

ITEM 9
EXECUTIVE DIRECTOR’S REPORT
Workload Update and Tentative Agenda Items for the
March and May 2020 Meetings (info)

I. WORKLOAD¹ (info)

A. COMPLETED WORKLOAD SUMMARY

Type of Caseload	Completed in 2018/2019	Completed in 2019/2020
Test Claims	5	1
Parameters & Guidelines	2	2
Parameters & Guidelines Amendments	0	2
Requests for Reconsideration	0	0
Statewide Cost Estimates	1	2
Request to Review Claiming Instructions	0	0
Requests for Mandate Redetermination ²	0	2
Incorrect Reduction Claims	4	0
Appeal of Executive Director Decisions	0	0
Order to Set Aside Decision	0	1

B. COMMISSION WORKLOAD REPORT

Type of Action	Pending on 7/1/2019	Filed Since 7/1/2019	Completed Since 7/1/2019	Pending on 1/1/2020
Test Claims	41	1	1	41 ³
Parameters and Guidelines	3	0 ⁴	2	1 ⁵

¹ As of January 1, 2020.

² Requests for Mandate Redetermination require a two-hearing process.

³ 39 of the 41 pending local agency claims are regarding National Pollutant Discharge Elimination System (NPDES) permits. One of these claims, 18-TC-02 was filed in 2018-19, but not deemed complete until August 20, 2019. There are no school district test claims currently pending.

⁴ Proposed parameters and guidelines may be filed by the test claimant or expedited and issued by Commission staff upon the adoption of an approved test claim or upon the expiration of a joint reasonable reimbursement methodology.

⁵ One of these Parameters and Guidelines is on inactive status pending the outcome of litigation on the underlying Test Claim Decision.

Type of Action	Pending on 7/1/2019	Filed Since 7/1/2019	Completed Since 7/1/2019	Pending on 1/1/2020
Joint Reasonable Reimbursement Methodologies	0	0	0	0
Pending Requests To Jointly Develop Legislatively Determined Mandates	0	0	0	0
Requests for Reconsideration	0	0	0	0
Requests to Review Claiming Instructions	0	0	0	0
Statewide Cost Estimates	3	2 ⁶	2	3 ⁷
Test Claim Reconsiderations or Reinstatements Based on Court Action	0	0	0	0
Parameters and Guidelines to be Amended, Set Aside, or Reinstated, as Directed by the Legislature or Court Action	1	0	0	1
Proposed Amendments to Parameters and Guidelines	1	2 ⁸	2	1
Requests for Mandate Redetermination ⁹	2	0	2	0
Requests for Mandate Redetermination to be Amended, Set Aside, or Reinstated, as Directed by the Legislature or Court Action	1	0	1	0
Requests for Mandate Redetermination Reconsideration Based on Court Action	1	0	0	1
Incorrect Reduction Claims	5	0	0	5

⁶ Statewide cost estimates are not filed, but are issued by the Commission after claiming instructions have been issued and initial claims have been received by the State Controller's Office.

⁷ One of these Statewide Cost Estimates is on inactive status pending the outcome of litigation on the underlying Test Claim Decision.

⁸ Proposed parameters and guidelines amendments may be filed by an affected local or state agency for any of the reasons specified by section 1183.17 of the Commission's regulations or they may be issued by Commission staff upon the adoption of new test claim decision under the redetermination process.

⁹ Requests for Mandate Redetermination require a two-hearing process.

Type of Action	Pending on 7/1/2019	Filed Since 7/1/2019	Completed Since 7/1/2019	Pending on 1/1/2020
Incorrect Reduction Claims to be Reconsidered Based on Court Action	0	0	0	0
Appeals of Executive Director's Decisions	0	0	0	0
Regulatory Actions Pending	0	1	1	0
Applications for Findings of Significant Financial Distress	0	0	0	0

March or May Meetings

A. TEST CLAIMS

1. *California Regional Water Quality Control Board, Santa Ana Region, Order No. R8-2009-0030, 09-TC-03*
County of Orange, Orange County Flood Control District, Cities of Anaheim, Brea, Buena Park, Costa Mesa, Cypress, Fountain Valley, Fullerton, Huntington Beach, Irvine, Lake Forest, Newport Beach, Placentia, Seal Beach, and Villa Park, Claimants
2. *California Regional Water Quality Control Board, San Diego Region, Order No. R9-2009-0002, 10-TC-11*
County of Orange, Orange County Flood Control District, Cities of Dana Point, Laguna Hills, Laguna Niguel, Lake Forest, Mission Viejo, and San Juan Capistrano, Claimants
3. *Racial and Identity Profiling, 18-TC-02*
City of San Diego, Claimant

B. MANDATE REDETERMINATIONS

1. *Sexually Violent Predators (CSM-4509), 12-MR-01-R*
PURSUANT TO COURT'S JUDGMENT AND WRIT *COUNTY OF SAN DIEGO V. COMMISSION ON STATE MANDATES* (2018) 6 CAL.5TH 196; JUDGMENT AND WRIT OF MANDATE ISSUED BY SAN DIEGO COUNTY SUPERIOR COURT, CASE NO.: 37-2014-00005050-CU-WM-CTL
Department of Finance, Requester

C. PARAMETERS AND GUIDELINES AMENDMENTS

1. *Graduation Requirements, 11-PGA-03 (CSM-4435)*
Department of Finance, Requester

D. INCORRECT REDUCTION CLAIMS

1. *Animal Adoption, 17-9811-I-04*
Town of Apple Valley, Claimant