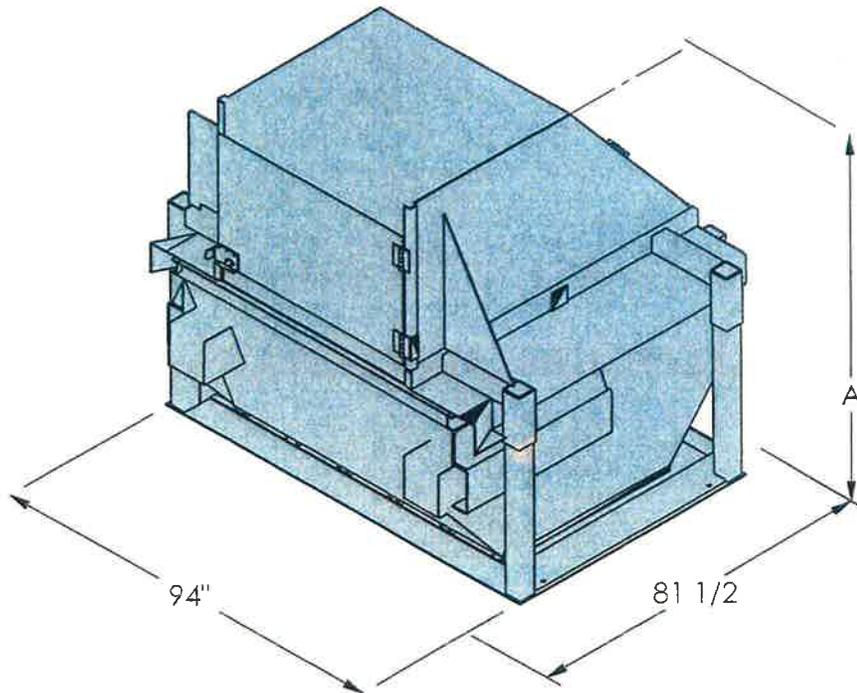
Woolworth Trash Enclosure

Project Description:

The project is described as the improvements and utility services approved for construction in Permit B110780 issued by the City on October 9, 2013, and generally described therein, and as presented on construction plans 12X003-1 through 4. The improvements consist of a concrete block enclosure with steel doors to accommodate three recycling bins, one kitchen waste bin, and one vertical waste compactor. Utilities provided to the site include water service, electric service, and wastewater service. The location of the improvements is shown on the Woolworth Trash Enclosure Site Plan (Exhibit A). The specifications for the vertical trash compactor are provided in the manufacturer's submittals which are attached hereto.



CRAM-A-LOT®
J.V. Manufacturing, Inc.
Solid Waste & Recycling Equipment



Specifications

Special modifications quoted upon request

GENERAL:

Dimensions	Length	81-1/2"
	Width	94"
Clear Top Opening		48" L x 31" W
Load Height	See Chart	
Cycle Time		37 seconds
Ram Force	Normal	25,100 lbs
	Maximum	30,200 lbs
Ram Penetration		29.5"
Ram Face Dimensions		48" W x 35" L
Weight	See Chart	

CONSTRUCTION:

Container	Floor	11 gage
	Sides	11 gage
Presshead	Face	1/4" Steel Plate Sweeping Blade Design
Chassis		4" x 2" Structural Steel Tube

ELECTRICAL:

Motor	3 hp
Voltage	208-230/460 VAC 60 Hz Three Phase
Optional Voltage	230 VAC 60 Hz Single Phase

HYDRAULIC:

Pump Type	Vane	
Pump Capacity		3 gpm
Tank Capacity		8 gal
Hydraulic Cylinder	Bore	4"
	Stroke	18"
	Rod	2"
Operating Pressure	Normal	2,000 psi
	Maximum	2,400 psi

MODEL	A	WEIGHT
CV-03	46-3/4"	3,460 lbs
CV-04	46-3/4"	3,625 lbs
CV-06	58-7/8"	3,810 lbs
CV-08	73-1/4"	4,145 lbs

Vertical Compactor

Replaces Costly Open Containers - Requires Limited Space

FEATURES

- UL/CUL listed Control Panel
- Integral Power Unit
- Control Panel built into side of Compactor
- Key operated controls
- Automatic single-cycle operation
- Door safety interlock
- Available with 3yd, 4yd, 6yd and 8 Yard Container Capacities

CRAM-A-LOT's Vertical Compactors are designed to save space and eliminate the mess of multiple Front Load containers. Less trips by the hauling company mean savings to both the customer and the hauler. Less mess means fewer unwanted pest/rodents.



DESIGN FEATURES

- Engineered combination of feed door and press head operation eliminates trash from passing by the press head
- No hydraulic lines attached to the container eliminates the need for driver to get out of the truck, saving time and money
- Eliminates the unsightly mess of spillage by the hauler
- Rugged construction provides long life
- Compaction Ratios on Average of 4 to 1 depending on material mix
- Ideal for Restaurants, Fast Food locations, Shopping Centers, Supermarkets, Hospitals, Schools, Nursing Homes, and hotels

LOADING CAPABILITIES

- Can be loaded from the front or rear
- Load from the ground, off a dock, or through the wall
- Feed heights starting at 46 3/4"

USER FRIENDLY

- Convenient location of control panel

SAFETY

- Door Safety Interlock
- Highly visible "Safe To Haul Light"
- Removable key for authorized operator usage

May 14, 2010
 City of Lodi
 Woolworth's Place
 Compactor Costs

NEW COMPACTOR RENTAL, LEASE, AND PURCHASE PRICING						
<i>WASTE/SERVICE TYPE</i>	<i>QTY</i>	<i>EQUIPMENT</i>	<i>BIN SIZE</i>	<i>SERVICE FREQUENCY/TYPE</i>	<i>SERVICE CHARGE</i>	<i>RATE FREQUENCY</i>
New Compactor Lease \$1,000 buyout	1	Compactor – Verti-Pack	3yard	N/A	\$454.03	Per month
New Compactor Lease \$5,000 buyout	1	Compactor – Verti-Pack	3yard	N/A	\$386.94	Per month
New Compactor Rental	1	Compactor – Verti-Pack	3 yard	N/A	\$371.09	Per month
Purchase	1	Compactor – Verti-Pack	3yard	N/A	\$20464.80	One time

- *Electrical to the disconnect would be provided by City of Lodi
- *Rental and lease prices include maintenance
- *All prices include delivery and installation
- *Service of the compactor would be provided by Waste Management
- *Billing for the compactor would be connected to one building

Kristen Gramm
 Waste Management
 1333 East Turner Road
 Lodi CA 95240
kgramm@wm.com

RESOLUTION NO. 2014-71

A RESOLUTION OF THE LODI CITY COUNCIL APPROVING
IRREVOCABLE DEDICATION OF SOLID WASTE
IMPROVEMENTS LOCATED AT 114 WEST OAK STREET

WHEREAS, in 2012, the City of Lodi and Waste Management partnered with several property owners and business owners in the block bounded by Church Street, Oak Street, Walnut Street, and School Street to clean up visual and odor blight caused by the collection of individual solid waste handling bins clustered together in the City's parking lot located at 114 West Oak Street; and

WHEREAS, the City and Waste Management contributed \$19,900 and \$34,100, respectively, toward the cost to construct a masonry block enclosure housing one solid waste compactor, three recycling bins, one grease storage unit, and the appurtenant utilities; and

WHEREAS, the property owners and business owners involved in the project have entered into an agreement setting forth the monthly percent shares of the cost for the Waste Management service, including an amortized repayment of the cost of the solid waste compactor. The agreement obligates all parties to use the new garbage facility for all trash, grease, and recycling and that they shall not allow other garbage cans, dumpsters, or grease receptacles on or around the property; and

WHEREAS, the improvements have been completed in substantial conformance with approved building permit for the project; and

WHEREAS, as agreed by all parties, the City would accept dedication of the improvements upon completion from the contracting agent, the Michael Fluetsch and Kristina Fluetsch Revocable Trust; and

WHEREAS, staff recommends approval of the Irrevocable Dedication.

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council does hereby approve the Irrevocable Dedication of Solid Waste Improvements located at 114 West Oak Street, Lodi, California; and

BE IT FURTHER RESOLVED that the City Council does hereby authorize the Interim City Manager to execute the agreement.

Dated: May 7, 2014

I hereby certify that Resolution No. 2014-71 was passed and adopted by the City Council of the City of Lodi in a regular meeting held May 7, 2014, by the following vote:

- AYES: COUNCIL MEMBERS – Hansen, Johnson, Mounce, and Mayor Katzakian
- NOES: COUNCIL MEMBERS – None
- ABSENT: COUNCIL MEMBERS – Nakanishi
- ABSTAIN: COUNCIL MEMBERS – None



RANDI JOHL-OLSON
City Clerk

CITY COUNCIL

PHIL KATZAKIAN, Mayor
LARRY D. HANSEN,
Mayor Pro Tempore
BOB JOHNSON
JOANNE L. MOUNCE
ALAN NAKANISHI

CITY OF LODI
PUBLIC WORKS DEPARTMENT

CITY HALL, 221 WEST PINE STREET
P.O. BOX 3006
LODI, CALIFORNIA 95241-1910
(209) 333-6706
FAX (209) 333-6710
EMAIL pwdept@lodi.gov
<http://www.lodi.gov>

STEPHEN SCHWABAUER
Interim City Manager
RANDI JOHL-OLSON
City Clerk
JANICE D. MAGDICH
Interim City Attorney
F. WALLY SANDELIN
Public Works Director

May 1, 2014

Michael Fleutsch and Kristina Fleutsch Revocable Trust
115 W. Walnut Street, Suite 3
Lodi, CA 95240

SUBJECT: Adopt Resolution Approving Irrevocable Dedication of Solid Waste
Improvements Located at 114 West Oak Street

Enclosed is a copy of background information on an item on the City Council agenda of
Wednesday, May 7, 2014. The meeting will be held at 7 p.m. in the
City Council Chamber, Carnegie Forum, 305 West Pine Street.

This item is on the consent calendar and is usually not discussed unless a
Council Member requests discussion. The public is given an opportunity to address
items on the consent calendar at the appropriate time.

If you wish to write to the City Council, please address your letter to City Council,
City of Lodi, P. O. Box 3006, Lodi, California, 95241-1910. Be sure to allow time for the
mail. Or, you may hand-deliver the letter to City Hall, 221 West Pine Street.

If you wish to address the Council at the Council Meeting, be sure to fill out a speaker's
card (available at the Carnegie Forum immediately prior to the start of the meeting) and
give it to the City Clerk. If you have any questions about communicating with the
Council, please contact Randi Johl, City Clerk, at (209) 333-6702.

If you have any questions about the item itself, please call me at (209) 333-6709.



for: F. Wally Sandelin
Public Works Director

FWS/pmf

Enclosure

cc: City Clerk