

COMMISSION ON STATE MANDATES

980 NINTH STREET, SUITE 300
SACRAMENTO, CA 95814
PHONE: (916) 323-3562
FAX: (916) 445-0278
E-mail: csminfo@csm.ca.gov



September 10, 2009

Mr. Allan P. Burdick
MAXIMUS Financial Services
3130 Kilgore Road, Suite 400
Rancho Cordova, CA 95670

And Interested Parties and Affected State Agencies (See Enclosed Mailing List)

RE: Final Staff Analysis, Proposed Statewide Cost Estimate, and Hearing Date
California Fire Incident Reporting System Manual (CFIRS),
CSM-4419/00-TC-02
The New California Fire Incident Reporting System Manual – Version 1.0/
July 1990
San Ramon Valley Fire Protection District & City of Newport Beach, Claimants

Dear Mr. Burdick:

The final staff analysis and proposed statewide cost estimate are enclosed.

Hearing

This test claim is set for hearing on Friday, **September 25, 2009**, at **9:30 a.m.** in the State Capitol, Room 447, Sacramento, California. This matter is proposed for the Consent Calendar. Please let us know in advance if you or a representative of your agency will testify at the hearing, and if other witnesses will appear.

Special Accommodations

For any special accommodations such as a sign language interpreter, an assistive listening device, materials in an alternative format, or any other accommodations, please contact the Commission Office at least five to seven *working* days prior to the meeting.

Please contact Nancy Patton at (916) 323-8217 if you have questions.

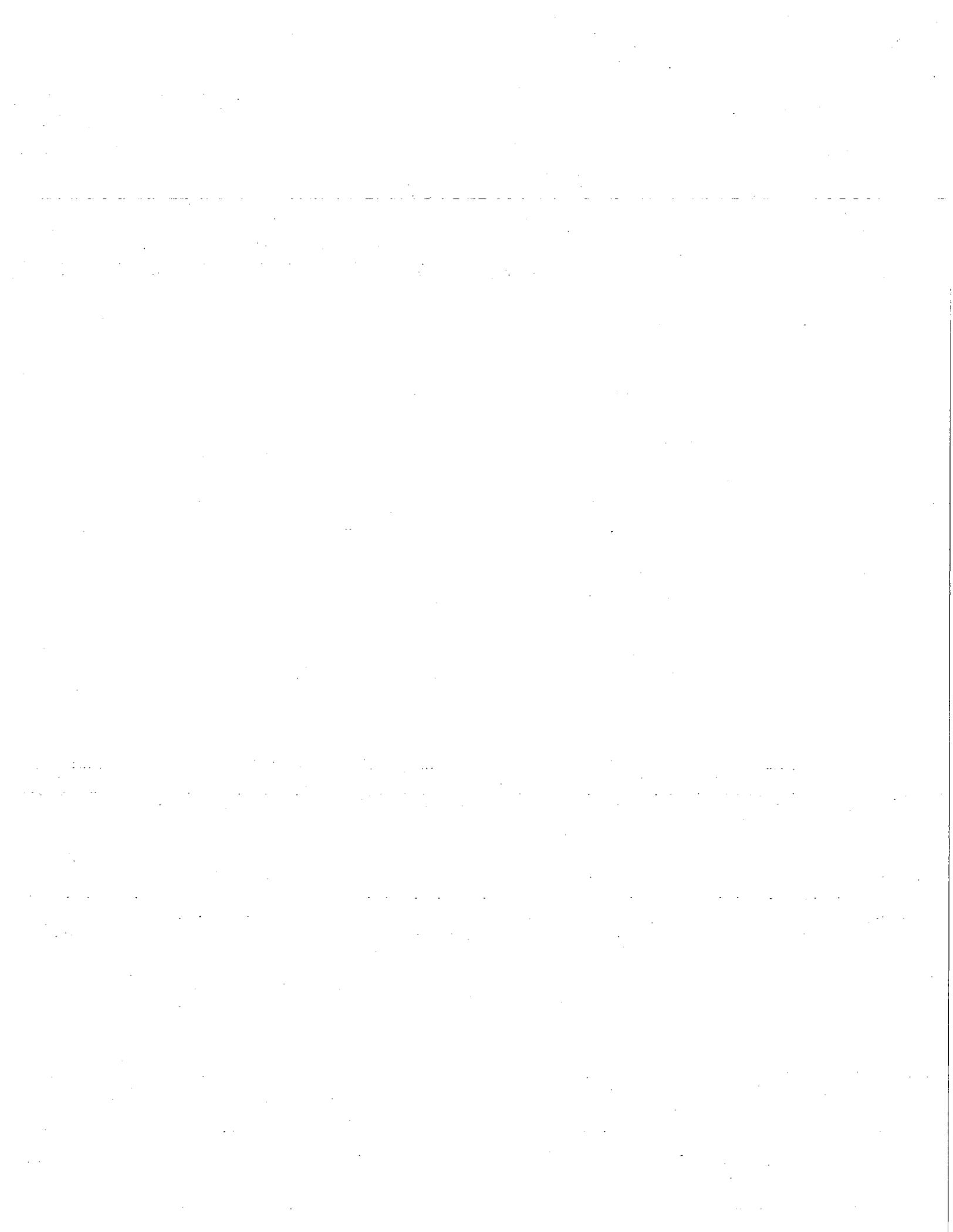
Sincerely,

A handwritten signature in cursive script that reads "Paula Higashi".

PAULA HIGASHI
Executive Director

Enclosure

j:mandates/4000/4419/sce/scefsatrans



ITEM 7
FINAL STAFF ANALYSIS
STATEWIDE COST ESTIMATE

The New California Fire Incident Reporting System Manual – Version 1.0/July 1990

California Fire Incident Reporting System (CFIRS)
CSM-4419/00-TC-02

San Ramon Valley Fire Protection District and City of Newport Beach, Claimants

EXECUTIVE SUMMARY

The proposed statewide cost estimate includes two fiscal years for a total of \$219,628 for the *California Fire Incident Reporting System (CFIRS)* program. Following is a breakdown of estimated total costs per fiscal year:

Fiscal Year	Number of Claims Filed with SCO	Estimated Cost
1990-1991	3	\$85,888
1991-1992	3	\$133,740
TOTAL	6	\$219,628

Summary of the Mandate

All fire protection agencies in California have had a duty since January 1, 1974, to report "information and data to the State Fire Marshal relating to each fire" in their jurisdiction pursuant to Health and Safety Code section 13110.5, in the form, time and manner prescribed by the State Fire Marshal. The State Fire Marshal issued a manual and reporting forms in 1974 entitled the "California Fire Incident Reporting System" (CFIRS). The approved test claim regulation involves how cities, counties and fire districts implement this fire reporting system.

The Commission on State Mandates (Commission) adopted the Statement of Decision for the *California Fire Incident Reporting System (CFIRS)* program (4419/00-TC-02). The Commission found that the test claim statute constitutes a new program or higher level of service and imposes a state-mandated program on local agencies within the meaning of article XIII B, section 6, of the California Constitution and Government Code section 17514, by requiring the local implementation of a computerized version of CFIRS, with submission of forms by diskette or magnetic tape for a two-year period as follows:

- Claimants who incurred actual costs for implementing the new computerized CFIRS format from July 1, 1990 (the beginning of the reimbursement period), to June 30, 1992 (the date of the letter from the State Fire Marshal stating that computerized filing was no longer required), are eligible for one-time costs for acquiring and implementing any necessary hardware and software.

Statewide Cost Estimate

Staff reviewed the claims data submitted by four cities and one fire district and compiled by the SCO. The actual claims data showed that six claims were filed for fiscal years 1990-1991 and 1991-1992 for a total of \$219,628.¹ Based on this data, staff made the following assumptions and used the following methodology to develop a statewide cost estimate for this program.

Assumptions

1. *The actual amount claimed for reimbursement may increase if late or amended claims are filed.*
2. *Non-claiming local agencies did not file claims during the two-year reimbursement period because: (1) they did not incur more than \$1000 in increased costs for this program; or (2) did not have supporting documentation to file a reimbursement claim.*
3. *The total amount of reimbursement for this program may be lower than the statewide cost estimate, because the SCO may reduce any reimbursement claim for this program.*

Methodology

Fiscal Years 1990-1991 through 1991-1992

The proposed statewide cost estimate for fiscal years 1990-1991 and 1991-1992 was developed by totaling the six unaudited actual reimbursement claims filed with the SCO for these years. No projections for future fiscal years were included because reimbursement for this program ended on June 30, 1992. The proposed statewide cost estimate includes two fiscal years for a total of \$219,628.

Comments on the Draft Staff Analysis

No comments were filed on the draft staff analysis.

Staff Recommendation

Staff recommends that the Commission adopt the proposed statewide cost estimate of **\$219,628** for costs incurred in complying with the *California Fire Incident Reporting System (CFIRS)* program.

¹ Claims data reported as of August 18, 2009.

STAFF ANALYSIS

Summary of the Mandate

All fire protection agencies in California have had a duty since January 1, 1974, to report "information and data to the State Fire Marshal relating to each fire" in their jurisdiction pursuant to Health and Safety Code section 13110.5, in the form, time and manner prescribed by the State Fire Marshal. The State Fire Marshal issued a manual and reporting forms in 1974 entitled the "California Fire Incident Reporting System" (CFIRS). The approved test claim regulation involves how cities, counties and fire districts implement this fire reporting system.

The Commission on State Mandates (Commission) adopted the Statement of Decision for the *California Fire Incident Reporting System (CFIRS)* program (4419/00-TC-02). The Commission found that the test claim statute constitutes a new program or higher level of service and imposes a state-mandated program on local agencies within the meaning of article XIII B, section 6, of the California Constitution and Government Code section 17514, by requiring the local implementation of a computerized version of CFIRS, with submission of forms by diskette or magnetic tape as follows:

- Claimants who incurred actual costs for implementing the new computerized CFIRS format from July 1, 1990 (the beginning of the reimbursement period), to June 30, 1992 (the date of the letter from the State Fire Marshal stating that computerized filing was no longer required), are eligible for one-time costs for acquiring and implementing any necessary hardware and software.

The claimant filed the test claim on December 31, 1991, and an amendment to the test claim on July 17, 2000. The Commission adopted a Statement of Decision on December 4, 2006, and the parameters and guidelines on August 1, 2008.² Eligible claimants were required to file initial reimbursement claims with the State Controller's Office (SCO) by February 1, 2009, and late claims by February 1, 2010.

Reimbursable Activities

A. One-Time Activities from July 1, 1990 through June 29, 1992:

1. Purchase of necessary computer hardware to implement the CFIRS program per the 1990 version of the CFIRS manual.
2. Purchase and/or development of computer software or conversion of existing computer software necessary to implement the CFIRS program per the 1990 version of the CFIRS manual.
3. Installation and/or implementation of necessary computer hardware and/or software.
4. Creation of back-up copy(ies) of necessary computer software.
5. Training on utilization of necessary computer hardware and/or software for each employee. (One-time per employee.)
6. Training on the submittal of reports via the necessary computer hardware and/or software for each employee. (One-time per employee.)

² Exhibit A, parameters and guidelines.

Statewide Cost Estimate

Staff reviewed the claims data submitted by four cities and one fire district and compiled by the SCO. The actual claims data showed that six claims were filed for fiscal years 1990-1991 and 1991-1992 for a total of \$219,628.³ Based on this data, staff made the following assumptions and used the following methodology to develop a statewide cost estimate for this program.

Assumptions

1. *The actual amount claimed for reimbursement may increase if late or amended claims are filed.*

Only four cities and one fire protection agency in California filed six reimbursement claims for this program. Thus, if reimbursement claims are filed by any of the remaining cities, fire protection agencies, or counties, the amount of reimbursement claims may exceed the statewide cost estimate. For this program, late claims may be filed until February 2010.

However, under this program, reimbursement is only authorized for those claimants that set up the new fire reporting system between 1990 and 1992. And, the State Fire Marshall no longer requires this type of reporting. It is unlikely that further claims will be filed.

2. *Non-claiming local agencies did not file claims during the two-year reimbursement period because: (1) they did not incur more than \$1000 in increased costs for this program; or (2) did not have supporting documentation to file a reimbursement claim.*

Reimbursement for this program is limited to one-time activities during a two-year period. Therefore, many eligible claimants may not have incurred the minimum threshold of \$1,000 to file reimbursement claims. In addition, because the claiming period goes back to 1990-1992, some claimants may not have retained the appropriate documentation to support a reimbursement claim.

3. *The total amount of reimbursement for this program may be lower than the statewide cost estimate, because the SCO may reduce any reimbursement claim for this program.*

If the SCO audits this program and deems any reimbursement claim to be excessive or unreasonable, it may be reduced.

Methodology

Fiscal Years 1990-1991 through 1991-1992

The proposed statewide cost estimate for fiscal years 1990-1991-1991-1992 was developed by totaling the six unaudited actual reimbursement claims filed with the SCO for these years.

No projections for future fiscal years were included because reimbursement for this program ended on June 30, 1992. The proposed statewide cost estimate includes two fiscal years for a total of \$219,628. Following is a breakdown of the estimated total costs per fiscal year:

Fiscal Year	Number of Claims Filed with SCO	Estimated Cost
1990-1991	3	\$85,888
1991-1992	3	\$133,740
TOTAL	6	\$219,628

³ Exhibit B, claims data reported as of August 18, 2009.

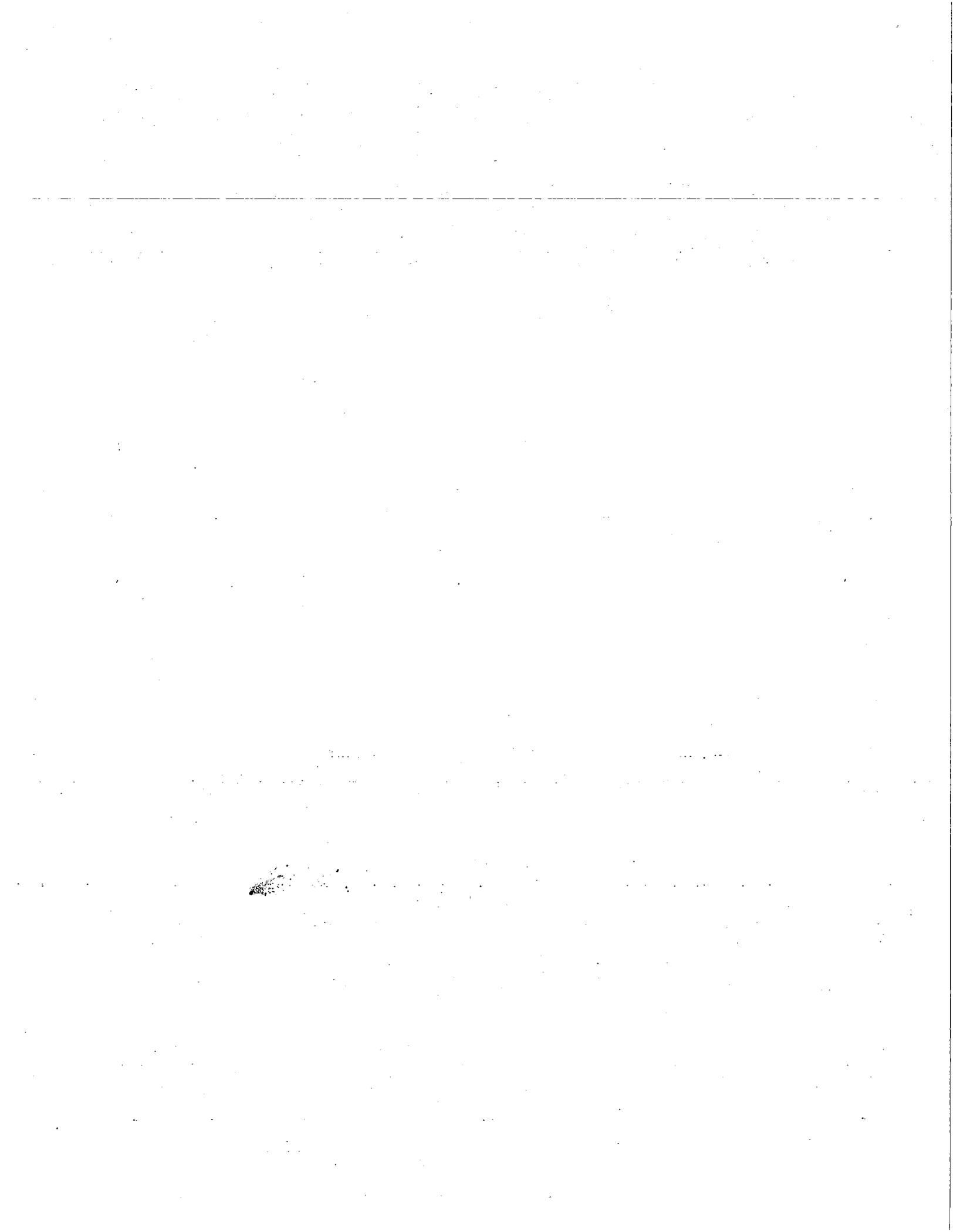
Comments on the Draft Staff Analysis

Staff issued the draft staff analysis on August 20, 2009.⁴ No comments were filed on the draft staff analysis.

Staff Recommendation

Staff recommends that the Commission adopt the proposed statewide cost estimate of **\$219,628** for costs incurred in complying with the *California Fire Incident Reporting System (CFIRS)* program.

⁴ Exhibit C, draft staff analysis.



Commission on State Mandates

Original List Date: 1/31/1997
Last Updated: 8/10/2009
List Print Date: 08/20/2009
Claim Number: 4419
Issue: CFIRS Manual

Agenda Mailing List

TO ALL PARTIES AND INTERESTED PARTIES:

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, § 1181.2.)

Ms. Bonnie Ter Keurst County of San Bernardino Office of the Auditor/Controller-Recorder 222 West Hospitality Lane San Bernardino, CA 92415-0018	Tel: (909) 386-8850 Fax: (909) 386-8830
Ms. Hasmik Yaghobyan County of Los Angeles Auditor-Controller's Office 500 W. Temple Street, Room 603 Los Angeles, CA 90012	Tel: (213) 893-0792 Fax: (213) 617-8106
Mr. Steve Shields Shields Consulting Group, Inc. 1536 36th Street Sacramento, CA 95816	Tel: (916) 454-7310 Fax: (916) 454-7312
Ms. Annette Chinn Cost Recovery Systems, Inc. 705-2 East Bidwell Street, #294 Folsom, CA 95630	Tel: (916) 939-7901 Fax: (916) 939-7801
Mr. Glen Everroad City of Newport Beach 3300 Newport Blvd. P. O. Box 1768 Newport Beach, CA 92659-1768	Tel: (949) 644-3127 Fax: (949) 644-3339
Mr. David Wellhouse David Wellhouse & Associates, Inc. 9175 Kiefer Blvd, Suite 121 Sacramento, CA 95826	Tel: (916) 368-9244 Fax: (916) 368-5723
Ms. Susan Geanacou Department of Finance (A-15) 915 L Street, Suite 1280 Sacramento, CA 95814	Tel: (916) 445-3274 Fax: (916) 449-5252
Ms. Carla Castaneda Department of Finance (A-15) 915 L Street, 12th Floor Sacramento, CA 95814	Tel: (916) 445-3274 Fax: (916) 323-9584

Ms. Kate Dargan Office of State Fire Marshal (A-45) P.O. Box 944246 Sacramento, CA 94244	Tel: Fax:
Mr. Rick Terry San Ramon Valley Fire Protection District Fire Chief 1500 Bollinger Canyon Road San Ramon, CA 94583	Tel: (916) 000-0000 Fax: (916) 000-0000
Ms. Juliana F. Gmur MAXIMUS 2380 Houston Ave Clovis, CA 93611	Tel: (916) 485-8102 Fax: (916) 485-0111
Ms. Jolene Tollenaar MGT of America 455 Capitol Mall, Suite 600 Sacramento, CA 95814	Tel: (916) 712-4490 Fax: (916) 290-0121
Mr. Leonard Kaye County of Los Angeles Auditor-Controller's Office 500 W. Temple Street, Room 603 Los Angeles, CA 90012	Tel: (213) 974-9791 Fax: (213) 617-8106
Mr. William D. Ross Law Offices of William D. Ross 520 S. Grand Avenue, Suite 300 Los Angeles, CA 90071-2610	Tel: (213) 892-1592 Fax: (213) 892-1519
Mr. Allan Burdick MAXIMUS 3130 Kilgore Road, Suite 400 Rancho Cordova, CA 95670	Tel: (916) 471-5538 Fax: (916) 366-4838
Ms. Ginny Brummels State Controller's Office (B-08) Division of Accounting & Reporting 3301 C Street, Suite 500 Sacramento, CA 95816	Tel: (916) 324-0256 Fax: (916) 323-6527
Ms. Harmeet Barkschat Mandate Resource Services, LLC 5325 Elkhorn Blvd. #307 Sacramento, CA 95842	Tel: (916) 727-1350 Fax: (916) 727-1734