

BURBANK SANITARY DISTRICT

REGULAR MEETING AGENDA FOR
May 17, 2022 at 7:00 PM

**The meeting will be held at 7:00 p.m. via teleconferencing and anyone interested may also call in.
[call (866) 899-4679 Conference ID: 785-518-013]
The District Office at 20863 Stevens Creek Boulevard, Suite 100, Cupertino, California is closed.**

1. CALL TO ORDER

2. ROLL CALL

3. APPROVAL OF AGENDA

4. PUBLIC COMMENTARY – This area is reserved for items **not** listed on the agenda. The Brown Act does not allow discussion of or action on items not on the agenda. The Board may briefly respond to comments or questions from members of the public, provide a reference to staff or other resources for factual information, or direct staff to place the issue on a future agenda. There is a three (3) minute limit for individual speakers.

- 4.A. Visitor Commentary
- 4.B. Agency Representatives
- 4.C. Board Commentary

5. AB 361

The Board makes the following findings required by AB 361 in order to hold this meeting by teleconferencing electronically: (1) the March 4, 2020 Governor’s Proclamation of a State of Emergency is still in effect, (2) the County of Santa Clara Health Officer announced on May 10, 2022 that COVID-19 cases are rising again to higher levels than last summer's surge and there is a rise in hospitalizations; she continues to encourage social distancing and advises people wear masks indoors, and (3) due to room capacity limitations, meeting in person could present imminent risks to the health or safety of attendees.

Board Action Required: Review and make findings (1), (2), and (3) required by AB 361.

6. CLOSED SESSION

6.A. CONFERENCE WITH LEGAL COUNSEL –EXISTING LITIGATION

Government Code Section 54956.9(d)(1) Name of Case: County Sanitation District 2-3, West Valley Sanitation District, Cupertino Sanitary District, Burbank Sanitary District and the City of Milpitas v. The City of San Jose, The City of Santa Clara, and Does 1 through 50 inclusive.

7. CONSENT CALENDAR

- 7.A. Approval of Minutes. Board action required: Approve Meeting Minutes from 4/19/2022

8. WARRANTS

- 8.A. Approval of Warrants. Board action required: Approve six (6) warrants.

- 1. Mark Thomas & Company, Inc. (District Management Services and BSD CIPs)
- 2. First Tech Federal Credit Union (Board of Directors’ Payroll)
- 3. Armento and Hynes, LLP (District Legal Services)
- 4. Richard Tanaka (District Advisor Services)
- 5. Cupertino Sanitary District (Common Interest Agreement Cost Sharing – Jan – Feb 2022)
- 6. Imperium First Consulting (Davis Bacon Wages Consultant for CIP Project)

9. NEW BUSINESS

None.

10. OLD BUSINESS

- 10.A. Status of SRF Loan and CIP Update. Board action required: Review and approve Imperium First Consultant Amendment to Agreement.
- 10.B. Long Range Financial Planning. Board action required: None.
- 10.C. District Website Update. Board action required: None.
- 10.D. GreenWaste Recovery, Inc. 1) Annual CPI Increase. 2) GreenWaste Quarterly Report Jan – Mar 2022 3) Annual Clean Up Day Update. Board action required: Review and accept CPI increase.
- 10.E. California Low-Income Household Water Assistance Program Update. Board action required: None.
- 10.F. Public Hearing for FY2022-2023 Taxroll Collection on June 21, 2022 Update. Board action required: Select Rose Garden Library as the venue of Public Hearing.
- 10.G. Form 470 Filing Update. Board action required: Complete individual filing by 7/31/22.
- 10.H. COVID-19 Update. Board action required: None.

11. HOUSEKEEPING ITEMS

- 11.A. Updates on Housekeeping Items. Board action required: None.
- 11.B. Agenda Items for Next Upcoming Meeting. Board action required: None.

12. ADJOURNMENT: NEXT REGULAR MEETING – Tuesday, June 7, 2022

In compliance with the Americans with Disabilities Act of 1990, if you need special assistance to participate in a District meeting, or you need a copy of the agenda, or the agenda packet, in an appropriate alternative format, please contact the District Administrator's office at (408) 255-2137. Notification of at least 48 hours prior to the meeting or time when services are needed will assist the District staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting or service. In accordance with California Government Code Section 54957.5, any writing or document that is a public record, relates to an open session agenda item, and is distributed less than 72 hours prior to a regular meeting will be made available for public inspection at the District Office. If, however, the document or writing is not distributed until the regular meeting to which it relates, then the document or writing will be made available to the public at the location of the meeting, as listed on this agenda.

* Pursuant to Government Code 54954 subsection b, subsection 4, this facility constitutes the closest meeting facility for the Burbank Sanitary District, since the District has no other meeting facility within the boundaries of the territory, over which the Burbank Sanitary District exercises jurisdiction.

BURBANK SANITARY DISTRICT

7. CONSENT CALENDAR

7.A. APPROVAL OF MINUTES

Approve Minutes from Regular Meeting
of April 19, 2022

6. CLOSED SESSION

5.A. CONFERENCE WITH LEGAL COUNSEL –EXISTING LITIGATION

Government Code Section 54956.9(d)(1) Name of Case: County Sanitation District 2-3, West Valley Sanitation District, Cupertino Sanitary District, Burbank Sanitary District and the City of Milpitas v. The City of San Jose, The City of Santa Clara, and Does 1 through 50 inclusive.

Motion: To not have a closed session.

Move: Kaelker-Boor

Second: Colson

Board vote:

Ayes: Prupes, Sclafani, Kaelker-Boor, Colson

Noes: None

Absent: Yoder

Motion: Move Agenda Item 10.B – Long Range Financial Plan to before Consent Calendar.

Move: Prupes

Second: Kaelker-Boor

Board vote:

Ayes: Prupes, Sclafani, Kaelker-Boor, Colson

Noes: None

Absent: Yoder

10.B. Long Range Financial Planning.

Manager Porter facilitated a discussion on the long-range financial planning. Board requested staff to prepare a list of definitions of terms used in the Long-Range planning document.

7. CONSENT CALENDAR

7.A. Approval of Minutes from the Regular Meetings of April 5, 2022

Motion: To approve Meeting Minutes from the Regular Meetings of April 5, 2022.

Move: Kaelker-Boor

Second: Prupes

Board vote:

Ayes: Prupes, Sclafani, Kaelker-Boor, Colson, Yoder

Noes: None

Absent: None

8. WARRANTS

8.A. Approval of Warrants.

1. Mark Thomas & Company, Inc. (District Management Services and BSD CIPs)
2. First Tech Federal Credit Union (Board of Directors' Payroll)
3. Armento and Hynes, LLP (District Legal Services)
4. Richard Tanaka (District Advisor Services)
5. City of San Jose (TP O&M and Capital Billing Q4 FY2021-22)
6. Imperium First Consulting (Davis Bacon Wages Consultant for CIP Project)
7. Luther Burbank Scholl (Parking Lot Fee for Spring Clean Up Day)
8. ABLE Septic Tank Service (Annual Mainline & Lateral Maintenance)

Motion: To approve eight (8) warrants as listed.

Move: Prupes

Second: Yoder

Board vote:

Ayes: Prupes, Sclafani, Kaelker-Boor, Colson, Yoder

Noes: None

Absent: None

9. NEW BUSINESS

9.A. FY2021-22 Third Quarter Financial Review.

Manager Porter presented the Third Quarter Financial results.

9.B. District Transparency Renewal.

Manager Porter presented the District Transparency renewal process.

Motion: To approve District Transparency Renewal process.

Move: Kaelker-Boor

Second: Yoder

Board vote:

Ayes: Prupes, Sclafani, Kaelker-Boor, Colson, Yoder

Noes: None

9.C California Low-Income Household Water Assistance Program. Board action required:
Review and consider enrolling in the program.

Manager Porter presented the California Low Income Household Water Assistance Program (LIHWAP).

Motion: To enroll in the LIHWAP and ask District Counsel to investigate the legal aspects of the program and confirm that the direct payment process will be allowable by the District.

Move: Yoder

Second: Prupes

Board vote:

Ayes: Prupes, Sclafani, Kaelker-Boor, Colson, Yoder

Noes: None

9.D. Santa Clara County LAFCO - Proposed Budget for FY2022-23 & Notice of June 1, 2022
LAFCO Public Hearing.

Board reviewed and noted the LAFCO Budget and Notice of Public Hearing.

9.E. Set Public Hearing for FY2022-2023 Taxroll Collection on June 21, 2022.

Board asked staff to prepare information on the CIP for the public hearing and asked staff to investigate the availability of the Rose Garden Branch Library as a venue to hold the public hearing.

Motion: To set the public hearing for June 21, 2022.

Move: Yoder

Second: Kaelker-Boor

Board vote:

Ayes: Prupes, Sclafani, Kaelker-Boor, Colson, Yoder

Noes: None

10. OLD BUSINESS

10.A. Status of SRF Loan and CIP Update. Review and approve Imperium First Consulting Amendment to Agreement.

Deputy Manager Woodhouse presented the status of the CIP and SRF Loan. The SWRCB has approved the Final Budget Approval Package that was submitted in early November 2021.

Motion: To approve Imperium First Consulting Amendment to Agreement.

Move: Prupes

Second: Colson

Board vote:

Ayes: Prupes, Sclafani, Kaelker-Boor, Colson, Yoder

Noes: None

10.B. Long Range Financial Planning.

Item was moved to before the Consent Calendar.

10.C. District Website Update.

Manager Porter provided an update on the District website enhancements.

10.D. GreenWaste Recovery, Inc. 1) Annual Spring Clean Up Day Update - Board Involvement. 2) GreenWaste Quarterly Newsletter. 3) Delinquent Account April 2022.

Board members will be observers at the clean-up day and will be available to assist GreenWaste if needed. GreenWaste to make sure pictures in the newsletter match the text.

10.E. COVID-19 Update.

Manager Porter reported that District staff are back working in the office in a hybrid arrangement.

11. HOUSEKEEPING ITEMS

11.A. Updates on Housekeeping Items.

No update.

11.B. Agenda Items for Next Upcoming Meeting.

- Status of LIHWAP grants program.
- Discuss status of draft letter to City for clarification on the City of San Jose overhead calculation.
- Consider cancelling the next Board Meeting of May 3, 2022.

12. ADJOURNMENT – NEXT REGULAR MEETING – Tuesday, May 3, 2022

Motion: To adjourn meeting at 9:16 pm.

Move: Prupes **Second:** Kaelker-Boor

Board vote: **Ayes:** Colson, Kaelker-Boor, Sclafani, Prupes, Yoder
Noes: None
Absent: None

Approved: May 17, 2022

Respectfully Submitted,

Mark Thomas & Company, Inc.

Procopio Sclafani, President

District Manager
Benjamin T. Porter, PE

BURBANK SANITARY DISTRICT

8. WARRANTS

8.A. APPROVAL OF WARRANTS

1. Mark Thomas & Company, Inc.
2. First Tech Federal Credit Union
3. Armento and Hynes, LLP
4. Richard Tanaka
5. Cupertino Sanitary District
6. Imperium First Consulting

Warrant List for 05-17-22

#	Payee	Invoice Date	Invoice No.	Invoice Amount	Description	Warrant No.
1	Mark Thomas and Company, Inc	5/13/2022	43576	\$ 22,254.33	District Management Services	
		5/13/2022	43575	\$ 10,916.25	BSD District Wide CIP Project	
		5/13/2022	43576-R	\$ 179.75	Reimbursables - Domain Name Registration Renewal for 5 Years	
			MTCO Subtotal	\$ 33,350.33		4006
2	Burbank Sanitary District for Deposits / First Tech Fed Credit Union		N/A		Board Payroll, Processing Fees/Taxes	
		Rebecca Yoder		\$ 115.50	4/19/2022	
		Michelle Kaelker-Boor		\$ 115.50	4/19/2022	
		Rene Prupes		\$ 115.50	4/19/2022	
		Ken Colson		\$ 115.50	4/19/2022	
		Procopio Sclafani		\$ 115.50	4/19/2022	
		Total payment to Directors		\$ 577.50		
		Estimated processing fees/taxes		\$ 172.50		
			Payroll Deposit to First Tech Subtotal	\$ 750.00		4007
3	Armento and Hynes, LLP	4/30/2022	2022-3	\$ 1,340.00	District Legal Services	4008
4	Richard Tanaka	5/3/2022	2022-4	\$ 300.00	District Advisor Services	4009
5	Cupertino Sanitary District	4/28/2022	N/A	\$ 957.54	Common Interest Agmt Cost Sharing - Jan 2022 (Corrected)	
		4/29/2022	N/A	\$ 1,139.13	Common Interest Agmt Cost Sharing - Feb 2022	
		5/4/2022	N/A	\$ 833.96	Common Interest Agmt Cost Sharing - Feb 2022 (Additional)	
			CuSD Subtotal	\$ 2,930.63		4010
6	Imperium First Consulting	5/3/2022	1008	\$ 2,937.00	Davis Bacon Wages Consultant for CIP Project	4011
	TOTAL WARRANT AMOUNT			\$ 41,607.96		
TOTAL YEAR-TO-DATE WARRANT AMOUNT FY 2021-22				\$ 2,473,745.87		

BURBANK SANITARY DISTRICT

10. OLD BUSINESS

- 10.A Status of SRF Loan and CIP Update
- 10.B Long Range Financial Planning
- 10.C District Website Update
- 10.D Green Waste Recovery, Inc
- 10.E California Low-Income Household Water Assistance Program
- 10.F Public Hearing FY2022-23 Taxroll Collection Update
- 10.G Form 470 Filing Update
- 10.H COVID-19 Update



Burbank Sanitary District

20863 Stevens Creek Blvd., Suite 100

Cupertino, CA 95014

Phone (408) 255-2137 Fax (408) 253-5173

www.burbanksanitary.org

"Serving the Burbank Community since 1940"

Item 10.B.

May 17, 2022

TO: BURBANK BOARD OF DIRECTORS

FROM: VALERIE J. ARMENTO, District Counsel

SUBJECT: **Long Range Planning – Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000**

BACKGROUND:

The Board of Directors has been discussing scenarios for the future of the District. At its April 19, 2022 meeting, the Board requested information that would help it understand the correct legal terminology and legal options.

DISCUSSION

The main law governing what the District might do, or have done to it by others, is the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, Government Code Section 56000 et seq. It is a massive set of provisions. Attached are the statutory sections that are likely of most use to the Board at this time. Detailed procedural aspects have been excluded.

The “topics” are:

1. Key Definitions
2. General Provisions
3. Proceedings for Special Districts
4. Effect of Annexation
5. Effect of Consolidation
6. Effect of Dissolution

In addition, some relevant language from the 1923 Sanitary Act that the Burbank Sanitary District was formed under is provided.

1. Key Definitions

GOVERNMENT CODE - GOV

TITLE 5. LOCAL AGENCIES [50001 - 57607]

(Title 5 added by Stats. 1949, Ch. 81.)

DIVISION 3. CORTESE-KNOX-HERTZBERG LOCAL GOVERNMENT REORGANIZATION ACT OF 2000 [56000 - 57550]

(Heading of Division 3 amended by Stats. 2001, Ch. 388, Sec. 1.)

PART 1. GENERAL [56000 - 56160]

(Part 1 added by Stats. 1985, Ch. 541, Sec. 3.)

CHAPTER 2. Definitions [56010 - 56081]

(Chapter 2 added by Stats. 1985, Ch. 541, Sec. 3.)

56011.

"Affected city" means any city that contains or would contain, or whose sphere of influence contains or would contain, territory for which a change of organization is proposed or ordered, either singularly or as part of a reorganization.

56012.

"Affected county" means any county that contains, or would contain, any territory for which a change of organization is proposed or ordered either singularly or as part of a reorganization or that contains all or any part of a district for which a change of organization or reorganization is proposed with respect to territory outside that county.

56013.

"Affected district" means any special district, as defined by Section 56036, that contains or would contain, or whose sphere of influence contains or would contain, any territory for which a change of organization is proposed or ordered either singularly or as part of a reorganization.

56017.

"Annexation" means the inclusion, attachment, or addition of territory to a city or district.

56021.

"Change of organization" means any of the following:

- (a) A city incorporation.
- (b) A district formation.
- (c) An annexation to a city.
- (d) An annexation to a district.
- (e) A detachment from a city.
- (f) A detachment from a district.
- (g) A disincorporation of a city.
- (h) A district dissolution.
- (i) A consolidation of cities.

1. Key Definitions

(j) A consolidation of special districts.

(k) A merger of a city and a district.

(l) Establishment of a subsidiary district.

(m) The exercise of new or different functions or classes of services, or divestiture of the power to provide particular functions or classes of services, within all or part of the jurisdictional boundaries of a special district as provided in Article 1.5 (commencing with Section 56824.10) of Chapter 5 of Part 3 of this division.

56030.

“Consolidation” means the uniting or joining of two or more cities located in the same county into a single new successor city or two or more districts into a single new successor district.

56031.

(a) “Contiguous” means territory that abuts or shares a common boundary with territory within a local agency.

(b) Territory is not contiguous if the only contiguity is based upon a strip of land more than 300 feet long and less than 200 feet wide at its narrowest width, that width to be exclusive of highways.

56033.

“Detachment” means the exclusion, deletion, or removal from a city or district of any portion of the territory of that city or district.

56035.

“Dissolution” means the disincorporation, extinguishment, or termination of the existence of a district and the cessation of all its corporate powers, except as the commission may otherwise provide pursuant to Section 56886 or for the purpose of winding up the affairs of the district.

56036.

(a) “District” or “special district” are synonymous and mean an agency of the state, formed pursuant to general law or special act, for the local performance of governmental or proprietary functions within limited boundaries and in areas outside district boundaries when authorized by the commission pursuant to Section 56133.

(b) “District” or “special district” includes a county service area, but excludes all of the following:

(1) The state.

(2) A county.

(3) A city.

(4) A school district or a community college district.

(5) An assessment district or special assessment district.

(6) An improvement district.

(7) A community facilities district formed pursuant to the Mello-Roos Community Facilities Act of 1982 (Chapter 2.5 (commencing with Section 53311) of Part 1 of Division 2 of Title 5).

1. Key Definitions

(8) A permanent road division formed pursuant to Article 3 (commencing with Section 1160) of Chapter 4 of Division 2 of the Streets and Highways Code.

(9) An air pollution control district or an air quality maintenance district.

(10) A zone of any special district.

56044.

“Independent district” or “independent special district” includes any special district having a legislative body all of whose members are elected by registered voters or landowners within the district, or whose members are appointed to fixed terms, and excludes any special district having a legislative body consisting, in whole or in part, of ex officio members who are officers of a county or another local agency or who are appointees of those officers other than those who are appointed to fixed terms. “Independent special district” does not include any district excluded from the definition of district contained in Sections 56036 and 56036.6.

56056.

“Merger” means the termination of the existence of a district when the responsibility for the functions, services, assets, and liabilities of that district are assumed by a city as a result of proceedings taken pursuant to this division.

2. General Provisions

GOVERNMENT CODE - GOV

TITLE 5. LOCAL AGENCIES [50001 - 57607]

(Title 5 added by Stats. 1949, Ch. 81)

DIVISION 3. CORTESE-KNOX-HERTZBERG LOCAL GOVERNMENT REORGANIZATION ACT OF 2000 [56000 - 57550]

(Heading of Division 3 amended by Stats. 2001, Ch. 388, Sec. 1)

PART 1. GENERAL [56000 - 56160]

(Part 1 added by Stats. 1985, Ch. 541, Sec. 3.)

CHAPTER 3. Introductory and General Provisions [56100 - 56134]

(Chapter 3 added by Stats. 1985, Ch. 541, Sec. 3.)

56100.

(a) Except as otherwise provided in Section 56036.5 and subdivision (b) of Section 56036.6, this division provides the sole and exclusive authority and procedure for the initiation, conduct, and completion of changes of organization and reorganization for cities and districts. All changes of organization and reorganizations shall be initiated, conducted, and completed in accordance with, and as provided in, this division.

(b) Notwithstanding any other law, proceedings for the formation of a district shall be conducted as authorized by the principal act of the district proposed to be formed, except that the commission shall serve as the conducting authority and the procedural requirements of this division shall apply and shall prevail in the event of conflict with the procedural requirements of the principal act of the district. In the event of such a conflict, the commission shall specify the procedural requirements that apply, consistent with the requirements of this section.

(Amended by Stats. 2014, Ch. 112, Sec. 1. (AB 2762) Effective January 1, 2015.)

56107.

(a) This division shall be liberally construed to effectuate its purposes. No change of organization or reorganization ordered under this division and no resolution adopted by the commission making determinations upon a proposal shall be invalidated because of any defect, error, irregularity, or omission in any act, determination, or procedure which does not adversely and substantially affect the rights of any person, city, county, district, the state, or any agency or subdivision of the state.

(b) All determinations made by a commission under, and pursuant to, this division shall be final and conclusive in the absence of fraud or prejudicial abuse of discretion.

(c) In any action or proceeding to attack, review, set aside, void, or annul a determination by a commission on grounds of noncompliance with this division, any inquiry shall extend only to whether there was fraud or a prejudicial abuse of discretion. Prejudicial abuse of discretion is established if the court finds that the determination or decision is not supported by substantial evidence in light of the whole record.

(Amended by Stats. 2000, Ch. 761, Sec. 24. Effective January 1, 2001.)

2. General Provisions

56116.

The Legislature declares that the doctrine of automatic merger of a district with a city or the merger by operation of law of a district with a city has no further force or effect. The existence of a district shall not be extinguished or terminated as a result of the entire territory of that district being heretofore or hereafter included within a city unless that district is merged with the city as a result of proceedings taken pursuant to this division.

(Added by Stats. 1985, Ch. 541, Sec. 3. Effective September 9, 1985. Operative January 1, 1986, by Sec. 5 of Ch. 541.)

56117.

A district may be either merged with, or established as, a subsidiary district of a city in the manner provided in this division.

A mutual service agreement between a city and a district may provide that the city shall not, while that agreement is in effect, or during any portion of the agreement's effective duration as the city and the district may stipulate in the agreement, initiate a proposal to establish the district as a subsidiary district of the city.

(Amended by Stats. 2011, Ch. 300, Sec. 62. (AB 1430) Effective January 1, 2012.)

56119.

It is not necessary for the principal act of any district to adopt or incorporate this division by reference and any change of organization or reorganization provided for by this division may be made by, or with respect to, any district. Except as otherwise provided in this division, in any change of organization or reorganization the principal act shall govern as to any provisions in the principal act pertaining to boundaries, to contiguity or noncontiguity of territory, to the incorporated or unincorporated status of territory, and to the overlapping of territory of a district with the territory of another district or city. Unless otherwise provided by the principal act, any territory annexed to a district shall be contiguous to the district and shall not be a part of another district formed under the same principal act without the consent of the other district.

(Repealed and added by Stats. 1985, Ch. 541, Sec. 3. Effective September 9, 1985. Operative January 1, 1986, by Sec. 5 of Ch. 541.)

3. Proceedings for Special Districts

GOVERNMENT CODE - GOV

TITLE 5. LOCAL AGENCIES [50001 - 57607]

(Title 5 added by Stats. 1949, Ch. 81.)

DIVISION 3. CORTESE-KNOX-HERTZBERG LOCAL GOVERNMENT

REORGANIZATION ACT OF 2000 [56000 - 57550]

(Heading of Division 3 amended by Stats. 2001, Ch. 388, Sec. 1.)

PART 3. COMMISSION PROCEEDINGS FOR A CHANGE OF ORGANIZATION OR REORGANIZATION [56650 - 56898]

(Heading of Part 3 amended by Stats. 1985, Ch. 1599, Sec. 8.)

CHAPTER 5. Proceedings for Special Districts [56821 - 56879.5]

(Heading of Chapter 5 repealed (by Sec. 127) and added by Stats. 2000, Ch. 761, Sec. 125.)

ARTICLE 2. Reorganization [56825 - 56857]

(Article 2 heading added by Stats. 2000, Ch. 761, Sec. 128.)

56825.

The commission shall have the powers and duties set forth in Part 2 (commencing with Section 56300) and the additional powers and duties specified in this chapter. *(Added by Stats. 1985, Ch. 541, Sec. 3. Effective September 9, 1985. Operative January 1, 1986, by Sec. 5 of Ch. 541.)*

56826.

A reorganization or a plan of reorganization shall provide for one or more changes of organization of any type for each of the subject districts and may provide for the formation of one or more new districts pursuant to the principal act or acts designated in the reorganization or plan of reorganization and Section 56100. *(Repealed and added by Stats. 2000, Ch. 761, Sec. 130. Effective January 1, 2001.)*

56827.

(a) Except as provided in subdivision (b), upon the presentation of any petition or applications making a proposal for a reorganization, the commission may take proceedings pursuant to Part 3 (commencing with Section 56650) without referring the proposal to a reorganization committee, as provided in this part.

(b) The commission may refer to a reorganization committee any incorporation proposal that includes, or may be modified to include, any of the following changes of organization affecting an independent special district: consolidation, dissolution, formation, merger, or establishment of a subsidiary district.

(c) If the commission has initiated a change of organization or reorganization that affects more than one special district, the commission may, and is encouraged to, utilize a reorganization committee to review the proposal.

(Amended by Stats. 2012, Ch. 62, Sec. 7. (AB 2698) Effective January 1, 2013.)

3. Proceedings for Special Districts

56828.

Before any proposal for reorganization is referred to any reorganization committee, the commission may provide for a public hearing on the question of whether the proposal should be disapproved or referred to a reorganization committee and set a time and place for that hearing.

(Repealed and added by Stats. 2000, Ch. 761, Sec. 135. Effective January 1, 2001.)

56829.

The executive officer shall give notice of that hearing by publication, as provided in Sections 56153 and 56154, and by posting, as provided in Sections 56158 and 56159.

(Repealed and added by Stats. 2000, Ch. 761, Sec. 138. Effective January 1, 2001.)

56830.

The executive officer shall also give mailed notice of any hearing, as provided in Sections 56155 to 56157, inclusive, by mailing notice of hearing to all of the following persons and entities:

- (a) Each affected city and affected district.
- (b) The chief petitioners, if any.
- (c) Each person who has filed a written request for special notice with the executive officer.

(Repealed and added by Stats. 2000, Ch. 761, Sec. 140. Effective January 1, 2001.)

56831.

The hearing shall be held by the commission on the date and at the time and place specified in the notice. After the conclusion of the hearing, the commission shall adopt a resolution doing either of the following:

- (a) Disapproving the proposal of reorganization.
- (b) Ordering the proposal referred to a reorganization committee for study, report, and recommendation.

(Repealed and added by Stats. 2000, Ch. 761, Sec. 142. Effective January 1, 2001.)

56832.

The commission may accept contributions from any source for the purpose of paying the expenses of a reorganization committee in the conduct of its study, report, and recommendation. Any affected county, affected city, or affected district may make contributions for that purpose. The commission and any affected county, affected city, or affected district may make any of its facilities available for the use of a reorganization committee and may authorize any of its officers and employees to furnish advice, assistance, or services to the committee.

(Repealed and added by Stats. 2000, Ch. 761, Sec. 144. Effective January 1, 2001.)

3. Proceedings for Special Districts

56833.

Any resolution adopted by the commission ordering a proposal of reorganization referred to a reorganization committee shall do all of the following:

- (a) Describe the proposed reorganization and designate the subject districts (the description and designation may be by reference to the proposal).
- (b) Specify the maximum number of members, not to exceed three, to represent each subject district on the committee.
- (c) Fix a time and place for the first meeting of the reorganization committee.
- (d) Designate a date, not less than 60 days from the date of the first meeting of the committee, for the completion and submission to the commission of the report and recommendation of the committee.

(Repealed and added by Stats. 2000, Ch. 761, Sec. 146. Effective January 1, 2001.)

56834.

From time to time during the course of study upon a proposed plan of reorganization, the commission may do any of the following:

- (a) Extend the time for completion and submission of the report and recommendation of a reorganization committee.
- (b) Change the scope of the study by the addition or deletion of territory or subject districts, except that the authority granted to a commission under this subdivision shall not apply to a change of organization or reorganization as described in subdivision (a) of Section 56853.
- (c) Authorize the committee to develop, study, report, and make recommendations upon alternative plans of reorganization.

(Amended by Stats. 2001, Ch. 667, Sec. 14. Effective January 1, 2002.)

56835.

At least 15 days before the date of the first meeting of a reorganization committee, the executive officer shall mail a copy of the resolution adopted by the commission to each subject district designated in the resolution.

(Repealed and added by Stats. 2000, Ch. 761, Sec. 153. Effective January 1, 2001.)

56836.

Any person, including, but not limited to, a member of the legislative body of a subject district and an officer or employee of the district, may be appointed as a member to represent the district upon a reorganization committee.

(Repealed and added by Stats. 2000, Ch. 761, Sec. 155. Effective January 1, 2001.)

56837.

(a) The legislative body of each affected district shall appoint one or more members, not to exceed the maximum number specified by the commission, to represent the district on the reorganization committee. That legislative body may remove and replace any member previously appointed by it, and may fill any vacancy in its membership upon the committee.

3. Proceedings for Special Districts

(b) In the case of a reorganization committee created pursuant to subdivision (b) of Section 56827, the county board of supervisors shall appoint one or more members, not to exceed the maximum number specified by the commission, to represent the county on the reorganization committee. The county board of supervisors may appoint any person, including, but not limited to, an officer or employee of the county to represent the county on the reorganization committee. The county board of supervisors may remove and replace any member previously appointed by it, and may fill any vacancy in its membership on the committee.

(c) In the case of a reorganization committee created pursuant to subdivision (b) of Section 56827, the commission shall appoint one or more members to represent the general public on the reorganization committee. The number of members appointed to represent the general public shall not exceed the maximum number specified by the commission to represent the county or each subject district. A member appointed pursuant to this subdivision shall not be an officer or employee of any local agency. The commission may remove and replace any member previously appointed by it, and may fill any vacancy in its membership on the committee.

(Repealed and added by Stats. 2000, Ch. 761, Sec. 157. Effective January 1, 2001.)

56838.

The clerk of a subject district shall give immediate notice to the executive officer of all appointments and removals made by the legislative body to a reorganization committee.

(Repealed and added by Stats. 2000, Ch. 761, Sec. 159. Effective January 1, 2001.)

56839.

At any time after the date fixed for the first meeting of a reorganization committee or during the course of the study by the committee, if the legislative body of any subject district, after written request by the executive officer, does not appoint any members to the committee, those members may be appointed by the commission.

(Repealed and added by Stats. 2000, Ch. 761, Sec. 161. Effective January 1, 2001.)

56840.

If, during the course of study upon a proposed plan of reorganization, the commission authorizes a change in the scope of the study, the membership of the reorganization committee shall be immediately changed to exclude representatives of each district or city for which a change of organization is no longer proposed and to include representatives of each district or city for which a new change of organization is proposed.

(Repealed and added by Stats. 2000, Ch. 761, Sec. 164. Effective January 1, 2001.)

3. Proceedings for Special Districts

56841.

Subject to any standards and procedures adopted by regulation by the commission, a reorganization committee shall provide for the selection of a presiding officer and secretary either of whom may but are not required to be members of the committee, adopt the standards and procedures which it deems advisable, fix the time and place for meetings of the committee, and determine the manner and method to be followed by the committee in its study, report, and recommendation. *(Repealed and added by Stats. 2000, Ch. 761, Sec. 167. Effective January 1, 2001.)*

56842.

A quorum shall be deemed to be present at a meeting of a reorganization committee if members representing one-half or more of the subject districts are present. Each subject district shall be entitled to one vote at any reorganization committee meeting, which vote shall be determined by a majority of the members of the district present at the meeting.

(Repealed and added by Stats. 2000, Ch. 761, Sec. 169. Effective January 1, 2001.)

56843.

If a reorganization committee does not complete and submit its report and recommendation before the date specified by the commission or, prior to that date, if members of the committee representing one-half or more of the subject districts report to the commission that the committee is unable to agree upon the report and recommendation, the commission may either order the discharge of the committee, or appoint additional members to the committee, not to exceed the maximum number authorized for a single subject district, to represent the public and order the committee, as so enlarged, to continue its study.

(Repealed and added by Stats. 2000, Ch. 761, Sec. 175. Effective January 1, 2001.)

56844.

If the commission orders the discharge of a reorganization committee, the commission may make a study, report, and recommendation upon a plan of reorganization in the place of the reorganization committee.

(Repealed and added by Stats. 2000, Ch. 761, Sec. 177. Effective January 1, 2001.)

56845.

If the commission appoints additional members to the reorganization committee to represent the public and orders the reorganization committee, as so enlarged, to continue its study, the additional members shall have all of the rights and powers of members representing a single subject district, including participation in all studies, reports, and recommendations, attendance at all meetings, and the casting of a single vote on behalf of all of the additional members on any matter before the committee.

(Repealed and added by Stats. 2000, Ch. 761, Sec. 182. Effective January 1, 2001.)

3. Proceedings for Special Districts

56846.

Every officer of any affected county, affected city, or affected district shall make available to a reorganization committee any records, reports, maps, data, or other documents which in any way affect or pertain to the committee's study, report, and recommendation and shall confer with the committee concerning the problems and affairs of that county, city, or district.

(Repealed and added by Stats. 2000, Ch. 761, Sec. 184. Effective January 1, 2001.)

56847.

Upon completion of the study of a reorganization committee, the committee shall prepare and submit to the commission a report and recommendation containing all of the following:

- (a) A brief summary of the nature and extent of the study of the committee.
- (b) A full and complete description of the plan of reorganization and any alternative plans of reorganization which were studied by the committee.
- (c) The recommendation of the committee for the approval or disapproval of all or any part of the plan of reorganization and of any alternative plans of reorganization.

(Repealed and added by Stats. 2000, Ch. 761, Sec. 186. Effective January 1, 2001.)

56848.

Approval by a reorganization committee of the report and recommendation shall require the affirmative vote of more than one-half of the subject districts represented on the reorganization committee.

(Added by Stats. 2000, Ch. 761, Sec. 187. Effective January 1, 2001.)

56849.

The reorganization committee shall file the original of its report and recommendation with the executive officer and a copy of the report and recommendation with the clerk of each subject district. Upon filing that report and recommendation with the executive officer, the reorganization committee shall be terminated. However, the commission may cause the committee to be reconvened at any time for the sole purpose of correcting or clarifying any error, omission, or uncertainty appearing in the report and recommendation, as determined by the commission.

(Repealed and added by Stats. 2000, Ch. 761, Sec. 191. Effective January 1, 2001.)

56853.

(a) If a majority of the members of each of the legislative bodies of two or more local agencies adopt substantially similar resolutions of application making proposals either for the consolidation of districts or for the reorganization of all or any part of the districts into a single local agency, the commission shall approve, or conditionally approve, the proposal.

3. Proceedings for Special Districts

(b) Except as provided in subdivision (c), a commission may order any material change in the provisions or the terms and conditions of the consolidation or reorganization, as set forth in the proposals of the local agencies. The commission shall direct the executive officer to give each subject agency mailed notice of any change prior to ordering a change. The commission shall not, without the written consent of all subject agencies, take any further action on the consolidation or reorganization for 30 days following that mailing. Upon written demand by any subject agency, filed with the executive officer during that 30-day period, the commission shall make determinations upon the proposals only after notice and hearing on the proposals. If no written demand is filed, the commission may make those determinations without notice and hearing. The application of any provision of this subdivision may be waived by consent of all of the subject agencies.

(c) The commission shall not order a material change in the provisions of a consolidation or reorganization, as set forth in the proposals of the local agencies pursuant to subdivision (a), that would add or delete districts without the written consent of the applicant local agencies.

(Amended by Stats. 2012, Ch. 62, Sec. 8. (AB 2698) Effective January 1, 2013.)

56855.

(a) This section shall apply to any proposal which contains the annexation of territory to a fire protection district which is organized pursuant to the Fire Protection District Law of 1987, Part 3 (commencing with Section 13800) of Division 12 of the Health and Safety Code, and the affected territory is or is proposed to be all or part of a city which is within the fire protection district.

(b) Prior to the adoption by the local agency formation commission of a resolution making determinations, the district may request and the commission shall impose, as a term and condition, a requirement that the legislative body of the city shall enter into a contract with the district. The contract shall require:

(1) That the affected territory shall remain part of the district for a period of at least 10 years.

(2) That the city shall pay the cost of services provided by the district. This payment shall be in amounts and on terms specified in the contract.

(3) Any other conditions to which the city and the district mutually agree.

(Repealed and added by Stats. 2000, Ch. 761, Sec. 202. Effective January 1, 2001.)

56856.

(a) The commission shall not approve or conditionally approve a change of organization or reorganization that would result in the annexation to a special district of territory that is within a farmland security zone created pursuant to Article 7 (commencing with Section 51296) of Chapter 7 of Division 1 if that special district provides or would provide facilities or services related to sewers, nonagricultural water, or streets and roads, unless the facilities or services benefit land uses that are allowed under the farmland security zone contract and the landowner consents to the change of organization or reorganization.

(b) This section shall not apply during the three-year period preceding the termination of a farmland security zone contract under Article 7 (commencing with Section 51296) of Chapter 7 of Division 1.

3. Proceedings for Special Districts

(Repealed and added by Stats. 2000, Ch. 761, Sec. 204. Effective January 1, 2001.)

56857.

(a) Upon receipt by the commission of a proposed change of organization or reorganization that includes the annexation of territory to any district, if the proposal is not filed by the district to which annexation of territory is proposed, the executive officer shall place the proposal on the agenda for the next commission meeting for information purposes only and shall transmit a copy of the proposal to any district to which an annexation of territory is requested.

(b) No later than 60 days after the date that the proposal is on the commission's meeting agenda in accordance with subdivision (a), any district to which annexation of territory is proposed may adopt and transmit to the commission a resolution requesting termination of the proceedings. The resolution requesting termination of the proceedings shall be based upon written findings supported by substantial evidence in the record that the request is justified by a financial or service related concern or because the territory is already receiving electrical service under a service area agreement approved by the Public Utilities Commission pursuant to Section 9608 of the Public Utilities Code. Prior to the commission's termination of proceedings pursuant to subdivision (c), the resolution is subject to judicial review.

(c) If any district to which annexation of territory is proposed has adopted and transmitted to the commission a resolution requesting termination of proceedings within the time period prescribed by, and in accordance with, subdivision (b), and if the commission has not been served with notice that judicial review of that resolution is being sought pursuant to subdivision (b), then the commission shall terminate the proceedings no sooner than 30 days from receipt of the resolution from the district.

(d) For purposes of an annexation to a district pursuant to this section or Section 56668.3:

(1) "Financial concerns" means that the proposed uses within the territory proposed to be annexed do not have the capacity to provide sufficient taxes, fees, and charges, including connection fees, if any, to pay for the full cost of providing services, including capital costs. Cost allocation shall be based on generally accepted accounting principles and shall be subject to all constitutional and statutory limitations on the amount of the tax, fee, or charge.

(2) "Service concerns" means that a district will not have the ability to provide the services that are the subject of the application to the territory proposed to be annexed without imposing level of service reductions on existing and planned future uses in the district's current service area. "Service concerns" does not include a situation when a district has the ability to provide the services or the services will be available prior to the time that services will be required.

(3) "Territory already receiving electrical service under a service area agreement approved by the Public Utilities Commission pursuant to Section 9608 of the Public Utilities Code" means territory that is outside the boundaries of an irrigation district but is currently receiving electrical services from the irrigation district pursuant to a service area agreement between the district and a public utility approved by the

3. Proceedings for Special Districts

Public Utilities Commission as authorized by Sections 8101 to 8108, inclusive, and 9608 of the Public Utilities Code.

(4) A district may make findings regarding financial or service concerns based on information provided in the application and any additional information provided to the district by the commission or the applicant that is relevant to determining the adequacy of existing and planned future services to meet the probable future needs of the territory. Findings related to service or financial concerns may be based on an urban water management plan, capital improvement plan, financial statement, comprehensive annual financial report, integrated resource management plan, or other information related to the ability of a district to provide services. Findings related to existing provision of electrical service by an irrigation district pursuant to a service area agreement approved under Section 9608 of the Public Utilities Code shall be based on the records of the district and the Public Utilities Commission evidencing approval of such a service area agreement by the Public Utilities Commission.

(5) Nothing in this section shall be construed to create a right or entitlement to water service or any specific level of water service.

(6) Nothing in this section is intended to change existing law concerning a district's obligation to provide water service to its existing customers or to any potential future customers.

(e) This section shall not apply if all districts to which annexation of territory is proposed have adopted and transmitted to the commission a resolution supporting the proposed change of organization or reorganization.

(Amended by Stats. 2017, Ch. 43, Sec. 3. (AB 464) Effective January 1, 2018.)

CHAPTER 6. Commission Decision [56880 - 56898]

(Chapter 6 added by Stats. 2000, Ch. 761, Sec. 211.)

ARTICLE 1. Determinations [56880 - 56884]

(Article 1 added by Stats. 2000, Ch. 761, Sec. 211.)

56880.

At any time not later than 35 days after the conclusion of the hearing, the commission shall adopt a resolution making determinations approving or disapproving the proposal, with or without conditions, the plan of reorganization, or any alternative plan of reorganization as set forth in the report and recommendation of a reorganization committee. If the commission disapproves the proposal, plan of reorganization, or any alternative plan of reorganization, no further proceedings shall be taken on those proposals or plans.

(Added by Stats. 2000, Ch. 761, Sec. 211. Effective January 1, 2001.)

56881.

The resolution making determinations shall also do all of the following:

(a) Make any of the findings or determinations authorized or required pursuant to Section 56375.

3. Proceedings for Special Districts

(b) For any proposal initiated by the commission pursuant to subdivision (a) of Section 56375, make both of the following determinations:

(1) Public service costs of a proposal that the commission is authorizing are likely to be less than or substantially similar to the costs of alternative means of providing the service.

(2) A change of organization or reorganization that is authorized by the commission promotes public access and accountability for community services needs and financial resources.

(c) If applicable, assign a distinctive short-term designation to the affected territory and a description of the territory.

(d) Initiate protest proceedings pursuant to Part 4 (commencing with Section 57000) in compliance with the resolution.

(Amended by Stats. 2016, Ch. 165, Sec. 6. (AB 2910) Effective January 1, 2017.)

56882.

The executive officer shall mail a copy of the resolution adopted by the commission making determinations addressed to each of the following persons or entities:

(a) The proponents, if any, where the proceedings for change of organization were initiated by petition.

(b) Each affected local agency whose boundaries would be changed by the proposal.

(Added by Stats. 2000, Ch. 761, Sec. 211. Effective January 1, 2001.)

56883.

The executive officer may, before the completion of a proceeding, on good cause being shown, correct clerical errors or mistakes made through inadvertence, surprise, or excusable neglect that may be contained in the resolution adopted by the commission making determinations, upon written request by any member of the commission, by the executive officer, or by any affected agency. A correction made pursuant to this section shall not be cause for filing a request pursuant to Section 56895.

(Added by Stats. 2000, Ch. 761, Sec. 211. Effective January 1, 2001.)

56884.

(a) Except as otherwise provided in subdivision (b), if the commission wholly disapproves any proposal:

(1) No further proceedings shall be taken on that proposal.

(2) No similar proposal involving the same or substantially the same territory shall be initiated for one year after the date of adoption of the resolution terminating proceedings.

(b) The commission may waive the requirements of subdivision (a) if it finds those requirements are detrimental to the public interest.

(Added by Stats. 2000, Ch. 761, Sec. 211. Effective January 1, 2001.)

4. Effect of Annexation

GOVERNMENT CODE - GOV

TITLE 5. LOCAL AGENCIES [50001 - 57607]

(Title 5 added by Stats. 1949, Ch. 81.)

DIVISION 3. CORTESE-KNOX-HERTZBERG LOCAL GOVERNMENT

REORGANIZATION ACT OF 2000 [56000 - 57550]

(Heading of Division 3 amended by Stats. 2001, Ch. 388, Sec. 1.)

PART 5. TERMS AND CONDITIONS AND EFFECT OF A CHANGE OF ORGANIZATION OR REORGANIZATION [57300 - 57550]

(Part 5 added by Stats. 1985, Ch. 541, Sec. 3.)

CHAPTER 2. Effect of Annexation [57325 - 57330.5]

(Chapter 2 added by Stats. 1985, Ch. 541, Sec. 3.)

57325.

On and after the effective date of an annexation, the territory annexed to a city or district, all inhabitants of that territory, and all persons entitled to vote by reason of residing or owning land within that territory shall be subject to the jurisdiction of the city or district and, except as otherwise provided in this chapter, shall have the same rights and duties as if the territory had been a part of the city or district upon its original incorporation or formation.

(Amended by Stats. 1985, Ch. 1599, Sec. 26.)

57326.

As an alternative to any procedure prescribed by law for the division of taxes or assessments collected in a district lying partially or wholly in territory annexed by an incorporated city, the city and the district may enter into an agreement providing that the district shall continue to perform services for the annexed territory until the close of the fiscal year for which the district has levied taxes or assessments.

(Added by Stats. 1985, Ch. 541, Sec. 3. Effective September 9, 1985. Operative January 1, 1986, by Sec. 5 of Ch. 541.)

57327.

No payment for the use, or right of use, of the existing property, real or personal, of any district or city shall be required by reason of the annexation of territory to that district or city.

(Added by Stats. 1985, Ch. 541, Sec. 3. Effective September 9, 1985. Operative January 1, 1986, by Sec. 5 of Ch. 541.)

57328.

Any territory annexed to a city or district shall be liable for payment of principal, interest, and any other amounts which shall become due on account of any outstanding or then authorized but thereafter issued bonds, including revenue

4. Effect of Annexation

bonds, or other contracts or obligations of the city or district, but not of any improvement district within the district. It shall be subject to the levying or fixing and collection of any of the following which may be necessary to provide for that payment:

(a) Taxes or assessments.

(b) Service charges, rentals, or rates.

(c) Both taxes or assessments and service charges, rentals, or rates.

(Added by Stats. 1985, Ch. 541, Sec. 3. Effective September 9, 1985. Operative January 1, 1986, by Sec. 5 of Ch. 541.)

57329.

(a) If unincorporated territory was, or is hereafter, annexed to a city, all roads and highways or portions of a road or highway in the territory which had been accepted into the county road system pursuant to Section 941 of the Streets and Highways Code are, or shall become, as the case may be, city streets on the effective date of the annexation.

(b) Subdivision (a) does not apply to a road or highway which had been accepted into the county road system pursuant to Section 941 of the Streets and Highways Code after the date of the first signature on a petition for annexation or incorporation, the adoption of a resolution of application by an affected local agency, or a date mutually agreed upon by the city and the county.

(c) Nothing in subdivision (a) requires a city to improve the affected road or highway to city standards.

(Added by Stats. 1991, Ch. 531, Sec. 1.)

57330.

Any territory annexed to a city or district shall be subject to the levying or fixing and collection of any previously authorized taxes, benefit assessments, fees, or charges of the city or district.

(Added by Stats. 1993, Ch. 1195, Sec. 14.7. Effective January 1, 1994.)

5. Effect of Consolidation

GOVERNMENT CODE - GOV

TITLE 5. LOCAL AGENCIES [50001 - 57607]

(Title 5 added by Stats. 1949, Ch. 81.)

DIVISION 3. CORTESE-KNOX-HERTZBERG LOCAL GOVERNMENT REORGANIZATION ACT OF 2000 [56000 - 57550]

(Heading of Division 3 amended by Stats. 2001, Ch. 388, Sec. 1.)

PART 5. TERMS AND CONDITIONS AND EFFECT OF A CHANGE OF ORGANIZATION OR REORGANIZATION [57300 - 57550]

(Part 5 added by Stats. 1985, Ch. 541, Sec. 3.)

CHAPTER 8. Effect of Consolidation of Districts [57500 - 57502]

(Chapter 8 added by Stats. 1985, Ch. 541, Sec. 3.)

57500.

On and after the effective date of a consolidation, the consolidated district succeeds to all of the powers, rights, duties, obligations, functions, and properties of all predecessor districts which have been united or joined into the consolidated district. The territory of a consolidated district, all inhabitants within that territory, and all persons entitled to vote by reason of residing or owning land within the territory are subject to the jurisdiction of the consolidated district and, except as otherwise provided in this chapter, have the same rights and duties as if the consolidated district had been originally formed under the principal act.

(Added by Stats. 1985, Ch. 541, Sec. 3. Effective September 9, 1985. Operative January 1, 1986, by Sec. 5 of Ch. 541.)

57501.

No payment for the use, or right of use, of any property, real or personal, acquired or constructed by any predecessor district shall be required by reason of the consolidation of the district with other predecessor districts.

(Added by Stats. 1985, Ch. 541, Sec. 3. Effective September 9, 1985. Operative January 1, 1986, by Sec. 5 of Ch. 541.)

57502.

The territory of a consolidated district shall be liable for payment of principal, interest, and any other amounts which become due on account of any outstanding or then authorized but thereafter issued bonds, including revenue bonds, or other contracts or obligations of all predecessor districts, and are subject to the levying or fixing and collection of any of the following which may be necessary to provide for payment:

- (a) Taxes or assessments.
- (b) Service charges, rentals, or rates.
- (c) Both taxes or assessments and service charges, rentals, or rates.

5. Effect of Consolidation

However, only the territory within an improvement district shall be liable for any payment required on account of any bonds, including revenue bonds, or other contracts previously authorized or issued by, or on behalf of, the improvement district.

(Added by Stats. 1985, Ch. 541, Sec. 3. Effective September 9, 1985. Operative January 1, 1986, by Sec. 5 of Ch. 541.)

6. Effect of Dissolution

GOVERNMENT CODE - GOV

TITLE 5. LOCAL AGENCIES [50001 - 57607]

Title 5 added by Stats. 1949, Ch. 81.

DIVISION 3. CORTESE-KNOX-HERTZBERG LOCAL GOVERNMENT REORGANIZATION ACT OF 2000 [56000 - 57550]

(Heading of Division 3 amended by Stats. 2001, Ch. 388, Sec. 1.)

PART 5. TERMS AND CONDITIONS AND EFFECT OF A CHANGE OF ORGANIZATION OR REORGANIZATION [57300 - 57550]

Part 5 added by Stats. 1985, Ch. 541, Sec. 3.)

CHAPTER 6. Effect of Dissolution [57450 - 57463]

(Chapter 6 added by Stats. 1985, Ch. 541, Sec. 3.)

57450.

On and after the effective date of the dissolution of a district, the district shall be dissolved, disincorporated, and extinguished, its existence shall be terminated, and all of its corporate powers shall cease, except as the commission may otherwise provide pursuant to Section 56886 or for the purpose of winding up the affairs of the district and as otherwise provided in this chapter. The general provisions of this chapter shall not be construed as limiting in any manner the authority of the commission to impose one or more of the terms and conditions set forth in Section 56886.

(Amended by Stats. 2002, Ch. 548, Sec. 37. Effective January 1, 2003.)

57451.

For the purpose of winding up the affairs of a dissolved district, the successor of the dissolved district shall be determined as follows:

- (a) If the territory of a dissolved district is located entirely within the incorporated territory of a single city, the city is the successor.
- (b) If the territory of a dissolved district is located entirely within the unincorporated territory of a single county, the county is the successor.
- (c) If the territory of a dissolved district is located within the incorporated territory of more than one city or the unincorporated territory of more than one county, or any combination of the incorporated or unincorporated territory of two or more such cities and counties, the successor is that city whose incorporated territory or that county whose unincorporated territory shall, upon the effective date of dissolution, contain the greater assessed value of all taxable property within the territory of the dissolved district, as shown on the last equalized assessment roll or rolls of the county or counties.
- (d) If the terms and conditions provide that all of the remaining assets of a dissolved district shall be distributed to a single existing district, the single existing district is the successor.
- (e) If the terms and conditions provide that all of the remaining assets of a dissolved district shall be distributed to two or more existing districts, the successor is that existing district which, upon the effective date of dissolution, contains the greater assessed value of all taxable property within the territory of the dissolved

6. Effect of Dissolution

district, as shown on the last equalized assessment roll or rolls of the county or counties.

(Added by Stats. 1985, Ch. 541, Sec. 3. Effective September 9, 1985. Operative January 1, 1986, by Sec. 5 of Ch. 541.)

57452.

Upon the effective date of dissolution control over all of the moneys or funds, including cash on hand and moneys due but uncollected, and all property, real or personal, of the dissolved district is vested in the successor for the purpose of winding up the affairs of the district.

(Added by Stats. 1985, Ch. 541, Sec. 3. Effective September 9, 1985. Operative January 1, 1986, by Sec. 5 of Ch. 541.)

57453.

For the sole and exclusive purpose of winding up the affairs of the dissolved district, the successor and the officers and legislative body of the successor have the same powers and duties as the dissolved district and the officers and legislative body of the dissolved district and all of the following additional powers and duties:

(a) To exchange, sell, or otherwise dispose of all property, real and personal, of the dissolved district.

(b) To compromise and settle claims of every kind and nature.

(c) To sue or be sued in the same manner and to the same extent as the dissolved district and the officers and legislative body of the dissolved district.

These powers and duties shall commence upon the effective date of dissolution and shall continue thereafter until the time when the affairs of the dissolved district have been completely wound up.

(Added by Stats. 1985, Ch. 541, Sec. 3. Effective September 9, 1985. Operative January 1, 1986, by Sec. 5 of Ch. 541.)

57454.

No inhabitant, property owner, taxpayer, consumer, or user within the territory of a dissolved district shall be entitled to either of the following:

(a) All or any part, or to any payment on account of the moneys or funds, including cash on hand and moneys due but uncollected, or any property, real or personal, of the dissolved district.

(b) Any refund by reason of any taxes, assessments, service charges, rentals, or rates collected prior to the effective date of dissolution.

(Added by Stats. 1985, Ch. 541, Sec. 3. Effective September 9, 1985. Operative January 1, 1986, by Sec. 5 of Ch. 541.)

6. Effect of Dissolution

57455.

Any moneys and funds of the dissolved district and any moneys or funds received by the successor from the sale or other disposition of any property, real or personal, of the dissolved district shall be used to the extent necessary, for the payment of principal, interest and any other amounts then or thereafter due on account of any outstanding bonds, including revenue bonds, and other contracts or obligations of the dissolved district.

(Added by Stats. 1985, Ch. 541, Sec. 3. Effective September 9, 1985. Operative January 1, 1986, by Sec. 5 of Ch. 541.)

57456.

(a) When the successor determines that payment, or provision for payment, has been made of all short-term obligations of the dissolved district, the successor shall distribute any of the remaining assets of the dissolved district in the manner provided in Section 57457.

(b) "Short-term obligations," as used in subdivision (a), includes all amounts which shall be due and payable, prior to the end of the fiscal year commencing next after the effective date of dissolution, upon any outstanding bonds, including revenue bonds, and other contracts or obligations of the dissolved district. All other obligations shall be long-term obligations.

(Added by Stats. 1985, Ch. 541, Sec. 3. Effective September 9, 1985. Operative January 1, 1986, by Sec. 5 of Ch. 541.)

57457.

Remaining assets of the dissolved district shall be distributed by the successor as follows:

(a) If the territory of the dissolved district is located entirely within the incorporated territory of a single city, all of the assets shall be distributed to that city.

(b) If the territory of the dissolved district is located entirely within the unincorporated territory of a single county, all the assets of the dissolved district shall be distributed to that county.

(c) If the territory of a dissolved district is located within the incorporated territory of more than one city, or the unincorporated territory of more than one county, or any combination of the incorporated or unincorporated territory of two or more such cities and counties, the assets of the dissolved district shall be apportioned between all such cities and counties and distributed as follows:

(1) All real property located within the incorporated territory of any city or within the unincorporated territory of any county, as the case may be, shall be distributed to that city or county.

(2) All moneys or funds including cash on hand and money due but uncollected and all personal property shall be divided among and distributed to each city or county in the proportion that the assessed value of the taxable property of the dissolved district within the incorporated territory of each city or within the unincorporated territory of each county shall bear to the total assessed value of all taxable property

6. Effect of Dissolution

within the dissolved district, the assessed values being those shown upon the last equalized assessment roll or rolls of the county or counties upon the effective date of the dissolution.

(Added by Stats. 1985, Ch. 541, Sec. 3. Effective September 9, 1985. Operative January 1, 1986, by Sec. 5 of Ch. 541.)

57458.

Until payment, or provision for payment, has been made of all principal, interest, and any other amounts owing on account of any outstanding long-term obligations, which are payable in whole or in part from taxes or assessments upon any property within all or any part of the territory of a dissolved district, the legislative body of the successor shall in each year provide for the levy and collection of taxes or assessments upon the property sufficient to pay any principal, interest, and any other amounts owing on account of such obligations, as they become due. Those taxes or assessments shall be levied and collected in the manner provided by the principal act of the dissolved district.

(Added by Stats. 1985, Ch. 541, Sec. 3. Effective September 9, 1985. Operative January 1, 1986, by Sec. 5 of Ch. 541.)

57459.

Until payment, or provision for payment, has been made of all principal, interest, and any other amounts owing on account of any outstanding bonds, contracts, or other obligations which are payable in whole or in part from the revenues of a revenue-producing enterprise of the dissolved district, the successor shall not do either of the following:

- (a) Sell, encumber, or otherwise dispose of all or any part of the revenue-producing enterprise or the revenues derived from that enterprise, except as expressly authorized by the ordinance, resolution, or indenture authorizing or providing for the issuance of any of the bonds, contracts, or other obligations.
- (b) Distribute less than the whole of the revenue-producing enterprise to any city or county.

(Added by Stats. 1985, Ch. 541, Sec. 3. Effective September 9, 1985. Operative January 1, 1986, by Sec. 5 of Ch. 541.)

57460.

If at the time of distribution more than one city or county or any combination of cities or counties are entitled to distribution of portions of a revenue-producing enterprise but the successor is unable to distribute the same because of Section 57459, the successor shall retain the revenue-producing enterprise and all revenues derived from that enterprise until payment, or provision for payment, has been made of all principal, interest, and any other amounts owing on account of outstanding bonds, contracts, or other obligations which are payable in whole or in part from the revenues of the enterprise, at which time the successor shall

6. Effect of Dissolution

distribute the enterprise and any revenues derived therefrom in accordance with Section 57457.

(Added by Stats. 1985, Ch. 541, Sec. 3. Effective September 9, 1985. Operative January 1, 1986, by Sec. 5 of Ch. 541.)

57461.

Where any bonds, contracts, or other obligations which are payable in whole or in part from the revenues of a revenue-producing enterprise are outstanding upon the effective date of dissolution, the successor, prior to distribution, or any city or county, after distribution, shall succeed to all rights and liabilities of the dissolved district under any ordinance, resolution, or indenture authorizing the bonds, contracts, or other obligations or providing for the issuance of the bonds, contracts, or other obligations and may sue or be sued upon those rights and liability in the same manner and to the same extent as the dissolved district.

(Added by Stats. 1985, Ch. 541, Sec. 3. Effective September 9, 1985. Operative January 1, 1986, by Sec. 5 of Ch. 541.)

57462.

Any funds, money, or property of a dissolved district which have been impressed with any public trust, use, or purpose shall continue to be so impressed until that public trust, use, or purpose is vacated, abandoned, or terminated, in the manner provided by law.

(Added by Stats. 1985, Ch. 541, Sec. 3. Effective September 9, 1985. Operative January 1, 1986, by Sec. 5 of Ch. 541.)

57463.

Subject to the provisions of Section 57462, any funds, money, or property of a dissolved district may be used by the successor for the purpose of winding up the affairs of the district and, after distribution to any city, county, or district may be used for any lawful purpose of the city, county, or district to which the funds, money, or property have been distributed. So far as may be practicable, the funds, money, or property shall be used for the benefit of the lands, inhabitants, and taxpayers within the territory of the dissolved district.

(Added by Stats. 1985, Ch. 541, Sec. 3. Effective September 9, 1985. Operative January 1, 1986, by Sec. 5 of Ch. 541.)

1923 Sanitary Act

Sanitary District Law of 1923, Health and Safety Code Division 6, Part 1, Section 6400 et seq.

CHAPTER 4. District Powers [6510 - 6550.26] *(Chapter 4 enacted by Stats. 1939, Ch. 60.)*

ARTICLE 1.5. Inclusion in County Sanitation District [6524 - 6529] *(Article 1.5 added by Stats. 1947, Ch. 1375.)*

6524.

Any district organized under the provisions of this act may become a part of a county sanitation district after the board of supervisors of the county within which the district is located, has, after a hearing, pursuant to the County Sanitation District Act, found and determined by resolution duly adopted that such inclusion is for the best interest of the district and the governing body of the district consents thereto by resolution adopted by the affirmative vote of four-fifths of its members.
(Added by Stats. 1947, Ch. 1375.)

6525.

A sanitary district which becomes a part of a county sanitation district as hereinabove provided for is not thereby dissolved, but may continue to function, except as herein otherwise provided, in the same manner as heretofore.
(Added by Stats. 1947, Ch. 1375.)

6526.

When a sanitary district is not included in a county sanitation district at the time of formation of the latter, it may subsequently become included within such county sanitation district, upon its sanitary board adopting a resolution, by the affirmative vote of four-fifths of its members, declaring its intention so to do.
(Added by Stats. 1947, Ch. 1375.)

6527.

Following the formation of such county sanitation district it shall have no jurisdiction within such sanitary district until the legislative body of such sanitary district shall, by resolution adopted by the affirmative vote of no less than four-fifths of its members, determine what facilities and functions of constructing, maintaining and operating sanitary sewerage facilities of such sanitary district shall be transferred to such county sanitation district.
(Added by Stats. 1947, Ch. 1375.)

1923 Sanitary Act

6528.

Copies of the resolutions herein mentioned, duly certified by the clerk or secretary of the respective legislative bodies, shall be filed with the county clerk, in the respective files of such sanitary district and county sanitation district, and with the county assessor, and such resolutions shall not be effective until said copies are so filed.

(Added by Stats. 1947, Ch. 1375.)

6529.

Nothing herein shall prevent any territory within a county sanitation district from being formed into or annexed to any sanitary district, and such territory shall thereafter become subject to this article.

(Added by Stats. 1947, Ch. 1375.)

CHAPTER 9. Annexation [6830- 6830.] *(Chapter 9 enacted by Stats. 1939, Ch. 60.)*

ARTICLE 1. Generally [6830- 6830.]

(Article 1 enacted by Stats. 1939, Ch. 60.)

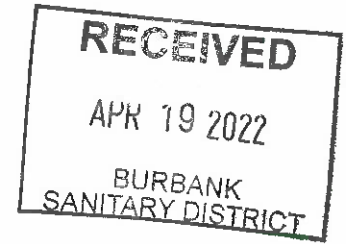
6830.

There may be annexed to a district any of the following territory which is in the same county as the district or which is within another county but in the natural watershed area of the district:

- (a) Any territory contiguous to the district.
- (b) Any territory any point of which touches any point of the district.
- (c) Any territory separated from the district by a "separating barrier," which term includes a street, road, highway, railway line, railway crossing, railway right-of-way, watercourse, lagoon, or other natural barrier.
- (d) Any territory not contiguous to the district that will, in the opinion of the district board, be benefited by inclusion in the district.

Any territory specified in this section may consist of one or more separate parcels of land, but it is not necessary that all parcels shall constitute in the aggregate one tract of land.

(Amended by Stats. 1965, Ch. 2043.)



April 12, 2022

District Manager - Engineer
Burbank Sanitary District
C/O Mark Thomas & Co. Inc.
20863 Stevens Creek Blvd., Suite 100
Cupertino, California 95914

RE: Annual CPI increase

Dear District Manager - Engineer

We have calculated the new rates for Waste Collection as specified in the COLLECTION SERVICE AGREEMENT effective July 1, 2016, ARTICLE 4, Section 4.02. Enclosed is the calculation of the CPI adjustment, a copy of the indexes from the Bureau of Labor Statistics website, and new rate schedules effective July 1, 2022. The CPI increase is 5.19%.

If you have any questions, please feel free to give me a call at (408) 938-4943 or e-mail me at Dtilton@Greenwaste.com

Regards,

David Tilton
Director of Finance
GreenWaste Recovery, LLC

Enclosures

GreenWaste Recovery

Burbank Sanitary District Annual Rate Adjustment Effective: July 1, 2022	Consumer Price Index All Items - CPI (U) <u>SF Bay Area</u>
---	---

February 2022 Index	320.195
---------------------	---------

February 2021 Index	304.387
---------------------	---------

Difference	15.808
------------	--------

Adjustment Percentage	5.19%
------------------------------	--------------



Databases, Tables & Calculators by Subject

Change Output Options: From: 2012 ▼ To: 2022 ▼

include graphs include annual averages

[More Formatting Options](#)

Data extracted on: April 12, 2022 (1:06:51 PM)

CPI for All Urban Consumers (CPI-U)

Series Id: CUURS49BSA0

Not Seasonally Adjusted

Series Title: All items in San Francisco-Oakland-Hayward, CA, all urban consumers, not seasonally adjusted

Area: San Francisco-Oakland-Hayward, CA

Item: All items

Base Period: 1982-84=100

Download: [xlsx](#)

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual	HALF1	HALF2
2012		236.880		238.985		239.806	241.170		242.834		239.533	239.650	238.099	241.201	
2013		242.677		244.675		245.935	246.072		246.617		245.711	245.023	243.894	246.152	
2014		248.615		251.495		253.317	253.354		254.503		252.273	251.985	250.507	253.463	
2015		254.910		257.622		259.117	259.917		261.019		260.289	258.572	256.723	260.421	
2016		262.600		264.565		266.041	267.853		270.306		269.483	266.344	263.911	268.777	
2017		271.626		274.589		275.304	275.893		277.570		277.414	274.924	273.306	276.542	
2018		281.308		283.422		286.062	287.664		289.673		289.896	285.550	282.666	288.435	
2019		291.227		294.801		295.259	295.490		298.443		297.007	295.004	293.150	296.859	
2020		299.690		298.074		300.032	300.182		301.736		302.948	300.084	299.109	301.059	
2021		304.387		309.419		309.497	311.167		313.265		315.805	309.721	306.724	312.718	
2022		320.195													

U.S. BUREAU OF LABOR STATISTICS Postal Square Building 2 Massachusetts Avenue NE Washington, DC 20212-0001

Telephone: 1-202-691-5200 Telecommunications Relay Service: 7-1-1 www.bls.gov [Contact Us](#)

Burbank Sanitary District Commercial Rates Effective 07/01/22

CPI increase

5.19%

A. CART AND BIN COLLECTION RATES

Container Size	Collection Frequency					
	1X Week	2X Week	3X Week	4X Week	5X Week	6X Week
35 Gallon						
Collection	\$42.65	\$62.90	\$83.20	\$103.49	\$123.72	\$144.00
Disposal	\$6.78	\$13.54	\$20.32	\$27.11	\$33.89	\$40.64
Total	\$49.43	\$76.44	\$103.52	\$130.60	\$157.61	\$184.64

Container Size	Collection Frequency					
	1X Week	2X Week	3X Week	4X Week	5X Week	6X Week
65 Gallon						
Collection	\$63.11	\$96.91	\$130.78	\$164.65	\$198.51	\$232.34
Disposal	\$10.16	\$20.32	\$30.50	\$40.64	\$50.82	\$60.98
Total	\$73.27	\$117.23	\$161.28	\$205.29	\$249.33	\$293.32

Container Size	Collection Frequency					
	1X Week	2X Week	3X Week	4X Week	5X Week	6X Week
95 Gallon						
Collection	\$85.24	\$127.52	\$169.79	\$212.07	\$254.34	\$296.79
Disposal	\$13.54	\$27.11	\$40.64	\$54.19	\$67.73	\$81.29
Total	\$98.78	\$154.63	\$210.43	\$266.26	\$322.07	\$378.08

Container Size	Collection Frequency					
	1X Week	2X Week	3X Week	4X Week	5X Week	6X Week
1 CY						
Collection	\$127.50	\$237.83	\$348.12	\$458.46	\$568.77	\$679.09
Disposal	\$27.52	\$55.03	\$82.56	\$110.06	\$137.62	\$165.09
Total	\$155.02	\$292.86	\$430.68	\$568.52	\$706.39	\$844.18

Container Size	Collection Frequency					
	1X Week	2X Week	3X Week	4X Week	5X Week	6X Week
2 CY						
Collection	\$212.03	\$381.06	\$550.11	\$719.13	\$888.18	\$1,057.20
Disposal	\$55.03	\$110.06	\$165.09	\$220.17	\$275.19	\$330.27
Total	\$267.06	\$491.12	\$715.20	\$939.30	\$1,163.37	\$1,387.47

Container Size	Collection Frequency					
	1X Week	2X Week	3X Week	4X Week	5X Week	6X Week
3 CY						
Collection	\$313.73	\$541.51	\$769.27	\$997.03	\$1,224.79	\$1,452.54
Disposal	\$82.56	\$165.09	\$247.70	\$330.27	\$412.83	\$495.39
Total	\$396.29	\$706.60	\$1,016.97	\$1,327.30	\$1,637.62	\$1,947.93

Container Size	Collection Frequency					
	1X Week	2X Week	3X Week	4X Week	5X Week	6X Week
4 CY						
Collection	\$347.94	\$581.55	\$815.16	\$1,048.77	\$1,282.34	\$1,515.94
Disposal	\$110.06	\$220.17	\$330.27	\$440.35	\$550.42	\$660.52
Total	\$458.00	\$801.72	\$1,145.43	\$1,489.12	\$1,832.76	\$2,176.46

Burbank Sanitary District Commercial Rates Effective 07/01/22

CPI Increase

5.19%

A. CART AND BIN COLLECTION RATES

Container Size	Collection Frequency					
	1X Week	2X Week	3X Week	4X Week	5X Week	6X Week
6 CY						
Collection	\$515.73	\$850.85	\$1,186.00	\$1,521.10	\$1,856.22	\$2,191.35
Disposal	\$165.09	\$330.27	\$495.39	\$660.52	\$825.62	\$990.77
Total	\$680.82	\$1,181.12	\$1,681.39	\$2,181.62	\$2,681.84	\$3,182.12

20 CY Box	1X Week	2X Week	3X Week	4X Week	5X Week	6X Week
Collection	\$395.53	\$791.13	\$1,186.64	\$1,582.19	\$1,977.72	\$2,373.28

30 CY Box	1X Week	2X Week	3X Week	4X Week	5X Week	6X Week
Collection	\$412.75	\$825.49	\$1,238.23	\$1,650.97	\$2,063.73	\$2,476.49

40 CY Box	1X Week	2X Week	3X Week	4X Week	5X Week	6X Week
Collection	\$429.93	\$859.87	\$1,289.83	\$1,719.81	\$2,149.70	\$2,579.67

10 CY Box Lowboy	1X Week	2X Week	3X Week	4X Week	5X Week	6X Week
Collection	\$395.53	\$791.13	\$1,186.64	\$1,582.19	\$1,977.72	\$2,373.28

Compactor	1X Week	2X Week	3X Week	4X Week	5X Week	6X Week
Collection	\$601.95	\$1,203.84	\$1,805.76	\$2,407.70	\$3,009.59	\$3,611.55

B. PUSH RATES	0-25 ft	26-49 ft	50-75 ft	76-100 ft	101-125 ft	126+ ft
	N/C	\$43.01	\$68.81	\$94.59	\$120.41	\$131.28

C. CART OR BIN CLEANING

Each Occurrence					
Cart:	\$17.19	1-4 CY Bin	\$86.02	5+ CY Bin	\$129.03

Commercial Solid Waste Disposal Charge Per Ton: \$86.12

Commercial Solid Waste Processing Charge Per Ton: \$155.11

Note: All 10, 20, 30, 40 CY boxes and compactors are pull rates only; disposal will be based on actual disposal costs. The total customer rate will be the total cost for the collection and disposal.

**Burbank Sanitary District
Residential Rates Effective 07/01/22**

CPI increase

5.19%

A. SFD COLLECTION SERVICE - CURBSIDE

Garbage Cart Sizes (gallons)	20	35	65	95
Collection	\$ 26.54	\$ 31.71	\$ 47.93	\$ 64.19
Disposal	\$ 2.56	\$ 4.03	\$ 8.14	\$ 12.17
MONTHLY TOTAL	\$ 29.10	\$ 35.74	\$ 56.07	\$ 76.36
Senior/Disability Rate	\$ 27.65	\$ 33.95	\$ 53.27	\$ 72.54

B. SFD COLLECTION SERVICE - On Premise Collection (backyard)

Garbage Cart Sizes (gallons)	20	35	65	95
Collection	\$ 39.96	\$ 46.57	\$ 62.13	\$ 78.39
Disposal	\$ 2.56	\$ 4.03	\$ 8.14	\$ 12.17
MONTHLY TOTAL	\$ 42.52	\$ 50.60	\$ 70.27	\$ 90.56
Senior/Disability Rate	\$ 40.39	\$ 48.07	\$ 66.76	\$ 86.03

C. SFD MONTHLY COST FOR ADDITIONAL GARBAGE CARTS (curbside and on-premise)

Garbage Cart Sizes (gallons)	20	35	65	95
Each Additional Solid Waste Cart	\$ 19.28	\$ 30.30	\$ 60.58	\$ 90.88

D. SFD BULKY WASTE COLLECTION SERVICE RATE (Cost for each collection in excess of (1) per Agreement year)

Bulky Waste Collection Size	5 CY Maximum/Collection
Bulky Waste Collection (includes processing/disposal)	\$ 130.70

Residential Disposal Charge Per Ton

\$ 84.92



GreenWaste Recovery, Inc.

610 E. Gish Rd
San Jose, CA 95112
(650) 568-9900

Quarterly Report

January -March 2022

BURBANK SANITARY DISTRICT

Mixed Compostables, Recyclables and Yard Trimmings Franchise Agreement



April 29, 2022

Benjamin Porter
Burbank Sanitary District
2063 Stevens Creek Blvd., Suite 100
Cupertino, CA 95014

Dear Mr. Porter,
Enclosed please find the January- March 2022 quarterly report as required by the Collection of Solid Waste, Recyclables and Yard Trimmings Agreement between the Burbank Sanitary District and GreenWaste Recovery, Inc.

The following are highlights of this report:

- 1 Residential Collection Summary
- 2 Commercial Collection Summary
- 3 Program operations
- 4 Customer Service Data
- 5 Phone log and Missed pickup summary
- 6 Special Events

It has been a pleasure to serve the Burbank Sanitary District.

Sincerely,

Ereida Atayde
Customer Service & Outreach Manager
(408) 938-4925
ereida.atayde@greenwaste.com



Residential Collection Summary

Residential Collection

During the first quarter of 2022, GWR collected a total of:

213.96 Tons of Trash

114.49 Tons of Recyclables

141.48 Tons of Yard Waste

	Trash	Recyclables	Yard Waste
January	85.29	46.60	58.72
February	63.81	33.53	41.51
March	64.86	34.36	41.25
Total	213.96	114.49	141.48

Cart Count Totals- Trash

Code	Description	Quantity
R20TR	20-gal trash cart	114
R20TR-ADDL	20-gal trash additional cart	1
R20TR-DIS	20-gal discounted trash cart	4
R32TR	32-gal trash cart	531
R32TR-A	32-gal trash cart 0-100ft	1
R32TR-DIS	32-gal discounted trash cart	0
R64TR	64-gal trash cart	207
R64TR-A	64-gal trash cart - 0-100ft	1
R64TR-DIS	64-gal discounted trash cart	0
R96TR	96-gal trash cart	93
R96TR-A	96-gal trash cart - 0-100ft	5

Cart Count Totals- Recycle

Code	Description	Quantity
R32REC	32-gal recycle cart	4
R64REC	64-gal recycle cart	192
R96REC	96-gal recycle cart	738



Commercial Collection Summary

Commercial Collection Summary

During the first quarter of 2022, GWR collected a total of:

72.72 Tons of Trash

7.43 Tons of Recyclables

	Trash	Recyclables
January	24.18	2.27
February	21.66	2.1
March	26.88	3.06
Total	72.72	7.43

Bin Count Totals- Trash

Code	Trash Description	Frequency	Quantity
01FLTR	1yd front load	weekly	18
02FLTR	2yd front load	weekly	25
03FLTR	3yd front load	weekly	2
06FLTR	6yd front load	weekly	1
01FLTR	1yd front load	2x week	1
02FLTR	2yd front load	2x week	2
01FLTR	1yd front load	3x week	1

Bin Count Totals- Recycle

Code	Recycle Description	Frequency	Quantity
01FLREC	1yd front load	weekly	3
02FLREC	2yd front load	weekly	6
01FLREC	1yd front load	2x week	1
02FLREC	2yd front load	2x week	2



Program Operations

During 2022, there were no significant changes that occurred for collection, processing and marketing for GreenWaste Recovery, Inc.



Customer Service Data

During January- March 2022, GreenWaste issued **51** non-collection notices (NCN) to residents. Most of the non-collection notices issued were due to contaminated recycling and/or yard trimmings carts with garbage. The notices were issued to educate the residents of a proper set out. In most cases, the set outs were corrected and GreenWaste returned same day (or the following) as a courtesy collection.

Cust ID	Date	Service Tagged	Route	Notice	Note
092321 - 0001	1/6/2022	01FLREC	BURFL1-R	Overfilled - recycling	overfilled REC
093521 - 0001	3/28/2022	R96TR	BUR1	Overfilled - garbage	1-96TR and 1-32TR overfilled
093521 - 0001	3/28/2022	R96TR	BUR1	Overfilled - garbage	1-96TR and 1-32TR overfilled
093557 - 0001	3/28/2022	R96TR	BUR1	Contaminated - garbage	overfilled
093678 - 0001	3/21/2022	R96YW	BUR3	Contaminated - yard	can is full of lumber
093711 - 0001	2/14/2022	R96TR-A	BUR1	Blocked	access
093714 - 0001	3/28/2022	R32TR	BUR1	Overfilled - garbage	
093822 - 0001	3/21/2022	R96YW	BUR3	Contaminated - yard	can is full of lumber
093866 - 0001	3/28/2022	R64TR	BUR1	Overfilled - garbage	
094243 - 0001	3/28/2022	R96TR	BUR1	Overfilled - garbage	
094294 - 0001	3/28/2022	R64TR	BUR1	Overfilled - garbage	
094584 - 0001	3/7/2022	R96TR	BUR1	Extras not scheduled	extra bags not svc'd
094695 - 0001	3/28/2022	R96YW	BUR3	Overfilled - yard	large branches sticking out - overfilled
094754 - 0001	3/28/2022	R64TR	BUR1	Overfilled - garbage	overloaded trash
094783 - 0001	1/31/2022	R64YW	BUR3	Skipped	pile set out
094834 - 0001	2/14/2022	R64YW	BUR3	Contaminated - yard	LUMBER
095077 - 0001	3/28/2022	R64TR	BUR1	Overfilled - garbage	overfilled
095161 - 0001	2/7/2022	R20TR	BUR1	Extras not scheduled	LB 2 personals and a bag set out
095161 - 0001	2/7/2022	R20TR	BUR1	Extras not scheduled	LB 2 personals and a bag set out
095207 - 0001	3/7/2022	R32TR	BUR1	Skipped	damaged vehicle - not done by us

Cust ID	Date	Service Tagged	Route	Notice	Note
105162 - 0001	3/28/2022	R32TR	BUR1	Overfilled - garbage	
109411 - 0001	3/21/2022	R96TR	BUR1	Extras not sched	Can was over filled and extra trash on the ground. Svc'd only the what was inside the can
139304 - 0001	3/28/2022	R96YW	BUR3	Overfilled - yard	large branches sticking out - overfilled
148363 - 0001	3/28/2022	R96TR	BUR1	Contaminated - g	overfilled
150796 - 0001	3/28/2022	R96TR	BUR1	Overfilled - garbage	1-96TR and 1-32TR overfilled
151495 - 0001	2/14/2022	R96YW	BUR3	Contaminated - r	with lumber
165708 - 0001	1/6/2022	02FLTR	BURFL1-T	Overfilled - garbage	
165708 - 0001	2/3/2022	02FLTR	BURFL1-T	Blocked	BLOCKED BY A CAR @1:20
165708 - 0001	3/10/2022	02FLTR	BURFL1-T	Blocked	car blocking driveway 1:27
165708 - 0001	3/17/2022	02FLTR	BURFL1-T	Blocked	12:45 blocked by vehicle
174828 - 0001	3/21/2022	R64YW	BUR3	Contaminated - y	cart has trash
181929 - 0001	1/31/2022	R64TR	BUR1	Extras not sched	serviced regular tr can - left 4 extra bags
185661 - 0001	2/7/2022	R96YW	BUR3	Contaminated - g	@ 11:46am driver reported trash in yt
185661 - 0001	2/14/2022	R96YW	BUR3	Contaminated - y	trash bags
185661 - 0001	2/21/2022	R96TR	BUR1	Extras not sched	7:58 - cart was svc, they have extra trash around the can.
185661 - 0001	3/21/2022	R96TR	BUR1	Contaminated - g	Overfilled TR and extras not scheduled
188458 - 0001	2/21/2022	R64TR	BUR1	Extras not sched	7:58 - cart was svc, they have extra trash around the can.
188458 - 0001	3/21/2022	R64TR	BUR1	Overfilled - garbage	Overfilled TR and extras not scheduled
192127 - 0001	3/28/2022	R32TR	BUR1	Overfilled - garbage	
193859 - 0001	3/21/2022	R64TR	BUR1	Extras not sched	They set out a personal can labled Yardwaste and it's full trash

Cust ID	Date	Service Tagged	Route	Notice	Note
197437 - 0001	2/14/2022	R96YW	BUR3	Contaminated - y	trash
197958 - 0001	3/28/2022	R64TR	BUR1	Contaminated - g	overfilled
203550 - 0001	3/28/2022	R96TR	BUR1	Overfilled - garba	it was overfilled left behind
204658 - 0001	2/3/2022	02FLREC	BURFL1-R	Contaminated - r	with trash , wood and concrete
204658 - 0001	2/10/2022	02FLREC	BURFL1-R	Contaminated - r	with trash
204658 - 0001	2/17/2022	02FLREC	BURFL1-R	Contaminated - r	construction debri and concrete
204658 - 0001	2/24/2022	02FLREC	BURFL1-R	Contaminated - r	with trash and const debri
204807 - 0001	2/10/2022	02FLREC	BURFL1-R	Overfilled - recyc	Overfilled REC
204807 - 0001	2/10/2022	02FLTR	BURFL1-T	Overfilled - garba	Overfilled TR
211187 - 0001	3/31/2022	02FLTR	BURFL1-T	Overfilled - garbage	
211514 - 0001	3/10/2022	02FLREC	BURFL1-R	Contaminated - r	construction debri - he noticed some toilets in bin as well

Summary

Notice	Count of Notice
Blocked	4
Contaminated - garbage	5
Contaminated - recycle	6
Contaminated - yardwaste	6
Extras not scheduled	8
Overfilled - garbage	16
Overfilled - recycle	2
Overfilled - yardwaste	2
Skipped	2
Grand Total	51

Missed Pickup Details

CustID	Miss on:	Notes:
923200001	02FLREC	please service REC bin, report
923810001	01FLTR	please service trash bin thank v
923200001	02FLTR	please service REC bin, report
946300001	R64YW	Please return to service YT
937120001	R96YW	please service 1 96gal YW
936490001	R96YW	Please return to service YT
1514950001	R32TR	please service 1-32mc
2084770001	R32TR	Miss pick up on 32TR
938370001	R32TR	please service 1 32gal TR
1349480001	R96REC	please service 1 96gal REC
938910001	R96YW	please service 1 96gal YW



Special Events

During January- March 2022, GreenWaste did not perform any special events.