



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Public Hearing to Consider Refuse Rate Adjustment Application from California Waste Systems, Inc.

MEETING DATE: April 1, 1998

PREPARED BY: Public Works Director

RECOMMENDED ACTION: That the City Council adopt the attached ordinances implementing refuse rate adjustments as presented by California Waste Systems, Inc. (CWSI).

BACKGROUND INFORMATION: In December 1991, the City Council adopted a rate methodology for establishing residential and commercial refuse collection rates in the City of Lodi. In accordance with the index year rate procedure specified in the rate methodology, CWSI has submitted its rate adjustment application requesting a 1.35% increase for both residential and commercial rates. This calculates to a \$.24 increase for basic residential service. **(Note:** The Council Communication requesting the setting of this public hearing incorrectly showed an increase of 1.31% instead of 1.35%. The amount of the increase for the standard 38-gallon residential rate is rounded to \$.24.)

This is the second year of a two-year adjustment cycle. This year's application is based on a composite cost index formula. A more detailed analysis takes place in alternate years and will be done in 1999. A copy of the rate methodology, which enumerates the formula used in the index year, was submitted with the March 18, 1998 Council Communication. The new rate will take effect for bills prepared after April 1, 1998, as established in the rate methodology detailed procedure.

The City has received one written inquiry since the rate adjustment application was received. A copy of that letter is attached along with explanations and answers to the questions asked in the letter.

FUNDING: Not applicable.

Richard C. Prima, Jr.
Public Works Director

RCP/SB/lm

Attachments

cc: Randy Hays, City Attorney
Sharon Blaufus, Administrative Assistant
Tom Sanchez, California Waste Systems, Inc.
Eileen M. St. Yves, Apartment Manager

APPROVED: _____

H. Dixon Flynn -- City Manager



Orange Grove Apts.
Turner Apartments
Lodi Homes

310 S. Orange Ave.
Lodi, CA 95240
(209)368-2111

March 6, 1998

Members of the Lodi City Council
221 West Pine Street
Lodi, CA. 95240

Dear Mayor and City Council Members,

See
Response#

- Once again the council will be reviewing a rate increase for refuse, on March 18, 1998. I take the opportunity to express my thoughts and information on this subject. My concern is for the apartment dweller and once again facing another rate increase. The apartment dweller has been forced to accept increases totaling 113+% in the past 5 years. I am not aware of any fees increased to the extent we have received. I ASK WHY?
- (1)

- Historically, the initial cost of the waste carts was established by amortization city wide. Therefore, apartment dwellers are paying for a portion of the waste carts in addition to rental fees for bins, and the individual monthly fee imposed by the city council. Even though the owner writes the check for the bin rental fees, it is a factor in the rent structure. I ASK WHY?
- (2)

- California Waste Recovery Systems of Lodi and Stockton Scavenger are owned by the same parent company, rates in Stockton are much lower than Lodi. I ASK WHY?
- (3)

For example;

99 units in Stockton, 4 bins, 4 yards each, twice a week, the rate is \$409.28

86 units in Lodi, 3 bins, 2 yards each, twice a week, the rate is \$601.70. I ASK WHY? If California Waste is able to make a profit at this rate, (commercial) WHY does it cost an additional \$746.22 a month to bill the individual households? I ASK WHY?

- When does an "Urgency Ordinance" go into effect? It is my understanding that this is not specified in contract with California Waste.
- (4)

- I am requesting EQUITABLE RATES for the service we are receiving. In this day of de-regulation, it is appropriate that the consumer be allowed to make his choice of waste removal service companies. I ASK WHEN?
- (5)

Sincerely,


Eileen M. St. Yves, Manager

RESPONSE TO MARCH 6, 1998 LETTER

1. The total rate increases of 113% cited in the letter go back to the \$7.25 monthly rate for one 30-gallon can before the recycling program was adopted. The initial change to the three-cart system, providing a 38-gallon waste container plus recycling and yard and garden carts, increased the rate to \$12.83, a 77% increase. Since then, including rate increases and a one-time reduction in multi-family rates, the rates have increased an average of just under 5% per year for multi-family units. The rate is slightly higher for single-family units. In addition to increases in labor and equipment, a significant increase in dumping fees at the North County Sanitary Landfill on Harney Lane has been absorbed.
2. The rate structure provides rates per multi-family dwelling unit on a per-waste-cart basis for once-a-week service, plus the option for apartment owners to select container service. Selecting container service allows the owner to purchase both the container volume and frequency best suiting their needs. Comparing the two, and pointing out inequities, is similar to the situation in the water utility which has metered rates and flat rates based on the number of bedrooms. The water flat rate per bedroom and the waste cart rate per unit are based on Citywide averages. Thus, there are always customers paying more or less for the exact amount of service they are receiving compared to the average. The Orange Grove Apartments is one of the many apartments which requires each tenant to pay for their service individually. But they also use containers and are one of the very few complexes which generates less waste than the average (but still above the "low volume user" rate). Setting a special rate for its circumstances should also entail higher rates for the many complexes generating higher-than-average volumes. Again, the owner could select to pay for container service directly.
3. While both Stockton Scavenger and CWSI are owned by U.S. Waste, Stockton Scavenger inherited the previous rate structure and it is too soon to know how and if rates might change because of the parent company. However, there are some significant differences between Stockton and Lodi that make rates in Stockton lower:
 - Lodi uses the North County Sanitary Landfill which has higher dumping fees than the landfills used by Stockton.
 - The landfills in Stockton are located closer to the service area, requiring less hauling.
 - Stockton's program is not providing the level of recycling Lodi provides (31% versus 44%).
 - Stockton's market is much larger than Lodi's, providing greater sharing of fixed costs.
4. The rate methodology adopted by the City Council in 1991 specifies April 1 as the effective date for rate adjustments.
5. The question of "equitable" rates is addressed in Item 2 (above). The franchise agreement runs until January 1, 2002. Per the agreement, the City must provide an advance notice 18 months prior to nonrenewal. Thus, a decision to reopen the franchise to competitive bidding must be made by July 1, 2000. The March 6, 1998 letter suggests all customers be given the choice of removal service companies which would present many other issues and cost impacts.



CITY OF LODI

Carnegie Forum
305 West Pine Street, Lodi

NOTICE OF PUBLIC HEARING

Date: April 1, 1998

Time: 7:00 p.m.

For information regarding this notice please contact:

Alice M. Reimche

City Clerk

Telephone: (209) 333-6702

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on Wednesday, April 1, 1998 at the hour of 7:00 p.m., or as soon thereafter as the matter may be heard, the City Council will conduct a Public Hearing at the Carnegie Forum, 305 West Pine Street, Lodi, to consider the following matter:

- a) Refuse Rate Adjustment Application from California Waste Recovery Systems

All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk at any time prior to the hearing scheduled herein, and oral statements may be made at said hearing.

If you challenge the subject matter in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice or in written correspondence delivered to the City Clerk, P.O. Box 3006, at or prior to the Public Hearing.

Alice M. Reimche
City Clerk

Dated: March 18, 1998

Approved as to form:

Randall A. Hays
City Attorney



DECLARATION OF MAILING

SET PUBLIC HEARING FOR 4/1/98 RE: REFUSE RATE ADJUSTMENT

On March 19, 1998, in the City of Lodi, San Joaquin County, California, I deposited in the United States mail, envelopes with first-class postage prepaid thereon, containing a copy of the Notice attached hereto, marked Exhibit "A"; said envelopes were addressed as is more particularly shown on Exhibit "B" attached hereto.

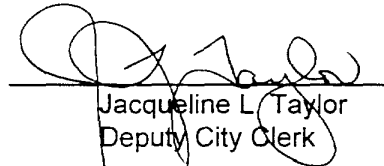
There is a regular daily communication by mail between the City of Lodi, California, and the places to which said envelopes were addressed.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 19, 1998, at Lodi, California.

ORDERED BY:

ALICE M. REIMCHE
CITY CLERK



Jacqueline L. Taylor
Deputy City Clerk

Jennifer M. Perrin
Deputy City Clerk

Susan Seward-Lake
Administrative Clerk

MAILING LIST

California Waste Recovery Systems
1333 East Turner Road
Lodi, CA 95240

CITY COUNCIL

JACK A. SIEGLOCK, Mayor
KEITH LAND
Mayor Pro Tempore
STEPHEN J. MANN
PHILLIP A. PENNINO
DAVID P. WARNER

CITY OF LODI

CITY HALL, 221 WEST PINE STREET
P.O. BOX 3006
LODI, CALIFORNIA 95241-1910
(209) 333-6706
FAX (209) 333-6710

March 26, 1998

H. DIXON FLYNN
City Manager
ALICE M. REIMCHE
City Clerk
RANDALL A. HAYS
City Attorney

California Waste Removal Systems, Inc.
Attn: Tom Sanchez
P. O. Box 241001
Lodi, CA 95241-9501

Orange Grove Apartments
Attn: Eileen M. St. Yves, Manager
310 South Orange Avenue
Lodi, CA 95240

SUBJECT: Public Hearing to Consider Refuse Rate Adjustment Application from
California Waste Systems, Inc.

Enclosed is a copy of background information on an item on the City Council agenda of Wednesday, April 1, 1998. The meeting will be held at 7 p.m. in the City Council Chamber, Carnegie Forum, 305 West Pine Street.

The Council will conduct a public hearing on this item. You are welcome to attend and speak 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 Alice Reimche, City Clerk, at 333-6702.

If you have any questions about the item itself, please call Richard Prima at 333-6759.

Richard C. Prima, Jr.
for: Richard C. Prima, Jr.
Public Works Director

RCP/do

Enclosure

cc: City Clerk



Orange Grove Apts.
Turner Apartments
Lodi Homes

310 S. Orange Ave.
Lodi, CA 95240
(209)368-2111

HOW CAN WE REDUCE GARBAGE RATES?

Are you tired of paying a refuse (Garbage) bill equal to any homeowner in town? If your answer is YES, we need to do the following:

- Everyone must comply with the recycling program. It will take some effort on your part, but will pay off in the long run.
- ♦ Put all newspapers, plastic containers, soda and beer cans in the ***Green Recycle Bin***. All cardboard boxes of any kind must be flattened and put into the ***Green Recycle Bin***
- If we are able to cut down the quantity in the trash bins, we stand a very good chance of receiving a rate reduction.

It is up to us to make the above changes in order to receive the rate reduction.

Thanks,

Eileen

ORDINANCE NO. 1656

AN UNCODIFIED URGENCY ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF LODI, REPEALING ORDINANCE 1644 IN ITS ENTIRETY,
AND ESTABLISHING NEW RATES FOR RESIDENTIAL SOLID WASTE
COLLECTION

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BE IT ORDAINED BY THE LODI CITY COUNCIL AS FOLLOWS:

Section 1. Ordinance 1644, adopted March 19, 1997, is repealed in its entirety.

Section 2. Pursuant to Lodi Municipal Code chapter 13.16 - SOLID WASTE - as it relates to residential solid waste collection, new monthly rates are hereby established, as more fully shown on Attachment "A" hereto, which is incorporated by reference as if fully set forth herein.

A. For any residence requesting "backyard service" for the collection of their waste cart(s), there shall be an additional rate of Ten Dollars (\$10.00) per month, unless the residence is granted an exemption from the rate by the Citizen's Advisory Board.

B. For any residence requesting a commingled recycled cart(s) and/or a yard/garden waste cart(s), sufficient to meet its waste diversion needs, there shall be no additional charge.

C. Any residential customer may purchase from the City or the franchisee for the price of Five Dollars (\$5.00) each, especially marked tags for affixing to trash bags which will then be collected with routine waste removal service. Such tags may be used to supplement, but not in lieu of other required solid waste collection services for residences.

D. Rates set forth in this Ordinance shall be effective on all bills which are prepared on or after April 1, 1998.

Section 3 - No Mandatory Duty of Care. This ordinance is not intended to and shall not be construed or given effect in a manner which imposes upon the City, or any officer or employee thereof, a mandatory duty of care towards persons or property within the City or outside of the City so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

Section 4 - Severability. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or application of the ordinance which can be given effect without the invalid provision or application. To this end, the provisions of this ordinance are severable. The City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof.

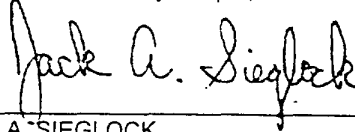
Section 5. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

Section 6. This is an urgency ordinance under Government Code §36934, and is based on health, safety and welfare considerations arising from the need to collect appropriate fees for waste removal.

Section 7. 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.

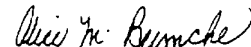
Section 8. The City Council of the City of Lodi hereby finds and declares pursuant to Public Resources Code §21080 that such rates are necessary and reasonable for the usual operating expenses of the franchisee, including employee wages and benefits and for the purpose of purchasing facilities, equipment and materials necessary to implement and carry out a Council-mandated recycling program, and for other health and safety purposes.

Approved this 1st day of April, 1998



JACK A. SIEGLOCK
Mayor

Attest:



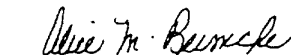
ALICE M. REIMCHE
City Clerk

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. 1656 was adopted as an uncodified urgency ordinance at a regular meeting of the City Council of the City of Lodi held April 1, 1998 and was thereafter passed, adopted and ordered to print by the following vote:

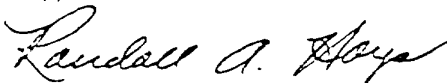
AYES:	Council Members - Johnson, Land, Mann, Pennino and Sieglock (Mayor)
NOES:	Council Members - None
ABSENT:	Council Members - None
ABSTAIN:	Council Members - None

I further certify that Ordinance No. 1656 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:



RANDALL A HAYS
City Attorney

CITY OF LODI
RESIDENTIAL CURBSIDE SERVICE RATES
EFFECTIVE APRIL 1, 1998

	<u>New Rate</u> <u>Per Mo.</u>
1. <u>38 GALLON WASTE CART 1X PER WEEK:</u>	
Single Family	
1 Waste Cart	\$17.76
2 Waste Carts	\$44.39
3 Waste Carts	\$71.03
4 Waste Carts	\$97.66
Duplex and more, and Mobile Homes	
1 Waste Cart per Customer	\$16.64
2 Waste Carts per Customer	\$41.60
3 Waste Carts per Customer	\$66.57
2. <u>64 GALLON WASTE CART 1X PER WEEK</u>	
1 Waste Cart	\$26.71
2 Waste Cart	\$66.77
3 Waste Cart	\$106.82
3. <u>20 GALLON WASTE CART 1X PER WEEK</u>	
LOW VOLUME USERS	
1 Waste Cart	\$12.09
4. <u>BACK YARD SERVICE CHARGE: \$10.00 MONTH</u>	

ORDINANCE NO. 1657

AN UNCODIFIED URGENCY ORDINANCE OF THE CITY
COUNCIL OF THE CITY OF LODI, REPEALING ORDINANCE
1645 IN ITS ENTIRETY, AND ESTABLISHING NEW RATES FOR
COMMERCIAL SOLID WASTE COLLECTION

=====

BE IT ORDAINED BY THE LODI CITY COUNCIL AS FOLLOWS:

Section 1. Ordinance 1645, adopted March 19, 1997, is repealed in its entirety.

Section 2. Pursuant to Lodi Municipal Code Chapter 13.16 - SOLID WASTE - as it relates to commercial solid waste collection, new monthly rates are hereby established, as more fully shown on Attachment "A" hereto which is incorporated by reference as if fully set forth herein.

A. All of the rate schedules set forth in this section shall be effective on all bills which are prepared on or after April 1, 1998.

Section 3 - No Mandatory Duty of Care. This ordinance is not intended to and shall not be construed or given effect in a manner which imposes upon the City, or any officer or employee thereof, a mandatory duty of care towards persons or property within the City or outside of the City so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

Section 4 - Severability. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application. To this end, the provisions of this ordinance are severable. The City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof.

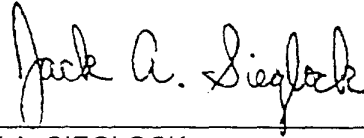
Section 5. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

Section 6. This is an urgency ordinance under Government Code §36934, and is based on health, safety and welfare considerations arising from the need to collect appropriate fees for waste removal.

Section 7. 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.

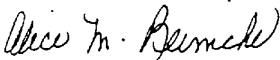
Section 8. The City Council of the City of Lodi hereby finds and declares pursuant to Public Resources Code §21080 that such rates are necessary and reasonable for the usual operating expenses of the franchisee, including employee wages and benefits and for the purpose of purchasing facilities, equipment and materials necessary to implement and carry out a Council-mandated recycling program, and for other health and safety purposes.

Approved this 1st day of April, 1998.



JACK A. SIEGLOCK
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. 1657 was adopted as an uncodified urgency ordinance at a regular meeting of the City Council of the City of Lodi held April 1, 1998 and was thereafter passed, adopted and ordered to print by the following vote:


AYES: Council Members - Johnson, Land, Mann, Pennino and Sieglock (Mayor)
NOES: Council Members - None
ABSENT: Council Members - None
ABSTAIN: Council Members - None

I further certify that Ordinance No. 1657 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:



RANDALL A. HAYS
City Attorney

CITY OF LODI
 COMMERCIAL WASTE CART RATES
 EFFECTIVE APRIL 1, 1998

COMMERCIAL 38 GALLON WASTE CART 1 X PER WEEK:

# of Waste Carts	New Rate
1 Waste Cart	\$17.73
2 Waste Carts	\$44.32
3 Waste Carts	\$70.90

COMMERCIAL 90 GALLON WASTE CART 1 X PER WEEK:

# of Waste Carts	1 x Wk Rate	1 x Wk Rate
1 Waste Cart	\$58.64	\$117.28
2 Waste Carts	\$117.28	
3 Waste Carts	\$175.92	

California Waste Systems, Inc. - City of Lodi Franchise
 Commercial Rate Design
 Proposed Rates - 1.35 % Increase
 Effective Date: April 1, 1998

Container Capacity in Yards	Number of Containers	Total Capacity	Frequency / Week					
			1	2	3	4	5	6
1	1	1	\$80.43	\$160.85	\$385.40	\$706.01	\$1,122.70	\$1,635.48
	2	2	\$122.43	\$244.85	\$540.21	\$950.87	\$1,476.81	\$2,118.04
	3	3	\$164.42	\$328.85	\$695.03	\$1,195.72	\$1,830.91	\$2,600.61
	4	4	\$206.42	\$412.84	\$849.84	\$1,440.56	\$2,185.01	\$3,083.18
	5	5	\$248.42	\$496.83	\$1,004.66	\$1,685.41	\$2,539.12	\$3,565.75
	6	6	\$290.42	\$580.83	\$1,159.46	\$1,930.27	\$2,893.21	\$4,048.31
	7	7	\$332.41	\$664.83	\$1,314.29	\$2,175.11	\$3,247.31	\$4,530.88
	8	8	\$374.41	\$748.81	\$1,469.10	\$2,419.96	\$3,601.41	\$5,013.44
	9	9	\$416.41	\$832.81	\$1,623.92	\$2,664.82	\$3,955.52	\$5,496.02
	10	10	\$458.40	\$916.80	\$1,778.72	\$2,909.66	\$4,309.61	\$5,978.58
2	1	2	\$120.53	\$241.04	\$515.51	\$892.63	\$1,372.38	\$1,954.77
	2	4	\$199.99	\$399.97	\$784.70	\$1,292.61	\$1,923.65	\$2,677.89
	3	6	\$279.46	\$558.90	\$1,053.90	\$1,692.58	\$2,474.94	\$3,401.01
	4	8	\$358.91	\$717.84	\$1,323.08	\$2,092.54	\$3,026.22	\$4,124.13
	5	10	\$438.38	\$876.76	\$1,592.28	\$2,492.52	\$3,577.51	\$4,847.26
	6	12	\$517.85	\$1,035.70	\$1,861.44	\$2,892.49	\$4,128.80	\$5,570.38
	7	14	\$597.32	\$1,194.63	\$2,130.65	\$3,292.46	\$4,680.08	\$6,293.50
	8	16	\$676.78	\$1,353.57	\$2,399.84	\$3,692.43	\$5,231.36	\$7,016.62
	9	18	\$756.25	\$1,512.50	\$2,669.03	\$4,092.41	\$5,782.65	\$7,739.74
	10	20	\$835.71	\$1,671.42	\$2,938.21	\$4,492.38	\$6,333.94	\$8,462.87
3	1	3	\$155.13	\$310.25	\$619.32	\$1,031.03	\$1,545.38	\$2,162.36
	2	6	\$269.20	\$538.38	\$992.32	\$1,569.40	\$2,269.66	\$3,093.10
	3	9	\$383.26	\$766.52	\$1,365.31	\$2,107.79	\$2,993.96	\$4,023.82
	4	12	\$497.32	\$994.64	\$1,738.29	\$2,646.16	\$3,718.25	\$4,954.56
	5	15	\$611.39	\$1,222.78	\$2,111.28	\$3,184.54	\$4,442.55	\$5,885.28
	6	18	\$725.46	\$1,450.91	\$2,484.28	\$3,722.91	\$5,166.83	\$6,816.01
	7	21	\$839.52	\$1,678.74	\$2,857.27	\$4,261.29	\$5,891.11	\$7,746.74
	8	24	\$953.59	\$1,907.17	\$3,230.26	\$4,799.67	\$6,615.41	\$8,677.48
	9	27	\$1,067.66	\$2,135.31	\$3,603.26	\$5,338.04	\$7,339.70	\$9,608.20
	10	30	\$1,181.73	\$2,363.44	\$3,976.24	\$5,876.43	\$8,063.98	\$10,538.93

California Waste Systems, Inc. - City of Lodi Franchise
Commercial Rate Design
Proposed Rates - 1.35 % Increase
Effective Date: April 1, 1998

Container Capacity in Yards	Number of Containers	Total Capacity	Frequency / Week					
			1	2	3	4	5	6
4	1	4	\$189.73	\$379.44	\$723.12	\$1,169.44	\$1,718.39	\$2,369.98
	2	8	\$338.39	\$676.78	\$1,199.91	\$1,846.21	\$2,615.68	\$3,508.31
	3	12	\$487.06	\$974.12	\$1,676.71	\$2,523.00	\$3,512.97	\$4,646.64
	4	16	\$635.73	\$1,271.46	\$2,153.51	\$3,199.78	\$4,410.27	\$5,784.98
	5	20	\$784.39	\$1,568.79	\$2,630.30	\$3,876.57	\$5,307.57	\$6,923.32
	6	24	\$933.06	\$1,866.13	\$3,107.10	\$4,553.34	\$6,204.86	\$8,061.65
	7	28	\$1,081.73	\$2,163.47	\$3,583.89	\$5,230.13	\$7,102.16	\$9,199.99
	8	32	\$1,230.41	\$2,460.80	\$4,060.70	\$5,906.91	\$7,999.45	\$10,338.32
	9	36	\$1,379.07	\$2,758.14	\$4,537.49	\$6,583.70	\$8,896.75	\$11,476.65
	10	40	\$1,527.74	\$3,055.47	\$5,014.28	\$7,260.46	\$9,794.04	\$12,615.00
5	1	5	\$224.33	\$448.65	\$826.92	\$1,307.84	\$1,891.39	\$2,577.57
	2	10	\$407.59	\$815.18	\$1,407.53	\$2,123.03	\$2,961.69	\$3,923.51
	3	15	\$590.86	\$1,181.73	\$1,988.12	\$2,938.21	\$4,032.00	\$5,269.47
	4	20	\$774.12	\$1,548.26	\$2,568.72	\$3,753.41	\$5,102.29	\$6,615.41
	5	25	\$957.40	\$1,914.80	\$3,149.32	\$4,568.58	\$6,172.59	\$7,961.35
	6	30	\$1,140.67	\$2,281.34	\$3,729.92	\$5,383.77	\$7,242.90	\$9,307.28
	7	35	\$1,323.94	\$2,647.88	\$4,310.52	\$6,198.95	\$8,313.19	\$10,653.23
	8	40	\$1,507.21	\$3,014.42	\$4,891.12	\$7,014.15	\$9,383.49	\$11,999.18
	9	45	\$1,690.48	\$3,380.95	\$5,471.71	\$7,829.33	\$10,453.80	\$13,345.12
	10	50	\$1,873.75	\$3,747.49	\$6,052.31	\$8,644.51	\$11,524.09	\$14,691.06
6	1	6	\$258.93	\$517.85	\$930.74	\$1,446.24	\$2,064.39	\$2,785.19
	2	12	\$476.79	\$953.59	\$1,615.13	\$2,399.84	\$3,307.70	\$4,338.73
	3	18	\$694.67	\$1,389.33	\$2,299.54	\$3,353.42	\$4,551.01	\$5,892.29
	4	24	\$912.54	\$1,825.07	\$2,983.93	\$4,307.01	\$5,794.31	\$7,445.83
	5	30	\$1,130.41	\$2,260.80	\$3,668.33	\$5,260.61	\$7,037.62	\$8,999.38
	6	36	\$1,348.27	\$2,696.56	\$4,352.74	\$6,214.20	\$8,280.93	\$10,552.94
	7	42	\$1,566.15	\$3,132.30	\$5,037.14	\$7,167.79	\$9,524.24	\$12,106.48
	8	48	\$1,784.01	\$3,568.04	\$5,721.54	\$8,121.38	\$10,767.54	\$13,660.03
	9	54	\$2,001.89	\$4,003.78	\$6,405.95	\$9,074.97	\$12,010.85	\$15,213.58
	10	60	\$2,219.76	\$4,439.52	\$7,090.34	\$10,028.55	\$13,254.16	\$16,767.13

ORDINANCE NO. 1658

AN UNCODIFIED URGENCY ORDINANCE OF THE CITY
COUNCIL OF THE CITY OF LODI, REPEALING ORDINANCE
1646 IN ITS ENTIRETY, AND AMENDING LODI MUNICIPAL
CODE CHAPTER 13.16, RELATING TO COMMERCIAL 10 TO
50 CUBIC YARD ROLL-OFF BOXES

=====

BE IT ORDAINED BY THE LODI CITY COUNCIL AS FOLLOWS:

Section 1. Ordinance 1646, adopted March 19, 1997, is repealed in its entirety, and shall be of no further force or effect.

Section 2 - Rates:

A. The rates to be charged for commercial 10 to 50 cubic yard roll-off box collection service shall be as follows:

1. For owners or tenants of business houses, the rates shall be as set forth in the Commercial 10 to 50 Cubic Yard Roll-Off box Rate Structure schedule attached, when such 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 April 1, 1998.

Section 3 - No Mandatory Duty of Care. This ordinance is not intended to and shall not be construed or given effect in a manner which imposes upon the City, or any officer or employee thereof, a mandatory duty of care towards persons or property within the City or outside of the City so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

Section 4 - Severability. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application. To this end, the provisions of this ordinance are severable. The City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof.

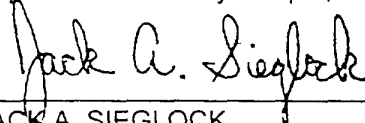
Section 5. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

Section 6. This is an urgency ordinance under Government Code §36934, and is based on health, safety and welfare considerations arising from the need to collect appropriate fees for waste removal.

Section 7. 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.

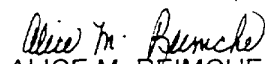
Section 8. The City Council of the City of Lodi hereby finds and declares pursuant to Public Resources Code §21080 that such rates are necessary and reasonable for the usual operating expenses of franchisee, including employee wages and benefits and for the purpose of purchasing facilities, equipment and materials.

Approved this 1st day of April, 1998



JACK A. SIEGLOCK
Mayor

Attest:



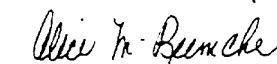
ALICE M. REIMCHE
City Clerk

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. 1658 was adopted as an uncodified urgency ordinance at a regular meeting of the City Council of the City of Lodi held April 1, 1998 and was thereafter passed, adopted and ordered to print by the following vote:

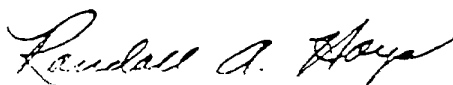
AYES: Council Members - Johnson, Land, Mann, Pennino and Sieglock (Mayor)
NOES: Council Members - None
ABSENT: Council Members - None
ABSTAIN: Council Members - None

I further certify that Ordinance No. 1658 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:



RANDALL A. HAYS
City Attorney

CITY OF LODI
COMMERCIAL 10 TO 50 CUBIC YARD ROLL-OFF BOX
RATE STRUCTURE SCHEDULE
EFFECTIVE APRIL 1, 1998

CONTRACT HIGH FREQUENCY DROP RATES:

	<u>New Rate</u>
1. Drop-off/Pick-up Charge Per Box	\$123.99
2. Tons Disposed/Box X Processing Charge	\$27.92
3. Franchise Fee (4.8% of 1 + 2)	
TOTAL BILL (1+2+3)	

ONE-TIME DROP RATE

1. Drop-off/Pick-Up Charge Per Box	\$202.51
2. Tons Disposed/Box X Processing Charge	\$27.92
3. Franchise Fee (4.8% of 1 + 2)	

TOTAL BILL (1+2+3)