



JOHN A. FANTHAM
DIRECTOR OF PUBLIC WORKS

County of Santa Cruz

DEPARTMENT OF PUBLIC WORKS

701 OCEAN STREET, ROOM 410, SANTA CRUZ, CA 950604070
(831) 454-2160 FAX (831) 454-2385 TDD (831) 454-2123

AGENDA: June 22, 1999

June 10, 1999

SANTA CRUZ COUNTY BOARD OF SUPERVISORS
701 Ocean Street
Santa Cruz, California 95060

SUBJECT: LEASE OF OLD TRANSFER TRAILERS

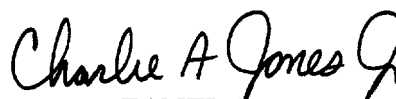
Members of the Board,

The Department of Public Works is in possession of two older model transfer trailers originally utilized for the Ben Lomond Transfer Station operations. These trailers have not been utilized for approximately two years and are currently being stored at the Buena Vista Landfill. The City of Santa Cruz is currently preparing a new public disposal area at their Dimeo Lane Landfill. Under their new waste acceptance program, the public will tip their waste on an asphalt pad, similar to a transfer station operation, where landfill staff will load this material into transfer trailers and haul the material 1/4 mile to the active landfill face. The City of Santa Cruz is interested in leasing our two older transfer trailers for their new program.

County and City of Santa Cruz staff have reviewed the trailer values and estimated annual usage, and agreed upon a fair market value for lease of the trailers. Attached for your consideration is a lease agreement between the County of Santa Cruz and the City of Santa Cruz for lease of two 1990, East transfer trailers with walking floors, and hydraulically operated covers. This is a three year lease with provisions for sale of the trailers at lease termination with both parties consent. The County will receive an up-front lease payment of \$30,000 for the three year lease period.

It is therefore recommended that the Board of Supervisors approve the attached lease agreement between the County and City of Santa Cruz for a lump sum payment of \$30,000, and authorize the Director of Public Works to sign the lease on behalf of the County.

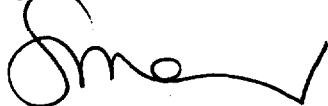
Yours truly,

For 
JOHN A. FANTHAM
Director of Public Works

RPM:rw

Attachments

RECOMMENDED FOR APPROVAL:



County Administrative Officer

copy to: Bob Nelson, City of Santa Cruz, Public Works Department
Fred Magaard, Public Works

**AGREEMENT
BETWEEN THE CITY OF SANTA CRUZ AND THE COUNTY OF SANTA CRUZ
CONCERNING LEASE OF (2) 1990 EAST, WALKING FLOOR TRAILERS**

THIS AGREEMENT, effective July 1, 1999, is between the COUNTY OF SANTA CRUZ, hereafter referred to as the "County" and the CITY OF SANTA CRUZ, hereafter referred to as the "City".

RECITALS

WHEREAS, the County and the City have a mutual interest to manage and dispose of public refuse, and have continued to support and develop mutually beneficial waste management programs; and

WHEREAS, the City desires to construct and operate a public disposal and transfer area at their Dimeo Lane Landfill utilizing, waste transfer trailers for moving refuse to the active landfill disposal area; and

WHEREAS, the County possesses two used 1990, East walking floor transfer trailers with hydraulic lift covers that are no longer in service for County benefit; and

WHEREAS, the City has a public need to lease said trailers for a minimum three year period in order to accomplish their waste management objectives; and

WHEREAS, the County and City have negotiated a fair market lease for said trailers to be used in the City's proposed public disposal operation.

IT IS THEREFORE AGREED BY THE PARTIES TO THIS AGREEMENT THAT,

1. The County shall lease two 1990, East walking floor transfer trailers, with hydraulic lift covers to the City for the purpose of operating their proposed public disposal area.
2. At time of delivery, the County and City shall mutually inspect and record the physical and working condition of said trailers.
3. The City shall be responsible for all costs associated with damage repairs, replacement of worn parts, and maintenance of said trailers in accordance with manufacturer's recommendations.
4. The City shall return said trailers in a clean and operational condition consistent with the condition as documented at delivery, less normal wear and tear associated with the length of lease, mileage and operational application.

- 5. The City shall pay the County a lump sum of \$30,000.00 for a three year lease of said trailers, due and payable no later than July 31, 1999. The City may, with County approval, purchase said trailers at termination of lease for a lump sum of \$10,000.00.

- 6. The City agrees to indemnify, defend and hold harmless the County, its officers, agents, employees and volunteers from and against any and all claims, damages, losses, liabilities and expenses, lawsuits, deficiencies, interest, penalties, fines, judgements, attorney's fees, consultant and expert fees, and all amounts paid in defense or settlement of the foregoing whether or not arising out of third party claims, which may be imposed upon or incurred by the County or asserted against the County by any other party or parties (including governmental entities), in connection with the operation of said leased transfer trailers, including without limitation, any claims, expenses, losses, liabilities, etc. resulting from the use of said leased transfer trailers. The City's obligations pursuant to this section shall exist regardless of whether the County is alleged or held to be strictly or jointly and severally liable. This indemnification clause shall not be construed as requiring the City to indemnify the County from any damages or claims, or other items referenced herein, arising out of the negligent or intentional acts or omissions of the County. It is understood that where the City and the County are alleged to be jointly responsible for any damages or claims, or other items referenced herein, the City's obligation to indemnify the County shall extend only to that percentage of fault attributable to the City.

IN WITNESS WHEREOF, the parties herein execute this Agreement as of the hereinafter stated dates.

Dated: _____, 1999

Dated: _____, 1999

COUNTY OF SANTA CRUZ

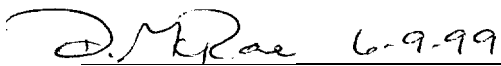
CITY OF SANTA CRUZ

By: _____
Director of Public Works

By: _____
City Manager

Approved as to form:

Approved as to form:



County Counsel

City Attorney

COUNTY OF SANTA CRUZ
REQUEST FOR APPROVAL OF AGREEMENT

0473

TO: Board of Supervisors
County Administrative Officer
County Counsel
Auditor-Controller

FROM:

PUBLIC WORKS

(Dept.)

(Signature)

6.9.99
(Date)

The Board of Supervisors is hereby requested to approve the attached agreement and authorize the execution of the same.

1. Said agreement is between the COUNTY OF SANTA CRUZ (Agency)
CITY OF SANTA CRUZ
and, DEPARTMENT OF PUBLIC WORKS, 809 CENTER STREET, SANTA CRUZ, CA 95060 (Name & Address)

2. The agreement will provide FOR LEASE OF (2) 1990 EAST WALKING FLOOR TRAILERS

3. The agreement is needed BECAUSE THIS LEASE CAN BE ACCOMPLISHED MOST EXPEDITIOUSLY
BY CONTRACT.

4. Period of the agreement is from BOARD APPROVAL to JUNE 30, 2000

5. Anticipated ^{REVENUE} cost is \$ 30,000.00 (Fixed amount; Monthly rate; Not to exceed)

6. Remarks: June 22, 1999 Agenda

7. ^{REVENUE IS} Appropriations are budgeted in 625110 - 2047 2 0 (Index#) 7 (Subobject)

NOTE: IF APPROPRIATIONS ARE INSUFFICIENT, ATTACH COMPLETED FORM AUD-74

Appropriations are available and have been encumbered.
are not N/A will be

Contract No. R-700 Date 6/9/99

GARY A. KNUTSON, Auditor - Controller

By Ronald J. Stehr Deputy.

Proposal reviewed and approved. It is recommended that the Board of Supervisors approve the agreement and authorize the
DIRECTOR OF PUBLIC WORKS to execute the same on behalf of the DEPARTMENT OF
PUBLIC WORKS (Agency). County Administrative Officer

Remarks: (Analyst) By [Signature] Date 6/14/99

Agreement approved as to form. Date

RPM:rw

Distribution:
Bd. of Supv. - White
Auditor-Controller - Blue
County Counsel - Green *
Co. Admin. Officer - Canary
Auditor-Controller - Pink
Originating Dept. - Goldenrod

*To Orig. Dept. if rejected.

ADM - 29 (6/95)

State of California)
County of Santa Cruz) ss

I _____ ex-officio Clerk of the Board of Supervisors of the County of Santa Cruz,
State of California, do hereby certify that the foregoing request for approval of agreement was approved by
said Board of Supervisors as recommended by the County Administrative Officer by an order entered
in the minutes of said Board on _____

_____ 19 _____ By _____ Deputy Clerk