



February 22, 2024

TO: ALL INTERESTED PERSONS

FROM: Juliana Gmur, Acting Executive Director *JFG*

RE: Notice and Agenda

**On Friday, March 22, 2024, the Commission on State Mandates (Commission) will conduct its next regular meeting and hearing in person at 10:00 a.m., at Park Tower, 980 9th Street, Second Floor Conference Room, Sacramento, California, 95814 and via Zoom.**

**The Commission is now able to provide hybrid access to its meetings (via Zoom).**

The Commission is committed to ensuring that its public meetings are accessible to the public and that the public has the opportunity to observe the meeting and to participate by providing written and verbal comment on Commission matters whether they are physically appearing at the in-person meeting location or participating via Zoom. If you want to speak during the hearing and you are in-person, please come to the table to speak when your item is up for hearing. If you are participating via Zoom, you must use the "Raise Hand" feature in order for our moderators to know you need to be unmuted.

You may join the meeting via Zoom through the link below and can listen and view through your desktop, laptop, tablet, or smart phone. This will allow you to view documents being shared as well.

There are two options for joining the meeting via Zoom:

1. Through the link below you can listen and view through your desktop, laptop, tablet, or smart phone. This will allow you to view documents being shared as well. **(You are encouraged to use this option.)**

[https://csm-ca.gov.zoom.us/j/82528706929?pwd=wLtCRJo\\_JieSb88mVBLJbGg5LgffXQ.dwDt6zroV4KICz36](https://csm-ca.gov.zoom.us/j/82528706929?pwd=wLtCRJo_JieSb88mVBLJbGg5LgffXQ.dwDt6zroV4KICz36)

Passcode: 228965

2. Through your landline, smart mobile, or non-smart mobile phone, either number works. You will be able to listen to the proceedings but will not be able to view the meeting or any documents being shared.

+1 216 706 7075 US Toll

+1 866 390 1828 US Toll-free

Conference Code: 155007

**Testimony at the Commission Hearing.** If you plan to address the Commission on an agenda item, please notify the Commission Office **not later than noon on the Wednesday prior to the hearing.** Please also include the names of the people who will be speaking and the names and email addresses of the people who will be speaking remotely for inclusion on the witness list. When calling or emailing, identify the item you want to testify on and the entity you represent. The Commission Chairperson reserves the right to impose time limits on presentations as may be necessary to complete the agenda.

If you plan to file any written document for Commission member review, please note that Commission staff will include written comments filed at least 15 days in advance of the hearing in the Commissioners' hearing binders. Additionally, staff will transmit written comments filed between 15 and five days prior to a meeting to the Commission members, if possible.

However, comments filed less than five days prior to a meeting will not be included in the Commissioners' hearing binders and a PDF of the document, shall be filed via the Commission's dropbox at <https://www.csm.ca.gov/dropbox.shtml>, at least 24-hours prior to the hearing to allow staff time to process and post the document to allow all in-person and remote participants to review it. Commission staff shall provide an electronic copy to the Commission, include an electronic copy in the public hearing binder at the hearing, and post a copy on the Commission's website, and may share the document with the Commission and the public using the "share screen" function. (Cal. Code Regs., tit. 2, § 1181.10(b)(1)(C)).

**Agenda Materials.** Agenda materials are available at the Commission office, located at 980 9th Street, Suite 300, Sacramento, California, 95814 during regular business hours. However, members of the public who have access to the internet are encouraged to obtain these materials online. Please call (916) 323-3562 or email at [csminfo@csm.ca.gov](mailto:csminfo@csm.ca.gov) for an appointment. All supporting documentation for items on the agenda for the public portion of Commission meetings is available for public inspection on the Commission's website at <https://www.csm.ca.gov/agendas/032224.shtml>.

**Website.** Agenda items are available on the Commission's website at [www.csm.ca.gov](http://www.csm.ca.gov). After reaching the site's home page, click on "Hearings" on the top of the page for the hearing agenda. Generally, Commission staff upload the items two weeks before the meeting and they may be accessed from links on the agenda. If an item on this agenda is postponed prior to the meeting, notice will be posted on a revised agenda. Following the meeting, staff will post Commission actions on the Commission's website and will serve and post the adopted decisions within 10 days of the meeting.

To find the adopted minutes and transcripts of Commission meetings on the website in PDF format, click "Hearings" on the top of the home page.

**Reasonable Accommodation.** Any person requesting accommodations in accordance with the Americans with Disabilities Act or for language assistance, please contact the Commission office as soon as possible but at least five to seven *working* days prior to the meeting.

## AGENDA<sup>1</sup>

Meeting of the Commission on State Mandates

Park Tower, 980 9th Street, Second Floor Conference Room  
Sacramento, California and via Zoom

**Friday, March 22, 2024  
10:00 a.m.**

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<sup>1</sup> This public meeting Notice and Agenda is available on the Commission's website at [www.csm.ca.gov](http://www.csm.ca.gov).

**Reminder:** Commission staff includes written comments filed at least 15 days in advance of the meeting in the Commissioners' hearing binders. If you plan to testify and would like the Commissioners to review any document not filed 15 days in advance of the hearing, please file the PDF document via the Commission's dropbox at <https://www.csm.ca.gov/dropbox.shtml> as soon as possible and at least 24-hours prior to the hearing.

I. CALL TO ORDER AND ROLL CALL

II. APPROVAL OF MINUTES (action)

Item 1 January 26, 2024

III. PUBLIC COMMENT FOR MATTERS NOT ON THE AGENDA (info)

Please note that the Commission may not take action on items not on the agenda. However, it may schedule issues raised by the public for consideration at future meetings.

IV. PROPOSED CONSENT CALENDAR FOR ITEMS PROPOSED FOR ADOPTION ON CONSENT PURSUANT TO CALIFORNIA CODE OF REGULATIONS TITLE 2, ARTICLES 7 AND 8 (action)

If there are no objections to any of the following action items designated by an asterisk (\*), the Executive Director will include each one on the Proposed Consent Calendar that will be presented at the hearing. The Commission will determine which items will remain on the Consent Calendar.

V. HEARINGS AND DECISIONS PURSUANT TO CALIFORNIA CODE OF REGULATIONS, TITLE 2, ARTICLE 7 (GOV. CODE, § 17551, 17557, 17559, and 17570) (action)

A. APPEALS OF EXECUTIVE DIRECTOR DECISIONS PURSUANT TO CALIFORNIA CODE OF REGULATIONS, TITLE 2, SECTION 1181.1(c) (info/action)

Item 2 Appeal of Executive Director Decisions

*Note: This item will only be taken up if an appeal is filed and set for this hearing.*

B. TEST CLAIMS

Item 3 *California Regional Water Quality Control Board, Santa Ana Region, Order No. R8-2010-0033, 10-TC-07*

California Regional Water Quality Control Board, Santa Ana Region, Order No. R8-2010-0033, Sections IV; VI.D.1.a.vii; VI.D.1.c.i(8); VI.D.2.c; VI.D.2.d.ii(d); VI.D.2.i; VII.B; VII.D.2; VII.D.3; VIII.A; VIII.C; VIII.H; IX.C; IX.D; IX.E; IX.H; X.D; XI.D.1; XI.D.6; XI.D.7; XI.E.6; XII.A.1; XII.A.5; XII.B; XII.C.1; XII.D.1; XII.E.1; XII.E.2; XII.E.3; XII.E.4; XII.E.6; XII.E.7; XII.E.8; XII.E.9; XII.F; XII.G.1; XII.K.4; XII.K.5; XII.H; XIV.D; XV.A; XV.C; XV.F.1; XV.F.4; XV.F.5; XVII.A.3; and Appendix 3, Section III.E.31, Adopted January 29, 2010

County of Riverside, Riverside County Flood Control & Water Conservation District, and Cities of Beaumont, Corona; Hemet, Lake Elsinore, Moreno Valley, Perris, and San Jacinto, Claimants

- Item 4      *Public School Restrooms: Menstrual Products, 22-TC-04*  
Statutes 2021, Chapter 664, Sections 1 and 3 (AB 367);  
Education Code Section 35292.6  
Hesperia Unified School District, Claimant

VI. HEARINGS ON COUNTY APPLICATIONS FOR FINDINGS OF SIGNIFICANT FINANCIAL DISTRESS PURSUANT TO WELFARE AND INSTITUTIONS CODE SECTION 17000.6 AND CALIFORNIA CODE OF REGULATIONS, TITLE 2, ARTICLE 2 (info/action)

- Item 5      Assignment of County Application to Commission, a Hearing Panel of One or More Members of the Commission, or to a Hearing Officer  
*Note: This item will only be taken up if an application is filed.*

VII. INFORMATIONAL HEARINGS PURSUANT TO CALIFORNIA CODE OF REGULATIONS, TITLE 2, ARTICLE 8 (info/action)

A. ADOPTION OF ORDER TO ADOPT RULEMAKING

- Item 6\*      General Cleanup (Order 23-01), Proposed Amendments to California Code of Regulations, Title 2, Division 2, Chapter 2.5, Articles 1, 3, 4, 5, and 7

B. STATEWIDE COST ESTIMATES

- Item 7\*      *Juveniles: Custodial Interrogation, 21-TC-01*  
Welfare and Institutions Code Section 625.6 as Amended by Statutes 2020, Chapter 335, Section 2 (SB 203)

C. REPORTS (info/action)

- Item 8      Legislative Update (info)
- Item 9      Chief Legal Counsel: New Filings, Recent Decisions, Litigation Calendar (info)
- Item 10      Executive Director: Budget, Workload Update, and Tentative Agenda Items for the May 2024 and July 2024 Meetings (info)

VIII. CLOSED EXECUTIVE SESSION PURSUANT TO GOVERNMENT CODE SECTIONS 11126 AND 11126.2 (info/action)

A. PENDING LITIGATION

To confer with and receive advice from legal counsel, for consideration and action, as necessary and appropriate, upon the following matters pursuant to Government Code section 11126(e):

Trial Courts:

1. *County of Los Angeles v. Commission on State Mandates*  
Los Angeles County Superior Court, Case No. 23STCP04362  
(*Accomplice Liability for Felony Murder, 19-TC-02*)

## B. POTENTIAL LITIGATION

To confer with and receive advice from legal counsel, for consideration and action, as necessary and appropriate, upon the following matter pursuant to Government Code section 11126(e):

Based on existing facts and circumstances, there is a specific matter which presents a significant exposure to litigation against the Commission on State Mandates, its members or staff.

## C. PERSONNEL

To confer on personnel matters pursuant to Government Code section 11126(a)(1).

## RECONVENE IN PUBLIC SESSION

## IX. REPORT FROM CLOSED EXECUTIVE SESSION

## ADJOURNMENT

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For information regarding this agenda, please contact:

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(916) 323-3562

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**TO RECEIVE NOTICES AND AGENDAS FOR COMMISSION MEETINGS AND HEARINGS ELECTRONICALLY, SUBSCRIBE BY VISITING THE COMMISSION'S WEBSITE AT [WWW.CSM.CA.GOV](http://WWW.CSM.CA.GOV) AND CLICKING ON THE "AGENDA MAILING LIST" LINK ON THE RIGHT SIDE OF THE PAGE.**

## NEW FILINGS

January 16, 2024 through February 22, 2024

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<b>Date Filed</b>	<b>Claimant/Requester</b>	<b>Description</b>
11/17/23 Notice of Complete Test Claim issued 1/17/24	Hesperia Unified School District	<b><i>Heating, Ventilation, and Air Conditioning (HVAC) Program, 23-TC-01</i></b>