

**COMMISSION ON STATE MANDATES**

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June 19, 2015

Mr. Keith B. Petersen SixTen and Associates P.O. Box 340430 Sacramento, CA 95834-0430	Mr. Jose Torres San Bernardino Community College District 114 S Del Rosa Drive San Bernardino, CA 92408-0108	Ms. Jill Kanemasu Accounting and Reporting State Controller's Office 3301 C Street, Suite 700 Sacramento, CA 95816
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**Re: Notice of Complete Filing and Schedule for Comments**

Incorrect Reduction Claim

*Integrated Waste Management*, 14-0007-I-11

Public Resources Code Section 40418, 40196.3, 42920-42928;

Public Contract Code Section 12167 and 12167.1

Statutes 1992, Chapter 1116 (AB 3521); Statutes 1999, Chapter 764 (AB 75)

Fiscal Years: 1999-2000, 2000-2001, 2001-2002, 2002-2003, 2003-2004, 2004-2005, 2005-2006, 2006-2007, 2007-2008, 2008-2009, and 2010-2011

San Bernardino Community College District, Claimant

Dear Mr. Petersen, Mr. Torres, and Ms. Kanemasu:

On June 9, 2015, the San Bernardino Community College District filed an incorrect reduction claim (IRC) with the Commission on State Mandates (Commission) based on the State Controller's (SCO's) reductions to its reimbursement claims for costs incurred under the *Integrated Waste Management* program for fiscal years 1999-2000, 2000-2001, 2001-2002, 2002-2003, 2003-2004, 2004-2005, 2005-2006, 2006-2007, 2007-2008, 2008-2009, and 2010-2011. Commission staff has determined that the IRC filing is complete.

Government Code section 17551(b) requires the Commission to hear and decide claims by local agencies and school districts that the SCO has incorrectly reduced payments to the local agencies or school districts.

**SCO Review and Response.** Please file the SCO written comments and supporting documentation regarding this claim no later than **September 17, 2015**. Please include an explanation of the reasons for the reductions and the computation of reimbursements. All documentary evidence must be authenticated by declarations under penalty of perjury signed by persons who are authorized and competent to do so and be based on the declarant's personal knowledge, information or belief.

The failure of the SCO to respond within this 90-day timeline shall not cause the Commission to delay consideration of this IRC. (Gov. Code §17553(d))

The Commission's regulations require that written materials filed with the Commission be simultaneously served on all parties, interested parties, and interested persons on the mailing list, and accompanied by a proof of service. (Cal. Code Regs., tit. 2, 1181.3) However, this requirement may be satisfied by electronically filing your documents via the Commission's e-filing system. Please see <http://www.csm.ca.gov/dropbox.shtml> on the Commission's website. The written material will be posted on the Commission's website and the mailing list will be notified by electronic mail of the posting. This procedure will satisfy all the service requirements pursuant to section 1181.3 of the Commission's regulations.

Mr. Petersen, Mr. Torres, and Ms. Kanemasu

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**Claimant's Rebuttal.** Upon receipt of the SCO comments, the claimant and interested parties may file rebuttals. The rebuttals are due 30 days from the service date of the comments.

**Informal Conference.** An informal conference may be scheduled if requested. Refer to section 1187.4 of the Commission's regulations.

**Public Hearing and Draft Proposed Decision.** The public hearing on this claim has been tentatively scheduled for **July 22, 2016**. The draft proposed decision will be issued approximately eight to ten weeks prior to the public hearing.

**Withdrawal of Incorrect Reduction Claims.** Under section 1185.8 of the Commission's regulations, an IRC may be withdrawn by written application any time before a decision is adopted or by oral application at the time of hearing. If such an application is made, the executive director shall issue a letter dismissing the claim.

Sincerely,

A handwritten signature in black ink, appearing to read "Heather Halsey", written in a cursive style.

Heather Halsey  
Executive Director

**DECLARATION OF SERVICE BY EMAIL**

I, the undersigned, declare as follows:

I am a resident of the County of Sacramento and I am over the age of 18 years, and not a party to the within action. My place of employment is 980 Ninth Street, Suite 300, Sacramento, California 95814.

On June 19, 2015, I served the:

**IRC Filing; and Notice of Complete Filing and Schedule for Comments**

Incorrect Reduction Claim

*Integrated Waste Management*, 14-0007-I-11

Public Resources Code Section 40418, 40196.3, 42920-42928;

Public Contract Code Section 12167 and 12167.1

Statutes 1992, Chapter 1116 (AB 3521); Statutes 1999, Chapter 764 (AB 75)

Fiscal Years: 1999-2000, 2000-2001, 2001-2002, 2002-2003, 2003-2004, 2004-2005, 2005-2006, 2006-2007, 2007-2008, 2008-2009, and 2010-2011

San Bernardino Community College District, Claimant

by making it available on the Commission's website and providing notice of how to locate it to the email addresses provided on the attached mailing list.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on June 19, 2015 at Sacramento, California.



Jill L. Magee

Commission on State Mandates

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# COMMISSION ON STATE MANDATES

## Mailing List

**Last Updated:** 6/17/15

**Claim Number:** 14-0007-I-11

**Matter:** Integrated Waste Management

**Claimant:** San Bernardino Community College District

### TO ALL PARTIES, INTERESTED PARTIES, AND INTERESTED PERSONS:

Each commission mailing list is continuously updated as requests are received to include or remove any party or person on the mailing list. A current mailing list is provided with commission correspondence, and a copy of the current mailing list is available upon request at any time. Except as provided otherwise by commission rule, when a party or interested party files any written material with the commission concerning a claim, it shall simultaneously serve a copy of the written material on the parties and interested parties to the claim identified on the mailing list provided by the commission. (Cal. Code Regs., tit. 2, § 1181.3.)

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