

**ITEM 4**  
**INCORRECT REDUCTION CLAIM**  
**PROPOSED DECISION**

Public Resources Code Sections 40148, 40196.3, 42920-42928; Public Contract Code Sections 12167 and 12167.1; Statutes 1992, Chapter 1116 (AB 3521); Statutes 1999, Chapter 764 (AB 75); State Agency Model Integrated Waste Management Plan (February 2000)

*Integrated Waste Management*

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

13-0007-I-02

Sierra Joint Community College District, Claimant

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California Department of Resources Recycling and Recovery, "Landfill Tipping Fees in California" February 2015.

Commission on State Mandates, Excerpt from the Minutes for the September 26, 2008 Meeting.

Commission on State Mandates, Item 9, Final Staff Analysis of Proposed Amendments to the Parameters and Guidelines for *Integrated Waste Management*, 05-PGA-16, January 30, 2009.

# SixTen and Associates

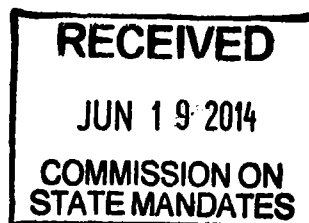
## Mandate Reimbursement Services

KEITH B. PETERSEN, President  
P.O. Box 340430  
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5252 Balboa Avenue, Suite 900  
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Telephone: (858) 514-8605  
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June 17, 2014

Heather Halsey, Executive Director  
Commission on State Mandates  
980 Ninth Street, Suite 300  
Sacramento, CA 95814



RE: 1116/92 and 764/99 Integrated Waste Management  
Sierra Joint Community College District  
Fiscal Years 1999-00 through 2000-01 and 2003-04 through 2009-10  
Incorrect Reduction Claim

Dear Ms. Halsey:

Enclosed is the original and two copies of the above referenced incorrect reduction claim for Sierra Joint Community College District.

SixTen and Associates has been appointed by the District as its representative for this matter and all interested parties should direct their inquiries to me, with a copy as follows:

Chris Yatooma, Vice President Administrative Services  
Sierra Joint Community College District  
5000 Rocklin Road  
Rocklin, CA 95677-3397  
Voice: 916-660-7601  
Fax: 916-630-4504  
E-Mail: cyatooma@sierracollege.edu

Sincerely,

Keith B. Petersen

Enclosure: Incorrect Reduction Claim

C: Chris Yatooma, Vice President Administrative Services

# COMMISSION ON STATE MANDATES

**RECEIVED**

For CSM Use Only

## 1. INCORRECT REDUCTION CLAIM TITLE

1116/92 and 764/99 Integrated Waste Management

## 2. CLAIMANT INFORMATION

Sierra Joint Community College District

Chris Yatooma, Vice President  
Administrative Services  
5000 Rocklin Road  
Rocklin, CA 95677-3397  
Voice: 916-660-7601  
Fax: 916-630-4504  
E-Mail: cyatooma@sierracollege.edu

## 3. CLAIMANT REPRESENTATIVE INFORMATION

Claimant designates the following person to act as its sole representative in this incorrect reduction claim. All correspondence and communications regarding this claim shall be forwarded to this representative. Any change in representation must be authorized by the claimant in writing, and sent to the Commission on State Mandates.

Keith B. Petersen, President  
SixTen and Associates  
P.O. Box 340430  
Sacramento, CA 95834-0430  
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Fax: (916) 263-9701  
E-mail: Kbpsixten@aol.com

Filing Date:

JUN 19 2014

**COMMISSION ON STATE MANDATES**

IRC #:

13-0007-1-02

## 4. IDENTIFICATION OF STATUTES OR EXECUTIVE ORDERS

Statutes of 1992, Chapter 1116,  
Statutes of 1999, Chapter 764,  
Public Resources Code 40418, 40196.3, 42920-928  
Public Contract Code 12167 and 12167.1

## 5. AMOUNT OF ~~INCORRECT~~ REDUCTION

Fiscal Year	Amount of Reduction
1999-2000	\$ 3,981
2000-2001	\$ 7,250
2003-2004	\$ 17,095
2004-2005	\$ 19,634
2005-2006	\$ 22,011
2006-2007	\$ 23,732
2007-2008	\$ 19,388
2008-2009	\$ 15,046
2009-2010	\$ 11,498
TOTAL:	\$ 139,635

## 6. NOTICE OF NO INTENT TO CONSOLIDATE

This claim is **not** being filed with the intent to consolidate on behalf of other claimants.

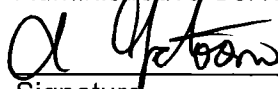
Sections 7-12 are attached as follows:

7. Written Detailed Narrative:	Pages <u>1</u> to <u>20</u>
8. Final SCO Audit Report:	Exhibit <u>A</u>
9. Parameter's and Guidelines:	Exhibit <u>B</u>
10. Claiming Instructions:	Exhibit <u>C</u>
11. Annual Reimbursement Claims:	Exhibit <u>D</u>
12. Controller's Payment Letters:	Exhibit <u>E</u>

## 13. CLAIM CERTIFICATION

This claim alleges an incorrect reduction of a reimbursement claim filed with the State Controller's Office pursuant to Government Code section 17561. This incorrect reduction claim is filed pursuant to Government Code section 17551, subdivision (d). I hereby declare, under penalty of perjury under the laws of the State of California, that the information in this incorrect reduction claim submission is true and complete to the best of my own knowledge or information or belief.

Chris Yatooma, Vice President  
Administrative Services

  
Signature

6/11/14  
Date

1 Claim Prepared by:  
2 Keith B. Petersen  
3 SixTen and Associates  
4 P.O. Box 340430  
5 Sacramento, California 95834-0430  
6 Voice: (916) 419-7093  
7 Fax: (916) 263-9701

8 BEFORE THE  
9 COMMISSION ON STATE MANDATES  
10 STATE OF CALIFORNIA

11 INCORRECT REDUCTION CLAIM OF: )

No. CSM \_\_\_\_\_

12 )  
13 )  
14 ) Statutes of 1992, Chapter 1116,  
15 ) Statutes of 1999, Chapter 764,  
16 ) Public Resources Code 40418,  
17 ) 40196.3, 42920-928 and  
18 ) Public Contract Code 12167 and  
19 ) 12167.1.

20 **SIERRA JOINT** )

**Integrated Waste Management**

21 )  
22 **Community College District** )

Annual Reimbursement Claims:

23 )  
24 Claimant. )

25 ) Fiscal Year 1999-00  
26 ) Fiscal Year 2000-01  
27 ) Fiscal Year 2003-04  
28 ) Fiscal Year 2004-05  
29 ) Fiscal Year 2005-06  
30 ) Fiscal Year 2006-07  
31 ) Fiscal Year 2007-08  
32 ) Fiscal Year 2008-09  
33 ) Fiscal Year 2009-10  
34 )  
35 )

36 INCORRECT REDUCTION CLAIM FILING

37 PART I. AUTHORITY FOR THE CLAIM

38 The Commission on State Mandates has the authority pursuant to Government



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Code Section 17551(d) "... to hear and decide upon a claim by a local agency or school district, filed on or after January 1, 1985, that the Controller has incorrectly reduced payments to the local agency or school district pursuant to paragraph (2) of subdivision (d) of Section 17561." Sierra Joint Community College District (hereafter "District") is a school district as defined in Government Code Section 17519. Title 2, CCR, Section 1185 (a), requires the claimant to file an incorrect reduction claim with the Commission.

This incorrect reduction claim is timely filed. Title 2, CCR, Section 1185 (c), requires incorrect reduction claims to be filed no later than three years following the date of the Controller's notice to the claimant of a reduction in payment for an annual claim. A Controller's audit report dated July 22, 2013, has been issued. See Exhibit A. A Controller's claim action notice letter dated August 4, 2013, has been issued for each audited annual claim that constitutes notice of the field audit findings that resulted in a claim payment reduction. See Exhibit E. The audit report and claim action letters each and both constitute a final adjudication of the claim and notice of payment reduction.

There is no alternative dispute resolution process available from the Controller's office. The audit report letter states that an incorrect reduction claim should be filed with the Commission if the claimant disagrees with the audit findings.

#### PART II. SUMMARY OF THE CLAIM

The Controller conducted an audit of the District's annual reimbursement claims for Fiscal Years 1999-00 through 2000-01, and 2003-04 through 2009-10 for the cost of

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complying with the legislatively mandated Integrated Waste Management program. As a result of the audit, the Controller determined that \$139,635 of the \$238,419 claimed costs were unallowable:

<u>Fiscal Year</u>	<u>Amount Claimed</u>	<u>Audit Adjustment</u>	<u>SCO Payments</u>	<u>Amount Due &lt;State&gt; District</u>
1999-00	\$ 23,194	\$ 3,981	\$ 0	\$ 19,213
2000-01	\$ 26,238	\$ 7,250	\$ 0	\$ 18,988
2003-04	\$ 24,857	\$ 17,095	\$ 0	\$ 7,762
2004-05	\$ 28,125	\$ 19,634	\$ 0	\$ 8,491
2005-06	\$ 36,948	\$ 22,011	\$ 0	\$ 14,937
2006-07	\$ 53,125	\$ 23,732	\$ 0	\$ 29,393
2007-08	\$ 19,388	\$ 19,388	\$ 0	\$ 0
2008-09	\$ 15,046	\$ 15,046	\$ 0	\$ 0
2009-10	<u>\$ 11,498</u>	<u>\$ 11,498</u>	<u>\$ 0</u>	<u>\$ 0</u>
Totals	\$ 238,419	\$ 139,635	\$ 0	\$ 98,784

Since the District did not receive any payments for these claims as of the date of the audit report, the audit report states that \$98,784 is payable to the District.

**PART III. PREVIOUS INCORRECT REDUCTION CLAIMS**

The District has not filed any previous incorrect reduction claims for this mandate program. On March 28, 2014, the Pasadena Area Community College District filed an incorrect reduction claim (13-0007-I-01) on this mandate program that includes similar issues.

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PART IV. BASIS FOR REIMBURSEMENT

A. Mandate Legislation

Statutes of 1992, Chapter 1116, amended Public Contract Code sections 12167 and 12167.1 allowing the governing board of each college district, on or after July 1, 1994, to expend funds in the Integrated Waste Management Account, upon appropriation by the Legislature, for the purpose of offsetting costs created by the recycling program.

Statutes of 1999, Chapter 764, added Public Resources Code sections 40148, 40196.3 and 42920-42928 to require the governing board of each college district, on or before February 15, 2000, to adopt a state agency model integrated waste management plan which specifies that the district: complies with the State Agency Model plan; designate a solid waste reduction and recycling coordinator; divert at least 50 percent of all solid waste from disposal or transformation facilities; submit a report to the board summarizing the progress made in reducing solid waste; and, submit information on quantities of recyclable materials collected on an annual basis to the Board.

B. Test Claim

The Commission on State Mandates, in the Statement of Decision adopted at the March 25, 2004 hearing, found that Public Resources Code sections 40148, 40196.3, 42920-42928, Public Contract Code sections 12167 and 12167.1, and the State Agency Model Integrated Waste Management Plan constitute new programs or

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higher levels of service for community college districts within the meaning of Section 6, Article XIII B of the California Constitution. The Commission determined that performing the following specific new activities resulted in increased costs for community college districts to:

- (1) Comply with the state model plan (Public Resources Code section 42920(b)(3) and State Agency Model Integrated Waste Management Plan, February 2000).
- (2) Designate a district solid waste reduction and recycling coordinator (Public Resources Code section 42920 (c)).
- (3) Divert at least 25 percent of all of its solid waste by January 1, 2002 and at least 50 percent by January 1, 2004 (Public Resources Code sections 42921 and 42922(i)). A district may seek an extension from the California Integrated Waste Management Board until December 31, 2005.
- (4) Report by April 1 each year to the California Integrated Waste Management Board the progress in reducing solid waste (Public Resources Code sections 42926(a) and 42922(i)).
- (5) Submit annual recycled material reports to the California Integrated Waste Management Board (Public Contract Code section 12167.1).

C. Parameters and Guidelines

On March 30, 2005, the original parameters and guidelines were adopted. As a

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1 result of litigation<sup>1</sup>, amended parameters and guidelines were issued September 26,  
2 2008, with retroactive effect. A copy of the original and amended parameters and  
3 guidelines are attached as Exhibit B.

4 D. Claiming Instructions

5 The Controller issued the first claiming instructions on June 6, 2005, for use to

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*State of California, Department of Finance , California Integrated Waste Management Board v. Commission on State Mandates, et al.* (Sacramento County Superior Court, Case No. 07CS00355)

The Department of Finance and the Integrated Waste Management Board filed a petition for writ of mandate in March 2007, asking the court to set aside the Commission's decision granting the test claim and to require the Commission to issue a new Statement of Decision and parameters and guidelines that give full consideration to the community colleges' cost savings (e.g. avoided landfill disposal fees) and revenues (from recyclables) by complying with the test claim statutes. Petitioners' position was that the Commission had not properly accounted for all the offsetting cost savings from avoided disposal costs, or offsetting revenues from the sale of recyclable materials, in the Statement of Decision or parameters and guidelines. The Judgment and a Writ of Mandate were issued on June 30, 2008, ordering the Commission to:

1. amend the parameters and guidelines in Test Claim No. 00-TC-07 to require community college districts claiming reimbursable costs of an integrated waste management plan under Public Resources Code section 42920, et seq. to identify and offset from their claims, consistent with the directions for revenue in Public Contract code sections 12167 and 12167.1, cost savings realized as a result of implementing their plans; and
2. amend the parameters and guidelines in Test Claim No. 00-TC-07 to require community college districts claiming reimbursable costs of an integrated waste management plan under Public Resources Code section 42920, et seq. to identify and offset from their claims all of the revenue generated as a result of implementing their plans, without regard to the limitations or conditions described in sections 12167 and 12167.1 of the Public Contract Code.

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1 submit the initial claims for Fiscal Years 1999-00 through 2004-05. The claiming  
2 instructions have been annually revised for purposes of subsequent fiscal year filing  
3 dates. A copy of these claiming instructions are attached. See Exhibit C. However,  
4 since the Controller's claim forms and instructions have not been adopted as  
5 regulations, they have no force of law, and, therefore, have no effect on the outcome of  
6 this incorrect reduction claim.

7 PART V. STATE CONTROLLER CLAIM ADJUDICATION

8 The Controller conducted an audit of the District's annual reimbursement claims  
9 for Fiscal Years 1999-00 through 2000-01, and 2003-04 through 2009-10. The audit  
10 concluded that only \$98,784 (41.4%) of the District's \$238,419 costs, as claimed, are  
11 allowable. A copy of the July 22, 2013, audit report is attached as Exhibit A.

12 PART VI. STATEMENT OF THE ISSUES

13 **Finding - Unreported offsetting savings**

14 **A. OFFSETTING COST SAVINGS**

15 The District did not report offsetting cost savings because none were realized.  
16 The audit report states that the total claimed costs of \$238,419 should have been  
17 reduced by \$139,635 of cost savings calculated by multiplying the tonnage diverted by  
18 a statewide average landfill fee per ton. However, none of these alleged cost savings  
19 were realized by the District as required by the parameters and guidelines.

20 1. The Legal Requirement

21 The notion of avoided cost for this mandate is a result of litigation by the

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1 Department of Finance and the Integrated Waste Management Board. The retroactive  
2 court decision requires a community college district to "identify and deduct offsetting  
3 costs savings from its claimed reimbursable costs." The court asserted, without  
4 evidence in the record, that these reductions will "most likely" occur:

5 In complying with the mandated solid waste diversion requirements of  
6 Public Resources Code section 42921, California Community Colleges are likely  
7 to experience cost savings in the form of reduced or avoided costs of landfill  
8 disposal. The reduced or avoided costs are a direct result and an integral part of  
9 the IWM plan mandates under Public Resources Code section 42920 et seq.: as  
10 solid waste diversion occurs, landfill disposal of the solid waste and associated  
11 landfill disposal costs are reduced or avoided. Indeed, diversion is defined in  
12 terms of landfill disposal for purposes of the IWM plan mandates. (See Pub.  
13 Resources Code §§ 40124 ("diversion' means activities which reduce or  
14 eliminate the amount of solid waste from solid waste disposal for purposes of  
15 this division [i.e., division 30, including § 42920 et seq.]), 40192, subd. (b) (for  
16 purposes of Part 2 (commencing with Section 40900), 'disposal' means the  
17 management of solid waste through landfill disposal or transformation at a  
18 permitted solid waste facility.".) Emphasis added.

19 Such reduction or avoidance of landfill fees and costs resulting from solid  
20 waste diversion activities under § 42920 et seq. represent savings which must be  
21 offset against the costs of the diversion activities to determine the reimbursable  
22 costs of IWM plan implementation -- i.e., the actual increased costs of diversion -  
23 - under section 6 and section 17514. Similarly, under Public Resources Code  
24 section 42925, such offsetting savings must be redirected to fund IWM plan  
25 implementation and administration costs in accordance with Public Contract  
26 Code section 12167. *The amount or value of the savings may be determined*  
27 *from the calculations of annual solid waste disposal reduction or diversion which*  
28 *California Community Colleges must annually report to petitioner Integrated*  
29 *Waste Management Board pursuant to subdivision (b)(1) of Public Resources*  
30 *Code section 42926. Emphasis added.*

31 The amended and retroactive parameters and guidelines adopted September  
32 26, 2008, applied the court language as follows:

33 \

**VIII. OFFSETTING COST SAVINGS**

Reduced or avoided costs realized from implementation of the community college districts' Integrated Waste Management plans shall be identified and offset from this claim as cost savings, consistent with the directions for revenue in Public Contract Code sections 12167 and 12167.1. Pursuant to these statutes, community college districts are required to deposit cost savings resulting from their Integrated Waste Management plans in the Integrated Waste Management Account in the Integrated Waste Management Fund; the funds deposited in the Integrated Waste Management Account, upon appropriation by the Legislature, may be expended by the California Integrated Waste Management Board for the purpose of offsetting Integrated Waste Management plan costs. Subject to the approval of the California Integrated Waste Management Board, cost savings by a community college that do not exceed two thousand dollars (\$2,000) annually are continuously appropriated for expenditure by the community college for the purpose of offsetting Integrated Waste Management program costs. Cost savings exceeding two thousand dollars (\$2,000) annually may be available for expenditure by the community college only when appropriated by the Legislature. To the extent so approved or appropriated and applied to the college, these amounts shall be identified and offset from the costs claimed for implementing the Integrated Waste Management Plan. Emphasis added.

**2. Assumed Cost Savings**

The court presupposes a previous legal requirement for districts to incur landfill disposal fees to divert solid waste. Thus, potentially relieved of the need to incur new or additional landfill fees for increased waste diversion, a cost savings would occur. There is no finding of fact or law in the court decision or from the Commission Statement of Decision for the test claim for this assumed duty to use landfills. However, since the court stated that the cost savings from avoided landfill costs are only "likely," potential cost savings would be a finding of fact not law. There is no evidence in the court decision that these reduced or avoided landfill costs occurred at all or to any one district other than the bare assertion that such savings may have



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1 occurred. Thus, potential landfill cost savings would be a question of fact for each  
2 claiming district. However, the Controller's audit adjustment erroneously and simply  
3 assumes these costs savings occurred in the form of avoided landfill fees for the  
4 mandated tonnage diverted. The audit report merely states that the Controller has  
5 "determined that the district had reduced or avoided costs" apparently, and only, as a  
6 result of increased diversion of solid waste.

7 3. Realized Cost Savings

8 The parameters and guidelines language does not assume that the cost savings  
9 occurred, but instead requires that the costs savings be *realized*. The amended  
10 parameters and guidelines, relying upon the court decision, state that "(r)educed or  
' avoided costs *realized* from implementation of the community college districts'  
12 Integrated Waste Management plans shall be identified and offset from this claim as  
13 cost savings . . . ." To be realized, the court states that the following string of events  
14 must occur:

15 Thus, in accordance with section 12167, state agencies, along with  
16 California Community Colleges which are defined as state agencies for purposes  
17 of IWM plan requirements in Public Resources Code section 42920 et seq.  
18 (Pub. Resources Code §§ 40196, 40148), must deposit cost savings resulting  
19 from IWM plans in the Integrated Waste Management Account in the Integrated  
20 Waste Management Fund; the funds deposited in the Integrated Waste  
21 Management Account, upon appropriation by the Legislature, may be expended  
22 by the Integrated Waste Management Board for the purpose of offsetting IWM  
23 plan costs. In accordance with section 12167.1 and notwithstanding section  
24 12167, cost savings from the IWM plans of the agencies and colleges that do not  
25 exceed \$2,000 annually are continuously appropriated for expenditure by the  
26 agencies and colleges for the purpose of offsetting IWM plan implementation  
27 and administration costs; cost savings resulting from IWM plans in excess of  
28 \$2,000 annually are available for such expenditure by the agencies and colleges

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1 when appropriated by the Legislature.

2 For the cost savings to be realized, the parameters and guidelines further require  
3 that "(t)o the extent so approved or appropriated and applied to the college, these  
4 amounts shall be identified and offset from the costs claimed for implementing the  
5 Integrated Waste Management Plan." Thus, a certain chain of events must occur: the  
6 cost savings must exist (avoided landfill costs); be converted to cash; amounts in  
7 excess of \$2,000 per year deposited in the state fund: and, these deposits by the  
8 districts appropriated by the Legislature to districts for purposes of mitigating the cost of  
9 implementing the plan. None of those prerequisite events occurred so no cost savings  
10 were "realized" by the District. Regardless, the adjustment cannot be applied to the  
11 District since no state appropriation of the cost savings was made to the District.

12 4. Calculation of the Cost Savings

13 The court suggests that "(t)he amount or value of the savings may be determined  
14 from the calculations of annual solid waste disposal reduction or diversion which  
15 California Community Colleges must annually report to petitioner Integrated Waste  
16 Management Board pursuant to subdivision (b)(1) of Public Resources Code section  
17 42926." The parameters and guidelines are silent as to how to calculate the avoided  
18 costs. The court provided two alternative methods, either disposal reduction or  
19 diversion reported by districts, and the Controller utilized the diversion percentage,  
20 which assumes, without findings of fact, that all diversion tonnage is landfill disposal  
21 tonnage reduction.

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1           a.     The Controller's formula is a standard of general application

2                     The audit adjustment for the assumed landfill cost savings is based on a  
3                     formula created by the Controller and has been consistently used for all 28  
4                     audits of this mandate published by the Controller (as of the date of this  
5                     document). The Controller's use of this formula for audit purposes is a standard  
6                     of general application without appropriate state agency rulemaking and is  
7                     therefore unenforceable (Government Code Section 11340.5). The formula is  
8                     not an exempt audit guideline (Government Code Section 11340.9(e)). State  
9                     agencies are prohibited from enforcing underground regulations. If a state  
10                    agency issues, enforces, or attempts to enforce a rule without following the  
11                    Administrative Procedure Act, when it is required to, the rule is called an  
12                    "underground regulation." Further, the audit adjustment is a financial penalty  
13                    against the District, and since the adjustment is based on an underground  
14                    regulation, the formula cannot be used for the audit adjustment (Government  
15                    Code Section 11425.50).

16           b.     The Controller's formula assumes facts not in evidence

17                    The audited offsetting cost savings is the sum of three components: the  
18                    "allocated" diversion percentage, multiplied by the tonnage diverted, multiplied by  
19                    a landfill disposal cost per ton. The Controller's calculation method includes  
20                    several factual errors that make it useless as a basis of determining potential  
21                    cost savings.

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1           1.     Allocated diversion percentage: The audit report uses the  
2           diversion percentage reported by the District to the state (CalRecycle) for  
3           each year until 2008 at which time this statistic was no longer available  
4           from CalRecycle. The auditor then used the 2007 percentage for all  
5           subsequent years. Therefore, the diversion rates used for the audit  
6           adjustments after 2007 are fiction.

7           2.     Tonnage diverted: The Controller formula uses the total tonnage  
8           reported by the District to CalRecycle. The audit report states that this  
9           total amount includes "solid waste that the district recycled, composted,  
10          and kept out of the landfill." Next, the audit report assumes without  
11          findings that all diverted tonnage would have been disposed in a landfill  
12          and thus additional landfill fees incurred for all additional tonnage diverted.

13          Composted material, which is a significant amount of the diverted  
14          tonnage, would not have gone to the landfill. The audit report also  
15          assumes without findings that all diverted tonnage is within the scope of  
16          the mandate. The total tons diverted for some fiscal years may include  
17          materials that are outside the scope of the mandate (e.g., paint, etc.).  
18          Deducting the compost amount and tonnage unrelated to the mandate  
19          would reduce both the total tonnage and the diversion percentage. The  
20          audit report uses the total tonnage diverted reported by the District to the  
21          state (CalRecycle) for each year until 2008 at which time this statistic was

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no longer available from CalRecycle. The auditor then used the 2007 tonnage for all subsequent years. Therefore, the diversion rates used for the audit adjustments after 2007 are fiction.

3. Landfill disposal fee: Having no District information in the annual claims for landfill disposal fees, since it was not required for the annual claims or the CalRecycle report, the Controller's method uses a statewide average cost to dispose of a ton of waste, ranging from \$36 to \$56 per ton, based on data said to be obtained from CalRecycle. The audit report does not include the CalRecycle statewide data used to generate these average fee amounts. Thus, the source of the average or actual costs that comprise the average is unknown and unsupported by audit findings.

5. Application of the Formula

The audit calculated cost savings of \$171,209, of which \$139,635 was applied to the annual claims:

<u>Fiscal Year</u>	<u>Amount Claimed</u>	<u>Audited Amount</u>	<u>Adjustment Amount</u>	<u>Adjustment Applied</u>	<u>Adjustment Excess</u>
FY 1999-00	\$ 23,194	\$ 19,213	\$ 3,981	\$ 3,981	\$ 0
FY 2000-01	\$ 26,238	\$ 18,988	\$ 7,250	\$ 7,250	\$ 0
FY 2003-04	\$ 24,857	\$ 7,762	\$ 17,095	\$ 17,095	\$ 0
FY 2004-05	\$ 28,125	\$ 8,491	\$ 19,634	\$ 19,634	\$ 0
FY 2005-06	\$ 36,948	\$ 14,937	\$ 22,011	\$ 22,011	\$ 0
FY 2006-07	\$ 53,125	\$ 29,393	\$ 23,732	\$ 23,732	\$ 0
FY 2007-08	\$ 19,388	\$ 0	\$ 24,282	\$ 19,388	\$ 4,894
FY 2008-09	\$ 15,046	\$ 0	\$ 25,999	\$ 15,046	\$ 10,953
FY 2009-10	\$ 11,498	\$ 0	\$ 27,225	\$ 11,498	\$ 15,727
Totals	\$238,419	\$ 98,784	\$171,209	\$139,635	\$ 31,574

The "excess" adjustment amount means the adjustment exceeded the amount claimed

Incorrect Reduction Claim of Sierra Joint Community College District  
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1 by the District for all program costs for three fiscal years. There are several factual  
2 errors in the application of this offset. The District did not claim landfill costs, so there  
3 are none to be offset. The adjustment method does not match or limit the landfill costs  
4 avoided to landfill costs, if any, actually claimed. Instead, the total adjustment amount  
5 for avoided landfill costs is applied to the total annual claim amounts and thus reduces  
6 unrelated salary and benefit costs for: preparing district policies and procedures;  
7 training staff who work on the integrated waste management plan; designating a plan  
8 coordinator; operating the plan accounting system; and, preparing annual recycling  
9 material reports.

10 The Controller's calculation method thus prevents this District from receiving full  
reimbursement of its actual increased program costs, contrary to an unfounded  
12 expectation by the court. Footnote 1 of the court decisions states that:

13 There is no indication in the administrative record or in the legal  
14 authorities provided to the court that, as respondent argues, a California  
15 Community College might not receive the full reimbursement of its actual  
16 increased costs required by section 6 if its claims for reimbursement of IWM plan  
17 costs were offset by realized cost savings and all revenues received from plan  
18 activities.

19 Indeed, it appears from the statewide audit results<sup>2</sup> to date that the application of the  
20 formula has only arbitrary results. The following table indicates the percentage of the  
21 total claimed cost allowed by the "desk audits" conducted by the Controller on the single  
22 issue of the costs savings offset:

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<sup>2</sup> The Controller's audit reports are available at:  
[http://www.sco.ca.gov/aud\\_mancost\\_commcolleges\\_constrpt.html](http://www.sco.ca.gov/aud_mancost_commcolleges_constrpt.html)

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	<b>Controller's Audits-cost savings Issue only</b>	<b>Percentage</b>	<b>Audit</b>
	<u>District</u>	<u>Allowed</u>	<u>Date</u>
3	Mira Costa Community College District	0%	10/08/2013
4	Citrus Community College District	2.0%	09/11/2013
5	Yuba Community College District	3.4%	05/07/2014
6	Grossmont-Cuyamaca Community College District	28.7%	04/30/2013
7	State Center Community College District	32.1%	08/30/2013
8	Merced Community College District	33.2%	07/09/2013
9	North Orange County Community College District	33.6%	08/15/2013
10	Solano Community College District	34.4%	06/17/2013
11	Long Beach Community College District	35.4%	05/22/2014
12	Sierra Joint Community College District	41.4%	07/22/2013
13	Yosemite Community College District	41.7%	07/10/2013
14	El Camino Community College District	43.0%	03/19/2014
15	Mt. San Antonio Community College District	43.7%	08/15/2013
16	Hartnell Community College District	45.0%	04/09/2014
17	Contra Costa Community College District	58.7%	05/29/2013
18	Monterey Peninsula Community College District	59.8%	06/05/2014
19	Siskiyou Joint Community College District	62.2%	06/03/2014
20	San Joaquin Delta Community College District	69.5%	05/07/2014
21	Gavilan Joint Community College District	69.6%	04/11/2014
22	West Kern Community College District	69.9%	06/03/2014
23	Marin Community College District	72.4%	06/03/2014
24	Victor Valley Community College District	73.4%	04/09/2014
25	Redwood Community College District	83.4%	04/11/2014

26 The District agrees that any relevant cost savings should be reported, but the offset  
27 must also be properly matched to relevant costs.

28 **B. OFFSETTING REVENUES AND REIMBURSEMENTS**

29 The District did not report offsetting recycling revenues. The audit report  
30 correctly states that this District did not deposit any revenue into the State IWM  
31 Account, but there is no such requirement to do so for community colleges. Recycling  
32 revenues are not offsetting cost savings, but are offsetting revenues generated from

1 implementing the IWM plan. Regarding recycling revenues, the court stated:

2 Although Public Contract Code sections 12167 and 12167.1 apply to  
3 California Community Colleges for the purpose of offsetting savings pursuant to  
4 the terms of Public Resources Code section 42925, *sections 12167 and 12167.1*  
5 *do not apply to the colleges for the purpose of offsetting revenues or, indeed,*  
6 *any other purpose. Sections 12167 and 12167.1* apply exclusively to state  
7 agencies and institutions; the colleges, which are school districts rather than  
8 state agencies, are not specially defined as state agencies for purposes of the  
9 State Assistance for Recycling Markets Act of which sections 12167 and 12167.1  
10 are a part. Therefore, sections 12167 and 12167.1 do not properly govern the  
11 revenues generated by the colleges' recycling activities pursuant to their IWM  
12 plans. *The limits and conditions placed by sections 12167 and 12167.1 on the*  
13 *expenditure of recycling revenues for the purpose of offsetting recycling program*  
14 *costs are simply inapplicable to the revenues generated by the colleges'*  
15 *recycling activities.*

16 The provisions of Public Resources Code section 42920 et seq. do not  
17 address the use of revenues generated by recycling activities of California  
18 Community Colleges under IWM plans to offset reimbursable plan costs. *Thus,*  
19 *use of the revenues to offset reimbursable IWM plan costs is governed by the*  
20 *general principles of state mandates, that only the actual increased costs of a*  
21 *state-mandated program are reimbursable and, to that end, revenues provided*  
22 *for by the state-mandated program must be deducted from program costs.* (See  
23 Cal. Const., art. XIII B, § 6; Gov.Code §§ 17514, 17556, subd. (e); *County of*  
24 *Fresno v. State of California* (1991) 51 Cal.3d 482, 487; *County of Sonoma v.*  
25 *Commission on State Mandates*, (2000) 84 Cal.App.4th 1264, 1284.) These  
26 principles are reflected in respondent's regulation which requires, without  
27 limitation or exception, the identification of offsetting revenues in the parameters  
28 and guidelines for reimbursable cost claims. (Cal. Code Regs., tit. 2, §  
29 1183.1(a)(7).) *Emphasis added.*

30 The amended and retroactive parameters and guidelines adopted September 26, 2008,  
31 state:

## 32 VII. OFFSETTING REVENUES AND REIMBURSEMENTS

33 Reimbursement for this mandate from any source, including but not limited to,  
34 services fees collected, federal funds, and other state funds allocated to any  
service provided under this program, shall be identified and offset from this



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1 claim. Offsetting revenue shall include all revenues generated from implementing  
2 the Integrated Waste Management Plan.

3 In addition, revenue from a building-operating fee imposed pursuant to  
4 Education Code section 76375, subdivision (a) if received by a claimant and the  
5 revenue is applied to this program, shall be deducted from the costs claimed.

6 Therefore, had the District reported recycling income as a reduction of total claimed  
7 cost it would not have been subject to state appropriation in the form of cost savings.

8 **C. PROCEDURAL ISSUES**

9 1. Standard of Review

10 None of the adjustments were made because the program costs claimed were  
11 excessive or unreasonable. The Controller does not assert that the claimed costs were  
12 excessive or reasonable, which is the only mandated cost audit standard in statute  
13 (Government Code Section 17561(d) (2)). It would therefore appear that the entire  
14 findings are based upon the wrong standard for review. If the Controller wishes to  
15 enforce other audit standards for mandated cost reimbursement, the Controller should  
16 comply with the Administrative Procedure Act.

17 2. Burden of Proof

18 Here, the evidentiary issue is the Controller's method for determining the  
19 adjustments. In many instances in the audit report, the District was invited to provide  
20 missing data in lieu of fictional data used by auditor, or to disprove the auditor's factual  
21 assumptions. This is an inappropriate shifting of the burden of proof for an audit. The  
22 Controller must first provide evidence as to the propriety of its audit findings because it  
23 bears the burden of going forward and because it is the party with the power to create,

Incorrect Reduction Claim of Sierra Joint Community College District  
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1 maintain, and provide evidence regarding its auditing methods and procedures, as well  
2 as the specific facts relied upon for its audit findings.

3 PART VIII. RELIEF REQUESTED

4 The District filed its annual reimbursement claims within the time limits  
5 prescribed by the Government Code. The amounts claimed by the District for  
6 reimbursement of the costs of implementing the Integrated Waste Management  
7 program imposed by the relevant Public Contract and Public Resources Code sections  
8 represent the actual costs incurred by the District to carry out this program. These  
9 costs were properly claimed pursuant to the Commission's parameters and guidelines.  
10 Reimbursement of these costs is required under Article XIII B, Section 6 of the California  
11 Constitution. The Controller's adjustments deny reimbursement without any basis in  
12 law or fact. The District has met its burden of going forward on this incorrect reduction  
13 claim by complying with the requirements of Section 1185, Title 2, California Code of  
14 Regulations. Because the Controller has enforced and is seeking to enforce these  
15 adjustments without benefit of statute or regulation, the burden of proof is now upon the  
16 Controller to establish a legal basis for its actions.

17 The District requests that the Commission make findings of fact and law on each  
18 and every adjustment made by the Controller and each and every procedural and  
19 jurisdictional issue raised in this claim, and order the Controller to correct its audit report  
20 findings therefrom.

21 /

22 /


Incorrect Reduction Claim of Sierra Joint Community College District  
1116/92 and 764/99 Integrated Waste Management

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PART VIII. CERTIFICATION


By my signature below, I hereby declare, under penalty of perjury under the laws of the State of California, that the information in this incorrect reduction claim submission is true and complete to the best of my own personal knowledge or information or belief, and that the attached documents are true and correct copies of documents received from or sent by the state agency or person who originated the document.

Executed on June 11, 2014, at Rocklin, California, by

  
Chris Yatooma, Vice President  
Sierra Joint Community College District  
5000 Rocklin Road  
Rocklin, CA 95677-3397  
Voice: 916-660-7601  
Fax: 916-630-4504  
E-Mail: cyatooma@sierracollege.edu

APPOINTMENT OF REPRESENTATIVE

Sierra Joint Community College District appoints Keith B. Petersen, SixTen and Associates, as its representative for this incorrect reduction claim.

  
Chris Yatooma, Vice President  
Sierra Joint Community College District

6/11/14  
Date

Attachments:

Exhibit "A"	Controller's Audit Report dated July 22, 2013
Exhibit "B"	Original Parameters and Guidelines adopted March 30, 2005, and Amended Parameters and Guidelines dated September 26, 2008
Exhibit "C"	Controller's Claiming Instructions
Exhibit "D"	Annual Reimbursement Claims
Exhibit "E"	Controller's Payment Action Letters dated August 4, 2013





JOHN CHIANG  
California State Controller

July 22, 2013

Chris Yatooma, Vice President of Administration  
Sierra Joint Community College District  
5000 Rocklin Road  
Rocklin, CA 95677

Dear Mr. Yatooma:

The State Controller's Office reviewed the costs claimed by the Sierra Joint Community College District for the legislatively mandated Integrated Waste Management Program (Chapter 1116, Statutes of 1992; and Chapter 764, Statutes of 1999) for the period of July 1, 1999, through June 30, 2001; and July 1, 2003, through June 30, 2010. Our review was limited to ensuring that offsetting savings were properly reported in accordance with program requirements.

The district claimed \$238,419 for the mandated program. Our review found that \$98,784 is allowable and \$139,635 is unallowable. The costs are unallowable because the district did not report any offsetting savings realized as a result of implementing its integrated waste management plan, as described in the attached Summary of Program Costs, Summary of Offsetting Savings Calculations, and the Finding and Recommendation.

For the fiscal year (FY) 1999-00 through FY 2000-01, and FY 2003-04 through FY 2009-10 claims, the State made no payment to the district. Our review found that \$98,784 is allowable. The State will pay that amount, contingent upon available appropriations.

If you disagree with the review finding, you may file an Incorrect Reduction Claim (IRC) with the Commission on State Mandates (CSM). The IRC must be filed within three years following the date that we notify you of a claim reduction. You may obtain IRC information at the CSM's website at [www.csm.ca.gov/docs/IRCForm.pdf](http://www.csm.ca.gov/docs/IRCForm.pdf).

If you have any questions, please contact Jim L. Spano, Chief, Mandated Cost Audits Bureau, at (916) 323-5849.

Sincerely,

*Original signed by*

JEFFREY V. BROWNFIELD, CPA  
Chief, Division of Audits

JVB/kw

Attachments

RE: S13-MCC-942

MAILING ADDRESS P.O. Box 942850, Sacramento, CA 94250-5874  
SACRAMENTO 3301 C Street, Suite 700, Sacramento, CA 95816 (916) 324-8907  
LOS ANGELES 901 Corporate Center Drive, Suite 300, Monterey Park, CA 91754-7619 (323) 981-6802

Chris Yatooma,  
Vice President of Administration

-2-

July 22, 2013

cc: Colin Irwin, Deputy Director of Plant Operations  
Sierra Joint Community College District  
Kerri Hester, Director of Finance  
Sierra Joint Community College District  
Linda Fisher, Finance Manager  
Sierra Joint Community College District  
Christine Atalig, Specialist, College Finance and Facilities Planning  
California Community Colleges Chancellor's Office  
Mollie Quasebarth, Principal Program Budget Analyst  
Education Systems Unit, California Department of Finance  
Mario Rodriguez, Finance Budget Analyst  
Education Systems Unit, California Department of Finance  
Jay Lal, Manager  
Division of Accounting and Reporting  
State Controller's Office

**Attachment 1—  
Summary of Program Costs  
July 1, 1999, through June 30, 2001;  
and July 1, 2003, through June 30, 2010**

Cost Elements	Actual Costs Claimed	Allowable per Review	Review Adjustment <sup>1</sup>
<u>July 1, 1999, through June 30, 2000</u>			
Direct costs:			
Salaries and benefits	\$ 14,738	\$ 14,738	\$ —
Materials and supplies	2,259	2,259	—
Total direct costs	16,997	16,997	—
Indirect costs	6,197	6,197	—
Total direct and indirect costs	23,194	23,194	—
Less offsetting savings <sup>2</sup>	—	(3,981)	(3,981)
Total program costs	<u>\$ 23,194</u>	19,213	<u>\$ (3,981)</u>
Less amount paid by the State		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 19,213</u>	
<u>July 1, 2000, through June 30, 2001</u>			
Direct costs:			
Salaries and benefits	\$ 17,330	\$ 17,330	\$ —
Materials and supplies	1,743	1,743	—
Total direct costs	19,073	19,073	—
Indirect costs	7,165	7,165	—
Total direct and indirect costs	26,238	26,238	—
Less offsetting savings <sup>2</sup>	—	(7,250)	(7,250)
Total program costs	<u>\$ 26,238</u>	18,988	<u>\$ (7,250)</u>
Less amount paid by the State		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 18,988</u>	
<u>July 1, 2003, through June 30, 2004</u>			
Direct costs:			
Salaries and benefits	\$ 16,342	\$ 16,342	\$ —
Materials and supplies	2,239	2,239	—
Total direct costs	18,581	18,581	—
Indirect costs	6,276	6,276	—
Total direct and indirect costs	24,857	24,857	—
Less offsetting savings <sup>2</sup>	—	(17,095)	(17,095)
Total program costs	<u>\$ 24,857</u>	7,762	<u>\$ (17,095)</u>
Less amount paid by the State		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 7,762</u>	

**Attachment 1 (continued)**

Cost Elements	Actual Costs Claimed	Allowable per Review	Review Adjustment <sup>1</sup>
<u>July 1, 2004, through June 30, 2005</u>			
Direct costs:			
Salaries and benefits	\$ 18,552	\$ 18,552	\$ —
Materials and supplies	1,986	1,986	—
Total direct costs	20,538	20,538	—
Indirect costs	7,587	7,587	—
Total direct and indirect costs	28,125	28,125	—
Less offsetting savings <sup>2</sup>	—	(19,634)	(19,634)
Total program costs	<u>\$ 28,125</u>	8,491	<u>\$ (19,634)</u>
Less amount paid by the State		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 8,491</u>	
<u>July 1, 2005, through June 30, 2006</u>			
Direct costs:			
Salaries and benefits	\$ 27,227	\$ 27,227	\$ —
Total direct costs	27,227	27,227	—
Indirect costs	9,721	9,721	—
Total direct and indirect costs	36,948	36,948	—
Less offsetting savings <sup>2</sup>	—	(22,011)	(22,011)
Total program costs	<u>\$ 36,948</u>	14,937	<u>\$ (22,011)</u>
Less amount paid by the State		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 14,937</u>	
<u>July 1, 2006, through June 30, 2007</u>			
Direct costs:			
Salaries and benefits	\$ 20,995	\$ 20,995	\$ —
Materials and supplies	24,050	24,050	—
Total direct costs	45,045	45,045	—
Indirect costs	8,080	8,080	—
Total direct and indirect costs	53,125	53,125	—
Less offsetting savings <sup>2</sup>	—	(23,732)	(23,732)
Total program costs	<u>\$ 53,125</u>	29,393	<u>\$ (23,732)</u>
Less amount paid by the State		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 29,393</u>	



**Attachment 1 (continued)**

Cost Elements	Actual Costs Claimed	Allowable per Review	Review Adjustment <sup>1</sup>
<u>July 1, 2007, through June 30, 2008</u>			
Direct costs:			
Salaries and benefits	\$ 14,067	\$ 14,067	\$ —
Total direct costs	14,067	14,067	—
Indirect costs	5,321	5,321	—
Total direct and indirect costs	19,388	19,388	—
Less offsetting savings <sup>2</sup>	—	(24,282)	(24,282)
Subtotal	19,388	(4,894)	(24,282)
Adjustment to eliminate negative balance	—	4,894	4,894
Total program costs	<u>\$ 19,388</u>	—	<u>\$ (19,388)</u>
Less amount paid by the State		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ —</u>	
<u>July 1, 2008, through June 30, 2009</u>			
Direct costs:			
Salaries and benefits	\$ 10,219	\$ 10,219	\$ —
Total direct costs	10,219	10,219	—
Indirect costs	4,827	4,827	—
Total direct and indirect costs	15,046	15,046	—
Less offsetting savings <sup>2</sup>	—	(25,999)	(25,999)
Subtotal	15,046	(10,953)	(25,999)
Adjustment to eliminate negative balance	—	10,953	10,953
Total program costs	<u>\$ 15,046</u>	—	<u>\$ (15,046)</u>
Less amount paid by the State		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ —</u>	
<u>July 1, 2009, through June 30, 2010</u>			
Direct costs:			
Salaries and benefits	\$ 7,809	\$ 7,809	\$ —
Total direct costs	7,809	7,809	—
Indirect costs	3,689	3,689	—
Total direct and indirect costs	11,498	11,498	—
Less offsetting savings <sup>2</sup>	—	(27,225)	(27,225)
Subtotal	11,498	(15,727)	(27,225)
Adjustment to eliminate negative balance	—	15,727	15,727
Total program costs	<u>\$ 11,498</u>	—	<u>\$ (11,498)</u>
Less amount paid by the State		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ —</u>	

**Attachment 1 (continued)**

Cost Elements	Actual Costs Claimed	Allowable per Review	Review Adjustment <sup>1</sup>
<u>Summary July 1, 1999, through June 30, 2001; and July 1, 2003, through June 30, 2010</u>			
Direct costs:			
Salaries and benefits	\$ 147,279	\$ 147,279	\$ —
Materials and supplies	32,277	32,277	—
Total direct costs	179,556	179,556	—
Indirect costs	58,863	58,863	—
Total direct and indirect costs	238,419	238,419	—
Less offsetting savings	—	(171,209)	(171,209)
Subtotal	238,419	67,210	(171,209)
Adjustment to eliminate negative balance	—	31,574	31,574
Total program costs	<u>\$ 238,419</u>	98,784	<u>\$ (139,635)</u>
Less amount paid by the State		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 98,784</u>	

<sup>1</sup> See Attachment 3, Finding and Recommendation.

<sup>2</sup> See Attachment 2, Summary of Offsetting Savings Calculations.

**Attachment 2—  
Summary of Offsetting Savings Calculations  
July 1, 1999, through June 30, 2001;  
and July 1, 2003, through June 30, 2010**

Cost Elements	Offsetting Savings Reported	Offsetting Savings Realized			Review Adjustment <sup>1</sup>
		July - December	January - June	Total	
<u>July 1, 1999, through June 30, 2000</u>					
Maximum allowable diversion percentage		—	25.00%		
Actual diversion percentage	÷	—	÷ 33.39%		
Allocated diversion percentage		—	74.87%		
Tonnage diverted	x	—	x (146.10)		
Statewide average landfill fee per ton	x	—	x \$36.39		
Total offsetting savings, FY 1999-2000	\$ —	\$ —	\$ (3,981)	\$ (3,981)	\$ (3,981)
<u>July 1, 2000, through June 30, 2001</u>					
Maximum allowable diversion percentage		25.00%	25.00%		
Actual diversion percentage	÷	33.39%	÷ 28.62%		
Allocated diversion percentage		74.87%	87.35%		
Tonnage diverted	x	(146.10)	x (102.85)		
Statewide average landfill fee per ton	x	\$36.39	x \$36.39		
Total offsetting savings, FY 2000-01	\$ —	\$ (3,981)	\$ (3,269)	\$ (7,250)	\$ (7,250)
<u>July 1, 2003, through June 30, 2004</u>					
Maximum allowable diversion percentage		50.00%	50.00%		
Actual diversion percentage	÷	45.59%	÷ 53.98%		
Allocated diversion percentage <sup>2</sup>		100.00%	92.63%		
Tonnage diverted	x	(204)	x (269.25)		
Statewide average landfill fee per ton	x	\$36.83	x \$38.42		
Total offsetting savings, FY 2003-04	\$ —	\$ (7,513)	\$ (9,582)	\$ (17,095)	\$ (17,095)
<u>July 1, 2004, through June 30, 2005</u>					
Maximum allowable diversion percentage		50.00%	50.00%		
Actual diversion percentage	÷	53.98%	÷ 55.26%		
Allocated diversion percentage		92.63%	90.48%		
Tonnage diverted	x	(269.25)	x (284.85)		
Statewide average landfill fee per ton	x	\$38.42	x \$39.00		
Total offsetting savings, FY 2004-05	\$ —	\$ (9,582)	\$ (10,052)	\$ (19,634)	\$ (19,634)
<u>July 1, 2005, through June 30, 2006</u>					
Maximum allowable diversion percentage		50.00%	50.00%		
Actual diversion percentage	÷	55.26%	÷ 55.91%		
Allocated diversion percentage		90.48%	89.43%		
Tonnage diverted	x	(284.85)	x (290.70)		
Statewide average landfill fee per ton	x	\$39.00	x \$46.00		
Total offsetting savings, FY 2005-06	\$ —	\$ (10,052)	\$ (11,959)	\$ (22,011)	\$ (22,011)

## Attachment 2 (continued)

Cost Elements	Offsetting Savings Reported	Offsetting Savings Realized			Review Adjustment <sup>1</sup>
		July - December	January - June	Total	
<u>July 1, 2006, through June 30, 2007</u>					
Maximum allowable diversion percentage		50.00%		50.00%	
Actual diversion percentage		÷ 55.91%	÷	60.27%	
Allocated diversion percentage		89.43%		82.96%	
Tonnage diverted	x	(290.70)	x	(295.65)	
Statewide average landfill fee per ton	x	\$46.00	x	\$48.00	
Total offsetting savings, FY 2006-07	\$ —	\$ (11,959)	\$ (11,773)	\$ (23,732)	\$ (23,732)
<u>July 1, 2007, through June 30, 2008</u>					
Maximum allowable diversion percentage		50.00%		50.00%	
Actual diversion percentage		÷ 60.27%	÷	60.27%	
Allocated diversion percentage		82.96%		82.96%	
Tonnage diverted	x	(295.65)	x	(295.65)	
Statewide average landfill fee per ton	x	\$48.00	x	\$51.00	
Total offsetting savings, FY 2007-08	\$ —	\$ (11,773)	\$ (12,509)	\$ (24,282)	\$ (24,282)
<u>July 1, 2008, through June 30, 2009</u>					
Maximum allowable diversion percentage		50.00%		50.00%	
Actual diversion percentage		÷ 60.27%	÷	60.27%	
Allocated diversion percentage		82.96%		82.96%	
Tonnage diverted	x	(295.65)	x	(295.65)	
Statewide average landfill fee per ton	x	\$51.00	x	\$55.00	
Total offsetting savings, FY 2008-09	\$ —	\$ (12,509)	\$ (13,490)	\$ (25,999)	\$ (25,999)
<u>July 1, 2009, through June 30, 2010</u>					
Maximum allowable diversion percentage		50.00%		50.00%	
Actual diversion percentage		÷ 60.27%	÷	60.27%	
Allocated diversion percentage		82.96%		82.96%	
Tonnage diverted	x	(295.65)	x	(295.65)	
Statewide average landfill fee per ton	x	\$55.00	x	\$56.00	
Total offsetting savings, FY 2009-10	\$ —	\$ (13,490)	\$ (13,735)	\$ (27,225)	\$ (27,225)
<u>Total offsetting savings, July 1, 1999, through June 30, 2001; and July 1, 2003, through June 30, 2010</u>					
	\$ —	\$ (80,859)	\$ (90,350)	\$ (171,209)	\$ (171,209)

<sup>1</sup> See Attachment 2, Finding and Recommendation.

<sup>2</sup> Sierra College did not achieve the maximum allowable diversion percentage in calendar year 2003. Therefore, 100% of the tonnage diverted is offsetting savings realized by the district.

**Attachment 3—  
Finding and Recommendation  
July 1, 1999, through June 30, 2001;  
and July 1, 2003, through June 30, 2010**

**FINDING—  
Unreported offsetting  
savings**

The district did not report any offsetting savings on its mandated cost claims for the review period. We determined that the district realized savings of \$171,209 from implementation of its integrated waste management (IWM) plan.

The following table summarizes the unreported offsetting savings by fiscal year:

<u>Fiscal Year</u>	<u>Offsetting Savings Reported</u>	<u>Offsetting Savings Realized</u>	<u>Review Adjustment</u>
1999-2000	\$ -	\$ (3,981)	\$ (3,981)
2000-01	-	(7,250)	(7,250)
2003-04	-	(17,095)	(17,095)
2004-05	-	(19,634)	(19,634)
2005-06	-	(22,011)	(22,011)
2006-07	-	(23,732)	(23,732)
2007-08	-	(24,282)	(24,282)
2008-09	-	(25,999)	(25,999)
2009-10	-	(27,225)	(27,225)
Total	<u>\$ -</u>	<u>\$ (171,209)</u>	<u>\$ (171,209)</u>

On March 25, 2004, the Commission on State Mandates (CSM) adopted the statement of decision for the IWM Program. The CSM determined that Chapter 1116, Statutes of 1992; and Chapter 764, Statutes of 1999, imposed upon community college districts a state mandate reimbursable under Government Code section 17561, commencing July 1, 1999.

The program's parameters and guidelines establish the state mandate and define the reimbursement criteria. The CSM adopted the parameters and guidelines on March 30, 2005.

In March 2007, the Department of Finance and the IWM Board filed a petition for writ of mandate requesting the CSM to issue new parameters and guidelines that give full consideration to the community colleges' cost savings (e.g. avoided landfill disposal fees) and revenues (from recyclables) by complying with the test claim statutes. The Judgment and a Writ of Mandate were issued on June 30, 2008, ordering the CSM to amend the parameters and guidelines to require community college districts to identify and offset from their claims, cost savings realized as a result of implementing their plan.

On September 26, 2008, the CSM amended the parameters and guidelines to the original period of reimbursement because the court's decision interprets the test claim statutes as a question of law.

In compliance with Government Code section 17558, the State Controller's Office issues claiming instructions to assist community college districts in claiming mandated-program reimbursable costs.

The amended parameters and guidelines (section VIII – Offsetting Cost Savings) state:

Reduced or avoided costs realized from implementation of the community college districts' Integrated Waste Management Plan shall be identified and offset from this claim as cost savings, consistent with the direction for revenue in Public Contract Code sections 12167 and 12167.1.

Public Contract Code sections 12167 and 12167.1 require agencies in state-owned and state-leased buildings to deposit all revenues from the sale of recyclables into the IWM Account in the IWM Fund, which are continuously appropriated to the Board for the purposes of offsetting recycling program costs. For the review period, the district did not deposit any revenue into the IWM Account in the IWM Fund. We have determined that the district had reduced or avoided costs realized from implementation of its IWM plan that it did not identify and offset from its claims as cost savings.

### Offsetting Savings Calculations

The CSM's Final Staff Analysis of the proposed amendments to the parameters and guidelines (Item #8–CSM hearing of September 26, 2008) states:

...cost savings may be calculated from the annual solid waste disposal reduction or diversion rates that community colleges must annually report to the Board pursuant to Public Resources Code section 42926, subdivision (b) (1).

To compute the savings amount, we multiplied the allocated diversion percentage by the tonnage diverted, and by the avoided landfill disposal fee, as follows:

$$\text{Offsetting Savings Realized} = \frac{\text{Maximum Allowable Diversion \%}}{\text{Actual Diversion \%}} \times \text{Tonnage Diverted} \times \text{Avoided Landfill Disposal Fee (per Ton)}$$

This calculation determines the cost that the district did not incur for solid waste disposal as a result of implementing its IWM plan. The offsetting savings calculations are presented in Attachment 2 – Summary of Offsetting Savings Calculations.

#### *Allocated Diversion Percentage*

Public Resource Code 42921 requires districts to achieve a solid waste diversion percentage of 25% beginning January 1, 2002, and a 50% diversion percentage by January 1, 2004. The parameters and guidelines state that districts will be reimbursed for all mandated costs incurred to achieve these levels, without reduction when they fall short of stated goals, but not for amounts used to exceed these state-mandated levels. Therefore, we allocated the offsetting savings to be consistent with the requirements of the mandated program.

For calendar years 2000 through 2007, we used the actual diversion percentage reported by the district to CalRecycle (formerly the IWM Board) pursuant to Public Resources Code section 42926, subdivision (b)(1).

In 2008, CalRecycle began focusing on “per-capita disposal” instead of “diversion percentage.” As a result, CalRecycle stopped requiring community college districts to report the actual amount of tonnage diverted. Consequently, the annual reports no longer identify a “diversion percentage.” Therefore, we used the 2007 diversion percentage to calculate the offsetting savings for FY 2007-08, FY 2008-09, and FY 2009-10. The district did not provide documentation supporting a different diversion percentage.

#### *Tonnage Diverted*

The tonnage diverted is solid waste that the district recycled, composted, and kept out of the landfill.

For calendar years 2000 through 2007, we used the actual tonnage diverted, as reported by the district to CalRecycle pursuant to Public Resources Code section 42926, subdivision (b)(1).

As previously noted, in 2008, CalRecycle stopped requiring community college districts to report the actual amount of tonnage diverted. Therefore, we used the tonnage diverted in 2007 to calculate the offsetting savings for FY 2007-08, FY 2008-09, and FY 2009-10. The district did not provide documentation supporting a different tonnage amount.

#### *Avoided Landfill Disposal Fee (per Ton)*

The avoided landfill disposal fee is used to calculate realized savings because the district no longer incurs a cost to dispose of the diverted tonnage at the landfill. For each fiscal year in the review period, we used the statewide average disposal fee provided by CalRecycle. The district did not provide documentation supporting a different disposal fee.

Recommendation

We recommend that the district offset all savings realized from implementation of the community college district's IWM plan.





BEFORE THE  
COMMISSION ON STATE MANDATES  
STATE OF CALIFORNIA

IN RE TEST CLAIM ON:

Public Resources Code Sections 40148,  
40196.3, 42920, 42921, 42922, 42923,  
42924, 42925, 42926, 42927, and 42928;  
Public Contract Code Sections 12167 and  
12167.1;

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

*State Agency Model Integrated Waste  
Management Plan* (February 2000).

Filed on March 9, 2001,

By Santa Monica and South Lake Tahoe  
Community College Districts, Co-claimants

No. 00-TC-07

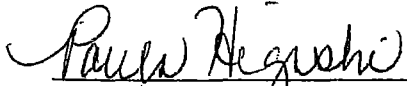
*Integrated Waste Management*

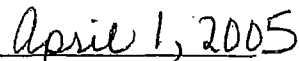
ADOPTION OF PARAMETERS AND  
GUIDELINES PURSUANT TO  
GOVERNMENT CODE SECTION 17557 AND  
TITLE 2, CALIFORNIA CODE OF  
REGULATIONS, SECTION 1183.12

*(Adopted on March 30, 2005)*

**PARAMETERS AND GUIDELINES**

On March 30, 2005, the Commission on State Mandates adopted the attached Parameters and Guidelines.

  
\_\_\_\_\_  
PAULA HIGASHI, Executive Director

  
\_\_\_\_\_  
Date

## PARAMETERS AND GUIDELINES

Public Resources Code Sections 40148, 40196.3, 42920-42928

Public Contract Code Sections 12167 and 12167.1

Statutes 1999, Chapter 764 (A.B. 75)

Statutes 1992, Chapter 1116 (A.B. 3521)

State Agency Model Integrated Waste Management Plan (February 2000)

*Integrated Waste Management* (00-TC-07)

Santa Monica and Lake Tahoe Community College Districts, Co-claimants

### I. SUMMARY OF THE MANDATE

On March 25, 2004, the Commission on State Mandates (Commission) adopted its Statement of Decision finding that Public Resources Code sections 40148, 40196.3, 42920-42928; Public Contract Code sections 12167 and 12167.1; and the State Agency Model Integrated Waste Management Plan (February 2000) require new activities, as specified below, which constitute new programs or higher levels of service for community college districts within the meaning of article XIII B, section 6, of the California Constitution, and impose costs mandated by the state pursuant to Government Code section 17514.

Specifically, the Commission approved this test claim for the increased costs of performing the following specific new activities:

- **Comply with the model plan (Pub. Resources Code, § 42920, subd. (b)(3) & State Agency Model Integrated Waste Management Plan, February 2000):** A community college must comply with the California Integrated Waste Management Board's (Board) model integrated waste management plan, which includes consulting with the Board to revise the model plan, as well as completing and submitting to the Board the following: (1) state agency or large state facility information form; (2) state agency list of facilities; (3) state agency waste reduction and recycling program worksheet, including the sections on program activities, promotional programs, and procurement activities; and (4) state agency integrated waste management plan questions.
- **Designate a solid waste reduction and recycling coordinator (Pub. Resources Code, § 42920, subd. (c)):** A community college must designate one solid waste reduction and recycling coordinator to perform new duties imposed by chapter 18.5 (Pub. Resources Code, §§ 42920 – 42928), including implementing the community college's integrated waste management plan, and acting as a liaison to other state agencies (as defined by section 40196.3) and coordinators.
- **Divert solid waste (Pub. Resources Code, §§ 42921 & 42922, subd. (i)):** A community college must divert at least 25 percent of all its solid waste from landfill disposal or transformation facilities by January 1, 2002, through source reduction, recycling, and

composting activities, and divert at least 50 percent of all solid waste from landfill disposal or transformation facilities by January 1, 2004, through source reduction, recycling, and composting.

A community college unable to comply with this diversion requirement may instead seek, until December 31, 2005, either an alternative requirement or time extension (but not both) as specified below:

- **Seek an alternative requirement (Pub. Resources Code, §§ 42927 & 42922, subds. (a) & (b)):** A community college that is unable to comply with the 50-percent diversion requirement must: (1) notify the Board in writing, detailing the reasons for its inability to comply; (2) request of the Board an alternative to the 50-percent requirement; (3) participate in a public hearing on its alternative requirement; (4) provide the Board with information as to (a) the community college's good faith efforts to effectively implement the source reduction, recycling, and composting measures described in its integrated waste management plan, and demonstration of its progress toward meeting the alternative requirement as described in its annual reports to the Board; (b) the community college's inability to meet the 50-percent diversion requirement despite implementing the measures in its plan; (c) the alternative source reduction, recycling, and composting requirement represents the greatest diversion amount that the community college may reasonably and feasibly achieve, and (d) relate to the Board circumstances that support the request for an alternative requirement, such as waste disposal patterns and the types of waste disposed by the community college.
- **Seek a time extension (Pub. Resources Code, §§ 42927 & 42923 subds. (a) & (c)):** A community college that is unable to comply with the January 1, 2002 deadline to divert 25 percent of its solid waste, must do the following pursuant to section 42923, subdivisions (a) and (c): (1) notify the Board in writing, detailing the reasons for its inability to comply; (2) request of the Board an alternative to the January 1, 2002 deadline; (3) provide evidence to the Board that it is making a good faith effort to implement the source reduction, recycling, and composting programs identified in its integrated waste management plan; and (4) provide information to the Board that describes the relevant circumstances that contributed to the request for extension, such as lack of markets for recycled materials, local efforts to implement source reduction, recycling and composting programs, facilities built or planned, waste disposal patterns, and the type of waste disposed of by the community college. (5) The community college must also submit a plan of correction that demonstrates that it will meet the requirements of Section 42921 [the 25 and 50 percent diversion requirements] before the time extension expires, including the source reduction, recycling, or composting steps the community college will implement, a date prior to the expiration of the time extension when the requirements of Section 42921 will be met, the existing programs that it will modify, any new programs that will be implemented to meet those requirements, and the means by which these programs will be funded.

- **Report to the Board (Pub. Resources Code, §§ 42926, subd. (a) & 42922, subd. (i)):** A community college must annually submit, by April 1, 2002 and by April 1 each subsequent year, a report to the Board summarizing its progress in reducing solid waste. The information in the report is to encompass the previous calendar year and shall contain, at a minimum, the following as outlined in section 42926, subdivision (b): (1) calculations of annual disposal reduction; (2) information on the changes in waste generated or disposed of due to increases or decreases in employees, economics, or other factors; (3) a summary of progress implementing the integrated waste management plan; (4) the extent to which the community college intends to use programs or facilities established by the local agency for handling, diversion, and disposal of solid waste. (If the college does not intend to use those established programs or facilities, it must identify sufficient disposal capacity for solid waste that is not source reduced, recycled or composted.) (5) For a community college that has been granted a time extension by the Board, it shall include a summary of progress made in meeting the integrated waste management plan implementation schedule pursuant to section 42921, subdivision (b), and complying with the college's plan of correction, before the expiration of the time extension. (6) For a community college that has been granted an alternative source reduction, recycling, and composting requirement by the Board pursuant to section 42922, it shall include a summary of progress made towards meeting the alternative requirement as well as an explanation of current circumstances that support the continuation of the alternative requirement.
- **Submit recycled material reports (Pub. Contract Code, § 12167.1):** A community college must annually report to the Board on quantities of recyclable materials collected for recycling.

## **II. ELIGIBLE CLAIMANTS**

Community college districts that incur increased costs as a result of this mandate are eligible to claim reimbursement.

## **III. PERIOD OF REIMBURSEMENT**

Government Code section 17557 states that a test claim must be submitted on or before June 30 following a given fiscal year to establish eligibility for that fiscal year. The test claim for this mandate was filed on March 9, 2001. Therefore, costs incurred for compliance with Public Contract Code sections 12167 and 12167.1 (Stats. 1992, ch. 1116) are eligible for reimbursement on or after July 1, 1999. However, because of the statute's operative date, all other costs incurred pursuant to Statutes 1999, chapter 764 are eligible for reimbursement on or after January 1, 2000.

Seeking an alternative diversion goal or time extension (Pub. Resources Code, §§ 42922, 42923, and 42927) is reimbursable until December 31, 2005.

Actual costs for one fiscal year should be included in each claim. Estimated costs for the subsequent year may be included on the same claim, if applicable. Pursuant to Government Code section 17561, subdivision (d), all claims for reimbursement of initial years' costs shall be submitted within 120 days of the issuance of the claiming instructions by the State Controller.

If the total costs for a given fiscal year do not exceed \$1000, no reimbursement shall be allowed, except as otherwise allowed by Government Code section 17564.

#### IV. REIMBURSABLE ACTIVITIES

To be eligible for mandated cost reimbursement for any fiscal year, only actual costs may be claimed. Actual costs are those costs actually incurred to implement the mandated activities. Actual costs must be traceable and supported by source documents that show the validity of such costs, when they were incurred, and their relationship to the reimbursable activities. A source document is a document created at or near the same time the actual cost was incurred for the event or activity in question. Source documents may include, but are not limited to, employee time records or time logs, sign-in sheets, invoices, receipts, and the community college plan approved by the Board.

Evidence corroborating the source documents may include, but is not limited to, worksheets, cost allocation reports (system generated), purchase orders, contracts, agendas, training packets, and declarations. Declarations must include a certification or declaration stating, "I certify (or declare) under penalty of perjury under the laws of the State of California that the foregoing is true and correct," and must further comply with the requirements of Code of Civil Procedure section 2015.5. Evidence corroborating the source documents may include data relevant to the reimbursable activities otherwise in compliance with local, state, and federal government requirements. However, corroborating documents cannot be substituted for source documents.

The claimant is only allowed to claim and be reimbursed for increased costs for reimbursable activities identified below. Increased cost is limited to the cost of an activity that the claimant is required to incur as a result of the mandate.

For each eligible claimant, the following activities are reimbursable:

##### A. One-Time Activities (*Reimbursable starting January 1, 2000*)

1. Develop the necessary district policies and procedures for the implementation of the integrated waste management plan.
2. Train district staff on the requirements and implementation of the integrated waste management plan (one-time per employee). Training is limited to the staff working directly on the plan.

##### B. Ongoing Activities (*Reimbursable starting January 1, 2000*)

1. Complete and submit to the Board the following as part of the State Agency Model Integrated Waste Management Plan (Pub. Resources Code, § 42920, subd. (b)(3) & State Agency Model Integrated Waste Management Plan, February 2000.):
  - a. state agency or large state facility information form;
  - b. state agency list of facilities;
  - c. state agency waste reduction and recycling program worksheets that describe program activities, promotional programs, and procurement activities, and other questionnaires; and
  - d. state agency integrated waste management plan questions.

NOTE: Although reporting on promotional programs and procurement activities in the model plan is reimbursable, implementing promotional programs and procurement

activities is not.

2. Respond to any Board reporting requirements during the approval process. (Pub. Resources Code, § 42920, subd. (b)(3) & State Agency Model Integrated Waste Management Plan, February 2000.)
3. Consult with the Board to revise the model plan, if necessary.<sup>1</sup> (Pub. Resources Code, § 42920, subd. (b)(3) & State Agency Model Integrated Waste Management Plan, February 2000.)
4. Designate one solid waste reduction and recycling coordinator ("coordinator") for each college in the district to perform new duties imposed by chapter 18.5 (Pub. Resources Code, §§ 42920 – 42928). The coordinator shall implement the integrated waste management plan. The coordinator shall act as a liaison to other state agencies (as defined by section 40196.3) and coordinators. (Pub. Resources Code, § 42920, subd. (c).)
5. Divert at least 25 percent of all solid waste from landfill disposal or transformation facilities by January 1, 2002, and at least 50 percent of all solid waste from landfill disposal or transformation facilities by January 1, 2004, through source reduction, recycling, and composting activities. Maintain the required level of reduction, as approved by the Board. (Pub. Resources Code, §§ 42921 & 42922, subd. (i).)

C. Alternative Compliance (*Reimbursable from January 1, 2000 – December 31, 2005*)

1. Seek either an alternative requirement or time extension if a community college is unable to comply with the January 1, 2002 deadline to divert 25 percent of its solid waste, by doing the following: (Pub. Resources Code, §§ 42927 & 42923 subds. (a) & (c).)
  - a. Notify the Board in writing, detailing the reasons for its inability to comply.
  - b. Request of the Board an alternative to the January 1, 2002 deadline.
  - c. Provide evidence to the Board that the college is making a good faith effort to implement the source reduction, recycling, and composting programs identified in its integrated waste management plan.
  - d. Provide information that describes the relevant circumstances that contributed to the request for extension, such as lack of markets for recycled materials, local efforts to implement source reduction, recycling and composting programs, facilities built or planned, waste disposal patterns, and the type of waste disposed of by the community college.
  - e. Submit a plan of correction that demonstrates that the college will meet the requirements of Section 42921 [the 25 and 50 percent diversion requirements] before the time extension expires, including the source reduction, recycling, or composting steps the community college will implement, a date prior to the expiration of the time extension when the requirements of Section 42921 will be met, the existing programs that it will modify, any new programs that will be

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<sup>1</sup> Attachment 1, California Integrated Waste Management Board, State Agency Model Integrated Waste Management Plan (February 2000).

implemented to meet those requirements, and the means by which these programs will be funded.

2. Seek ~~either~~ an alternative requirement or time extension if a community college is unable to comply with the January 1, 2004 deadline to divert 50 percent of its solid waste, by doing the following: (Pub. Resources Code, §§ 42927 & 42922, subds. (a) & (b).)
  - a. Notify the Board in writing, detailing the reasons for its inability to comply.
  - b. Request of the Board an alternative to the 50-percent requirement.
  - c. Participate in a public hearing on its alternative requirement.
  - d. Provide the Board with information as to:
    - (i) the community college's good faith efforts to implement the source reduction, recycling, and composting measures described in its integrated waste management plan, and demonstration of its progress toward meeting the alternative requirement as described in its annual reports to the Board;
    - (ii) the community college's inability to meet the 50 percent diversion requirement despite implementing the measures in its plan;
    - (iii) how the alternative source reduction, recycling, and composting requirement represents the greatest diversion amount that the community college may reasonably and feasibly achieve; and,
    - (iv) the circumstances that support the request for an alternative requirement, such as waste disposal patterns and the types of waste disposed by the community college.

D. Accounting System (*Reimbursable starting January 1, 2000*)

Developing, implementing, and maintaining an accounting system to enter and track the college's source reduction, recycling and composting activities, the cost of those activities, the proceeds from the sale of any recycled materials, and such other accounting systems which will allow it to make its annual reports to the state and determine waste reduction. Note: only the pro-rata portion of the costs incurred to implement the reimbursable activities can be claimed.

E. Annual Report (*Reimbursable starting January 1, 2000*)

Annually prepare and submit, by April 1, 2002, and by April 1 each subsequent year, a report to the Board summarizing its progress in reducing solid waste. The information in the report must encompass the previous calendar year and shall contain, at a minimum, the following as outlined in section 42926, subdivision (b): (Pub. Resources Code, §§ 42926, subd. (a) & 42922, subd. (i).)

1. calculations of annual disposal reduction;
2. information on the changes in waste generated or disposed of due to increases or decreases in employees, economics, or other factors;
3. a summary of progress made in implementing the integrated waste management plan;



4. the extent to which the community college intends to use programs or facilities established by the local agency for handling, diversion, and disposal of solid waste (If the college does not intend to use those established programs or facilities, it must identify sufficient disposal capacity for solid waste that is not source reduced, recycled or composted.);
5. for a community college that has been granted a time extension by the Board, it shall include a summary of progress made in meeting the integrated waste management plan implementation schedule pursuant to section 42921, subdivision (b), and complying with the college's plan of correction, before the expiration of the time extension;
6. for a community college that has been granted an alternative source reduction, recycling, and composting requirement by the Board pursuant to section 42922, it shall include a summary of progress made towards meeting the alternative requirement as well as an explanation of current circumstances that support the continuation of the alternative requirement.

F. Annual Recycled Material Reports (*Reimbursable starting July 1, 1999*)

Annually report to the Board on quantities of recyclable materials collected for recycling. (Pub. Contract Code, § 12167.1.) (See Section VII. regarding offsetting revenues from recyclable materials.)

V. **CLAIM PREPARATION AND SUBMISSION**

Each of the following cost elements must be identified for each reimbursable activity identified in Section IV, Reimbursable Activities, of this document. Each claimed reimbursable cost must be supported by source documentation as described in Section IV. Additionally, each reimbursement claim must be filed in a timely manner.

A. Direct Cost Reporting

Direct costs are those costs incurred specifically for the reimbursable activities. The following direct costs are eligible for reimbursement.

1. **Salaries and Benefits**

Report each employee implementing the reimbursable activities by name, job classification, and productive hourly rate (total wages and related benefits divided by productive hours). Describe the specific reimbursable activities performed and the hours devoted to each reimbursable activity performed.

2. **Materials and Supplies**

Report the cost of materials and supplies that have been consumed or expended for the purpose of the reimbursable activities. Purchases shall be claimed at the actual price after deducting discounts, rebates, and allowances received by the claimant. Supplies that are withdrawn from inventory shall be charged on an appropriate and recognized method of costing, consistently applied.

### 3. Contracted Services

Report the name of the contractor and services performed to implement the reimbursable activities. Attach a copy of the contract to the claim. If the contractor bills for time and materials, report the number of hours spent on the activities and all costs charged. If the contract is a fixed price, report the dates when services were performed and itemize all costs for those services.

### 4. Fixed Assets and Equipment

Report the purchase price paid for fixed assets and equipment (including computers) necessary to implement the reimbursable activities. The purchase price includes taxes, delivery costs, and installation costs. If the fixed asset or equipment is also used for purposes other than the reimbursable activities, only the pro-rata portion of the purchase price used to implement the reimbursable activities can be claimed.

### 5. Travel

Report the name of the employee traveling for the purpose of the reimbursable activities. Include the date of travel, destination point, the specific reimbursable activity requiring travel, and related travel expenses reimbursed to the employee in compliance with the rules of the local jurisdiction. Report employee travel time according to the rules of cost element A.1, Salaries and Benefits, for each applicable reimbursable activity.

### 6. Training

Report the cost of training an employee to perform the reimbursable activities, as specified in Section IV of this document. Report the name and job classification of each employee preparing for, attending, and/or conducting training necessary to implement the reimbursable activities. Provide the title, subject, and purpose (related to the mandate of the training session), dates attended, and location. If the training encompasses subjects broader than the reimbursable activities, only the pro-rata portion can be claimed. Report employee training time for each applicable reimbursable activity according to the rules of cost element A.1, Salaries and Benefits, and A.2, Materials and Supplies. Report the cost of consultants who conduct the training according to the rules of cost element A.3, Contracted Services.

## B. Indirect Cost Rates

Indirect costs are costs that have been incurred for common or joint purposes. These costs benefit more than one cost objective and cannot be readily identified with a particular final cost objective without effort disproportionate to the results achieved. After direct costs have been determined and assigned to other activities, as appropriate, indirect costs are those remaining to be allocated to benefited cost objectives. A cost may not be allocated as an indirect cost if any other cost incurred for the same purpose, in like circumstances, has been claimed as a direct cost.

Indirect costs include: (a) the indirect costs originating in each department or agency of the governmental unit carrying out state mandated programs, and (b) the costs of central governmental services distributed through the central service cost allocation plan and not otherwise treated as direct costs.

Community colleges have the option of using: (1) a federally approved rate, utilizing the cost accounting principles from the Office of Management and Budget Circular A-21, "Cost Principles of Educational Institutions"; (2) the rate calculated on State Controller's Form FAM-29C; or (3) a 7% indirect cost rate.

## **VI. RECORD RETENTION**

Pursuant to Government Code section 17558.5, subdivision (a), a reimbursement claim for actual costs filed by a local agency or school district pursuant to this chapter is subject to the initiation of an audit by the Controller no later than three years after the date that the actual reimbursement claim is filed or last amended, whichever is later. However, if no funds are appropriated or no payment is made to a claimant for the program for the fiscal year for which the claim is filed, the time for the Controller to initiate an audit shall commence to run from the date of initial payment of the claim. In any case, an audit shall be completed not later than two years after the date that the audit is commenced. All documents used to support the reimbursable activities, as described in Section IV, must be retained during the period subject to audit. If an audit has been initiated by the Controller during the period subject to audit, the retention period is extended until the ultimate resolution of any audit findings.

## **VII. OFFSETTING REVENUES AND REIMBURSEMENTS**

Reimbursement for this mandate from any source, including but not limited to, services fees collected, federal funds, and other state funds allocated to any service provided under this program, shall be identified and deducted from this claim. Offsetting revenue shall include the revenues cited in Public Resources Code section 42925 and Public Contract Code sections 12167 and 12167.1.

Subject to the approval of the California Integrated Waste Management Board, revenues derived from the sale of recyclable materials by a community college that do not exceed two thousand dollars (\$2,000) annually are continuously appropriated for expenditure by the community college for the purpose of offsetting recycling program costs. Revenues exceeding two thousand dollars (\$2,000) annually may be available for expenditure by the community college only when appropriated by the Legislature. To the extent so approved or appropriated and applied to the college, these amounts are a reduction to the recycling costs mandated by the state to implement Statutes 1999, chapter 764.

In addition, revenue from a building-operating fee imposed pursuant to Education Code section 76375, subdivision (a) if received by a claimant and the revenue is applied to this program, shall be deducted from the costs claimed.

## **VIII. STATE CONTROLLER'S CLAIMING INSTRUCTIONS**

Pursuant to Government Code section 17558, subdivision (b), the Controller shall issue claiming instructions for each mandate that requires state reimbursement not later than 60 days after receiving the adopted parameters and guidelines from the Commission, to assist local agencies and school districts in claiming costs to be reimbursed. The claiming instructions shall be derived from the test claim decision and the parameters and guidelines adopted by the Commission.

Pursuant to Government Code section 17561, subdivision (d)(1), issuance of the claiming instructions shall constitute a notice of the right of the local agencies and school districts to file reimbursement claims, based upon parameters and guidelines adopted by the Commission.

#### **IX. REMEDIES BEFORE THE COMMISSION**

Upon request of a local agency or school district, the Commission shall review the claiming instructions issued by the State Controller or any other authorized state agency for reimbursement of mandated costs pursuant to Government Code section 17571. If the Commission determines that the claiming instructions do not conform to the parameters and guidelines, the Commission shall direct the Controller to modify the claiming instructions and the Controller shall modify the claiming instructions to conform to the parameters and guidelines as directed by the Commission.

In addition, requests may be made to amend parameters and guidelines pursuant to Government Code section 17557, subdivision (d), and California Code of Regulations, title 2, section 1183.2.

#### **X. LEGAL AND FACTUAL BASIS FOR THE PARAMETERS AND GUIDELINES**

The Statement of Decision is legally binding on all parties and provides the legal and factual basis for the parameters and guidelines. The support for the legal and factual findings is found in the administrative record for the test claim. The administrative record, including the Statement of Decision, is on file with the Commission.



BEFORE THE  
COMMISSION ON STATE MANDATES  
STATE OF CALIFORNIA

IN RE TEST CLAIM ON:

Public Resources Code Sections 40148,  
40196.3, 42920, 42921, 42922, 42923,  
42924, 42925, 42926, 42927, and 42928;  
Public Contract Code Sections 12167 and  
12167.1;

Statutes 1999, Chapter 764 (AB 75);  
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*State Agency Model Integrated Waste  
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Filed on March 9, 2001,

By Santa Monica and South Lake Tahoe  
Community College Districts, Co-claimants

No. 00-TC-07

*Integrated Waste Management*

ADOPTION OF AMENDMENTS TO  
PARAMETERS AND GUIDELINES  
PURSUANT TO DECISION OF THE  
SUPERIOR COURT OF CALIFORNIA,  
COUNTY OF SACRAMENTO, No.  
07CS00355, *State of California, Department of  
Finance, and California Integrated Waste  
Management Board v. Commission on State  
Mandates, et al.*

(Adopted: September 26, 2008)

**AMENDED PARAMETERS AND GUIDELINES**

On September 26, 2008, the Commission on State Mandates adopted the attached Amendments to the Parameters and Guidelines, as directed by the Superior Court of California, County of Sacramento, No. 07CS00355.

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PAULA HIGASHI, Executive Director

Date: September 29, 2008

Amended: September 26, 2008  
Adopted: March 30, 2005

## AMENDMENTS TO PARAMETERS AND GUIDELINES

Public Resources Code Sections 40148, 40196.3, 42920-42928  
Public Contract Code Sections 12167 and 12167.1

Statutes 1999, Chapter 764 (A.B. 75)  
Statutes 1992, Chapter 1116 (A.B. 3521)

State Agency Model Integrated Waste Management Plan (February 2000)

*Integrated Waste Management*  
00-TC-07

Santa Monica and Lake Tahoe Community College Districts, Co-claimants

### I. SUMMARY OF THE MANDATE

On March 25, 2004, the Commission on State Mandates (Commission) adopted its Statement of Decision finding that Public Resources Code sections 40148, 40196.3, 42920-42928; Public Contract Code sections 12167 and 12167.1; and the State Agency Model Integrated Waste Management Plan (February 2000) require new activities, as specified below, which constitute new programs or higher levels of service for community college districts within the meaning of article XIII B, section 6, of the California Constitution, and impose costs mandated by the state pursuant to Government Code section 17514.

Specifically, the Commission approved this test claim for the increased costs of performing the following specific new activities:

- **Comply with the model plan (Pub. Resources Code, § 42920, subd. (b)(3) & State Agency Model Integrated Waste Management Plan, February 2000):** A community college must comply with the California Integrated Waste Management Board's (Board) model integrated waste management plan, which includes consulting with the Board to revise the model plan, as well as completing and submitting to the Board the following: (1) state agency or large state facility information form; (2) state agency list of facilities; (3) state agency waste reduction and recycling program worksheet, including the sections on program activities, promotional programs, and procurement activities; and (4) state agency integrated waste management plan questions.
- **Designate a solid waste reduction and recycling coordinator (Pub. Resources Code, § 42920, subd. (c)):** A community college must designate one solid waste reduction and recycling coordinator to perform new duties imposed by chapter 18.5 (Pub. Resources Code, §§ 42920 – 42928), including implementing the community college's integrated waste management plan, and acting as a liaison to other state agencies (as defined by section 40196.3) and coordinators.

- **Divert solid waste (Pub. Resources Code, §§ 42921 & 42922, subd. (i)):** A community college must divert at least 25 percent of all its solid waste from landfill disposal or transformation facilities by January 1, 2002, through source reduction, recycling, and composting activities, and divert at least 50 percent of all solid waste from landfill disposal or transformation facilities by January 1, 2004, through source reduction, recycling, and composting.

A community college unable to comply with this diversion requirement may instead seek, until December 31, 2005, either an alternative requirement or time extension (but not both) as specified below:

- **Seek an alternative requirement (Pub. Resources Code, §§ 42927 & 42922, subds. (a) & (b)):** A community college that is unable to comply with the 50-percent diversion requirement must: (1) notify the Board in writing, detailing the reasons for its inability to comply; (2) request of the Board an alternative to the 50-percent requirement; (3) participate in a public hearing on its alternative requirement; (4) provide the Board with information as to (a) the community college's good faith efforts to effectively implement the source reduction, recycling, and composting measures described in its integrated waste management plan, and demonstration of its progress toward meeting the alternative requirement as described in its annual reports to the Board; (b) the community college's inability to meet the 50-percent diversion requirement despite implementing the measures in its plan; (c) the alternative source reduction, recycling, and composting requirement represents the greatest diversion amount that the community college may reasonably and feasibly achieve, and (d) relate to the Board circumstances that support the request for an alternative requirement, such as waste disposal patterns and the types of waste disposed by the community college.
- **Seek a time extension (Pub. Resources Code, §§ 42927 & 42923 subds. (a) & (c)):** A community college that is unable to comply with the January 1, 2002 deadline to divert 25 percent of its solid waste, must do the following pursuant to section 42923, subdivisions (a) and (c): (1) notify the Board in writing, detailing the reasons for its inability to comply; (2) request of the Board an alternative to the January 1, 2002 deadline; (3) provide evidence to the Board that it is making a good faith effort to implement the source reduction, recycling, and composting programs identified in its integrated waste management plan; and (4) provide information to the Board that describes the relevant circumstances that contributed to the request for extension, such as lack of markets for recycled materials, local efforts to implement source reduction, recycling and composting programs, facilities built or planned, waste disposal patterns, and the type of waste disposed of by the community college. (5) The community college must also submit a plan of correction that demonstrates that it will meet the requirements of Section 42921 [the 25 and 50 percent diversion requirements] before the time extension expires, including the source reduction, recycling, or composting steps the community college will implement, a date prior to the expiration of the time extension when the requirements of Section 42921 will be met, the existing programs that it will modify, any new programs that will be



implemented to meet those requirements, and the means by which these programs will be funded.

- **Report to the Board (Pub. Resources Code, §§ 42926, subd. (a) & 42922, subd. (i)):** A community college must annually submit, by April 1, 2002 and by April 1 each subsequent year, a report to the Board summarizing its progress in reducing solid waste. The information in the report is to encompass the previous calendar year and shall contain, at a minimum, the following as outlined in section 42926, subdivision (b): (1) calculations of annual disposal reduction; (2) information on the changes in waste generated or disposed of due to increases or decreases in employees, economics, or other factors; (3) a summary of progress implementing the integrated waste management plan; (4) the extent to which the community college intends to use programs or facilities established by the local agency for handling, diversion, and disposal of solid waste. (If the college does not intend to use those established programs or facilities, it must identify sufficient disposal capacity for solid waste that is not source reduced, recycled or composted.) (5) For a community college that has been granted a time extension by the Board, it shall include a summary of progress made in meeting the integrated waste management plan implementation schedule pursuant to section 42921, subdivision (b), and complying with the college's plan of correction, before the expiration of the time extension. (6) For a community college that has been granted an alternative source reduction, recycling, and composting requirement by the Board pursuant to section 42922, it shall include a summary of progress made towards meeting the alternative requirement as well as an explanation of current circumstances that support the continuation of the alternative requirement.
- **Submit recycled material reports (Pub. Contract Code, § 12167.1):** A community college must annually report to the Board on quantities of recyclable materials collected for recycling.

*State of California, Department of Finance, California Integrated Waste Management Board v. Commission on State Mandates, et al. (Sacramento County Superior Court, Case No. 07CS00355)*

The Department of Finance and the Integrated Waste Management Board filed a petition for writ of mandate in March 2007, asking the court to set aside the Commission's decision granting the test claim and to require the Commission to issue a new Statement of Decision and parameters and guidelines that give full consideration to the community colleges' cost savings (e.g. avoided landfill disposal fees) and revenues (from recyclables) by complying with the test claim statutes. Petitioners' position was that the Commission had not properly accounted for all the offsetting cost savings from avoided disposal costs, or offsetting revenues from the sale of recyclable materials, in the Statement of Decision or parameters and guidelines. The Judgment and a Writ of Mandate were issued on June 30, 2008, ordering the Commission to:

1. amend the parameters and guidelines in Test Claim No. 00-TC-07 to require community college districts claiming reimbursable costs of an integrated waste management plan under Public Resources Code section 42920, et seq. to identify and offset from their claims, consistent with the directions for revenue in Public Contract code sections 12167 and 12167.1, cost savings realized as a result of implementing their plans; and

2. amend the parameters and guidelines in Test Claim No. 00-TC-07 to require community college districts claiming reimbursable costs of an integrated waste management plan under Public Resources Code section 42920, et seq. to identify and offset from their claims all of the revenue generated as a result of implementing their plans, without regard to the limitations or conditions described in sections 12167 and 12167.1 of the Public Contract Code.

## **II. ELIGIBLE CLAIMANTS**

Community college districts that incur increased costs as a result of this mandate are eligible to claim reimbursement.

## **III. PERIOD OF REIMBURSEMENT**

Government Code section 17557 states that a test claim must be submitted on or before June 30 following a given fiscal year to establish eligibility for that fiscal year. The test claim for this mandate was filed on March 9, 2001. Therefore, costs incurred for compliance with Public Contract Code sections 12167 and 12167.1 (Stats. 1992, ch. 1116) are eligible for reimbursement on or after July 1, 1999. However, because of the statute's operative date, all other costs incurred pursuant to Statutes 1999, chapter 764 are eligible for reimbursement on or after January 1, 2000.

Seeking an alternative diversion goal or time extension (Pub. Resources Code, §§ 42922, 42923, and 42927) is reimbursable until December 31, 2005.

Actual costs for one fiscal year should be included in each claim. Pursuant to Government Code section 17561, subdivision (d), all claims for reimbursement of initial years' costs shall be submitted within 120 days of the issuance of the claiming instructions by the State Controller.

If the total costs for a given fiscal year do not exceed \$1000, no reimbursement shall be allowed, except as otherwise allowed by Government Code section 17564.

## **IV. REIMBURSABLE ACTIVITIES**

To be eligible for mandated cost reimbursement for any fiscal year, only actual costs may be claimed. Actual costs are those costs actually incurred to implement the mandated activities. Actual costs must be traceable and supported by source documents that show the validity of such costs, when they were incurred, and their relationship to the reimbursable activities. A source document is a document created at or near the same time the actual cost was incurred for the event or activity in question. Source documents may include, but are not limited to, employee time records or time logs, sign-in sheets, invoices, receipts, and the community college plan approved by the Board.

Evidence corroborating the source documents may include, but is not limited to, worksheets, cost allocation reports (system generated), purchase orders, contracts, agendas, training packets, and declarations. Declarations must include a certification or declaration stating, "I certify (or declare) under penalty of perjury under the laws of the State of California that the foregoing is true and correct," and must further comply with the requirements of Code of Civil Procedure section 2015.5. Evidence corroborating the source documents may include data relevant to the reimbursable activities otherwise in compliance with local, state, and federal government requirements. However, corroborating documents cannot be substituted for source documents.

The claimant is only allowed to claim and be reimbursed for increased costs for reimbursable activities identified below. Increased cost is limited to the cost of an activity that the claimant is required to incur as a result of the mandate.

For each eligible claimant, the following activities are reimbursable:

A. One-Time Activities (*Reimbursable starting January 1, 2000*)

1. Develop the necessary district policies and procedures for the implementation of the integrated waste management plan.
2. Train district staff on the requirements and implementation of the integrated waste management plan (one-time per employee). Training is limited to the staff working directly on the plan.

B. Ongoing Activities (*Reimbursable starting January 1, 2000*)

1. Complete and submit to the Board the following as part of the State Agency Model Integrated Waste Management Plan (Pub. Resources Code, § 42920, subd. (b)(3) & State Agency Model Integrated Waste Management Plan, February 2000.):
  - a. state agency or large state facility information form;
  - b. state agency list of facilities;
  - c. state agency waste reduction and recycling program worksheets that describe program activities, promotional programs, and procurement activities, and other questionnaires; and
  - d. state agency integrated waste management plan questions.

NOTE: Although reporting on promotional programs and procurement activities in the model plan is reimbursable, implementing promotional programs and procurement activities is not.

2. Respond to any Board reporting requirements during the approval process. (Pub. Resources Code, § 42920, subd. (b)(3) & State Agency Model Integrated Waste Management Plan, February 2000.)
3. Consult with the Board to revise the model plan, if necessary.<sup>1</sup> (Pub. Resources Code, § 42920, subd. (b)(3) & State Agency Model Integrated Waste Management Plan, February 2000.)
4. Designate one solid waste reduction and recycling coordinator ("coordinator") for each college in the district to perform new duties imposed by chapter 18.5 (Pub. Resources Code, §§ 42920 – 42928). The coordinator shall implement the integrated waste management plan. The coordinator shall act as a liaison to other state agencies (as defined by section 40196.3) and coordinators. (Pub. Resources Code, § 42920, subd. (c).)

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<sup>1</sup> Attachment 1, California Integrated Waste Management Board, State Agency Model Integrated Waste Management Plan (February 2000).

5. Divert at least 25 percent of all solid waste from landfill disposal or transformation facilities by January 1, 2002, and at least 50 percent of all solid waste from landfill disposal or transformation facilities by January 1, 2004, through source reduction, recycling, and composting activities. Maintain the required level of reduction, as approved by the Board. (Pub. Resources Code, §§ 42921 & 42922, subd. (i).)

C. Alternative Compliance (*Reimbursable from January 1, 2000 – December 31, 2005*)

1. Seek either an alternative requirement or time extension if a community college is unable to comply with the January 1, 2002 deadline to divert 25 percent of its solid waste, by doing the following: (Pub. Resources Code, §§ 42927 & 42923 subds. (a) & (c).)
  - a. Notify the Board in writing, detailing the reasons for its inability to comply.
  - b. Request of the Board an alternative to the January 1, 2002 deadline.
  - c. Provide evidence to the Board that the college is making a good faith effort to implement the source reduction, recycling, and composting programs identified in its integrated waste management plan.
  - d. Provide information that describes the relevant circumstances that contributed to the request for extension, such as lack of markets for recycled materials, local efforts to implement source reduction, recycling and composting programs, facilities built or planned, waste disposal patterns, and the type of waste disposed of by the community college.
  - e. Submit a plan of correction that demonstrates that the college will meet the requirements of Section 42921 [the 25 and 50 percent diversion requirements] before the time extension expires, including the source reduction, recycling, or composting steps the community college will implement, a date prior to the expiration of the time extension when the requirements of Section 42921 will be met, the existing programs that it will modify, any new programs that will be implemented to meet those requirements, and the means by which these programs will be funded.
2. Seek either an alternative requirement or time extension if a community college is unable to comply with the January 1, 2004 deadline to divert 50 percent of its solid waste, by doing the following: (Pub. Resources Code, §§ 42927 & 42922, subds. (a) & (b).)
  - a. Notify the Board in writing, detailing the reasons for its inability to comply.
  - b. Request of the Board an alternative to the 50-percent requirement.
  - c. Participate in a public hearing on its alternative requirement.
  - d. Provide the Board with information as to:
    - (i) the community college's good faith efforts to implement the source reduction, recycling, and composting measures described in its integrated waste management plan, and demonstration of its progress toward meeting the alternative requirement as described in its annual reports to the Board;
    - (ii) the community college's inability to meet the 50 percent diversion requirement despite implementing the measures in its plan;

- (iii) how the alternative source reduction, recycling, and composting requirement represents the greatest diversion amount that the community college may reasonably and feasibly achieve; and,
- (iv) the circumstances that support the request for an alternative requirement, such as waste disposal patterns and the types of waste disposed by the community college.

D. Accounting System (*Reimbursable starting January 1, 2000*)

Developing, implementing, and maintaining an accounting system to enter and track the college's source reduction, recycling and composting activities, the cost of those activities, the proceeds from the sale of any recycled materials, and such other accounting systems which will allow it to make its annual reports to the state and determine waste reduction. Note: only the pro-rata portion of the costs incurred to implement the reimbursable activities can be claimed.

E. Annual Report (*Reimbursable starting January 1, 2000*)

Annually prepare and submit, by April 1, 2002, and by April 1 each subsequent year, a report to the Board summarizing its progress in reducing solid waste. The information in the report must encompass the previous calendar year and shall contain, at a minimum, the following as outlined in section 42926, subdivision (b): (Pub. Resources Code, §§ 42926, subd. (a) & 42922, subd. (i).)

1. calculations of annual disposal reduction;
2. information on the changes in waste generated or disposed of due to increases or decreases in employees, economics, or other factors;
3. a summary of progress made in implementing the integrated waste management plan;
4. the extent to which the community college intends to use programs or facilities established by the local agency for handling, diversion, and disposal of solid waste (If the college does not intend to use those established programs or facilities, it must identify sufficient disposal capacity for solid waste that is not source reduced, recycled or composted.);
5. for a community college that has been granted a time extension by the Board, it shall include a summary of progress made in meeting the integrated waste management plan implementation schedule pursuant to section 42921, subdivision (b), and complying with the college's plan of correction, before the expiration of the time extension;
6. for a community college that has been granted an alternative source reduction, recycling, and composting requirement by the Board pursuant to section 42922, it shall include a summary of progress made towards meeting the alternative requirement as well as an explanation of current circumstances that support the continuation of the alternative requirement.

F. Annual Recycled Material Reports (*Reimbursable starting July 1, 1999*)

Annually report to the Board on quantities of recyclable materials collected for recycling.  
(Pub. Contract Code, § 12167.1.)

V. **CLAIM PREPARATION AND SUBMISSION**

Each of the following cost elements must be identified for each reimbursable activity identified in Section IV, Reimbursable Activities, of this document. Each claimed reimbursable cost must be supported by source documentation as described in Section IV. Additionally, each reimbursement claim must be filed in a timely manner.

A. Direct Cost Reporting

Direct costs are those costs incurred specifically for the reimbursable activities. The following direct costs are eligible for reimbursement.

1. Salaries and Benefits

Report each employee implementing the reimbursable activities by name, job classification, and productive hourly rate (total wages and related benefits divided by productive hours). Describe the specific reimbursable activities performed and the hours devoted to each reimbursable activity performed.

2. Materials and Supplies

Report the cost of materials and supplies that have been consumed or expended for the purpose of the reimbursable activities. Purchases shall be claimed at the actual price after deducting discounts, rebates, and allowances received by the claimant. Supplies that are withdrawn from inventory shall be charged on an appropriate and recognized method of costing, consistently applied.

3. Contracted Services

Report the name of the contractor and services performed to implement the reimbursable activities. Attach a copy of the contract to the claim. If the contractor bills for time and materials, report the number of hours spent on the activities and all costs charged. If the contract is a fixed price, report the dates when services were performed and itemize all costs for those services.

4. Fixed Assets and Equipment

Report the purchase price paid for fixed assets and equipment (including computers) necessary to implement the reimbursable activities. The purchase price includes taxes, delivery costs, and installation costs. If the fixed asset or equipment is also used for purposes other than the reimbursable activities, only the pro-rata portion of the purchase price used to implement the reimbursable activities can be claimed.

5. Travel

Report the name of the employee traveling for the purpose of the reimbursable activities. Include the date of travel, destination point, the specific reimbursable activity requiring travel, and related travel expenses reimbursed to the employee in compliance with the rules of the local jurisdiction. Report employee travel time according to the rules of cost element

A.1., Salaries and Benefits, for each applicable reimbursable activity.

## 6. Training

Report the cost of training an employee to perform the reimbursable activities, as specified in Section IV of this document. Report the name and job classification of each employee preparing for, attending, and/or conducting training necessary to implement the reimbursable activities. Provide the title, subject, and purpose (related to the mandate of the training session), dates attended, and location. If the training encompasses subjects broader than the reimbursable activities, only the pro-rata portion can be claimed. Report employee training time for each applicable reimbursable activity according to the rules of cost element A.1., Salaries and Benefits, and A.2., Materials and Supplies. Report the cost of consultants who conduct the training according to the rules of cost element A.3., Contracted Services.

## B. Indirect Cost Rates

Indirect costs are costs that have been incurred for common or joint purposes. These costs benefit more than one cost objective and cannot be readily identified with a particular final cost objective without effort disproportionate to the results achieved. After direct costs have been determined and assigned to other activities, as appropriate, indirect costs are those remaining to be allocated to benefited cost objectives. A cost may not be allocated as an indirect cost if any other cost incurred for the same purpose, in like circumstances, has been claimed as a direct cost.

Indirect costs include: (a) the indirect costs originating in each department or agency of the governmental unit carrying out state mandated programs, and (b) the costs of central governmental services distributed through the central service cost allocation plan and not otherwise treated as direct costs.

Community colleges have the option of using: (1) a federally approved rate, utilizing the cost accounting principles from the Office of Management and Budget Circular A-21, "Cost Principles of Educational Institutions"; (2) the rate calculated on State Controller's Form FAM-29C; or (3) a 7% indirect cost rate.

## VI. RECORD RETENTION

Pursuant to Government Code section 17558.5, subdivision (a), a reimbursement claim for actual costs filed by a local agency or school district pursuant to this chapter is subject to the initiation of an audit by the Controller no later than three years after the date that the actual reimbursement claim is filed or last amended, whichever is later. However, if no funds are appropriated or no payment is made to a claimant for the program for the fiscal year for which the claim is filed, the time for the Controller to initiate an audit shall commence to run from the date of initial payment of the claim. In any case, an audit shall be completed not later than two years after the date that the audit is commenced. All documents used to support the reimbursable activities, as described in Section IV, must be retained during the period subject to audit. If an audit has been initiated by the Controller during the period subject to audit, the retention period is extended until the ultimate resolution of any audit findings.

## VII. OFFSETTING REVENUES AND REIMBURSEMENTS

Reimbursement for this mandate from any source, including but not limited to, services fees

collected, federal funds, and other state funds allocated to any service provided under this program, shall be identified and offset from this claim. Offsetting revenue shall include all revenues generated from implementing the Integrated Waste Management Plan.

In addition, revenue from a building-operating fee imposed pursuant to Education Code section 76375, subdivision (a) if received by a claimant and the revenue is applied to this program, shall be deducted from the costs claimed.

#### **VIII. OFFSETTING COST SAVINGS**

Reduced or avoided costs realized from implementation of the community college districts' Integrated Waste Management plans shall be identified and offset from this claim as cost savings, consistent with the directions for revenue in Public Contract Code sections 12167 and 12167.1. Pursuant to these statutes, community college districts are required to deposit cost savings resulting from their Integrated Waste Management plans in the Integrated Waste Management Account in the Integrated Waste Management Fund; the funds deposited in the Integrated Waste Management Account, upon appropriation by the Legislature, may be expended by the California Integrated Waste Management Board for the purpose of offsetting Integrated Waste Management plan costs. Subject to the approval of the California Integrated Waste Management Board, cost savings by a community college that do not exceed two thousand dollars (\$2,000) annually are continuously appropriated for expenditure by the community college for the purpose of offsetting Integrated Waste Management program costs. Cost savings exceeding two thousand dollars (\$2,000) annually may be available for expenditure by the community college only when appropriated by the Legislature. To the extent so approved or appropriated and applied to the college, these amounts shall be identified and offset from the costs claimed for implementing the Integrated Waste Management Plan.

#### **IX. STATE CONTROLLER'S REVISED CLAIMING INSTRUCTIONS**

The Controller shall, within 60 days after receiving amended parameters and guidelines prepare and issue revised claiming instructions for mandates that require state reimbursement after any decision or order of the commission pursuant to section 17559. The claiming instructions shall be derived from the test claim decision and the parameters and guidelines adopted by the Commission. Pursuant to Government Code section 17561, subdivision (d)(2), issuance of the claiming instructions shall constitute a notice of the right of the local agencies and school districts to file reimbursement claims, based upon parameters and guidelines adopted by the Commission. In preparing revised claiming instructions, the Controller may request the assistance of other state agencies. (Gov. Code, § 17558, subdivision (c).)

If revised claiming instructions are issued by the Controller pursuant to subdivision (c) of section 17558 between November 15 and February 15, a local agency or school district filing an annual reimbursement claim shall have 120 days following the issuance date of the revised claiming instructions to file a claim.

#### **X. REMEDIES BEFORE THE COMMISSION**

Upon request of a local agency or school district, the Commission shall review the claiming instructions issued by the State Controller or any other authorized state agency for reimbursement of mandated costs pursuant to Government Code section 17571. If the



Commission determines that the claiming instructions do not conform to the parameters and guidelines, the Commission shall direct the Controller to modify the claiming instructions and the Controller shall modify the claiming instructions to conform to the parameters and guidelines as directed by the Commission.

In addition, requests may be made to amend parameters and guidelines pursuant to Government Code section 17557, subdivision (d), and California Code of Regulations, title 2, section 1183.2.

#### **XI. LEGAL AND FACTUAL BASIS FOR THE PARAMETERS AND GUIDELINES**

The Statement of Decision is legally binding on all parties and provides the legal and factual basis for the parameters and guidelines. The support for the legal and factual findings is found in the administrative record for the test claim. The administrative record, including the Statement of Decision, is on file with the Commission.



OFFICE OF THE STATE CONTROLLER

STATE MANDATED COSTS CLAIMING INSTRUCTIONS NO. 2005-05

INTEGRATED WASTE MANAGEMENT  
(COMMUNITY COLLEGES)

June 6, 2005

In accordance with Government Code (GC) section 17561, eligible claimants may submit claims to the State Controller's Office (SCO) for reimbursement of costs incurred for state mandated cost programs. The following are claiming instructions and forms that eligible claimants will use for the filing of claims for the Integrated Waste Management (IWM) program. These claiming instructions are issued subsequent to adoption of the program's parameters and guidelines (P's & G's) by the Commission on State Mandates (COSM).

On March 25, 2004, the COSM determined that Chapter 764, Statutes of 1999, and Chapter 1116, Statutes of 1992, established costs mandated by the State according to the provisions listed in the P's & G's. For your reference, the P's & G's are included as an integral part of the claiming instructions.

**Eligible Claimants**

Any community college that incurs increased costs as a direct result of this mandate is eligible to claim reimbursement of these costs.

**Filing Deadlines**

**A. Reimbursement Claims**

Initial reimbursement claims must be filed within 120 days from the issuance date of claiming instructions. Reimbursement claims for the period January 1, 2000, to June 30, 2000, and fiscal years 2000-01 through 2004-2005 must be filed with the SCO and be delivered or postmarked on or before **October 4, 2005**. Estimated claims for fiscal year 2005-06 must be filed on or before **October 4, 2005**, or by **January 15, 2006**.

Costs for all initial reimbursement claims must be filed separately according to the fiscal year in which the costs were incurred. In order for a claim to be considered properly filed, it must include any specific supporting documentation requested in the instructions. **Claims filed more than one year after the deadline or without the requested supporting documentation will not be accepted.**

The reimbursement periods for the following activities are as follows:

1. One-Time Activities - January 1, 2000, to June 30, 2000, fiscal year 2000-01 and subsequent fiscal years;
2. Ongoing Activities - January 1, 2000, to June 30, 2000, fiscal year 2000-01 and subsequent fiscal years;
3. Alternative Compliance - January 1, 2000, to June 30, 2000, fiscal years 2000-01 through 2004-05, and July 1, 2005, to December 31, 2005;

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4. Accounting System - January 1, 2000, to June 30, 2000, fiscal year 2000-01 and subsequent fiscal years;
5. Annual Report - January 1, 2000, to June 30, 2000, fiscal year 2000-01 and subsequent fiscal years; and
6. Annual Recycled Material Reports - Fiscal year 1999-00 and subsequent fiscal years.

## **B. Late Penalty**

### **1. Initial Claims**

AB 3000 enacted into law on September 30, 2002, amended the late penalty assessments on initial claims. Late initial claims submitted **on or after September 30, 2002**, are assessed a late penalty of 10% of the total amount of the initial claims **without limitation**.

### **2. Annual Reimbursement Claims**

All late reimbursement claims are assessed a late penalty of 10% subject to the \$1,000 limitation regardless of when the claims were filed.

## **C. Estimated Claims**

Unless otherwise specified in the claiming instructions, a community college is not required to provide cost schedules and supporting documents with an estimated claim if the estimated amount does not exceed the previous fiscal year's actual costs by more than 10%. Claimants can simply enter the estimated amount on form FAM-27, line (07).

However, if the estimated claim exceeds the previous fiscal year's actual costs by more than 10%, claimants must complete supplemental claim forms to support their estimated costs as specified for the program to explain the reason for the increased costs. If no explanation supporting the higher estimate is provided with the claim, it will automatically be adjusted to 110% of the previous fiscal year's actual costs. Future estimated claims filed with the SCO must be postmarked by January 15 of the fiscal year in which costs will be incurred. Claims filed timely will be paid before late claims.

## **Minimum Claim Cost**

GC section 17564(a) provides that no claim shall be filed pursuant to Sections 17551 and 17561, unless such a claim exceeds one thousand dollars (\$1,000).

## **Reimbursement of Claims**

To be eligible for mandated cost reimbursement for any fiscal year, only actual costs may be claimed. Actual costs are those costs actually incurred to implement the mandated activities. Actual costs must be traceable and supported by source documents that show the validity of such costs, when they were incurred, and their relationship to the reimbursable activities. A source document is a document created at or near the same time the actual cost was incurred for the event or activity in question.

Source documents may include, but are not limited to, employee time records or time logs, sign-in sheets, invoices, receipts and the community college plan approved by the Board. Evidence corroborating the source documents may include, but is not limited to, worksheets, cost

allocation reports (system generated), purchase orders, contracts, agendas, training packets, and declarations. Evidence corroborating the source documents may include data relevant to the reimbursable activities otherwise in compliance with local, state, and federal government requirements. However, corroborating documents cannot be substituted for source documents.

### **Certification of Claim**

In accordance with the provisions of Government Code section 17561, an authorized representative of the claimant shall be required to provide a certification of claim stating: "I certify, (or declare), under penalty of perjury under the laws of the State of California that the foregoing is true and correct," and must further comply with the requirements of Code of Civil Procedure section 2015.5, for those costs mandated by the State and contained herein.

### **Audit of Costs**

All claims submitted to the SCO are reviewed to determine if costs are related to the mandate, are reasonable and not excessive, and the claim was prepared in accordance with the SCO's claiming instructions and the P's & G's adopted by the COSM. If any adjustments are made to a claim, a "Notice of Claim Adjustment" specifying the claim component adjusted, the amount adjusted, and the reason for the adjustment, will be mailed within 30 days after payment of the claim.

Pursuant to GC section 17558.5, subdivision (a), a reimbursement claim for actual costs filed by a community college pursuant to this chapter is subject to the initiation of an audit by the SCO no later than three years after the date that the actual reimbursement claim is filed or last amended, whichever is later. However, if no funds are appropriated or no payment is made to a claimant for the program for the fiscal year for which the claim is filed, the time for the SCO to initiate an audit shall commence to run from the date of initial payment of the claim.

In any case, an audit shall be completed not later than two years after the date that the audit is commenced. All documents used to support the reimbursable activities must be retained during the period subject to audit. If an audit has been initiated by the SCO during the period subject to audit, the retention period is extended until the ultimate resolution of any audit findings. On-site audits will be conducted by the SCO as deemed necessary.

### **Retention of Claiming Instructions**

The claiming instructions and forms in this package should be retained permanently in your Mandated Cost Manual for future reference and use in filing claims. These forms should be duplicated to meet your filing requirements. You will be notified of updated forms or changes to claiming instructions as necessary.

Questions or requests for hard copies of these instructions should be faxed to Ginny Brummels at (916) 323-6527, or e-mailed to [LRS DAR@sco.ca.gov](mailto:LRS DAR@sco.ca.gov). If you wish, you may call the Local Reimbursements Section at (916) 324-5729.

For your reference, these and future mandated costs claiming instructions and forms can be found on the Internet at [www.sco.ca.gov/ard/local/locreim/index.shtml](http://www.sco.ca.gov/ard/local/locreim/index.shtml).

### Address for Filing Claims

Claims should be rounded to the nearest dollar. Submit a signed original and a copy of form FAM-27, Claim for Payment, and all other forms and supporting documents. **(To expedite the payment process, please sign the form in blue ink, and attach a copy of the form FAM-27 to the top of the claim package.)**

Use the following mailing addresses:

If delivered by  
U.S. Postal Service:

Office of the State Controller  
Attn: Local Reimbursements Section  
Division of Accounting and Reporting  
P.O. Box 942850  
Sacramento, CA 94250

If delivered by  
other delivery services:

Office of the State Controller  
Attn: Local Reimbursements Section  
Division of Accounting and Reporting  
3301 C Street, Suite 500  
Sacramento, CA 95816

## PARAMETERS AND GUIDELINES

Public Resources Code Sections 40148, 40196.3, 42920-42928

Public Contract Code Sections 12167 and 12167.1

Statutes 1999, Chapter 764 (A.B. 75)

Statutes 1992, Chapter 1116 (A.B. 3521)

State Agency Model Integrated Waste Management Plan (February 2000)

*Integrated Waste Management* (00-TC-07)

Santa Monica and Lake Tahoe Community College Districts, Co-claimants

### I. SUMMARY OF THE MANDATE

On March 25, 2004, the Commission on State Mandates (Commission) adopted its Statement of Decision finding that Public Resources Code sections 40148, 40196.3, 42920-42928; Public Contract Code sections 12167 and 12167.1; and the State Agency Model Integrated Waste Management Plan (February 2000) require new activities, as specified below, which constitute new programs or higher levels of service for community college districts within the meaning of article XIII B, section 6, of the California Constitution, and impose costs mandated by the state pursuant to Government Code section 17514.

Specifically, the Commission approved this test claim for the increased costs of performing the following specific new activities:

- **Comply with the model plan (Pub. Resources Code, § 42920, subd. (b)(3) & State Agency Model Integrated Waste Management Plan, February 2000):** A community college must comply with the California Integrated Waste Management Board's (Board) model integrated waste management plan, which includes consulting with the Board to revise the model plan, as well as completing and submitting to the Board the following: (1) state agency or large state facility information form; (2) state agency list of facilities; (3) state agency waste reduction and recycling program worksheet, including the sections on program activities, promotional programs, and procurement activities; and (4) state agency integrated waste management plan questions.
- **Designate a solid waste reduction and recycling coordinator (Pub. Resources Code, § 42920, subd. (c)):** A community college must designate one solid waste reduction and recycling coordinator to perform new duties imposed by chapter 18.5 (Pub. Resources Code, §§ 42920 – 42928), including implementing the community college's integrated waste management plan, and acting as a liaison to other state agencies (as defined by section 40196.3) and coordinators.
- **Divert solid waste (Pub. Resources Code, §§ 42921 & 42922, subd. (i)):** A community college must divert at least 25 percent of all its solid waste from landfill disposal or transformation facilities by January 1, 2002, through source reduction, recycling, and

composting activities, and divert at least 50 percent of all solid waste from landfill disposal or transformation facilities by January 1, 2004, through source reduction, recycling, and composting.

A community college unable to comply with this diversion requirement may instead seek, until December 31, 2005, either an alternative requirement or time extension (but not both) as specified below:

- **Seek an alternative requirement (Pub. Resources Code, §§ 42927 & 42922, subds. (a) & (b)):** A community college that is unable to comply with the 50-percent diversion requirement must: (1) notify the Board in writing, detailing the reasons for its inability to comply; (2) request of the Board an alternative to the 50-percent requirement; (3) participate in a public hearing on its alternative requirement; (4) provide the Board with information as to (a) the community college's good faith efforts to effectively implement the source reduction, recycling, and composting measures described in its integrated waste management plan, and demonstration of its progress toward meeting the alternative requirement as described in its annual reports to the Board; (b) the community college's inability to meet the 50-percent diversion requirement despite implementing the measures in its plan; (c) the alternative source reduction, recycling, and composting requirement represents the greatest diversion amount that the community college may reasonably and feasibly achieve, and (d) relate to the Board circumstances that support the request for an alternative requirement, such as waste disposal patterns and the types of waste disposed by the community college.
- **Seek a time extension (Pub. Resources Code, §§ 42927 & 42923 subds. (a) & (c)):** A community college that is unable to comply with the January 1, 2002 deadline to divert 25 percent of its solid waste, must do the following pursuant to section 42923, subdivisions (a) and (c): (1) notify the Board in writing, detailing the reasons for its inability to comply; (2) request of the Board an alternative to the January 1, 2002 deadline; (3) provide evidence to the Board that it is making a good faith effort to implement the source reduction, recycling, and composting programs identified in its integrated waste management plan; and (4) provide information to the Board that describes the relevant circumstances that contributed to the request for extension, such as lack of markets for recycled materials, local efforts to implement source reduction, recycling and composting programs, facilities built or planned, waste disposal patterns, and the type of waste disposed of by the community college. (5) The community college must also submit a plan of correction that demonstrates that it will meet the requirements of Section 42921 [the 25 and 50 percent diversion requirements] before the time extension expires, including the source reduction, recycling, or composting steps the community college will implement, a date prior to the expiration of the time extension when the requirements of Section 42921 will be met, the existing programs that it will modify, any new programs that will be implemented to meet those requirements, and the means by which these programs will be funded.



- **Report to the Board (Pub. Resources Code, §§ 42926, subd. (a) & 42922, subd. (i)):** A community college must annually submit, by April 1, 2002 and by April 1 each subsequent year, a report to the Board summarizing its progress in reducing solid waste. The information in the report is to encompass the previous calendar year and shall contain, at a minimum, the following as outlined in section 42926, subdivision (b): (1) calculations of annual disposal reduction; (2) information on the changes in waste generated or disposed of due to increases or decreases in employees, economics, or other factors; (3) a summary of progress implementing the integrated waste management plan; (4) the extent to which the community college intends to use programs or facilities established by the local agency for handling, diversion, and disposal of solid waste. (If the college does not intend to use those established programs or facilities, it must identify sufficient disposal capacity for solid waste that is not source reduced, recycled or composted.) (5) For a community college that has been granted a time extension by the Board, it shall include a summary of progress made in meeting the integrated waste management plan implementation schedule pursuant to section 42921, subdivision (b), and complying with the college's plan of correction, before the expiration of the time extension. (6) For a community college that has been granted an alternative source reduction, recycling, and composting requirement by the Board pursuant to section 42922, it shall include a summary of progress made towards meeting the alternative requirement as well as an explanation of current circumstances that support the continuation of the alternative requirement.
- **Submit recycled material reports (Pub. Contract Code, § 12167.1):** A community college must annually report to the Board on quantities of recyclable materials collected for recycling.

## II. ELIGIBLE CLAIMANTS

Community college districts that incur increased costs as a result of this mandate are eligible to claim reimbursement.

## III. PERIOD OF REIMBURSEMENT

Government Code section 17557 states that a test claim must be submitted on or before June 30 following a given fiscal year to establish eligibility for that fiscal year. The test claim for this mandate was filed on March 9, 2001. Therefore, costs incurred for compliance with Public Contract Code sections 12167 and 12167.1 (Stats. 1992, ch. 1116) are eligible for reimbursement on or after July 1, 1999. However, because of the statute's operative date, all other costs incurred pursuant to Statutes 1999, chapter 764 are eligible for reimbursement on or after January 1, 2000.

Seeking an alternative diversion goal or time extension (Pub. Resources Code, §§ 42922, 42923, and 42927) is reimbursable until December 31, 2005.

Actual costs for one fiscal year should be included in each claim. Estimated costs for the subsequent year may be included on the same claim, if applicable. Pursuant to Government Code section 17561, subdivision (d), all claims for reimbursement of initial years' costs shall be submitted within 120 days of the issuance of the claiming instructions by the State Controller.

If the total costs for a given fiscal year do not exceed \$1000, no reimbursement shall be allowed, except as otherwise allowed by Government Code section 17564.

#### IV. REIMBURSABLE ACTIVITIES

To be eligible for mandated cost reimbursement for any fiscal year, only actual costs may be claimed. Actual costs are those costs actually incurred to implement the mandated activities. Actual costs must be traceable and supported by source documents that show the validity of such costs, when they were incurred, and their relationship to the reimbursable activities. A source document is a document created at or near the same time the actual cost was incurred for the event or activity in question. Source documents may include, but are not limited to, employee time records or time logs, sign-in sheets, invoices, receipts, and the community college plan approved by the Board.

Evidence corroborating the source documents may include, but is not limited to, worksheets, cost allocation reports (system generated), purchase orders, contracts, agendas, training packets, and declarations. Declarations must include a certification or declaration stating, "I certify (or declare) under penalty of perjury under the laws of the State of California that the foregoing is true and correct," and must further comply with the requirements of Code of Civil Procedure section 2015.5. Evidence corroborating the source documents may include data relevant to the reimbursable activities otherwise in compliance with local, state, and federal government requirements. However, corroborating documents cannot be substituted for source documents.

The claimant is only allowed to claim and be reimbursed for increased costs for reimbursable activities identified below. Increased cost is limited to the cost of an activity that the claimant is required to incur as a result of the mandate.

For each eligible claimant, the following activities are reimbursable:

A. One-Time Activities (*Reimbursable starting January 1, 2000*)

1. Develop the necessary district policies and procedures for the implementation of the integrated waste management plan.
2. Train district staff on the requirements and implementation of the integrated waste management plan (one-time per employee). Training is limited to the staff working directly on the plan.

B. Ongoing Activities (*Reimbursable starting January 1, 2000*)

1. Complete and submit to the Board the following as part of the State Agency Model Integrated Waste Management Plan (Pub. Resources Code, § 42920, subd. (b)(3) & State Agency Model Integrated Waste Management Plan, February 2000.):
  - a. state agency or large state facility information form;
  - b. state agency list of facilities;
  - c. state agency waste reduction and recycling program worksheets that describe program activities, promotional programs, and procurement activities, and other questionnaires; and
  - d. state agency integrated waste management plan questions.

NOTE: Although reporting on promotional programs and procurement activities in the model plan is reimbursable, implementing promotional programs and procurement activities is not.

2. Respond to any Board reporting requirements during the approval process. (Pub. Resources Code, § 42920, subd. (b)(3) & State Agency Model Integrated Waste Management Plan, February 2000.)
3. Consult with the Board to revise the model plan, if necessary.<sup>1</sup> (Pub. Resources Code, § 42920, subd. (b)(3) & State Agency Model Integrated Waste Management Plan, February 2000.)
4. Designate one solid waste reduction and recycling coordinator ("coordinator") for each college in the district to perform new duties imposed by chapter 18.5 (Pub. Resources Code, §§ 42920 – 42928). The coordinator shall implement the integrated waste management plan. The coordinator shall act as a liaison to other state agencies (as defined by section 40196.3) and coordinators. (Pub. Resources Code, § 42920, subd. (c).)
5. Divert at least 25 percent of all solid waste from landfill disposal or transformation facilities by January 1, 2002, and at least 50 percent of all solid waste from landfill disposal or transformation facilities by January 1, 2004, through source reduction, recycling, and composting activities. Maintain the required level of reduction, as approved by the Board. (Pub. Resources Code, §§ 42921 & 42922, subd. (i).)

C. Alternative Compliance (*Reimbursable from January 1, 2000 – December 31, 2005*)

1. Seek either an alternative requirement or time extension if a community college is unable to comply with the January 1, 2002 deadline to divert 25 percent of its solid waste, by doing the following: (Pub. Resources Code, §§ 42927 & 42923 subds. (a) & (c).)
  - a. Notify the Board in writing, detailing the reasons for its inability to comply.
  - b. Request of the Board an alternative to the January 1, 2002 deadline.
  - c. Provide evidence to the Board that the college is making a good faith effort to implement the source reduction, recycling, and composting programs identified in its integrated waste management plan.
  - d. Provide information that describes the relevant circumstances that contributed to the request for extension, such as lack of markets for recycled materials, local efforts to implement source reduction, recycling and composting programs, facilities built or planned, waste disposal patterns, and the type of waste disposed of by the community college.
  - e. Submit a plan of correction that demonstrates that the college will meet the requirements of Section 42921 [the 25 and 50 percent diversion requirements] before the time extension expires, including the source reduction, recycling, or composting steps the community college will implement, a date prior to the expiration of the time extension when the requirements of Section 42921 will be met, the existing programs that it will modify, any new programs that will be implemented to meet those requirements, and the means by which these programs

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<sup>1</sup> Attachment 1, California Integrated Waste Management Board, State Agency Model Integrated Waste Management Plan (February 2000).

will be funded.

2. Seek either an alternative requirement or time extension if a community college is unable to comply with the January 1, 2004 deadline to divert 50 percent of its solid waste, by doing the following: (Pub. Resources Code, §§ 42927 & 42922, subds. (a) & (b).)
  - a. Notify the Board in writing, detailing the reasons for its inability to comply.
  - b. Request of the Board an alternative to the 50-percent requirement.
  - c. Participate in a public hearing on its alternative requirement.
  - d. Provide the Board with information as to:
    - (i) the community college's good faith efforts to implement the source reduction, recycling, and composting measures described in its integrated waste management plan, and demonstration of its progress toward meeting the alternative requirement as described in its annual reports to the Board;
    - (ii) the community college's inability to meet the 50 percent diversion requirement despite implementing the measures in its plan;
    - (iii) how the alternative source reduction, recycling, and composting requirement represents the greatest diversion amount that the community college may reasonably and feasibly achieve; and,
    - (iv) the circumstances that support the request for an alternative requirement, such as waste disposal patterns and the types of waste disposed by the community college.

D. Accounting System (*Reimbursable starting January 1, 2000*)

Developing, implementing, and maintaining an accounting system to enter and track the college's source reduction, recycling and composting activities, the cost of those activities, the proceeds from the sale of any recycled materials, and such other accounting systems which will allow it to make its annual reports to the state and determine waste reduction. Note: only the pro-rata portion of the costs incurred to implement the reimbursable activities can be claimed.

E. Annual Report (*Reimbursable starting January 1, 2000*)

Annually prepare and submit, by April 1, 2002, and by April 1 each subsequent year, a report to the Board summarizing its progress in reducing solid waste. The information in the report must encompass the previous calendar year and shall contain, at a minimum, the following as outlined in section 42926, subdivision (b): (Pub. Resources Code, §§ 42926, subd. (a) & 42922, subd. (i).)

1. calculations of annual disposal reduction;
2. information on the changes in waste generated or disposed of due to increases or decreases in employees, economics, or other factors;
3. a summary of progress made in implementing the integrated waste management plan;
4. the extent to which the community college intends to use programs or facilities established by the local agency for handling, diversion, and disposal of solid waste

(If the college does not intend to use those established programs or facilities, it must identify sufficient disposal capacity for solid waste that is not source reduced, recycled or composted.);

5. for a community college that has been granted a time extension by the Board, it shall include a summary of progress made in meeting the integrated waste management plan implementation schedule pursuant to section 42921, subdivision (b), and complying with the college's plan of correction, before the expiration of the time extension;
6. for a community college that has been granted an alternative source reduction, recycling, and composting requirement by the Board pursuant to section 42922, it shall include a summary of progress made towards meeting the alternative requirement as well as an explanation of current circumstances that support the continuation of the alternative requirement.

F. Annual Recycled Material Reports (*Reimbursable starting July 1, 1999*)

Annually report to the Board on quantities of recyclable materials collected for recycling. (Pub. Contract Code, § 12167.1.) (See Section VII. regarding offsetting revenues from recyclable materials.)

**V. CLAIM PREPARATION AND SUBMISSION**

Each of the following cost elements must be identified for each reimbursable activity identified in Section IV, Reimbursable Activities, of this document. Each claimed reimbursable cost must be supported by source documentation as described in Section IV. Additionally, each reimbursement claim must be filed in a timely manner.

A. Direct Cost Reporting

Direct costs are those costs incurred specifically for the reimbursable activities. The following direct costs are eligible for reimbursement.

1. Salaries and Benefits

Report each employee implementing the reimbursable activities by name, job classification, and productive hourly rate (total wages and related benefits divided by productive hours). Describe the specific reimbursable activities performed and the hours devoted to each reimbursable activity performed.

2. Materials and Supplies

Report the cost of materials and supplies that have been consumed or expended for the purpose of the reimbursable activities. Purchases shall be claimed at the actual price after deducting discounts, rebates, and allowances received by the claimant. Supplies that are withdrawn from inventory shall be charged on an appropriate and recognized method of costing, consistently applied.

### 3. Contracted Services

Report the name of the contractor and services performed to implement the reimbursable activities. Attach a copy of the contract to the claim. If the contractor bills for time and materials, report the number of hours spent on the activities and all costs charged. If the contract is a fixed price, report the dates when services were performed and itemize all costs for those services.

### 4. Fixed Assets and Equipment

Report the purchase price paid for fixed assets and equipment (including computers) necessary to implement the reimbursable activities. The purchase price includes taxes, delivery costs, and installation costs. If the fixed asset or equipment is also used for purposes other than the reimbursable activities, only the pro-rata portion of the purchase price used to implement the reimbursable activities can be claimed.

### 5. Travel

Report the name of the employee traveling for the purpose of the reimbursable activities. Include the date of travel, destination point, the specific reimbursable activity requiring travel, and related travel expenses reimbursed to the employee in compliance with the rules of the local jurisdiction. Report employee travel time according to the rules of cost element A.1, Salaries and Benefits, for each applicable reimbursable activity.

### 6. Training

Report the cost of training an employee to perform the reimbursable activities, as specified in Section IV of this document. Report the name and job classification of each employee preparing for, attending, and/or conducting training necessary to implement the reimbursable activities. Provide the title, subject, and purpose (related to the mandate of the training session), dates attended, and location. If the training encompasses subjects broader than the reimbursable activities, only the pro-rata portion can be claimed. Report employee training time for each applicable reimbursable activity according to the rules of cost element A.1, Salaries and Benefits, and A.2, Materials and Supplies. Report the cost of consultants who conduct the training according to the rules of cost element A.3, Contracted Services.

## B. Indirect Cost Rates

Indirect costs are costs that have been incurred for common or joint purposes. These costs benefit more than one cost objective and cannot be readily identified with a particular final cost objective without effort disproportionate to the results achieved. After direct costs have been determined and assigned to other activities, as appropriate, indirect costs are those remaining to be allocated to benefited cost objectives. A cost may not be allocated as an indirect cost if any other cost incurred for the same purpose, in like circumstances, has been claimed as a direct cost.

Indirect costs include: (a) the indirect costs originating in each department or agency of the governmental unit carrying out state mandated programs, and (b) the costs of central governmental services distributed through the central service cost allocation plan and not otherwise treated as direct costs.

Community colleges have the option of using: (1) a federally approved rate, utilizing the cost accounting principles from the Office of Management and Budget Circular A-21, "Cost Principles of Educational Institutions"; (2) the rate calculated on State Controller's Form FAM-29C; or (3) a 7% indirect cost rate.

## **VI. RECORD RETENTION**

Pursuant to Government Code section 17558.5, subdivision (a), a reimbursement claim for actual costs filed by a local agency or school district pursuant to this chapter is subject to the initiation of an audit by the Controller no later than three years after the date that the actual reimbursement claim is filed or last amended, whichever is later. However, if no funds are appropriated or no payment is made to a claimant for the program for the fiscal year for which the claim is filed, the time for the Controller to initiate an audit shall commence to run from the date of initial payment of the claim. In any case, an audit shall be completed not later than two years after the date that the audit is commenced. All documents used to support the reimbursable activities, as described in Section IV, must be retained during the period subject to audit. If an audit has been initiated by the Controller during the period subject to audit, the retention period is extended until the ultimate resolution of any audit findings.

## **VII. OFFSETTING REVENUES AND REIMBURSEMENTS**

Reimbursement for this mandate from any source, including but not limited to, services fees collected, federal funds, and other state funds allocated to any service provided under this program, shall be identified and deducted from this claim. Offsetting revenue shall include the revenues cited in Public Resources Code section 42925 and Public Contract Code sections 12167 and 12167.1.

Subject to the approval of the California Integrated Waste Management Board, revenues derived from the sale of recyclable materials by a community college that do not exceed two thousand dollars (\$2,000) annually are continuously appropriated for expenditure by the community college for the purpose of offsetting recycling program costs. Revenues exceeding two thousand dollars (\$2,000) annually may be available for expenditure by the community college only when appropriated by the Legislature. To the extent so approved or appropriated and applied to the college, these amounts are a reduction to the recycling costs mandated by the state to implement Statutes 1999, chapter 764.

In addition, revenue from a building-operating fee imposed pursuant to Education Code section 76375, subdivision (a) if received by a claimant and the revenue is applied to this program, shall be deducted from the costs claimed.

## **VIII. STATE CONTROLLER'S CLAIMING INSTRUCTIONS**

Pursuant to Government Code section 17558, subdivision (b), the Controller shall issue claiming instructions for each mandate that requires state reimbursement not later than 60 days after receiving the adopted parameters and guidelines from the Commission, to assist local agencies and school districts in claiming costs to be reimbursed. The claiming instructions shall be derived from the test claim decision and the parameters and guidelines adopted by the Commission.

Pursuant to Government Code section 17561, subdivision (d)(1), issuance of the claiming instructions shall constitute a notice of the right of the local agencies and school districts to file reimbursement claims, based upon parameters and guidelines adopted by the Commission.

#### **IX. REMEDIES BEFORE THE COMMISSION**

Upon request of a local agency or school district, the Commission shall review the claiming instructions issued by the State Controller or any other authorized state agency for reimbursement of mandated costs pursuant to Government Code section 17571. If the Commission determines that the claiming instructions do not conform to the parameters and guidelines, the Commission shall direct the Controller to modify the claiming instructions and the Controller shall modify the claiming instructions to conform to the parameters and guidelines as directed by the Commission.

In addition, requests may be made to amend parameters and guidelines pursuant to Government Code section 17557, subdivision (d), and California Code of Regulations, title 2, section 1183.2.

#### **X. LEGAL AND FACTUAL BASIS FOR THE PARAMETERS AND GUIDELINES**

The Statement of Decision is legally binding on all parties and provides the legal and factual basis for the parameters and guidelines. The support for the legal and factual findings is found in the administrative record for the test claim. The administrative record, including the Statement of Decision, is on file with the Commission.



CLAIM FOR PAYMENT Pursuant to Government Code Section 17561 INTEGRATED WASTE MANAGEMENT			For State Controller Use Only	Program <b>256</b>
(01) Claimant Identification Number			(19) Program Number 256 (20) Date Filed ____/____/____ (21) LRS Input ____/____/____	
(02) Claimant Name				
County of Location				
Street Address or P.O. Box				
City			<b>Reimbursement Claim Data</b> (22) IWM-1, (03)(A)(1)(f) (23) IWM-1, (03)(A)(2)(f) (24) IWM-1, (03)(B)(1)(f) (25) IWM-1, (03)(B)(2)(f) (26) IWM-1, (03)(B)(3)(f) (27) IWM-1, (03)(B)(4)(f) (28) IWM-1, (03)(B)(5)(f) (29) IWM-1, (03)(C)(1)(f) (30) IWM-1, (03)(C)(2)(f) (31) IWM-1, (03)(D)(f) (32) IWM-1, (03)(E)(f) (33) IWM-1, (03)(F)(f) (34) IWM-1, (06) (35) IWM-1, (08) (36) IWM-1, (09)	
Suite				
State				
Zip Code				
<b>Type of Claim</b>	<b>Estimated Claim</b> (03) Estimated <input type="checkbox"/> (04) Combined <input type="checkbox"/> (05) Amended <input type="checkbox"/>	<b>Reimbursement Claim</b> (09) Reimbursement <input type="checkbox"/> (10) Combined <input type="checkbox"/> (11) Amended <input type="checkbox"/>		
<b>Fiscal Year of Cost</b>	(06) 20__ / 20__	(12) __ / 20__		
<b>Total Claimed Amount</b>	(07)	(13)		
<b>Less: 10% Late Penalty</b>		(14)		
<b>Less: Prior Claim Payment Received</b>		(15)		
<b>Net Claimed Amount</b>		(16)		
<b>Due from State</b>	(08)	(17)		
<b>Due to State</b>		(18)		
<b>(37) CERTIFICATION OF CLAIM</b> <p>In accordance with the provisions of Government Code Section 17561, I certify that I am the officer authorized by the community college district to file mandated cost claims with the State of California for this program, and certify under penalty of perjury that I have not violated any of the provisions of Government Code Sections 1090 to 1098, inclusive.</p> <p>I further certify that there was no application other than from the claimant, nor any grant or payment received, for reimbursement of costs claimed herein, and such costs are for a new program or increased level of services of an existing program. All offsetting savings and reimbursements set forth in the Parameters and Guidelines are identified, and all costs claimed are supported by source documentation currently maintained by the claimant.</p> <p>The amounts for this Estimated Claim and/or Reimbursement Claim are hereby claimed from the State for payment of estimated and/or actual costs set forth on the attached statements. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.</p> <div style="display: flex; justify-content: space-between;"> <div>Signature of Authorized Officer</div> <div>Date</div> </div> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div>Type or Print Name</div> <div>Title</div> </div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div>(38) Name of Contact Person for Claim</div> <div>Telephone Number ( ) - Ext.</div> </div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div>E-Mail Address</div> <div></div> </div>				

Program <b>256</b>	<b>INTEGRATED WASTE MANAGEMENT</b> <b>Certification Claim Form</b> <b>Instructions</b>	<b>FORM</b> <b>FAM-27</b>
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- (01) Enter the payee number assigned by the State Controller's Office.
- (02) Enter your Official Name, County of Location, Street or P. O. Box address, City, State, and Zip Code.
- (03) If filing an estimated claim, enter an "X" in the box on line (03) Estimated.
- (04) Leave blank.
- (05) If filing an amended estimated claim, enter an "X" in the box on line (05) Amended.
- (06) Enter the fiscal year in which costs are to be incurred.
- (07) Enter the amount of the estimated claim. If the estimate exceeds the previous year's actual costs by more than 10%, complete form IWM-1 and enter the amount from line (10).
- (08) Enter the same amount as shown on line (07).
- (09) If filing a reimbursement claim, enter an "X" in the box on line (09) Reimbursement.
- (10) Leave blank.
- (11) If filing an amended reimbursement claim, enter an "X" in the box on line (11) Amended.
- (12) Enter the fiscal year for which actual costs are being claimed. If actual costs for more than one fiscal year are being claimed, complete a separate form FAM-27 for each fiscal year.
- (13) Enter the amount of the reimbursement claim from form IWM-1, line (10). The total claimed amount must exceed \$1,000.
- (14) **Filing Deadline.** Estimated claims for fiscal year 2005-06 must be filed by **October 4, 2005**. Reimbursement claims must be filed by January 15 of the following fiscal year in which costs were incurred or the claims shall be reduced by a late penalty of 10%. Enter zero if the claim was timely filed; otherwise, enter the product of multiplying line (13) by the factor 0.10 (10% penalty).
- (15) If filing an actual reimbursement claim or an estimated claim was previously filed for the same fiscal year, enter the amount received for the claim. Otherwise, enter a zero.
- (16) Enter the result of subtracting line (14) and line (15) from line (13).
- (17) If line (16), Net Claimed Amount, is positive, enter that amount on line (17), Due from State.
- (18) If line (16), Net Claimed Amount, is negative, enter that amount on line (18), Due to State.
- (19) to (21) Leave blank.
- (22) to (36) **Reimbursement Claim Data.** Bring forward the cost information as specified on the left-hand column of lines (22) through (36) for the reimbursement claim, e.g. IWM-1, (03)(A)(1)(f), means the information is located on form IWM-1, block (0), line (A)(1), column (f). Enter the information on the same line but in the right-hand column. Cost information should be rounded to the nearest dollar, i.e., no cents. Indirect costs percentage should be shown as a whole number and without the percent symbol, i.e., 7.548% should be shown as 8. **Completion of this data block will expedite the payment process.**
- (37) Read the statement "Certification of Claim." If it is true, the claim must be dated, signed by the agency's authorized officer, and must include the person's name and title, typed or printed. **Claims cannot be paid unless accompanied by an original signed certification. (To expedite the payment process, please sign the form FAM-27 with blue ink, and attach a copy of the form FAM-27 to the top of the claim package.)**
- (38) Enter the name, telephone number, and e-mail address of the person to contact if additional information is required.

**SUBMIT A SIGNED ORIGINAL, AND A COPY OF FORM FAM-27, WITH ALL OTHER FORMS AND SUPPORTING DOCUMENTS TO:**

**Address, if delivered by U.S. Postal Service:**

OFFICE OF THE STATE CONTROLLER  
 ATTN: Local Reimbursements Section  
 Division of Accounting and Reporting  
 P.O. Box 942850  
 Sacramento, CA 94250

**Address, if delivered by other delivery service:**

OFFICE OF THE STATE CONTROLLER  
 ATTN: Local Reimbursements Section  
 Division of Accounting and Reporting  
 3301 C Street, Suite 500  
 Sacramento, CA 95816

<b>Program</b> <b>256</b>	<b>MANDATED COSTS</b> <b>INTEGRATED WASTE MANAGEMENT</b> <b>CLAIM SUMMARY</b>					<b>FORM</b> <b>IWM-1</b>		
(01) Claimant			(02) Type of Claim		Fiscal Year			
			Reimbursement <input type="checkbox"/> Estimated <input type="checkbox"/>		____ / ____			
<b>Direct Costs</b>			<b>Object Accounts</b>					
(03) Reimbursable Activities			(a)	(b)	(c)	(d)	(e)	(f)
			Salaries and Benefits	Materials and Supplies	Contract Services	Fixed Assets	Travel & Training	Total
<b>A. One-Time Activities</b>								
1. Development of Policies and Procedures								
2. Staff Training								
<b>B. Ongoing Activities</b>								
1. Completion and Submission of Plan to Board								
2. Response to Board During Approval Process								
3. Consultation with Board								
4. Designation of Waste Reduction and Recycling Coordinator								
5. Diversion and Maintenance of Approved Level of Reduction								
<b>C. Alternative Compliance</b>								
1. Alternative Requirement or Time Extension for 1/1/02 for 25% Waste								
2. Alternative Requirement or Time Extension for 1/1/04 for 50% Waste								
<b>D. Accounting System</b>								
<b>E. Annual Report</b>								
<b>F. Annual Recycled Material Reports</b>								
(04) Total Direct Costs								
<b>Indirect Costs</b>								
(05) Indirect Cost Rate			[Federally approved OMB A-21, FAM-29C, or 7%]					%
(06) Total Indirect Costs			[Line (05) x line (04)(a)]					
(07) Total Direct and Indirect Costs			[Line (04)(f) + line (06)]					
<b>Cost Reduction</b>								
(08) Less: Offsetting Savings								
(09) Less: Other Reimbursements								
(10) Total Claimed Amount			[Line (07) - {line (08) + line (09)}]					

<b>Program</b> <b>256</b>	<b>INTEGRATED WASTE MANAGEMENT</b> <b>CLAIM SUMMARY</b> <b>Instructions</b>	<b>FORM</b> <b>IWM-1</b>
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- (01) Claimant: Enter the name of the claimant.
- (02) Type of Claim: Check a box, Reimbursement or Estimated, to identify the type of claim being filed. Enter the fiscal year of costs.
- Form IWM-1 must be filed for a reimbursement claim. Do not complete form IWM-1 if you are filing an estimated claim and the estimate does not exceed the previous fiscal year's actual costs by more than 10%. Simply enter the amount of the estimated claim on form FAM-27, line (07). However, if the estimated claim exceeds the previous fiscal year's actual costs by more than 10%, form IWM-1 must be completed and a statement attached explaining the increased costs. Without this information the estimated claim will automatically be reduced to 110% of the previous fiscal year's actual costs.
- (03) Reimbursable Activities: For each reimbursable activity, enter the total from form IWM-2, line (05), columns (d) through (h) to form IWM-1, block (04), columns (a) through (e) in the appropriate row. Total each row.
- (04) Total Direct Costs: Total column (f).
- (05) Indirect Cost Rate: Enter the indirect cost rate. Community college districts may use the federally approved OMBA-21, rate computed using form FAM-29C, or the 7% indirect cost rate, for the fiscal year of costs.
- (06) Total Indirect Costs: Enter the result of multiplying Total Salaries and Benefits, line (04)(a), by the Indirect Cost Rate, line (05)
- (07) Total Direct and Indirect Costs: Enter the sum of Total Direct Costs, line (04)(f), and Total Indirect Costs, line (06).
- (08) Less: Offsetting Savings. If applicable, enter the total savings experienced by the claimant as a direct result of this mandate. Submit a detailed schedule of savings with the claim.
- (09) Less: Other Reimbursements. If applicable, enter the amount of other reimbursements received from any source including, but not limited to, service fees collected, federal funds, and other state funds, that reimbursed any portion of the mandated cost program. Submit a schedule detailing the reimbursement sources and amounts.
- (10) From Total Direct and Indirect Costs, line (07), subtract the sum of Offsetting Savings, line (08), and Other Reimbursements, line (09). Enter the remainder on this line and carry the amount forward to form FAM-27, line (07) for the Estimated Claim or line (13) for the Reimbursement Claim.

<b>Program</b> <b>256</b>	<b>MANDATED COSTS</b> <b>INTEGRATED WASTE MANAGEMENT</b> <b>ACTIVITY COST DETAIL</b>						<b>FORM</b> <b>IWM-2</b>
(01) Claimant				(02) Fiscal Year			
(03) Reimbursable Activities: Check only one box per form to identify the activity being claimed.							
<b>One-Time Activities</b>	<input type="checkbox"/> Development of Policies and Procedures		<input type="checkbox"/> Staff Training				
<b>Ongoing Activities</b>	<input type="checkbox"/> Completion and Submission of Plan to Board		<input type="checkbox"/> Response to Board During Approval Process		<input type="checkbox"/> Consultation With Board		
	<input type="checkbox"/> Designation of Waste Reduction and Recycling Coordinator		<input type="checkbox"/> Maintenance of Approved Level of Reduction				
<b>Alternative Compliance</b>	<input type="checkbox"/> Alternative Requirement or Time Extension for 1/1/02 for 25% Waste		<input type="checkbox"/> Alternative Requirement or Time Extension for 1/1/04 for 50% Waste				
	<input type="checkbox"/> Accounting System		<input type="checkbox"/> Annual Report		<input type="checkbox"/> Annual Recycled Material Reports		
(04) Description of Expenses				<b>Object Accounts</b>			
(a) Employee Names, Job Classifications, Functions Performed and Description of Expenses	(b) Hourly Rate or Unit Cost	(c) Hours Worked or Quantity	(d) Salaries and Benefits	(e) Materials and Supplies	(f) Contract Services	(g) Fixed Assets	(h) Travel and Training
(05) Total <input type="checkbox"/> Subtotal <input type="checkbox"/> Page: ____ of ____							

<b>Program</b> <b>256</b>	<b>INTEGRATED WASTE MANAGEMENT</b> <b>ACTIVITY COST DETAIL</b> <b>Instructions</b>	<b>FORM</b> <b>IWM-2</b>
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- (01) Claimant: Enter the name of the claimant.
- (02) Fiscal Year: Enter the fiscal year for which costs were incurred.
- (03) Reimbursable Activities: Check the box that indicates the cost activity being claimed. Check only one box per form. A separate form IWM-2 shall be prepared for each applicable activity.
- (04) Description of Expenses: The following table identifies the type of information required to support reimbursable costs. To detail costs for the activity box "checked" in block (03), enter the employee names, position titles, a brief description of the activities performed, actual time spent by each employee, productive hourly rates, fringe benefits, supplies used, contract services, and travel and training expenses. **The descriptions required in column (4)(a) must be of sufficient detail to explain the cost of activities or items being claimed.** For audit purposes, all supporting documents must be retained by the claimant for a period of not less than three years after the date the claim was filed or last amended, whichever is later. If no funds were appropriated and no payment was made at the time the claim was filed, the time for the Controller to initiate an audit shall be from the date of initial payment of the claim. Such documents shall be made available to the State Controller's Office on request.

Object/ Sub object Accounts	Columns								Submit supporting documents with the claim
	(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	
<b>Salaries</b>	Employee Name/Title	Hourly Rate	Hours Worked	Salaries = Hourly Rate x Hours Worked					
<b>Benefits</b>	Activities Performed	Benefit Rate		Benefits = Benefit Rate x Salaries					
<b>Materials and Supplies</b>	Description of Supplies Used	Unit Cost	Quantity Used		Cost = Unit Cost x Quantity Used				
<b>Contract Services</b>	Name of Contractor  Specific Tasks Performed	Hourly Rate	Hours Worked  Inclusive Dates of Service			Cost= Hourly Rate x Hours Worked or Total Contract Cost			Copy of Contract and Invoices
<b>Fixed Assets</b>	Description of Equipment Purchased	Unit Cost	Usage				Cost= Unit Cost x Usage		
<b>Travel and Training</b>	Purpose of Trip Name and Title	Per Diem Rate	Days					Cost = Rate x Days or Miles	
<b>Travel</b>	Departure and Return Date	Mileage Rate Travel Cost	Miles Travel Mode					or Total Travel Cost	
<b>Training</b>	Employee Name/Title Name of Class		Dates Attended					Registration Fee	

- (05) Total line (04), columns (d) through (h) and enter the sum on this line. Check the appropriate box to indicate if the amount is a total or subtotal. If more than one form is needed to detail the activity costs, number each page. Enter totals from line (05), columns (d) through (h) to form IWM-1, block (04), columns (a) through (e) in the appropriate row.



OFFICE OF THE STATE CONTROLLER  
STATE MANDATED COSTS CLAIMING INSTRUCTIONS NO. 2008-21  
INTEGRATED WASTE MANAGEMENT  
COMMUNITY COLLEGE DISTRICTS  
DECEMBER 1, 2008

Revised January 21, 2009

In accordance with Government Code (GC) Section 17561, eligible claimants may submit claims to the State Controller's Office (SCO) for reimbursement of costs incurred for state mandated cost programs. The following are claiming instructions and forms that eligible claimants will use for filing claims for the Integrated Waste Management (IWM) program. These claiming instructions are issued subsequent to adoption of the program's Parameters and Guidelines (P's & G's) by the Commission on State Mandates (CSM).

On March 25, 2004, CSM determined that the test claim legislation established costs mandated by the State according to the provisions listed in the P's & G's. For your reference, the P's & G's are included as an integral part of the claiming instructions.

**Eligible Claimants**

Any community college district that incurs increased costs as a result of this mandate is eligible to claim reimbursement of these costs.

**Requirements, Limitations, and Exceptions**

Form 1B for Alternative Compliance is to be completed only if the community college is unable to comply with the requirements of B.5. (Divert Solid Waste/Maintain Required Level) on Form 1A, pursuant to Reimbursable Activity C.1. or 2. as listed on page 6 of the P's and G's.

It is not mandatory to re-file claims for fiscal years in which there are no changes. In addition, if there is no "cost avoidance" to report and consequently no additional offsets to the original claim amounts, there is no need to re-file.

**Filing Deadlines**

**A. Reimbursement Claims**

A reimbursement claim is defined in GC Section 17522 as any claim filed with SCO by a CCD for reimbursement of costs incurred for which an appropriation is made for the purpose of paying the claim.

In order for a claim to be considered properly filed, it must include documentation to support the indirect cost rate if the indirect cost rate exceeds seven percent. A full discussion of the indirect cost methods available to community colleges may be found in the P's & G's. Documentation to support actual costs must be kept on hand by the claimant and made available to SCO upon request as explained in the P's & G's.



Initial reimbursement claims must be filed within 120 days from the issuance date of the claiming instructions. Costs incurred for compliance with the mandated activities pursuant to Public Contract Code (PCC) Sections 12167 and 12167.1 are reimbursable for fiscal years 1999-00 and subsequent years. Seeking an alternative diversion goal or time extension pursuant to Public Resources Code Sections 42922, 42923, and 42927 are reimbursable from January 1, 2000, to December 31, 2005. All other costs incurred pursuant to Chapter 764, Statutes of 1999, are reimbursable for the period January 1, 2000, to June 30, 2000, and subsequent years. Actual claims must be filed with SCO and be delivered or postmarked on or before **March 31, 2009**. Claims for fiscal year 2008-09 must be delivered or postmarked on or before **February 16, 2010**, or a late fee will be assessed. **Claims filed more than one year after the deadline will not be accepted.**

#### **B. Estimated Claims**

Pursuant to AB 8, Chapter 6, Statutes of 2008, the option to file estimated claims has been eliminated. Therefore, estimated claims filed on or after February 16, 2008, will not be accepted by SCO.

#### **Minimum Claim Cost**

GC Section 17564(a) provides that no claim may be filed pursuant to Sections 17551 and 17561, unless such claim exceeds one thousand dollars (\$1,000).

#### **Certification of Claim**

In accordance with the provisions of the Code of Civil Procedure Section 2015.5, an authorized officer of the claimant is required to provide a certification of claim stating: "I certify, (or declare), under penalty of perjury under the laws of the State of California that the foregoing is true and correct," and must further comply with the requirements of GC Section 17561, for the costs mandated by the State and contained herein.

#### **Audit of Costs**

All claims submitted to SCO are reviewed to determine if costs are related to the mandate, are reasonable and not excessive, and the claim was prepared in accordance with SCO's claiming instructions and the P's & G's adopted by CSM. If any adjustments are made to a claim, a "Notice of Claim Adjustment" specifying the claim component adjusted, the amount adjusted, and the reason for the adjustment, will be mailed within 30 days after payment of the claim.

Pursuant to GC Section 17558.5, subdivision (a), a reimbursement claim for actual costs filed by a community college district for this mandate is subject to the initiation of an audit by SCO no later than three years after the date that the actual reimbursement claim was filed or last amended, whichever is later. However, if no funds are appropriated or no payment was made to a claimant for the program for the fiscal year for which the claim was filed, the time for SCO to initiate an audit shall commence to run from the date of initial payment of the claim.

In any case, an audit shall be completed no later than two years after the date that the audit was initiated. All documents used to support the reimbursable activities must be retained during the period subject to audit. If an audit has been initiated by SCO during the period subject to audit, the retention period is extended until the ultimate resolution of any audit findings. On-site audits will be conducted by SCO as deemed necessary.

### **Retention of Claiming Instructions**

The claiming instructions and forms in this package should be retained permanently in your Mandated Cost Manual for future reference and use in filing claims. These forms should be duplicated to meet your filing requirements. You will be notified of updated forms or changes to claiming instructions as necessary.

Questions, or requests for hard copies of these instructions, should be faxed to Angie Lowi-Teng at (916) 323-6527 or e-mailed to [ateng@sco.ca.gov](mailto:ateng@sco.ca.gov). Or, if you wish, you may call Angie of the Local Reimbursements Section at (916) 323-0706.

For your reference, these and future mandated costs claiming instructions and forms can be found on the Internet at [www.sco.ca.gov/ard/local/locreim/index.shtml](http://www.sco.ca.gov/ard/local/locreim/index.shtml).

### **Address for Filing Claims**

Claims should be rounded to the nearest dollar. Submit a signed original and a copy of form FAM-27, Claim for Payment, and all other forms and supporting documents.

**To expedite the payment process, please sign the form in blue ink, and attach a copy of the form FAM-27 to the top of the claim package.**

Use the following mailing addresses:

**If delivered by  
U.S. Postal Service:**

Office of the State Controller  
Attn: Local Reimbursements Section  
Division of Accounting and Reporting  
P.O. Box 942850  
Sacramento, CA 94250

**If delivered by  
other delivery services:**

Office of the State Controller  
Attn: Local Reimbursements Section  
Division of Accounting and Reporting  
3301 C Street, Suite 500  
Sacramento, CA 95816

Amended: September 26, 2008  
Adopted: March 30, 2005

## AMENDMENTS TO PARAMETERS AND GUIDELINES

Public Resources Code Sections 40148, 40196.3, 42920-42928  
Public Contract Code Sections 12167 and 12167.1

Statutes 1999, Chapter 764 (A.B. 75)  
Statutes 1992, Chapter 1116 (A.B. 3521)

State Agency Model Integrated Waste Management Plan (February 2000)

*Integrated Waste Management*  
00-TC-07

Santa Monica and Lake Tahoe Community College Districts, Co-claimants

### I. SUMMARY OF THE MANDATE

On March 25, 2004, the Commission on State Mandates (Commission) adopted its Statement of Decision finding that Public Resources Code sections 40148, 40196.3, 42920-42928; Public Contract Code sections 12167 and 12167.1; and the State Agency Model Integrated Waste Management Plan (February 2000) require new activities, as specified below, which constitute new programs or higher levels of service for community college districts within the meaning of article XIII B, section 6, of the California Constitution, and impose costs mandated by the state pursuant to Government Code section 17514.

Specifically, the Commission approved this test claim for the increased costs of performing the following specific new activities:

- **Comply with the model plan (Pub. Resources Code, § 42920, subd. (b)(3) & State Agency Model Integrated Waste Management Plan, February 2000):** A community college must comply with the California Integrated Waste Management Board's (Board) model integrated waste management plan, which includes consulting with the Board to revise the model plan, as well as completing and submitting to the Board the following: (1) state agency or large state facility information form; (2) state agency list of facilities; (3) state agency waste reduction and recycling program worksheet, including the sections on program activities, promotional programs, and procurement activities; and (4) state agency integrated waste management plan questions.
- **Designate a solid waste reduction and recycling coordinator (Pub. Resources Code, § 42920, subd. (c)):** A community college must designate one solid waste reduction and recycling coordinator to perform new duties imposed by chapter 18.5 (Pub. Resources Code, §§ 42920 – 42928), including implementing the community college's integrated waste management plan, and acting as a liaison to other state agencies (as defined by section 40196.3) and coordinators.

- **Divert solid waste (Pub. Resources Code, §§ 42921 & 42922, subd. (i)):** A community college must divert at least 25 percent of all its solid waste from landfill disposal or transformation facilities by January 1, 2002, through source reduction, recycling, and composting activities, and divert at least 50 percent of all solid waste from landfill disposal or transformation facilities by January 1, 2004, through source reduction, recycling, and composting.

A community college unable to comply with this diversion requirement may instead seek, until December 31, 2005, either an alternative requirement or time extension (but not both) as specified below:

- **Seek an alternative requirement (Pub. Resources Code, §§ 42927 & 42922, subds. (a) & (b)):** A community college that is unable to comply with the 50-percent diversion requirement must: (1) notify the Board in writing, detailing the reasons for its inability to comply; (2) request of the Board an alternative to the 50-percent requirement; (3) participate in a public hearing on its alternative requirement; (4) provide the Board with information as to (a) the community college's good faith efforts to effectively implement the source reduction, recycling, and composting measures described in its integrated waste management plan, and demonstration of its progress toward meeting the alternative requirement as described in its annual reports to the Board; (b) the community college's inability to meet the 50-percent diversion requirement despite implementing the measures in its plan; (c) the alternative source reduction, recycling, and composting requirement represents the greatest diversion amount that the community college may reasonably and feasibly achieve, and (d) relate to the Board circumstances that support the request for an alternative requirement, such as waste disposal patterns and the types of waste disposed by the community college.
- **Seek a time extension (Pub. Resources Code, §§ 42927 & 42923 subds. (a) & (c)):** A community college that is unable to comply with the January 1, 2002 deadline to divert 25 percent of its solid waste, must do the following pursuant to section 42923, subdivisions (a) and (c): (1) notify the Board in writing, detailing the reasons for its inability to comply; (2) request of the Board an alternative to the January 1, 2002 deadline; (3) provide evidence to the Board that it is making a good faith effort to implement the source reduction, recycling, and composting programs identified in its integrated waste management plan; and (4) provide information to the Board that describes the relevant circumstances that contributed to the request for extension, such as lack of markets for recycled materials, local efforts to implement source reduction, recycling and composting programs, facilities built or planned, waste disposal patterns, and the type of waste disposed of by the community college. (5) The community college must also submit a plan of correction that demonstrates that it will meet the requirements of Section 42921 [the 25 and 50 percent diversion requirements] before the time extension expires, including the source reduction, recycling, or composting steps the community college will implement, a date prior to the expiration of the time extension when the requirements of Section 42921 will be met, the existing programs that it will modify, any new programs that will be

implemented to meet those requirements, and the means by which these programs will be funded.

- **Report to the Board (Pub. Resources Code, §§ 42926, subd. (a) & 42922, subd. (i)):** A community college must annually submit, by April 1, 2002 and by April 1 each subsequent year, a report to the Board summarizing its progress in reducing solid waste. The information in the report is to encompass the previous calendar year and shall contain, at a minimum, the following as outlined in section 42926, subdivision (b): (1) calculations of annual disposal reduction; (2) information on the changes in waste generated or disposed of due to increases or decreases in employees, economics, or other factors; (3) a summary of progress implementing the integrated waste management plan; (4) the extent to which the community college intends to use programs or facilities established by the local agency for handling, diversion, and disposal of solid waste. (If the college does not intend to use those established programs or facilities, it must identify sufficient disposal capacity for solid waste that is not source reduced, recycled or composted.) (5) For a community college that has been granted a time extension by the Board, it shall include a summary of progress made in meeting the integrated waste management plan implementation schedule pursuant to section 42921, subdivision (b), and complying with the college's plan of correction, before the expiration of the time extension. (6) For a community college that has been granted an alternative source reduction, recycling, and composting requirement by the Board pursuant to section 42922, it shall include a summary of progress made towards meeting the alternative requirement as well as an explanation of current circumstances that support the continuation of the alternative requirement.
- **Submit recycled material reports (Pub. Contract Code, § 12167.1):** A community college must annually report to the Board on quantities of recyclable materials collected for recycling.

State of California, Department of Finance, California Integrated Waste Management Board v. Commission on State Mandates, et al. (Sacramento County Superior Court, Case No. 07CS00355)

The Department of Finance and the Integrated Waste Management Board filed a petition for writ of mandate in March 2007, asking the court to set aside the Commission's decision granting the test claim and to require the Commission to issue a new Statement of Decision and parameters and guidelines that give full consideration to the community colleges' cost savings (e.g. avoided landfill disposal fees) and revenues (from recyclables) by complying with the test claim statutes. Petitioners' position was that the Commission had not properly accounted for all the offsetting cost savings from avoided disposal costs, or offsetting revenues from the sale of recyclable materials, in the Statement of Decision or parameters and guidelines. The Judgment and a Writ of Mandate were issued on June 30, 2008, ordering the Commission to:

1. amend the parameters and guidelines in Test Claim No. 00-TC-07 to require community college districts claiming reimbursable costs of an integrated waste management plan under Public Resources Code section 42920, et seq. to identify and offset from their claims, consistent with the directions for revenue in Public Contract code sections 12167 and 12167.1, cost savings realized as a result of implementing their plans; and

2. amend the parameters and guidelines in Test Claim No. 00-TC-07 to require community college districts claiming reimbursable costs of an integrated waste management plan under Public Resources Code section 42920, et seq. to identify and offset from their claims all of the revenue generated as a result of implementing their plans, without regard to the limitations or conditions described in sections 12167 and 12167.1 of the Public Contract Code.

## **II. ELIGIBLE CLAIMANTS**

Community college districts that incur increased costs as a result of this mandate are eligible to claim reimbursement.

## **III. PERIOD OF REIMBURSEMENT**

Government Code section 17557 states that a test claim must be submitted on or before June 30 following a given fiscal year to establish eligibility for that fiscal year. The test claim for this mandate was filed on March 9, 2001. Therefore, costs incurred for compliance with Public Contract Code sections 12167 and 12167.1 (Stats. 1992, ch. 1116) are eligible for reimbursement on or after July 1, 1999. However, because of the statute's operative date, all other costs incurred pursuant to Statutes 1999, chapter 764 are eligible for reimbursement on or after January 1, 2000.

Seeking an alternative diversion goal or time extension (Pub. Resources Code, §§ 42922, 42923, and 42927) is reimbursable until December 31, 2005.

Actual costs for one fiscal year should be included in each claim. Pursuant to Government Code section 17561, subdivision (d), all claims for reimbursement of initial years' costs shall be submitted within 120 days of the issuance of the claiming instructions by the State Controller.

If the total costs for a given fiscal year do not exceed \$1000, no reimbursement shall be allowed, except as otherwise allowed by Government Code section 17564.

## **IV. REIMBURSABLE ACTIVITIES**

To be eligible for mandated cost reimbursement for any fiscal year, only actual costs may be claimed. Actual costs are those costs actually incurred to implement the mandated activities. Actual costs must be traceable and supported by source documents that show the validity of such costs, when they were incurred, and their relationship to the reimbursable activities. A source document is a document created at or near the same time the actual cost was incurred for the event or activity in question. Source documents may include, but are not limited to, employee time records or time logs, sign-in sheets, invoices, receipts, and the community college plan approved by the Board.

Evidence corroborating the source documents may include, but is not limited to, worksheets, cost allocation reports (system generated), purchase orders, contracts, agendas, training packets, and declarations. Declarations must include a certification or declaration stating, "I certify (or declare) under penalty of perjury under the laws of the State of California that the foregoing is true and correct," and must further comply with the requirements of Code of Civil Procedure section 2015.5. Evidence corroborating the source documents may include data relevant to the reimbursable activities otherwise in compliance with local, state, and federal government requirements. However, corroborating documents cannot be substituted for source documents.

The claimant is only allowed to claim and be reimbursed for increased costs for reimbursable activities identified below. Increased cost is limited to the cost of an activity that the claimant is required to incur as a result of the mandate.

For each eligible claimant, the following activities are reimbursable:

A. One-Time Activities (*Reimbursable starting January 1, 2000*)

1. Develop the necessary district policies and procedures for the implementation of the integrated waste management plan.
2. Train district staff on the requirements and implementation of the integrated waste management plan (one-time per employee). Training is limited to the staff working directly on the plan.

B. Ongoing Activities (*Reimbursable starting January 1, 2000*)

1. Complete and submit to the Board the following as part of the State Agency Model Integrated Waste Management Plan (Pub. Resources Code, § 42920, subd. (b)(3) & State Agency Model Integrated Waste Management Plan, February 2000.):
  - a. state agency or large state facility information form;
  - b. state agency list of facilities;
  - c. state agency waste reduction and recycling program worksheets that describe program activities, promotional programs, and procurement activities, and other questionnaires; and
  - d. state agency integrated waste management plan questions.

NOTE: Although reporting on promotional programs and procurement activities in the model plan is reimbursable, implementing promotional programs and procurement activities is not.

2. Respond to any Board reporting requirements during the approval process. (Pub. Resources Code, § 42920, subd. (b)(3) & State Agency Model Integrated Waste Management Plan, February 2000.)
3. Consult with the Board to revise the model plan, if necessary.<sup>1</sup> (Pub. Resources Code, § 42920, subd. (b)(3) & State Agency Model Integrated Waste Management Plan, February 2000.)
4. Designate one solid waste reduction and recycling coordinator ("coordinator") for each college in the district to perform new duties imposed by chapter 18.5 (Pub. Resources Code, §§ 42920 – 42928). The coordinator shall implement the integrated waste management plan. The coordinator shall act as a liaison to other state agencies (as defined by section 40196.3) and coordinators. (Pub. Resources Code, § 42920, subd. (c).)

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<sup>1</sup> Attachment 1, California Integrated Waste Management Board, State Agency Model Integrated Waste Management Plan (February 2000).

5. Divert at least 25 percent of all solid waste from landfill disposal or transformation facilities by January 1, 2002, and at least 50 percent of all solid waste from landfill disposal or transformation facilities by January 1, 2004, through source reduction, recycling, and composting activities. Maintain the required level of reduction, as approved by the Board. (Pub. Resources Code, §§ 42921 & 42922, subd. (i).)

C. Alternative Compliance (*Reimbursable from January 1, 2000 – December 31, 2005*)

1. Seek either an alternative requirement or time extension if a community college is unable to comply with the January 1, 2002 deadline to divert 25 percent of its solid waste, by doing the following: (Pub. Resources Code, §§ 42927 & 42923 subds. (a) & (c).)
  - a. Notify the Board in writing, detailing the reasons for its inability to comply.
  - b. Request of the Board an alternative to the January 1, 2002 deadline.
  - c. Provide evidence to the Board that the college is making a good faith effort to implement the source reduction, recycling, and composting programs identified in its integrated waste management plan.
  - d. Provide information that describes the relevant circumstances that contributed to the request for extension, such as lack of markets for recycled materials, local efforts to implement source reduction, recycling and composting programs, facilities built or planned, waste disposal patterns, and the type of waste disposed of by the community college.
  - e. Submit a plan of correction that demonstrates that the college will meet the requirements of Section 42921 [the 25 and 50 percent diversion requirements] before the time extension expires, including the source reduction, recycling, or composting steps the community college will implement, a date prior to the expiration of the time extension when the requirements of Section 42921 will be met, the existing programs that it will modify, any new programs that will be implemented to meet those requirements, and the means by which these programs will be funded.
2. Seek either an alternative requirement or time extension if a community college is unable to comply with the January 1, 2004 deadline to divert 50 percent of its solid waste, by doing the following: (Pub. Resources Code, §§ 42927 & 42922, subds. (a) & (b).)
  - a. Notify the Board in writing, detailing the reasons for its inability to comply.
  - b. Request of the Board an alternative to the 50-percent requirement.
  - c. Participate in a public hearing on its alternative requirement.
  - d. Provide the Board with information as to:
    - (i) the community college's good faith efforts to implement the source reduction, recycling, and composting measures described in its integrated waste management plan, and demonstration of its progress toward meeting the alternative requirement as described in its annual reports to the Board;
    - (ii) the community college's inability to meet the 50 percent diversion requirement despite implementing the measures in its plan;



- (iii) how the alternative source reduction, recycling, and composting requirement represents the greatest diversion amount that the community college may reasonably and feasibly achieve; and,
- (iv) the circumstances that support the request for an alternative requirement, such as waste disposal patterns and the types of waste disposed by the community college.

D. Accounting System (*Reimbursable starting January 1, 2000*)

Developing, implementing, and maintaining an accounting system to enter and track the college's source reduction, recycling and composting activities, the cost of those activities, the proceeds from the sale of any recycled materials, and such other accounting systems which will allow it to make its annual reports to the state and determine waste reduction. Note: only the pro-rata portion of the costs incurred to implement the reimbursable activities can be claimed.

E. Annual Report (*Reimbursable starting January 1, 2000*)

Annually prepare and submit, by April 1, 2002, and by April 1 each subsequent year, a report to the Board summarizing its progress in reducing solid waste. The information in the report must encompass the previous calendar year and shall contain, at a minimum, the following as outlined in section 42926, subdivision (b): (Pub. Resources Code, §§ 42926, subd. (a) & 42922, subd. (i).)

1. calculations of annual disposal reduction;
2. information on the changes in waste generated or disposed of due to increases or decreases in employees, economics, or other factors;
3. a summary of progress made in implementing the integrated waste management plan;
4. the extent to which the community college intends to use programs or facilities established by the local agency for handling, diversion, and disposal of solid waste (If the college does not intend to use those established programs or facilities, it must identify sufficient disposal capacity for solid waste that is not source reduced, recycled or composted.);
5. for a community college that has been granted a time extension by the Board, it shall include a summary of progress made in meeting the integrated waste management plan implementation schedule pursuant to section 42921, subdivision (b), and complying with the college's plan of correction, before the expiration of the time extension;
6. for a community college that has been granted an alternative source reduction, recycling, and composting requirement by the Board pursuant to section 42922, it shall include a summary of progress made towards meeting the alternative requirement as well as an explanation of current circumstances that support the continuation of the alternative requirement.

F. Annual Recycled Material Reports (*Reimbursable starting July 1, 1999*)

Annually report to the Board on quantities of recyclable materials collected for recycling.  
(Pub. Contract Code, § 12167.1.)

**V. CLAIM PREPARATION AND SUBMISSION**

Each of the following cost elements must be identified for each reimbursable activity identified in Section IV, Reimbursable Activities, of this document. Each claimed reimbursable cost must be supported by source documentation as described in Section IV. Additionally, each reimbursement claim must be filed in a timely manner.

A. Direct Cost Reporting

Direct costs are those costs incurred specifically for the reimbursable activities. The following direct costs are eligible for reimbursement.

1. Salaries and Benefits

Report each employee implementing the reimbursable activities by name, job classification, and productive hourly rate (total wages and related benefits divided by productive hours). Describe the specific reimbursable activities performed and the hours devoted to each reimbursable activity performed.

2. Materials and Supplies

Report the cost of materials and supplies that have been consumed or expended for the purpose of the reimbursable activities. Purchases shall be claimed at the actual price after deducting discounts, rebates, and allowances received by the claimant. Supplies that are withdrawn from inventory shall be charged on an appropriate and recognized method of costing, consistently applied.

3. Contracted Services

Report the name of the contractor and services performed to implement the reimbursable activities. Attach a copy of the contract to the claim. If the contractor bills for time and materials, report the number of hours spent on the activities and all costs charged. If the contract is a fixed price, report the dates when services were performed and itemize all costs for those services.

4. Fixed Assets and Equipment

Report the purchase price paid for fixed assets and equipment (including computers) necessary to implement the reimbursable activities. The purchase price includes taxes, delivery costs, and installation costs. If the fixed asset or equipment is also used for purposes other than the reimbursable activities, only the pro-rata portion of the purchase price used to implement the reimbursable activities can be claimed.

5. Travel

Report the name of the employee traveling for the purpose of the reimbursable activities. Include the date of travel, destination point, the specific reimbursable activity requiring travel, and related travel expenses reimbursed to the employee in compliance with the rules of the local jurisdiction. Report employee travel time according to the rules of cost element

A.1., Salaries and Benefits, for each applicable reimbursable activity.

## 6. Training

Report the cost of training an employee to perform the reimbursable activities, as specified in Section IV of this document. Report the name and job classification of each employee preparing for, attending, and/or conducting training necessary to implement the reimbursable activities. Provide the title, subject, and purpose (related to the mandate of the training session), dates attended, and location. If the training encompasses subjects broader than the reimbursable activities, only the pro-rata portion can be claimed. Report employee training time for each applicable reimbursable activity according to the rules of cost element A.1., Salaries and Benefits, and A.2., Materials and Supplies. Report the cost of consultants who conduct the training according to the rules of cost element A.3., Contracted Services.

## B. Indirect Cost Rates

Indirect costs are costs that have been incurred for common or joint purposes. These costs benefit more than one cost objective and cannot be readily identified with a particular final cost objective without effort disproportionate to the results achieved. After direct costs have been determined and assigned to other activities, as appropriate, indirect costs are those remaining to be allocated to benefited cost objectives. A cost may not be allocated as an indirect cost if any other cost incurred for the same purpose, in like circumstances, has been claimed as a direct cost.

Indirect costs include: (a) the indirect costs originating in each department or agency of the governmental unit carrying out state mandated programs, and (b) the costs of central governmental services distributed through the central service cost allocation plan and not otherwise treated as direct costs.

Community colleges have the option of using: (1) a federally approved rate, utilizing the cost accounting principles from the Office of Management and Budget Circular A-21, "Cost Principles of Educational Institutions"; (2) the rate calculated on State Controller's Form FAM-29C; or (3) a 7% indirect cost rate.

## VI. RECORD RETENTION

Pursuant to Government Code section 17558.5, subdivision (a), a reimbursement claim for actual costs filed by a local agency or school district pursuant to this chapter is subject to the initiation of an audit by the Controller no later than three years after the date that the actual reimbursement claim is filed or last amended, whichever is later. However, if no funds are appropriated or no payment is made to a claimant for the program for the fiscal year for which the claim is filed, the time for the Controller to initiate an audit shall commence to run from the date of initial payment of the claim. In any case, an audit shall be completed not later than two years after the date that the audit is commenced. All documents used to support the reimbursable activities, as described in Section IV, must be retained during the period subject to audit. If an audit has been initiated by the Controller during the period subject to audit, the retention period is extended until the ultimate resolution of any audit findings.

## VII. OFFSETTING REVENUES AND REIMBURSEMENTS

Reimbursement for this mandate from any source, including but not limited to, services fees

collected, federal funds, and other state funds allocated to any service provided under this program, shall be identified and offset from this claim. Offsetting revenue shall include all revenues generated from implementing the Integrated Waste Management Plan.

In addition, revenue from a building-operating fee imposed pursuant to Education Code section 76375, subdivision (a) if received by a claimant and the revenue is applied to this program, shall be deducted from the costs claimed.

#### **VIII. OFFSETTING COST SAVINGS**

Reduced or avoided costs realized from implementation of the community college districts' Integrated Waste Management plans shall be identified and offset from this claim as cost savings, consistent with the directions for revenue in Public Contract Code sections 12167 and 12167.1. Pursuant to these statutes, community college districts are required to deposit cost savings resulting from their Integrated Waste Management plans in the Integrated Waste Management Account in the Integrated Waste Management Fund; the funds deposited in the Integrated Waste Management Account, upon appropriation by the Legislature, may be expended by the California Integrated Waste Management Board for the purpose of offsetting Integrated Waste Management plan costs. Subject to the approval of the California Integrated Waste Management Board, cost savings by a community college that do not exceed two thousand dollars (\$2,000) annually are continuously appropriated for expenditure by the community college for the purpose of offsetting Integrated Waste Management program costs. Cost savings exceeding two thousand dollars (\$2,000) annually may be available for expenditure by the community college only when appropriated by the Legislature. To the extent so approved or appropriated and applied to the college, these amounts shall be identified and offset from the costs claimed for implementing the Integrated Waste Management Plan.

#### **IX. STATE CONTROLLER'S REVISED CLAIMING INSTRUCTIONS**

The Controller shall, within 60 days after receiving amended parameters and guidelines prepare and issue revised claiming instructions for mandates that require state reimbursement after any decision or order of the commission pursuant to section 17559. The claiming instructions shall be derived from the test claim decision and the parameters and guidelines adopted by the Commission. Pursuant to Government Code section 17561, subdivision (d)(2), issuance of the claiming instructions shall constitute a notice of the right of the local agencies and school districts to file reimbursement claims, based upon parameters and guidelines adopted by the Commission. In preparing revised claiming instructions, the Controller may request the assistance of other state agencies. (Gov. Code, § 17558, subdivision (c).)

If revised claiming instructions are issued by the Controller pursuant to subdivision (c) of section 17558 between November 15 and February 15, a local agency or school district filing an annual reimbursement claim shall have 120 days following the issuance date of the revised claiming instructions to file a claim.

#### **X. REMEDIES BEFORE THE COMMISSION**

Upon request of a local agency or school district, the Commission shall review the claiming instructions issued by the State Controller or any other authorized state agency for reimbursement of mandated costs pursuant to Government Code section 17571. If the

Commission determines that the claiming instructions do not conform to the parameters and guidelines, the Commission shall direct the Controller to modify the claiming instructions and the Controller shall modify the claiming instructions to conform to the parameters and guidelines as directed by the Commission.

In addition, requests may be made to amend parameters and guidelines pursuant to Government Code section 17557, subdivision (d), and California Code of Regulations, title 2, section 1183.2.

#### **XI. LEGAL AND FACTUAL BASIS FOR THE PARAMETERS AND GUIDELINES**

The Statement of Decision is legally binding on all parties and provides the legal and factual basis for the parameters and guidelines. The support for the legal and factual findings is found in the administrative record for the test claim. The administrative record, including the Statement of Decision, is on file with the Commission.

<b>CLAIM FOR PAYMENT</b> <b>Pursuant to Government Code Section 17561</b> <b>INTEGRATED WASTE MANAGEMENT</b>			<b>For State Controller Use Only</b> (19) Program Number 00256 (20) Date Filed (21) LRS Input		<b>Program</b> <b>256</b>
(01) Claimant Identification Number			<b>Reimbursement Claim Data</b>		
(02) Claimant Name			(22) FORM-1, (04)(f)		
Address			(23) FORM-1, (05)		
			(24) FORM-1, (08)		
			(25) FORM-1, (09)		
<b>Type of Claim</b>	<b>Estimated Claim</b> (03) Estimated (04) Combined (05) Amended	<b>Reimbursement Claim</b> (09) Reimbursement <input type="checkbox"/> (10) Combined <input type="checkbox"/> (11) Amended <input type="checkbox"/>	(26) FORM-1, (10)		
			(27)		
			(28)		
			(29)		
<b>Fiscal Year of Cost</b>	(06)	(12)	(30)		
<b>Total Claimed Amount</b>	(07)	(13)	(31)		
<b>Less: Late Penalty (refer to claiming instructions)</b>		(14)	(32)		
<b>Less: Prior Claim Payment Received</b>		(15)	(33)		
<b>Net Claimed Amount</b>		(16)	(34)		
<b>Due from State</b>	(08)	(17)	(35)		
<b>Due to State</b>		(18)	(36)		
<b>(37) CERTIFICATION OF CLAIM</b>  <p>In accordance with the provisions of Government Code § 17561, I certify that I am the officer authorized by the community college to file mandated cost claims with the State of California for this program, and certify under penalty of perjury that I have not violated any of the provisions of Government Code Sections 1090 to 1098, inclusive.</p> <p>I further certify that there was no application other than from the claimant, nor any grant or payment received, for reimbursement of costs claimed herein; and such costs are for a new program or increased level of services of an existing program. All offsetting savings and reimbursements set forth in the Parameters and Guidelines are identified, and all costs claimed are supported by source documentation currently maintained by the claimant.</p> <p>The amounts for the Reimbursement Claim are hereby claimed from the State for payment of actual costs set forth on the attached statements. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="width: 45%;">           Signature of Authorized Officer             _____             _____            Type or Print Name         </div> <div style="width: 45%;">           Date             _____             _____            Title         </div> </div>					
(38) Name of Contact Person for Claim		Telephone Number _____ E-mail Address _____			

<b>Program</b> <b>256</b>	<b>INTEGRATED WASTE MANAGEMENT          CERTIFICATION CLAIM FORM          INSTRUCTIONS</b>	<b>FORM          FAM-27</b>
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- (01) Enter the payee number assigned by the State Controller's Office.
- (02) Enter your Official Name, County of Location, Street or P. O. Box address, City, State, and Zip Code.
- (03) Leave blank.
- (04) Leave blank.
- (05) Leave blank.
- (06) Leave blank.
- (07) Leave blank.
- (08) Leave blank.
- (09) If filing a reimbursement claim, enter an "X" in the box on line (09) Reimbursement.
- (10) If filing a combined reimbursement claim on behalf of districts within the county, enter an "X" in the box on line (10) Combined.
- (11) If filing an amended reimbursement claim, enter an "X" in the box on line (11) Amended.
- (12) Enter the fiscal year for which actual costs are being claimed. If actual costs for more than one fiscal year are being claimed, complete a separate form FAM-27 for each fiscal year.
- (13) Enter the amount of the reimbursement claim from Form-1A, line (11). The total claimed amount must exceed \$1,000.
- (14) Reimbursement claims must be filed by **February 15** of the following fiscal year in which costs were incurred or the claims will be reduced by a late penalty. Enter zero if the claim was timely filed, otherwise, enter the product of multiplying line (13) by the factor 0.10 (10 % penalty), not to exceed \$10,000.
- (15) If filing a reimbursement claim or a claim was previously filed for the same fiscal year, enter the amount received for the claim. Otherwise, enter a zero.
- (16) Enter the result of subtracting line (14) and line (15) from line (13).
- (17) If line (16), Net Claimed Amount, is positive, enter that amount on line (17), Due from State.
- (18) If line (16), Net Claimed Amount, is negative, enter that amount on line (18), Due to State.
- (19) to (21) Leave blank.
- (22) to (36) Reimbursement Claim Data. Bring forward the cost information as specified on the left-hand column of lines (22) through (36) for the reimbursement claim, e.g., Form-1, (04)(f), means the information is located on Form-1, block (04), column (f). Enter the information on the same line but in the right-hand column. Cost information should be rounded to the nearest dollar, i.e., no cents. Indirect costs percentage should be shown as a whole number and without the percent symbol, i.e., 7.548% should be shown as 8. **Completion of this data block will expedite the payment process.**
- (37) Read the statement "Certification of Claim." If it is true, the claim must be dated, signed by the district's authorized officer, and must include the person's name and title, typed or printed. **Claims cannot be paid unless accompanied by an original signed certification. (To expedite the payment process, please sign the form FAM-27 with blue ink, and attach a copy of the form FAM-27 to the top of the claim package.)**
- (38) Enter the name, telephone number, and e-mail address of the person to contact if additional information is required.

**SUBMIT A SIGNED ORIGINAL, AND A COPY OF FORM FAM-27, WITH ALL OTHER FORMS AND SUPPORTING DOCUMENTS TO:**

**Address, if delivered by U.S. Postal Service:**

OFFICE OF THE STATE CONTROLLER  
 ATTN: Local Reimbursements Section  
 Division of Accounting and Reporting  
 P.O. Box 942850  
 Sacramento, CA 94250

**Address, if delivered by other delivery service:**

OFFICE OF THE STATE CONTROLLER  
 ATTN: Local Reimbursements Section  
 Division of Accounting and Reporting  
 3301 C Street, Suite 500  
 Sacramento, CA 95816

<b>Program</b> <span style="font-size: 1.5em; font-weight: bold;">256</span>	<b>MANDATED COSTS</b> <b>INTEGRATED WASTE MANAGEMENT</b> <b>CLAIM SUMMARY</b>					<b>FORM</b> <span style="font-size: 1.5em; font-weight: bold;">1A</span>	
(01) Claimant				(02) Type of Claim Reimbursement		Fiscal Year	
<b>Direct Costs</b>		<b>Object Accounts</b>					
(03) Reimbursable Activities		(a) Salaries and Benefits	(b) Materials and Supplies	(c) Contract Services	(d) Fixed Assets	(e) Travel and Training	(f) Total
<b>A. One-Time Activity</b>							
1. Develop Policies and Procedures							
2. Train District Staff on IWM Plan							
<b>B. Ongoing Activities</b>							
1. Complete and Submit IWM Plan to Board							
2. Respond to Board Requirements							
3. Consult with Board to Revise Plan							
4. Designate Coordinator for Each College							
5. Divert Solid Waste/Maintain Required Level							
(04) Total Direct Costs							
<b>Indirect Costs</b>							
(05) Indirect Cost Rate				[Refer to Claiming Instructions]			
(06) Total Indirect Costs				[Refer to Claiming Instructions]			
(07) Total Direct and Indirect Costs				[Line (05)(f) + line (07)]			
(08) Total from Forms 1A, 1B, and 1C				[Add 1A(07) + 1B(07) + 1C(07)]			
<b>Cost Reduction</b>							
(09) Less: Offsetting Savings							
(10) Less: Other Reimbursements							
(11) Total Claimed Amount						[Line (08) - {line (09) + line (10)}]	



<b>Program</b>  <b>256</b>	<b>MANDATED COSTS</b> <b>INTEGRATED WASTE MANAGEMENT</b> <b>CLAIM SUMMARY</b> <b>INSTRUCTIONS</b>	<b>FORM</b>  <b>1A</b>
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- (01) Enter the name of the claimant.
- (02) Enter the fiscal year of costs.
- (03) Reimbursable Activities. For each reimbursable activity, enter the totals from form Form-2A, line (09), columns (d) through (h), to form Form-1A, block (03), columns (a) through (e), in the appropriate row. Total each row.
- (B)(5) Divert Solid Waste/Maintain Required Level. If this activity is claimed, Form 1B for Alternative Compliance must not be completed.**
- (04) Total Direct Costs. Total columns (a) through (f).
- (05) Use the SCO FAM-29C, Flat 7%, or Federally Approved OMB A-21 methodology if specifically allowed by the P's and G's for this program. **See the Community College Mandated Cost Manual, Section 9, Indirect Costs for important instructions on claiming indirect costs using the Federally Approved OMB A-21 Rate for electronic claims.**
- (06) Enter the result of multiplying *Salaries and Benefits Only*, line (04)(a), by the *Indirect cost rate*, line (05).
- (07) Total Direct and Indirect Costs. Enter the sum of Total Direct Costs, line (04)(f), and Total Indirect Costs, line (06).
- (08) Enter the sum total of Forms 1A, 1B and 1C here.
- (09) Less: Offsetting Savings. If applicable, enter the total savings experienced by the claimant as a direct result of this mandate, such as reduction in disposal costs, staff reductions (including benefits), materials and supplies (less purchases due to re-use), elimination of storage, reduction in transportation costs, equipment, and any other relevant reduction in costs. Submit a detailed schedule of savings with the claim.
- (10) Less: Other Reimbursements. If applicable, enter the amount of other reimbursements received from any source including, but not limited to, sale of recyclables, sale of surplus equipment, service fees collected, federal funds, and other state funds, which reimbursed any portion of the mandated cost program. Submit a schedule detailing the reimbursement sources and amounts.
- (11) Total Claimed Amount. From Total Direct and Indirect Costs, line (08), subtract the sum of Offsetting Savings, line (09), and Other Reimbursements, line (10). Enter the remainder on this line and carry the amount forward to form FAM-27, line (13) for the Reimbursement Claim.

<b>Program</b> <span style="font-size: 24pt; font-weight: bold;">256</span>	<b>MANDATED COSTS</b> <b>INTEGRATED WASTE MANAGEMENT</b> <b>CLAIM SUMMARY</b>	<b>FORM</b> <span style="font-size: 24pt; font-weight: bold;">1B</span>				
(01) Claimant		(02) Type of Claim Reimbursement				
Fiscal Year						
<b>C. Alternative Compliance (From 01/01/2000 to 12/31/2005) Do not complete if B5 on Form 1A is claimed.</b>						
(03) Reimbursable Activities: Choose either 1 or 2, as applicable.						
<b>Direct Costs</b>	<b>Object Accounts</b>					
1. <b>Alternative Requirement of Time Extension</b> {If unable to comply with 01/01/02 deadline to divert 25% of solid waste per PRCE 42927 & 42923 (a) & (c)}	(a) Salaries and Benefits	(b) Materials and Supplies	(c) Contract Services	(d) Fixed Assets	(e) Travel and Training	(f) Total
a. Provide Written Notification to the Board						
b. Request Alternative from the Board						
c. Provide Evidence to the Board						
d. Provide Relevant Information						
e. Submit Plan of Correction						
(04) Total Direct Costs						
<b>Direct Costs</b>	<b>Object Accounts</b>					
2. <b>Alternative Requirement of Time Extension</b> {If unable to comply with 01/01/04 deadline to divert 25% of solid waste per PRCE 42927 & 42922 (a) & (b)}	(a) Salaries and Benefits	(b) Materials and Supplies	(c) Contract Services	(d) Fixed Assets	(e) Travel and Training	(f) Total
a. Provide Written Notification to the Board						
b. Request Alternative from the Board						
c. Participate in Public Hearing						
d. Provide Information to the Board						
(04) Total Direct Costs						
<b>Indirect Costs</b>						
(05) Indirect Cost Rate				[Refer to Claiming Instructions]		
(06) Total Indirect Costs				[Refer to Claiming Instructions]		
(07) Total Direct and Indirect Costs				[Line (05)(f) + line (06)] [Forward total to Form-1A, line (08)]		

Program <b>256</b>	<b>MANDATED COSTS          INTEGRATED WASTE MANAGEMENT          CLAIM SUMMARY</b>	FORM <b>1B</b>
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This form is to be completed only if the community college is unable to comply with the reimbursable activity, listed on the P's and G's page 6, under IV. REIMBURSABLE ACTIVITIES, B.5., Ongoing Activities, and listed on Form-1A as Divert Solid Waste/Maintain Required Level.

Choose either Reimbursable Activity 1 or 2, as applicable.

If the community college is unable to comply with the **January 1, 2002**, deadline to divert at least **25%** of all solid waste from landfill disposal or transformation facilities, complete **Reimbursable Activity 1**.

If the community college is unable to comply with the **January 1, 2004**, deadline to divert at least **50%** of all solid waste from landfill disposal or transformation facilities, complete **Reimbursable Activity 2**.

- (01) Enter the name of the claimant.
- (02) Enter the fiscal year of claim.
- (03) Reimbursable Activities. For each reimbursable activity, enter the total from form 2B, line (09), columns (d) through (h) to form 1A, block (03), columns (a) through (e) in the appropriate row. Total each row.
- (04) Total Direct Costs. Total columns (a) through (f).
- (05) Use the SCO FAM-29C, Flat 7%, or Federally Approved OMB A-21 methodology if specifically allowed by the P's and G's for this program. **See the Community College Mandated Cost Manual, Section 9, Indirect Costs for important instructions on claiming indirect costs using the Federally Approved OMB A-21 Rate for electronic claims.**
- (06) Depending on the direct cost method used, enter the result of multiplying *Salaries and Benefits Only*, line (04)(1)(a) or line (04)(2)(a), by the *Indirect cost rate*, line (05).
- (07) Total Direct and Indirect Costs. Actual Cost Method: Enter the sum of Total Direct Costs, line (04)(f), and Total Indirect Costs, line (06). Forward this amount to Form-1A, line (08).

<b>Program</b> <span style="font-size: 1.5em; font-weight: bold;">256</span>	<b>MANDATED COSTS</b> <b>INTEGRATED WASTE MANAGEMENT</b> <b>CLAIM SUMMARY</b>						<b>FORM</b> <span style="font-size: 1.5em; font-weight: bold;">1C</span>
(01) Claimant				(02) Type of Claim Reimbursement		Fiscal Year	
<b>Direct Costs</b>		<b>Object Accounts</b>					
(03)	Reimbursable Activities	(a) Salaries and Benefits	(b) Materials and Supplies	(c) Contract Services	(d) Fixed Assets	(e) Travel and Training	(f) Total
<b>D. Accounting System</b>		Reimbursement begins January 1, 2000					
1.	Develop, Implement & Maintain System						
<b>E. Annual Report of Progress</b>		Reimbursement begins January 1, 2000					
1.	Calculations of Annual Disposal Reduction						
2.	Information on the Changes						
3.	Summary of Process Made in IWM Plan						
4.	The Extent of CCD's Use of IWM Plan						
5.	Time Extension Summary of Progress						
6.	Alternative Reduction Summary of Progress						
<b>F. Annual Recycled Material Reports</b>		Reimbursement begins July 1, 1999					
1.	Annual Report to the Board						
(04) Total Direct Costs							
<b>Indirect Costs</b>							
(05) Indirect Cost Rate				[Refer to Claiming Instructions]			
(06) Total Indirect Costs				[Refer to Claiming Instructions]			
(07) Total Direct and Indirect Costs				[Line (04)(f) + line (06)]		[Forward total to Form-1A, line (08)]	

<b>Program</b> <b>256</b>	<b>MANDATED COSTS</b> <b>INTEGRATED WASTE MANAGEMENT</b> <b>CLAIM SUMMARY</b> <b>INSTRUCTIONS</b>	<b>FORM</b> <b>1C</b>
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- (01) Enter the name of the claimant.
- (02) Enter the fiscal year of costs.
- (03) Reimbursable Activities. For each reimbursable activity, enter the totals from form Form-2C, line (09), columns (d) through (h), to form Form-1C, block (03), columns (a) through (e), in the appropriate row. Total each row.
- (B)(5) Divert Solid Waste/Maintain Required Level. If this activity is claimed, Form 1B for Alternative Compliance must not be completed.
- (04) Total Direct Costs. Total columns (a) through (f).
- (05) Use the SCO FAM-29C, Flat 7%, or Federally Approved OMB A-21 methodology if specifically allowed by the P's and G's for this program. **See the Community College Mandated Cost Manual, Section 9, Indirect Costs for important instructions on claiming indirect costs using the Federally Approved OMB A-21 Rate for electronic claims.**
- (06) Enter the result of multiplying *Salaries and Benefits Only*, line (04)(a), by the *Indirect cost rate*, line (05).
- (07) Total Direct and Indirect Costs. Enter the sum of Total Direct Costs, line (04)(f), and Total Indirect Costs, line (06). Forward this total to Form-1A, line (08).

<b>Program</b> <div style="font-size: 24pt; font-weight: bold;">256</div>	<b>MANDATED COSTS</b> <b>INTEGRATED WASTE MANAGEMENT</b> <b>COMPONENT/ACTIVITY COST DETAIL</b>						<b>FORM</b> <div style="font-size: 24pt; font-weight: bold;">2A</div>
(01) Claimant						(02) Fiscal Year	
(03) If filing a combined claim, enter the combined claimant name below. <div style="text-align: center; font-weight: bold;">Electronic Claim Only</div>				(04) If filing by departments with different indirect cost rates, enter the department name below. <div style="text-align: center; font-weight: bold;">Electronic Claim Only</div>			
(05) Indirect Cost Rate <div style="text-align: center; font-weight: bold;">Electronic Claim Only</div>				(06) Indirect Cost Rate Base <div style="text-align: center; font-weight: bold;">Electronic Claim Only</div>			
(07) Reimbursable Components: Check only one box per form to identify the activity being claimed.							
<b>One-Time Activities</b>  <input type="checkbox"/> Development of Policies and Procedures  <input type="checkbox"/> Train District Staff on IWM Plan				<b>Ongoing Activities</b>  <input type="checkbox"/> Complete and Submit of IWM Plan to Board <input type="checkbox"/> Respond to Board Requirements <input type="checkbox"/> Consult with Board to Revise Plan <input type="checkbox"/> Designate Coordinator for Each College <input type="checkbox"/> Divert Solid Waste/Maintain Required Level			
(08) Description of Expenses			Object Accounts				
(a) Employee Names, Job Classifications, Functions Performed and Description of Expenses	(b) Hourly Rate or Unit Cost	(c) Hours Worked or Quantity	(d) Salaries and Benefits	(e) Materials and Supplies	(f) Contract Services	(g) Fixed Assets	(h) Travel and Training
(09) Total <input type="checkbox"/> Subtotal <input type="checkbox"/> Page: ____ of ____							

<b>Program</b> <b>256</b>	<b>INTEGRATED WASTE MANAGEMENT COMPONENT/ACTIVITY COST DETAIL INSTRUCTIONS</b>	<b>FORM</b> <b>2A</b>
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(01) Enter the name of the claimant.

(02) Enter the fiscal year for which costs were incurred.

(03) Leave blank.

(04) Leave blank.

(05) Leave blank.

(06) Leave blank.

(07) Reimbursable Activities. Check the box that indicates the activity being claimed. Check only one box per form. A separate Form-2 must be prepared for each applicable activity.

(08) Description of Expenses. The following table identifies the type of information required to support reimbursable costs. To detail costs for the activity box "checked" in block (03), enter the employee names, position titles, a brief description of the activities performed, actual time spent by each employee, productive hourly rates, fringe benefits, supplies used, contract services, and travel and training expenses. **The descriptions required in column (4)(a) must be of sufficient detail to explain the cost of activities or items being claimed.** For audit purposes, all supporting documents must be retained by the claimant for a period of not less than three years after the date the claim was filed or last amended, whichever is later. If no funds were appropriated and no payment was made at the time the claim was filed, the time for the Controller to initiate an audit shall be from the date of initial payment of the claim. Such documents shall be made available to SCO on request.

Object/ Sub object Accounts	Columns								Submit supporting documents with the claim
	(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	
<b>Salaries and Benefits</b>									
Salaries	Employee Name/Title	Hourly Rate	Hours Worked	Salaries = Hourly Rate x Hours Worked					
Benefits	Activities Performed	Benefit Rate		Benefits = Benefit Rate x Salaries					
<b>Materials and Supplies</b>	Description of Supplies Used	Unit Cost	Quantity Used		Cost = Unit Cost x Quantity Used				
<b>Contract Services</b>	Name of Contractor Specific Tasks Performed	Hourly Rate	Hours Worked Inclusive Dates of Service			Cost=Hourly Rate x Hours Worked or Total Contract Cost			Copy of Contract and Invoices
<b>Fixed Assets</b>	Description of Equipment Purchased	Unit Cost	Usage				Cost= Unit Cost x Usage		
<b>Travel and Training</b>	Purpose of Trip Name and Title Departure and Return Date	Per Diem Rate Mileage Rate Travel Cost	Days Miles Travel Mode					Total Travel Cost = Rate x Days or Miles	
Training	Employee Name/Title Name of Class		Dates Attended					Registration Fee	

(09) Total line (08), columns (d) through (h) and enter the sum on this line. Check the appropriate box to indicate if the amount is a total or subtotal. If more than one form is needed to detail the activity costs, number each page. Enter totals from line (09), columns (d) through (h) to Form-1A, block (03), columns (a) through (e) in the appropriate row.

<b>Program</b> <span style="font-size: 1.5em; font-weight: bold;">256</span>	<b>MANDATED COSTS</b> <b>INTEGRATED WASTE MANAGEMENT</b> <b>COMPONENT/ACTIVITY COST DETAIL</b>						<b>FORM</b> <span style="font-size: 1.5em; font-weight: bold;">2B</span>
(01) Claimant						(02) Fiscal Year	
(03) If filing a combined claim, enter the combined claimant name below: <div style="text-align: center; font-weight: bold;">Electronic Claim Only</div>				(04) If filing by departments with different indirect cost rates, enter the department name below: <div style="text-align: center; font-weight: bold;">Electronic Claim Only</div>			
(05) Indirect Cost Rate: <div style="text-align: center; font-weight: bold;">Electronic Claim Only</div>				(06) Indirect Cost Rate Base: <div style="text-align: center; font-weight: bold;">Electronic Claim Only</div>			
(07) Reimbursable Components: Check only one box per form to identify the activity being claimed.							
<b>1. Alternative Requirement or Time</b> <input type="checkbox"/> Provide Written Notification to the Board <input type="checkbox"/> Request Alternative from the Board <input type="checkbox"/> Provide Evidence to the Board <input type="checkbox"/> Provide Relevant Information <input type="checkbox"/> Submit Plan of Correction				<b>2. Alternative Requirement or Time Extension</b> <input type="checkbox"/> Provide Written Notification to the Board <input type="checkbox"/> Request Alternative from the Board <input type="checkbox"/> Participate in Public Hearing <input type="checkbox"/> Provide Information to the Board			
<b>(08) Description of Expenses</b>			<b>Object Accounts</b>				
(a) Employee Names, Job Classifications, Functions Performed and Description of Expenses	(b) Hourly Rate or Unit Cost	(c) Hours Worked or Quantity	(d) Salaries and Benefits	(e) Materials and Supplies	(f) Contract Services	(g) Fixed Assets	(h) Travel and Training
(09) Total <input type="checkbox"/> Subtotal <input type="checkbox"/> Page: ____ of ____							



<b>Program</b> <b>256</b>	<b>INTEGRATED WASTE MANAGEMENT COMPONENT/ACTIVITY COST DETAIL INSTRUCTIONS</b>	<b>FORM</b> <b>2B</b>
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- (01) Enter the name of the claimant.
- (02) Enter the fiscal year for which costs were incurred.
- (03) Leave blank.
- (04) Leave blank.
- (05) Leave blank.
- (06) Leave blank.
- (07) Reimbursable Activities. Check the box that indicates the activity being claimed. Check only one box per form. A separate Form-2 must be prepared for each applicable activity.
- (08) Description of Expenses. The following table identifies the type of information required to support reimbursable costs. To detail costs for the activity box "checked" in block (03), enter the employee names, position titles, a brief description of the activities performed, actual time spent by each employee, productive hourly rates, fringe benefits, supplies used, contract services, and travel and training expenses. **The descriptions required in column (4)(a) must be of sufficient detail to explain the cost of activities or items being claimed.** For audit purposes, all supporting documents must be retained by the claimant for a period of not less than three years after the date the claim was filed or last amended, whichever is later. If no funds were appropriated and no payment was made at the time the claim was filed, the time for the Controller to initiate an audit shall be from the date of initial payment of the claim. Such documents shall be made available to SCO on request.

Object/ Sub object Accounts	Columns								Submit supporting documents with the claim
	(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	
<b>Salaries and Benefits</b>									
Salaries	Employee Name/Title	Hourly Rate	Hours Worked	Salaries = Hourly Rate x Hours Worked					
Benefits	Activities Performed	Benefit Rate		Benefits = Benefit Rate x Salaries					
<b>Materials and Supplies</b>	Description of Supplies Used	Unit Cost	Quantity Used		Cost = Unit Cost x Quantity Used				
<b>Contract Services</b>	Name of Contractor Specific Tasks Performed	Hourly Rate	Hours Worked Inclusive Dates of Service			Cost=Hourly Rate x Hours Worked or Total Contract Cost			Copy of Contract and Invoices
<b>Fixed Assets</b>	Description of Equipment Purchased	Unit Cost	Usage				Cost= Unit Cost x Usage		
<b>Travel and Training</b>	Purpose of Trip Name and Title Departure and Return Date	Per Diem Rate Mileage Rate Travel Cost	Days Miles Travel Mode					Total Travel Cost = Rate x Days or Miles	
Travel									
Training	Employee Name/Title Name of Class		Dates Attended					Registration Fee	

- (09) Total line (08), columns (d) through (h) and enter the sum on this line. Check the appropriate box to indicate if the amount is a total or subtotal. If more than one form is needed to detail the activity costs, number each page. Enter totals from line (09), columns (d) through (h) to Form-1A, block (03), columns (a) through (e) in the appropriate row.

<b>Program</b> <span style="font-size: 1.5em; font-weight: bold;">256</span>	<b>MANDATED COSTS</b> <b>INTEGRATED WASTE MANAGEMENT</b> <b>COMPONENT/ACTIVITY COST DETAIL</b>						<b>FORM</b> <span style="font-size: 1.5em; font-weight: bold;">2C</span>
(01) Claimant						(02) Fiscal Year	
(03) If filing a combined claim, enter the combined claimant name below: <div style="text-align: center;">Electronic Claim Only</div>				(04) If filing by departments with different indirect cost rates, enter the department name below: <div style="text-align: center;">Electronic Claim Only</div>			
(05) Indirect Cost Rate: <div style="text-align: center;">Electronic Claim Only</div>				(06) Indirect Cost Rate Base: <div style="text-align: center;">Electronic Claim Only</div>			
(07) Reimbursable Activities: Check only one box per form to identify the activity being claimed.							
<b>D. Accounting System</b>  <input type="checkbox"/> Develop, Implement & Maintain System				<b>E. Annual Report of Progress</b>  <input type="checkbox"/> Calculations of Annual Disposal Reduction  <input type="checkbox"/> Information on the Changes  <input type="checkbox"/> Summary of Progress Made in IWM Plan  <input type="checkbox"/> The Extent of CCD's Use of IWM Plan  <input type="checkbox"/> Time Extension Summary of Progress  <input type="checkbox"/> Alternative Reduction Summary of Progress			
<b>F. Annual Recycled Material Reports</b>  <input type="checkbox"/> Annual Report to the Board							
(08) Description of Expenses			Object Accounts				
(a) Employee Names, Job Classifications, Functions Performed and Description of Expenses	(b) Hourly Rate or Unit Cost	(c) Hours Worked or Quantity	(d) Salaries and Benefits	(e) Materials and Supplies	(f) Contract Services	(g) Fixed Assets	(h) Travel and Training
(09) Total <input type="checkbox"/> Subtotal <input type="checkbox"/> Page: ____ of ____							

<b>Program</b> <b>256</b>	<b>INTEGRATED WASTE MANAGEMENT COMPONENT/ACTIVITY COST DETAIL INSTRUCTIONS</b>	<b>FORM</b> <b>2C</b>
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- (01) Enter the name of the claimant.
- (02) Enter the fiscal year for which costs were incurred.
- (03) Leave blank.
- (04) Leave blank.
- (05) Leave blank.
- (06) Leave blank.
- (07) Reimbursable Activities. Check the box that indicates the activity being claimed. Check only one box per form. A separate Form-2 must be prepared for each applicable activity.
- (08) Description of Expenses. The following table identifies the type of information required to support reimbursable costs. To detail costs for the activity box "checked" in block (03), enter the employee names, position titles, a brief description of the activities performed, actual time spent by each employee, productive hourly rates, fringe benefits, supplies used, contract services, and travel and training expenses. **The descriptions required in column (4)(a) must be of sufficient detail to explain the cost of activities or items being claimed.** For audit purposes, all supporting documents must be retained by the claimant for a period of not less than three years after the date the claim was filed or last amended, whichever is later. If no funds were appropriated and no payment was made at the time the claim was filed, the time for the Controller to initiate an audit shall be from the date of initial payment of the claim. Such documents shall be made available to SCO on request.

Object/ Sub object Accounts	Columns								Submit supporting documents with the claim
	(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	
<b>Salaries and Benefits</b>									
Salaries	Employee Name/Title	Hourly Rate	Hours Worked	Salaries = Hourly Rate x Hours Worked					
Benefits	Activities Performed	Benefit Rate		Benefits = Benefit Rate x Salaries					
<b>Materials and Supplies</b>	Description of Supplies Used	Unit Cost	Quantity Used		Cost = Unit Cost x Quantity Used				
<b>Contract Services</b>	Name of Contractor Specific Tasks Performed	Hourly Rate	Hours Worked Inclusive Dates of Service			Cost=Hourly Rate x Hours Worked or Total Contract Cost			Copy of Contract and Invoices
<b>Fixed Assets</b>	Description of Equipment Purchased	Unit Cost	Usage				Cost= Unit Cost x Usage		
<b>Travel and Training</b>	Purpose of Trip Name and Title Departure and Return Date	Per Diem Rate Mileage Rate Travel Cost	Days Miles Travel Mode					Total Travel Cost = Rate x Days or Miles	
Travel									
Training	Employee Name/Title Name of Class		Dates Attended					Registration Fee	

- (09) Total line (08), columns (d) through (h) and enter the sum on this line. Check the appropriate box to indicate if the amount is a total or subtotal. If more than one form is needed to detail the activity costs, number each page. Enter totals from line (09), columns (d) through (h) to Form-1A, block (03), columns (a) through (e) in the appropriate row.





## FILING A CLAIM

### 1. Introduction

The law in the State of California, (GC Sections 17500 through 17617), provides for the reimbursement of costs incurred by community college districts (CCD) for costs mandated by the State. Costs mandated by the State means any increased costs which a CCD is required to incur after July 1, 1980, as a result of any statute enacted after January 1, 1975, or any executive order implementing such statute which mandates a new program or higher level of service of an existing program.

Estimated claims that show costs to be incurred in the current fiscal year and reimbursement claims that detail the costs actually incurred for the prior fiscal year may be filed with the State Controller's Office (SCO). Claims for on-going programs are filed annually by January 15. Claims for new programs are filed within 120 days from the date claiming instructions are issued for the program. A 10 percent penalty, up to \$1,000 for continuing claims, no limit for initial claims, is assessed for late claims. The SCO may audit the records of any CCD to verify the actual amount of mandated costs and may reduce any claim that is excessive or unreasonable.

When a program has been reimbursed for three or more years, the Commission on State Mandates (COSM) may approve the program for inclusion in the State Mandates Apportionment System (SMAS). For programs included in SMAS, the SCO determines the amount of each claimant's entitlement based on an average of three consecutive fiscal years of actual costs adjusted by any changes in the Implicit Price Deflator (IPD). Claimants with an established entitlement receive an annual apportionment adjusted by any changes in the IPD and, under certain circumstances, by any changes in workload. Claimants with an established entitlement do not file further claims for the program.

The SCO is authorized to make payments for costs of mandated programs from amounts appropriated by the State Budget Act, by the State Mandates Claims Fund, or by specific legislation. In the event the appropriation is insufficient to pay claims in full, claimants will receive prorated payments in proportion to the dollar amount of approved claims for the program. Balances of prorated payments will be made when supplementary funds are made available.

The instructions contained in this manual are intended to provide general guidance for filing a mandated cost claim. Since each mandate is administered separately, it is important to refer to the specific program for information relating to established policies on eligible reimbursable costs.

### 2. Types of Claims

There are three types of claims: Reimbursement, estimated, and entitlement. A claimant may file a reimbursement claim for actual mandated costs incurred in the prior fiscal year or may file an estimated claim for mandated costs to be incurred during the current fiscal year. An entitlement claim may be filed for the purpose of establishing a base year entitlement amount for mandated programs included in SMAS. A claimant who has established a base year entitlement for a program, would receive an automatic annual payment which is reflective of the current costs for the program.

All claims received by the SCO will be reviewed to verify actual costs. An adjustment of the claim will be made if the amount claimed is determined to be excessive, improper, or unreasonable. The claim must be filed with sufficient documentation to support the costs claimed. The types of documentation required to substantiate a claim are identified in the instructions for the program. The certification of claim, form FAM-27, must be signed and dated by the entity's authorized officer in order for the SCO to make payment on the claim.

**A. Reimbursement Claim**

A reimbursement claim is defined in GC Section 17522 as any claim filed with the SCO by a CCD for reimbursement of costs incurred for which an appropriation is made for the purpose of paying the claim. The claim must include supporting documentation to substantiate the costs claimed.

Initial reimbursement claims are first-time claims for reimbursement of costs for one or more prior fiscal years of a program that was previously unfunded. Claims are due 120 days from the date of issuance of the claiming instructions for the program by the SCO. The first statute that appropriates funds for the mandated program will specify the fiscal years for which costs are eligible for reimbursement.

Annual reimbursement claims must be filed by January 15 following the fiscal year in which costs were incurred for the program. A reimbursement claim must detail the costs actually incurred in the prior fiscal year.

An actual claim for 2005-06 fiscal year, may be filed by January 15, 2007 without a late penalty. Claims filed after the deadline will be reduced by a late penalty of 10%, not to exceed \$1,000. However, initial reimbursement claims will be reduced by a late penalty of 10% with no limitation. In order for a claim to be considered properly filed, it must include any specific supporting documentation requested in the instructions. Claims filed more than one year after the deadline or without the requested supporting documentation will not be accepted.

**B. Estimated Claim**

An estimated claim is defined in GC Section 17522 as any claim filed with the SCO, during the fiscal year in which the mandated costs are to be incurred by the CCD, against an appropriation made to the SCO for the purpose of paying those costs.

An estimated claim may be filed in conjunction with an initial reimbursement claim, annual reimbursement claim, or at other times for estimated costs to be incurred during the current fiscal year. Annual estimated claims are due January 15 of the fiscal year in which the costs are to be incurred. Initial estimated claims are due on the date specified in the claiming instructions. Timely filed estimated claims are paid before those filed after the deadline.

After receiving payment for an estimated claim, the claimant must file a reimbursement claim by January 15 following the fiscal year in which costs were incurred. If the claimant fails to file a reimbursement claim, monies received for the estimated claims must be returned to the State.

**C. Entitlement Claim**

An entitlement claim is defined in GC Section 17522 as any claim filed by a CCD with the SCO for the sole purpose of establishing or adjusting a base year entitlement for a mandated program that has been included in SMAS. An entitlement claim should not contain nonrecurring or initial start-up costs. There is no statutory deadline for the filing of entitlement claims. However, entitlement claims and supporting documents should be filed by January 15, following the third fiscal year used to develop the entitlement claim, to permit an orderly processing of claims. When the claims are approved and a base year entitlement amount is determined, the claimant will receive an apportionment reflective of the program's current year costs.

Once a mandate has been included in SMAS and the claimant has established a base year entitlement, the claimant will receive automatic payments from the SCO for the mandate. The automatic apportionment is determined by adjusting the claimant's base year entitlement for changes in the implicit price deflator of costs of goods and services to governmental agencies, as determined by the State Department of Finance. For programs approved by the COSM for inclusion in SMAS on or after January 1, 1988, the payment for each year succeeding the three

year base period is adjusted according to any changes by both the deflator and average daily attendance. Annual apportionments for programs included in the system are paid on or before November 30 of each year.

A base year entitlement is determined by computing an average of the claimant's costs for any three consecutive years after the program has been approved for the SMAS process. The amount is first adjusted according to any changes in the deflator. The deflator is applied separately to each year's costs for the three years, which comprise the base year. The SCO will perform this computation for each claimant who has filed claims for three consecutive years. If a claimant has incurred costs for three consecutive years but has not filed a claim in each of those years, the claimant may file an entitlement claim, form FAM-43, to establish a base year entitlement. The form FAM-43 is included in the claiming instructions for SMAS programs. An entitlement claim does not result in the claimant being reimbursed for the costs incurred, but rather entitles the claimant to receive automatic payments from SMAS.

### **3. Minimum Claim Amount**

For initial claims and annual claims filed on or after September 30 2002, if the total costs for a given year do not exceed \$1,000, no reimbursement shall be allowed except as otherwise allowed by GC Section 17564.

### **4. Filing Deadline for Claims**

Initial reimbursement claims (first-time claims) for reimbursement of costs of a previously unfunded mandated program must be filed within 120 days from the date of issuance of the program's claiming instructions by the SCO. If the initial reimbursement claim is filed after the deadline, but within one year of the deadline, the approved claim must be reduced by a 10% penalty. A claim filed more than one year after the deadline cannot be accepted for reimbursement.

Annual reimbursement claims for costs incurred during the previous fiscal year and estimated claims for costs to be incurred during the current fiscal year must be filed with the SCO and postmarked on or before January 15. If the annual or estimated reimbursement claim is filed after the deadline, but within one year of the deadline, the approved claim must be reduced by a 10% late penalty, not to exceed \$1,000. Claims must include supporting data to show how the amount claimed was derived. Without this information, the claim cannot be accepted.

Entitlement claims do not have a filing deadline. However, entitlement claims and supporting documents should be filed by January 15 to permit an orderly processing of claims. Entitlement claims are used to establish a base year entitlement amount for calculating automatic annual payments. Entitlement does not result in the claimant being reimbursed for costs incurred, but rather entitles the claimant to receive automatic payments from SMAS.

### **5. Payment of Claims**

In order for the SCO to authorize payment of a claim, the Certification of Claim, form FAM-27, must be properly filled out, signed, and dated by the entity's authorized officer.

Reimbursement and estimated claims are paid within 60 days of the filing deadline for the claim, or 15 days after the date the appropriation for the claim is effective, whichever is later. A claimant is entitled to receive accrued interest at the pooled money investment account rate if the payment was made more than 60 days after the claim filing deadline or the actual date of claim receipt, whichever is later. For an initial claim, interest begins to accrue when the payment is made more than 365 days after the adoption of the program's statewide cost estimate. The SCO may withhold up to 20 percent of the amount of an initial claim until the claim is audited to verify the actual amount of the mandated costs. The 20 percent withheld is not subject to accrued interest.



In the event the amount appropriated by the Legislature is insufficient to pay the approved amount in full for a program, claimants will receive a prorated payment in proportion to the amount of approved claims timely filed and on hand at the time of proration.

The SCO reports the amounts of insufficient appropriations to the State Department of Finance, the Chairperson of the Joint Legislative Budget Committee, and the Chairperson of the respective committee in each house of the Legislature, which consider appropriations in order to assure appropriation of these funds in the Budget Act. If these funds cannot be appropriated on a timely basis in the Budget Act, this information is transmitted to the COSM which will include these amounts in its report to assure that an appropriation sufficient to pay the claims is included in the next local government claims bill or other appropriation bills. When the supplementary funds are made available, the balance of the claims will be paid.

Unless specified in the statutes, regulations, or P's & G's, the determination of allowable and unallowable costs for mandates is based on the P's & G's adopted by the COSM. The determination of allowable reimbursable mandated costs for unfunded mandates is made by the COSM. The SCO determines allowable reimbursable costs, subject to amendment by the COSM, for mandates funded by special legislation. Unless specified, allowable costs are those direct and indirect costs, less applicable credits, considered to be eligible for reimbursement. In order for costs to be allowable and thus eligible for reimbursement, the costs must meet the following general criteria:

1. The cost is necessary and reasonable for proper and efficient administration of the mandate and not a general expense required to carry out the overall responsibilities of government.
2. The cost is allocable to a particular cost objective identified in the P's & G's.
3. The cost is net of any applicable credits that offset or reduce expenses of items allocable to the mandate.

The SCO has identified certain costs that should not be claimed as direct program costs unless specified as reimbursable under the program's P's & G's. These costs include, but are not limited to, subscriptions, depreciation, memberships, conferences, workshops general education, and travel costs.

## **6. State Mandates Apportionment System (SMAS)**

Chapter 1534, Statutes of 1985, established SMAS, a method of paying certain mandated programs as apportionments. This method is utilized whenever a program has been approved for inclusion in SMAS by the COSM.

When a mandated program has been included in SMAS, the SCO will determine a base year entitlement amount for each CCD that has submitted reimbursement claims (or entitlement claims) for three consecutive fiscal years. A base year entitlement amount is determined by averaging the approved reimbursement claims (or entitlement claims) for 1982-83, 1983-84, and 1984-85 years or any three consecutive fiscal years thereafter. The amounts are first adjusted by any change in the Implicit Price Deflator (IPD), which is applied separately to each year's costs for the three years that comprise the base period. The base period means the three fiscal years immediately succeeding the COSM's approval.

Each CCD with an established base year entitlement for the program will receive automatic annual payments from the SCO reflective of the program's current year costs. The amount of apportionment is adjusted annually for any change in the IPD. If the mandated program was included in SMAS after January 1, 1988, the annual apportionment is adjusted for any change in both the IPD and average daily attendance.

In the event a CCD has incurred costs for three consecutive fiscal years but did not file a reimbursement claim in one or more of those fiscal years, the CCD may file an entitlement claim for each of those missed years to establish a base year entitlement. An "entitlement claim" means any

claim filed by CCD with the SCO for the sole purpose of establishing a base year entitlement. A base year entitlement shall not include any nonrecurring or initial start-up costs.

Initial apportionments are made on an individual program basis. After the initial year, all apportionments are made by November 30. The amount to be apportioned is the base year entitlement adjusted by annual changes in the IPD for the cost of goods and services to governmental agencies as determined by the State Department of Finance.

In the event the CCD determines that the amount of apportionment does not accurately reflect costs incurred to comply with a mandate, the process of adjusting an established base year entitlement upon which the apportionment is based is set forth in GC Section 17615.8 and requires the approval of the COSM.

## **7. Direct Costs**

A direct cost is a cost that can be identified specifically with a particular program or activity. Each claimed reimbursable cost must be supported by documentation as described in Section 12. Costs that are typically classified as direct costs are:

### **(1) Employee Wages, Salaries, and Fringe Benefits**

For each of the mandated activities performed, the claimant must list the names of the employees who worked on the mandate, their job classification, hours worked on the mandate, and rate of pay. The claimant may, in-lieu of reporting actual compensation and fringe benefits, use a productive hourly rate:

#### **(a) Productive Hourly Rate Options**

A CCD may use one of the following methods to compute productive hourly rates:

- Actual annual productive hours for each employee
- The weighted-average annual productive hours for each job title, or
- 1,800\* annual productive hours for all employees

If actual annual productive hours or weighted-average annual productive hours for each job title is chosen, the claim must include a computation of how these hours were computed.

\* 1,800 annual productive hours excludes the following employee time:

- Paid holidays
- Vacation earned
- Sick leave taken
- Informal time off
- Jury duty
- Military leave taken.

#### **(b) Compute a Productive Hourly Rate**

1. Compute a productive hourly rate for salaried employees to include actual fringe benefit costs. The methodology for converting a salary to a productive hourly rate is to compute the employee's annual salary and fringe benefits and divide by the annual productive hours.

**Table 1: Productive Hourly Rate, Annual Salary + Benefits Method**

<b>Formula:</b>	<b>Description:</b>
$[(EAS + Benefits) \div APH] = PHR$	EAS = Employee's Annual Salary
	APH = Annual Productive Hours
$[(\$26,000 + \$8,099) \div 1,800 \text{ hrs}] = 18.94$	PHR = Productive Hourly Rate

- As illustrated in Table 1, if you assume an employee's compensation was \$26,000 and \$8,099 for annual salary and fringe benefits, respectively, using the "Salary + Benefits Method," the productive hourly rate would be \$18.94. To convert a biweekly salary to EAS, multiply the biweekly salary by 26. To convert a monthly salary to EAS, multiply the monthly salary by 12. Use the same methodology to convert other salary periods.
2. A claimant may also compute the productive hourly rate by using the "Percent of Salary Method."

**Table 2: Productive Hourly Rate, Percent of Salary Method**

<b>Example:</b>		
<b>Step 1:</b> <i>Fringe Benefits as a Percent of Salary</i>		<b>Step 2:</b> <i>Productive Hourly Rate</i>
Retirement	15.00 %	<b>Formula:</b> $[(EAS \times (1 + FBR)) \div APH] = PHR$ $[(\$26,000 \times (1.3115)) \div 1,800] = \$18.94$
Social Security & Medicare	7.65	
Health & Dental Insurance	5.25	
Workers Compensation	3.25	
<b>Total</b>	<b>31.15 %</b>	
<b>Description:</b>		
EAS = Employee's Annual Salary		APH = Annual Productive Hours
FBR = Fringe Benefit Rate		PHR = Productive Hourly Rate

- As illustrated in Table 3, both methods produce the same productive hourly rate.

Reimbursement for personnel services includes, but is not limited to, compensation paid for salaries, wages and employee fringe benefits. Employee fringe benefits include employer's contributions for social security, pension plans, insurance, workmen's compensation insurance and similar payments. These benefits are eligible for reimbursement as long as they are distributed equitably to all activities. Whether these costs are allowable is based on the following presumptions:

- The amount of compensation is reasonable for the service rendered.
- The compensation paid and benefits received are appropriately authorized by the governing board.
- Amounts charged for personnel services are based on payroll documents that are supported by time and attendance or equivalent records for individual employees.
- The methods used to distribute personnel services should produce an equitable distribution of direct and indirect allowable costs.

For each of the employees included in the claim, the claimant must use reasonable rates and hours in computing the wage cost. If a person of a higher-level job position, perform an activity which normally would be performed by a lower-level position, reimbursement for time spent is allowable at the average salary range for the lower-level position. The salary rate of the person at a higher-level position may be claimed if it can be shown that it was more cost effective in comparison to the performance by a person at the lower-level position under normal circumstances and conditions. The number of hours charged to an activity should reflect the time expected to complete the activity under normal circumstances and conditions. The numbers of hours in excess of normal expected hours are not reimbursable.

**(c) Calculating an Average Productive Hourly Rate**

In those instances where the parameters and guidelines allow a unit as a basis of claiming costs, the direct labor component of the unit cost should be expressed as an average productive hourly rate and can be determined as follows:

**Table 3: Calculating an Average Productive Hourly Rate**

	<u>Time Spent</u>	<u>Productive Hourly Rate</u>	<u>Total Cost by Employee</u>
Employee A	1.25 hrs	\$6.00	\$7.50
Employee B	0.75 hrs	4.50	3.38
Employee C	3.50 hrs	10.00	35.00
Total	5.50 hrs		\$45.88
Average Productive Hourly Rate is \$45.88/5.50 hrs. = \$8.34			

**(d) Employer's Fringe Benefits Contribution**

A CCD has the option of claiming actual employer's fringe benefit contributions or may compute an average fringe benefit cost for the employee's job classification and claim it as a percentage of direct labor. The same time base should be used for both salary and fringe benefits when computing a percentage. For example, if health and dental insurance payments are made annually, use an annual salary. After the percentage of salary for each fringe benefit is computed, total them.

For example:

<u>Employer's Contribution</u>	<u>% of Salary</u>
Retirement	15.00%
Social Security	7.65%
Health and Dental Insurance	5.25%
Worker's Compensation	0.75%
Total	<u>28.65%</u>

**(e) Materials and Supplies**

Only actual expenses can be claimed for materials and supplies, which were acquired and consumed specifically for the purpose of a mandated program. The claimant must list the materials and supplies that were used to perform the mandated activity, the

number of units consumed, the cost per unit, and the total dollar amount claimed. Materials and supplies purchased to perform a particular mandated activity are expected to be reasonable in quality, quantity, and cost. Purchases in excess of reasonable quality, quantity, and cost are not reimbursable. Materials and supplies withdrawn from inventory and charged to the mandated activity must be based on a recognized method of pricing, consistently applied. Purchases shall be claimed at the actual price after deducting discounts, rebates and allowances received by the CCD.

**(f) Calculating a Unit Cost for Materials and Supplies**

In those instances where the P's & G's suggest that a unit cost be developed for use as a basis of claiming costs mandated by the State, the materials and supplies component of the unit cost should be expressed as a unit cost of materials and supplies as shown in Table 1 or Table 2:

**Table 1: Calculating A Unit Cost for Materials and Supplies**

<b>Supplies</b>	<b><u>Cost Per Unit</u></b>	<b><u>Amount of Supplies Used Per Activity</u></b>	<b><u>Unit Cost of Supplies Per Activity</u></b>
Paper	0.02	4	\$0.08
Files	0.10	1	0.10
Envelopes	0.03	2	0.06
Photocopies	0.10	4	<u>0.40</u>
			<u>\$0.64</u>

**Table 2: Calculating a Unit Cost for Materials and Supplies**

<b>Supplies</b>	<b><u>Supplies Used</u></b>	<b><u>Unit Cost of Supplies Per Activity</u></b>
Paper (\$10.00 for 500 sheet ream)	250 Sheets	\$5.00
Files (\$2.50 for box of 25)	10 Folders	1.00
Envelopes (\$3.00 for box of 100)	50 Envelopes	1.50
Photocopies (\$0.05 per copy)	40 Copies	<u>2.00</u>
		<u>\$9.50</u>
If the number of reimbursable instances is 25, then the unit cost of supplies is \$0.38 per reimbursable instance (\$9.50/25).		

**(g) Contract Services**

The cost of contract services is allowable if the CCD lacks the staff resources or necessary expertise, or it is economically feasible to hire a contractor to perform the mandated activity. The claimant must give the name of the contractor, explain the reason for having to hire a contractor, describe the mandated activities performed, give the dates when the activities were performed, the number of hours spent performing the mandate, the hourly billing rate, and the total cost. The hourly billing rate shall not exceed the rate specified in the P's & G's for the mandated program. The contractor's

invoice, or statement, which includes an itemized list of costs for activities performed, must accompany the claim.

**(h) Equipment Rental Costs**

Equipment purchases and leases (with an option to purchase) are not reimbursable as a direct cost unless specifically allowed by the P's & G's for the particular mandate. Equipment rentals used solely for the mandate is reimbursable to the extent such costs do not exceed the retail purchase price of the equipment plus a finance charge. The claimant must explain the purpose and use for the equipment, the time period for which the equipment was rented and the total cost of the rental. If the equipment is used for purposes other than reimbursable activities, only the pro rata portion of the rental costs can be claimed.

**(i) Capital Outlay**

Capital outlays for land, buildings, equipment, furniture and fixtures may be claimed if the P's & G's specify them as allowable. If they are allowable, the parameters and guidelines for the program will specify a basis for the reimbursement. If the fixed asset or equipment is also used for purposes other than reimbursable activities for a specific mandate, only the pro rata portion of the purchase price used to implement the reimbursable activities can be claimed.

**(j) Travel Expenses**

Travel expenses are normally reimbursable in accordance with travel rules and regulations of the local jurisdiction. For some programs, however, the P's & G's may specify certain limitations on expenses, or that expenses can only be reimbursed in accordance with the State Board of Control travel standards. When claiming travel expenses, the claimant must explain the purpose of the trip, identify the name and address of the persons incurring the expense, the date and time of departure and return for the trip, description of each expense claimed, the cost of transportation, number of private auto miles traveled, and the cost of tolls and parking with receipts required for charges over \$10.00.

**(k) Documentation**

It is the responsibility of the claimant to make available to the SCO, upon request, documentation in the form of general and subsidiary ledgers, purchase orders, invoices, contracts, canceled warrants, equipment usage records, land deeds, receipts, employee time sheets, agency travel guidelines, inventory records, and other relevant documents to support claimed costs. The type of documentation necessary for each claim may differ with the type of mandate.

**8. Indirect Costs**

Indirect costs are: (a) Incurred for a common or joint purpose benefiting more than one cost objective, and (b) not readily assignable to the cost objectives specifically benefited without effort disproportionate to the results achieved. Indirect costs can originate in the department performing the mandate or in departments that supply the department performing the mandate with goods, services and facilities. To be allowable, a cost must be allocable to a particular cost objective. Indirect costs must be distributed to benefiting cost objectives on bases which produce an equitable result related to the benefits derived by the mandate.

A CCD may claim indirect costs using the Controller's methodology (FAM-29C) outlined in the following paragraphs. If specifically allowed by a mandated program's P's & G's, a district may alternately choose to claim indirect costs using either (1) a federally approved rate prepared in

accordance with Office of Management and Budget (OMB) Circular A-21, *Cost Principles for Educational Institutions*; or (2) a flat 7% rate.

The SCO developed FAM-29C to be consistent with OMB Circular A-21, cost accounting principles as they apply to mandated cost programs. The objective is to determine an equitable rate to allocate administrative support to personnel who performed the mandated cost activities. The FAM-29C methodology uses a direct cost base comprised of salary and benefit costs and operating expenses. Form FAM-29C provides a consistent indirect cost rate methodology for all CCD's mandated cost programs.

FAM-29C uses total expenditures that districts report in their *California Community Colleges Annual Financial and Budget Report* (CCFS-311), Expenditures by Activity for the General Fund – Combined. The computation excludes Capital Outlay and Other Outgo in accordance with OMB Circular A-21. The indirect cost rate computation includes any depreciation or use allowance applicable to district buildings and equipment. Districts calculate depreciation or use allowance costs separately from the CCFS-311 report and should calculate them in accordance with OMB Circular A-21.

OMB Circular A-21, Section C.4, states that cost is allocable to a particular cost objective in accordance with the relative benefits received. Also, Section E.2.b. states that the overall objective of the cost allocation process is to distribute indirect costs to the institution's major functions in proportions reasonably consistent with their use of the institution's resources. In addition, Section E.2.c. notes that where certain items or categories of expense relate to less than all functions, such expenses should be set aside for selective allocation.

OMB Circular A-21, Section H, describes a simplified method for indirect cost rate calculations. However, Section H.1.b. states that the simplified method should not be used where it produces results that appear inequitable. As previously noted, FAM-29C strives to equitably allocate administrative support costs to personnel that perform mandated cost activities claimed by CCD. For example, library costs and department administration expenses, normally classified fully or partly as indirect costs in OMB Circular A-21, are instead classified as direct costs for FAM-29C. These costs do not benefit mandated cost activities. In summary, FAM-29C indirect costs include Operation and Maintenance of Plant; Planning, Policy Making, and Coordination; General Institutional Support Services (excluding Community Relations); and depreciation or use allowance. Community Relations includes fundraising costs, which are unallowable under OMB Circular A-21. If the district claims any costs from these indirect accounts as a direct mandate-related costs, the same costs should be reclassified as direct on FAM-29C.

Table 4 presents an example of the FAM-29C methodology.

Table 4: Indirect Cost Rate for Community Colleges

MANDATED COST INDIRECT COST RATE FOR COMMUNITY COLLEGE DISTRICTS					FORM FAM 29-C	
(1) Claimant			(02) Period of Claim			
Activity	EDP	Total Costs Per CCFS-311	Less: Capital Outlay and Other Outgo	FAM 29-C Adjusted Total	Indirect	Direct
Instructional Activities	599	\$ 51,792,408	\$ (230,904)	\$ 51,561,504		\$ 51,561,504
Instruct. Admin. & Instruct. Governance	6000	6,882,034	(216,518)	6,665,516		6,665,516
Instructional Support Services	6100	4,155,095	(9,348)	4,145,747		4,145,747
Admissions and Records	6200	2,104,543	(3,824)	2,100,719		2,100,719
Student Counseling and Guidance	6300	4,570,658	(1,605)	4,569,053		4,569,053
Other Student Services	6400	5,426,510	(41,046)	5,385,464		5,385,464
Operation and Maintenance of Plant	6500	8,528,585	(111,743)	8,416,842	8,416,842	
Planning, Policy Making, and Coordination	6600	5,015,333	(23,660)	4,991,673	4,991,673	
General Institutional Support Services	6700			-		
Community Relations	6710	885,089	(6,091)	878,998		878,998
Fiscal Operations	6720	1,891,424	(40,854)	1,850,570	1,850,570	
Human Resources Management	6730	1,378,288	(25,899)	1,352,389	1,352,389	
Non-instructional Staff Retirees' Benefits and Retirement Incentives	6740	1,011,060		1,011,060	1,011,060	
Staff Development	6750	108,655	(8,782)	99,873	99,873	
Staff Diversity	6760	30,125		30,125	30,125	
Logistical Services	6770	2,790,091	(244,746)	2,545,345	2,545,345	
Management Information Systems	6780	2,595,214	(496,861)	2,098,353	2,098,353	
Other General Institutional Support Services	6790	33,155	(4,435)	28,720	28,720	
Community Services and Economic Development	6800	340,014		340,014		340,014
Ancillary Services	6900	1,148,730	(296)	1,148,434		1,148,434
Auxiliary Operations	7000			-		-
Depreciation or Use Allowance - Building				-	2,620,741	
Depreciation or Use Allowance - Equipment				-	1,706,396	
				-		
Totals		\$100,687,011	\$ (1,466,612)	\$ 99,220,399	\$26,752,087	\$ 76,795,449
					(A)	(B)
Indirect Cost Rate (A)/(B)					34.84%	



## 9. Time Study Guidelines

### Background

For costs incurred on or after January 1, 2005, a reasonable reimbursement methodology can be used as a formula for reimbursing CCD costs mandated by the state that meets certain conditions specified in GC Section 17518.5(a). For costs incurred prior to January 1, 2005, a time study can only be substituted for continuous records of actual time spent for a specific fiscal year if the program's P's & G's allows for the use of time studies.

Two methods are acceptable for documenting employee time charged to mandated cost programs: Actual Time Reporting and Time Study, which are described below. Application of time study results is restricted. As explained in Time Study Results below, the results may be projected forward a maximum of two years provided the claimant meets certain criteria.

### Actual Time Reporting

The P's & G's define reimbursable activities for each mandated cost program. (Some P's & G's refer to reimbursable activities as reimbursable components.) When employees work on multiple activities and/or programs, a distribution of their salaries or wages must be supported by personnel activity reports or equivalent documentation that meets the following standards (which clarify documentation requirements discussed under the Reimbursable Activities section of recent P's & G's):

- They must reflect an after-the-fact (contemporaneous) distribution of the actual activity of each employee;
- They must account for the total activity for which each employee is compensated;
- They must be prepared at least monthly and must coincide with one or more pay periods; and
- They must be signed by the employee.

Budget estimates or other distribution percentages determined before services are performed do not qualify as support for time distribution.

### Time Study

In certain cases, a time study may be used to substitute for continuous records of actual time spent on multiple activities and/or programs. An effective time study requires that an activity be a task that is repetitive in nature. Activities that require a varying level of effort are not appropriate for time studies.

### Time Study Plan

A time study plan is necessary before conducting the time study. The claimant must retain the time study plan for audit purposes. The plan needs to identify the following:

- Time period(s) to be studied – The plan must show that all time periods selected are representative of the fiscal year, and that the results can be reasonably projected to approximate actual costs.
- Activities and/or programs to be studied – For each mandated program included, the time study must separately identify each reimbursable activity defined in the mandated program's P's & G's, which are derived from the program's Statement of Decision. If a reimbursable activity in the P's & G's identifies separate and distinct sub-activities, they must also be treated as individual activities.

For example, sub-activities (a), (b), and (c) under reimbursable activity (B)(1) of the local agency's Domestic Violence Treatment Services: Authorization and Case Management program relate to information to be discussed during victim notification by the probation department and therefore are not separate and distinct activities. These sub-activities do not have to be separately studied.

- Process used to accomplish each reimbursable activity – Use flowcharts or similar analytical tools and/or written desk procedures to describe the process for each activity.
- Employee universe – The employee universe used in the time study must include all positions whose salaries and wages are to be allocated by means of the time study.
- Employee sample selection methodology – The plan must show that employees selected are representative of the employee universe, and the results can be reasonably projected to approximate actual costs. In addition, the employee sample size should be proportional to the variation in time spent to perform a task. The sample size should be larger for tasks with significant time variations.
- Time increments to be recorded – The time increments used should be sufficient to recognize the number of different activities performed and the dynamics of these responsibilities. Very large increments (such as one hour or more) might be used for employees performing only a few functions that change very slowly over time. Very small increments (a number of minutes) may be needed for employees performing more short-term tasks.

Random moment sampling is not an acceptable alternative to continuous time records for mandated cost claims. Random moment sampling techniques are most applicable in situations where employees perform many different types of activities on a variety of programs with small time increments throughout the fiscal year.

### Time Study Documentation

Time studies must:

- Be supported by time records that are completed contemporaneously;
- Report activity on a daily basis;
- Be sufficiently detailed to reflect all mandated activities and/or programs performed during a specific time period; and
- Coincide with one or more pay periods.

Time records must be signed by the employee (electronic signatures are acceptable) and be supported by corroborating evidence which validates that the work was actually performed. As with actual time reporting, budget estimates or other distribution percentages determined before services are performed do not qualify as valid time studies.

### Time Study Results

Time study results must be summarized to show how the time study supports the costs claimed for each activity. Any variations from the procedures identified in the original time study plan must be documented and explained.

Current-year costs must be used to prepare a time study. Claimants may project time study results to no more than two subsequent fiscal years. A claimant may not apply time study results retroactively.

- Annual Reimbursement Claims – Claimants may use time studies to support costs incurred on or after January 1, 2005. Claimants may not use time studies for the period July 1, 2004,

through December 31, 2004, unless (1) the program's P's & G's specifically allow time studies, and (2) the time study is prepared based on mandated activity occurring between July 1, 2004, and December 31, 2004.

- Initial Claims – When filing an initial claim for new mandated programs, claimants may only use time study results for costs incurred on or after January 1, 2005. Claimants may not use time studies to support costs incurred before January 1, 2005, unless (1) the program's P's & G's specifically allow time studies, and (2) the claimant prepares separate time studies for each fiscal year preceding January 1, 2005, based on mandated activity occurring during those years.

When projecting time study results, the claimant must certify that there have been no significant changes between years in either: (1) the requirements of each mandated program activity or (2) the processes and procedures used to accomplish the activity. For all years, the claimant must maintain corroborating evidence that validates the mandated activity was actually performed. Time study results used to support subsequent years' claims are subject to the recordkeeping requirements for those claims.

## 10. Offset Against State Mandated Claims

As noted previously, allowable costs are defined as those direct and indirect costs, less applicable credits, considered to be eligible for reimbursement. When all or part of the costs of a mandated program are specifically reimbursable from local assistance revenue sources (e.g., state, federal, foundation, etc.), only that portion of any increased costs payable from CCD funds is eligible for reimbursement under the provisions of GC Section 17561.

### Example 1:

As illustrated in Table 5, this example shows how the "Offset against State Mandated Claims" is determined for a CCD receiving block grant revenues not based on a formula allocation. Program costs for each of the situations equals \$100,000.

**Table 5: Offset Against State Mandates, Example 1**

	Program Costs	Actual Local Assistance Revenues	State Mandated Costs	Offset Against State Mandated Claims	Claimable Mandated Costs
1.	\$100,000	\$95,000	\$2,500	\$-0-	\$2,500
2.	100,000	97,000	2,500	-0-	2,500
3.	100,000	98,000	2,500	500	2,000
4.	100,000	100,000	2,500	2,500	-0-
5.	100,000 *	50,000	2,500	1,250	1,250
6.	100,000 *	49,000	2,500	250	2,250

\* CCD share is \$50,000 of the program cost.

Numbers (1) through (4), in Table 5, show intended funding at 100% from local assistance revenue sources. Numbers (5) and (6) show cost sharing on a 50/50 basis with the district. In numbers (1) through (6), included in the program costs of \$100,000 are state mandated costs of \$2,500. The offset against state mandated claims are the amount of actual local assistance revenues, which exceeds the difference between program costs and state mandated costs. This offset cannot exceed the amount of state mandated costs.

In (1), local assistance revenues were less than expected. Local assistance funding was not in excess of the difference between program costs and state mandated costs. As a result, the offset against state mandated claims is zero and \$2,500 is claimable as mandated costs.

In (4), local assistance revenues were fully realized to cover the entire cost of the program, including the state mandate activity; therefore, the offset against state mandated claims is \$2,500, and claimable costs are \$0.

In (5), the district is sharing 50% of the project cost. Since local assistance revenues of \$50,000 were fully realized, the offset against state mandated claims is \$1,250.

In (6), local assistance revenues were less than the amount expended and the offset against state mandated claims is \$250. Therefore, the claimable mandated costs are \$2,250.

#### Example 2:

As illustrated in Table 6, this example shows how the offset against state mandated claims is determined for a CCD receiving special project funds based on approved actual costs. Local assistance revenues for special projects must be applied proportionately to approve costs.

**Table 6: Offset Against State Mandates, Example 2**

	<b>Program Costs</b>	<b>Actual Local Assistance Revenues</b>	<b>State Mandated Costs</b>	<b>Offset Against State Mandated Claims</b>	<b>Claimable Mandated Costs</b>
1.	\$100,000	\$100,000	\$2,500	\$2,500	\$-0-
2.	100,000 **	75,000	2,500	1,875	625
3.	100,000 **	45,000	1,500	1,125	375

\*\* CCD share is \$25,000 of the program cost.

In (2), the entire program cost was approved. Since the local assistance revenue source covers 75% of the program cost, it also proportionately covered 75% of the \$2,500 state mandated costs, or \$1,875.

If in (3) local assistance revenues are less than the amount expected because only \$60,000 of the \$100,000 program costs were determined to be valid by the contracting agency, then a proportionate share of state mandated costs is likewise reduced to \$1,500. The offset against state mandated claims is \$1,125. Therefore, the claimable mandated costs are \$375.

#### Federal and State Funding Sources

State school fund apportionments and federal aid for education, which are based on average daily attendance and are part of the general system of financing public schools as well as block grants which do not provide for specific reimbursement of costs (i.e., allocation formulas not tied to expenditures), should not be included as reimbursements from local assistance revenue sources.

#### Governing Authority

The costs of salaries and expenses of the governing authority, such as the school superintendent and governing board, are not reimbursable. These are costs of general government as described in the Office of Management and Budget Circular (OMB) 2 CFR Part 225.

## 11. Notice of Claim Adjustment

All claims submitted to the SCO are reviewed to determine if the claim was prepared in accordance with the claiming instructions. If any adjustments are made to a claim, the claimant will receive a "Notice of Claim Adjustments" detailing adjustments made by the SCO.

## 12. Audit of Costs

All claims submitted to the State Controller's Office (SCO) are reviewed to determine if costs are related to the mandate, are reasonable and not excessive, and the claim was prepared in accordance with the SCO's claiming instructions and the P's & G's adopted by the COSM. If any adjustments are made to a claim, a "Notice of Claim Adjustment" specifying the claim component adjusted, the amount adjusted, and the reason for the adjustment will be mailed within 30 days after payment of the claim.

Pursuant to GC Section 17558.5, subdivision (a), a reimbursement claim for actual costs filed by CCD pursuant to this chapter is subject to the initiation of an audit by the Controller no later than three years after the date that the actual reimbursement claim was filed or last amended, whichever is later. However, if no funds were appropriated or no payment was made to a claimant for the program for the fiscal year for which the claim is filed, the time for the Controller to initiate an audit shall commence to run from the date of initial payment of the claim. In any case, an audit shall be completed no later than two years after the date that the audit is commenced. All documents used to support the reimbursable activities must be retained during the period subject to audit. If an audit has been initiated by the Controller during the period subject to audit, the retention period is extended until the ultimate resolution of any audit findings.

On-site audits will be conducted by the SCO as deemed necessary. Accordingly, all documentation to support actual costs claimed must be retained for a period of three years after the end of the calendar year in which the reimbursement claim was filed or amended regardless of the year of costs incurred. When no funds are appropriated for initial claims at the time the claim is filed, supporting documents must be retained for three years from the date of initial payment of the claim. Claim documentation shall be made available to the SCO on request.

## 13. Source Documents

To be eligible for mandated cost reimbursement for any fiscal year, only actual costs may be claimed. Actual costs are those costs actually incurred to implement the mandated activities. Actual costs must be traceable and supported by source documents that show the validity of such costs, when they were incurred, and their relationship to the reimbursable activities. A source document is a document created at or near the same time the actual cost was incurred for the event or activity in question. Source documents may include, but are not limited to, employee time records or time logs, sign-in sheets, invoices, and receipts.

Evidence corroborating the source documents may include, but is not limited to, worksheets, cost allocation reports (system generated), purchase orders, contracts, agendas, training packets, and declarations. Declarations must include a certification or declaration stating, "I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct based upon personal knowledge." Evidence corroborating the source documents may include data relevant to the reimbursable activities otherwise in compliance with local, state, and federal government requirements. However, corroborating documents cannot be substituted for source documents.

For costs incurred on or after January 1, 2005, a reasonable reimbursement methodology can be used as a formula for reimbursing a CCD mandated by the state that meets certain conditions specified in 17518.5(a). For costs incurred prior to January 1, 2005, time study can substitute for continuous records of actual time spent for a specific fiscal year only if the program's P's & G's allow for the use of time studies.

## 14. Claim Forms and Instructions

A claimant may submit a computer generated report in substitution for Form-1 and Form-2, provided the format of the report and data fields contained within the report are identical to the claim forms included with these instructions. The claim forms provided with these instructions should be duplicated and used by the claimant to file an estimated or reimbursement claim. The SCO will revise the manual and claim forms as necessary.

### A. Form-2, Component/Activity Cost Detail

This form is used to segregate the detail costs by claim component. In some mandates, specific reimbursable activities have been identified for each component. The expenses reported on this form must be supported by the official financial records of the claimant and copies of supporting documentation, as specified in the claiming instructions, must be submitted with the claims. All supporting documents must be retained for a period of not less than three years after the reimbursement claim was filed or last amended.

### B. Form-1, Claim Summary

This form is used to summarize direct costs by component and compute allowable indirect costs for the mandate. The direct costs summarized on this form are derived from Form-2 and are carried forward to form FAM-27.

A CCD has the option of using a federally approved rate (i.e., utilizing the cost accounting principles from the Office of Management and Budget (OMB) 2 CFR Part 225) or from FAM-29C.

### C. Form FAM-27, Claim for Payment

This form contains a certification that must be signed by an authorized officer of the CCD. All applicable information from Form-1 must be carried forward onto this form in order for the SCO to process the claim for payment. An original and one copy of the FAM-27 is required.

Claims should be rounded to the nearest dollar. Submit a signed original and one copy of form FAM-27, Claim for Payment, and all other forms and supporting documents **(To expedite the payment process, please sign the form FAM-27 with blue ink, and attach a copy of the form FAM-27 to the top of the claim package.)** Use the following mailing addresses:

If delivered by  
U.S. Postal Service:

Office of the State Controller  
Attn: Local Reimbursements Section  
Division of Accounting and Reporting  
P.O. Box 942850  
Sacramento, CA 94250

If delivered by  
Other delivery services:

Office of the State Controller  
Attn: Local Reimbursements Section  
Division of Accounting and Reporting  
3301 C Street, Suite 500  
Sacramento, CA 95816

## 15. Retention of Claiming Instructions

For your convenience, the revised claiming instructions in this package have been arranged in alphabetical order by program name. These revisions should be inserted in the School Mandated Cost Manual and the old forms they replace should be removed. The instructions should then be retained permanently for future reference, and the forms should be duplicated to meet your filing requirements. Annually, updated forms and any other information or instructions claimants may need to file claims, as well as instructions and forms for all new programs released throughout the

year will be placed on the SCO's web site at [www.sco.ca.gov/ard/local/locreim/index.shtml](http://www.sco.ca.gov/ard/local/locreim/index.shtml).

If you have any questions concerning mandated cost reimbursements, please write to us at the address listed for filing claims, or send e-mail to [lrsdar@sco.ca.gov](mailto:lrsdar@sco.ca.gov), or call the Local Reimbursements Section at (916) 324-5729.

#### **16. Retention of Claim Records and Supporting Documentation**

All claims submitted to the SCO are reviewed to determine if costs are related to the mandate, are reasonable and not excessive, and that the claim was prepared in accordance with the SCO's claiming instructions and the COSM's P's and G's. If any adjustments are made to a claim, a "Notice of Claim Adjustments" specifying the claim component adjusted, the amount adjusted, and the reason for the adjustment, will be mailed within 30 days after payment of the claim.

On-site audits will be conducted by the SCO as deemed necessary. Pursuant to GC Section 17558.5, subdivision (a), a reimbursement claim for actual costs filed by a school district is subject to audit by the SCO no later than three years after the date the actual reimbursement claim was filed or last amended, whichever is later. However, if no funds were appropriated or no payment was made to a claimant for the program for the fiscal year for which the claim was filed, the time for the SCO to initiate an audit shall commence to run from the date of initial payment of the claim. Therefore, all documentation to support actual costs claimed must be retained for the same period, and shall be made available to the SCO on request.





## FILING A CLAIM

### 1. Introduction

The law in the State of California, (GC Sections 17500 through 17617), provides for the reimbursement of costs incurred by community college districts (CCD) for costs mandated by the State. Costs mandated by the State means any increased costs which a CCD is required to incur after July 1, 1980, as a result of any statute enacted after January 1, 1975, or any executive order implementing such statute which mandates a new program or higher level of service of an existing program.

Estimated claims that show costs to be incurred in the current fiscal year and reimbursement claims that detail the costs actually incurred for the prior fiscal year may be filed with the State Controller's Office (SCO). Claims for on-going programs are filed annually by February 15. Claims for new programs are filed within 120 days from the date claiming instructions are issued for the program. A 10 percent penalty, up to \$10,000 for continuing claims, no limit for initial claims, is assessed for late claims. The SCO may audit the records of any CCD to verify the actual amount of mandated costs and may reduce any claim that is excessive or unreasonable.

When a program has been reimbursed for three or more years, the Commission on State Mandates (COSM) may approve the program for inclusion in the State Mandates Apportionment System (SMAS). For programs included in SMAS, the SCO determines the amount of each claimant's entitlement based on an average of three consecutive fiscal years of actual costs adjusted by any changes in the Implicit Price Deflator (IPD). Claimants with an established entitlement receive an annual apportionment adjusted by any changes in the IPD and, under certain circumstances, by any changes in workload. Claimants with an established entitlement do not file further claims for the program.

The SCO is authorized to make payments for costs of mandated programs from amounts appropriated by the State Budget Act, by the State Mandates Claims Fund, or by specific legislation. In the event the appropriation is insufficient to pay claims in full, claimants will receive prorated payments in proportion to the dollar amount of approved claims for the program. Balances of prorated payments will be made when supplementary funds are made available.

The instructions contained in this manual are intended to provide general guidance for filing a mandated cost claim. Since each mandate is administered separately, it is important to refer to the specific program for information relating to established policies on eligible reimbursable costs.

### 2. Types of Claims

There are three types of claims: Reimbursement, estimated, and entitlement. A claimant may file a reimbursement claim for actual mandated costs incurred in the prior fiscal year or may file an estimated claim for mandated costs to be incurred during the current fiscal year. An entitlement claim may be filed for the purpose of establishing a base year entitlement amount for mandated programs included in SMAS. A claimant who has established a base year entitlement for a program, would receive an automatic annual payment which is reflective of the current costs for the program.

All claims received by the SCO will be reviewed to verify actual costs. An adjustment of the claim will be made if the amount claimed is determined to be excessive, improper, or unreasonable. The claim must be filed with sufficient documentation to support the costs claimed. The types of documentation required to substantiate a claim are identified in the instructions for the program. The certification of claim, form FAM-27, must be signed and dated by the entity's authorized officer in order for the SCO to make payment on the claim.

**A. Reimbursement Claim**

A reimbursement claim is defined in GC Section 17522 as any claim filed with the SCO by a CCD for reimbursement of costs incurred for which an appropriation is made for the purpose of paying the claim. The claim must include supporting documentation to substantiate the costs claimed.

Initial reimbursement claims are first-time claims for reimbursement of costs for one or more prior fiscal years of a program that was previously unfunded. Claims are due 120 days from the date of issuance of the claiming instructions for the program by the SCO. The first statute that appropriates funds for the mandated program will specify the fiscal years for which costs are eligible for reimbursement.

Annual reimbursement claims must be filed by February 15 following the fiscal year in which costs were incurred for the program. A reimbursement claim must detail the costs actually incurred in the prior fiscal year.

An actual claim for 2006-07 fiscal year, may be filed by February 15, 2008 without a late penalty. Claims filed after the deadline will be reduced by a late penalty of 10%, not to exceed \$10,000. However, initial reimbursement claims will be reduced by a late penalty of 10% with no limitation. In order for a claim to be considered properly filed, it must include any specific supporting documentation requested in the instructions. Claims filed more than one year after the deadline or without the requested supporting documentation will not be accepted.

**B. Estimated Claim**

An estimated claim is defined in GC Section 17522 as any claim filed with the SCO, during the fiscal year in which the mandated costs are to be incurred by the CCD, against an appropriation made to the SCO for the purpose of paying those costs.

An estimated claim may be filed in conjunction with an initial reimbursement claim, annual reimbursement claim, or at other times for estimated costs to be incurred during the current fiscal year. Annual estimated claims are due February 15 of the fiscal year in which the costs are to be incurred. Initial estimated claims are due on the date specified in the claiming instructions. Timely filed estimated claims are paid before those filed after the deadline.

After receiving payment for an estimated claim, the claimant must file a reimbursement claim by February 15 following the fiscal year in which costs were incurred. If the claimant fails to file a reimbursement claim, monies received for the estimated claims must be returned to the State.

**C. Entitlement Claim**

An entitlement claim is defined in GC Section 17522 as any claim filed by a CCD with the SCO for the sole purpose of establishing or adjusting a base year entitlement for a mandated program that has been included in SMAS. An entitlement claim should not contain nonrecurring or initial start-up costs. There is no statutory deadline for the filing of entitlement claims. However, entitlement claims and supporting documents should be filed by February 15, following the third fiscal year used to develop the entitlement claim, to permit an orderly processing of claims. When the claims are approved and a base year entitlement amount is determined, the claimant will receive an apportionment reflective of the program's current year costs.

Once a mandate has been included in SMAS and the claimant has established a base year entitlement, the claimant will receive automatic payments from the SCO for the mandate. The automatic apportionment is determined by adjusting the claimant's base year entitlement for changes in the implicit price deflator of costs of goods and services to governmental agencies, as determined by the State Department of Finance. For programs approved by the COSM for inclusion in SMAS on or after January 1, 1988, the payment for each year succeeding the three

year base period is adjusted according to any changes by both the deflator and average daily attendance. Annual apportionments for programs included in the system are paid on or before November 30 of each year.

A base year entitlement is determined by computing an average of the claimant's costs for any three consecutive years after the program has been approved for the SMAS process. The amount is first adjusted according to any changes in the deflator. The deflator is applied separately to each year's costs for the three years, which comprise the base year. The SCO will perform this computation for each claimant who has filed claims for three consecutive years. If a claimant has incurred costs for three consecutive years but has not filed a claim in each of those years, the claimant may file an entitlement claim, form FAM-43, to establish a base year entitlement. The form FAM-43 is included in the claiming instructions for SMAS programs. An entitlement claim does not result in the claimant being reimbursed for the costs incurred, but rather entitles the claimant to receive automatic payments from SMAS.

### **3. Minimum Claim Amount**

For initial claims and annual claims filed on or after September 30 2002, if the total costs for a given year do not exceed \$1,000, no reimbursement shall be allowed except as otherwise allowed by GC Section 17564.

### **4. Filing Deadline for Claims**

Initial reimbursement claims (first-time claims) for reimbursement of costs of a previously unfunded mandated program must be filed within 120 days from the date of issuance of the program's claiming instructions by the SCO. If the initial reimbursement claim is filed after the deadline, but within one year of the deadline, the approved claim must be reduced by a 10% penalty. A claim filed more than one year after the deadline cannot be accepted for reimbursement.

Annual reimbursement claims for costs incurred during the previous fiscal year and estimated claims for costs to be incurred during the current fiscal year must be filed with the SCO and postmarked on or before February 15. If the annual or estimated reimbursement claim is filed after the deadline, but within one year of the deadline, the approved claim must be reduced by a 10% late penalty, not to exceed \$10,000. Claims must include supporting data to show how the amount claimed was derived. Without this information, the claim cannot be accepted.

Entitlement claims do not have a filing deadline. However, entitlement claims and supporting documents should be filed by February 15 to permit an orderly processing of claims. Entitlement claims are used to establish a base year entitlement amount for calculating automatic annual payments. Entitlement does not result in the claimant being reimbursed for costs incurred, but rather entitles the claimant to receive automatic payments from SMAS.

### **5. Payment of Claims**

In order for the SCO to authorize payment of a claim, the Certification of Claim, form FAM-27, must be properly filled out, signed, and dated by the entity's authorized officer.

Reimbursement and estimated claims are paid within 60 days of the filing deadline for the claim, or 15 days after the date the appropriation for the claim is effective, whichever is later. A claimant is entitled to receive accrued interest at the pooled money investment account rate if the payment was made more than 60 days after the claim filing deadline or the actual date of claim receipt, whichever is later. For an initial claim, interest begins to accrue when the payment is made more than 365 days after the adoption of the program's statewide cost estimate. The SCO may withhold up to 20 percent of the amount of an initial claim until the claim is audited to verify the actual amount of the mandated costs. The 20 percent withheld is not subject to accrued interest.

Pursuant to GC section 17561 (d), the Controller shall pay any eligible claim by August 15 or 45 days after the date the appropriation for the claim is effective, whichever is later. In the event the amount appropriated by the Legislature is insufficient to pay the approved amount in full for a program, claimants will receive a prorated payment in proportion to the amount of approved claims timely filed and on hand at the time of proration.

The SCO reports the amounts of insufficient appropriations to the State Department of Finance, the Chairperson of the Joint Legislative Budget Committee, and the Chairperson of the respective committee in each house of the Legislature, which consider appropriations in order to assure appropriation of these funds in the Budget Act. If these funds cannot be appropriated on a timely basis in the Budget Act, this information is transmitted to the COSM which will include these amounts in its report to assure that an appropriation sufficient to pay the claims is included in the next local government claims bill or other appropriation bills. When the supplementary funds are made available, the balance of the claims will be paid.

Unless specified in the statutes, regulations, or P's & G's, the determination of allowable and unallowable costs for mandates is based on the P's & G's adopted by the COSM. The determination of allowable reimbursable mandated costs for unfunded mandates is made by the COSM. The SCO determines allowable reimbursable costs, subject to amendment by the COSM, for mandates funded by special legislation. Unless specified, allowable costs are those direct and indirect costs, less applicable credits, considered to be eligible for reimbursement. In order for costs to be allowable and thus eligible for reimbursement, the costs must meet the following general criteria:

1. The cost is necessary and reasonable for proper and efficient administration of the mandate and not a general expense required to carry out the overall responsibilities of government.
2. The cost is allocable to a particular cost objective identified in the P's & G's.
3. The cost is net of any applicable credits that offset or reduce expenses of items allocable to the mandate.

The SCO has identified certain costs that should not be claimed as direct program costs unless specified as reimbursable under the program's P's & G's. These costs include, but are not limited to, subscriptions, depreciation, memberships, conferences, workshops general education, and travel costs.

## **6. State Mandates Apportionment System (SMAS)**

Chapter 1534, Statutes of 1985, established SMAS, a method of paying certain mandated programs as apportionments. This method is utilized whenever a program has been approved for inclusion in SMAS by the COSM.

When a mandated program has been included in SMAS, the SCO will determine a base year entitlement amount for each CCD that has submitted reimbursement claims (or entitlement claims) for three consecutive fiscal years. A base year entitlement amount is determined by averaging the approved reimbursement claims (or entitlement claims) for 1982-83, 1983-84, and 1984-85 years or any three consecutive fiscal years thereafter. The amounts are first adjusted by any change in the Implicit Price Deflator (IPD), which is applied separately to each year's costs for the three years that comprise the base period. The base period means the three fiscal years immediately succeeding the COSM's approval.

Each CCD with an established base year entitlement for the program will receive automatic annual payments from the SCO reflective of the program's current year costs. The amount of apportionment is adjusted annually for any change in the IPD. If the mandated program was included in SMAS after January 1, 1988, the annual apportionment is adjusted for any change in both the IPD and average daily attendance.

In the event a CCD has incurred costs for three consecutive fiscal years but did not file a

reimbursement claim in one or more of those fiscal years, the CCD may file an entitlement claim for each of those missed years to establish a base year entitlement. An "entitlement claim" means any claim filed by CCD with the SCO for the sole purpose of establishing a base year entitlement. A base year entitlement shall not include any nonrecurring or initial start-up costs.

Initial apportionments are made on an individual program basis. After the initial year, all apportionments are made by November 30. The amount to be apportioned is the base year entitlement adjusted by annual changes in the IPD for the cost of goods and services to governmental agencies as determined by the State Department of Finance.

In the event the CCD determines that the amount of apportionment does not accurately reflect costs incurred to comply with a mandate, the process of adjusting an established base year entitlement upon which the apportionment is based is set forth in GC Section 17615.8 and requires the approval of the COSM.

## **7. Direct Costs**

A direct cost is a cost that can be identified specifically with a particular program or activity. Each claimed reimbursable cost must be supported by documentation as described in Section 12. Costs that are typically classified as direct costs are:

### **(1) Employee Wages, Salaries, and Fringe Benefits**

For each of the mandated activities performed, the claimant must list the names of the employees who worked on the mandate, their job classification, hours worked on the mandate, and rate of pay. The claimant may, in-lieu of reporting actual compensation and fringe benefits, use a productive hourly rate:

#### **(a) Productive Hourly Rate Options**

A CCD may use one of the following methods to compute productive hourly rates:

- Actual annual productive hours for each employee
- The weighted-average annual productive hours for each job title, or
- 1,800\* annual productive hours for all employees

If actual annual productive hours or weighted-average annual productive hours for each job title is chosen, the claim must include a computation of how these hours were computed.

\* 1,800 annual productive hours excludes the following employee time:

- Paid holidays
- Vacation earned
- Sick leave taken
- Informal time off
- Jury duty
- Military leave taken.

#### **(b) Compute a Productive Hourly Rate**

1. Compute a productive hourly rate for salaried employees to include actual fringe benefit costs. The methodology for converting a salary to a productive hourly rate is to compute the employee's annual salary and fringe benefits and divide by the annual productive hours.

**Table 1: Productive Hourly Rate, Annual Salary + Benefits Method**

<b>Formula:</b>	<b>Description:</b>
$[(EAS + Benefits) \div APH] = PHR$	EAS = Employee's Annual Salary
	APH = Annual Productive Hours
$[(\$26,000 + \$8,099)] \div 1,800 \text{ hrs} = 18.94$	PHR = Productive Hourly Rate

- As illustrated in Table 1, if you assume an employee's compensation was \$26,000 and \$8,099 for annual salary and fringe benefits, respectively, using the "Salary + Benefits Method," the productive hourly rate would be \$18.94. To convert a biweekly salary to EAS, multiply the biweekly salary by 26. To convert a monthly salary to EAS, multiply the monthly salary by 12. Use the same methodology to convert other salary periods.
2. A claimant may also compute the productive hourly rate by using the "Percent of Salary Method."

**Table 2: Productive Hourly Rate, Percent of Salary Method**

<b>Example:</b>		
<b>Step 1: Fringe Benefits as a Percent of Salary</b>		<b>Step 2: Productive Hourly Rate</b>
Retirement	15.00 %	<b>Formula:</b> $[(EAS \times (1 + FBR)) \div APH] = PHR$ $[(\$26,000 \times (1.3115)) \div 1,800] = \$18.94$
Social Security & Medicare	7.65	
Health & Dental Insurance	5.25	
Workers Compensation	3.25	
<b>Total</b>	<b>31.15 %</b>	
<b>Description:</b>		
EAS = Employee's Annual Salary		APH = Annual Productive Hours
FBR = Fringe Benefit Rate		PHR = Productive Hourly Rate

- As illustrated in Table 3, both methods produce the same productive hourly rate.

Reimbursement for personnel services includes, but is not limited to, compensation paid for salaries, wages and employee fringe benefits. Employee fringe benefits include employer's contributions for social security, pension plans, insurance, workmen's compensation insurance and similar payments. These benefits are eligible for reimbursement as long as they are distributed equitably to all activities. Whether these costs are allowable is based on the following presumptions:

- The amount of compensation is reasonable for the service rendered.
- The compensation paid and benefits received are appropriately authorized by the governing board.
- Amounts charged for personnel services are based on payroll documents that are supported by time and attendance or equivalent records for individual employees.

- The methods used to distribute personnel services should produce an equitable distribution of direct and indirect allowable costs.

For each of the employees included in the claim, the claimant must use reasonable rates and hours in computing the wage cost. If a person of a higher-level job position, perform an activity which normally would be performed by a lower-level position, reimbursement for time spent is allowable at the average salary range for the lower-level position. The salary rate of the person at a higher-level position may be claimed if it can be shown that it was more cost effective in comparison to the performance by a person at the lower-level position under normal circumstances and conditions. The number of hours charged to an activity should reflect the time expected to complete the activity under normal circumstances and conditions. The numbers of hours in excess of normal expected hours are not reimbursable.

**(c) Calculating an Average Productive Hourly Rate**

In those instances where the parameters and guidelines allow a unit as a basis of claiming costs, the direct labor component of the unit cost should be expressed as an average productive hourly rate and can be determined as follows:

**Table 3: Calculating an Average Productive Hourly Rate**

	<u>Time Spent</u>	<u>Productive Hourly Rate</u>	<u>Total Cost by Employee</u>
Employee A	1.25 hrs	\$6.00	\$7.50
Employee B	0.75 hrs	4.50	3.38
Employee C	3.50 hrs	10.00	35.00
Total	5.50 hrs		\$45.88
Average Productive Hourly Rate is \$45.88/5.50 hrs. = \$8.34			

**(d) Employer's Fringe Benefits Contribution**

A CCD has the option of claiming actual employer's fringe benefit contributions or may compute an average fringe benefit cost for the employee's job classification and claim it as a percentage of direct labor. The same time base should be used for both salary and fringe benefits when computing a percentage. For example, if health and dental insurance payments are made annually, use an annual salary. After the percentage of salary for each fringe benefit is computed, total them.

For example:

<u>Employer's Contribution</u>	<u>% of Salary</u>
Retirement	15.00%
Social Security	7.65%
Health and Dental	5.25%
Insurance	0.75%
Worker's Compensation	0.75%
Total	<u>28.65%</u>

**(e) Materials and Supplies**

Only actual expenses can be claimed for materials and supplies, which were acquired and consumed specifically for the purpose of a mandated program. The claimant must list the materials and supplies that were used to perform the mandated activity, the number of units consumed, the cost per unit, and the total dollar amount claimed. Materials and supplies purchased to perform a particular mandated activity are expected to be reasonable in quality, quantity, and cost. Purchases in excess of reasonable quality, quantity, and cost are not reimbursable. Materials and supplies withdrawn from inventory and charged to the mandated activity must be based on a recognized method of pricing, consistently applied. Purchases shall be claimed at the actual price after deducting discounts, rebates and allowances received by the CCD.

**(f) Calculating a Unit Cost for Materials and Supplies**

In those instances where the P's & G's suggest that a unit cost be developed for use as a basis of claiming costs mandated by the State, the materials and supplies component of the unit cost should be expressed as a unit cost of materials and supplies as shown in Table 1 or Table 2:

**Table 1: Calculating A Unit Cost for Materials and Supplies**

<b>Supplies</b>	<b><u>Cost Per Unit</u></b>	<b><u>Amount of Supplies Used Per Activity</u></b>	<b><u>Unit Cost of Supplies Per Activity</u></b>
Paper	0.02	4	\$0.08
Files	0.10	1	0.10
Envelopes	0.03	2	0.06
Photocopies	0.10	4	<u>0.40</u>
			<u>\$0.64</u>

**Table 2: Calculating a Unit Cost for Materials and Supplies**

<b>Supplies</b>	<b><u>Supplies Used</u></b>	<b><u>Unit Cost of Supplies Per Activity</u></b>
Paper (\$10.00 for 500 sheet ream)	250 Sheets	\$5.00
Files (\$2.50 for box of 25)	10 Folders	1.00
Envelopes (\$3.00 for box of 100)	50 Envelopes	1.50
Photocopies (\$0.05 per copy)	40 Copies	<u>2.00</u>
		<u>\$9.50</u>
If the number of reimbursable instances is 25, then the unit cost of supplies is \$0.38 per reimbursable instance (\$9.50/25).		

**(g) Contract Services**

The cost of contract services is allowable if the CCD lacks the staff resources or necessary expertise, or it is economically feasible to hire a contractor to perform the mandated activity. The claimant must give the name of the contractor, explain the



reason for having to hire a contractor, describe the mandated activities performed, give the dates when the activities were performed, the number of hours spent performing the mandate, the hourly billing rate, and the total cost. The hourly billing rate shall not exceed the rate specified in the P's & G's for the mandated program. The contractor's invoice, or statement, which includes an itemized list of costs for activities performed, must accompany the claim.

**(h) Equipment Rental Costs**

Equipment purchases and leases (with an option to purchase) are not reimbursable as a direct cost unless specifically allowed by the P's & G's for the particular mandate. Equipment rentals used solely for the mandate is reimbursable to the extent such costs do not exceed the retail purchase price of the equipment plus a finance charge. The claimant must explain the purpose and use for the equipment, the time period for which the equipment was rented and the total cost of the rental. If the equipment is used for purposes other than reimbursable activities, only the pro rata portion of the rental costs can be claimed.

**(i) Capital Outlay**

Capital outlays for land, buildings, equipment, furniture and fixtures may be claimed if the P's & G's specify them as allowable. If they are allowable, the parameters and guidelines for the program will specify a basis for the reimbursement. If the fixed asset or equipment is also used for purposes other than reimbursable activities for a specific mandate, only the pro rata portion of the purchase price used to implement the reimbursable activities can be claimed.

**(j) Travel Expenses**

Travel expenses are normally reimbursable in accordance with travel rules and regulations of the local jurisdiction. For some programs, however, the P's & G's may specify certain limitations on expenses, or that expenses can only be reimbursed in accordance with the State Board of Control travel standards. When claiming travel expenses, the claimant must explain the purpose of the trip, identify the name and address of the persons incurring the expense, the date and time of departure and return for the trip, description of each expense claimed, the cost of transportation, number of private auto miles traveled, and the cost of tolls and parking with receipts required for charges over \$10.00.

**(k) Documentation**

It is the responsibility of the claimant to make available to the SCO, upon request, documentation in the form of general and subsidiary ledgers, purchase orders, invoices, contracts, canceled warrants, equipment usage records, land deeds, receipts, employee time sheets, agency travel guidelines, inventory records, and other relevant documents to support claimed costs. The type of documentation necessary for each claim may differ with the type of mandate.

**8. Indirect Costs**

Indirect costs are: (a) Incurred for a common or joint purpose benefiting more than one cost objective, and (b) not readily assignable to the cost objectives specifically benefited without effort disproportionate to the results achieved. Indirect costs can originate in the department performing the mandate or in departments that supply the department performing the mandate with goods, services and facilities. To be allowable, a cost must be allocable to a particular cost objective. Indirect costs must be distributed to benefiting cost objectives on bases which produce an equitable result related to the benefits derived by the mandate.

A CCD may claim indirect costs using the Controller's methodology (FAM-29C) outlined in the following paragraphs. If specifically allowed by a mandated program's P's & G's, a district may alternately choose to claim indirect costs using either (1) a federally approved rate prepared in accordance with Office of Management and Budget (OMB) Circular A-21, *Cost Principles for Educational Institutions*; or (2) a flat 7% rate.

The SCO developed FAM-29C to be consistent with OMB Circular A-21, cost accounting principles as they apply to mandated cost programs. The objective is to determine an equitable rate to allocate administrative support to personnel who performed the mandated cost activities. The FAM-29C methodology uses a direct cost base comprised of salary and benefit costs and operating expenses. Form FAM-29C provides a consistent indirect cost rate methodology for all CCD's mandated cost programs.

FAM-29C uses total expenditures that districts report in their *California Community Colleges Annual Financial and Budget Report* (CCFS-311), Expenditures by Activity for the General Fund – Combined. The computation excludes Capital Outlay and Other Outgo in accordance with OMB Circular A-21. The indirect cost rate computation includes any depreciation or use allowance applicable to district buildings and equipment. Districts calculate depreciation or use allowance costs separately from the CCFS-311 report and should calculate them in accordance with OMB Circular A-21.

OMB Circular A-21, Section C.4, states that cost is allocable to a particular cost objective in accordance with the relative benefits received. Also, Section E.2.b. states that the overall objective of the cost allocation process is to distribute indirect costs to the institution's major functions in proportions reasonably consistent with their use of the institution's resources. In addition, Section E.2.c. notes that where certain items or categories of expense relate to less than all functions, such expenses should be set aside for selective allocation.

OMB Circular A-21, Section H, describes a simplified method for indirect cost rate calculations. However, Section H.1.b. states that the simplified method should not be used where it produces results that appear inequitable. As previously noted, FAM-29C strives to equitably allocate administrative support costs to personnel that perform mandated cost activities claimed by CCD. For example, library costs and department administration expenses, normally classified fully or partly as indirect costs in OMB Circular A-21, are instead classified as direct costs for FAM-29C. These costs do not benefit mandated cost activities. In summary, FAM-29C indirect costs include Operation and Maintenance of Plant; Planning, Policy Making, and Coordination; General Institutional Support Services (excluding Community Relations); and depreciation or use allowance. Community Relations includes fundraising costs, which are unallowable under OMB Circular A-21. If the district claims any costs from these indirect accounts as a direct mandate-related costs, the same costs should be reclassified as direct on FAM-29C.

Table 4 presents an example of the FAM-29C methodology.

Table 4: Indirect Cost Rate for Community Colleges

MANDATED COST INDIRECT COST RATE FOR COMMUNITY COLLEGE DISTRICTS					FORM FAM 29-C	
(1) Claimant			(02) Period of Claim			
Activity	EDP	Total Costs Per CCFS-311	Less: Capital Outlay and Other Outgo	FAM 29-C Adjusted Total	Indirect	Direct
Instructional Activities	599	\$ 51,792,408	\$ (230,904)	\$ 51,561,504		\$ 51,561,504
Instruct. Admin. & Instruct. Governance	6000	6,882,034	(216,518)	6,665,516		6,665,516
Instructional Support Services	6100	4,155,095	(9,348)	4,145,747		4,145,747
Admissions and Records	6200	2,104,543	(3,824)	2,100,719		2,100,719
Student Counseling and Guidance	6300	4,570,658	(1,605)	4,569,053		4,569,053
Other Student Services	6400	5,426,510	(41,046)	5,385,464		5,385,464
Operation and Maintenance of Plant	6500	8,528,585	(111,743)	8,416,842	8,416,842	
Planning, Policy Making, and Coordination	6600	5,015,333	(23,660)	4,991,673	4,991,673	
General Institutional Support Services	6700			-		
Community Relations	6710	885,089	(6,091)	878,998		878,998
Fiscal Operations	6720	1,891,424	(40,854)	1,850,570	1,850,570	
Human Resources Management	6730	1,378,288	(25,899)	1,352,389	1,352,389	
Non-instructional Staff Retirees' Benefits and Retirement Incentives	6740	1,011,060		1,011,060	1,011,060	
Staff Development	6750	108,655	(8,782)	99,873	99,873	
Staff Diversity	6760	30,125		30,125	30,125	
Logistical Services	6770	2,790,091	(244,746)	2,545,345	2,545,345	
Management Information Systems	6780	2,595,214	(496,861)	2,098,353	2,098,353	
Other General Institutional Support Services	6790	33,155	(4,435)	28,720	28,720	
Community Services and Economic Development	6800	340,014		340,014		340,014
Ancillary Services	6900	1,148,730	(296)	1,148,434		1,148,434
Auxiliary Operations	7000			-		-
Depreciation or Use Allowance - Building				-	2,620,741	
Depreciation or Use Allowance - Equipment				-	1,706,396	
				-		
Totals		\$100,687,011	\$ (1,466,612)	\$ 99,220,399	\$26,752,087	\$ 76,795,449
					(A)	(B)
Indirect Cost Rate (A)/(B)					34.84%	

## 9. Time Study Guidelines

### Background

For costs incurred on or after January 1, 2005, a reasonable reimbursement methodology can be used as a formula for reimbursing CCD costs mandated by the state that meets certain conditions specified in GC Section 17518.5(a). For costs incurred prior to January 1, 2005, a time study can only be substituted for continuous records of actual time spent for a specific fiscal year if the program's P's & G's allows for the use of time studies.

Two methods are acceptable for documenting employee time charged to mandated cost programs: Actual Time Reporting and Time Study, which are described below. Application of time study results is restricted. As explained in Time Study Results below, the results may be projected forward a maximum of two years provided the claimant meets certain criteria.

### Actual Time Reporting

The P's & G's define reimbursable activities for each mandated cost program. Some P's & G's refer to reimbursable activities as reimbursable components. When employees work on multiple activities and/or programs, a distribution of their salaries or wages must be supported by personnel activity reports or equivalent documentation that meets the following standards which clarify documentation requirements discussed under the Reimbursable Activities section of recent P's & G's:

- They must reflect an after-the-fact (contemporaneous) distribution of the actual activity of each employee;
- They must account for the total activity for which each employee is compensated;
- They must be prepared at least monthly and must coincide with one or more pay periods; and
- They must be signed by the employee.

Budget estimates or other distribution percentages determined before services are performed do not qualify as support for time distribution.

### Time Study

In certain cases, a time study may be used to substitute for continuous records of actual time spent on multiple activities and/or programs. An effective time study requires that an activity be a task that is repetitive in nature. Activities that require a varying level of effort are not appropriate for time studies.

### Time Study Plan

A time study plan is necessary before conducting the time study. The claimant must retain the time study plan for audit purposes. The plan needs to identify the following:

- Time period(s) to be studied: The plan must show that all time periods selected are representative of the fiscal year, and that the results can be reasonably projected to approximate actual costs.
- Activities and/or programs to be studied: For each mandated program included, the time study must separately identify each reimbursable activity defined in the mandated program's P's & G's, which are derived from the program's Statement of Decision. If a reimbursable activity in the P's & G's identifies separate and distinct sub-activities, they must also be treated as individual activities.

For example, sub-activities (a), (b), and (c) under reimbursable activity (B)(1) of the local agency's Domestic Violence Treatment Services: Authorization and Case Management program relate to information to be discussed during victim notification by the probation department and therefore are not separate and distinct activities. These sub-activities do not have to be separately studied.

- Process used to accomplish each reimbursable activity: Use flowcharts or similar analytical tools and/or written desk procedures to describe the process for each activity.
- Employee universe: The employee universe used in the time study must include all positions whose salaries and wages are to be allocated by means of the time study.
- Employee sample selection methodology: The plan must show that employees selected are representative of the employee universe, and the results can be reasonably projected to approximate actual costs. In addition, the employee sample size should be proportional to the variation in time spent to perform a task. The sample size should be larger for tasks with significant time variations.
- Time increments to be recorded: The time increments used should be sufficient to recognize the number of different activities performed and the dynamics of these responsibilities. Very large increments (such as one hour or more) might be used for employees performing only a few functions that change very slowly over time. Very small increments (a number of minutes) may be needed for employees performing more short-term tasks.

Random moment sampling is not an acceptable alternative to continuous time records for mandated cost claims. Random moment sampling techniques are most applicable in situations where employees perform many different types of activities on a variety of programs with small time increments throughout the fiscal year.

### Time Study Documentation

Time studies must:

- Be supported by time records that are completed contemporaneously;
- Report activity on a daily basis;
- Be sufficiently detailed to reflect all mandated activities and/or programs performed during a specific time period; and
- Coincide with one or more pay periods.

Time records must be signed by the employee (electronic signatures are acceptable) and be supported by corroborating evidence which validates that the work was actually performed. As with actual time reporting, budget estimates or other distribution percentages determined before services are performed do not qualify as valid time studies.

### Time Study Results

Time study results must be summarized to show how the time study supports the costs claimed for each activity. Any variations from the procedures identified in the original time study plan must be documented and explained.

Current-year costs must be used to prepare a time study. Claimants may project time study results to no more than two subsequent fiscal years. A claimant may not apply time study results retroactively.

- Annual Reimbursement Claims: Claimants may use time studies to support costs incurred on or after January 1, 2005. Claimants may not use time studies for the period July 1, 2004,

through December 31, 2004, unless (1) the program's P's & G's specifically allow time studies, and (2) the time study is prepared based on mandated activity occurring between July 1, 2004, and December 31, 2004.

- **Initial Claims:** When filing an initial claim for new mandated programs, claimants may only use time study results for costs incurred on or after January 1, 2005. Claimants may not use time studies to support costs incurred before January 1, 2005, unless (1) the program's P's & G's specifically allow time studies, and (2) the claimant prepares separate time studies for each fiscal year preceding January 1, 2005, based on mandated activity occurring during those years.

When projecting time study results, the claimant must certify that there have been no significant changes between years in either: (1) the requirements of each mandated program activity or (2) the processes and procedures used to accomplish the activity. For all years, the claimant must maintain corroborating evidence that validates the mandated activity was actually performed. Time study results used to support subsequent years' claims are subject to the recordkeeping requirements for those claims.

## 10. Offset Against State Mandated Claims

As noted previously, allowable costs are defined as those direct and indirect costs, less applicable credits, considered to be eligible for reimbursement. When all or part of the costs of a mandated program are specifically reimbursable from local assistance revenue sources (e.g., state, federal, foundation, etc.), only that portion of any increased costs payable from CCD funds is eligible for reimbursement under the provisions of GC Section 17561.

### Example 1:

As illustrated in Table 5, this example shows how the "Offset Against State Mandated Claims" is determined for a CCD receiving block grant revenues not based on a formula allocation. Program costs for each situation equals \$100,000.

**Table 5: Offset Against State Mandates, Example 1**

	<b>Program Costs</b>	<b>Actual Local Assistance Revenues</b>	<b>State Mandated Costs</b>	<b>Offset Against State Mandated Claims</b>	<b>Claimable Mandated Costs</b>
1.	\$100,000	\$95,000	\$2,500	\$-0-	\$2,500
2.	100,000	97,000	2,500	-0-	2,500
3.	100,000	98,000	2,500	500	2,000
4.	100,000	100,000	2,500	2,500	-0-
5.	100,000 *	50,000	2,500	1,250	1,250
6.	100,000 *	49,000	2,500	250	2,250

\* CCD share is \$50,000 of the program cost.

Numbers (1) through (4), in Table 5, show intended funding at 100% from local assistance revenue sources. Numbers (5) and (6) show cost sharing on a 50/50 basis with the district. In numbers (1) through (6), included in the program costs of \$100,000 are state mandated costs of \$2,500. The offset against state mandated claims are the amount of actual local assistance revenues, which exceeds the difference between program costs and state mandated costs. This offset cannot exceed the amount of state mandated costs.

In (1), local assistance revenues were less than expected. Local assistance funding was not in excess of the difference between program costs and state mandated costs. As a result, the offset against state mandated claims is zero and \$2,500 is claimable as mandated costs.

In (4), local assistance revenues were fully realized to cover the entire cost of the program, including the state mandate activity; therefore, the offset against state mandated claims is \$2,500, and claimable costs are \$0.

In (5), the district is sharing 50% of the project cost. Since local assistance revenues of \$50,000 were fully realized, the offset against state mandated claims is \$1,250.

In (6), local assistance revenues were less than the amount expended and the offset against state mandated claims is \$250. Therefore, the claimable mandated costs are \$2,250.

#### Example 2:

As illustrated in Table 6, this example shows how the offset against state mandated claims is determined for a CCD receiving special project funds based on approved actual costs. Local assistance revenues for special projects must be applied proportionately to approve costs.

**Table 6: Offset Against State Mandates, Example 2**

	<b>Program Costs</b>	<b>Actual Local Assistance Revenues</b>	<b>State Mandated Costs</b>	<b>Offset Against State Mandated Claims</b>	<b>Claimable Mandated Costs</b>
1.	\$100,000	\$100,000	\$2,500	\$2,500	\$-0-
2.	100,000 **	75,000	2,500	1,875	625
3.	100,000 **	45,000	1,500	1,125	375

\*\* CCD share is \$25,000 of the program cost.

In (2), the entire program cost was approved. Since the local assistance revenue source covers 75% of the program cost, it also proportionately covered 75% of the \$2,500 state mandated costs, or \$1,875.

If in (3) local assistance revenues are less than the amount expected because only \$60,000 of the \$100,000 program costs were determined to be valid by the contracting agency, then a proportionate share of state mandated costs is likewise reduced to \$1,500. The offset against state mandated claims is \$1,125. Therefore, the claimable mandated costs are \$375.

#### Federal and State Funding Sources

State school fund apportionments and federal aid for education, which are based on average daily attendance and are part of the general system of financing public schools as well as block grants which do not provide for specific reimbursement of costs (i.e., allocation formulas not tied to expenditures), should not be included as reimbursements from local assistance revenue sources.

#### Governing Authority

The costs of salaries and expenses of the governing authority, such as the school superintendent and governing board, are not reimbursable. These are costs of general government as described in the Office of Management and Budget Circular (OMB) 2 CFR Part 225.

## 11. Notice of Claim Adjustment

All claims submitted to the SCO are reviewed to determine if the claim was prepared in accordance with the claiming instructions. If any adjustments are made to a claim, the claimant will receive a "Notice of Claim Adjustments" detailing adjustments made by the SCO.

## 12. Audit of Costs

All claims submitted to the State Controller's Office (SCO) are reviewed to determine if costs are related to the mandate, are reasonable and not excessive, and the claim was prepared in accordance with the SCO's claiming instructions and the P's & G's adopted by the COSM. If any adjustments are made to a claim, a "Notice of Claim Adjustment" specifying the claim component adjusted, the amount adjusted, and the reason for the adjustment will be mailed within 30 days after payment of the claim.

Pursuant to GC Section 17558.5, subdivision (a), a reimbursement claim for actual costs filed by CCD pursuant to this chapter is subject to the initiation of an audit by the Controller no later than three years after the date that the actual reimbursement claim was filed or last amended, whichever is later. However, if no funds were appropriated or no payment was made to a claimant for the program for the fiscal year for which the claim is filed, the time for the Controller to initiate an audit shall commence to run from the date of initial payment of the claim. In any case, an audit shall be completed no later than two years after the date that the audit is commenced. All documents used to support the reimbursable activities must be retained during the period subject to audit. If an audit has been initiated by the Controller during the period subject to audit, the retention period is extended until the ultimate resolution of any audit findings.

On-site audits will be conducted by the SCO as deemed necessary. Accordingly, all documentation to support actual costs claimed must be retained for a period of three years after the end of the calendar year in which the reimbursement claim was filed or amended regardless of the year of costs incurred. When no funds are appropriated for initial claims at the time the claim is filed, supporting documents must be retained for three years from the date of initial payment of the claim. Claim documentation shall be made available to the SCO on request.

## 13. Source Documents

To be eligible for mandated cost reimbursement for any fiscal year, only actual costs may be claimed. Actual costs are those costs actually incurred to implement the mandated activities. Actual costs must be traceable and supported by source documents that show the validity of such costs, when they were incurred, and their relationship to the reimbursable activities. A source document is a document created at or near the same time the actual cost was incurred for the event or activity in question. Source documents may include, but are not limited to, employee time records or time logs, sign-in sheets, invoices, and receipts.

Evidence corroborating the source documents may include, but is not limited to, worksheets, cost allocation reports (system generated), purchase orders, contracts, agendas, training packets, and declarations. Declarations must include a certification or declaration stating, "I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct based upon personal knowledge." Evidence corroborating the source documents may include data relevant to the reimbursable activities otherwise in compliance with local, state, and federal government requirements. However, corroborating documents cannot be substituted for source documents.

For costs incurred on or after January 1, 2005, a reasonable reimbursement methodology can be used as a formula for reimbursing a CCD mandated by the state that meets certain conditions specified in 17518.5(a). For costs incurred prior to January 1, 2005, time study can substitute for continuous records of actual time spent for a specific fiscal year only if the program's P's & G's allow for the use of time studies.



## 14. Claim Forms and Instructions

A claimant may submit a computer generated report in substitution for Form-1 and Form-2, provided the format of the report and data fields contained within the report are identical to the claim forms included with these instructions. The claim forms provided with these instructions should be duplicated and used by the claimant to file an estimated or reimbursement claim. The SCO will revise the manual and claim forms as necessary.

### A. Form-2, Component/Activity Cost Detail

This form is used to segregate the detail costs by claim component. In some mandates, specific reimbursable activities have been identified for each component. The expenses reported on this form must be supported by the official financial records of the claimant and copies of supporting documentation, as specified in the claiming instructions, must be submitted with the claims. All supporting documents must be retained for a period of not less than three years after the reimbursement claim was filed or last amended.

### B. Form-1, Claim Summary

This form is used to summarize direct costs by component and compute allowable indirect costs for the mandate. The direct costs summarized on this form are derived from Form-2 and are carried forward to form FAM-27.

A CCD has the option of using a federally approved rate (i.e., utilizing the cost accounting principles from the Office of Management and Budget (OMB) 2, CFR Part 225) or from form FAM-29C.

### C. Form FAM-27, Claim for Payment

This form contains a certification that must be signed by an authorized officer of the CCD. All applicable information from Form-1 must be carried forward onto this form in order for the SCO to process the claim for payment. An original and one copy of the FAM-27 are required.

Claims should be rounded to the nearest dollar. Submit a signed original and one copy of form FAM-27, Claim for Payment, and all other forms and supporting documents (**To expedite the payment process, please sign the form FAM-27 with blue ink, and attach a copy of the form FAM-27 to the top of the claim package.**) Use the following mailing addresses:

If delivered by  
U.S. Postal Service:

Office of the State Controller  
Attn: Local Reimbursements Section  
Division of Accounting and Reporting  
P.O. Box 942850  
Sacramento, CA 94250

If delivered by  
Other delivery services:

Office of the State Controller  
Attn: Local Reimbursements Section  
Division of Accounting and Reporting  
3301 C Street, Suite 500  
Sacramento, CA 95816

## 15. Retention of Claiming Instructions

For your convenience, the revised claiming instructions in this package have been arranged in alphabetical order by program name. These revisions should be inserted in the School Mandated Cost Manual and the old forms they replace should be removed. The instructions should then be retained permanently for future reference, and the forms should be duplicated to meet your filing requirements. Annually, updated forms and any other information or instructions claimants may need to file claims, as well as instructions and forms for all new programs released throughout the

year will be placed on the SCO's web site at [www.sco.ca.gov/ard/local/locreim/index.shtml](http://www.sco.ca.gov/ard/local/locreim/index.shtml).

If you have any questions concerning mandated cost reimbursements, please write to us at the address listed for filing claims, or send e-mail to [lrsdar@sco.ca.gov](mailto:lrsdar@sco.ca.gov), or call the Local Reimbursements Section at (916) 324-5729.

#### **16. Retention of Claim Records and Supporting Documentation**

All claims submitted to the SCO are reviewed to determine if costs are related to the mandate, are reasonable and not excessive, and that the claim was prepared in accordance with the SCO's claiming instructions and the COSM's P's and G's. If any adjustments are made to a claim, a "Notice of Claim Adjustments" specifying the claim component adjusted, the amount adjusted, and the reason for the adjustment, will be mailed within 30 days after payment of the claim.

On-site audits will be conducted by the SCO as deemed necessary. Pursuant to GC Section 17558.5, subdivision (a), a reimbursement claim for actual costs filed by a school district is subject to audit by the SCO no later than three years after the date the actual reimbursement claim was filed or last amended, whichever is later. However, if no funds were appropriated or no payment was made to a claimant for the program for the fiscal year for which the claim was filed, the time for the SCO to initiate an audit shall commence to run from the date of initial payment of the claim. Therefore, all documentation to support actual costs claimed must be retained for the same period, and shall be made available to the SCO on request.



## FILING A CLAIM

### 1. Introduction

The law in the State of California, (GC Sections 17500 through 17617), provides for the reimbursement of costs incurred by community college districts (CCD) for costs mandated by the State. Costs mandated by the State means any increased costs which a CCD is required to incur after July 1, 1980, as a result of any statute enacted after January 1, 1975, or any executive order implementing such statute which mandates a new program or higher level of service of an existing program.

A reimbursement claim is defined in GC Section 17522 as any claim filed with the State Controller's Office by a CCD for reimbursement of costs incurred for which an appropriation is made for the purpose of paying the claim. An actual claim for the 2007-08 fiscal year, may be filed by February 15, 2009, without a late penalty. If the filing deadline falls on a weekend or holiday, the filing deadline will be the next business day. Since the 15th falls on a weekend in 2009, claims will be accepted without penalty if postmarked or delivered on before February 17th, 2009. Ongoing reimbursement claims filed after the deadline will be reduced by a late penalty of 10%, not to exceed \$10,000. Amended claims filed after the filing deadline will be reduced by 10% of the increased amount not to exceed \$10,000 for the total claim. Initial reimbursement claims filed after the filing deadline will be reduced by a late penalty of 10% with no limitation. Claims filed more than one year after the deadline will not be accepted by the SCO.

In order for a claim to be considered properly filed, it must include documentation to support the indirect cost rate if the indirect cost rate exceeds 7 percent. A more detailed discussion of the indirect cost methods available to community colleges may be found in Section 9 of these instructions. Documentation to support actual costs must be kept on hand by the claimant and made available to the SCO upon request as explained in Section 17 of these instructions.

When a program has been reimbursed for three or more years, the Commission on State Mandates (CSM) may approve the program for inclusion in the State Mandates Apportionment System (SMAS). For programs included in SMAS, the SCO determines the amount of each claimant's entitlement based on an average of three consecutive fiscal years of actual costs adjusted by any changes in the Implicit Price Deflator (IPD). Claimants with an established entitlement receive an annual apportionment adjusted by any changes in the IPD and, under certain circumstances, by any changes in workload. Claimants with an established entitlement do not need to file further claims for the program.

The SCO is authorized to make payments for costs of mandated programs from amounts appropriated by the State Budget Act, by the State Mandates Claims Fund, or by specific legislation. In the event the appropriation is insufficient to pay claims in full, claimants will receive prorated payments in proportion to the dollar amount of approved claims for the program. Balances of prorated payments will be made when supplementary funds become available.

These claiming instructions are issued to help claimants prepare paper, and/or electronic mandated cost claims, for submission to the SCO. These instructions are based upon the State of California statutes, regulations, and parameters and guidelines (P's & G's) adopted by the CSM. Since each mandate is administered separately, it is important to refer to the P's and G's for each program for information relating to established policies and eligible reimbursable costs.

### 2. Electronic Filing: Local Government e-Claims (LGeC)

LGeC enables claimants and their consultants to securely prepare and submit mandated cost claims via the Internet. LGeC uses a series of data input screens to collect the information needed to prepare a claim and provides a web service so claims can be uploaded in batch files. LGeC also incorporates an attachment feature so claimants can electronically attach supporting documentation if required. The only documentation required to be submitted with the claim is the

support for the indirect cost rate if the indirect cost rate exceeds 10%. A more detailed discussion of the indirect cost methodologies available to community colleges may be found in Section 9 of this manual. All other documentation to support actual costs must be kept on hand by the claimant and made available to the SCO upon request as explained in Section 17 of this manual.

The LGeC system provides an easy and straightforward approach to the claiming process. Filing claims using LGeC eliminates the manual preparation and submission of paper claims by CCDs and the receiving, processing, key entry, verification, and storage of the paper claims by the SCO. LGeC also provides mathematical checks and automated error detection to reduce erroneous and incomplete claims, provides the State with an electronic workflow process, and stores the claims in an electronic format. Making the change from paper claims to electronic claims reduces the manual handling of paper claims and decreases the costs incurred for postage, handling, and storage of claims filed using the LGeC system.

In order to use the LGeC system you will need to obtain a user ID and password for each person who will access the LGeC system. To obtain a User ID and password you must file an application with the SCO. The application and instructions are available on the LGeC website located at <https://www.sco/ard/local/lgec/index.shtml>. Complete the application and other documents as requested and mail them to the SCO using the address provided in the instructions. The SCO will process the application and issue a User ID and password to each applicant.

In addition, you may want to subscribe to an email distribution list to automatically receive timely, comprehensive information regarding mandated cost claim receipts, payments, test claims, guidelines, electronic claims, and other news and updates. You also will receive related audit reports and mandate information disseminated by other state agencies.

You can find more information about LGeC and the email distribution lists at <https://www.sco/ard/local/lgec/index.shtml>. This website provides access to the LGeC system, an application for User ID's and passwords, an instructional guide, FAQ's and additional help files. Questions about the information on this website may be directed to [LRSDAR@sco.ca.gov](mailto:LRSDAR@sco.ca.gov), or to Angie Lowi Teng at the Division of Accounting and Reporting, Local Reimbursements Section, Local Government e-Claims, (916) 323-0706.

### 3. Types of Claims

Claimants may file a reimbursement claim for actual mandated costs incurred in the prior fiscal year. An entitlement claim may be filed for the purpose of establishing a base year entitlement amount for mandated programs included in SMAS. A claimant who has established a base year entitlement for a program, would receive an automatic annual payment which is reflective of the current costs for the program.

All claims received by the SCO will be reviewed to verify actual costs. An adjustment of the claim will be made if the amount claimed is determined to be excessive, improper, or unreasonable.

#### A. Reimbursement Claim

A reimbursement claim is defined in GC Section 17522 as any claim filed with the SCO by a CCD for reimbursement of costs incurred for which an appropriation is made for paying the claim.

Initial reimbursement claims are first-time claims for reimbursement of costs for one or more prior fiscal year(s) of a program that was previously unfunded. Claims are due 120 days from the date of issuance of the claiming instructions for the program by the SCO. The first statute that appropriates funds for the mandated program will specify the fiscal years for which costs are eligible for reimbursement.

Annual ongoing reimbursement claims must be filed by February 15<sup>th</sup> following the fiscal year in

which costs were incurred for the program. If the filing deadline falls on a weekend or holiday, the filing deadline will be the next business day. Since February 15<sup>th</sup> falls on a weekend in 2009, claims will be accepted without penalty if postmarked or delivered on before February 17<sup>th</sup>, 2009.

In order for a claim to be considered properly filed, it must include documentation to support the indirect cost rate if the indirect cost rate exceeds seven percent. A more detailed discussion of the indirect cost methods available to community colleges may be found in Section 9 of this manual.

Documentation to support actual costs must be kept on hand by the claimant and made available to the SCO upon request as explained in Section 17 of this manual.

#### **B. Estimated Claims**

Pursuant to AB 8, Chapter 6, Statutes of 2008, the option to file estimated claims has been eliminated. Therefore, estimated claims filed on or after February 17, 2008, will not be accepted for reimbursement.

#### **C. Entitlement Claim**

An entitlement claim is defined in GC Section 17522 as any claim filed by a CCD with the SCO for the sole purpose of establishing or adjusting a base year entitlement for a mandated cost program that has been included in SMAS. An entitlement claim should not contain nonrecurring or initial start-up costs. There is no statutory deadline for the filing of entitlement claims. However, entitlement claims should be filed by February 15<sup>th</sup>, following the third fiscal year used to develop the entitlement claim, to permit an orderly processing of claims. When the claims are approved and a base year entitlement amount is determined, the claimant will receive an apportionment reflective of the program's current year costs.

The automatic apportionment is determined by adjusting the claimant's base year entitlement for changes in the IPD of costs of goods and services to governmental agencies, as determined by the State Department of Finance. For programs approved by the CSM for inclusion in SMAS on or after January 1, 1988, the payment for each year succeeding the three year base period is adjusted according to any changes by both the IPD and average daily attendance (ADA).

The SCO will perform this computation for each claimant who has filed claims for three consecutive years. If a claimant has incurred costs for three consecutive years but has not filed a claim in each of those years, the claimant may file an entitlement claim, form FAM-43, to establish a base year entitlement. The form FAM-43 is included in the claiming instructions for SMAS programs. An entitlement claim does not result in the claimant being reimbursed for the costs incurred, but rather entitles the claimant to receive automatic payments from SMAS. Annual apportionments for programs included in the SMAS system are paid on or before November 30<sup>th</sup> of each year.

#### **4. Minimum Claim Amount**

For initial claims and annual claims filed on or after September 30, 2002, if the total costs for a given year do not exceed \$1,000 no reimbursement shall be allowed except as otherwise allowed by GC Section 17564.

#### **5. Filing Deadline for Claims**

Pursuant to GC Section 17561(d) initial reimbursement claims (first time claims) for reimbursement of costs of a previously unfunded mandated program must be filed within 120 days from the date the SCO issues the claiming instructions for the program.

When paying a timely filed claim for initial reimbursement, the Controller shall withhold 20 percent of the amount of the claim until the claim is audited to verify the actual amount of the mandated costs.

Initial reimbursement claims filed after the filing deadline shall be reduced by 10 percent of the amount that would have been allowed had the claim been timely filed. The Controller may withhold payment of any late claim for initial reimbursement until the next deadline for funded claims unless sufficient funds are available to pay the claim after all timely filed claims have been paid. All initial reimbursement claims for all fiscal years required to be filed on their initial filing date for a state-mandated local program shall be considered as one claim for the purpose of computing any late claim penalty.

In no case may a reimbursement claim be paid if submitted more than one year after the filing deadline specified in the Controller's claiming instructions on funded mandates.

Pursuant to GC Section 17560, annual reimbursement claims (recurring claims) for costs incurred during the previous fiscal year must be filed with the SCO and postmarked on or before February 15th following the fiscal year in which costs were incurred. If the filing deadline falls on a weekend or holiday, the filing deadline will be the next business day. Since February 15th falls on a weekend in 2009, claims will be accepted without penalty if postmarked or delivered on or before February 17th, 2009.

If the annual reimbursement claim is filed after the deadline, but within one year of the deadline, the approved claim must be reduced by a 10% late penalty, not to exceed \$10,000. Amended claims filed after the deadline will be reduced by 10% of the increased amount not to exceed \$10,000 for the total claim. Claims filed more than one year after the deadline cannot be accepted for reimbursement.

Entitlement claims do not have a filing deadline. However, entitlement claims should be filed by February 15th to permit orderly processing of the claims.

## **6. Payment of Claims**

In order for the SCO to authorize payment of a claim, the Certification of Claim, form FAM-27, must be properly filled out, signed, and dated by the entity's authorized officer. When using the LGeC system the logon id and password of the authorized officer is used for the signature and is applied by the LGeC system when the claim is submitted. Pursuant to GC 17561(d), reimbursement claims are paid by August 15, or 45 days after the date the appropriation for the claim is effective, whichever is later. In the event the amount appropriated by the Legislature is insufficient to pay the approved amount in full for a program, claimants will receive a prorated payment in proportion to the amount of approved claims timely filed and on hand at the time of proration.

A claimant is entitled to receive accrued interest at the pooled money investment account rate if the payment was made more than 60 days after the claim filing deadline or the actual date of claim receipt, whichever is later. For an initial claim, interest begins to accrue when the payment is made more than 365 days after the adoption of the program's statewide cost estimate. The SCO may withhold up to 20 percent of the amount of an initial claim until the claim is audited to verify the actual amount of the mandated costs.

The SCO reports the amounts of insufficient appropriations to the State Department of Finance, the Chairperson of the Joint Legislative Budget Committee, and the Chairperson of the respective committee in each house of the Legislature, who consider appropriations in order to assure appropriation of these funds in the Budget Act. If these funds cannot be appropriated on a timely basis in the Budget Act, this information is transmitted to the CSM which will include these amounts in its report to assure that an appropriation sufficient to pay the claims is included in the next local government claims bill or other appropriation bills. Any balances remaining on these claims will be paid when supplementary funds are made available.

Unless specified in the statutes, regulations, or P's & G's, the determination of allowable and unallowable costs for mandates is based on the P's & G's adopted by the CSM. The determination of allowable reimbursable mandated costs for unfunded mandates is made by the CSM. The SCO determines allowable reimbursable costs, subject to amendment by the CSM, for mandates funded by special legislation. Allowable costs are those direct and indirect costs, less applicable credits, considered eligible for reimbursement. In order for costs to be allowable and thus eligible for reimbursement, the costs must meet the following general criteria:

1. The cost is necessary and reasonable for proper and efficient administration of the mandate and not a general expense required to carry out the overall responsibilities of government.
2. The cost is allocable to a particular cost objective identified in the P's & G's.
3. The cost is net of any applicable credits that offset or reduce expenses of items allocable to the mandate.

The SCO has identified certain costs that should not be claimed as direct program costs unless specified as reimbursable under the program's P's & G's. These costs include, but are not limited to, subscriptions, depreciation, memberships, conferences, workshops, general education, and travel costs.

#### **7. State Mandates Apportionment System (SMAS)**

Chapter 1534, Statutes of 1985, established SMAS, a method of paying certain mandated programs as apportionments. This method is utilized whenever a program has been approved for inclusion in SMAS by the CSM.

When a mandated program has been included in SMAS, the SCO will determine a base year entitlement amount for each CCD that has submitted reimbursement claims (or entitlement claims) for three consecutive fiscal years. A base year entitlement amount is determined by averaging the approved reimbursement claims (or entitlement claims) for 1982-83, 1983-84, and 1984-85 years or any three consecutive fiscal years thereafter. The amounts are first adjusted by any change in the IPD, which is applied separately to each year's costs for the three years that comprise the base period. The base period means the three fiscal years immediately succeeding the CSM's approval.

Each CCD with an established base year entitlement for the program will receive automatic annual payments from the SCO reflective of the program's current year costs. The apportionment amount is adjusted annually for any change in the IPD. If the mandated program was included in SMAS after January 1, 1988, the annual apportionment is adjusted for any change in both the IPD and ADA.

In the event a CCD has incurred costs for three consecutive fiscal years but did not file a reimbursement claim in one or more of those fiscal years, the CCD may file an entitlement claim for each of those missed years to establish a base year entitlement. An "entitlement claim" means any claim filed by a CCD with the SCO for the sole purpose of establishing a base year entitlement. A base year entitlement shall not include any nonrecurring or initial start-up costs.

Initial apportionments are made on an individual program basis. After the initial year, all apportionments are made by November 30<sup>th</sup>. The amount to be apportioned is the base year entitlement adjusted by annual changes in the IPD for the cost of goods and services to governmental agencies as determined by the State Department of Finance.

In the event the CCD determines that the amount of apportionment does not accurately reflect costs incurred to comply with a mandate, the process of adjusting an established base year entitlement upon which the apportionment is based is set forth in GC Section 17615.8 and requires the approval of the CSM.



## 8. Direct Costs

A direct cost is a cost that can be identified specifically with a particular program or activity. Documentation to support direct costs must be kept on hand by the claimant and made available to the SCO upon request as explained in Section 17 of these instructions. Costs typically classified as direct costs are:

### (1) Employee Wages, Salaries, and Fringe Benefits

For each of the mandated activities performed, the claimant must list the names of the employees who worked on the mandate, their job classification, hours worked on the mandate, and rate of pay. The claimant may use a productive hourly rate in-lieu of reporting actual compensation and fringe benefits:

#### (a) Productive Hourly Rate Options

A CCD may use one of the following methods to compute productive hourly rates:

- Actual annual productive hours for each employee
- The weighted-average annual productive hours for each job title, or
- 1,800\* annual productive hours for all employees

If actual annual productive hours or weighted-average annual productive hours for each job title is chosen, the claimant must maintain documentation of how these hours were computed. Documentation to support these costs must be kept on hand by the claimant and made available to the SCO upon request as explained in Section 17 of these instructions.

\* 1,800 annual productive hours excludes the following employee time:

- Paid holidays;
- Vacation earned;
- Sick leave taken;
- Informal time off;
- Jury duty;
- Military leave taken.

#### (b) Compute a Productive Hourly Rate

1. Compute a productive hourly rate for salaried employees to include actual fringe benefit costs. The methodology for converting a salary to a productive hourly rate is to compute the employee's annual salary and fringe benefits and divide by the annual productive hours.

**Table 1: Productive Hourly Rate, Annual Salary + Benefits Method**

Formula:	Description:
$[(EAS + \text{Benefits}) \div APH] = PHR$	EAS = Employee's Annual Salary
	APH = Annual Productive Hours
$[(\$26,000 + \$8,099) \div 1,800 \text{ hrs}] = 18.94$	PHR = Productive Hourly Rate

- As illustrated in Table 1, if you assume an employee's compensation was \$26,000 and \$8,099 for annual salary and fringe benefits, respectively, using the "Salary + Benefits Method," the productive hourly rate would be \$18.94. To convert a biweekly salary to EAS, multiply the biweekly salary by 26. To convert a monthly salary to EAS, multiply the monthly salary by 12. Use the same methodology to convert other salary periods.

2. A claimant may also compute the productive hourly rate by using the "Percent of Salary Method."

**Table 2: Productive Hourly Rate, Percent of Salary Method**

<b>Example:</b>		
<b>Step 1:</b> Fringe Benefits as a Percent of Salary		<b>Step 2:</b> Productive Hourly Rate
Retirement	15.00 %	<b>Formula:</b> $\frac{[(EAS \times (1 + FBR)) \quad APH]}{PHR}$  $\frac{[(\$26,000 \times (1.3115)) \quad 1,800 ]}{= \$18.94}$
Social Security & Medicare	7.65	
Health & Dental Insurance	5.25	
Workers Compensation	3.25	
<b>Total</b>	<b>31.15 %</b>	
<b>Description:</b>		
EAS = Employee's Annual Salary		APH = Annual Productive Hours
FBR = Fringe Benefit Rate		PHR = Productive Hourly Rate

- As illustrated in Table 3, both methods produce the same productive hourly rate.

Reimbursement for personnel services includes, but is not limited to, compensation paid for salaries, wages and employee fringe benefits. Employee fringe benefits include employer's contributions for social security, pension plans, insurance, workers compensation insurance and similar payments. These benefits are eligible for reimbursement as long as they are distributed equitably to all activities. Whether these costs are allowable is based on the following presumptions:

- The amount of compensation is reasonable for the service rendered.
- The compensation paid and benefits received are appropriately authorized by the governing board.
- Amounts charged for personnel services are based on payroll documents that are supported by time and attendance or equivalent records for individual employees.
- The methods used to distribute personnel services should produce an equitable distribution of direct and indirect allowable costs.

For each of the employees included in the claim, the claimant must use reasonable rates and hours in computing the wage cost. If a person of a higher-level position, performs an activity which normally would be performed by a lower-level position, reimbursement for time spent is allowable at the average salary range for the lower-level position. The salary rate of the person at a higher-level position may be claimed if it can be shown that it was more cost effective in comparison to the performance by a person at the lower-level position under normal circumstances and conditions. The number of hours charged to an activity should reflect the time expected to complete the activity under normal circumstances and conditions. The numbers of hours in excess of normal expected hours

are not reimbursable. Documentation to support these costs must be kept on hand by the claimant and made available to the SCO upon request as explained in Section 17 of these instructions.

**(c) Calculating an Average Productive Hourly Rate**

In those instances where the P's & G's allow a unit as a basis of claiming costs, the direct labor component of the unit cost should be expressed as an average productive hourly rate and can be determined as follows:

**Table 3: Calculating an Average Productive Hourly Rate**

	<u>Time Spent</u>	<u>Productive Hourly Rate</u>	<u>Total Cost by Employee</u>
Employee A	1.25 hrs	\$6.00	\$7.50
Employee B	0.75 hrs	4.50	3.38
Employee C	3.50 hrs	10.00	35.00
Total	5.50 hrs		\$45.88
Average Productive Hourly Rate is \$45.88/5.50 hrs. = \$8.34			

**(d) Employer's Fringe Benefits Contribution**

A CCD has the option of claiming actual employer's fringe benefit contributions or may compute an average fringe benefit cost for the employee's job classification and claim it as a percentage of direct labor. The same time base should be used for both salary and fringe benefits when computing a percentage. For example, if health and dental insurance payments are made annually, use an annual salary. After the percentage of salary for each fringe benefit is computed, total them. Documentation to support these costs must be kept on hand by the claimant and made available to the SCO upon request as explained in Section 17 of these instructions. For example:

<u>Employer's Contribution</u>	<u>% of Salary</u>
Retirement	15.00%
Social Security	7.65%
Health and Dental	5.25%
Insurance	0.75%
Worker's Compensation	0.75%
Total	<u>28.65%</u>

**(e) Materials and Supplies**

Only actual expenses can be claimed for materials and supplies, which were acquired and consumed specifically for the purpose of a mandated program. The claimant must list the materials and supplies that used to perform the mandated activity, the number of units consumed, the cost per unit, and the total dollar amount claimed. Materials and supplies in excess of reasonable quality, quantity, and cost are not reimbursable. Materials and supplies withdrawn from inventory and charged to the mandated activity must be based on a recognized method of pricing, consistently applied. Purchases shall be claimed at the actual price after deducting discounts, rebates and allowances received by the CCD. Documentation to support these costs must be kept on hand by

the claimant and made available to the SCO upon request as explained in Section 17 of these instructions.

**(f) Calculating a Unit Cost for Materials and Supplies**

In those instances where the P's & G's suggest that a unit cost be developed for use as a basis of claiming costs mandated by the State, the materials and supplies component of the unit cost should be expressed as a unit cost of materials and supplies as shown in Table 1 or Table 2:

**Table 1: Calculating A Unit Cost for Materials and Supplies**

<b>Supplies</b>	<b><u>Cost Per Unit</u></b>	<b><u>Amount of Supplies Used Per Activity</u></b>	<b><u>Unit Cost of Supplies Per Activity</u></b>
Paper	0.02	4	\$0.08
Files	0.10	1	0.10
Envelopes	0.03	2	0.06
Photocopies	0.10	4	<u>0.40</u>
			<u>\$0.64</u>

**Table 2: Calculating a Unit Cost for Materials and Supplies**

<b>Supplies</b>	<b><u>Supplies Used</u></b>	<b><u>Unit Cost of Supplies Per Activity</u></b>
Paper (\$10.00 for 500 sheet ream)	250 Sheets	\$5.00
Files (\$2.50 for box of 25)	10 Folders	1.00
Envelopes (\$3.00 for box of 100)	50 Envelopes	1.50
Photocopies (\$0.05 per copy)	40 Copies	<u>2.00</u>
		<u>\$9.50</u>
If the number of reimbursable instances is 25, then the unit cost of supplies is \$0.38 per reimbursable instance (\$9.50/25).		

**(g) Contract Services**

The cost of contract services is allowable if the CCD lacks the staff resources or necessary expertise, or it is economically feasible to hire a contractor to perform the mandated activity. The claimant must keep documentation on hand to support the name of the contractor, explain the reason for having to hire a contractor, describe the mandated activities performed, give the dates when the activities were performed, the number of hours spent performing the mandate, the hourly billing rate, and the total cost. The hourly billing rate shall not exceed the rate specified in the P's & G's for the mandated program. The contractor's invoice, or statement, which includes an itemized list of costs for activities performed. Documentation to support these costs must be kept on hand by the claimant and made available to the SCO upon request as explained in Section 17 of these instructions.

**(h) Equipment Rental Costs**

Equipment purchases and leases (with an option to purchase) are not reimbursable as a direct cost unless specifically allowed by the P's & G's for the particular mandate. Equipment rentals used solely for the mandate are reimbursable to the extent such costs do not exceed the retail purchase price of the equipment plus a finance charge. The claimant must maintain documentation to support the purpose and use for the equipment, the time period for which the equipment was rented and the total cost of the rental. If the equipment is used for purposes other than reimbursable activities, only the pro rata portion of the rental costs can be claimed. Documentation to support these costs must be kept on hand by the claimant and made available to the SCO upon request as explained in Section 17 of these instructions.

**(i) Capital Outlay**

Capital outlays for land, buildings, equipment, furniture and fixtures may be claimed if the P's & G's specify them as allowable. If they are allowable, the P's & G's for the program will specify a basis for the reimbursement. If the fixed asset or equipment is also used for purposes other than reimbursable activities for a specific mandate, only the pro rata portion of the purchase price used to implement the reimbursable activities can be claimed. Documentation to support these costs must be kept on hand by the claimant and made available to the SCO upon request as explained in Section 17 of these instructions.

**(j) Travel Expenses**

Travel expenses are normally reimbursable in accordance with travel rules and regulations of the local jurisdiction. For some programs, however, the P's & G's may specify certain limitations on expenses, or that expenses can only be reimbursed in accordance with the State Board of Control travel standards. When claiming travel expenses, the claimant must maintain documentation to support the purpose of the trip, the name and address of the persons incurring the expense, the date and time of departure and return, a description of each expense claimed, and the cost of transportation, number of private auto miles traveled, and the cost of tolls and parking. Receipts are required for charges over \$10.00. Documentation to support these costs must be kept on hand by the claimant and made available to the SCO upon request as explained in Section 17 of these instructions.

**(k) Documentation**

It is the responsibility of the claimant to maintain documentation in the form of general and subsidiary ledgers, purchase orders, invoices, contracts, canceled warrants, equipment usage records, land deeds, receipts, employee time sheets, agency travel guidelines, inventory records, and other relevant documents to support claimed costs. The type of documentation necessary for each claim may differ with the type of mandate. The documentation supporting these costs must be kept on hand by the claimant and made available to the SCO upon request as explained in Section 17 of these instructions.

**9. Indirect Costs**

Indirect costs are: (a) Incurred for a common or joint purpose benefiting more than one cost objective, and (b) not readily assignable to the cost objectives specifically benefited without effort disproportionate to the results achieved. Indirect costs can originate in the department performing the mandate or in departments that supply the department performing the mandate with goods, services, and facilities. To be allowable, a cost must be allocable to a particular cost objective. Indirect costs must be distributed to benefiting cost objectives on bases which produce an equitable result related to the benefits derived by the mandate.

A CCD may claim indirect costs using the Controller's methodology (FAM-29C), or if specifically allowed by a mandated cost program's P's & G's, a district may choose to claim indirect costs using

either (1) a federally approved rate prepared in accordance with the Office of Management and Budget (OMB) Circular A-21, *Cost Principles for Educational Institutions*; or (2) a flat 7% rate. The FAM-29C indirect cost rate and the flat 7% indirect cost rate are applied to *Salaries and Benefits Only*, whereas the federally approved rate is applied to the allocation base used in developing the federally approved rate.

If indirect costs are calculated using the OMB Circular A-21 methodology with a base other than *Salaries and Benefits Only*, the claim cannot be filed using the Local Government e-Claims system as LGeC does not support cost bases other than *Salaries and Benefits Only*. Instead, these claims must be filed manually using paper forms.

However, if indirect costs are calculated using the OMB Circular A-21 methodology using *Salaries and Benefits Only* in the base, then the claims can be filed using either the LGeC system or the manual paper process. In these cases, the indirect cost rate is calculated in accordance with the chosen methodology and keyed into the mandated cost form on the appropriate line (usually Form 1, line (06)), *Indirect Cost Rate*. The LGeC system will apply that rate to *Salaries and Benefits Only* (usually Form 1, line (5)(a)) to arrive at the total indirect costs (usually Form 1, line (7)). If the rate is applied to anything other than *Salaries and Benefits Only*, then the claim must be filed manually using paper forms.

The SCO developed form FAM-29C to be consistent with the OMB Circular A-21 cost accounting principles as they apply to mandated cost programs. The objective is to determine an equitable rate to allocate administrative support to personnel who performed the mandated cost activities. The methodology used in form FAM-29C is a direct cost base comprised of salary and benefit costs. This provides a consistent indirect cost rate methodology for all CCD's mandated cost programs.

FAM-29C uses expenditures that districts report in their California Community Colleges Annual Financial and Budget Report (CCFS-311), Expenditures by Activity for the General Fund – Combined. The computation excludes capital outlay and other outgo in accordance with the OMB Circular A-21. The indirect cost rate computation includes any depreciation or use allowance applicable to district buildings and equipment. Districts calculate depreciation or use allowance costs separately from the CCFS-311 report and should calculate them in accordance with the OMB Circular A-21.

The OMB Circular A-21, Section C.4, states that a cost is allocable to a particular cost objective in accordance with the relative benefits received. Also, Section E.2.b., states that the overall objective of the cost allocation process is to distribute indirect costs to the institution's major functions in proportions reasonably consistent with their use of the institution's resources. In addition, Section E.2.c. notes that where certain items or categories of expense relate to less than all functions, such expenses should be set aside for selective allocation.

The OMB Circular A-21, Section H, describes a simplified method for indirect cost rate calculations. However, Section H.1.b. states that the simplified method should not be used where it produces results that appear inequitable. As previously noted, FAM-29C strives to equitably allocate administrative support costs to personnel that perform mandated cost activities claimed by CCD's. For example, library costs and department administration expenses, normally classified fully or partly as indirect costs in the OMB Circular A-21, are instead classified as direct costs for FAM-29C. These costs do not benefit mandated cost activities. In summary, FAM-29C indirect costs include operation and maintenance of plant; planning, policy making, and coordination; general institutional support services (excluding community relations); and depreciation or use allowance. Community relations include fundraising costs, which are unallowable under OMB Circular A-21. If the district claims any costs from these indirect accounts as direct mandate-related costs, the same costs should be reclassified as direct on FAM-29C.

Table 4 presents an example of the FAM-29C methodology.

Table 4: Indirect Cost Rate for Community Colleges

MANDATED COST INDIRECT COST RATE FOR COMMUNITY COLLEGE DISTRICTS					FORM FAM 29-C
(1) Claimant					
Activity	EDP	Salaries and Benefits per CCFS-311	Operating Expenses per CCFS-311	Indirect-Salaries, Benefits, and Operating Expenses	Direct-Salaries and Benefits only
Instructional Activities	599	\$46,249,931	\$ 8,289,190		\$ 46,249,931
Instruct. Admin. & Instruct. Governance	6000	5,181,935	631,615		5,181,935
Instructional Support Services	6100	4,361,061	445,196		4,361,061
Admissions and Records	6200	1,251,539	96,634		1,251,539
Student Counseling and Guidance	6300	3,373,121	80,201		3,373,121
Other Student Services	6400	5,511,511	1,116,904		5,511,511
Operation and Maintenance of Plant	6500	5,192,099	3,192,398	8,384,497	
Planning, Policy Making, and Coordination	6600	2,562,909	1,096,833	3,659,742	
General Institutional Support Services	6700				
Community Relations	6710	446,207	228,320	674,527	
Fiscal Operations	6720	2,342,316	315,019	2,657,335	
Human Resources Management	6730	1,057,387	102,600	1,159,987	
Non-instructional Staff Retirees' Benefits and Retirement Incentives	6740	1,327,125	-	1,327,125	
Staff Development	6750	1,295	34,931	36,226	
Staff Diversity	6760	449,392	394,915	844,307	
Logistical Services	6770	2,853,609	354,953	3,208,562	
Management Information Systems	6780	2,386,511	894,685	3,281,196	
Other General Institutional Support Services	6790	19,635	1,679	21,314	
Community Services and Economic Development	6800	963,036	688,648		963,036
Ancillary Services	6900	723,450	224,961		723,450
Auxiliary Operations	7000	565,859	12,179.00		565,859
Depreciation or Use Allowance - Building				2,620,741	
Depreciation or Use Allowance - Equipment				721,097	
<b>Totals</b>		<u>\$86,819,928</u>	<u>\$ 18,201,861</u>	<u>\$28,596,656</u>	<u>\$68,181,443</u>
				(A)	(B)
				<u>41.94%</u>	
Indirect Cost Rate (A)/(B)					

## 10. Time Study Guidelines

### Background

A reasonable reimbursement methodology, which meets certain conditions specified in Government Code section 17518.5, subdivision (a), can be used as a "formula for reimbursing local agency and school district costs mandated by the state."

Two methods are acceptable for documenting employee time charged to mandated cost programs: Actual Time Reporting and Time Study. These methods are described below. Application of time study results is restricted. As explained in the Time Study Results section below, the results may be projected forward a maximum of two years or applied retroactively to initial claims, current-year claims, and late-filed claims, provided certain criteria are met.

### Actual Time Reporting

Each program's parameters and guidelines define reimbursable activities for the mandated cost program. (Some parameters and guidelines refer to reimbursable activities as reimbursable components.) When employees work on multiple activities and/or programs, a distribution of their salaries or wages must be supported by personnel activity reports or equivalent documentation that meets the following standards (which clarify documentation requirements discussed in the Reimbursable Activities section of recent parameters and guidelines):

- They must reflect an after-the-fact (contemporaneous) distribution of the actual activity of each employee;
- They must account for the total activity for which each employee is compensated;
- They must be prepared at least monthly and must coincide with one or more pay periods; and
- They must be signed by the employee.

Budget estimates or other distribution percentages determined before services are performed do not qualify as support for actual time reporting.

### Time Study

In certain cases, a time study may be used as a substitute for continuous records of actual time spent on multiple activities and/or programs. A time study can be used for an activity when the task is repetitive in nature. Activities that require varying levels of effort are not appropriate for time studies.

### Time Study Plan

The claimant must develop a time study plan before a time study is conducted. The claimant must retain the time study plan for audit purposes. The plan must identify the following:

- Time period(s) to be studied - the plan must show that all time periods selected are representative of the fiscal year and that the results can be reasonably projected to approximate actual costs.
- Activities and/or programs to be studied - for each mandated program included, the time study must separately identify each reimbursable activity defined in the mandated program's parameters and guidelines, which are derived from the program's statement of decision. If a reimbursable activity in the parameters and guidelines identifies separate and distinct sub-activities, these sub-activities also must be treated as individual activities.

For example, sub-activities (a), (b), and (c) under reimbursable activity (B)(1) of the local



agency's Domestic Violence Treatment Services: Authorization and Case Management Program, relate to information to be discussed during victim notification by the probation department and therefore are not separate and distinct activities. It is not necessary to separately study these sub-activities.

- Process used to accomplish each reimbursable activity - use flowcharts or similar analytical tools and/or written desk procedures to describe the process followed to complete each activity.
- Employee universe - the employee universe used in the time study must include all positions whose salaries and wages are to be allocated by means of the time study.
- Employee sample selection methodology - the plan must show that employees selected are representative of the employee universe and that the results can be reasonably projected to approximate actual costs. In addition, the employee sample size should be proportional to the variation in time spent to perform a task. The sample size should be larger for tasks with significant time variations.
- Time increments to be recorded - the time increments used should be sufficient to recognize the number of different activities performed and the dynamics of these responsibilities. Very large increments (such as one hour or more) can be used for employees performing only a few functions that change very slowly over time. Small increments (a number of minutes) can be used for employees performing more short-term tasks.

Random-moment sampling is not an acceptable alternative to continuous time records for mandated cost claims. Random-moment sampling techniques are most applicable in situations where employees perform many different types of activities on a variety of programs with small time increments throughout the fiscal year.

### **Time Study Documentation**

Time studies must:

- Be supported by time records that are completed contemporaneously;
- Report activity on a daily basis;
- Be sufficiently detailed to reflect all mandated activities and/or programs performed during a specific time period; and
- Coincide with one or more pay periods.

Time records must be signed by the employee and be supported by documentation that validates that the work was actually performed. As with actual time reporting, budget estimates or other distribution percentages determined before services are performed do not qualify as valid time studies.

### **Time Study Results**

Claimants must summarize time study results to show how the time study supports the costs claimed for each activity. Any variations from the procedures identified in the original time study plan must be documented and explained. Current-year costs must be used to prepare a time study. Claimants may project time study results to no more than two subsequent fiscal years. A claimant also may apply time study results retroactively to initial claims, current-year claims, and late-filed claims.

When projecting time study results, the claimant must certify that no significant changes have occurred between years in either (1) the requirements of each mandated program activity; or (2) the processes and procedures used to accomplish the activity. For all years, the claimant must

maintain documentation that shows that the mandated activity was actually performed. Time study results used to support claims are subject to the record-keeping requirements for those claims.

## 11. Offset Against State Mandated Claims

As noted previously, allowable costs are defined as those direct and indirect costs, less applicable credits, considered eligible for reimbursement. When all or part of the costs of a mandated program are specifically reimbursable from local assistance revenue sources (e.g., state, federal, foundation, etc.), only that portion of any increased costs payable from CCD funds is eligible for reimbursement under the provisions of GC Section 17561.

### Example 1:

As illustrated in Table 5, this example shows how the "Offset Against State Mandated Claims" is determined for a CCD receiving block grant revenues not based on a formula allocation. Program costs for each situation equals \$100,000.

**Table 5: Offset Against State Mandates, Example 1**

	<b>Program Costs</b>	<b>Actual Local Assistance Revenues</b>	<b>State Mandated Costs</b>	<b>Offset Against State Mandated Claims</b>	<b>Claimable Mandated Costs</b>
1.	\$100,000	\$95,000	\$2,500	\$-0-	\$2,500
2.	100,000	97,000	2,500	-0-	2,500
3.	100,000	98,000	2,500	500	2,000
4.	100,000	100,000	2,500	2,500	-0-
5.	100,000 *	50,000	2,500	1,250	1,250
6.	100,000 *	49,000	2,500	250	2,250

\* CCD share is \$50,000 of the program cost.

Numbers (1) through (4), in Table 5, show intended funding at 100% from local assistance revenue sources. Numbers (5) and (6) show cost sharing on a 50/50 basis with the district. In numbers (1) through (6), included in the program costs of \$100,000 are state mandated costs of \$2,500. The offset against state mandated claims are the amount of actual local assistance revenues, which exceeds the difference between program costs and state mandated costs. This offset cannot exceed the amount of state mandated costs.

In (1), local assistance revenues were less than expected. Local assistance funding was not in excess of the difference between program costs and state mandated costs. As a result, the offset against state mandated claims is zero and \$2,500 is claimable as mandated costs.

In (4), local assistance revenues were fully realized to cover the entire cost of the program, including the state mandated activity; therefore, the offset against state mandated claims is \$2,500, and claimable cost is \$0.

In (5), the district is sharing 50% of the project cost. Since local assistance revenues of \$50,000 were fully realized, the offset against state mandated claims is \$1,250.

In (6), local assistance revenues were less than the amount expended and the offset against state mandated claims is \$250. Therefore, the claimable mandated costs are \$2,250.

**Example 2:**

As illustrated in Table 6, this example shows how the offset against state mandated claims is determined for a CCD receiving special project funds based on approved actual costs. Local assistance revenues for special projects must be applied proportionately to approve costs.

**Table 6: Offset Against State Mandates, Example 2**

	Program Costs	Actual Local Assistance Revenues	State Mandated Costs	Offset Against State Mandated Claims	Claimable Mandated Costs
1.	\$100,000	\$100,000	\$2,500	\$2,500	\$-0-
2.	100,000 **	75,000	2,500	1,875	625
3.	100,000 **	45,000	1,500	1,125	375

\*\* CCD share is \$25,000 of the program cost.

In (2), the entire program cost was approved. Since the local assistance revenue source covers 75% of the program cost, it also proportionately covered 75% of the \$2,500 state mandated costs, or \$1,875.

If in (3) local assistance revenues are less than the amount expected because only \$60,000 of the \$100,000 program costs were determined to be valid by the contracting agency, then a proportionate share of state mandated costs is likewise reduced to \$1,500. The offset against state mandated claims is \$1,125. Therefore, the claimable mandated costs are \$375.

**Federal and State Funding Sources**

State school fund apportionments and federal aid for education, which are based on ADA and are part of the general system of financing public schools as well as block grants which do not provide for specific reimbursement of costs (i.e., allocation formulas not tied to expenditures), should not be included as reimbursements from local assistance revenue sources.

**Governing Authority**

The costs of salaries and expenses of the governing authority, such as the school superintendent and governing board, are not reimbursable. These are costs of general government as described in the Office of Management and Budget Circular (OMB) 2 CFR Part 225.

**12. Notice of Claim Adjustment**

All claims submitted to the SCO are reviewed to determine if the claim was prepared in accordance with the claiming instructions. Claimants will receive a "Notice of Claim Adjustments" detailing any adjustments made by the SCO.

**13. Audit of Costs**

Pursuant to GC section 17558.5, subdivision (b), The SCO may conduct a field review of any claim after the claim has been submitted, prior to the reimbursement of the claim, to determine if costs are related to the mandate, are reasonable and not excessive, and the claim was prepared in accordance with the SCO's claiming instructions and the P's & G's adopted by the CSM. If any adjustments are made to a claim, a "Notice of Claim Adjustment" specifying the claim component adjusted, the amount adjusted, and the reason for the adjustment, will be mailed within 30 days after payment of the claim.

Pursuant to GC section 17558.5, subdivision (a), a reimbursement claim for actual costs filed by a community college district for this mandate is subject to the initiation of an audit by SCO no later than three years after the date that the actual reimbursement claim is filed or last amended,

whichever is later. However, if no funds are appropriated or no payment is made to a claimant for the program for the fiscal year for which the claim is filed, the time for SCO to initiate an audit shall commence to run from the date of initial payment of the claim.

In any case, an audit shall be completed no later than two years after the date that the audit is commenced. All documents used to support the reimbursable activities must be retained during the period subject to audit. If an audit has been initiated by SCO during the period subject to audit, the retention period is extended until the ultimate resolution of any audit findings. On-site audits will be conducted by SCO as deemed necessary.

All documents used to support the reimbursable activities must be retained during the period subject to audit. If an audit has been initiated by the Controller during the period subject to audit, the retention period is extended until the ultimate resolution of any audit findings. Supporting documents must be maintained by the claimant and made available to the SCO upon request as discussed in Section 17 of this manual.

#### **14. Source Documents**

To be eligible for mandated cost reimbursement for any fiscal year, only actual costs may be claimed. Actual costs are those costs actually incurred to implement the mandated activities. Actual costs must be traceable and supported by source documents that show the validity of such costs, when they were incurred, and their relationship to the reimbursable activities. A source document is a document created at or near the same time the actual cost was incurred for the event or activity in question. Source documents may include, but are not limited to, employee records, or time logs, sign-in sheets, invoices, and receipts.

Evidence corroborating the source documents may include, but is not limited to, worksheets, cost allocation reports (system generated), purchase orders, contracts, agendas, training packets, and declarations. Declarations must include a certification or declaration stating, "I certify (or declare) under penalty of perjury under the laws of the State of California that the foregoing is true and correct," and must further comply with the requirements of Code of Civil Procedure section 2015.5. Evidence corroborating the source documents may include data relevant to the reimbursable activities otherwise in compliance with local, state, and federal government requirements. However, corroborating documents cannot be substituted for source documents.

All documents used to support the reimbursable activities must be retained during the period subject to audit and must be made available to the SCO upon request as discussed in Section 17 of this manual.

For costs incurred on or after January 1, 2005, a reasonable reimbursement methodology can be used for reimbursing a CCD that meets certain conditions specified in 17518.5(a).

#### **15. Claim Forms and Instructions**

A claimant may submit a computer generated report in substitution for Form-1 and Form-2, provided the format of the report and data fields contained within the report are identical to the claim forms included with these instructions. The claim forms provided with these instructions should be duplicated and used by the claimant to file reimbursement claims. The SCO will revise the manual and claim forms as necessary.

##### **A. Form-2, Activity Cost Detail**

This form is used to segregate the detail costs by claim activity. In some mandates, specific reimbursable activities have been identified for each activity. The expenses reported on this form must be supported by the official financial records of the claimant. All documents used to support the reimbursable activities must be retained by the claimant and must be made available to the SCO upon request.

**B. Form-1, Claim Summary**

This form is used to summarize direct costs by activity and compute allowable indirect costs for the mandate. The direct costs summarized on this form are derived from Form-2 and are carried forward to form FAM-27.

**C. Form FAM-27, Claim for Payment**

This form contains a certification that must be signed by an authorized officer of the CCD. All applicable information from Form-1 must be carried forward onto this form in order for the SCO to process the claim for payment. An original and one copy of the FAM-27 are required.

Claims should be rounded to the nearest dollar. Submit a signed original and one copy of form FAM-27, Claim for Payment. **(To expedite the payment process, please sign the form FAM-27 with blue ink, and attach a copy of the form FAM-27 to the top of the claim package.)** Use the following mailing addresses:

If delivered by  
U.S. Postal Service:

Office of the State Controller  
Attn: Local Reimbursements Section  
Division of Accounting and Reporting  
P.O. Box 942850  
Sacramento, CA 94250

If delivered by  
Other delivery services:

Office of the State Controller  
Attn: Local Reimbursements Section  
Division of Accounting and Reporting  
3301 C Street, Suite 500  
Sacramento, CA 95816

**16. Retention of Claiming Instructions**

For your convenience, the revised claiming instructions in this package have been arranged in alphabetical order by program name. This Community College Mandated Cost Manual should be retained permanently for future reference, and the forms should be duplicated to meet your filing requirements. Annually, new or revised forms, instructions, and any other information claimants may need to file claims will be placed on the SCO's Web site located at [www.sco.ca.gov/ard/local/locreim/index.shtml](http://www.sco.ca.gov/ard/local/locreim/index.shtml).

If you have any questions concerning mandated cost reimbursements, please write to us at the address listed for filing claims, or by e-mail to [lrsdar@sco.ca.gov](mailto:lrsdar@sco.ca.gov), or call the Local Reimbursements Section at (916) 324-5729.

**17. Retention of Claim Records and Supporting Documentation**

Pursuant to Government Code section 17558.5, (a), a reimbursement claim for actual costs filed by a CCD pursuant to this chapter is subject to the initiation of an audit by the Controller no later than three years after the date that the actual reimbursement claim is filed or last amended, whichever is later. However, if no funds are appropriated or no payment is made to a claimant for the program for the fiscal year for which the claim is filed, the time for the Controller to initiate an audit shall commence to run from the date of initial payment of the claim. In any case, an audit shall be completed not later than two years after the date that the audit is commenced. All documents used to support the reimbursable activities, as described in Section V, must be retained during the period subject to audit. If the Controller has initiated an audit during the period subject to audit, the retention period is extended until the ultimate resolution of any audit findings. Supporting documents shall be made available to the SCO upon request.



## FILING A CLAIM

### 1. Introduction

Government Code (GC) Sections 17500 through 17617 provide for the reimbursement of costs incurred by community college districts (CCD) for mandated cost programs as a result of any statute enacted after January 1, 1975, or any executive order implementing such statute which mandates a new program or higher level of service of an existing program.

A reimbursement claim is defined in GC Section 17522 as any claim filed with the State Controller's Office (SCO) by a CCD for reimbursement of costs incurred for which an appropriation is made for the purpose of paying the claim. Actual claims for the 2008-09 fiscal year will be accepted without penalty if postmarked or delivered on or before **February 16, 2010**. Ongoing reimbursement claims filed after the deadline will be reduced by a late penalty of **10%, not to exceed \$10,000**. Amended claims filed after the filing deadline will be reduced by **10% of the increased amount** not to exceed \$10,000 for the total claim. Initial reimbursement claims filed after the filing deadline will be reduced by a late penalty of **10% with no limitation**. Claims filed more than one year after the deadline will not be accepted by the SCO.

If a claimant is using an indirect cost rate that exceeds 7%, documentation to support the indirect cost rate must be included with the submitted claim. A more detailed discussion of the indirect cost methods available to CCD's can be found in Section 2, Filing a Claim, page 9, *Indirect Costs*. Documentation to support actual costs must be kept on hand by the claimant and made available to the SCO on request as explained in Section 2, Filing a Claim, page 16, *Retention of Claim Records and Supporting Documentation*.

When a program has been reimbursed for three or more years, the Commission may approve the program for inclusion in the State Mandates Apportionment System (SMAS). For programs included in SMAS, the SCO determines the amount of each claimant's entitlement based on an average of three consecutive fiscal years of actual costs adjusted by any changes in the Implicit Price Deflator (IPD). Claimants with an established entitlement receive an annual apportionment adjusted by any changes in the IPD and, under certain circumstances, by any changes in workload. Claimants with an established entitlement no longer need to file claims for that program.

The SCO is authorized to make payments for costs of mandated programs from amounts appropriated by the State Budget Act, by the State Mandates Claims Fund, or by specific legislation. In the event the appropriation is insufficient to pay claims in full, claimants will receive prorated payments in proportion to the dollar amount of approved claims for the program. Balances of prorated payments will be made when supplementary funds become available.

The claiming instructions included in this manual are issued to help claimants prepare manual and/or electronic mandated cost claims, for submission to the SCO. These instructions are based on the State of California's statutes, regulations, and the parameters and guidelines (P's & G's) adopted by the Commission on State Mandates (Commission). Since each mandate is unique, it is important to refer to the P's and G's for each program for information relating to established policies and eligible reimbursable costs.

### 2. Electronic Filing: Local Government e-Claims (LGeC)

LGeC enables claimants and their consultants to securely prepare and submit mandated cost claims via the Internet. LGeC uses a series of data input screens to collect the information needed to prepare a claim and provides a Web service so claims can be uploaded in batch files. The system also incorporates an attachment feature so claimants can electronically attach supporting documentation if required.

In addition, it provides an easy and straightforward approach to the claiming process. Filing claims using LGeC eliminates the manual preparation and submission of paper claims by CCD's and the receiving, processing, key entry, verification, and storage of the paper claims by the SCO. LGeC also provides mathematical checks and automated error detection to reduce erroneous and

incomplete claims, provides the State with an electronic workflow process, and stores the claims in an electronic format. Making the change from paper claims to electronic claims reduces the manual handling of paper claims and decreases the costs incurred for postage, handling, and storage of claims filed.

In order to use the LGeC system you will need to obtain a user ID and password for each person who will access the LGeC system. To obtain a User ID and password you must file an application with the SCO. The application and instructions are available on the LGeC Web site located at [http://www.sco.ca.gov/ard\\_lgec.html](http://www.sco.ca.gov/ard_lgec.html). Complete the application and other documents as requested and mail them to the SCO using the address provided in the instructions. The SCO will process the application and issue a User ID and password to each applicant.

In addition, you may want to subscribe to an email distribution list to automatically receive timely, comprehensive information regarding mandated cost claims, payments, guidelines, electronic claims, and other news and updates. You also will receive related audit reports and mandate information disseminated by other state agencies.

You can find more information about LGeC and the email distribution lists at [http://www.sco.ca.gov/ard\\_lgec.html](http://www.sco.ca.gov/ard_lgec.html). This Web site provides access to the LGeC system, an application for User ID's and passwords, an instructional guide, frequently asked questions (FAQ's) and additional help files. Questions may be directed to [LRSDAR@sco.ca.gov](mailto:LRSDAR@sco.ca.gov), or you may call the Local Reimbursements Section at (916) 324-5729.

### **3. Types of Claims**

Claimants may file a reimbursement claim for actual mandated costs incurred in the prior fiscal year. An entitlement claim may be filed for the purpose of establishing a base year entitlement amount for mandated programs included in SMAS. A claimant who has established a base year entitlement for a program, would receive an automatic annual payment which is reflective of the current costs for the program.

All claims received by the SCO will be reviewed to verify actual costs. An adjustment of the claim will be made if the amount claimed is determined to be excessive, improper, or unreasonable.

#### **A. Reimbursement Claim**

A reimbursement claim is defined in GC Section 17522 as any claim filed with the SCO by a CCD for reimbursement of costs incurred for which an appropriation is made for paying the claim.

Initial reimbursement claims are first-time claims for reimbursement of costs for one or more prior fiscal year(s) of a program that was previously unfunded. Claims are due one hundred and twenty days from the date of issuance of the claiming instructions for the program by the SCO. The first statute that appropriates funds for the mandated program will specify the fiscal years for which costs are eligible for reimbursement. Annual ongoing reimbursement claims must be filed by February 15<sup>th</sup> following the fiscal year in which costs were incurred for the program.

#### **B. Estimated Claims**

Pursuant to AB 8, Chapter 6, Statutes of 2008, the option to file estimated claims has been eliminated. Therefore, estimated claims will not be accepted for reimbursement.

#### **C. Entitlement Claim**

An entitlement claim is defined in GC Section 17522 as any claim filed by a CCD with the SCO for the sole purpose of establishing or adjusting a base year entitlement for a mandated cost program that has been included in SMAS. An entitlement claim should not contain nonrecurring or initial start-up costs. There is no statutory deadline for the filing of entitlement claims. However, these claims should be filed by February 15th, following the third fiscal year used to develop the entitlement claim, to permit an orderly processing of claims. When the claims are approved and a base year entitlement amount is determined, the claimant will receive an



apportionment reflective of the program's current year costs.

The automatic apportionment is determined by adjusting the claimant's base year entitlement for changes in the implicit price deflator (IPD) of costs of goods and services to governmental agencies, as determined by the State Department of Finance. For programs approved by the Commission for inclusion in SMAS, the payment for each year succeeding the three year base period is adjusted according to any changes by both the IPD and average daily attendance (ADA).

The SCO will perform this computation for each claimant who has filed claims for three consecutive years. If a claimant has incurred costs for three consecutive years but has not filed a claim in each of those years, the claimant may file an entitlement claim, form FAM-43, to establish a base year entitlement. The form FAM-43 is included in the claiming instructions for SMAS programs. An entitlement claim does not result in the claimant being reimbursed for the costs incurred, but rather entitles the claimant to receive automatic payments from SMAS. Annual apportionments for programs included in the SMAS system are paid on or before November 30th of each year.

#### **4. Minimum Claim Amount**

For initial claims and annual claims, if the total costs for a given year do not exceed \$1,000 no reimbursement will be allowed except as otherwise allowed by GC Section 17564.

#### **5. Filing Deadline for Claims**

Pursuant to GC Section 17561(d) initial reimbursement claims (first time claims) for reimbursement of costs of a previously unfunded mandated program must be filed within one hundred and twenty days from the date the SCO issues the claiming instructions for the program.

When paying a timely filed claim for initial reimbursement, the Controller may withhold twenty percent of the amount of the claim until the claim is audited to verify the actual amount of the mandated costs.

Initial reimbursement claims filed after the filing deadline will be reduced by ten percent of the amount that would have been allowed had the claim been timely filed. The Controller may withhold payment of any late claim for initial reimbursement until the next deadline for funded claims unless sufficient funds are available to pay the claim after all timely filed claims have been paid. All initial reimbursement claims for all fiscal years required to be filed on their initial filing date for a program will be considered as one claim for the purpose of computing any late claim penalty. In no case will a reimbursement claim be paid if submitted more than one year after the filing deadline specified in the Controller's claiming instructions on funded mandates.

Pursuant to GC Section 17560, annual reimbursement claims (recurring claims) for costs incurred during the previous fiscal year must be filed with the SCO and postmarked on or before February 15th following the fiscal year in which costs were incurred.

If the annual reimbursement claim is filed after the deadline, but within one year of the deadline, the approved claim must be reduced by a 10% late penalty, not to exceed \$10,000. Amended claims filed after the deadline will be reduced by 10% of the increased amount not to exceed \$10,000 for the total claim. Claims may not be filed more than one year after the deadline.

#### **6. Payment of Claims**

In order for the SCO to authorize payment of a claim, the Certification of Claim, form FAM-27, must be properly filled out, signed, and dated by the entity's authorized officer. When using the LGeC system the logon ID and password of the authorized officer is used for the signature and is applied by the LGeC system when the claim is submitted. Pursuant to GC 17561(d), reimbursement claims are paid by October 15 or sixty days after the date the appropriation for the claim is effective, whichever is later. In the event the amount appropriated by the Legislature is insufficient to pay the approved amount in full for a program, claimants will receive a prorated payment in proportion to

the amount of approved claims timely filed and on hand at the time of proration. A reasonable reimbursement methodology (RRM), which meets certain conditions specified in Government Code Section 17518.5, Subdivision (a), can be used as a formula for reimbursing CCD costs mandated by the State.

A claimant is entitled to receive accrued interest at the pooled money investment account rate if the payment was made more than 60 days after the claim filing deadline or the actual date of claim receipt, whichever is later. For an initial claim, interest begins to accrue when the payment is made more than one year after the adoption of the program's statewide cost estimate.

The SCO reports the amounts of insufficient appropriations to the State Department of Finance, the Chairperson of the Joint Legislative Budget Committee, and the Chairperson of the respective committee in each House of the Legislature, in order to assure appropriation of these funds in the Budget Act. If these funds cannot be appropriated on a timely basis in the Budget Act, this information is transmitted to the Commission who will include these amounts in its reports to assure that an appropriation sufficient to pay the claims is included in the next local government claims bill or other appropriation bills. Any balances remaining on these claims will be paid when supplementary funds become available.

Unless specified in the statutes, regulations, or P's & G's, the determination of allowable and unallowable costs for mandates is based on the P's & G's adopted by the Commission. The determination of allowable reimbursable mandated costs for unfunded mandates is made by the Commission. The SCO determines allowable reimbursable costs, subject to amendment by the Commission, for mandates funded by special legislation. Allowable costs are those direct and indirect costs, less applicable credits, considered eligible for reimbursement. In order for costs to be allowable and thus eligible for reimbursement, the costs must meet the following general criteria:

1. The cost is necessary and reasonable for proper and efficient administration of the mandate and not a general expense required to carry out the overall responsibilities of government.
2. The cost is allocable to a particular cost objective identified in the P's & G's.
3. The cost is net of any applicable credits that offset or reduce expenses of items allocable to the mandate.

The SCO has identified certain costs that should not be claimed as direct program costs unless specified as reimbursable under the program's P's & G's. These costs include, but are not limited to, subscriptions, depreciation, memberships, conferences, workshops, general education, and travel costs.

## **7. State Mandates Apportionment System (SMAS)**

Chapter 1534, Statutes of 1985, established SMAS, a method of paying certain mandated programs as apportionments. This method is utilized whenever a program has been approved for inclusion in SMAS by the Commission.

When a mandated program has been included in SMAS, the SCO will determine a base year entitlement amount for each CCD that has submitted reimbursement claims (or entitlement claims) for three consecutive fiscal years. A base year entitlement amount is determined by averaging the approved reimbursement claims (or entitlement claims) for any three consecutive fiscal years. The amounts are first adjusted by any change in the IPD, which is applied separately to each year's costs for the three years that comprise the base period. The base period means the three fiscal years immediately succeeding the Commission's approval.

Each CCD with an established base year entitlement for the program will receive automatic annual payments from the SCO reflective of the program's current year costs. The apportionment amount is adjusted annually for any change in the IPD. If the mandated program was included in SMAS after January 1, 1988, the annual apportionment is adjusted for any change in both the IPD and ADA.

In the event a CCD has incurred costs for three consecutive fiscal years but did not file a

reimbursement claim in one or more of those fiscal years, the CCD may file an entitlement claim for each of those missed years to establish a base year entitlement. An entitlement claim means any claim filed by a CCD with the SCO for the sole purpose of establishing a base year entitlement. A base year entitlement may not include any nonrecurring or initial start-up costs.

Initial apportionments are made on an individual program basis. After the initial year, all apportionments are made by November 30<sup>th</sup>. The amount to be apportioned is the base year entitlement adjusted by annual changes in the IPD for the cost of goods and services to governmental agencies as determined by the State Department of Finance.

In the event the CCD determines that the amount of apportionment does not accurately reflect costs incurred to comply with a mandate, the process of adjusting an established base year entitlement upon which the apportionment is based is set forth in GC Section 17615.8 and requires the approval of the Commission.

## **8. Direct Costs**

A direct cost is a cost that can be identified specifically with a particular program or activity. Documentation to support direct costs must be kept on hand unless otherwise specified in the claiming instructions and made available to the SCO on request.

It is the responsibility of the claimant to maintain documentation in the form of general and subsidiary ledgers, purchase orders, invoices, contracts, canceled warrants, equipment usage records, land deeds, receipts, employee time sheets, agency travel guidelines, inventory records, and other relevant documents to support claimed costs. The type of documentation necessary for each claim may differ with the type of mandate.

Costs typically classified as direct costs are:

### **(1) Employee Wages, Salaries, and Benefits**

For each of the mandated activities performed, the claimant must list the names of the employees who worked on the mandate, their job classifications, hours worked on the mandate, and rate of pay. The claimant may use a productive hourly rate in-lieu of reporting actual compensation and benefits:

#### **(a) Productive Hourly Rate Options**

A CCD may use one of the following methods to compute productive hourly rates:

- Actual annual productive hours for each employee;
- The weighted-average annual productive hours for each job title; or
- 1,800\* annual productive hours for all employees.

If actual annual productive hours or weighted-average annual productive hours for each job title is chosen, the claimant must maintain documentation of how these hours were computed.

\* 1,800 annual productive hours excludes the following employee time:

- Paid holidays;
- Vacation earned;
- Sick leave taken;
- Informal time off;
- Jury duty;
- Military leave taken.

#### **(b) Compute a Productive Hourly Rate**

1. Compute a productive hourly rate for salaried employees to include actual benefit costs. The methodology for converting a salary to a productive hourly rate is to compute the employee's annual salary and benefits and divide by the annual

productive hours.

**Table 1: Productive Hourly Rate, Annual Salary + Benefits Method**

<b>Formula:</b>	<b>Description:</b>
$[(EAS + Benefits) \div APH] = PHR$	EAS = Employee's Annual Salary
	APH = Annual Productive Hours
$[(\$26,000 + \$8,099) \div 1,800 \text{ hrs}] = 18.94$	PHR = Productive Hourly Rate

- As illustrated in Table 1, if an employee's compensation was \$26,000 and \$8,099 for annual salary and benefits, respectively, using the Salary + Benefits Method, the productive hourly rate would be \$18.94. To convert a biweekly salary to Annual Salary, multiply the biweekly salary by 26. To convert a monthly salary to Annual Salary, multiply the monthly salary by 12. Use the same methodology to convert other salary periods.
- A claimant may also compute the productive hourly rate by using the Percent of Salary Method.

**Table 2: Productive Hourly Rate, Percent of Salary Method**

<b>Example:</b>		
<b>Step 1: Benefits as a Percent of Salary    Step 2: Productive Hourly Rate</b>		
Retirement	15.00 %	<b>Formula:</b> $[(EAS \times (1 + BR)) \div APH] = PHR$
Social Security & Medicare	7.65	
Health & Dental Insurance	5.25	
Workers Compensation	3.25	
		$[(\$26,000 \times (1.3115)) \div 1,800] = \$18.94$
<b>Total</b>	<b>31.15 %</b>	
<b>Description:</b>		
EAS = Employee's Annual Salary		APH = Annual Productive Hours
BR = Benefit Rate		PHR = Productive Hourly Rate

- As illustrated in Table 2, both methods produce the same productive hourly rate.

Reimbursement for personnel services includes, but is not limited to, compensation paid for salaries, wages, and employee benefits. Employee benefits include employer's contributions for social security, pension plans, insurance, workers compensation insurance and similar payments. These benefits are eligible for reimbursement as long as they are distributed equitably to all activities. Whether these costs are allowable is based on the following presumptions:

- The amount of compensation is reasonable for the service rendered;
- The compensation paid and benefits received are appropriately authorized by the governing board;
- Amounts charged for personnel services are based on payroll documents that are supported by time and attendance or equivalent records for individual employees;

- The methods used to distribute personnel services should produce an equitable distribution of direct and indirect allowable costs.

For each of the employees included in the claim, the claimant must use reasonable rates and hours in computing the wage cost. If a person of a higher-level position performs an activity which normally would be performed by a lower-level position, reimbursement for time spent is allowable at the average salary range for the lower-level position. The salary rate of the person at a higher-level position may be claimed if it can be shown that it was more cost effective in comparison to the performance by a person at the lower-level position under normal circumstances and conditions. The number of hours charged to an activity should reflect the time expected to complete the activity under normal circumstances and conditions. The numbers of hours in excess of normal expected hours are not reimbursable.

**(c) Calculating an Average Productive Hourly Rate**

In those instances where the P's & G's allow a unit as a basis of claiming costs, the direct labor component of the unit cost should be expressed as an average productive hourly rate and can be determined as follows:

**Table 3: Calculating an Average Productive Hourly Rate**

	<u>Time Spent</u>	<u>Productive Hourly Rate</u>	<u>Total Cost by Employee</u>
Employee A	1.25 hrs	\$6.00	\$7.50
Employee B	0.75 hrs	4.50	3.38
Employee C	3.50 hrs	10.00	35.00
Total	5.50 hrs		\$45.88
Average Productive Hourly Rate is $\$45.88 \div 5.50 \text{ hrs.} = \$8.34$			

**(d) Employer's Benefits Contribution**

A CCD has the option of claiming actual employer's benefit contributions or may compute an average benefit cost for the employee's job classification and claim it as a percentage of direct labor. The same time base should be used for both salary and benefits when computing a percentage. For example, if health and dental insurance payments are made annually, use an annual salary. After the percentage of salary for each benefit is computed, total them. For example:

<u>Employer's Contribution</u>	<u>% of Salary</u>
Retirement	15.00%
Social Security	7.65%
Health and Dental Insurance	5.25%
Worker's Compensation	0.75%
Total	<u>28.65%</u>

**(2) Materials and Supplies**

Only actual expenses can be claimed for materials and supplies, which were acquired and consumed specifically for the purpose of a mandated program. The claimant must list the materials and supplies that were used to perform the mandated activity, the number of units consumed, the cost per unit, and the total dollar amount claimed. Materials and supplies in excess of reasonable quality, quantity, and cost are not reimbursable. Materials and supplies

withdrawn from inventory and charged to the mandated activity must be based on a recognized method of pricing, consistently applied. Purchases must be claimed at the actual price after deducting discounts, rebates and allowances received by the CCD.

**(a) Calculating a Unit Cost for Materials and Supplies**

In those instances where the P's & G's suggest that a unit cost be developed for use as a basis of claiming costs mandated by the State, the materials and supplies component of the unit cost should be expressed as a unit cost of materials and supplies as shown in Table 1 or Table 2:

**Table 1: Calculating a Unit Cost for Materials and Supplies**

<b>Supplies</b>	<b><u>Cost Per Unit</u></b>	<b><u>Amount of Supplies Used Per Activity</u></b>	<b><u>Unit Cost of Supplies Per Activity</u></b>
Paper	0.02	4	\$0.08
Files	0.10	1	0.10
Envelopes	0.03	2	0.06
Photocopies	0.10	4	<u>0.40</u>
			<u>\$0.64</u>

**Table 2: Calculating a Unit Cost for Materials and Supplies**

<b>Supplies</b>	<b><u>Supplies Used</u></b>	<b><u>Unit Cost of Supplies Per Activity</u></b>
Paper (\$10.00 for 500 sheet ream)	250 Sheets	\$5.00
Files (\$2.50 for box of 25)	10 Folders	1.00
Envelopes (\$3.00 for box of 100)	50 Envelopes	1.50
Photocopies (\$0.05 per copy)	40 Copies	<u>2.00</u>
		<u>\$9.50</u>
If the number of reimbursable instances is 25, then the unit cost of supplies is \$0.38 per reimbursable instance (\$9.50 ÷ 25).		

**(3) Contract Services**

The cost of contract services is allowable if the CCD lacks the staff resources or necessary expertise, or it is economically feasible to hire a contractor to perform the mandated activity. The claimant must keep documentation on hand to support the name of the contractor, explain the reason for having to hire a contractor, describe the mandated activities performed, give the dates when the activities were performed, the number of hours spent performing the mandate, the hourly billing rate, and the total cost. The hourly billing rate must not exceed the rate specified in the P's & G's for the mandated program. The contractor's invoice or statement must include an itemized list of costs for activities performed.

**(4) Equipment Rental Costs**

Equipment purchases and leases (with an option to purchase) are not reimbursable as a direct cost unless specifically allowed by the P's & G's for the particular mandate. Equipment rentals used solely for the mandate are reimbursable to the extent that such costs do not exceed the retail purchase price of the equipment plus a finance charge. The claimant must maintain documentation to support the purpose and use of the equipment, the time period for

which the equipment was rented and the total cost of the rental. If the equipment is used for purposes other than reimbursable activities, only the pro rata portion of the rental costs can be claimed.

**(5) Capital Outlay**

Capital outlay for land, buildings, equipment, furniture and fixtures may be claimed if the P's & G's specify them as allowable. If they are allowable, the P's & G's for the program will specify a basis for the reimbursement. If the fixed asset or equipment is also used for purposes other than reimbursable activities for a specific mandate, only the pro rata portion of the purchase price used to implement the reimbursable activities can be claimed.

**(6) Travel Expenses**

Travel expenses are normally reimbursable in accordance with travel rules and regulations of the local jurisdiction. For some programs, however, the P's & G's may specify certain limitations on expenses, or that expenses can only be reimbursed in accordance with the Department of Personnel Administration (DPA) travel standards. When claiming travel expenses, the claimant must maintain documentation to support the purpose of the trip, the names and addresses of the persons incurring the expense, the date and time of departure and return, a description of each expense claimed, and the cost of transportation, number of private auto miles traveled, and the cost of tolls and parking. Receipts are required for charges over \$10.00.

**9. Indirect Costs**

Indirect costs are: (a) Incurred for a common or joint purpose benefiting more than one cost objective, and (b) not readily assignable to the cost objectives specifically benefited without effort disproportionate to the results achieved. Indirect costs can originate in the department performing the mandate or in departments that supply the department performing the mandate with goods, services, and facilities. To be allowable, a cost must be allocable to a particular cost objective. Indirect costs must be distributed to benefiting cost objectives on bases which produce an equitable result related to the benefits derived by the mandate.

A CCD may claim indirect costs using the Controller's methodology (FAM-29C), or if specifically allowed by a mandated cost program's P's & G's, a district may choose to claim indirect costs using either: (1) A federally approved rate prepared in accordance with the Office of Management and Budget (OMB) Circular A-21, *Cost Principles for Educational Institutions*; or (2) a flat 7% rate. The FAM-29C indirect cost rate and the flat 7% indirect cost rate are applied to *Salaries and Benefits*, whereas the federally approved rate is applied to the allocation base used in developing the federally approved rate.

If indirect costs are calculated using the OMB Circular A-21 methodology with a base other than *Salaries and Benefits*, the claim cannot be filed using the LGeC as the system does not support cost bases other than *Salaries and Benefits*. Instead, these claims must be filed manually using paper forms.

However, if indirect costs are calculated using the OMB Circular A-21 methodology using *Salaries and Benefits* in the base, then the claims can be filed using either the LGeC system or the manual paper process. In these cases, the indirect cost rate is calculated in accordance with the chosen methodology and keyed into the mandated cost form on the appropriate line (usually Form 1, line (06)), *Indirect Cost Rate*. The LGeC system will apply that rate to *Salaries and Benefits* (usually Form 1, line (5)(a)) to arrive at the total indirect costs (usually Form 1, line (7)).

The SCO developed form FAM-29C to be consistent with the OMB Circular A-21 cost accounting principles as they apply to mandated cost programs. The objective is to determine an equitable rate to allocate administrative support to personnel who performed the mandated cost activities. The methodology used in form FAM-29C is a direct cost base comprised of salary and benefit costs. This provides a consistent indirect cost rate methodology for all CCD's mandated cost programs.

FAM-29C uses expenditures that districts report in their California Community Colleges Annual Financial and Budget Report (CCFS-311), Expenditures by Activity for the General Fund – Combined. CCD's must use the CCFS-311 report applicable to the fiscal year of the reimbursement claim submitted. The computation excludes capital outlay and other outgo in accordance with the OMB Circular A-21. The indirect cost rate computation includes any depreciation or use allowance applicable to district buildings and equipment. Districts calculate depreciation or use allowance costs separately from the CCFS-311 report and should calculate them in accordance with the OMB Circular A-21.

The OMB Circular A-21, Section C.4, states that a cost is allocable to a particular cost objective in accordance with the relative benefits received. Also, Section E.2.b., states that the overall objective of the cost allocation process is to distribute indirect costs to the institution's major functions in proportions reasonably consistent with their use of the institution's resources. In addition, Section E.2.c. notes that where certain items or categories of expense relate to less than all functions, such expenses should be set aside for selective allocation.

The OMB Circular A-21, Section H, describes a simplified method for indirect cost rate calculations. However, Section H.1.b. states that the simplified method should not be used where it produces results that appear inequitable. As previously noted, FAM-29C strives to equitably allocate administrative support costs to personnel that perform mandated cost activities claimed by CCD's. For example, library costs and department administration expenses, normally classified fully or partly as indirect costs in the OMB Circular A-21, are instead classified as direct costs for FAM-29C. These costs do not benefit mandated cost activities. In summary, FAM-29C indirect costs include operation and maintenance of plant; planning, policy making, and coordination; general institutional support services (excluding community relations); and depreciation or use allowance. Community relations include fundraising costs, which are unallowable under OMB Circular A-21. If the district claims any costs from these indirect accounts as direct mandate-related costs, the same costs should be reclassified as direct on FAM-29C.

Table 4 presents an example of the FAM-29C methodology.



Table 4: Indirect Cost Rate for Community Colleges

MANDATED COST INDIRECT COST RATE FOR COMMUNITY COLLEGE DISTRICTS					FORM FAM 29-C
(1) Claimant					
Activity	EDP	Salaries and Benefits per CCFS-311	Operating Expenses per CCFS-311	Indirect-Salaries Benefits, and Operating Expenses	Direct-Salaries and Benefits only
Instructional Activities	599	\$ 46,249,931	\$ 8,289,190	\$	\$ 46,249,931
Instruct. Admin. & Instruct. Governance	6000	5,181,935	631,615		5,181,935
Instructional Support Services	6100	4,361,061	445,196		4,361,061
Admissions and Records	6200	1,251,539	96,634		1,251,539
Student Counseling and Guidance	6300	3,373,121	80,201		3,373,121
Other Student Services	6400	5,511,511	1,116,904		5,511,511
Operation and Maintenance of Plant	6500	5,192,099	3,192,398	8,384,497	
Planning, Policy Making, and Coordination	6600	2,562,909	1,096,833	3,659,742	
General Institutional Support Services	6700				
Community Relations	6710	446,207	228,320	674,527	
Fiscal Operations	6720	2,342,316	315,019	2,657,335	
Human Resources Management	6730	1,057,387	102,600	1,159,987	
Non-instructional Staff Retirees' Benefits and Retirement Incentives	6740	1,327,125	-	1,327,125	
Staff Development	6750	1,295	34,931	36,226	
Staff Diversity	6760	449,392	394,915	844,307	
Logistical Services	6770	2,853,609	354,953	3,208,562	
Management Information Systems	6780	2,386,511	894,685	3,281,196	
Other General Institutional Support Services	6790	19,635	1,679	21,314	
Community Services and Economic Development	6800	963,036	688,648		963,036
Ancillary Services	6900	723,450	224,961		723,450
Auxiliary Operations	7000	565,859	12,179		565,859
Depreciation or Use Allowance - Building				2,620,741	
Depreciation or Use Allowance - Equipment				721,097	
<b>Totals</b>		<u>\$ 86,819,928</u>	<u>\$ 18,201,861</u>	<u>\$ 28,596,656</u>	<u>\$ 68,181,443</u>
				(A)	(B)
<b>Indirect Cost Rate (A)/(B)</b>				<u>41.94%</u>	

## 10. Time Study Guidelines

### Background

Two methods are acceptable for documenting employee time charged to mandated cost programs: 1) Actual Time Reporting and 2) Time Study. These methods are described below. Application of time study results is restricted. As explained in the Time Study Results section below, the results may be projected forward a maximum of two years or applied retroactively to initial claims, current-year claims, and late-filed claims, provided certain criteria are met.

### Actual Time Reporting

Each program's P's and G's define reimbursable activities for the mandated cost program. When employees work on multiple activities, a distribution of their salaries or wages must be supported by personnel activity reports or equivalent documentation that meets the following standards:

- They must reflect an after-the-fact distribution of the actual activity of each employee;
- They must account for the total activity for which each employee is compensated;
- They must be prepared at least monthly and must coincide with one or more pay periods; and
- They must be signed by the employee.

Budget estimates or other distribution percentages determined before services are performed do not qualify as support for actual time reporting.

### Time Study

In certain cases, a time study may be used as a substitute for continuous records of actual time spent on multiple activities and/or programs. A time study can be used for an activity when the task is repetitive in nature. Activities that require varying levels of effort are not appropriate for time studies.

### Time Study Plan

The claimant must develop a plan before the time study is conducted. The claimant must retain the time study plan for audit purposes. The plan must identify the following:

- Time periods to be studied - The plan must show that all time periods selected are representative of the fiscal year and that the results can be reasonably projected to approximate actual costs;
- Activities to be studied - The time study must separately identify each reimbursable activity defined in the mandated program's P's and G's. If a reimbursable activity identifies separate and distinct sub-activities, these sub-activities also must be treated as individual activities;

For example, sub-activities (a) and (b) under reimbursable activity (1) of the Agency Fee Arrangements Program relate to salary deduction and payment of fair share and are not separate and distinct activities. It is not necessary to separately study these sub-activities.

- Process used to accomplish each reimbursable activity - Use flowcharts or similar analytical tools and/or written desk procedures to describe the process followed to complete each activity;
- Employee universe - The employee universe used in the time study must include all positions for which salaries and wages are to be allocated by means of the time study;
- Employee sample selection methodology - The plan must show that employees selected are representative of the employee universe and that the results can be reasonably projected to approximate actual costs. In addition, the employee sample size should be proportional to the variation in time spent to perform a task. The sample size should be larger for tasks with significant time variations;
- Time increments to be recorded - The time increments used should be sufficient to recognize the number of different activities performed and the dynamics of these responsibilities. Very large

increments (such as one hour or more) can be used for employees performing only a few functions that change very slowly over time. Small increments (a number of minutes) can be used for employees performing more short-term tasks.

Random-moment sampling is not an acceptable alternative to continuous time records for mandated cost claims. Random-moment sampling techniques are most applicable in situations where employees perform many different types of activities on a variety of programs with small time increments throughout the fiscal year.

### **Time Study Documentation**

Time studies must:

- Be supported by time records that are completed when the activity occurs;
- Report activity on a daily basis;
- Be sufficiently detailed to reflect all mandated activities performed during a specific time period; and
- Coincide with one or more pay periods.

Time records must be signed by the employee and be supported by documentation that validates that the work was actually performed. As with actual time reporting, budget estimates or other distribution percentages determined before services are performed do not qualify as valid time studies.

### **Time Study Results**

Claimants must summarize time study results to show how the time study supports the costs claimed for each activity. Any variation from the procedures identified in the original time study plan must be documented and explained. Current-year costs must be used to prepare a time study. Claimants may project time study results to no more than two subsequent fiscal years. A claimant also may apply time study results retroactively to initial claims, current-year claims, and late-filed claims.

When projecting time study results, the claimant must certify that no significant changes have occurred between years in either (1) the requirements of each mandated program activity; or (2) the processes and procedures used to accomplish the activity. For all years, the claimant must maintain documentation that shows that the mandated activity was actually performed. Time study results used to support claims are subject to the record-keeping requirements for those claims.

## **11. Offset Against State Mandated Claims**

As noted previously, allowable costs are defined as those direct and indirect costs, less applicable credits, considered eligible for reimbursement. When all or part of the costs of a mandated program are specifically reimbursable from local assistance revenue sources (e.g., state, federal, foundation, etc.), only that portion of any increased cost payable from CCD funds is eligible for reimbursement under the provisions of GC Section 17561.

### **Example 1:**

As illustrated in Table 5, this example shows how the Offset Against State Mandated Claims is determined for a CCD receiving block grant revenues not based on a formula allocation. Program costs for each situation equals \$100,000.

Table 5: Offset Against State Mandates, Example 1

	Program Costs	Actual Local Assistance Revenues	State Mandated Costs	Offset Against State Mandated Claims	Claimable Mandated Costs
1.	\$100,000	\$95,000	\$2,500	\$-0-	\$2,500
2.	100,000	97,000	2,500	-0-	2,500
3.	100,000	98,000	2,500	500	2,000
4.	100,000	100,000	2,500	2,500	-0-
5.	100,000 *	50,000	2,500	1,250	1,250
6.	100,000 *	49,000	2,500	250	2,250

\* CCD share is \$50,000 of the program cost.

Numbers (1) through (4) in Table 5, show intended funding at 100% from local assistance revenue sources. Numbers (5) and (6) show cost sharing on a 50/50 basis with the district. In numbers (1) through (6), included in the program costs of \$100,000 are state mandated costs of \$2,500. The offset against state mandated claims are the amount of actual local assistance revenues, which exceeds the difference between program costs and state mandated costs. This offset cannot exceed the amount of state mandated costs.

In (1), local assistance revenues were less than expected. Local assistance funding was not in excess of the difference between program costs and state mandated costs. As a result, the offset against state mandated claims is zero and \$2,500 is claimable as mandated costs.

In (4), local assistance revenues were fully realized to cover the entire cost of the program, including the state mandated activity; therefore, the offset against state mandated claims is \$2,500, and claimable cost is \$0.

In (5), the district is sharing 50% of the project cost. Since local assistance revenues of \$50,000 were fully realized, the offset against state mandated claims is \$1,250.

In (6), local assistance revenues were less than the amount expended and the offset against state mandated claims is \$250. Therefore, the claimable mandated costs are \$2,250.

#### Example 2:

As illustrated in Table 6, this example shows how the offset against state mandated claims is determined for a CCD receiving special project funds based on approved actual costs. Local assistance revenues for special projects must be applied proportionately to the approved costs.

Table 6: Offset Against State Mandates, Example 2

	Program Costs	Actual Local Assistance Revenues	State Mandated Costs	Offset Against State Mandated Claims	Claimable Mandated Costs
1.	\$100,000	\$100,000	\$2,500	\$2,500	\$-0-
2.	100,000 **	75,000	2,500	1,875	625
3.	100,000 **	45,000	1,500	1,125	375

\*\* CCD share is \$25,000 of the program cost.

In (2), the entire program cost was approved. Since the local assistance revenue source covers 75% of the program cost, it also proportionately covered 75% of the \$2,500 state mandated costs, or \$1,875.

If in (3) local assistance revenues are less than the amount expected because only \$60,000 of the \$100,000 program costs were determined to be valid by the contracting agency, then a proportionate share of state mandated costs is likewise reduced to \$1,500. The offset against state mandated claims is \$1,125. Therefore, the claimable mandated costs are \$375.

## **12. Notice of Claim Adjustment**

All claims submitted to the SCO are reviewed to determine if the claim was prepared in accordance with the claiming instructions. Claimants will receive a *Notice of Claim Adjustment* detailing any adjustments made by the SCO.

## **13. Audit of Costs**

Pursuant to GC Section 17558.5, Subdivision (b), the SCO may conduct a field review of any claim after it has been submitted to determine if costs are related to the mandate, are reasonable and not excessive, and the claim was prepared in accordance with the SCO's claiming instructions and the P's & G's adopted by the Commission. If any adjustments are made to a claim, a Notice of Claim Adjustment specifying the claim activity adjusted, the amount adjusted, and the reason for the adjustment, will be mailed within thirty days after payment of the claim.

## **14. Source Documents**

To be eligible for mandated cost reimbursement for any fiscal year, only actual costs may be claimed. These costs must be traceable and supported by source documents that show the validity of such costs, when they were incurred, and their relationship to the reimbursable activities. A source document is created at or near the same time the actual cost was incurred for the event or activity in question. Source documents may include, but are not limited to, employee records, or time logs, sign-in sheets, invoices, and receipts.

Evidence corroborating the source documents may include, but is not limited to, worksheets, cost allocation reports (system generated), purchase orders, contracts, agendas, training packets, and declarations. Declarations must include a certification stating: "I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct" and must further comply with the requirements of Code of Civil Procedure Section 2015.5. Evidence corroborating the source documents may include data relevant to the reimbursable activities otherwise in compliance with local, state, and federal government requirements. However, these documents cannot be substituted for source documents.

## **15. Claim Forms and Instructions**

Unless you are filing electronically, a claimant may submit a computer generated report in substitution for Form-1 and Form-2, provided the format of the report and data fields contained within the report are identical to the claim forms included with these instructions. The claim forms provided with these instructions should be duplicated or printed from SCO's Web site and used by the claimant to file reimbursement claims. The SCO will revise the manual and claim forms as necessary.

### **A. Form-2, Activity Cost Detail**

This form is used to segregate the direct costs by claim activity. In some mandates, specific reimbursable activities have been identified for each activity. The expenses reported on this form must be supported by the official financial records of the claimant. All documents used to support the reimbursable activities must be retained by the claimant unless required to be submitted with the claim and must be made available to the SCO on request.

**B. Form-1, Claim Summary**

This form is used to summarize direct costs by activity and compute allowable indirect costs for the mandate. The direct costs summarized on this form are derived from Form-2 and are carried forward to form FAM-27.

**C. Form FAM-27, Claim for Payment**

This form contains a certification that must be signed by an authorized officer of the CCD. All applicable information from Form-1 must be carried forward onto this form in order for the SCO to process the claim for payment. An original and one copy of the FAM-27 are required.

Claims should be rounded to the nearest dollar. Submit a signed original and one copy of form FAM-27, Claim for Payment. **To expedite the payment process, please sign the FAM-27 with blue ink, and attach a copy of the form FAM-27 to the top of the claim package.**

Use the following mailing addresses:

If delivered by  
U.S. Postal Service:

Office of the State Controller  
Attn: Local Reimbursements Section  
Division of Accounting and Reporting  
P.O. Box 942850  
Sacramento, CA 94250

If delivered by  
Other delivery services:

Office of the State Controller  
Attn: Local Reimbursements Section  
Division of Accounting and Reporting  
3301 C Street, Suite 700  
Sacramento, CA 95816

**16. Retention of Claiming Instructions**

The revised claiming instructions in this package have been arranged in alphabetical order by program name. This Manual should be retained for future reference, and the forms should be duplicated to meet your filing requirements. Annually, new or revised forms, instructions, and any other information claimants may need to file claims will be placed on the SCO's Web site located at [www.sco.ca.gov/ard\\_mancost.html](http://www.sco.ca.gov/ard_mancost.html).

If you have any questions concerning mandated cost reimbursements, please write to us at the address listed for filing claims, or by e-mail to [LRSDAR@sco.ca.gov](mailto:LRSDAR@sco.ca.gov), or call the Local Reimbursements Section at (916) 324-5729.

**17. Retention of Claim Records and Supporting Documentation**

Pursuant to Government Code Section 17558.5, (a), a reimbursement claim for actual costs filed by a CCD is subject to the initiation of an audit by the Controller no later than three years after the date that the actual reimbursement claim was filed or last amended, whichever is later. However, if no funds were appropriated or no payment was made to a claimant for the program for the fiscal year for which the claim was filed, the time for the Controller to initiate an audit will commence to run from the date of initial payment of the claim. In any case, an audit will be completed not later than two years after the date that the audit is commenced.

All documents used to support the reimbursable activities must be retained during the period subject to audit. If the Controller has initiated an audit during the period subject to audit, the retention period is extended until the ultimate resolution of any audit findings. Supporting documents must be made available to the SCO on request.



## FILING A CLAIM

### 1. Introduction

Government Code (GC) Sections 17500 through 17617 provide for the reimbursement of costs incurred by community college districts (CCD) for mandated cost programs as a result of any statute enacted after January 1, 1975, or any executive order implementing such statute which mandates a new program or higher level of service of an existing program.

A reimbursement claim is defined in GC Section 17522 as any claim filed with the State Controller's Office (SCO) by a CCD for reimbursement of costs incurred for which an appropriation is made for the purpose of paying the claim. Actual claims for the 2009-10 fiscal year will be accepted without penalty if postmarked or delivered on or before **February 15, 2011**. Ongoing reimbursement claims filed after the deadline will be reduced by a late penalty of **10%, not to exceed \$10,000**. Amended claims filed after the filing deadline will be reduced by **10% of the increased amount** not to exceed \$10,000 for the total claim. Initial reimbursement claims filed after the filing deadline will be reduced by a late penalty of **10% with no limitation**. Claims filed more than one year after the deadline will not be accepted by the SCO.

If a claimant is using an indirect cost rate that exceeds 7%, documentation to support the indirect cost rate must be included with the submitted claim. A more detailed discussion of the indirect cost methods available to CCD's can be found in Section 2, Filing a Claim, page 9, **Indirect Costs**. Documentation to support actual costs must be kept on hand by the claimant and made available to the SCO on request as explained in Section 2, Filing a Claim, page 16, **Retention of Claim Records and Supporting Documentation**.

When a program has been reimbursed for three or more years, the Commission may approve the program for inclusion in the State Mandates Apportionment System (SMAS). For programs included in SMAS, the SCO determines the amount of each claimant's entitlement based on an average of three consecutive fiscal years of actual costs adjusted by any changes in the Implicit Price Deflator (IPD). Claimants with an established entitlement receive an annual apportionment adjusted by any changes in the IPD. Claimants with an established entitlement no longer need to file claims for that program.

The SCO is authorized to make payments for costs of mandated programs from amounts appropriated by the State Budget Act, by the State Mandates Claims Fund, or by specific legislation. In the event the appropriation is insufficient to pay claims in full, claimants will receive prorated payments in proportion to the dollar amount of approved claims for the program. Balances of prorated payments will be made when supplementary funds become available.

### 2. Electronic Filing: Local Government e-Claims (LGeC)

LGeC enables claimants and their consultants to securely prepare and submit mandated cost claims via the Internet. LGeC uses a series of data input screens to collect the information needed to prepare a claim and provides a Web service so claims can be uploaded in batch files. The system also incorporates an attachment feature so claimants can electronically attach supporting documentation if required.

The LGeC system provides an easy and straightforward approach to the claiming process. Filing claims using LGeC eliminates the manual preparation and submission of paper claims by CCD's and the receiving, processing, key entry, verification, and storage of the paper claims by the SCO. LGeC also provides mathematical checks and automated error detection to reduce erroneous and incomplete claims, provides the State with an electronic workflow process, and stores the claims in an electronic format. Making the change from paper claims to electronic claims reduces the manual handling of paper claims and decreases the costs incurred for postage, handling, and storage of claims filed.



In order to use the LGeC system you will need to obtain a User ID and password for each person who will access the LGeC system. To obtain a User ID and password you must file an application with the SCO. The application and instructions are available on the LGeC Web site located at [http://www.sco.ca.gov/ard\\_lgec.html](http://www.sco.ca.gov/ard_lgec.html). Complete the application and other documents as requested and mail them to the SCO using the address provided in the instructions. The SCO will process the application and issue a User ID and password to each applicant.

In addition, you may want to subscribe to an email distribution list to automatically receive timely, comprehensive information regarding mandated cost claims, payments, guidelines, electronic claims, and other news and updates. You also will receive related audit reports and mandate information provided by other state agencies.

You can find more information about LGeC and the email distribution lists at [http://www.sco.ca.gov/ard\\_lgec.html](http://www.sco.ca.gov/ard_lgec.html). This Web site provides access to the LGeC system, an application for User ID's and passwords, an instructional guide, frequently asked questions (FAQ's) and additional help files. Questions may be directed to [LRSDAR@sco.ca.gov](mailto:LRSDAR@sco.ca.gov), or you may call the Local Reimbursements Section at (916) 324-5729.

### **3. Types of Claims**

Claimants may file a reimbursement claim for actual mandated costs incurred in the prior fiscal year. An entitlement claim may be filed for the purpose of establishing a base year entitlement amount for mandated programs included in SMAS. A claimant who has established a base year entitlement for a program, would receive an automatic annual payment which is reflective of the current costs for the program.

All claims received by the SCO will be reviewed to verify actual costs. An adjustment of the claim will be made if the amount claimed is determined to be excessive, improper, or unreasonable.

#### **A. Reimbursement Claim**

A reimbursement claim is defined in GC Section 17522 as any claim filed with the SCO by a CCD for reimbursement of costs incurred for which an appropriation is made for paying the claim.

Initial reimbursement claims are first-time claims for reimbursement of costs for one or more prior fiscal year(s) of a program that was previously unfunded. Claims are due one hundred and twenty days from the date of issuance of the claiming instructions for the program by the SCO. The first statute that appropriates funds for the mandated program will specify the fiscal years for which costs are eligible for reimbursement. Annual ongoing reimbursement claims must be filed by February 15<sup>th</sup> following the fiscal year in which costs were incurred for the program.

Annual ongoing reimbursement claims must be filed by February 15th following the fiscal year in which costs were incurred for the program. Claims for fiscal year 2009-10 will be accepted without late penalty if postmarked or delivered on before February 15<sup>th</sup>, 2011. Claims filed after the deadline will be reduced by a late penalty of 10%, not to exceed \$10,000. However, initial reimbursement claims will be reduced by a late penalty of 10% with no limitation. Amended claims filed after the deadline will be reduced by 10% of the increased amount not to exceed \$10,000 for the claim. Claims filed more than one year after the deadline will not be accepted for reimbursement.

#### **B. Entitlement Claim**

An entitlement claim is defined in GC Section 17522 as any claim filed by a CCD with the SCO for the sole purpose of establishing or adjusting a base year entitlement for a mandated cost program that has been included in SMAS. An entitlement claim should not contain nonrecurring or initial start-up costs. There is no statutory deadline for the filing of entitlement claims. However, these claims should be filed by February 15th, following the third fiscal year used to develop the entitlement claim, to permit an orderly processing of claims. When the claims are

approved and a base year entitlement amount is determined, the claimant will receive an apportionment reflective of the program's current year costs.

The automatic apportionment is determined by adjusting the claimant's base year entitlement for changes in the implicit price deflator (IPD) of costs of goods and services to governmental agencies, as determined by the State Department of Finance. For programs approved by the Commission for inclusion in SMAS, the payment for each year succeeding the three year base period is adjusted according to any changes by both the IPD and average daily attendance (ADA).

The SCO will perform this computation for each claimant who has filed claims for three consecutive years. If a claimant has incurred costs for three consecutive years but has not filed a claim in each of those years, the claimant may file an entitlement claim, form FAM-43, to establish a base year entitlement. The form FAM-43 is included in the claiming instructions for SMAS programs. An entitlement claim does not result in the claimant being reimbursed for the costs incurred, but rather entitles the claimant to receive automatic payments from SMAS. Annual apportionments for programs included in the SMAS system are paid on or before November 30th of each year.

#### **4. Minimum Claim Amount**

For initial claims and annual claims, if the total costs for a given year do not exceed \$1,000 no reimbursement will be allowed except as otherwise allowed by GC Section 17564.

#### **5. Filing Deadline for Claims**

Pursuant to GC Section 17561(d) initial reimbursement claims (first time claims) for reimbursement of costs of a previously unfunded mandated program must be filed within one hundred and twenty days from the date the SCO issues the claiming instructions for the program. When paying a timely filed claim for initial reimbursement, the Controller may withhold twenty percent of the amount of the claim until the claim is audited to verify the actual amount of the mandated costs. Initial reimbursement claims filed after the filing deadline will be reduced by ten percent of the amount that would have been allowed had the claim been timely filed.

The Controller may withhold payment of any late claim for initial reimbursement until the next deadline for funded claims unless sufficient funds are available to pay the claim after all timely filed claims have been paid. All initial reimbursement claims for all fiscal years required to be filed on their initial filing date for a program will be considered as one claim for the purpose of computing any late claim penalty. In no case will a reimbursement claim be paid if submitted more than one year after the filing deadline specified in the Controller's claiming instructions on funded mandates.

Pursuant to GC Section 17560, annual reimbursement claims (recurring claims) for costs incurred during the previous fiscal year must be filed with the SCO and postmarked on or before February 15th following the fiscal year in which costs were incurred. If the annual reimbursement claim is filed after the deadline, but within one year of the deadline, the approved claim must be reduced by a 10% late penalty, not to exceed \$10,000. Amended claims filed after the deadline will be reduced by 10% of the increased amount not to exceed \$10,000 for the total claim. Claims may not be filed more than one year after the deadline.

#### **6. Payment of Claims**

In order for the SCO to authorize payment of a claim, the Certification of Claim, form FAM-27, must be properly filled out, signed, and dated by the entity's authorized officer. When using the LGeC system the logon ID and password of the authorized officer is used for the signature and is applied by the LGeC system when the claim is submitted. Pursuant to GC 17561(d), reimbursement claims are paid by October 15 or sixty days after the date the appropriation for the claim is effective, whichever is later. In the event the amount appropriated by the Legislature is insufficient to pay the approved amount in full for a program, claimants will receive a prorated payment in proportion to the amount of approved claims timely filed and on hand at the time of proration.

A claimant is entitled to receive accrued interest at the pooled money investment account rate if the payment was made more than 60 days after the claim filing deadline or the actual date of claim receipt, whichever is later. For an initial claim, interest begins to accrue when the payment is made more than one year after the adoption of the program's statewide cost estimate.

The SCO reports the amounts of insufficient appropriations to the State Department of Finance, the Chairperson of the Joint Legislative Budget Committee, and the Chairperson of the respective committee in each House of the Legislature, in order to assure appropriation of these funds in the Budget Act. If these funds cannot be appropriated on a timely basis in the Budget Act, this information is transmitted to the Commission who will include these amounts in its reports to assure that an appropriation sufficient to pay the claims is included in the next local government claims bill or other appropriation bills. Any balances remaining on these claims will be paid when supplementary funds become available.

Unless specified in the statutes, regulations, or P's & G's, the determination of allowable and unallowable costs for mandates is based on the P's & G's adopted by the Commission. The determination of allowable reimbursable mandated costs for unfunded mandates is made by the Commission. The SCO determines allowable reimbursable costs, subject to amendment by the Commission, for mandates funded by special legislation. Allowable costs are those direct and indirect costs, less applicable credits, considered eligible for reimbursement. In order for costs to be allowable and thus eligible for reimbursement, the costs must meet the following general criteria:

1. The cost is necessary and reasonable for proper and efficient administration of the mandate and not a general expense required to carry out the overall responsibilities of government.
2. The cost is allocable to a particular cost objective identified in the P's & G's.
3. The cost is net of any applicable credits that offset or reduce expenses of items allocable to the mandate.

The SCO has identified certain costs that should not be claimed as direct program costs unless specified as reimbursable under the program's P's & G's. These costs include, but are not limited to, subscriptions, depreciation, memberships, conferences, workshops, general education, and travel costs.

## **7. State Mandates Apportionment System (SMAS)**

Chapter 1534, Statutes of 1985, established SMAS, a method of paying certain mandated programs as apportionments. This method is utilized whenever a program has been approved for inclusion in SMAS by the Commission.

When a mandated program has been included in SMAS, the SCO will determine a base year entitlement amount for each CCD that has submitted reimbursement claims (or entitlement claims) for three consecutive fiscal years. A base year entitlement amount is determined by averaging the approved reimbursement claims (or entitlement claims) for any three consecutive fiscal years. The amounts are first adjusted by any change in the IPD, which is applied separately to each year's costs for the three years that comprise the base period. The base period means the three fiscal years immediately succeeding the Commission's approval.

Each CCD with an established base year entitlement for the program will receive automatic annual payments from the SCO reflective of the program's current year costs. The apportionment amount is adjusted annually for any change in the IPD. If the mandated program was included in SMAS after January 1, 1988, the annual apportionment is adjusted for any change in both the IPD and ADA.

In the event a CCD has incurred costs for three consecutive fiscal years but did not file a reimbursement claim in one or more of those fiscal years, the CCD may file an entitlement claim for each of those missed years to establish a base year entitlement. An entitlement claim means any claim filed by a CCD with the SCO for the sole purpose of establishing a base year entitlement. A base year entitlement may not include any nonrecurring or initial start-up costs.

Initial apportionments are made on an individual program basis. After the initial year, all apportionments are made by November 30<sup>th</sup>. The amount to be apportioned is the base year entitlement adjusted by annual changes in the IPD for the cost of goods and services to governmental agencies as determined by the State Department of Finance.

In the event the CCD determines that the amount of apportionment does not accurately reflect costs incurred to comply with a mandate, the process of adjusting an established base year entitlement upon which the apportionment is based is set forth in GC Section 17615.8 and requires the approval of the Commission.

## **8. Direct Costs**

A direct cost is a cost that can be identified specifically with a particular program or activity. Documentation to support direct costs must be kept on hand unless otherwise specified in the claiming instructions and made available to the SCO on request

It is the responsibility of the claimant to maintain documentation in the form of general and subsidiary ledgers, purchase orders, invoices, contracts, canceled warrants, equipment usage records, land deeds, receipts, employee time sheets, agency travel guidelines, inventory records, and other relevant documents to support claimed costs. The type of documentation necessary for each claim may differ with the type of mandate.

Costs typically classified as direct costs are:

### **(1) Employee Wages, Salaries, and Benefits**

For each of the mandated activities performed, the claimant must list the names of the employees who worked on the mandate, their job classifications, hours worked on the mandate, and rate of pay. The claimant may use a productive hourly rate in-lieu of reporting actual compensation and benefits:

#### **(a) Productive Hourly Rate Options**

A CCD may use one of the following methods to compute productive hourly rates:

- Actual annual productive hours for each employee;
- The weighted-average annual productive hours for each job title; or
- 1,800\* annual productive hours for all employees.

If actual annual productive hours or weighted-average annual productive hours for each job title is chosen, the claimant must maintain documentation of how these hours were computed.

\* 1,800 annual productive hours excludes the following employee time:

- Paid holidays;
- Vacation earned;
- Sick leave taken;
- Informal time off;
- Jury duty;
- Military leave taken.

#### **(b) Compute a Productive Hourly Rate**

1. Compute a productive hourly rate for salaried employees to include actual benefit costs. The methodology for converting a salary to a productive hourly rate is to compute the employee's annual salary and benefits and divide by the annual productive hours.

**Table 1: Productive Hourly Rate, Annual Salary + Benefits Method**

<b>Formula:</b>	<b>Description:</b>
$[(EAS + Benefits) \div APH] = PHR$	EAS = Employee's Annual Salary
	APH = Annual Productive Hours
$[(\$26,000 + \$8,099) \div 1,800 \text{ hrs}] = 18.94$	PHR = Productive Hourly Rate

- As illustrated in Table 1, if an employee's compensation was \$26,000 and \$8,099 for annual salary and benefits, respectively, using the Salary + Benefits Method, the productive hourly rate would be \$18.94. To convert a biweekly salary to Annual Salary, multiply the biweekly salary by 26. To convert a monthly salary to Annual Salary, multiply the monthly salary by 12. Use the same methodology to convert other salary periods.
2. A claimant may also compute the productive hourly rate by using the Percent of Salary Method.

**Table 2: Productive Hourly Rate, Percent of Salary Method**

<b>Example:</b>		
<b>Step 1: Benefits as a Percent of Salary    Step 2: Productive Hourly Rate</b>		
Retirement	15.00 %	<b>Formula:</b> $[(EAS \times (1 + BR)) \div APH] = PHR$
Social Security & Medicare	7.65	
Health & Dental Insurance	5.25	
Workers Compensation	3.25	
		$[(\$26,000 \times (1.3115)) \div 1,800] = \$18.94$
<b>Total</b>	<b>31.15 %</b>	
<b>Description:</b>		
EAS = Employee's Annual Salary		APH = Annual Productive Hours
BR = Benefit Rate		PHR = Productive Hourly Rate

- As illustrated in Table 2, both methods produce the same productive hourly rate.

Reimbursement for personnel services includes, but is not limited to, compensation paid for salaries, wages, and employee benefits. Employee benefits include employer's contributions for social security, pension plans, insurance, workers compensation insurance and similar payments. These benefits are eligible for reimbursement as long as they are distributed equitably to all activities. Whether these costs are allowable is based on the following presumptions:

- The amount of compensation is reasonable for the service rendered;
- The compensation paid and benefits received are appropriately authorized by the governing board;

- Amounts charged for personnel services are based on payroll documents that are supported by time and attendance or equivalent records for individual employees;
- The methods used to distribute personnel services should produce an equitable distribution of direct and indirect allowable costs.

For each of the employees included in the claim, the claimant must use reasonable rates and hours in computing the wage cost. If a person of a higher-level position performs an activity which normally would be performed by a lower-level position, reimbursement for time spent is allowable at the average salary range for the lower-level position. The salary rate of the person at a higher-level position may be claimed if it can be shown that it was more cost effective in comparison to the performance by a person at the lower-level position under normal circumstances and conditions. The number of hours charged to an activity should reflect the time expected to complete the activity under normal circumstances and conditions. The numbers of hours in excess of normal expected hours are not reimbursable.

### (c) Calculating an Average Productive Hourly Rate

In those instances where the claiming instructions allow a unit as a basis of claiming costs, the direct labor component of the unit cost should be expressed as an average productive hourly rate and can be determined as follows:

**Table 3: Calculating an Average Productive Hourly Rate**

	<u>Time Spent</u>	<u>Productive Hourly Rate</u>	<u>Total Cost by Employee</u>
Employee A	1.25 hrs	\$6.00	\$7.50
Employee B	0.75 hrs	4.50	3.38
Employee C	3.50 hrs	10.00	35.00
Total	5.50 hrs		\$45.88
Average Productive Hourly Rate is $\$45.88 \div 5.50 \text{ hrs.} = \$8.34$			

### (d) Employer's Benefits Contribution

A CCD has the option of claiming actual employer's benefit contributions or may compute an average benefit cost for the employee's job classification and claim it as a percentage of direct labor. The same time base should be used for both salary and benefits when computing a percentage. For example, if health and dental insurance payments are made annually, use an annual salary. After the percentage of salary for each benefit is computed, total them. For example:

Retirement	15.00%
Social Security	7.65%
Health and Dental Insurance	5.25%
Worker's Compensation	0.75%
Total	<u>28.65%</u>

### (2) Materials and Supplies

Only actual expenses can be claimed for materials and supplies, which were acquired and consumed specifically for the purpose of a mandated program. The claimant must list the

materials and supplies that were used to perform the mandated activity, the number of units consumed, the cost per unit, and the total dollar amount claimed. Materials and supplies in excess of reasonable quality, quantity, and cost are not reimbursable. Materials and supplies withdrawn from inventory and charged to the mandated activity must be based on a recognized method of pricing, consistently applied. Purchases must be claimed at the actual price after deducting discounts, rebates and allowances received by the CCD.

**(a) Calculating a Unit Cost for Materials and Supplies**

In those instances where the P's & G's suggest that a unit cost be developed for use as a basis of claiming costs mandated by the State, the materials and supplies component of the unit cost should be expressed as a unit cost of materials and supplies as shown in Table 1 or Table 2:

**Table 1: Calculating a Unit Cost for Materials and Supplies**

<b>Supplies</b>	<b>Cost Per Unit</b>	<b>Amount of Supplies Used Per Activity</b>	<b>Unit Cost of Supplies Per Activity</b>
Paper	0.02	4	\$0.08
Files	0.10	1	0.10
Envelopes	0.03	2	0.06
Photocopies	0.10	4	<u>0.40</u>
			<u>\$0.64</u>

**Table 2: Calculating a Unit Cost for Materials and Supplies**

<b>Supplies</b>	<b>Supplies Used</b>	<b>Unit Cost of Supplies Per Activity</b>
Paper (\$10.00 for 500 sheet ream)	250 Sheets	\$5.00
Files (\$2.50 for box of 25)	10 Folders	1.00
Envelopes (\$3.00 for box of 100)	50 Envelopes	1.50
Photocopies (\$0.05 per copy)	40 Copies	2.00
		<u>\$9.50</u>
If the number of reimbursable instances is 25, then the unit cost of supplies is \$0.38 per reimbursable instance (\$9.50 ÷ 25).		

**(3) Contract Services**

The cost of contract services is allowable if the CCD lacks the staff resources or necessary expertise, or it is economically feasible to hire a contractor to perform the mandated activity. The claimant must keep documentation on hand to support the name of the contractor, explain the reason for having to hire a contractor, describe the mandated activities performed, give the dates when the activities were performed, the number of hours spent performing the mandate, the hourly billing rate, and the total cost. The hourly billing rate must

not exceed the rate specified in the P's & G's for the mandated program. The contractor's invoice or statement must include an itemized list of costs for activities performed.

#### (4) Equipment Rental Costs

Equipment purchases and leases (with an option to purchase) are not reimbursable as a direct cost unless specifically allowed by the P's & G's for the particular mandate. Equipment rentals used solely for the mandate are reimbursable to the extent that such costs do not exceed the retail purchase price of the equipment plus a finance charge. The claimant must maintain documentation to support the purpose and use of the equipment, the time period for which the equipment was rented and the total cost of the rental. If the equipment is used for purposes other than reimbursable activities, only the pro rata portion of the rental costs can be claimed.

#### (5) Capital Outlay

Capital outlay for land, buildings, equipment, furniture and fixtures may be claimed if the P's & G's specify them as allowable. If they are allowable, the P's & G's for the program will specify a basis for the reimbursement. If the fixed asset or equipment is also used for purposes other than reimbursable activities for a specific mandate, only the pro rata portion of the purchase price used to implement the reimbursable activities can be claimed.

#### (6) Travel Expenses

Travel expenses are normally reimbursable in accordance with travel rules and regulations of the local jurisdiction. For some programs, however, the P's & G's may specify certain limitations on expenses, or that expenses can only be reimbursed in accordance with the Department of Personnel Administration (DPA) travel standards. When claiming travel expenses, the claimant must maintain documentation to support the purpose of the trip, the names and addresses of the persons incurring the expense, the date and time of departure and return, a description of each expense claimed, and the cost of transportation, number of private auto miles traveled, and the cost of tolls and parking. Receipts are required for charges over \$10.00.

### 9. Indirect Costs

Indirect costs are: (a) Incurred for a common or joint purpose benefiting more than one cost objective, and (b) not readily assignable to the cost objectives specifically benefited without effort disproportionate to the results achieved. Indirect costs can originate in the department performing the mandate or in departments that supply the department performing the mandate with goods, services, and facilities. To be allowable, a cost must be allocable to a particular cost objective. Indirect costs must be distributed to benefiting cost objectives on bases which produce an equitable result related to the benefits derived by the mandate.

A CCD may claim indirect costs using the Controller's methodology (FAM-29C), or if specifically allowed by a mandated cost program's P's & G's, a district may choose to claim indirect costs using either: (1) A federally approved rate prepared in accordance with the Office of Management and Budget (OMB) Circular A-21, *Cost Principles for Educational Institutions*; or (2) a flat 7% rate. The FAM-29C indirect cost rate and the flat 7% indirect cost rate are applied to *Salaries and Benefits*, whereas the federally approved rate is applied to the allocation base used in developing the federally approved rate.

If indirect costs are calculated using the OMB Circular A-21 methodology with a base other than *Salaries and Benefits*, the claim cannot be filed using the LGeC as the system does not support cost bases other than *Salaries and Benefits*. Instead, these claims must be filed manually using paper forms.

However, if indirect costs are calculated using the OMB Circular A-21 methodology using *Salaries and Benefits* in the base, then the claims can be filed using either the LGeC system or the manual paper process. In these cases, the indirect cost rate is calculated in accordance with the chosen



methodology and keyed into the mandated cost form on the appropriate line (usually Form 1, line (06)), *Indirect Cost Rate*. The LGeC system will apply that rate to *Salaries and Benefits* (usually Form 1, line (5)(a) to arrive at the total indirect costs (usually Form 1, line (7)).

The SCO developed form FAM-29C to be consistent with the OMB Circular A-21 cost accounting principles as they apply to mandated cost programs. The objective is to determine an equitable rate to allocate administrative support to personnel who performed the mandated cost activities. The methodology used in form FAM-29C is a direct cost base comprised of salary and benefit costs. This provides a consistent indirect cost rate methodology for all CCD's mandated cost programs.

FAM-29C uses expenditures that districts report in their California Community Colleges Annual Financial and Budget Report (CCFS-311), Expenditures by Activity for the General Fund – Combined. CCD's must use the CCFS-311 report applicable to the fiscal year of the reimbursement claim submitted. The computation excludes capital outlay and other outgo in accordance with the OMB Circular A-21. The indirect cost rate computation includes any depreciation or use allowance applicable to district buildings and equipment. Districts calculate depreciation or use allowance costs separately from the CCFS-311 report and should calculate them in accordance with the OMB Circular A-21.

The OMB Circular A-21, Section C.4, states that a cost is allocable to a particular cost objective in accordance with the relative benefits received. Also, Section E.2.b., states that the overall objective of the cost allocation process is to distribute indirect costs to the institution's major functions in proportions reasonably consistent with their use of the institution's resources. In addition, Section E.2.c. notes that where certain items or categories of expense relate to less than all functions, such expenses should be set aside for selective allocation.

The OMB Circular A-21, Section H, describes a simplified method for indirect cost rate calculations. However, Section H.1.b. states that the simplified method should not be used where it produces results that appear inequitable. As previously noted, FAM-29C strives to equitably allocate administrative support costs to personnel that perform mandated cost activities claimed by CCD's. For example, library costs and department administration expenses, normally classified fully or partly as indirect costs in the OMB Circular A-21, are instead classified as direct costs for FAM-29C. These costs do not benefit mandated cost activities. In summary, FAM-29C indirect costs include operation and maintenance of plant; planning, policy making, and coordination; general institutional support services (excluding community relations); and depreciation or use allowance. Community relations include fundraising costs, which are unallowable under OMB Circular A-21. If the district claims any costs from these indirect accounts as direct mandate-related costs, the same costs should be reclassified as direct on FAM-29C.

Table 4 presents an example of the FAM-29C methodology.

Table 4: Indirect Cost Rate for Community Colleges

MANDATED COST INDIRECT COST RATE FOR COMMUNITY COLLEGE DISTRICTS					FORM FAM 29-C
(1) Claimant					
Activity	EDP	Salaries and Benefits per CCFS-311	Operating Expenses per CCFS-311	Indirect-Salaries Benefits, and Operating Expenses	Direct-Salaries and Benefits only
Instructional Activities	599	\$ 46,249,931	\$ 8,289,190	\$	\$ 46,249,931
Instruct. Admin. & Instruct. Governance	6000	5,181,935	631,615		5,181,935
Instructional Support Services	6100	4,361,061	445,196		4,361,061
Admissions and Records	6200	1,251,539	96,634		1,251,539
Student Counseling and Guidance	6300	3,373,121	80,201		3,373,121
Other Student Services	6400	5,511,511	1,116,904		5,511,511
Operation and Maintenance of Plant	6500	5,192,099	3,192,398	8,384,497	
Planning, Policy Making, and Coordination	6600	2,562,909	1,096,833	3,659,742	
General Institutional Support Services	6700				
Community Relations	6710	446,207	228,320		446,207
Fiscal Operations	6720	2,342,316	315,019	2,657,335	
Human Resources Management	6730	1,057,387	102,600	1,159,987	
Non-instructional Staff Retirees' Benefits and Retirement Incentives	6740	1,327,125	-	1,327,125	
Staff Development	6750	1,295	34,931	36,226	
Staff Diversity	6760	449,392	394,915	844,307	
Logistical Services	6770	2,853,609	354,953	3,208,562	
Management Information Systems	6780	2,386,511	894,685	3,281,196	
Other General Institutional Support Services	6790	19,635	1,679	21,314	
Community Services and Economic Development	6800	963,036	688,648		963,036
Ancillary Services	6900	723,450	224,961		723,450
Auxiliary Operations	7000	565,859	12,179		565,859
Depreciation or Use Allowance - Building				2,620,741	
Depreciation or Use Allowance - Equipment				721,097	
<b>Totals</b>		<u>\$ 86,819,928</u>	<u>\$ 18,201,861</u>	<u>\$ 27,922,129</u>	<u>\$ 68,627,650</u>
				(A)	(B)
<b>Indirect Cost Rate (A)/(B)</b>				<u>40.69%</u>	

## 10. Time Study Guidelines

### Background

Two methods are acceptable for documenting employee time charged to mandated cost programs: 1) Actual Time Reporting and 2) Time Study. These methods are described below. Application of time study results is restricted. As explained in the Time Study Results section below, the results may be projected forward a maximum of two years or applied retroactively to initial claims, current-year claims, and late-filed claims, provided certain criteria are met.

### Actual Time Reporting

Each program's P's and G's define reimbursable activities for the mandated cost program. When employees work on multiple activities, a distribution of their salaries or wages must be supported by personnel activity reports or equivalent documentation that meets the following standards:

- They must reflect an after-the-fact distribution of the actual activity of each employee;
- They must account for the total activity for which each employee is compensated;
- They must be prepared at least monthly and must coincide with one or more pay periods; and
- They must be signed by the employee.

Budget estimates or other distribution percentages determined before services are performed do not qualify as support for actual time reporting.

### Time Study

In certain cases, a time study may be used as a substitute for continuous records of actual time spent on multiple activities and/or programs. A time study can be used for an activity when the task is repetitive in nature. Activities that require varying levels of effort are not appropriate for time studies.

### Time Study Plan

The claimant must develop a plan before the time study is conducted. The claimant must retain the time study plan for audit purposes. The plan must identify the following:

- Time periods to be studied - The plan must show that all time periods selected are representative of the fiscal year and that the results can be reasonably projected to approximate actual costs;
- Activities to be studied - The time study must separately identify each reimbursable activity defined in the mandated program's P's and G's. If a reimbursable activity identifies separate and distinct sub-activities, these sub-activities also must be treated as individual activities;

For example, sub-activities (a) and (b) under reimbursable activity (1) of the Agency Fee Arrangements Program relate to salary deduction and payment of fair share and are not separate and distinct activities. It is not necessary to separately study these sub-activities.

- Process used to accomplish each reimbursable activity - Use flowcharts or similar analytical tools and/or written desk procedures to describe the process followed to complete each activity;
- Employee universe - The employee universe used in the time study must include all positions for which salaries and wages are to be allocated by means of the time study;
- Employee sample selection methodology - The plan must show that employees selected are representative of the employee universe and that the results can be reasonably projected to approximate actual costs. In addition, the employee sample size should be proportional to the variation in time spent to perform a task. The sample size should be larger for tasks with significant time variations;
- Time increments to be recorded - The time increments used should be sufficient to recognize the

number of different activities performed and the dynamics of these responsibilities. Very large increments (such as one hour or more) can be used for employees performing only a few functions that change very slowly over time. Small increments (a number of minutes) can be used for employees performing more short-term tasks.

Random-moment sampling is not an acceptable alternative to continuous time records for mandated cost claims. Random-moment sampling techniques are most applicable in situations where employees perform many different types of activities on a variety of programs with small time increments throughout the fiscal year.

### **Time Study Documentation**

Time studies must:

- Be supported by time records that are completed when the activity occurs;
- Report activity on a daily basis;
- Be sufficiently detailed to reflect all mandated activities performed during a specific time period;
- Coincide with one or more pay periods.

Time records must be signed by the employee and be supported by documentation that validates that the work was actually performed. As with actual time reporting, budget estimates or other distribution percentages determined before services are performed do not qualify as valid time studies.

### **Time Study Results**

Claimants must summarize time study results to show how the time study supports the costs claimed for each activity. Any variation from the procedures identified in the original time study plan must be documented and explained. Current-year costs must be used to prepare a time study. Claimants may project time study results to no more than two subsequent fiscal years. A claimant also may apply time study results retroactively to initial claims, current-year claims, and late-filed claims.

When projecting time study results, the claimant must certify that no significant changes have occurred between years in either (1) the requirements of each mandated program activity; or (2) the processes and procedures used to accomplish the activity. For all years, the claimant must maintain documentation that shows that the mandated activity was actually performed. Time study results used to support claims are subject to the record-keeping requirements for those claims.

## **11. Offsets Against State Mandated Claims**

As noted previously, allowable costs are defined as those direct and indirect costs, less applicable credits, considered eligible for reimbursement. When all or part of the costs of a mandated program are specifically reimbursable from local assistance revenue sources (e.g., state, federal, foundation, etc.), only that portion of any increased cost payable from CCD funds is eligible for reimbursement under the provisions of GC Section 17561.

### **A. Example 1:**

As illustrated in Table 5, this example shows how the Offset Against State Mandated Claims is determined for a CCD receiving block grant revenues not based on a formula allocation. Program costs for each situation equals \$100,000.

Table 5: Offsets Against State Mandates, Example 1

	Program Costs	Actual Local Assistance Revenues	State Mandated Costs	Offset Against State Mandated Claims	Claimable Mandated Costs
1.	\$100,000	\$95,000	\$2,500	\$-0-	\$2,500
2.	100,000	97,000	2,500	-0-	2,500
3.	100,000	98,000	2,500	500	2,000
4.	100,000	100,000	2,500	2,500	-0-
5.	100,000 *	50,000	2,500	1,250	1,250
6.	100,000 *	49,000	2,500	250	2,250

\* CCD share is \$50,000 of the program cost.

Numbers (1) through (4) in Table 5, show intended funding at 100% from local assistance revenue sources. Numbers (5) and (6) show cost sharing on a 50/50 basis with the district. In numbers (1) through (6), included in the program costs of \$100,000 are state mandated costs of \$2,500. The offset against state mandated claims are the amount of actual local assistance revenues, which exceeds the difference between program costs and state mandated costs. This offset cannot exceed the amount of state mandated costs.

In (1), local assistance revenues were less than expected. Local assistance funding was not in excess of the difference between program costs and state mandated costs. As a result, the offset against state mandated claims is zero and \$2,500 is claimable as mandated costs.

In (4), local assistance revenues were fully realized to cover the entire cost of the program, including the state mandated activity; therefore, the offset against state mandated claims is \$2,500, and claimable cost is \$0.

In (5), the district is sharing 50% of the project cost. Since local assistance revenues of \$50,000 were fully realized, the offset against state mandated claims is \$1,250.

In (6), local assistance revenues were less than the amount expended and the offset against state mandated claims is \$250. Therefore, the claimable mandated costs are \$2,250.

#### B. Example 2:

As illustrated in Table 6, this example shows how the offset against state mandated claims is determined for a CCD receiving special project funds based on approved actual costs. Local assistance revenues for special projects must be applied proportionately to the approved costs.

Table 6: Offset Against State Mandates, Example 2

	Program Costs	Actual Local Assistance Revenues	State Mandated Costs	Offset Against State Mandated Claims	Claimable Mandated Costs
1.	\$100,000	\$100,000	\$2,500	\$2,500	\$-0-
2.	100,000 **	75,000	2,500	1,875	625
3.	100,000 **	45,000	1,500	1,125	375

\*\* CCD share is \$25,000 of the program cost.

In (2), the entire program cost was approved. Since the local assistance revenue source covers

75% of the program cost, it also proportionately covered 75% of the \$2,500 state mandated costs, or \$1,875.

If in (3) local assistance revenues are less than the amount expected because only \$60,000 of the \$100,000 program costs were determined to be valid by the contracting agency, then a proportionate share of state mandated costs is likewise reduced to \$1,500. The offset against state mandated claims is \$1,125. Therefore, the claimable mandated costs are \$375.

## **12. Notice of Claim Adjustment**

All claims submitted to the SCO are reviewed to determine if the claim was prepared in accordance with the claiming instructions. Claimants will receive a *Notice of Claim Adjustment* detailing any adjustments made by the SCO.

## **13. Audit of Costs**

Pursuant to GC Section 17558.5, Subdivision (b), the SCO may conduct a field review of any claim after it has been submitted to determine if costs are related to the mandate, are reasonable and not excessive, and the claim was prepared in accordance with the SCO's claiming instructions and the P's & G's adopted by the Commission. If any adjustments are made to a claim, a Notice of Claim Adjustment specifying the claim activity adjusted, the amount adjusted, and the reason for the adjustment, will be mailed within thirty days after payment of the claim.

## **14. Source Documents**

Costs must be traceable and supported by source documents that show the validity of such costs, when they were incurred, and their relationship to the reimbursable activities. A source document is created at or near the same time the actual cost was incurred for the event or activity in question. Source documents may include, but are not limited to, employee records, or time logs, sign-in sheets, invoices, and receipts.

Evidence corroborating the source documents may include, but is not limited to, worksheets, cost allocation reports (system generated), purchase orders, contracts, agendas, training packets, and declarations. Declarations must include a certification stating: "I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct" and must further comply with the requirements of Code of Civil Procedure Section 2015.5. Evidence corroborating the source documents may include data relevant to the reimbursable activities otherwise in compliance with local, state, and federal government requirements. However, these documents cannot be substituted for source documents.

## **15. Claim Forms and Instructions**

Unless you are filing electronically, a claimant may submit a computer generated report in substitution for Form-1 and Form-2, provided the format of the report and data fields contained within the report are identical to the claim forms included with these instructions. The claim forms provided with these instructions should be duplicated or printed from SCO's Web site and used by the claimant to file reimbursement claims. The SCO will revise the manual and claim forms as necessary.

### **A. Form-2, Activity Cost Detail**

This form is used to segregate the direct costs by claim activity. In some mandates, specific reimbursable activities have been identified for each activity. The expenses reported on this form must be supported by the official financial records of the claimant. All documents used to support the reimbursable activities must be retained by the claimant unless required to be submitted with the claim and must be made available to the SCO on request.

**B. Form-1, Claim Summary**

This form is used to summarize direct costs by activity and compute allowable indirect costs for the mandate. The direct costs summarized on this form are derived from Form-2 and are carried forward to form FAM-27.

**C. Form FAM-27, Claim for Payment**

This form contains a certification that must be signed by an authorized officer of the CCD. All applicable information from Form-1 must be carried forward onto this form in order for the SCO to process the claim for payment. An original and one copy of the FAM-27 are required.

Submit a signed original and one copy of form FAM-27, Claim for Payment. **To expedite the payment process, please sign the FAM-27 with blue ink, and attach a copy of the form FAM-27 to the top of the claim package.**

Use the following mailing addresses:

If delivered by  
U.S. Postal Service:

Office of the State Controller  
Attn: Local Reimbursements Section  
Division of Accounting and Reporting  
P.O. Box 942850  
Sacramento, CA 94250

If delivered by  
Other delivery services:

Office of the State Controller  
Attn: Local Reimbursements Section  
Division of Accounting and Reporting  
3301 C Street, Suite 700  
Sacramento, CA 95816

**16. Retention of Claiming Instructions**

For your convenience, the revised claiming instructions in this package have been arranged in alphabetical order by program name. This Manual should be retained for future reference, and the forms should be duplicated to meet your filing requirements. Annually, new or revised forms, instructions, and any other information claimants may need to file claims will be placed on the SCO's Web site located at [www.sco.ca.gov/ard\\_mancost.html](http://www.sco.ca.gov/ard_mancost.html).

If you have any questions concerning mandated cost reimbursements, please write to us at the address listed for filing claims, or by e-mail to [LRSDAR@sco.ca.gov](mailto:LRSDAR@sco.ca.gov), or call the Local Reimbursements Section at (916) 324-5729.

**17. Retention of Claim Records and Supporting Documentation**

Pursuant to Government Code Section 17558.5, (a), a reimbursement claim for actual costs filed by a CCD is subject to the initiation of an audit by the Controller no later than three years after the date that the actual reimbursement claim was filed or last amended, whichever is later. However, if no funds were appropriated or no payment was made to a claimant for the program for the fiscal year for which the claim was filed, the time for the Controller to initiate an audit will commence to run from the date of initial payment of the claim. In any case, an audit will be completed not later than two years after the date that the audit is commenced.

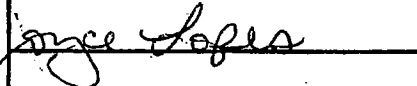
All documents used to support the reimbursable activities must be retained during the period subject to audit. If the Controller has initiated an audit during the period subject to audit, the retention period is extended until the ultimate resolution of any audit findings. Supporting documents must be made available to the SCO on request.





**FY 1999-00**

**Integrated Waste Management Claim**

CLAIM FOR PAYMENT Pursuant to Government Code Section 17561 INTEGRATED WASTE MANAGEMENT			For State Controller Use Only (19) Program Number 00256 (20) Date Filed OCT 06 2005 (21) LRS Input / /		Program 256
(01) Claimant Identification Number: CC 31090			Reimbursement Claim Data		
(02) Claimant Name: Sierra Joint Community College District			(22) IWM-1, (03)(A)(1)(f)	369	
County of Location: Placer			(23) IWM-1, (03)(A)(2)(f)	0	
Street Address: 5000 Rocklin Road			(24) IWM-1, (03)(B)(1)(f)	1,190	
City: Rocklin State: CA Zip Code: 95677			(25) IWM-1, (03)(B)(2)(f)	0	
Type of Claim	Estimated Claim	Reimbursement Claim	(26) IWM-1, (03)(B)(3)(f)	0	
	(03) Estimated <input type="checkbox"/>	(09) Reimbursement <input checked="" type="checkbox"/>	(27) IWM-1, (03)(B)(4)(f)	739	
	(04) Combined <input type="checkbox"/>	(10) Combined <input type="checkbox"/>	(28) IWM-1, (03)(B)(5)(f)	14,208	
	(05) Amended <input type="checkbox"/>	(11) Amended <input type="checkbox"/>	(29) IWM-1, (03)(C)(1)(f)	0	
Fiscal Year of Cost	(06)	(12) 1999-2000	(30) IWM-1, (03)(C)(2)(f)	0	
Total Claimed Amount	(07)	(13) \$ 23,194	(31) IWM-1, (03)(D)(f)	328	
Less: 10% Late Penalty		(14) \$	(32) IWM-1, (03)(E)(f)	0	
Less: Prior Claim Payment Received		(15) \$	(33) IWM-1, (03)(F)(f)	164	
Net Claimed Amount		(16) \$ 23,194	(34) IWM-1, (06)	6,196	
Due from State	(08)	(17) \$ 23,194	(35) IWM-1, (08)	0	
Due to State		(18)	(36) IWM-1, (09)	0	
<b>(37) CERTIFICATION OF CLAIM</b>					
<p>In accordance with the provisions of Government Code Section 17561, I certify that I am the officer authorized by the community college district to file mandated cost claims with the State of California for this program, and certify under penalty of perjury that I have not violated any of the provisions of Government Code Sections 1090 to 1098, inclusive.</p> <p>I further certify that there was no application other than from the claimant, nor any grant or payment received, for reimbursement of costs claimed herein, and such costs are for a new program or increased level of services of an existing program. All offsetting savings and reimbursements set forth in the Parameters and Guidelines are identified, and all costs claimed are supported by source documentation currently maintained by the claimant.</p> <p>The amounts for this Estimated Claim and/or Reimbursement Claim are hereby claimed from the State for payment of estimated and/or actual costs set forth on the attached statements. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.</p>					
Signature of Authorized Officer (USE BLUE INK)			Date		
			9/28/05		
Joyce Lopes			Director of Finance		
Type or Print Name			Title		
(38) Name of Contact Person for Claim			Telephone Number: (858) 514-8605		
SixTen and Associates			E-mail Address: kbpsixten@aol.com		

Program <b>256</b>		MANDATED COSTS INTEGRATED WASTE MANAGEMENT CLAIM SUMMARY					FORM IWM-1	
(01) Claimant: Sierra Joint Community College District			(02) Type of Claim Reimbursement <input checked="" type="checkbox"/> X Estimated <input type="checkbox"/>				Fiscal Year 1999-2000	
Direct Costs			Object Accounts					
(03) Reimbursable Activities	(a) Salaries and Benefits	(b) Materials and Supplies	(c) Contract Services	(d) Fixed Assets	(e) Travel and Training	(f) Total		
<b>A. One-Time Activities</b>								
1 Development of Policies and Procedures	\$ 369.27	\$ -	\$ -	\$ -	\$ -	\$ 369.27		
2 Staff Training	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		
<b>B. Ongoing Activities</b>								
1 Completion and Submission of Plan to Board	\$ 1,189.87	\$ -	\$ -	\$ -	\$ -	\$ 1,189.87		
2 Response to Board During Approval Process	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		
3 Consultation with Board	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		
4 Designation of Waste Reduction and Recycling Coordinator	\$ 738.54	\$ -	\$ -	\$ -	\$ -	\$ 738.54		
5 Diversion and Maintenance of Approved Level of Reduction	\$ 11,948.40	\$ 2,259.28	\$ -	\$ -	\$ -	\$ 14,207.68		
<b>C. Alternative Compliance</b>								
1 Alternative Requirements or Time Extension for 1/1/02 for 25% Waste	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		
2 Alternative Requirements or Time Extension for 1/1/04 for 50% Waste	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		
D. Accounting System	\$ 328.24	\$ -	\$ -	\$ -	\$ -	\$ 328.24		
E. Annual Report	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		
F. Annual Recycled Material Reports	\$ 164.12	\$ -	\$ -	\$ -	\$ -	\$ 164.12		
(04) Total Direct Costs	\$ 14,738.44	\$ 2,259.28	\$ -	\$ -	\$ -	\$ 16,997.72		
<b>Indirect Costs</b>								
(05) Indirect Cost Rate						[Federally approved OMB A-21, FAM-25C, or 7%] 42.04%		
(06) Total Indirect Costs						[Line (05) x line (04)(f)] \$ 6,196.04		
(07) Total Direct and Indirect Costs						[Line (04)(f) + line (06)] \$ 23,193.76		
<b>Cost Reduction</b>								
(08) Less: Offsetting Savings						\$ -		
(09) Less: Other Reimbursements						\$ -		
(10) Total Claimed Amount						[Line (07) - (Line (08) + Line (09))] \$ 23,193.76		

Program 256		MANDATED COSTS INTEGRATED WASTE MANAGEMENT ACTIVITY COST DETAIL							FORM IWM-2		
(01) Claimant Sierra Joint Community College District					(02) Fiscal Year 1999-2000						
(03) Reimbursable Activities: Check only one box per form to identify the activity being claimed.											
<b>One-Time Activities</b>		<input checked="" type="checkbox"/> Development of Policies and Procedures	<input type="checkbox"/> Staff Training								
<b>Ongoing Activities</b>		<input type="checkbox"/> Completion and Submission of Plan to Board	<input type="checkbox"/> Response to Board During Approval Process				<input type="checkbox"/> Consultation with Board				
		<input type="checkbox"/> Designation of Waste Reduction and Recycling Coordinator	<input type="checkbox"/> Maintenance of Approved Level of Reduction								
<b>Alternative Compliance</b>		<input type="checkbox"/> Alternative Requirement or Time Extension for 1/1/02 for 25% Waste				<input type="checkbox"/> Alternative Requirement of Time Extension for 1/1/04 for 50% Waste					
		<input type="checkbox"/> Accounting System				<input type="checkbox"/> Annual Report			<input type="checkbox"/> Annual Recycled Material Reports		
(04) Description of Expenses					Object Accounts						
(a) Employee Names, Job Classifications, Functions Performed, and Description of Expenses	(b) Hourly Rate or Unit Cost	(c) Hours Worked or Quantity	(d) Salaries and Benefits	(e) Materials and Supplies	(f) Contract Services	(g) Fixed Assets	(h) Travel and Training				
Developing the necessary district policies and procedures Roath, Jr. Lynn      Environment Health & Safety Spec.	\$41.03	9.0	\$ 369.27								
			Total	\$ 369.27	\$ -	\$ -	\$ -	\$ -	\$ -		

Program 256		MANDATED COSTS INTEGRATED WASTE MANAGEMENT ACTIVITY COST DETAIL					FORM IWM-2	
(01) Claimant Sierra Joint Community College District				(02) Fiscal Year 1999-2000				
(03) Reimbursable Activities: Check only one box per form to identify the activity being claimed.								
One-Time Activities		<input type="checkbox"/> Development of Policies and Procedures			<input type="checkbox"/> Staff Training			
Ongoing Activities		<input checked="" type="checkbox"/> Completion and Submission of Plan to Board			<input type="checkbox"/> Response to Board During Approval Process		<input type="checkbox"/> Consultation with Board	
		<input type="checkbox"/> Designation of Waste Reduction and Recycling Coordinator			<input type="checkbox"/> Maintenance of Approved Level of Reduction			
Alternative Compliance		<input type="checkbox"/> Alternative Requirement or Time Extension for 1/1/02 for 25% Waste			<input type="checkbox"/> Alternative Requirement of Time Extension for 1/1/04 for 50% Waste			
		<input type="checkbox"/> Accounting System			<input type="checkbox"/> Annual Report		<input type="checkbox"/> Annual Recycled Material Reports	
(04) Description of Expenses				Object Accounts				
(a) Employee Names, Job Classifications, Functions Performed, and Description of Expenses		(b) Hourly Rate or Unit Cost	(c) Hours Worked or Quantity	(d) Salaries and Benefits	(e) Materials and Supplies	(f) Contract Services	(g) Fixed Assets	(h) Travel and Training
Completing/submitting the State Agency Model Integrated Waste Management Plan Roath, Jr. Lynn Environment Health & Safety Spec.		\$41.03	29.0	\$ 1,189.87				
(05) Total <input checked="" type="checkbox"/>				Subtotal <input type="checkbox"/>				
Page 1 of 1				\$ 1,189.87	\$ -	\$ -	\$ -	\$ -

Program 255		MANDATED COSTS INTEGRATED WASTE MANAGEMENT ACTIVITY COST DETAIL						FORM IWM-2	
(01) Claimant Sierra Joint Community College District				(02) Fiscal Year 1999-2000					
(03) Reimbursable Activities: Check only one box per form to identify the activity being claimed.									
<b>One-Time Activities</b>		<input type="checkbox"/> Development of Policies and Procedures	<input type="checkbox"/> Staff Training						
<b>Ongoing Activities</b>		<input type="checkbox"/> Completion and Submission of Plan to Board	<input type="checkbox"/> Response to Board During Approval Process			<input type="checkbox"/> Consultation with Board			
		<input checked="" type="checkbox"/> Designation of Waste Reduction and Recycling Coordinator	<input type="checkbox"/> Maintenance of Approved Level of Reduction						
<b>Alternative Compliance</b>		<input type="checkbox"/> Alternative Requirement or Time Extension for 1/1/02 for 25% Waste	<input type="checkbox"/> Alternative Requirement of Time Extension for 1/1/04 for 50% Waste						
		<input type="checkbox"/> Accounting System	<input type="checkbox"/> Annual Report			<input type="checkbox"/> Annual Recycled Material Reports			
(04) Description of Expenses				Object Accounts					
(a) Employee Names, Job Classifications, Functions Performed, and Description of Expenses	(b) Hourly Rate or Unit Cost	(c) Hours Worked or Quantity	(d) Salaries and Benefits	(e) Materials and Supplies	(f) Contract Services	(g) Fixed Assets	(h) Travel and Training		
Designating one solid waste reduction and recycling coordinator for each college in district Roath, Jr. Lynn Environment Health & Safety Spec.	\$41.03	18.0	\$ 738.54						
(05) Total <input checked="" type="checkbox"/>			Subtotal <input type="checkbox"/>			Page 1 of 1			
			\$ 738.54	\$ -	\$ -	\$ -	\$ -	\$ -	



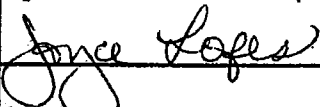
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Program 255	MANDATED COSTS INTEGRATED WASTE MANAGEMENT ACTIVITY COST DETAIL						FORM IWM-2
(01) Claimant Sierra Joint Community College District				(02) Fiscal Year 1999-2000			
(03) Reimbursable Activities: Check only one box per form to identify the activity being claimed.							
One-Time Activities		<input type="checkbox"/> Development of Policies and Procedures	<input type="checkbox"/> Staff Training				
Ongoing Activities		<input type="checkbox"/> Completion and Submission of Plan to Board	<input type="checkbox"/> Response to Board During Approval Process		<input type="checkbox"/> Consultation with Board		
		<input type="checkbox"/> Designation of Waste Reduction and Recycling Coordinator	<input type="checkbox"/> Maintenance of Approved Level of Reduction				
Alternative Compliance		<input type="checkbox"/> Alternative Requirement or Time Extension for 1/1/02 for 25% Waste		<input type="checkbox"/> Alternative Requirement of Time Extension for 1/1/04 for 50% Waste			
<input type="checkbox"/> Accounting System		<input type="checkbox"/> Annual Report		<input checked="" type="checkbox"/> Annual Recycled Material Reports			
(04) Description of Expenses				Object Accounts			
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)
Employee Names, Job Classifications, Functions Performed, and Description of Expenses	Hourly Rate or Unit Cost	Hours Worked or Quantity	Salaries and Benefits	Materials and Supplies	Contract Services	Fixed Assets	Travel and Training
Reporting annually to the Board quantities of recyclable materials collected Roath, Jr. Lynn      Environment Health & Safety Spec.	\$41.03	4.0	\$ 164.12				
(05) Total <input checked="" type="checkbox"/>		Subtotal <input type="checkbox"/>		Page 1 of 1			
				\$ 164.12	\$ -	\$ -	\$ -

**FY 2000-01**

**Integrated Waste Management Claim**

CLAIM FOR PAYMENT Pursuant to Government Code Section 17561 INTEGRATED WASTE MANAGEMENT			(19) Program Number 00256 (20) Date Filed <b>OCT 06 2005</b> (21) LRS Input <b>256</b>	
(01) Claimant Identification Number: CC 31090			Reimbursement Claim Data	
(02) Claimant Name: Sierra Joint Community College District			(22) IWM-1, (03)(A)(1)(f)	171
County of Location: Placer			(23) IWM-1, (03)(A)(2)(f)	600
Street Address: 5000 Rocklin Road			(24) IWM-1, (03)(B)(1)(f)	343
City: Rocklin	State: CA	Zip Code: 95677	(25) IWM-1, (03)(B)(2)(f)	0
Type of Claim	Estimated Claim	Reimbursement Claim	(26) IWM-1, (03)(B)(3)(f)	0
	(03) Estimated <input type="checkbox"/>	(09) Reimbursement <input checked="" type="checkbox"/>	(27) IWM-1, (03)(B)(4)(f)	2,142
	(04) Combined <input type="checkbox"/>	(10) Combined <input type="checkbox"/>	(28) IWM-1, (03)(B)(5)(f)	14,662
	(05) Amended <input type="checkbox"/>	(11) Amended <input type="checkbox"/>	(29) IWM-1, (03)(C)(1)(f)	0
Fiscal Year of Cost	(06)	(12) 2000-2001	(30) IWM-1, (03)(C)(2)(f)	0
Total Claimed Amount	(07)	(13) \$ 26,238	(31) IWM-1, (03)(D)(f)	557
Less: 10% Late Penalty		(14) \$	(32) IWM-1, (03)(E)(f)	0
Less: Prior Claim Payment Received		(15) \$	(33) IWM-1, (03)(F)(f)	600
Net Claimed Amount		(16) \$ 26,238	(34) IWM-1, (06)	7,164
Due from State	(08)	(17) \$ 26,238	(35) IWM-1, (08)	0
Due to State		(18)	(36) IWM-1, (09)	0
<b>(37) CERTIFICATION OF CLAIM</b>				
<p>In accordance with the provisions of Government Code Section 17561, I certify that I am the officer authorized by the community college district to file mandated cost claims with the State of California for this program, and certify under penalty of perjury that I have not violated any of the provisions of Government Code Sections 1090 to 1098, inclusive.</p> <p>I further certify that there was no application other than from the claimant, nor any grant or payment received, for reimbursement of costs claimed herein, and such costs are for a new program or increased level of services of an existing program. All offsetting savings and reimbursements set forth in the Parameters and Guidelines are identified, and all costs claimed are supported by source documentation currently maintained by the claimant.</p> <p>The amounts for this Estimated Claim and/or Reimbursement Claim are hereby claimed from the State for payment of estimated and/or actual costs set forth on the attached statements. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.</p>				
Signature of Authorized Officer (USE BLUE INK)			Date	
 Joyce Lopes Type or Print Name			9/28/15 Director of Finance Title	
(38) Name of Contact Person for Claim			Telephone Number: (858) 514-8605	
SixTen and Associates			E-mail Address: kbpsixten@aol.com	

<b>Program 256</b>	<b>MANDATED COSTS INTEGRATED WASTE MANAGEMENT CLAIM SUMMARY</b>					<b>FORM IWM-1</b>
(01) Claimant: Sierra Joint Community College District			(02) Type of Claim Reimbursement <input checked="" type="checkbox"/> X Estimated <input type="checkbox"/>			Fiscal Year 2000-2001
Direct Costs		Object Accounts				
(03) Reimbursable Activities	(a) Salaries and Benefits	(b) Materials and Supplies	(c) Contract Services	(d) Fixed Assets	(e) Travel and Training	(f) Total
<b>A. One-Time Activities</b>						
1 Development of Policies and Procedures	\$ 171.32	\$ -	\$ -	\$ -	\$ -	\$ 171.32
2 Staff Training	\$ 599.62	\$ -	\$ -	\$ -	\$ -	\$ 599.62
<b>B. Ongoing Activities</b>						
1 Completion and Submission of Plan to Board	\$ 342.64	\$ -	\$ -	\$ -	\$ -	\$ 342.64
2 Response to Board During Approval Process	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
3 Consultation with Board	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
4 Designation of Waste Reduction and Recycling Coordinator	\$ 2,141.50	\$ -	\$ -	\$ -	\$ -	\$ 2,141.50
5 Diversion and Maintenance of Approved Level of Reduction	\$ 12,918.83	\$ 1,742.98	\$ -	\$ -	\$ -	\$ 14,661.81
<b>C. Alternative Compliance</b>						
1 Alternative Requirements or Time Extension for 1/1/02 for 25% Waste	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
2 Alternative Requirements or Time Extension for 1/1/04 for 50% Waste	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>D. Accounting System</b>	\$ 556.79	\$ -	\$ -	\$ -	\$ -	\$ 556.79
<b>E. Annual Report</b>	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>F. Annual Recycled Material Reports</b>	\$ 599.62	\$ -	\$ -	\$ -	\$ -	\$ 599.62
(04) Total Direct Costs	\$ 17,330.32	\$ 1,742.98	\$ -	\$ -	\$ -	\$ 19,073.30
<b>Indirect Costs</b>						
(05) Indirect Cost Rate					[Federally approved OMB A-21, FAM-29C, or 7%] 41.34%	
(06) Total Indirect Costs					[Line (05) x line (04)(f)] \$ 7,164.35	
(07) Total Direct and Indirect Costs					[Line (04)(f) + line (06)] \$ 26,237.65	
<b>Cost Reduction</b>						
(08) Less: Offsetting Savings					\$ -	
(09) Less: Other Reimbursements					\$ -	
(10) Total Claimed Amount					[Line (07) - [Line (08) + Line (09)]] \$ 26,237.65	

Program 256		MANDATED COSTS INTEGRATED WASTE MANAGEMENT ACTIVITY COST DETAIL						FORM IWM-2	
(01) Claimant Sierra Joint Community College District				(02) Fiscal Year 2000-2001					
(03) Reimbursable Activities: Check only one box per form to identify the activity being claimed.									
One-Time Activities		<input checked="" type="checkbox"/> Development of Policies and Procedures				<input type="checkbox"/> Staff Training			
Ongoing Activities		<input type="checkbox"/> Completion and Submission of Plan to Board				<input type="checkbox"/> Response to Board During Approval Process		<input type="checkbox"/> Consultation with Board	
		<input type="checkbox"/> Designation of Waste Reduction and Recycling Coordinator				<input type="checkbox"/> Maintenance of Approved Level of Reduction			
Alternative Compliance		<input type="checkbox"/> Alternative Requirement or Time Extension for 1/1/02 for 25% Waste				<input type="checkbox"/> Alternative Requirement of Time Extension for 1/1/04 for 50% Waste			
<input type="checkbox"/> Accounting System				<input type="checkbox"/> Annual Report			<input type="checkbox"/> Annual Recycled Material Reports		
(04) Description of Expenses					Object Accounts				
(a) Employee Names, Job Classifications, Functions Performed, and Description of Expenses		(b) Hourly Rate or Unit Cost	(c) Hours Worked or Quantity	(d) Salaries and Benefits	(e) Materials and Supplies	(f) Contract Services	(g) Fixed Assets	(h) Travel and Training	
Developing the necessary district policies and procedures Roath, Jr. Lynn Environment Health & Safety Spec.		\$42.83	4.0	\$ 171.32					
(05) Total <input checked="" type="checkbox"/>		Subtotal <input type="checkbox"/>		Page 1 of 1	\$ 171.32	\$ -	\$ -	\$ -	

<b>Program</b> <b>256</b>	<b>MANDATED COSTS</b> <b>INTEGRATED WASTE MANAGEMENT</b> <b>ACTIVITY COST DETAIL</b>						<b>FORM</b> <b>IWM-2</b>
<b>(01) Claimant</b> Sierra Joint Community College District				<b>(02) Fiscal Year</b> 2000-2001			
<b>(03) Reimbursable Activities:</b> Check only one box per form to identify the activity being claimed.							
<b>One-Time Activities</b>		<input type="checkbox"/> Development of Policies and Procedures	<input checked="" type="checkbox"/> Staff Training				
<b>Ongoing Activities</b>		<input type="checkbox"/> Completion and Submission of Plan to Board	<input type="checkbox"/> Response to Board During Approval Process	<input type="checkbox"/> Consultation with Board			
		<input type="checkbox"/> Designation of Waste Reduction and Recycling Coordinator	<input type="checkbox"/> Maintenance of Approved Level of Reduction				
<b>Alternative Compliance</b>		<input type="checkbox"/> Alternative Requirement or Time Extension for 1/1/02 for 25% Waste	<input type="checkbox"/> Alternative Requirement of Time Extension for 1/1/04 for 50% Waste				
<input type="checkbox"/> Accounting System		<input type="checkbox"/> Annual Report		<input type="checkbox"/> Annual Recycled Material Reports			
<b>(04) Description of Expenses</b>				<b>Object Accounts</b>			
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)
Employee Names, Job Classifications, Functions Performed, and Description of Expenses	Hourly Rate or Unit Cost	Hours Worked or Quantity	Salaries and Benefits	Materials and Supplies	Contract Services	Fixed Assets	Travel and Training
Training district staff on the requirements and implementation of the plan Roath, Jr. Lynn      Environment Health & Safety Spec.	\$42.83	14.0	\$ 599.62				
<b>(05) Total</b> <input checked="" type="checkbox"/> <b>Subtotal</b> <input type="checkbox"/>			\$ 599.62	\$ -	\$ -	\$ -	\$ -

Program <b>256</b>	<b>MANDATED COSTS</b> <b>INTEGRATED WASTE MANAGEMENT</b> <b>ACTIVITY COST DETAIL</b>	FORM <b>IWM-2</b>																					
(01) Claimant Sierra Joint Community College District		(02) Fiscal Year 2000-2001																					
(03) Reimbursable Activities: Check only one box per form to identify the activity being claimed.																							
<table style="width: 100%;"> <tr> <td style="width: 33%;"> <b>One-Time Activities</b>  <input type="checkbox"/> Development of Policies and Procedures         </td> <td style="width: 33%;"> <input type="checkbox"/> Staff Training         </td> <td style="width: 34%;"></td> </tr> <tr> <td> <b>Ongoing Activities</b>  <input checked="" type="checkbox"/> Completion and Submission of Plan to Board         </td> <td> <input type="checkbox"/> Response to Board During Approval Process         </td> <td> <input type="checkbox"/> Consultation with Board         </td> </tr> <tr> <td> <input type="checkbox"/> Designation of Waste Reduction and Recycling Coordinator         </td> <td colspan="2"> <input type="checkbox"/> Maintenance of Approved Level of Reduction         </td> </tr> <tr> <td colspan="3"> <b>Alternative Compliance</b>  <input type="checkbox"/> Alternative Requirement or Time Extension for 1/1/02 for 25% Waste         </td> </tr> <tr> <td colspan="3"> <input type="checkbox"/> Accounting System         </td> </tr> <tr> <td colspan="3"> <input type="checkbox"/> Annual Report         </td> </tr> <tr> <td colspan="3"> <input type="checkbox"/> Annual Recycled Material Reports         </td> </tr> </table>			<b>One-Time Activities</b> <input type="checkbox"/> Development of Policies and Procedures	<input type="checkbox"/> Staff Training		<b>Ongoing Activities</b> <input checked="" type="checkbox"/> Completion and Submission of Plan to Board	<input type="checkbox"/> Response to Board During Approval Process	<input type="checkbox"/> Consultation with Board	<input type="checkbox"/> Designation of Waste Reduction and Recycling Coordinator	<input type="checkbox"/> Maintenance of Approved Level of Reduction		<b>Alternative Compliance</b> <input type="checkbox"/> Alternative Requirement or Time Extension for 1/1/02 for 25% Waste			<input type="checkbox"/> Accounting System			<input type="checkbox"/> Annual Report			<input type="checkbox"/> Annual Recycled Material Reports		
<b>One-Time Activities</b> <input type="checkbox"/> Development of Policies and Procedures	<input type="checkbox"/> Staff Training																						
<b>Ongoing Activities</b> <input checked="" type="checkbox"/> Completion and Submission of Plan to Board	<input type="checkbox"/> Response to Board During Approval Process	<input type="checkbox"/> Consultation with Board																					
<input type="checkbox"/> Designation of Waste Reduction and Recycling Coordinator	<input type="checkbox"/> Maintenance of Approved Level of Reduction																						
<b>Alternative Compliance</b> <input type="checkbox"/> Alternative Requirement or Time Extension for 1/1/02 for 25% Waste																							
<input type="checkbox"/> Accounting System																							
<input type="checkbox"/> Annual Report																							
<input type="checkbox"/> Annual Recycled Material Reports																							
(04) Description of Expenses																							
(a) Employee Names, Job Classifications, Functions Performed, and Description of Expenses	(b) Hourly Rate or Unit Cost	(c) Hours Worked or Quantity	(d) Salaries and Benefits	(e) Materials and Supplies	(f) Contract Services	(g) Fixed Assets	(h) Travel and Training																
Completing/submitted the State Agency Model Integrated Waste Management Plan Roath, Jr. Lynn Environment Health & Safety Spec.	\$42.83	8.0	\$ 342.64																				
<table style="width: 100%;"> <tr> <td style="width: 35%;">         (05) Total <input checked="" type="checkbox"/> Subtotal <input type="checkbox"/> </td> <td colspan="2" style="width: 20%; text-align: center;">         Page 1 of 1       </td> <td style="width: 10%; text-align: right;">         \$ 342.64       </td> <td style="width: 10%; text-align: right;">         \$ -       </td> <td style="width: 10%; text-align: right;">         \$ -       </td> <td style="width: 10%; text-align: right;">         \$ -       </td> <td style="width: 10%; text-align: right;">         \$ -       </td> </tr> </table>								(05) Total <input checked="" type="checkbox"/> Subtotal <input type="checkbox"/>	Page 1 of 1		\$ 342.64	\$ -	\$ -	\$ -	\$ -								
(05) Total <input checked="" type="checkbox"/> Subtotal <input type="checkbox"/>	Page 1 of 1		\$ 342.64	\$ -	\$ -	\$ -	\$ -																

Program 255		MANDATED COSTS INTEGRATED WASTE MANAGEMENT ACTIVITY COST DETAIL					FORM IWM-2	
(01) Claimant Sierra Joint Community College District				(02) Fiscal Year 2000-2001				
(03) Reimbursable Activities: Check only one box per form to identify the activity being claimed.								
<b>One-Time Activities</b> <input type="checkbox"/> Development of Policies and Procedures				<input type="checkbox"/> Staff Training				
<b>Ongoing Activities</b> <input type="checkbox"/> Completion and Submission of Plan to Board <input checked="" type="checkbox"/> Designation of Waste Reduction and Recycling Coordinator				<input type="checkbox"/> Response to Board During Approval Process <input type="checkbox"/> Consultation with Board <input type="checkbox"/> Maintenance of Approved Level of Reduction				
<b>Alternative Compliance</b> <input type="checkbox"/> Alternative Requirement or Time Extension for 1/1/02 for 25% Waste				<input type="checkbox"/> Alternative Requirement of Time Extension for 1/1/04 for 50% Waste				
<input type="checkbox"/> Accounting System				<input type="checkbox"/> Annual Report		<input type="checkbox"/> Annual Recycled Material Reports		
(04) Description of Expenses				Object Accounts				
(a) Employee Names, Job Classifications, Functions Performed, and Description of Expenses	(b) Hourly Rate or Unit Cost	(c) Hours Worked or Quantity	(d) Salaries and Benefits	(e) Materials and Supplies	(f) Contract Services	(g) Fixed Assets	(h) Travel and Training	
Designating one solid waste reduction and recycling coordinator for each college in district Roath, Jr. Lynn Environment Health & Safety Spec.	\$42.83	50.0	\$ 2,141.50					
(05) Total <input checked="" type="checkbox"/>				Subtotal <input type="checkbox"/>		Page 1 of 1		
				\$ 2,141.50		\$ - \$ - \$ - \$ -		



Program <b>256</b>	<b>MANDATED COSTS</b> <b>INTEGRATED WASTE MANAGEMENT</b> <b>ACTIVITY COST DETAIL</b>						<b>FORM</b> <b>IWM-2</b>	
(01) Claimant Sierra Joint Community College District				(02) Fiscal Year 2000-2001				
(03) Reimbursable Activities: Check only one box per form to identify the activity being claimed.								
<b>One-Time Activities</b>		<input type="checkbox"/> Development of Policies and Procedures		<input type="checkbox"/> Staff Training				
<b>Ongoing Activities</b>		<input type="checkbox"/> Completion and Submission of Plan to Board		<input type="checkbox"/> Response to Board During Approval Process		<input type="checkbox"/> Consultation with Board		
		<input type="checkbox"/> Designation of Waste Reduction and Recycling Coordinator		<input checked="" type="checkbox"/> Maintenance of Approved Level of Reduction				
<b>Alternative Compliance</b>		<input type="checkbox"/> Alternative Requirement or Time Extension for 1/1/02 for 25% Waste		<input type="checkbox"/> Alternative Requirement of Time Extension for 1/1/04 for 50% Waste				
<input type="checkbox"/> Accounting System		<input type="checkbox"/> Annual Report		<input type="checkbox"/> Annual Recycled Material Reports				
(04) Description of Expenses				<b>Object Accounts</b>				
(a) Employee Names, Job Classifications, Functions Performed, and Description of Expenses		(b) Hourly Rate or Unit Cost	(c) Hours Worked or Quantity	(d) Salaries and Benefits	(e) Materials and Supplies	(f) Contract Services	(g) Fixed Assets	(h) Travel and Training
Diverting solid waste from landfill disposal or transformation facilities - implementing plan Roath, Jr. Lynn Environment Health & Safety Spec.		\$42.83	27.0	\$ 1,156.41				
Diverting solid waste from landfill disposal or transformation facilities - source reduction Roath, Jr. Lynn Environment Health & Safety Spec.		\$42.83	32.0	\$ 1,370.56				
Diverting solid waste from landfill disposal or transformation facilities - recycling Roath, Jr. Lynn Environment Health & Safety Spec.		\$42.83	131.0	\$ 5,610.73				
Recycle Trucks Maintenance Expenses		\$100.00	17.4		\$ 1,742.98			
Nobles-Grimes, Nancy General Assistant II		\$7.63	178.5	\$ 1,361.96				
Rennia, Jamie General Assistant II		\$7.63	37.0	\$ 282.31				
Scharffenberg, Jon General Assistant II		\$7.63	108.0	\$ 824.04				
Diverting solid waste from landfill disposal or transformation facilities - composting Roath, Jr. Lynn Environment Health & Safety Spec.		\$42.83	11.0	\$ 471.13				
Diverting solid waste from landfill disposal or transformation facilities - special waste Roath, Jr. Lynn Environment Health & Safety Spec.		\$42.83	30.0	\$ 1,284.90				
Procuring materials/equipment necessary for maintaining approved level of reduction Roath, Jr. Lynn Environment Health & Safety Spec.		\$42.83	13.0	\$ 556.79				
(05) Total <input checked="" type="checkbox"/>		Subtotal <input type="checkbox"/>		\$ 12,918.83	\$ 1,742.98	\$ -	\$ -	\$ -

<b>Program</b> <b>255</b>	<b>MANDATED COSTS</b> <b>INTEGRATED WASTE MANAGEMENT</b> <b>ACTIVITY COST DETAIL</b>						<b>FORM</b> <b>IWM-2</b>
(01) Claimant Sierra Joint Community College District				(02) Fiscal Year 2000-2001			
(03) Reimbursable Activities: Check only one box per form to identify the activity being claimed.							
<b>One-Time Activities</b>		<input type="checkbox"/> Development of Policies and Procedures	<input type="checkbox"/> Staff Training				
<b>Ongoing Activities</b>		<input type="checkbox"/> Completion and Submission of Plan to Board	<input type="checkbox"/> Response to Board During Approval Process		<input type="checkbox"/> Consultation with Board		
		<input type="checkbox"/> Designation of Waste Reduction and Recycling Coordinator	<input type="checkbox"/> Maintenance of Approved Level of Reduction				
<b>Alternative Compliance</b>		<input type="checkbox"/> Alternative Requirement or Time Extension for 1/1/02 for 25% Waste		<input type="checkbox"/> Alternative Requirement of Time Extension for 1/1/04 for 50% Waste			
<input checked="" type="checkbox"/> Accounting System		<input type="checkbox"/> Annual Report		<input type="checkbox"/> Annual Recycled Material Reports			
(04) Description of Expenses				Object Accounts			
(a) Employee Names, Job Classifications, Functions Performed, and Description of Expenses	(b) Hourly Rate or Unit Cost	(c) Hours Worked or Quantity	(d) Salaries and Benefits	(e) Materials and Supplies	(f) Contract Services	(g) Fixed Assets	(h) Travel and Training
Developing, implementing, maintaining accounting system to track source reduction, recycling, or composting Roath, Jr. Lynn      Environment Health & Safety Spec.	\$42.83	13.0	\$ 556.79				
(05) Total <input checked="" type="checkbox"/>		Subtotal <input type="checkbox"/>		Page 1 of 1			
				\$ 556.79	\$ -	\$ -	\$ -

New 08/05

**FY 2003-04**

**Integrated Waste Management Claim**

CLAIM FOR PAYMENT Pursuant to Government Code Section 17561 INTEGRATED WASTE MANAGEMENT			<small>For State Controller Use Only</small> (19) Program Number 00256 (20) Date Filed <b>OCT 06 2005</b> (21) LRS Input ____/____/____		Program <b>256</b>
(01) Claimant Identification Number: CC 31090			Reimbursement Claim Data		
(02) Claimant Name Sierra Joint Community College District			(22) IWM-1, (03)(A)(1)(f)	48	
County of Location Placer			(23) IWM-1, (03)(A)(2)(f)	334	
Street Address 5000 Rocklin Road			(24) IWM-1, (03)(B)(1)(f)	286	
City Rocklin	State CA	Zip Code 95677	(25) IWM-1, (03)(B)(2)(f)	0	
Type of Claim	Estimated Claim	Reimbursement Claim	(26) IWM-1, (03)(B)(3)(f)	0	
	(03) Estimated <input type="checkbox"/>	(09) Reimbursement <input checked="" type="checkbox"/>	(27) IWM-1, (03)(B)(4)(f)	2,337	
	(04) Combined <input type="checkbox"/>	(10) Combined <input type="checkbox"/>	(28) IWM-1, (03)(B)(5)(f)	14,431	
	(05) Amended <input type="checkbox"/>	(11) Amended <input type="checkbox"/>	(29) IWM-1, (03)(C)(1)(f)	0	
Fiscal Year of Cost	(06)	(12) 2003-2004	(30) IWM-1, (03)(C)(2)(f)	0	
Total Claimed Amount	(07)	(13) \$ 24,857	(31) IWM-1, (03)(D)(f)	620	
Less: 10% Late Penalty		(14) \$ -	(32) IWM-1, (03)(E)(f)	0	
Less: Prior Claim Payment Received		(15) \$ -	(33) IWM-1, (03)(F)(f)	525	
Net Claimed Amount		(16) \$ 24,857	(34) IWM-1, (06)	6,277	
Due from State	(08)	(17) \$ 24,857	(35) IWM-1, (08)	0	
Due to State		(18)	(36) IWM-1, (09)	0	
<b>(37) CERTIFICATION OF CLAIM</b>					
<p>In accordance with the provisions of Government Code Section 17561, I certify that I am the officer authorized by the community college district to file mandated cost claims with the State of California for this program, and certify under penalty of perjury that I have not violated any of the provisions of Government Code Sections 1090 to 1098, inclusive.</p> <p>I further certify that there was no application other than from the claimant, nor any grant or payment received, for reimbursement of costs claimed herein, and such costs are for a new program or increased level of services of an existing program. All offsetting savings and reimbursements set forth in the Parameters and Guidelines are identified, and all costs claimed are supported by source documentation currently maintained by the claimant.</p> <p>The amounts for this Estimated Claim and/or Reimbursement Claim are hereby claimed from the State for payment of estimated and/or actual costs set forth on the attached statements. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.</p>					
Signature of Authorized Officer (USE BLUE INK)			Date		
<i>Joyce Lopes</i>			9/28/05		
Joyce Lopes			Director of Finance		
Type or Print Name			Title		
(38) Name of Contact Person for Claim			Telephone Number: (858) 514-8605		
SixTen and Associates			E-mail Address: kbpsixten@aol.com		

Program <b>256</b>		MANDATED COSTS INTEGRATED WASTE MANAGEMENT CLAIM SUMMARY					FORM IWM-1
(01) Claimant: Sierra Joint Community College District		(02) Type of Claim Reimbursement <input checked="" type="checkbox"/> X Estimated <input type="checkbox"/>					Fiscal Year 2003-2004
Direct Costs		Object Accounts					
(03) Reimbursable Activities	(a) Salaries and Benefits	(b) Materials and Supplies	(c) Contract Services	(d) Fixed Assets	(e) Travel and Training	(f) Total	
<b>A. One-Time Activities</b>							
1	Development of Policies and Procedures	\$ 47.69	\$ -	\$ -	\$ -	\$ -	\$ 47.69
2	Staff Training	\$ 333.83	\$ -	\$ -	\$ -	\$ -	\$ 333.83
<b>B. Ongoing Activities</b>							
1	Completion and Submission of Plan to Board	\$ 286.14	\$ -	\$ -	\$ -	\$ -	\$ 286.14
2	Response to Board During Approval Process	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
3	Consultation with Board	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
4	Designation of Waste Reduction and Recycling Coordinator	\$ 2,336.81	\$ -	\$ -	\$ -	\$ -	\$ 2,336.81
5	Diversion and Maintenance of Approved Level of Reduction	\$ 12,192.68	\$ 2,238.75	\$ -	\$ -	\$ -	\$ 14,431.43
<b>C. Alternative Compliance</b>							
1	Alternative Requirements or Time Extension for 1/1/02 for 25% Waste	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
2	Alternative Requirements or Time Extension for 1/1/04 for 50% Waste	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>D. Accounting System</b>		\$ 619.97	\$ -	\$ -	\$ -	\$ -	\$ 619.97
<b>E. Annual Report</b>		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>F. Annual Recycled Material Reports</b>		\$ 524.69	\$ -	\$ -	\$ -	\$ -	\$ 524.69
(04) Total Direct Costs		\$ 16,341.71	\$ 2,238.75	\$ -	\$ -	\$ -	\$ 18,580.46
<b>Indirect Costs</b>							
(05) Indirect Cost Rate		[Federally approved OMB A-21, FAM-20C, or 7%]					38.41%
(06) Total Indirect Costs		[Line (05) x line (04)(a)]					\$ 6,276.85
(07) Total Direct and Indirect Costs		[Line (04)(f) + line (06)]					\$ 24,857.31
<b>Cost Reduction</b>							
(08) Less: Offsetting Savings							\$ -
(09) Less: Other Reimbursements							\$ -
(10) Total Claimed Amount		[Line (07) - (Line (08) + Line (09))]					\$ 24,857.31

<b>Program</b> 2556	<b>MANDATED COSTS</b> <b>INTEGRATED WASTE MANAGEMENT</b> <b>ACTIVITY COST DETAIL</b>						<b>FORM</b> <b>IWM-2</b>
(01) Claimant Sierra Joint Community College District				(02) Fiscal Year 2003-2004			
(03) Reimbursable Activities: Check only one box per form to identify the activity being claimed.							
<b>One-Time Activities</b>		<input checked="" type="checkbox"/> Development of Policies and Procedures		<input type="checkbox"/> Staff Training			
<b>Ongoing Activities</b>		<input type="checkbox"/> Completion and Submission of Plan to Board		<input type="checkbox"/> Response to Board During Approval Process		<input type="checkbox"/> Consultation with Board	
		<input type="checkbox"/> Designation of Waste Reduction and Recycling Coordinator		<input type="checkbox"/> Maintenance of Approved Level of Reduction			
<b>Alternative Compliance</b>		<input type="checkbox"/> Alternative Requirement or Time Extension for 1/1/02 for 25% Waste		<input type="checkbox"/> Alternative Requirement of Time Extension for 1/1/04 for 50% Waste			
<input type="checkbox"/> Accounting System		<input type="checkbox"/> Annual Report		<input type="checkbox"/> Annual Recycled Material Reports			
(04) Description of Expenses				<b>Object Accounts</b>			
(a) Employee Names, Job Classifications, Functions Performed, and Description of Expenses	(b) Hourly Rate or Unit Cost	(c) Hours Worked or Quantity	(d) Salaries and Benefits	(e) Materials and Supplies	(f) Contract Services	(g) Fixed Assets	(h) Travel and Training
Developing the necessary district policies and procedures Roath Jr., Lynn      Environmental Health & Safety Spec	\$47.69	1.0	\$ 47.69				
(05) Total <input checked="" type="checkbox"/>		Subtotal <input type="checkbox"/>		Page 1 of 1			
				\$ 47.69	\$ -	\$ -	\$ -

<b>Program 256</b>	<b>MANDATED COSTS INTEGRATED WASTE MANAGEMENT ACTIVITY COST DETAIL</b>						<b>FORM IWM-2</b>
(01) Claimant Sierra Joint Community College District				(02) Fiscal Year 2003-2004			
(03) Reimbursable Activities: Check only one box per form to identify the activity being claimed.							
<b>One-Time Activities</b>		<input type="checkbox"/> Development of Policies and Procedures		<input checked="" type="checkbox"/> Staff Training			
<b>Ongoing Activities</b>		<input type="checkbox"/> Completion and Submission of Plan to Board		<input type="checkbox"/> Response to Board During Approval Process		<input type="checkbox"/> Consultation with Board	
		<input type="checkbox"/> Designation of Waste Reduction and Recycling Coordinator		<input type="checkbox"/> Maintenance of Approved Level of Reduction			
<b>Alternative Compliance</b>		<input type="checkbox"/> Alternative Requirement or Time Extension for 1/1/02 for 25% Waste		<input type="checkbox"/> Alternative Requirement of Time Extension for 1/1/04 for 50% Waste			
<input type="checkbox"/> Accounting System		<input type="checkbox"/> Annual Report		<input type="checkbox"/> Annual Recycled Material Reports			
(04) Description of Expenses				<b>Object Accounts</b>			
(a) Employee Names, Job Classifications, Functions Performed, and Description of Expenses	(b) Hourly Rate or Unit Cost	(c) Hours Worked or Quantity	(d) Salaries and Benefits	(e) Materials and Supplies	(f) Contract Services	(g) Fixed Assets	(h) Travel and Training
Training district staff on the requirements and implementation of the plan Roath Jr., Lynn      Environmental Health & Safety Spec	\$47.69	7.0	\$ 333.83				
<b>(05) Total</b> <input checked="" type="checkbox"/> <b>Subtotal</b> <input type="checkbox"/>				<b>Page 1 of 1</b> \$ 333.83      \$ -      \$ -      \$ -      \$ -			



<b>Program 255</b>	<b>MANDATED COSTS INTEGRATED WASTE MANAGEMENT ACTIVITY COST DETAIL</b>						<b>FORM IWM-2</b>
(01) Claimant Sierra Joint Community College District				(02) Fiscal Year 2003-2004			
(03) Reimbursable Activities: Check only one box per form to identify the activity being claimed.							
<b>One-Time Activities</b>		<input type="checkbox"/> Development of Policies and Procedures	<input type="checkbox"/> Staff Training				
<b>Ongoing Activities</b>		<input checked="" type="checkbox"/> Completion and Submission of Plan to Board	<input type="checkbox"/> Response to Board During Approval Process		<input type="checkbox"/> Consultation with Board		
		<input type="checkbox"/> Designation of Waste Reduction and Recycling Coordinator	<input type="checkbox"/> Maintenance of Approved Level of Reduction				
<b>Alternative Compliance</b>		<input type="checkbox"/> Alternative Requirement or Time Extension for 1/1/02 for 25% Waste		<input type="checkbox"/> Alternative Requirement of Time Extension for 1/1/04 for 50% Waste			
<input type="checkbox"/> Accounting System		<input type="checkbox"/> Annual Report		<input type="checkbox"/> Annual Recycled Material Reports			
(04) Description of Expenses				Object Accounts			
(a) Employee Names, Job Classifications, Functions Performed, and Description of Expenses	(b) Hourly Rate or Unit Cost	(c) Hours Worked or Quantity	(d) Salaries and Benefits	(e) Materials and Supplies	(f) Contract Services	(g) Fixed Assets	(h) Travel and Training
Completing/submitting the State Agency Model Integrated Waste Management Plan Roath Jr., Lynn      Environmental Health & Safety Spec	\$47.69	6.0	\$ 286.14				
(05) Total <input checked="" type="checkbox"/> Subtotal <input type="checkbox"/>			Page 1 of 1				
			\$ 286.14	\$ -	\$ -	\$ -	\$ -



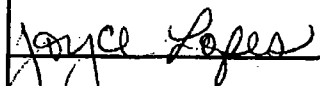
<b>Program</b> <b>256</b>	<b>MANDATED COSTS</b> <b>INTEGRATED WASTE MANAGEMENT</b> <b>ACTIVITY COST DETAIL</b>						<b>FORM</b> <b>IWM-2</b>
(01) Claimant Sierra Joint Community College District				(02) Fiscal Year 2003-2004			
(03) Reimbursable Activities: Check only one box per form to identify the activity being claimed.							
<b>One-Time Activities</b>	<input type="checkbox"/>	Development of Policies and Procedures	<input type="checkbox"/>	Staff Training			
<b>Ongoing Activities</b>	<input type="checkbox"/>	Completion and Submission of Plan to Board	<input type="checkbox"/>	Response to Board During Approval Process	<input type="checkbox"/>	Consultation with Board	
	<input type="checkbox"/>	Designation of Waste Reduction and Recycling Coordinator	<input checked="" type="checkbox"/>	Maintenance of Approved Level of Reduction			
<b>Alternative Compliance</b>	<input type="checkbox"/>	Alternative Requirement or Time Extension for 1/1/02 for 25% Waste	<input type="checkbox"/>	Alternative Requirement of Time Extension for 1/1/04 for 50% Waste			
	<input type="checkbox"/>	Accounting System	<input type="checkbox"/>	Annual Report	<input type="checkbox"/>	Annual Recycled Material Reports	
(04) Description of Expenses			Object Accounts				
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)
Employee Names, Job Classifications, Functions Performed, and Description of Expenses	Hourly Rate or Unit Cost	Hours Worked or Quantity	Salaries and Benefits	Materials and Supplies	Contract Services	Fixed Assets	Travel and Training
Diverting solid waste from landfill disposal or transformation facilities - implementing plan Roeth Jr., Lynn      Environmental Health & Safety Spec	\$47.69	12.0	\$ 572.28				
Diverting solid waste from landfill disposal or transformation facilities - source reduction Roeth Jr., Lynn      Environmental Health & Safety Spec	\$47.69	46.0	\$ 2,146.05				
Diverting solid waste from landfill disposal or transformation facilities - recycling Roeth Jr., Lynn      Environmental Health & Safety Spec	\$47.69	146.0	\$ 6,962.74				
Recycle Trucks      Maintenance Expenses	\$100.00	22.4		\$ 2,238.75			
McMurtry, Josh      General Assistant	\$9.31	70.0	\$ 651.70				
Diverting solid waste from landfill disposal or transformation facilities - composting Roeth Jr., Lynn      Environmental Health & Safety Spec	\$47.69	8.0	\$ 381.52				
Diverting solid waste from landfill disposal or transformation facilities - special waste Roeth Jr., Lynn      Environmental Health & Safety Spec	\$47.69	24.0	\$ 1,144.56				
Procuring materials/equipment necessary for maintaining approved level of reduction Roeth Jr., Lynn      Environmental Health & Safety Spec	\$47.69	7.0	\$ 333.83				
(05) Total <input checked="" type="checkbox"/> Subtotal <input type="checkbox"/>			Page 1 of 1	\$ 12,192.68	\$ 2,238.75	\$ -	\$ -

Program 256	MANDATED COSTS INTEGRATED WASTE MANAGEMENT ACTIVITY COST DETAIL						FORM IWM-2
(01) Claimant Sierra Joint Community College District				(02) Fiscal Year 2003-2004			
(03) Reimbursable Activities: Check only one box per form to identify the activity being claimed.							
One-Time Activities		<input type="checkbox"/> Development of Policies and Procedures		<input type="checkbox"/> Staff Training			
Ongoing Activities		<input type="checkbox"/> Completion and Submission of Plan to Board		<input type="checkbox"/> Response to Board During Approval Process		<input type="checkbox"/> Consultation with Board	
		<input type="checkbox"/> Designation of Waste Reduction and Recycling Coordinator		<input type="checkbox"/> Maintenance of Approved Level of Reduction			
Alternative Compliance		<input type="checkbox"/> Alternative Requirement or Time Extension for 1/1/02 for 25% Waste		<input type="checkbox"/> Alternative Requirement of Time Extension for 1/1/04 for 50% Waste			
<input checked="" type="checkbox"/> Accounting System		<input type="checkbox"/> Annual Report		<input type="checkbox"/> Annual Recycled Material Reports			
(04) Description of Expenses				Object Accounts			
(a) Employee Names, Job Classifications, Functions Performed, and Description of Expenses	(b) Hourly Rate or Unit Cost	(c) Hours Worked or Quantity	(d) Salaries and Benefits	(e) Materials and Supplies	(f) Contract Services	(g) Fixed Assets	(h) Travel and Training
Developing, implementing, maintaining accounting system to track source reduction, recycling, or composting Roath Jr., Lynn      Environmental Health & Safety Spec	\$47.69	13.0	\$ 619.97				
(05) Total <input checked="" type="checkbox"/> Subtotal <input type="checkbox"/>			Page 1 of 1				
			\$ 619.97	\$ -	\$ -	\$ -	\$ -



**FY 2004-05**

**Integrated Waste Management Claim**

CLAIM FOR PAYMENT Pursuant to Government Code Section 17561 INTEGRATED WASTE MANAGEMENT			For State Controller Use only (19) Program Number 00256 (20) Date Filed OCT 06 2005 (21) LRS Input		Program 256
(01) Claimant Identification Number: CC 31090			Reimbursement Claim Data		
(02) Claimant Name: Sierra Joint Community College District			(22) IWM-1, (03)(A)(1)(f)	95	
County of Location: Placer			(23) IWM-1, (03)(A)(2)(f)	381	
Street Address: 5000 Rocklin Road			(24) IWM-1, (03)(B)(1)(f)	286	
City: Rocklin State: CA Zip Code: 95677			(25) IWM-1, (03)(B)(2)(f)	0	
Type of Claim	Estimated Claim	Reimbursement Claim	(26) IWM-1, (03)(B)(3)(f)	0	
	(03) Estimated <input checked="" type="checkbox"/>	(09) Reimbursement <input checked="" type="checkbox"/>	(27) IWM-1, (03)(B)(4)(f)	2,241	
	(04) Combined <input type="checkbox"/>	(10) Combined <input type="checkbox"/>	(28) IWM-1, (03)(B)(5)(f)	16,342	
	(05) Amended <input type="checkbox"/>	(11) Amended <input type="checkbox"/>	(29) IWM-1, (03)(C)(1)(f)	0	
Fiscal Year of Cost	(06) 2005-2006	(12) 2004-2005	(30) IWM-1, (03)(C)(2)(f)	0	
Total Claimed Amount	(07) \$ 30,900	(13) \$ 28,125	(31) IWM-1, (03)(D)(f)	620	
Less: 10% Late Penalty		(14) \$ -	(32) IWM-1, (03)(E)(f)	0	
Less: Prior Claim Payment Received		(15) \$ -	(33) IWM-1, (03)(F)(f)	572	
Net Claimed Amount		(16) \$ 28,125	(34) IWM-1, (06)	7,588	
Due from State	(08) \$ 30,900	(17) \$ 28,125	(35) IWM-1, (08)	0	
Due to State		(18)	(36) IWM-1, (09)	0	
<b>(37) CERTIFICATION OF CLAIM</b>					
<p>In accordance with the provisions of Government Code Section 17561, I certify that I am the officer authorized by the community college district to file mandated cost claims with the State of California for this program, and certify under penalty of perjury that I have not violated any of the provisions of Government Code Sections 1090 to 1098, inclusive.</p> <p>I further certify that there was no application other than from the claimant, nor any grant or payment received, for reimbursement of costs claimed herein, and such costs are for a new program or increased level of services of an existing program. All offsetting savings and reimbursements set forth in the Parameters and Guidelines are identified, and all costs claimed are supported by source documentation currently maintained by the claimant.</p> <p>The amounts for this Estimated Claim and/or Reimbursement Claim are hereby claimed from the State for payment of estimated and/or actual costs set forth on the attached statements. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.</p>					
Signature of Authorized Officer (USE BLUE INK)			Date		
 Joyce Lopes Type or Print Name			9/28/15 Director of Finance Title		
(38) Name of Contact Person for Claim			Telephone Number: (858) 514-8605		
SixTen and Associates			E-mail Address: kbpsixten@aol.com		

Program <b>256</b>		MANDATED COSTS INTEGRATED WASTE MANAGEMENT CLAIM SUMMARY					FORM IWM-1	
(01) Claimant Sierra Joint Community College District			(02) Type of Claim Reimbursement <input checked="" type="checkbox"/> X Estimated <input type="checkbox"/>			Fiscal Year 2004-2005		
Direct Costs		Object Accounts						
(03) Reimbursable Activities	(a) Salaries and Benefits	(b) Materials and Supplies	(c) Contract Services	(d) Fixed Assets	(e) Travel and Training	(f) Total		
<b>A. One-Time Activities</b>								
1 Development of Policies and Procedures	\$ 95.36	\$ -	\$ -	\$ -	\$ -	\$ 95.36		
2 Staff Training	\$ 381.44	\$ -	\$ -	\$ -	\$ -	\$ 381.44		
<b>B. Ongoing Activities</b>								
1 Completion and Submission of Plan to Board	\$ 286.08	\$ -	\$ -	\$ -	\$ -	\$ 286.08		
2 Response to Board During Approval Process	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		
3 Consultation with Board	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		
4 Designation of Waste Reduction and Recycling Coordinator	\$ 2,240.96	\$ -	\$ -	\$ -	\$ -	\$ 2,240.96		
5 Diversion and Maintenance of Approved Level of Reduction	\$ 14,355.93	\$ 1,986.00	\$ -	\$ -	\$ -	\$ 16,341.93		
<b>C. Alternative Compliance</b>								
1 Alternative Requirements or Time Extension for 1/1/02 for 25% Waste	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		
2 Alternative Requirements or Time Extension for 1/1/04 for 50% Waste	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		
D. Accounting System	\$ 619.84	\$ -	\$ -	\$ -	\$ -	\$ 619.84		
E. Annual Report	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		
F. Annual Recycled Material Reports	\$ 572.16	\$ -	\$ -	\$ -	\$ -	\$ 572.16		
(04) Total Direct Costs	\$ 18,551.77	\$ 1,986.00	\$ -	\$ -	\$ -	\$ 20,537.77		
<b>Indirect Costs</b>								
(05) Indirect Cost Rate	[Federally approved OMB A-21, FAM-29C, or 7%]					40.90%		
(06) Total Indirect Costs	[Line (05) x line (04)(f)]					\$ 7,587.67		
(07) Total Direct and Indirect Costs	[Line (04)(f) + line (06)]					\$ 28,125.44		
<b>Cost Reduction</b>								
(08) Less: Offsetting Savings						\$ -		
(09) Less: Other Reimbursements						\$ -		
(10) Total Claimed Amount	[Line (07) - (Line (08) + Line (09))]					\$ 28,125.44		



Program <b>255</b>	<b>MANDATED COSTS INTEGRATED WASTE MANAGEMENT ACTIVITY COST DETAIL</b>						<b>FORM IWM-2</b>
(01) Claimant Sierra Joint Community College District				(02) Fiscal Year 2004-2005			
(03) Reimbursable Activities: Check only one box per form to identify the activity being claimed.							
One-Time Activities		<input checked="" type="checkbox"/> Development of Policies and Procedures	<input type="checkbox"/> Staff Training				
Ongoing Activities		<input type="checkbox"/> Completion and Submission of Plan to Board	<input type="checkbox"/> Response to Board During Approval Process		<input type="checkbox"/> Consultation with Board		
		<input type="checkbox"/> Designation of Waste Reduction and Recycling Coordinator	<input type="checkbox"/> Maintenance of Approved Level of Reduction				
Alternative Compliance		<input type="checkbox"/> Alternative Requirement or Time Extension for 1/1/02 for 25% Waste		<input type="checkbox"/> Alternative Requirement of Time Extension for 1/1/04 for 50% Waste			
<input type="checkbox"/> Accounting System		<input type="checkbox"/> Annual Report		<input type="checkbox"/> Annual Recycled Material Reports			
(04) Description of Expenses				Object Accounts			
(a) Employee Names, Job Classifications, Functions Performed, and Description of Expenses	(b) Hourly Rate or Unit Cost	(c) Hours Worked or Quantity	(d) Salaries and Benefits	(e) Materials and Supplies	(f) Contract Services	(g) Fixed Assets	(h) Travel and Training
Developing the necessary district policies and procedures Roath Jr., Lynn      Environmental Health & Safety Spec	\$47.68	2.0	\$ 95.36				
(05) Total <input checked="" type="checkbox"/> Subtotal <input type="checkbox"/>				\$ 95.36	\$ -	\$ -	\$ -



Program 256		MANDATED COSTS INTEGRATED WASTE MANAGEMENT ACTIVITY COST DETAIL					FORM IWM-2	
(01) Claimant Sierra Joint Community College District				(02) Fiscal Year 2004-2005				
(03) Reimbursable Activities: Check only one box per form to identify the activity being claimed.								
One-Time Activities		<input type="checkbox"/> Development of Policies and Procedures		<input type="checkbox"/> Staff Training				
Ongoing Activities		<input checked="" type="checkbox"/> Completion and Submission of Plan to Board		<input type="checkbox"/> Response to Board During Approval Process		<input type="checkbox"/> Consultation with Board		
		<input type="checkbox"/> Designation of Waste Reduction and Recycling Coordinator		<input type="checkbox"/> Maintenance of Approved Level of Reduction				
Alternative Compliance		<input type="checkbox"/> Alternative Requirement or Time Extension for 1/1/02 for 25% Waste		<input type="checkbox"/> Alternative Requirement of Time Extension for 1/1/04 for 50% Waste				
<input type="checkbox"/> Accounting System		<input type="checkbox"/> Annual Report		<input type="checkbox"/> Annual Recycled Material Reports				
(04) Description of Expenses				Object Accounts				
(a) Employee Names, Job Classifications, Functions Performed, and Description of Expenses	(b) Hourly Rate or Unit Cost	(c) Hours Worked or Quantity	(d) Salaries and Benefits	(e) Materials and Supplies	(f) Contract Services	(g) Fixed Assets	(h) Travel and Training	
Completing/submitting the State Agency Model Integrated Waste Management Plan Roath Jr., Lynn Environmental Health & Safety Spec	\$47.68	6.0	\$ 288.08					
(05) Total <input checked="" type="checkbox"/>				Subtotal <input type="checkbox"/>		Page 1 of 1		
				\$ 288.08		\$ - \$ - \$ - \$ -		

**New 06/05**

Program <b>256</b>	<b>MANDATED COSTS</b>	<b>FORM IWM-2</b>
	<b>INTEGRATED WASTE MANAGEMENT ACTIVITY COST DETAIL</b>	

(01) Claimant Sierra Joint Community College District	(02) Fiscal Year 2004-2005
--	-------------------------------

(03) Reimbursable Activities: Check only one box per form to identify the activity being claimed.

<b>One-Time Activities</b>	<input type="checkbox"/> Development of Policies and Procedures	<input type="checkbox"/> Staff Training
<b>Ongoing Activities</b>	<input type="checkbox"/> Completion and Submission of Plan to Board	<input type="checkbox"/> Response to Board During Approval Process
	<input type="checkbox"/> Designation of Waste Reduction and Recycling Coordinator	<input checked="" type="checkbox"/> Maintenance of Approved Level of Reduction
<b>Alternative Compliance</b>	<input type="checkbox"/> Alternative Requirement or Time Extension for 1/1/02 for 25% Waste	<input type="checkbox"/> Alternative Requirement or Time Extension for 1/1/04 for 50% Waste
	<input type="checkbox"/> Accounting System	<input type="checkbox"/> Annual Report
		<input type="checkbox"/> Annual Recycled Material Reports

(04) Description of Expenses

Object Accounts

(a) Employee Names, Job Classifications, Functions Performed, and Description of Expenses	(b) Hourly Rate or Unit Cost	(c) Hours Worked or Quantity	(d) Salaries and Benefits	(e) Materials and Supplies	(f) Contract Services	(g) Fixed Assets	(h) Travel and Training
Diverting solid waste from landfill disposal or transformation facilities - implementing plan Roath Jr., Lynn Environmental Health & Safety Spec	\$47.68	10.0	\$ 476.80				
Diverting solid waste from landfill disposal or transformation facilities - source reduction Roath Jr., Lynn Environmental Health & Safety Spec	\$47.68	45.0	\$ 2,145.60				
Diverting solid waste from landfill disposal or transformation facilities - recycling Roath Jr., Lynn Environmental Health & Safety Spec	\$47.68	161.0	\$ 7,676.48				
Recycle Trucks Maintenance Expenses	\$100.00	19.9		\$ 1,986.00			
Brown, Wendy General Assistant IV	\$9.31	292.6	\$ 2,722.01				
Diverting solid waste from landfill disposal or transformation facilities - composting Roath Jr., Lynn Environmental Health & Safety Spec	\$47.68	8.0	\$ 381.44				
Diverting solid waste from landfill disposal or transformation facilities - special waste Roath Jr., Lynn Environmental Health & Safety Spec	\$47.68	12.0	\$ 572.16				
Procuring materials/equipment necessary for maintaining approved level of reduction Roath Jr., Lynn Environmental Health & Safety Spec	\$47.68	8.0	\$ 381.44				
<b>(05) Total</b> <input checked="" type="checkbox"/> <b>Subtotal</b> <input type="checkbox"/>		Page 1 of 1	\$ 14,355.93	\$ 1,986.00	\$ -	\$ -	\$ -

New 06/05

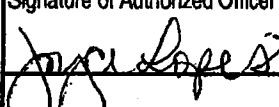
Program <b>256</b>	<b>MANDATED COSTS</b> <b>INTEGRATED WASTE MANAGEMENT</b> <b>ACTIVITY COST DETAIL</b>						FORM <b>IWM-2</b>
(01) Claimant Sierra Joint Community College District				(D2) Fiscal Year 2004-2005			
(03) Reimbursable Activities: Check only one box per form to identify the activity being claimed.							
One-Time Activities	<input type="checkbox"/> Development of Policies and Procedures			<input type="checkbox"/> Staff Training			
Ongoing Activities	<input type="checkbox"/> Completion and Submission of Plan to Board <input type="checkbox"/> Designation of Waste Reduction and Recycling Coordinator			<input type="checkbox"/> Response to Board During Approval Process <input type="checkbox"/> Maintenance of Approved Level of Reduction <input type="checkbox"/> Consultation with Board			
Alternative Compliance	<input type="checkbox"/> Alternative Requirement or Time Extension for 1/1/02 for 25% Waste			<input type="checkbox"/> Alternative Requirement of Time Extension for 1/1/04 for 50% Waste			
<input checked="" type="checkbox"/> Accounting System				<input type="checkbox"/> Annual Report		<input type="checkbox"/> Annual Recycled Material Reports	
(04) Description of Expenses				Object Accounts			
(a) Employee Names, Job Classifications, Functions Performed, and Description of Expenses	(b) Hourly Rate or Unit Cost	(c) Hours Worked or Quantity	(d) Salaries and Benefits	(e) Materials and Supplies	(f) Contract Services	(g) Fixed Assets	(h) Travel and Training
Developing, implementing, maintaining accounting system to track source reduction, recycling, or composting Roath Jr., Lynn      Environmental Health & Safety Spec	\$47.68	13.0	\$ 619.84				
(05) Total <input checked="" type="checkbox"/> Subtotal <input type="checkbox"/>			\$ 619.84	\$ -	\$ -	\$ -	\$ -

Program 256		MANDATED COSTS INTEGRATED WASTE MANAGEMENT ACTIVITY COST DETAIL							FORM IWM-2		
(01) Claimant Sierra Joint Community College District					(02) Fiscal Year 2004-2005						
(03) Reimbursable Activities: Check only one box per form to identify the activity being claimed.											
One-Time Activities		<input type="checkbox"/> Development of Policies and Procedures	<input type="checkbox"/> Staff Training								
Ongoing Activities		<input type="checkbox"/> Completion and Submission of Plan to Board	<input type="checkbox"/> Response to Board During Approval Process				<input type="checkbox"/> Consultation with Board				
		<input type="checkbox"/> Designation of Waste Reduction and Recycling Coordinator	<input type="checkbox"/> Maintenance of Approved Level of Reduction								
Alternative Compliance		<input type="checkbox"/> Alternative Requirement or Time Extension for 1/1/02 for 25% Waste				<input type="checkbox"/> Alternative Requirement of Time Extension for 1/1/04 for 50% Waste					
		<input type="checkbox"/> Accounting System				<input type="checkbox"/> Annual Report		<input checked="" type="checkbox"/> Annual Recycled Material Reports			
(04) Description of Expenses					Object Accounts						
(a) Employee Names, Job Classifications, Functions Performed, and Description of Expenses	(b) Hourly Rate or Unit Cost	(c) Hours Worked or Quantity	(d) Salaries and Benefits	(e) Materials and Supplies	(f) Contract Services	(g) Fixed Assets	(h) Travel and Training				
Reporting annually to the Board quantities of recyclable materials collected Roeth Jr., Lynn Environmental Health & Safety Spec	\$47.68	12.0	\$ 572.16								
(05) Total <input checked="" type="checkbox"/>					Subtotal <input type="checkbox"/>		Page 1 of 1				
			\$ 572.16	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		

**FY 2005-06**

**Integrated Waste Management Claim**



CLAIM FOR PAYMENT Pursuant to Government Code Section 17561 INTEGRATED WASTE MANAGEMENT			(19) Program Number 80256 (20) Date Filed JAN 16/2007 (21) LRS Input 0207	
(01) Claimant Identification Number: CC 31090			Reimbursement Claim Data	
(02) Claimant Name: Sierra Joint Community College District			(22) IWM-1, (03)(A)(1)(f)	0
County of Location: Placer			(23) IWM-1, (03)(A)(2)(f)	746
Street Address: 5000 Rocklin Road			(24) IWM-1, (03)(B)(1)(f)	0
City: Rocklin	State: CA	Zip Code: 95677	(25) IWM-1, (03)(B)(2)(f)	0
Type of Claim	Estimated Claim	Reimbursement Claim	(26) IWM-1, (03)(B)(3)(f)	0
	(03) Estimated <input checked="" type="checkbox"/>	(09) Reimbursement <input checked="" type="checkbox"/>	(27) IWM-1, (03)(B)(4)(f)	5,616
	(04) Combined <input type="checkbox"/>	(10) Combined <input type="checkbox"/>	(28) IWM-1, (03)(B)(5)(f)	19,275
	(05) Amended <input type="checkbox"/>	(11) Amended <input type="checkbox"/>	(29) IWM-1, (03)(C)(1)(f)	0
Fiscal Year of Cost	(06) 2006-2007	(12) <del>2005-2006</del>	(30) IWM-1, (03)(C)(2)(f)	0
Total Claimed Amount	(07) \$ 40,600	(13) \$ 36,948	(31) IWM-1, (03)(D)(f)	746
Less: 10% Late Penalty		(14) \$	(32) IWM-1, (03)(E)(f)	0
Less: Prior Claim Payment Received		(15) \$	(33) IWM-1, (03)(F)(f)	845
Net Claimed Amount		(16) \$ 36,948	(34) IWM-1, (06)	9,720
Due from State	(08) \$ 40,600	(17) \$ 36,948	(35) IWM-1, (08)	0
Due to State		(18)	(36) IWM-1, (09)	0
<b>(37) CERTIFICATION OF CLAIM</b>				
<p>In accordance with the provisions of Government Code Section 17561, I certify that I am the officer authorized by the community college district to file mandated cost claims with the State of California for this program, and certify under penalty of perjury that I have not violated any of the provisions of Government Code Sections 1090 to 1098, inclusive.</p> <p>I further certify that there was no application other than from the claimant, nor any grant or payment received, for reimbursement of costs claimed herein, and such costs are for a new program or increased level of services of an existing program. All offsetting savings and reimbursements set forth in the Parameters and Guidelines are identified, and all costs claimed are supported by source documentation currently maintained by the claimant.</p> <p>The amounts for this Estimated Claim and/or Reimbursement Claim are hereby claimed from the State for payment of estimated and/or actual costs set forth on the attached statements. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.</p>				
Signature of Authorized Officer (USE BLUE INK) 			Date: 1/9/07	
Joyce Lopes			Director of Finance	
Type or Print Name			Title	
(38) Name of Contact Person for Claim				
SixTen and Associates			Telephone Number: (858) 514-8605	
			E-mail Address: kbpsixten@aol.com	

Program <b>256</b>		MANDATED COSTS INTEGRATED WASTE MANAGEMENT CLAIM SUMMARY					FORM IWM-1
(01) Claimant: Sierra Joint Community College District		(02) Type of Claim Reimbursement <input checked="" type="checkbox"/> X Estimated <input type="checkbox"/>					Fiscal Year 2006-2006
Direct Costs		Object Accounts					
(03) Reimbursable Activities	(a) Salaries and Benefits	(b) Materials and Supplies	(c) Contract Services	(d) Fixed Assets	(e) Travel and Training	(f) Total	
<b>A. One-Time Activities</b>							
1 Development of Policies and Procedures	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
2 Staff Training	\$ 745.50	\$ -	\$ -	\$ -	\$ -	\$ 745.50	
<b>B. Ongoing Activities</b>							
1 Completion and Submission of Plan to Board	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
2 Response to Board During Approval Process	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
3 Consultation with Board	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
4 Designation of Waste Reduction and Recycling Coordinator	\$ 5,616.10	\$ -	\$ -	\$ -	\$ -	\$ 5,616.10	
5 Diversion and Maintenance of Approved Level of Reduction	\$ 19,275.42	\$ -	\$ -	\$ -	\$ -	\$ 19,275.42	
<b>C. Alternative Compliance</b>							
1 Alternative Requirements or Time Extension for 1/1/02 for 25% Waste	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
2 Alternative Requirements or Time Extension for 1/1/04 for 50% Waste	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
<b>D. Accounting System</b>	\$ 745.50	\$ -	\$ -	\$ -	\$ -	\$ 745.50	
<b>E. Annual Report</b>	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
<b>F. Annual Recycled Material Reports</b>	\$ 844.90	\$ -	\$ -	\$ -	\$ -	\$ 844.90	
(04) Total Direct Costs	\$ 27,227.42	\$ -	\$ -	\$ -	\$ -	\$ 27,227.42	
<b>Indirect Costs</b>							
(05) Indirect Cost Rate	[Federally approved OMB A-21, FAM-25C, or 7%]					35.70%	
(06) Total Indirect Costs	[Line (05) x line (04)(f)]					\$ 9,720.19	
(07) Total Direct and Indirect Costs	[Line (04)(f) + line (06)]					\$ 36,947.61	
<b>Cost Reduction</b>							
(08) Less: Offsetting Savings						\$ -	
(09) Less: Other Reimbursements						\$ -	
(10) Total Claimed Amount	[Line (07) - (Line (08) + Line (09))]					\$ 36,947.61	

Nov 06/05

MANDATED COSTS INTEGRATED WASTE MANAGEMENT ACTIVITY COST DETAIL				FORM IWM-2			
(01) Claimant Sierra Joint Community College District				(02) Fiscal Year 2005-2006			
(03) Reimbursable Activities: Check only one box per form to identify the activity being claimed.							
One-Time Activities		<input type="checkbox"/> Development of Policies and Procedures	<input type="checkbox"/> Staff Training				
Ongoing Activities		<input type="checkbox"/> Completion and Submission of Plan to Board	<input type="checkbox"/> Response to Board During Approval Process		<input type="checkbox"/> Consultation with Board		
		<input checked="" type="checkbox"/> Designation of Waste Reduction and Recycling Coordinator	<input type="checkbox"/> Maintenance of Approved Level of Reduction				
Alternative Compliance		<input type="checkbox"/> Alternative Requirement or Time Extension for 1/1/02 for 25% Waste		<input type="checkbox"/> Alternative Requirement of Time Extension for 1/1/04 for 50% Waste			
<input type="checkbox"/> Accounting System		<input type="checkbox"/> Annual Report		<input type="checkbox"/> Annual Recycled Material Reports			
(04) Description of Expenses				Object Accounts			
(a) Employee Names, Job Classifications, Functions Performed, and Description of Expenses	(b) Hourly Rate or Unit Cost	(c) Hours Worked or Quantity	(d) Salaries and Benefits	(e) Materials and Supplies	(f) Contract Services	(g) Fixed Assets	(h) Travel and Training
Designating one solid waste reduction and recycling coordinator for each college in district Roeth Jr., Lynn      Environmental Health & Safety	\$49.70	113.0	\$ 5,616.10				
(05) Total <input checked="" type="checkbox"/>		Subtotal <input type="checkbox"/>		Page 1 of 1			
				\$ 5,616.10	\$ -	\$ -	\$ -

MANDATED COSTS INTEGRATED WASTE MANAGEMENT ACTIVITY COST DETAIL				FORM IWM-2			
(01) Claimant Sierra Joint Community College District				(02) Fiscal Year 2005-2006			
(03) Reimbursable Activities: Check only one box per form to identify the activity being claimed.							
One-Time Activities		<input type="checkbox"/> Development of Policies and Procedures		<input type="checkbox"/> Staff Training			
Ongoing Activities		<input type="checkbox"/> Completion and Submission of Plan to Board		<input type="checkbox"/> Response to Board During Approval Process		<input type="checkbox"/> Consultation with Board	
		<input type="checkbox"/> Designation of Waste Reduction and Recycling Coordinator		<input checked="" type="checkbox"/> Maintenance of Approved Level of Reduction			
Alternative Compliance		<input type="checkbox"/> Alternative Requirement or Time Extension for 1/1/02 for 25% Waste		<input type="checkbox"/> Alternative Requirement of Time Extension for 1/1/04 for 50% Waste			
<input type="checkbox"/> Accounting System		<input type="checkbox"/> Annual Report		<input type="checkbox"/> Annual Recycled Material Reports			
(04) Description of Expenses				Object Accounts			
(a) Employee Names, Job Classifications, Functions Performed, and Description of Expenses		(b) Hourly Rate or Unit Cost	(c) Hours Worked or Quantity	(d) Salaries and Benefits	(e) Materials and Supplies	(f) Contract Services	(g) Fixed Assets
							(h) Travel and Training
Diverting solid waste from landfill disposal or transformation facilities - source reduction Roeth Jr., Lynn      Environmental Health & Safety		\$49.70	9.0	\$ 447.30			
Diverting solid waste from landfill disposal or transformation facilities - recycling							
Brokaw, Marie      General Assistant IV		\$14.40	157.5	\$ 2,268.00			
Brown, Wendy      General Assistant IV		\$14.40	147.0	\$ 2,116.80			
Ferdend, Lorana      General Assistant IV		\$14.40	116.5	\$ 1,677.60			
Patterson, Pat      General Assistant IV		\$14.40	120.3	\$ 1,732.32			
Roeth Jr., Lynn      Environmental Health & Safety		\$49.70	222.0	\$ 11,033.40			
(05) Total <input checked="" type="checkbox"/>		Subtotal <input type="checkbox"/>		Page 1 of 1	\$ 19,275.42	\$ -	\$ -
					\$ -	\$ -	\$ -

MANDATED COSTS INTEGRATED WASTE MANAGEMENT ACTIVITY COST DETAIL								FORM IWM-2
(01) Claimant Sierra Joint Community College District				(02) Fiscal Year 2005-2006				
(03) Reimbursable Activities: Check only one box per form to identify the activity being claimed.								
<input type="checkbox"/> One-Time Activities		<input type="checkbox"/> Development of Policies and Procedures			<input type="checkbox"/> Staff Training			
<input type="checkbox"/> Ongoing Activities		<input type="checkbox"/> Completion and Submission of Plan to Board			<input type="checkbox"/> Response to Board During Approval Process		<input type="checkbox"/> Consultation with Board	
		<input type="checkbox"/> Designation of Waste Reduction and Recycling Coordinator			<input type="checkbox"/> Maintenance of Approved Level of Reduction			
<input type="checkbox"/> Alternative Compliance		<input type="checkbox"/> Alternative Requirement or Time Extension for 1/1/02 for 25% Waste			<input type="checkbox"/> Alternative Requirement of Time Extension for 1/1/04 for 50% Waste			
<input type="checkbox"/>		<input type="checkbox"/> Accounting System			<input type="checkbox"/> Annual Report		<input checked="" type="checkbox"/> Annual Recycled Material Reports	
(04) Description of Expenses				Object Accounts				
(a) Employee Names, Job Classifications, Functions Performed, and Description of Expenses	(b) Hourly Rate or Unit Cost	(c) Hours Worked or Quantity	(d) Salaries and Benefits	(e) Materials and Supplies	(f) Contract Services	(g) Fixed Assets	(h) Travel and Training	
Reporting annually to the Board quantities of recyclable materials collected Roath Jr., Lynn Environmental Health & Safety	\$49.70	17.0	\$ 844.90					
(05) Total <input checked="" type="checkbox"/>				Subtotal <input type="checkbox"/>		Page 1 of 1		
\$ 844.90				\$ -		\$ - \$ - \$ -		

**FY 2006-07**

**Integrated Waste Management Claim**

CLAIM FOR PAYMENT Pursuant to Government Code Section 17561 INTEGRATED WASTE MANAGEMENT			For State Controller Use Only		Program
			(19) Program Number	00256	256
			(20) Date Filed	JAN 22 2008	
			(21) LRS Input		
(01) Claimant Identification Number: CC 31090			Reimbursement Claim Data		
(02) Claimant Name: Sierra Joint Community College District			(22) IWM-1, (03)(A)(1)(f)	154	
County of Location: Placer			(23) IWM-1, (03)(A)(2)(f)	618	
Street Address: 5000 Rocklin Road			(24) IWM-1, (03)(B)(1)(f)	0	
City: Rocklin State: CA Zip Code: 95677			(25) IWM-1, (03)(B)(2)(f)	0	
Type of Claim	Estimated Claim	Reimbursement Claim	(26) IWM-1, (03)(B)(3)(f)	0	
	(03) Estimated <input checked="" type="checkbox"/>	(09) Reimbursement <input checked="" type="checkbox"/>	(27) IWM-1, (03)(B)(4)(f)	2,573	
	(04) Combined <input type="checkbox"/>	(10) Combined <input type="checkbox"/>	(28) IWM-1, (03)(B)(5)(f)	40,619	
	(05) Amended <input type="checkbox"/>	(11) Amended <input type="checkbox"/>	(29) IWM-1, (03)(C)(1)(f)	0	
Fiscal Year of Cost	(06) 2007-2008	(12) 2006-2007	(30) IWM-1, (03)(C)(2)(f)	0	
Total Claimed Amount	(07) \$ 58,400	(13) \$ 53,125	(31) IWM-1, (03)(D)(f)	669	
Less: 10% Late Penalty, not to exceed \$10,000		(14) \$	(32) IWM-1, (03)(E)(f)	0	
Less: Prior Claim Payment Received		(15) \$	(33) IWM-1, (03)(F)(f)	412	
Net Claimed Amount		(16) \$ 53,125	(34) IWM-1, (06)	8,081	
Due from State	(08) \$ 58,400	(17) \$ 53,125	(35) IWM-1, (08)	0	
Due to State		(18)	(36) IWM-1, (09)	0	
<b>(37) CERTIFICATION OF CLAIM</b>					
<p>In accordance with the provisions of Government Code Section 17561, I certify that I am the officer authorized by the community college district to file mandated cost claims with the State of California for this program, and certify under penalty of perjury that I have not violated any of the provisions of Government Code Sections 1090 to 1098, inclusive.</p> <p>I further certify that there was no application other than from the claimant, nor any grant or payment received, for reimbursement of costs claimed herein, and such costs are for a new program or increased level of services of an existing program. All offsetting savings and reimbursements set forth in the Parameters and Guidelines are identified, and all costs claimed are supported by source documentation currently maintained by the claimant.</p> <p>The amounts for this Estimated Claim and/or Reimbursement Claim are hereby claimed from the State for payment of estimated and/or actual costs set forth on the attached statements. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.</p>					
Signature of Authorized Officer (USE BLUE INK)			Date		
<i>Joyce Lopes</i>			1/9/8		
Joyce Lopes			Director of Finance		
Type or Print Name			Title		
(38) Name of Contact Person for Claim			Telephone Number: (858) 514-8605		
SixTen and Associates			E-mail Address: kbpsixten@aol.com		



Program <b>256</b>		MANDATED COSTS INTEGRATED WASTE MANAGEMENT CLAIM SUMMARY					FORM IWM-1
(01) Claimant: Sierra Joint Community College District			(02) Type of Claim Reimbursement <input checked="" type="checkbox"/> Estimated <input type="checkbox"/>			Fiscal Year 2006-2007	
Direct Costs		Object Accounts					
(03) Reimbursable Activities	(a) Salaries and Benefits	(b) Materials and Supplies	(c) Contract Services	(d) Fixed Assets	(e) Travel and Training	(f) Total	
<b>A. One-Time Activities</b>							
1	Development of Policies and Procedures	\$ 154.38	\$ -	\$ -	\$ -	\$ 154.38	
2	Staff Training	\$ 617.52	\$ -	\$ -	\$ -	\$ 617.52	
<b>B. Ongoing Activities</b>							
1	Completion and Submission of Plan to Board	\$ -	\$ -	\$ -	\$ -	\$ -	
2	Response to Board During Approval Process	\$ -	\$ -	\$ -	\$ -	\$ -	
3	Consultation with Board	\$ -	\$ -	\$ -	\$ -	\$ -	
4	Designation of Waste Reduction and Recycling Coordinator	\$ 2,573.00	\$ -	\$ -	\$ -	\$ 2,573.00	
5	Diversion and Maintenance of Approved Level of Reduction	\$ 16,569.03	\$ 24,050.00	\$ -	\$ -	\$ 40,619.03	
<b>C. Alternative Compliance</b>							
1	Alternative Requirements or Time Extension for 1/1/02 for 25% Waste	\$ -	\$ -	\$ -	\$ -	\$ -	
2	Alternative Requirements or Time Extension for 1/1/04 for 50% Waste	\$ -	\$ -	\$ -	\$ -	\$ -	
<b>D. Accounting System</b>		\$ 668.98	\$ -	\$ -	\$ -	\$ 668.98	
<b>E. Annual Report</b>		\$ -	\$ -	\$ -	\$ -	\$ -	
<b>F. Annual Recycled Material Reports</b>		\$ 411.68	\$ -	\$ -	\$ -	\$ 411.68	
(04) Total Direct Costs		\$ 20,994.59	\$ 24,050.00	\$ -	\$ -	\$ 45,044.59	
<b>Indirect Costs</b>							
(05) Indirect Cost Rate					[Federally approved OMB A-21, FAM-28C, or 7%] 38.49%		
(06) Total Indirect Costs					[Line (05) x line (04)(f)] \$ 8,080.82		
(07) Total Direct and Indirect Costs					[Line (04)(f) + line (06)] \$ 53,125.41		
<b>Cost Reduction</b>							
(08) Less: Offsetting Savings					\$ -		
(09) Less: Other Reimbursements					\$ -		
(10) Total Claimed Amount					[Line (07) - (Line (08) + Line (09))] \$ 53,125.41		

Program <b>255</b>	<b>MANDATED COSTS</b> <b>INTEGRATED WASTE MANAGEMENT</b> <b>ACTIVITY COST DETAIL</b>						<b>FORM</b> <b>IWM-2</b>
(01) Claimant Sierra Joint Community College District				(02) Fiscal Year 2006-2007			
(03) Reimbursable Activities: Check only one box per form to identify the activity being claimed.							
One-Time Activities		<input checked="" type="checkbox"/> Development of Policies and Procedures		<input type="checkbox"/> Staff Training			
Ongoing Activities		<input type="checkbox"/> Completion and Submission of Plan to Board		<input type="checkbox"/> Response to Board During Approval Process		<input type="checkbox"/> Consultation with Board	
		<input type="checkbox"/> Designation of Waste Reduction and Recycling Coordinator		<input type="checkbox"/> Maintenance of Approved Level of Reduction			
Alternative Compliance		<input type="checkbox"/> Alternative Requirement or Time Extension for 1/1/02 for 25% Waste		<input type="checkbox"/> Alternative Requirement of Time Extension for 1/1/04 for 50% Waste			
<input type="checkbox"/> Accounting System		<input type="checkbox"/> Annual Report		<input type="checkbox"/> Annual Recycled Material Reports			
(04) Description of Expenses				Object Accounts			
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)
Employee Names, Job Classifications, Functions Performed, and Description of Expenses	Hourly Rate or Unit Cost	Hours Worked on Quantity	Salaries and Benefits	Materials and Supplies	Contract Services	Fixed Assets	Travel and Training
Developing the necessary district policies and procedures Roath, Lynn      Env Hlth and Safety Specialist	\$51.46	3.0	\$ 154.38				
(05) Total <input checked="" type="checkbox"/> Subtotal <input type="checkbox"/>		Page 1 of 1		\$ 154.38	\$ -	\$ -	\$ -

Program <b>255</b>		<b>MANDATED COSTS</b> <b>INTEGRATED WASTE MANAGEMENT</b> <b>ACTIVITY COST DETAIL</b>					<b>FORM</b> <b>IWM-2</b>	
(01) Claimant Sierra Joint Community College District				(02) Fiscal Year 2006-2007				
(03) Reimbursable Activities: Check only one box per form to identify the activity being claimed.								
One-Time Activities		<input type="checkbox"/> Development of Policies and Procedures			<input checked="" type="checkbox"/> Staff Training			
Ongoing Activities		<input type="checkbox"/> Completion and Submission of Plan to Board			<input type="checkbox"/> Response to Board During Approval Process		<input type="checkbox"/> Consultation with Board	
		<input type="checkbox"/> Designation of Waste Reduction and Recycling Coordinator			<input type="checkbox"/> Maintenance of Approved Level of Reduction			
Alternative Compliance		<input type="checkbox"/> Alternative Requirement or Time Extension for 1/1/02 for 25% Waste			<input type="checkbox"/> Alternative Requirement of Time Extension for 1/1/04 for 50% Waste			
<input type="checkbox"/> Accounting System				<input type="checkbox"/> Annual Report		<input type="checkbox"/> Annual Recycled Material Reports		
(04) Description of Expenses				Object Accounts				
(a) Employee Names, Job Classifications, Functions Performed, and Description of Expenses	(b) Hourly Rate or Unit Cost	(c) Hours Worked or Quantity	(d) Salaries and Benefits	(e) Materials and Supplies	(f) Contract Services	(g) Fixed Assets	(h) Travel and Training	
Training district staff on the requirements and implementation of the plan Roath, Lynn Env Hlth and Safety Specialist	\$51.46	12.0	\$ 617.52					
(05) Total <input checked="" type="checkbox"/> Subtotal <input type="checkbox"/>			Page 1 of 1					
			\$ 617.52	\$ -	\$ -	\$ -	\$ -	



<b>Program</b> 256	<b>MANDATED COSTS</b> <b>INTEGRATED WASTE MANAGEMENT</b> <b>ACTIVITY COST DETAIL</b>						<b>FORM</b> <b>IWM-2</b>
(01) Claimant Sierra Joint Community College District				(02) Fiscal Year 2006-2007			
(03) Reimbursable Activities: Check only one box per form to identify the activity being claimed.							
One-Time Activities		<input type="checkbox"/> Development of Policies and Procedures	<input type="checkbox"/> Staff Training				
Ongoing Activities		<input type="checkbox"/> Completion and Submission of Plan to Board	<input type="checkbox"/> Response to Board During Approval Process		<input type="checkbox"/> Consultation with Board		
		<input type="checkbox"/> Designation of Waste Reduction and Recycling Coordinator	<input checked="" type="checkbox"/> Maintenance of Approved Level of Reduction				
Alternative Compliance		<input type="checkbox"/> Alternative Requirement or Time Extension for 1/1/02 for 25% Waste		<input type="checkbox"/> Alternative Requirement of Time Extension for 1/1/04 for 50% Waste			
<input type="checkbox"/> Accounting System		<input type="checkbox"/> Annual Report		<input type="checkbox"/> Annual Recycled Material Reports			
(04) Description of Expenses				Object Accounts			
(a) Employee Names, Job Classifications, Functions Performed, and Description of Expenses	(b) Hourly Rate or Unit Cost	(c) Hours Worked or Quantity	(d) Salaries and Benefits	(e) Materials and Supplies	(f) Contract Services	(g) Fixed Assets	(h) Travel and Training
Diverting solid waste from landfill disposal or transformation facilities - implementing plan Roath, Lynn      Env Hlth and Safety Specialist	\$51.46	11.0	\$ 566.06				
Diverting solid waste from landfill disposal or transformation facilities - source reduction Roath, Lynn      Env Hlth and Safety Specialist	\$51.46	24.0	\$ 1,235.04				
Diverting solid waste from landfill disposal or transformation facilities - recycling Roath, Lynn      Env Hlth and Safety Specialist	\$51.46	256.0	\$ 13,173.76				
Erion, Nathan      General Assistant V	\$8.50	4.5	\$ 38.25				
Erion, Nathan      General Assistant V	\$10.00	32.5	\$ 325.00				
Rizzi, Thomas      Recycling Assistant	\$10.00	43.8	\$ 438.30				
Bodnar, William      General Assistant V	\$8.50	33.0	\$ 280.50				
Bodnar, William      General Assistant V	\$10.00	38.5	\$ 385.00				
Ferdand, Lorana      General Assistant V	\$9.68	2.5	\$ 24.20				
Grainger Inc      Blue Recycle Slim Jim	\$100.00	240.5		\$ 24,050.00			
Procuring materials/equipment necessary for maintaining approved level of reduction Roath, Lynn      Env Hlth and Safety Specialist	\$51.46	2.0	\$ 102.92				
(05) Total <input checked="" type="checkbox"/> Subtotal <input type="checkbox"/>			\$ 16,669.03	\$ 24,050.00	\$ -	\$ -	\$ -

Program <b>256</b>		<b>MANDATED COSTS INTEGRATED WASTE MANAGEMENT ACTIVITY COST DETAIL</b>					<b>FORM IWM-2</b>	
(01) Claimant Sierra Joint Community College District				(02) Fiscal Year 2006-2007				
(03) Reimbursable Activities: Check only one box per form to identify the activity being claimed.								
One-Time Activities	<input type="checkbox"/> Development of Policies and Procedures				<input type="checkbox"/> Staff Training			
Ongoing Activities	<input type="checkbox"/> Completion and Submission of Plan to Board				<input type="checkbox"/> Response to Board During Approval Process	<input type="checkbox"/> Consultation with Board		
	<input type="checkbox"/> Designation of Waste Reduction and Recycling Coordinator				<input type="checkbox"/> Maintenance of Approved Level of Reduction			
Alternative Compliance	<input type="checkbox"/> Alternative Requirement or Time Extension for 1/1/02 for 25% Waste				<input type="checkbox"/> Alternative Requirement of Time Extension for 1/1/04 for 50% Waste			
<input checked="" type="checkbox"/> Accounting System				<input type="checkbox"/> Annual Report			<input type="checkbox"/> Annual Recycled Material Reports	
(04) Description of Expenses				Object Accounts				
(a) Employee Names, Job Classifications, Functions Performed, and Description of Expenses	(b) Hourly Rate or Unit Cost	(c) Hours Worked or Quantity	(d) Salaries and Benefits	(e) Materials and Supplies	(f) Contract Services	(g) Fixed Assets	(h) Travel and Training	
Developing, implementing, maintaining accounting system to track source reduction, recycling, or composting Roath, Lynn      Env Hlth and Safety Specialist	\$51.46	13.0	\$ 668.98					
(05) Total <input checked="" type="checkbox"/> Subtotal <input type="checkbox"/>			Page 1 of 1		\$ 668.98	\$ -	\$ -	\$ -

Program <b>256</b>		<b>MANDATED COSTS INTEGRATED WASTE MANAGEMENT ACTIVITY COST DETAIL</b>						FORM IWM-2
(01) Claimant Sierra Joint Community College District				(02) Fiscal Year 2006-2007				
(03) Reimbursable Activities: Check only one box per form to identify the activity being claimed.								
One-Time Activities		<input type="checkbox"/> Development of Policies and Procedures			<input type="checkbox"/> Staff Training			
Ongoing Activities		<input type="checkbox"/> Completion and Submission of Plan to Board			<input type="checkbox"/> Response to Board During Approval Process		<input type="checkbox"/> Consultation with Board	
		<input type="checkbox"/> Designation of Waste Reduction and Recycling Coordinator			<input type="checkbox"/> Maintenance of Approved Level of Reduction			
Alternative Compliance		<input type="checkbox"/> Alternative Requirement or Time Extension for 1/1/02 for 25% Waste			<input type="checkbox"/> Alternative Requirement or Time Extension for 1/1/04 for 50% Waste			
<input type="checkbox"/> Accounting System		<input type="checkbox"/> Annual Report			<input checked="" type="checkbox"/> Annual Recycled Material Reports			
(04) Description of Expenses				Object Accounts				
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	
Employee Names, Job Classifications, Functions Performed, and Description of Expenses	Hourly Rate or Unit Cost	Hours Worked or Quantity	Salaries and Benefits	Materials and Supplies	Contract Services	Fixed Assets	Travel and Training	
Reporting annually to the Board quantities of recyclable materials collected Roath, Lynn                      Env Hlth and Safety Specialist	\$51.46	8.0	\$ 411.68					
(05) Total <input checked="" type="checkbox"/>			Subtotal <input type="checkbox"/>		Page 1 of 1			
			\$ 411.68	\$ -	\$ -	\$ -	\$ -	

FY 2007-08

## Integrated Waste Management Claim



CLAIM FOR PAYMENT Pursuant to Government Code Section 17581 INTEGRATED WASTE MANAGEMENT			(19) Program Number 00256 (20) Date Filed <u>   </u> (21) LRS Input <u>   </u>		Program <b>256</b>
(01) Claimant Identification Number: CC 31080			Reimbursement Claim Data		
(02) Claimant Name: Sierra Joint Community College District			(22) IWM-1, (03)(A)(1)(f)	56	
County of Location: Placer			(23) IWM-1, (03)(A)(2)(f)	614	
Street Address: 5000 Rocklin Road			(24) IWM-1, (03)(B)(1)(f)	0	
City: Rocklin	State: CA	Zip Code: 95677	(25) IWM-1, (03)(B)(2)(f)	0	
Type of Claim	Estimated Claim	Reimbursement Claim	(26) IWM-1, (03)(B)(3)(f)	0	
(03) Estimated <input type="checkbox"/>	(04) Combined <input type="checkbox"/>	(05) Amended <input type="checkbox"/>	(06) Reimbursement <input checked="" type="checkbox"/>	(27) IWM-1, (03)(B)(4)(f)	2,960
			(07) Combined <input type="checkbox"/>	(28) IWM-1, (03)(B)(5)(f)	5,483
			(08) Amended <input type="checkbox"/>	(29) IWM-1, (03)(C)(1)(f)	0
Fiscal Year of Cost: (06)	(07)	(12) 2007-2008	(30) IWM-1, (03)(C)(2)(f)	0	
Total Claimed Amount	(07)	(13) \$ 19,388	(31) IWM-1, (03)(D)(f)	1,061	
Less: 10% Late Penalty, not to exceed \$10,000	(14)	(14) \$ -	(32) IWM-1, (03)(E)(f)	0	
Less: Prior Claim Payment Received	(15)	(15) \$ -	(33) IWM-1, (03)(F)(f)	893	
Net Claimed Amount	(16)	(16) \$ 19,388	(34) IWM-1, (06)	5,321	
Due from State	(08)	(17) \$ 19,388	(35) IWM-1, (08)	0	
Due to State	(18)	(18)	(36) IWM-1, (09)	0	
<b>(37) CERTIFICATION OF CLAIM</b>					
<p>In accordance with the provisions of Government Code Section 17581, I certify that I am the officer authorized by the community college district to file mandated cost claims with the State of California for this program, and certify under penalty of perjury that I have not violated any of the provisions of Government Code Sections 1080 to 1098, inclusive.</p> <p>Further certify that there was no application other than from the claimant, nor any grant or payment received, for reimbursement of costs claimed herein, and such costs are for a new program or increased level of services of an existing program. All offsetting savings and reimbursements set forth in the Parameters and Guidelines are identified, and all costs claimed are supported by source documentation currently maintained by the claimant.</p> <p>The amounts for this Estimated Claim and/or Reimbursement Claim are hereby claimed from the State for payment of estimated and/or actual costs set forth on the attached statements. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.</p>					
Signature of Authorized Officer (USE BLUE INK)			Date		
<i>Joyce Lopes</i>			12/6/8		
Joyce Lopes			Director of Finance		
Type or Print Name			Title		
(38) Name of Contact Person for Claim			Telephone Number: (858) 514-8605		
SixTen and Associates			E-mail Address: kbpsixten@aol.com		

Program <b>256</b>		MANDATED COSTS INTEGRATED WASTE MANAGEMENT CLAIM SUMMARY					FORM IWM-1	
(01) Claimant: Sierra Joint Community College District			(02) Type of Claim: Reimbursement <input checked="" type="checkbox"/> Estimated <input type="checkbox"/>				Fiscal Year 2007-2008	
Direct Costs		Object Accounts						
(03) Reimbursable Activities	(a) Salaries and Benefits	(b) Materials and Supplies	(c) Contract Services	(d) Fixed Assets	(e) Travel and Training	(f) Total		
<b>A. One-Time Activities</b>								
1 Development of Policies and Procedures	\$ 55.84	\$ -	\$ -	\$ -	\$ -	\$ 55.84		
2 Staff Training	\$ 614.24	\$ -	\$ -	\$ -	\$ -	\$ 614.24		
<b>B. Ongoing Activities</b>								
1 Completion and Submission of Plan to Board	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		
2 Response to Board During Approval Process	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		
3 Consultation with Board	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		
4 Designation of Waste Reduction and Recycling Coordinator	\$ 2,959.52	\$ -	\$ -	\$ -	\$ -	\$ 2,959.52		
5 Diversion and Maintenance of Approved Level of Reduction	\$ 8,482.56	\$ -	\$ -	\$ -	\$ -	\$ 8,482.56		
<b>C. Alternative Compliance</b>								
1 Alternative Requirements or Time Extension for 1/1/02 for 25% Waste	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		
2 Alternative Requirements or Time Extension for 1/1/04 for 50% Waste	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		
D. Accounting System	\$ 1,060.96	\$ -	\$ -	\$ -	\$ -	\$ 1,060.96		
E. Annual Report	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		
F. Annual Recycled Material Reports	\$ 893.44	\$ -	\$ -	\$ -	\$ -	\$ 893.44		
(04) Total Direct Costs	\$ 14,066.56	\$ -	\$ -	\$ -	\$ -	\$ 14,066.56		
<b>Indirect Costs</b>								
(05) Indirect Cost Rate	Federally approved OMB A-21, FAM-292, at 7%					37.53%		
(06) Total Indirect Costs	[Line (05) x Line (04)(f)]					\$ 5,321.38		
(07) Total Direct and Indirect Costs	[Line (06)] + [Line (04)]					\$ 19,387.94		
<b>Cost Reduction</b>								
(08) Less: Offsetting Savings						\$ -		
(09) Less: Other Reimbursements						\$ -		
(10) Total Claimed Amount	[Line (07) - (Line (08) + Line (09))]					\$ 19,387.94		

New 06/05

MANDATED COSTS INTEGRATED WASTE MANAGEMENT ACTIVITY COST DETAIL		FORM IWM-2					
(01) Claimant Sierra Joint Community College District		(02) Fiscal Year 2007-2008					
(03) Reimbursable Activities: Check only one box per form to identify the activity being claimed.							
<div style="display: flex; justify-content: space-between;"> <div> <input checked="" type="checkbox"/> One-Time Activities  <input type="checkbox"/> Ongoing Activities  <input type="checkbox"/> Alternative Compliance </div> <div> <input type="checkbox"/> Development of Policies and Procedures  <input type="checkbox"/> Completion and Submission of Plan to Board  <input type="checkbox"/> Designation of Waste Reduction and Recycling Coordinator  <input type="checkbox"/> Alternative Requirement or Time Extension for 1/18/02 for 25% Waste  <input type="checkbox"/> Accounting System </div> <div> <input type="checkbox"/> Staff Training  <input type="checkbox"/> Response to Board During Approval Process  <input type="checkbox"/> Maintenance of Approved Level of Reduction  <input type="checkbox"/> Alternative Requirement of Time Extension for 1/18/02 for 50% Waste  <input type="checkbox"/> Annual Report </div> <div> <input type="checkbox"/> Consultation with Board  <input type="checkbox"/> Annual Recycled Material Reports </div> </div>							
(04) Description of Expenses		Object Accounts					
(a) Employee Names, Job Classifications, Functions Performed, and Description of Expenses.	(b) Hourly Rate or Unit Cost	(c) Hours Worked or Quantity	(d) Salaries and Benefits	(e) Materials and Supplies	(f) Contract Services	(g) Food Assets	(h) Travel and Training
Developing the necessary district policies and procedures Rosh, Lynn      Environmental Health & Safety Spec	\$55.84	1.0	\$ 55.84				
<div style="display: flex; justify-content: space-between;"> <div>(05) Total <input checked="" type="checkbox"/></div> <div>Subtotal <input type="checkbox"/></div> <div>Page 1 of 1</div> <div>\$ 55.84</div> <div>\$ -</div> <div>\$ -</div> <div>\$ -</div> <div>\$ -</div> </div>							

Program <b>25B</b>	<b>MANDATED COSTS</b> <b>INTEGRATED WASTE MANAGEMENT</b> <b>ACTIVITY COST DETAIL</b>	FORM <b>IWM-2</b>																
(01) Claimant Sierra Joint Community College District		(02) Fiscal Year 2007-2008																
(03) Reimbursable Activities: Check only one box per form to identify the activity being claimed.																		
<table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">One-Time Activities</td> <td style="width: 33%;"><input type="checkbox"/> Development of Policies and Procedures</td> <td style="width: 33%;"><input checked="" type="checkbox"/> Staff Training</td> </tr> <tr> <td rowspan="2">Ongoing Activities</td> <td><input type="checkbox"/> Completion and Submission of Plan to Board</td> <td><input type="checkbox"/> Response to Board During Approval Process</td> </tr> <tr> <td><input type="checkbox"/> Designation of Waste Reduction and Recycling Coordinator</td> <td><input type="checkbox"/> Maintenance of Approved Level of Reduction</td> </tr> <tr> <td rowspan="2">Alternative Compliance</td> <td><input type="checkbox"/> Alternative Requirement or Time Extension for 1/102 for 20% Waste</td> <td><input type="checkbox"/> Alternative Requirement or Time Extension for 1/104 for 50% Waste</td> </tr> <tr> <td><input type="checkbox"/> Accounting System</td> <td><input type="checkbox"/> Annual Report</td> </tr> <tr> <td></td> <td></td> <td><input type="checkbox"/> Annual Recycled Material Reports</td> </tr> </table>			One-Time Activities	<input type="checkbox"/> Development of Policies and Procedures	<input checked="" type="checkbox"/> Staff Training	Ongoing Activities	<input type="checkbox"/> Completion and Submission of Plan to Board	<input type="checkbox"/> Response to Board During Approval Process	<input type="checkbox"/> Designation of Waste Reduction and Recycling Coordinator	<input type="checkbox"/> Maintenance of Approved Level of Reduction	Alternative Compliance	<input type="checkbox"/> Alternative Requirement or Time Extension for 1/102 for 20% Waste	<input type="checkbox"/> Alternative Requirement or Time Extension for 1/104 for 50% Waste	<input type="checkbox"/> Accounting System	<input type="checkbox"/> Annual Report			<input type="checkbox"/> Annual Recycled Material Reports
One-Time Activities	<input type="checkbox"/> Development of Policies and Procedures	<input checked="" type="checkbox"/> Staff Training																
Ongoing Activities	<input type="checkbox"/> Completion and Submission of Plan to Board	<input type="checkbox"/> Response to Board During Approval Process																
	<input type="checkbox"/> Designation of Waste Reduction and Recycling Coordinator	<input type="checkbox"/> Maintenance of Approved Level of Reduction																
Alternative Compliance	<input type="checkbox"/> Alternative Requirement or Time Extension for 1/102 for 20% Waste	<input type="checkbox"/> Alternative Requirement or Time Extension for 1/104 for 50% Waste																
	<input type="checkbox"/> Accounting System	<input type="checkbox"/> Annual Report																
		<input type="checkbox"/> Annual Recycled Material Reports																
(04) Description of Expenses																		
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)											
Employee Names, Job Classifications, Functions Performed, and Description of Expenses	Hourly Rate or Unit Cost	Hours Worked or Quantity	Salaries and Benefits	Materials and Supplies	Contract Services	Fixed Assets	Travel and Training											
Training district staff on the requirements and implementation of the plan Roark, Lynn      Environment Health & Safety Spec	\$55.84	19.0	\$ 814.24															
(05) Total <input checked="" type="checkbox"/> Subtotal <input type="checkbox"/>			Page 1 of 1															
			\$ 814.24	\$ -	\$ -	\$ -	\$ -											

Program 256	<b>MANDATED COSTS</b> <b>INTEGRATED WASTE MANAGEMENT</b> <b>ACTIVITY COST DETAIL</b>	<b>FORM</b> <b>IWM-2</b>
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(01) Claimant Sierra Joint Community College District	(02) Fiscal Year 2007-2008
--	-------------------------------

(03) Reimbursable Activities: Check only one box per form to identify the activity being claimed.

One-Time Activities	<input type="checkbox"/> Development of Policies and Procedures	<input type="checkbox"/> Staff Training
Ongoing Activities	<input type="checkbox"/> Completion and Submission of Plan to Board	<input type="checkbox"/> Response to Board During Approval Process
	<input type="checkbox"/> Designation of Waste Reduction and Recycling Coordinator	<input checked="" type="checkbox"/> Maintenance of Approved Level of Reduction
Alternative Compliance	<input type="checkbox"/> Alternative Requirement or Time Extension for 1/102 for 25% Waste	<input type="checkbox"/> Alternative Requirement of Time Extension for 1/104 for 50% Waste
	<input type="checkbox"/> Accounting System	<input type="checkbox"/> Annual Report
		<input type="checkbox"/> Annual Recycled Material Report

(04) Description of Expenses

Object Accounts

(a) Employee Names, Job Classifications, Functions Performed, and Description of Expenses	(b) Hourly Rate or Unit Cost	(c) Hours Worked or Quantity	(d) Salaries and Benefits	(e) Materials and Supplies	(f) Contract Services	(g) Fixed Assets	(h) Travel and Training
Diverting solid waste from landfill disposal or transformation facilities - source reduction Roeth, Lynn      Environment Health & Safety Spec	\$55.84	18.0	\$ 725.92				
Diverting solid waste from landfill disposal or transformation facilities - recycling Bertels, Jason      Recycling Assistant	\$10.00	294.2	\$ 2,942.00				
Erion, Nathan      Recycling Assistant	\$10.00	38.0	\$ 380.00				
Oiley, Chris      Recycling Assistant	\$10.00	48.0	\$ 480.00				
Roeth, Lynn      Environment Health & Safety Spec	\$55.84	70.0	\$ 3,908.80				
Procuring materials/equipment necessary for maintaining approved level of reduction Roeth, Lynn      Environment Health & Safety Spec	\$55.84	1.0	\$ 55.84				
<b>(05) Total</b> <input checked="" type="checkbox"/>	<b>Subtotal</b> <input type="checkbox"/>	Page 1 of 1		\$ 8,482.56	\$ -	\$ -	\$ -

New 06/05





**Notar OIR/03**



**FY 2008-09**

**Integrated Waste Management Claim**

CLAIM FOR PAYMENT Pursuant to Government Code Section 17561 INTEGRATED WASTE MANAGEMENT		For State Controller Use only		Program 256
(01) Claimant Identification Number:	CC 31090	(19) Program Number	00256	
(02) Claimant Name	Sierra Joint Community College District	(20) Date Filed	FEB 15 2011	
Address	Placer County	(21) LRS Input	___/___/___	
	5000 Rocklin Road	Reimbursement Claim Data		
	Rocklin CA 95677-3397	(22) FORM-1, (03)		
		(23) FORM-1A, (04)(A)(1)(f)		56
		(24) FORM-1A, (04)(A)(2)(f)		614
		(25) FORM-1A, (04)(B)(1)(f)		
		(26) FORM-1A, (04)(B)(2)(f)		
		(27) FORM-1A, (04)(B)(3)(f)		
		(28) FORM-1A, (04)(B)(4)(f)		2,960
		(29) FORM-1A, (04)(B)(5)(f)		4,635
Fiscal Year of cost	(06) 2008-2009	(30) FORM-1A, (06)		3,904
Total Claimed Amount	(07) \$ 15,046	(31) FORM-1A, (09)		
Less : 10% Late Penalty (refer to claiming instructions)	(14) \$ 1,505	(32) FORM-1A, (10)		
Less : Prior Claim Payment Received	(15) \$ -	(33) FORM-1A, (11)		15,046
Net Claimed Amount	(16) \$ 13,541	(34)		
Due from State	(17) \$ 13,541	(35)		
Due to State	(18)	(36)		
<b>(37) CERTIFICATION OF CLAIM</b>				
In accordance with the provisions of Government Code Section 17561, I certify that I am the officer authorized by the community college district to file mandated cost claims with the State of California for this program, and certify under penalty of perjury that I have not violated any of the provisions of Article 4, Chapter 1 of Division 4 of Title 1 Government Code.				
I further certify that there was no application other than from the claimant, nor any grant or payment received, for reimbursement of costs claimed herein, claimed costs are for a new program or increased level of services of an existing program; and claimed amounts do not include charter school costs, either directly or through a third party. All offsetting savings and reimbursements set forth in the parameters and guidelines are identified, and all costs claimed are supported by source documentation currently maintained by the claimant.				
The amount for this reimbursement is hereby claimed from the State for payment of actual costs set forth on the attached statements.				
I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.				
Signature of Authorized Officer (USE BLUE INK)				
Kevin Wellsfry, General Services Manager		Date Signed	2-8-11	
		Telephone Number	(916) 660-7625	
		E-mail Address	kwellsfry@sierracollege.edu	
Type or Print Name and Title of Authorized Signatory				
(38) Name of Agency Contact Person for Claim		Telephone Number	(916) 660-7625	
Kevin Wellsfry, General Services Manager		E-mail Address	kwellsfry@sierracollege.edu	
Name of Consulting Firm/Claim Preparer		Telephone Number	(858) 514-8605	
SixTen and Associates		E-mail Address	kbpsixten@aol.com	

Program <b>256</b>	MANDATED COSTS INTEGRATED WASTE MANAGEMENT CLAIM SUMMARY						FORM 1A		
(01) Claimant: Sierra Joint Community College District				(02)		Fiscal Year 2008-2009			
Claim Statistics									
(03) Leave Blank									
Direct Costs				Object Accounts					
				(a) Salaries and Benefits	(b) Materials and Supplies	(c) Contract Services	(d) Fixed Assets	(e) Travel and Training	(f) Total
(04) Reimbursable Activities									
<b>A. One-Time Activity</b>									
1. Develop Policies and Procedures				\$ 55.84	\$ -	\$ -	\$ -	\$ -	\$ 55.84
2. Train District Staff on IWM Plan				\$ 614.24	\$ -	\$ -	\$ -	\$ -	\$ 614.24
<b>B. Ongoing Activities</b>									
1. Complete and Submit IWM Plan to Board				\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
2. Respond to Board Requirements				\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
3. Consult with Board to Revise Plan				\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
4. Designate Coordinator for Each College				\$ 2,959.52	\$ -	\$ -	\$ -	\$ -	\$ 2,959.52
5. Divert Solid Waste/Maintain Required Level (Form 1B cannot be used if this activity is claimed)				\$ 4,634.72	\$ -	\$ -	\$ -	\$ -	\$ 4,634.72
(04) Total Direct Costs				\$ 8,264.32	\$ -	\$ -	\$ -	\$ -	\$ 8,264.32
Indirect Costs									
(05) Indirect Cost Rate				[Refer to Claiming Instructions]				47.24%	
(06) Total Indirect Costs				[Refer to Claiming Instructions]				\$ 3,904.06	
(07) Total Direct and Indirect Costs				[Line (05)(f) + line (07)]				\$ 12,168.38	
(08) Total from Forms 1A, 1B, and 1C				[Add 1A(07) + 1B(07) + 1C(07)]				\$ 15,046.04	
Cost Reduction									
(09) Less: Offsetting Savings								\$ -	
(10) Less: Other Reimbursements								\$ -	
(11) Total Claimed Amount:				[Line (09) - (Line (10) + Line (11))]				\$ 15,046.04	

Revised 07/09

<b>Program 256</b>	<b>MANDATED COSTS INTEGRATED WASTE MANAGEMENT CLAIM SUMMARY</b>					<b>FORM 1C</b>		
(01) Claimant: Sierra Joint Community College District			(02)		Fiscal Year 2008-2009			
<b>Direct Costs</b>			<b>Object Accounts</b>					
(03) Reimbursable Activities			(a) Salaries and Benefits	(b) Materials and Supplies	(c) Contract Services	(d) Fixed Assets	(e) Travel and Training	(f) Total
<b>D. Accounting System</b>			Reimbursement begins January 1, 2000					
1. Develop, Implement & Maintain System			\$ 1,060.96	-	-	-	-	\$ 1,060.96
<b>E. Annual Report of Progress</b>			Reimbursement begins January 1, 2000					
1. Calculations of Annual Disposal Reduction			\$ -	-	-	-	-	-
2. Information on the Changes			\$ -	-	-	-	-	-
3. Summary of Progress Made in IWM Plan			\$ -	-	-	-	-	-
4. The Extent of CCD's Use of IWM Plan			\$ -	-	-	-	-	-
5. Time Extension Summary of Progress			\$ -	-	-	-	-	-
6. Alternative Reduction Summary of Progress			\$ -	-	-	-	-	-
<b>F. Annual Recycled Material Reports</b>			Reimbursement begins July 1, 1999					
1. Annual Report to the Board			\$ 893.44	-	-	-	-	\$ 893.44
(04) Total Direct Costs			\$ 1,954.40	-	-	-	-	\$ 1,954.40
<b>Indirect Costs</b>								
(05) Indirect Cost Rate						[Refer to Claiming Instructions]		47.24%
(06) Total Indirect Costs						[Refer to Claiming Instructions]		\$ 923.26
(07) Total Direct and Indirect Costs						[Line (04)(f) + line (06)] [Forward total to Form-1A, line (09)]		\$ 2,877.66

New 12/08

<b>Program</b> <b>256</b>		<b>MANDATED COSTS</b> <b>INTEGRATED WASTE MANAGEMENT</b> <b>ACTIVITY COST DETAIL</b>							<b>FORM</b> <b>2A</b>		
(01) Claimant Sierra Joint Community College District				(02) Fiscal Year 2008-2009							
(03) Reimbursable Activities: Check only one box per form to identify the activity being claimed.											
<div style="display: flex; justify-content: space-between;"> <div style="width: 48%;"> <b>A. One-Time Activity</b>  <input checked="" type="checkbox"/> Develop Policies and Procedures  <input type="checkbox"/> Train District Staff on IWM Plan         </div> <div style="width: 48%;"> <b>B. Ongoing Activities</b>  <input type="checkbox"/> Complete and Submit IWM Plan to Board  <input type="checkbox"/> Respond to Board Requirements  <input type="checkbox"/> Consult with Board to Revise Plan  <input type="checkbox"/> Designate Coordinator for Each College  <input type="checkbox"/> Divert Solid Waste/Maintain Required Level         </div> </div>											
(04) Description of Expenses				Object Accounts							
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)				
Employee Names, Job Classifications, Functions Performed and Description of Expenses	Hourly Rate or Unit Cost	Hours Worked or Quantity	Salaries and Benefits	Materials and Supplies	Contract Services	Fixed Assets	Travel and Training				
Developing the necessary district policies and procedures Roeth, Lynn      Environment Health & Safety Specialist	\$55.84	1.0	\$ 55.84								
			Total	\$ 55.84	\$ -	\$ -	\$ -				
			Subtotal	\$ 55.84	\$ -	\$ -	\$ -				

MANDATED COSTS INTEGRATED WASTE MANAGEMENT ACTIVITY COST DETAIL		FORM 2A	
(01) Claimant Sierra Joint Community College District		(02) Fiscal Year 2008-2009	
(03) Reimbursable Activities: Check only one box per form to identify the activity being claimed.			
A. One-Time Activity <input type="checkbox"/> Develop Policies and Procedures <input checked="" type="checkbox"/> Train District Staff on IWM Plan		B. Ongoing Activities <input type="checkbox"/> Complete and Submit IWM Plan to Board <input type="checkbox"/> Respond to Board Requirements <input type="checkbox"/> Consult with Board to Revise Plan <input type="checkbox"/> Designate Coordinator for Each College <input type="checkbox"/> Divert Solid Waste/Maintain Required Level	
(04) Description of Expenses		Object Accounts	
(a) Employee Names, Job Classifications, Functions Performed and Description of Expenses	(b) Hourly Rate or Unit Cost	(c) Hours Worked or Quantity	(d)      (e)      (f)      (g)      (h) Salaries      Materials      Contract      Fixed      Travel and      and      Services      Assets      and Benefits      Supplies 
Training district staff on the requirements and implementation of the plan Roath, Lynn      Environment Health & Safety Specialist	\$55.64	11.0	\$ 614.24
(05) Total <input checked="" type="checkbox"/> Subtotal <input type="checkbox"/>		Page 1 of 1	
\$ 614.24		\$ -      \$ -      \$ -      \$ -	












**FY 2009-10**

**Integrated Waste Management Claim**

CLAIM FOR PAYMENT Pursuant to Government Code Section 17561 INTEGRATED WASTE MANAGEMENT		For State Controller Use only		Program
		(19) Program Number 00256	(20) Date Filed FEB 15 2011	256
		(21) LRS Input 21511		
(01) Claimant Identification Number: CC 31090 ✓		Reimbursement Claim Data		
(02) Claimant Name Sierra Joint Community College District		(22) FORM-1, (03)		
Address Placer County		(23) FORM-1A, (04)(A)(1)(f)	181	
5000 Rocklin Road		(24) FORM-1A, (04)(A)(2)(f)	499	
Rocklin CA 95677-3397		(25) FORM-1A, (04)(B)(1)(f)		
		(26) FORM-1A, (04)(B)(2)(f)		
(03)	(09) Reimbursement <input checked="" type="checkbox"/>	(27) FORM-1A, (04)(B)(3)(f)		
(04)	(10) Combined <input type="checkbox"/>	(28) FORM-1A, (04)(B)(4)(f)	2,501	
(05)	(11) Amended <input type="checkbox"/>	(29) FORM-1A, (04)(B)(5)(f)	3,443	
Fiscal Year of cost	(06) 2009-2010	(30) FORM-1A, (06)	47 2,129	
Total Claimed Amount	(07) \$ 11,498 ✓	(31) FORM-1A, (09)	11498	
Less: 10% Late Penalty (refer to claiming instructions)	(14) \$	(32) FORM-1A, (10)		
Less: Prior Claim Payment Received	(15) \$	(33) FORM-1A, (11)	41,498	
Net Claimed Amount	(16) \$ 11,498	(34)		
Due from State	(17) \$ 11,498	(35)		
Due to State	(18)	(36)		
<b>(37) CERTIFICATION OF CLAIM</b>				
<p>In accordance with the provisions of Government Code Section 17561, I certify that I am the officer authorized by the community college district to file mandated cost claims with the State of California for this program, and certify under penalty of perjury that I have not violated any of the provisions of Article 4, Chapter 1 of Division 4 of Title 1 Government Code.</p> <p>I further certify that there was no application other than from the claimant, nor any grant or payment received, for reimbursement of costs claimed herein, claimed costs are for a new program or increased level of services of an existing program; and claimed amounts do not include charter school costs, either directly or through a third party. All offsetting savings and reimbursements set forth in the parameters and guidelines are identified, and all costs claimed are supported by source documentation currently maintained by the claimant.</p> <p>The amount for this reimbursement is hereby claimed from the State for payment of actual costs set forth on the attached statements.</p> <p>I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.</p>				
Signature of Authorized Officer (USE BLUE INK)				
 Kevin Wellsfry, General Services Manager		Date Signed 2-8-11 Telephone Number (916) 660-7625 E-mail Address kwellsfry@sierracollege.edu		
Type or Print Name and Title of Authorized Signatory				
(38) Name of Agency Contact Person for Claim		Telephone Number (916) 660-7625		
Kevin Wellsfry, General Services Manager		E-mail Address kwellsfry@sierracollege.edu		
Name of Consulting Firm/Claim Preparer				
SixTen and Associates		Telephone Number (858) 514-8605		
		E-mail Address kbpsixten@aol.com		

<b>Program</b> <b>256</b>	<b>MANDATED COSTS</b> <b>INTEGRATED WASTE MANAGEMENT</b> <b>CLAIM SUMMARY</b>					<b>FORM</b> <b>1A</b>		
(01) Claimant: Sierra Joint Community College District			(02)		Fiscal Year 2009-2010			
<b>Claim Statistics</b>								
(03) Leave Blank								
<b>Direct Costs</b>			<b>Object Accounts</b>					
			(a)	(b)	(c)	(d)	(e)	(f)
			Salaries and Benefits	Materials and Supplies	Contract Services	Fixed Assets	Travel and Training	Total
(04) Reimbursable Activities								
<b>A. One-Time Activity</b>								
1. Develop Policies and Procedures			\$ 181.49	\$ -	\$ -	\$ -	\$ -	\$ 181.49
2. Train District Staff on IWM Plan			\$ 499.35	\$ -	\$ -	\$ -	\$ -	\$ 499.35
<b>B. Ongoing Activities</b>								
1. Complete and Submit IWM Plan to Board			\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
2. Respond to Board Requirements			\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
3. Consult with Board to Revise Plan			\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
4. Designate Coordinator for Each College			\$ 2,501.06	\$ -	\$ -	\$ -	\$ -	\$ 2,501.06
5. Divert Solid Waste/Maintain Required Level (Form 1B cannot be used if this activity is claimed)			\$ 3,442.71	\$ -	\$ -	\$ -	\$ -	\$ 3,442.71
(04) Total Direct Costs			\$ 6,624.61	\$ -	\$ -	\$ -	\$ -	\$ 6,624.61
<b>Indirect Costs</b>								
(05) Indirect Cost Rate			[Refer to Claiming Instructions]				47.24%	
(06) Total Indirect Costs			[Refer to Claiming Instructions]				\$ 3,129.47	
(07) Total Direct and Indirect Costs			[Line (05)(f) + line (07)]				\$ 9,754.08	
(08) Total from Forms 1A, 1B, and 1C			[Add 1A(07) + 1B(07) + 1C(07)]				\$ 11,498.13	
<b>Cost Reduction</b>								
(09) Less: Offsetting Savings							\$ -	
(10) Less: Other Reimbursements							\$ -	
(11) Total Claimed Amount:			[Line (09) - (Line (10) + Line (11))]				\$ 11,498.13	

Revised 07/09

<b>Program</b> <b>256</b>	<b>MANDATED COSTS</b> <b>INTEGRATED WASTE MANAGEMENT</b> <b>CLAIM SUMMARY</b>					<b>FORM</b> <b>1C</b>	
(01) Claimant: Sierra Joint Community College District			(02)		Fiscal Year 2009-2010		
<b>Direct Costs</b>		<b>Object Accounts</b>					
(03) Reimbursable Activities		(a) Salaries and Benefits	(b) Materials and Supplies	(c) Contract Services	(d) Fixed Assets	(e) Travel and Training	(f) Total
<b>D. Accounting System</b>		<b>Reimbursement begins January 1, 2000</b>					
1. Develop, Implement & Maintain System		\$ 1,021.26	\$ -	\$ -	\$ -	\$ -	\$ 1,021.26
<b>E. Annual Report of Progress</b>		<b>Reimbursement begins January 1, 2000</b>					
1. Calculations of Annual Disposal Reduction		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
2. Information on the Changes		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
3. Summary of Progress Made in IWM Plan		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
4. The Extent of CCD's Use of IWM Plan		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
5. Time Extension Summary of Progress		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
6. Alternative Reduction Summary of Progress		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>F. Annual Recycled Material Reports</b>		<b>Reimbursement begins July 1, 1999</b>					
1. Annual Report to the Board		\$ 163.24	\$ -	\$ -	\$ -	\$ -	\$ 163.24
(04) Total Direct Costs		\$ 1,184.50	\$ -	\$ -	\$ -	\$ -	\$ 1,184.50
<b>Indirect Costs</b>							
(05) Indirect Cost Rate [Refer to Claiming Instructions]						47.24%	
(06) Total Indirect Costs [Refer to Claiming Instructions]						\$ 559.56	
(07) Total Direct and Indirect Costs [Line (04)(f) + line (06)] [Forward total to Form-1A, line (09)]						\$ 1,744.06	

New 12/08

Program <b>256</b>	<b>MANDATED COSTS</b> <b>INTEGRATED WASTE MANAGEMENT</b> <b>ACTIVITY COST DETAIL</b>	<b>FORM</b> <b>2A</b>					
(01) Claimant Sierra Joint Community College District		(02) Fiscal Year 2009-2010					
(03) Reimbursable Activities: Check only one box per form to identify the activity being claimed.							
<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <b>A. One-Time Activity</b>  <input checked="" type="checkbox"/> Develop Policies and Procedures  <input type="checkbox"/> Train District Staff on IWM Plan         </div> <div style="width: 45%;"> <b>B. Ongoing Activities</b>  <input type="checkbox"/> Complete and Submit IWM Plan to Board  <input type="checkbox"/> Respond to Board Requirements  <input type="checkbox"/> Consult with Board to Revise Plan  <input type="checkbox"/> Designate Coordinator for Each College  <input type="checkbox"/> Divert Solid Waste/Maintain Required Level         </div> </div>							
(04) Description of Expenses							
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)
Employee Names, Job Classifications, Functions Performed and Description of Expenses	Hourly Rate or Unit Cost	Hours Worked or Quantity	Salaries and Benefits	Materials and Supplies	Contract Services	Fixed Assets	Travel and Training
Developing the necessary district policies and procedures							
Mellett, Amanda      Facilities Operations Assistant	\$40.81	3.0	\$ 122.43				
Roath, Lynn          Env Health & Safety Specialist	\$59.06	1.0	\$ 59.06				
(05) Total <input checked="" type="checkbox"/> Subtotal <input type="checkbox"/>			\$ 181.49	\$ -	\$ -	\$ -	\$ -

Program <b>256</b>	<b>MANDATED COSTS</b> <b>INTEGRATED WASTE MANAGEMENT</b> <b>ACTIVITY COST DETAIL</b>	<b>FORM</b> <b>2A</b>																								
(01) Claimant Sierra Joint Community College District		(02) Fiscal Year 2009-2010																								
(03) Reimbursable Activities: Check only one box per form to identify the activity being claimed.																										
<table style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> <b>A. One-Time Activity</b>  <input type="checkbox"/> Develop Policies and Procedures  <input checked="" type="checkbox"/> Train District Staff on IWM Plan         </td> <td style="width: 50%; vertical-align: top;"> <b>B. Ongoing Activities</b>  <input type="checkbox"/> Complete and Submit IWM Plan to Board  <input type="checkbox"/> Respond to Board Requirements  <input type="checkbox"/> Consult with Board to Revise Plan  <input type="checkbox"/> Designate Coordinator for Each College  <input type="checkbox"/> Divert Solid Waste/Maintain Required Level         </td> </tr> </table>			<b>A. One-Time Activity</b> <input type="checkbox"/> Develop Policies and Procedures <input checked="" type="checkbox"/> Train District Staff on IWM Plan	<b>B. Ongoing Activities</b> <input type="checkbox"/> Complete and Submit IWM Plan to Board <input type="checkbox"/> Respond to Board Requirements <input type="checkbox"/> Consult with Board to Revise Plan <input type="checkbox"/> Designate Coordinator for Each College <input type="checkbox"/> Divert Solid Waste/Maintain Required Level																						
<b>A. One-Time Activity</b> <input type="checkbox"/> Develop Policies and Procedures <input checked="" type="checkbox"/> Train District Staff on IWM Plan	<b>B. Ongoing Activities</b> <input type="checkbox"/> Complete and Submit IWM Plan to Board <input type="checkbox"/> Respond to Board Requirements <input type="checkbox"/> Consult with Board to Revise Plan <input type="checkbox"/> Designate Coordinator for Each College <input type="checkbox"/> Divert Solid Waste/Maintain Required Level																									
(04) Description of Expenses																										
<table style="width: 100%;"> <tr> <th style="width: 40%;">(a) Employee Names, Job Classifications, Functions Performed and Description of Expenses</th> <th style="width: 10%;">(b) Hourly Rate or Unit Cost</th> <th style="width: 10%;">(c) Hours Worked or Quantity</th> <th style="width: 10%;">(d) Salaries and Benefits</th> <th style="width: 10%;">(e) Materials and Supplies</th> <th style="width: 10%;">(f) Contract Services</th> <th style="width: 10%;">(g) Fixed Assets</th> <th style="width: 10%;">(h) Travel and Training</th> </tr> </table>			(a) Employee Names, Job Classifications, Functions Performed and Description of Expenses	(b) Hourly Rate or Unit Cost	(c) Hours Worked or Quantity	(d) Salaries and Benefits	(e) Materials and Supplies	(f) Contract Services	(g) Fixed Assets	(h) Travel and Training																
(a) Employee Names, Job Classifications, Functions Performed and Description of Expenses	(b) Hourly Rate or Unit Cost	(c) Hours Worked or Quantity	(d) Salaries and Benefits	(e) Materials and Supplies	(f) Contract Services	(g) Fixed Assets	(h) Travel and Training																			
<table style="width: 100%;"> <tr> <td style="width: 40%;">Training district staff on the requirements and implementation of the plan</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Mellett, Amanda      Facilities Operations Assistant</td> <td>\$40.81</td> <td>5.0</td> <td>\$ 204.05</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Roath, Lynn      Env Health &amp; Safety Specialist</td> <td>\$59.06</td> <td>5.0</td> <td>\$ 295.30</td> <td></td> <td></td> <td></td> <td></td> </tr> </table>			Training district staff on the requirements and implementation of the plan								Mellett, Amanda      Facilities Operations Assistant	\$40.81	5.0	\$ 204.05					Roath, Lynn      Env Health & Safety Specialist	\$59.06	5.0	\$ 295.30				
Training district staff on the requirements and implementation of the plan																										
Mellett, Amanda      Facilities Operations Assistant	\$40.81	5.0	\$ 204.05																							
Roath, Lynn      Env Health & Safety Specialist	\$59.06	5.0	\$ 295.30																							
(05) Total <input checked="" type="checkbox"/> Subtotal <input type="checkbox"/>																										
Page 1 of 1: \$ 499.35 \$ - \$ - \$ - \$ -																										



[illegible]

Program <b>256</b>	<b>MANDATED COSTS</b> <b>INTEGRATED WASTE MANAGEMENT</b> <b>ACTIVITY COST DETAIL</b>	<b>FORM</b> <b>2A</b>					
(01) Claimant Sierra Joint Community College District		(02) Fiscal Year 2009-2010					
(03) Reimbursable Activities: Check only one box per form to identify the activity being claimed.							
<table style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> <b>A. One-Time Activity</b>  <input type="checkbox"/> Develop Policies and Procedures  <input type="checkbox"/> Train District Staff on IWM Plan         </td> <td style="width: 50%; vertical-align: top;"> <b>B. Ongoing Activities</b>  <input type="checkbox"/> Complete and Submit IWM Plan to Board  <input type="checkbox"/> Respond to Board Requirements  <input type="checkbox"/> Consult with Board to Revise Plan  <input type="checkbox"/> Designate Coordinator for Each College  <input checked="" type="checkbox"/> Divert Solid Waste/Maintain Required Level         </td> </tr> </table>			<b>A. One-Time Activity</b> <input type="checkbox"/> Develop Policies and Procedures <input type="checkbox"/> Train District Staff on IWM Plan	<b>B. Ongoing Activities</b> <input type="checkbox"/> Complete and Submit IWM Plan to Board <input type="checkbox"/> Respond to Board Requirements <input type="checkbox"/> Consult with Board to Revise Plan <input type="checkbox"/> Designate Coordinator for Each College <input checked="" type="checkbox"/> Divert Solid Waste/Maintain Required Level			
<b>A. One-Time Activity</b> <input type="checkbox"/> Develop Policies and Procedures <input type="checkbox"/> Train District Staff on IWM Plan	<b>B. Ongoing Activities</b> <input type="checkbox"/> Complete and Submit IWM Plan to Board <input type="checkbox"/> Respond to Board Requirements <input type="checkbox"/> Consult with Board to Revise Plan <input type="checkbox"/> Designate Coordinator for Each College <input checked="" type="checkbox"/> Divert Solid Waste/Maintain Required Level						
(04) Description of Expenses							
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)
Employee Names, Job Classifications, Functions Performed and Description of Expenses	Hourly Rate or Unit Cost	Hours Worked or Quantity	Salaries and Benefits	Materials and Supplies	Contract Services	Fixed Assets	Travel and Training
Diverting solid waste from landfill disposal or transformation facilities - recycling Mellett, Amanda      Facilities Operations Assistant Roath, Lynn            Env Health & Safety Specialist Pierce, Adam           Recycling Assistant	\$40.81 \$59.06 \$9.60	7.0 16.0 144.0	\$ 285.67 \$ 944.96 \$ 1,368.00				
Diverting solid waste from landfill disposal or transformation facilities - source reduction Roath, Lynn            Env Health & Safety Specialist	\$59.06	6.0	\$ 354.36				
Diverting solid waste from landfill disposal or transformation facilities - special waste Mellett, Amanda      Facilities Operations Assistant	\$40.81	12.0	\$ 489.72				
(05) Total <input checked="" type="checkbox"/> Subtotal <input type="checkbox"/>			Page 1 of 1	\$ 3,442.71	\$ -	\$ -	\$ -

Program <b>256</b>		MANDATED COSTS INTEGRATED WASTE MANAGEMENT ACTIVITY COST DETAIL					FORM 2C			
(01) Claimant Sierra Joint Community College District				(02) Fiscal Year 2009-2010						
(03) Reimbursable Activities: Check only one box per form to identify the activity being claimed.										
<b>D. Accounting System</b> <input checked="" type="checkbox"/> Develop, Implement & Maintain System				<b>E. Annual Report of Progress</b> <input type="checkbox"/> Calculations of Annual Disposal Reduction <input type="checkbox"/> Information on the Changes <input type="checkbox"/> Summary of Progress Made in IWM Plan <input type="checkbox"/> The Extent of CCD's Use of IWM Plan <input type="checkbox"/> Time Extension Summary of Progress <input type="checkbox"/> Alternative Reduction Summary of Progress						
<b>F. Annual Recycled Materials Reports</b> <input type="checkbox"/> Annual Report to the Board										
<b>(04) Description of Expenses</b>				<b>Object Accounts</b>						
(a) Employee Names, Job Classifications, Functions Performed and Description of Expenses				(b) Hourly Rate or Unit Cost	(c) Hours Worked or Quantity	(d) Salaries and Benefits	(e) Materials and Supplies	(f) Contract Services	(g) Fixed Assets	(h) Travel and Training
Developing, implementing, maintaining accounting system to track source reduction, recycling, or composting Mellett, Amanda Facilities Operations Assistant Roath, Lynn Env Health & Safety Specialist				\$40.81 \$59.06	12.0 9.0	\$ 489.72 \$ 531.54				
(05) Total <input checked="" type="checkbox"/> Subtotal <input type="checkbox"/>				Page 1 of 1		\$ 1,021.26	\$ -	\$ -	\$ -	\$ -

Program <b>256</b>	<b>MANDATED COSTS</b> <b>INTEGRATED WASTE MANAGEMENT</b> <b>ACTIVITY COST DETAIL</b>	<b>FORM</b> <b>2C</b>					
(01) Claimant Sierra Joint Community College District		(02) Fiscal Year 2009-2010					
(03) Reimbursable Activities: Check only one box per form to identify the activity being claimed.							
<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <b>D. Accounting System</b>  <input type="checkbox"/> Develop, Implement &amp; Maintain System  <b>F. Annual Recycled Materials Reports</b>  <input checked="" type="checkbox"/> Annual Report to the Board         </div> <div style="width: 45%;"> <b>E. Annual Report of Progress</b>  <input type="checkbox"/> Calculations of Annual Disposal Reduction  <input type="checkbox"/> Information on the Changes  <input type="checkbox"/> Summary of Progress Made in IWM Plan  <input type="checkbox"/> The Extent of CCD's Use of IWM Plan  <input type="checkbox"/> Time Extension Summary of Progress  <input type="checkbox"/> Alternative Reduction Summary of Progress         </div> </div>							
(04) Description of Expenses							
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)
Employee Names, Job Classifications, Functions Performed and Description of Expenses	Hourly Rate or Unit Cost	Hours Worked or Quantity	Salaries and Benefits	Materials and Supplies	Contract Services	Fixed Assets	Travel and Training
Reporting annually to the Board quantities of recyclable materials collected Mellett, Amanda      Facilities Operations Assistant	\$40.81	4.0	\$ 163.24				
(05) Total <input checked="" type="checkbox"/> Subtotal <input type="checkbox"/>			\$ 163.24	\$ -	\$ -	\$ -	\$ -





JOHN CHIANG  
California State Controller  
Division of Accounting and Reporting  
AUGUST 4, 2013

CC31090  
00256  
2013/08/04

BOARD OF TRUSTEES  
SIERRA JOINT COMM COLL DIST  
PLACER COUNTY  
5000 ROCKLIN RD  
ROCKLIN CA 95677

DEAR CLAIMANT:

RE: INTEGRATED WASTE MGT:1116/92-C

WE HAVE REVIEWED YOUR 1999/2000 FISCAL YEAR REIMBURSEMENT CLAIM FOR THE MANDATED COST PROGRAM REFERENCED ABOVE. THE RESULTS OF OUR REVIEW ARE AS FOLLOWS:

AMOUNT CLAIMED 23,194.00

ADJUSTMENT TO CLAIM:

FIELD AUDIT FINDINGS 3,981.00

TOTAL ADJUSTMENTS 3,981.00

AMOUNT DUE CLAIMANT \$ 19,213.00

IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT DENNIS SPECIALE AT (916) 324-0254 OR IN WRITING AT THE STATE CONTROLLER'S OFFICE, DIVISION OF ACCOUNTING AND REPORTING, P.O. BOX 942850, SACRAMENTO, CA 94250-5875. DUE TO INSUFFICIENT APPROPRIATION, THE BALANCE DUE WILL BE FORTHCOMING WHEN ADDITIONAL FUNDS ARE MADE AVAILABLE.

SINCERELY,

JAY LAL, MANAGER



JOHN CHIANG  
California State Controller  
Division of Accounting and Reporting  
AUGUST 4, 2013

CC31090  
00256  
2013/08/04

BOARD OF TRUSTEES  
SIERRA JOINT COMM COLL DIST  
PLACER COUNTY  
5000 ROCKLIN RD  
ROCKLIN CA 95677

DEAR CLAIMANT:

RE: INTEGRATED WASTE MGT:1116/92-C

WE HAVE REVIEWED YOUR 2000/2001 FISCAL YEAR REIMBURSEMENT CLAIM FOR THE MANDATED COST PROGRAM REFERENCED ABOVE. THE RESULTS OF OUR REVIEW ARE AS FOLLOWS:

AMOUNT CLAIMED 26,238.00

ADJUSTMENT TO CLAIM:

FIELD AUDIT FINDINGS 7,250.00

TOTAL ADJUSTMENTS 7,250.00

AMOUNT DUE CLAIMANT \$ 18,988.00

IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT DENNIS SPECIALE AT (916) 324-0254 OR IN WRITING AT THE STATE CONTROLLER'S OFFICE, DIVISION OF ACCOUNTING AND REPORTING, P.O. BOX 942850, SACRAMENTO, CA 94250-5875. DUE TO INSUFFICIENT APPROPRIATION, THE BALANCE DUE WILL BE FORTHCOMING WHEN ADDITIONAL FUNDS ARE MADE AVAILABLE.

SINCERELY,

JAY LAL, MANAGER

LOCAL REIMBURSEMENT SECTION  
P.O. BOX 942850 SACRAMENTO 94250-5875



JOHN CHIANG  
California State Controller  
Division of Accounting and Reporting  
AUGUST 4, 2013

CC31090  
00256  
2013/08/04

BOARD OF TRUSTEES  
SIERRA JOINT COMM COLL DIST  
PLACER COUNTY  
5000 ROCKLIN RD  
ROCKLIN CA 95677

DEAR CLAIMANT:

RE: INTEGRATED WASTE MGT:1116/92-C

WE HAVE REVIEWED YOUR 2003/2004 FISCAL YEAR REIMBURSEMENT CLAIM FOR THE MANDATED COST PROGRAM REFERENCED ABOVE. THE RESULTS OF OUR REVIEW ARE AS FOLLOWS:

AMOUNT CLAIMED 24,857.00

ADJUSTMENT TO CLAIM:

FIELD AUDIT FINDINGS 17,095.00

TOTAL ADJUSTMENTS - 17,095.00

AMOUNT DUE CLAIMANT \$ 7,762.00

IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT DENNIS SPECIALE AT (916) 324-0254 OR IN WRITING AT THE STATE CONTROLLER'S OFFICE, DIVISION OF ACCOUNTING AND REPORTING, P.O. BOX 942850, SACRAMENTO, CA 94250-5875. DUE TO INSUFFICIENT APPROPRIATION, THE BALANCE DUE WILL BE FORTHCOMING WHEN ADDITIONAL FUNDS ARE MADE AVAILABLE.

SINCERELY,

JAY LAL, MANAGER





JOHN CHIANG  
California State Controller  
Division of Accounting and Reporting  
AUGUST 4, 2013

CC31090  
00256  
2013/08/04

BOARD OF TRUSTEES  
SIERRA JOINT COMM COLL DIST  
PLACER COUNTY  
5000 ROCKLIN RD  
ROCKLIN CA 95677

DEAR CLAIMANT:

RE: INTEGRATED WASTE MGT:1116/92-C

WE HAVE REVIEWED YOUR 2004/2005 FISCAL YEAR REIMBURSEMENT CLAIM FOR THE MANDATED COST PROGRAM REFERENCED ABOVE. THE RESULTS OF OUR REVIEW ARE AS FOLLOWS:

AMOUNT CLAIMED 28,125.00

ADJUSTMENT TO CLAIM:

FIELD AUDIT FINDINGS 19,634.00

TOTAL ADJUSTMENTS 19,634.00

AMOUNT DUE CLAIMANT \$ 8,491.00

IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT DENNIS SPECIALE AT (916) 324-0254 OR IN WRITING AT THE STATE CONTROLLER'S OFFICE, DIVISION OF ACCOUNTING AND REPORTING, P.O. BOX 942850, SACRAMENTO, CA 94250-5875. DUE TO INSUFFICIENT APPROPRIATION, THE BALANCE DUE WILL BE FORTHCOMING WHEN ADDITIONAL FUNDS ARE MADE AVAILABLE.

SINCERELY,

JAY LAL, MANAGER

LOCAL REIMBURSEMENT SECTION  
P.O. BOX 942850 SACRAMENTO CA 94250-5875



JOHN CHIANG  
California State Controller  
Division of Accounting and Reporting  
AUGUST 4, 2013

CC31090  
00256  
2013/08/04

BOARD OF TRUSTEES  
SIERRA JOINT COMM COLL DIST  
PLACER COUNTY  
5000 ROCKLIN RD  
ROCKLIN CA 95677

DEAR CLAIMANT:

RE: INTEGRATED WASTE MGT:1116/92-C

WE HAVE REVIEWED YOUR 2005/2006 FISCAL YEAR REIMBURSEMENT CLAIM FOR THE MANDATED COST PROGRAM REFERENCED ABOVE. THE RESULTS OF OUR REVIEW ARE AS FOLLOWS:

AMOUNT CLAIMED 36,948.00

ADJUSTMENT TO CLAIM:

FIELD AUDIT FINDINGS 22,011.00

TOTAL ADJUSTMENTS 22,011.00

AMOUNT DUE CLAIMANT \$ 14,937.00

IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT DENNIS SPECIALE AT (916) 324-0254 OR IN WRITING AT THE STATE CONTROLLER'S OFFICE, DIVISION OF ACCOUNTING AND REPORTING, P.O. BOX 942850, SACRAMENTO, CA 94250-5875. DUE TO INSUFFICIENT APPROPRIATION, THE BALANCE DUE WILL BE FORTHCOMING WHEN ADDITIONAL FUNDS ARE MADE AVAILABLE.

SINCERELY,

JAY LAL, MANAGER



JOHN CHIANG  
California State Controller  
Division of Accounting and Reporting  
AUGUST 4, 2013

CC31090  
00256  
2013/08/04

BOARD OF TRUSTEES  
SIERRA JOINT COMM COLL DIST  
PLACER COUNTY  
5000 ROCKLIN RD  
ROCKLIN CA 95677

DEAR CLAIMANT:

RE: INTEGRATED WASTE MGT:1116/92-C

WE HAVE REVIEWED YOUR 2006/2007 FISCAL YEAR REIMBURSEMENT CLAIM FOR THE MANDATED COST PROGRAM REFERENCED ABOVE. THE RESULTS OF OUR REVIEW ARE AS FOLLOWS:

AMOUNT CLAIMED 53,125.00

ADJUSTMENT TO CLAIM:

FIELD AUDIT FINDINGS 23,732.00

TOTAL ADJUSTMENTS 23,732.00

AMOUNT DUE CLAIMANT \$ 29,393.00

IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT DENNIS SPECIALE AT (916) 324-0254 OR IN WRITING AT THE STATE CONTROLLER'S OFFICE, DIVISION OF ACCOUNTING AND REPORTING, P.O. BOX 942850, SACRAMENTO, CA 94250-5875. DUE TO INSUFFICIENT APPROPRIATION, THE BALANCE DUE WILL BE FORTHCOMING WHEN ADDITIONAL FUNDS ARE MADE AVAILABLE.

SINCERELY,

JAY LAL, MANAGER



JOHN CHIANG  
California State Controller  
Division of Accounting and Reporting  
AUGUST 4, 2013

CC31090  
00256  
2013/08/04

BOARD OF TRUSTEES  
SIERRA JOINT COMM COLL DIST  
PLACER COUNTY  
5000 ROCKLIN RD  
ROCKLIN CA 95677

DEAR CLAIMANT:

RE: INTEGRATED WASTE MGT:1116/92-C

WE HAVE REVIEWED YOUR 2007/2008 FISCAL YEAR REIMBURSEMENT CLAIM FOR THE MANDATED COST PROGRAM REFERENCED ABOVE. THE RESULTS OF OUR REVIEW ARE AS FOLLOWS:

AMOUNT CLAIMED 19,388.00

ADJUSTMENT TO CLAIM:

FIELD AUDIT FINDINGS 19,388.00

TOTAL ADJUSTMENTS 19,388.00

AMOUNT DUE CLAIMANT \$ 0.00

IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT DENNIS SPECIALE AT (916) 324-0254 OR IN WRITING AT THE STATE CONTROLLER'S OFFICE, DIVISION OF ACCOUNTING AND REPORTING, P.O. BOX 942850, SACRAMENTO, CA 94250-5875.

SINCERELY,

JAY LAL, MANAGER



JOHN CHIANG  
California State Controller  
Division of Accounting and Reporting  
AUGUST 4, 2013

CC31090  
00256  
2013/08/04

BOARD OF TRUSTEES  
SIERRA JOINT COMM COLL DIST  
PLACER COUNTY  
5000 ROCKLIN RD  
ROCKLIN CA 95677

DEAR CLAIMANT:

RE: INTEGRATED WASTE MGT:1116/92-C

WE HAVE REVIEWED YOUR 2008/2009 FISCAL YEAR REIMBURSEMENT CLAIM FOR THE MANDATED COST PROGRAM REFERENCED ABOVE. THE RESULTS OF OUR REVIEW ARE AS FOLLOWS:

AMOUNT CLAIMED 15,046.00

ADJUSTMENT TO CLAIM:

FIELD AUDIT FINDINGS 15,046.00

TOTAL ADJUSTMENTS 15,046.00

AMOUNT DUE CLAIMANT \$ 0.00

IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT DENNIS SPECIALE AT (916) 324-0254 OR IN WRITING AT THE STATE CONTROLLER'S OFFICE, DIVISION OF ACCOUNTING AND REPORTING, P.O. BOX 942850, SACRAMENTO, CA 94250-5875.

SINCERELY,

JAY LAL, MANAGER



JOHN CHIANG  
California State Controller  
Division of Accounting and Reporting  
AUGUST 4, 2013

CC31090  
00256  
2013/08/04

BOARD OF TRUSTEES  
SIERRA JOINT COMM COLL DIST  
PLACER COUNTY  
5000 ROCKLIN RD  
ROCKLIN CA 95677

DEAR CLAIMANT:

RE: INTEGRATED WASTE MGT:1116/92-C

WE HAVE REVIEWED YOUR 2009/2010 FISCAL YEAR REIMBURSEMENT CLAIM FOR THE MANDATED COST PROGRAM REFERENCED ABOVE. THE RESULTS OF OUR REVIEW ARE AS FOLLOWS:

AMOUNT CLAIMED 11,498.00

ADJUSTMENT TO CLAIM:

FIELD AUDIT FINDINGS 11,498.00

TOTAL ADJUSTMENTS 11,498.00

AMOUNT DUE CLAIMANT \$ 0.00

IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT DENNIS SPECIALE AT (916) 324-0254 OR IN WRITING AT THE STATE CONTROLLER'S OFFICE, DIVISION OF ACCOUNTING AND REPORTING, P.O. BOX 942850, SACRAMENTO, CA 94250-5875.

SINCERELY,

JAY LAL, MANAGER



RECEIVED  
October 30, 2015  
Commission on  
State Mandates

LATE FILING

BETTY T. YEE  
California State Controller

October 30, 2015

Heather Halsey  
Executive Director  
Commission on State Mandates  
980 Ninth Street, Suite 300  
Sacramento, CA 95814

Re: **Incorrect Reduction Claim (IRC)**

*Integrated Waste Management*, 13-0007-I-02  
Public Resources Code Sections 40418, 40196.3, and 42920-42928  
Public Contract Code Sections 12167 and 12167.1  
Statutes of 1992, Chapter 1116 (AB 3521); Statutes of 1999, Chapter 764 (AB 75)  
Fiscal Years: 1999-2000, 2000-2001, 2003-2004, 2004-2005, 2005-2006,  
2006-2007, 2007-2008, 2008-09, and 2009-10  
Sierra Joint Community College District, Claimant

Dear Ms. Halsey:

The State Controller's Office is transmitting our response to the above-named IRC.

If you have any questions, please contact me by telephone at (916) 323-5849.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim L. Spano".

JIM L. SPANO, Chief  
Mandated Cost Audits Bureau  
Division of Audits

JS/lis

16164

**RESPONSE BY THE STATE CONTROLLER'S OFFICE  
TO THE INCORRECT REDUCTION CLAIM (IRC) BY  
SIERRA JOINT COMMUNITY COLLEGE DISTRICT**

**Integrated Waste Management Program**

**Table of Contents**

<b><u>Description</u></b>	<b><u>Page</u></b>
<b>State Controller's Office (SCO) Response to District's Comments</b>	
Affidavit .....	Tab 1
SCO Analysis and Response .....	Tab 2
Sacramento County Superior Court Judgment Granting Petition for Writ of Administrative Mandamus, Dated June 30, 2008.....	Tab 3
District's Waste Management Annual Reports of Diversion to CalRecycle.....	Tab 4
Disposal Fee for General Refuse, Western Placer Waste Management Authority .....	Tab 5
Sacramento County Superior Court Ruling, Dated May 29, 2008.....	Tab 6
SCO Offsetting Savings Calculation.....	Tab 7
SCO Email to Inform District of Review Finding, Dated May 10, 2013.....	Tab 8
CalRecycle's "Understanding SB 1016 Solid Waste Per Capita Disposal Measurement Act" .....	Tab 9
CalRecycle Web Site Information Regarding Hazardous Waste Materials .....	Tab 10
California Integrated Waste Management Board Letter on Statewide Average Disposal Fees for Solid Waste Hauled to a Landfill, Dated September 21, 2009.....	Tab 11
CalRecycle Provides Landfill Disposal Fees for Calendar Years 2007 and 2008 .....	Tab 12
CalRecycle Provides Landfill Disposal Fees for Calendar Years 2009 and 2010 .....	Tab 13
Exhibits relate to the district's IRC filed on June 19, 2014:	
• Exhibit A – PDF pages 24, 26, 30, 31, and 32	
• Exhibit B - PDF pages 37, 49, 50, 52, 54, 56, and 59	
• Exhibit C – PDF pages 62, 83, and 84	
• Exhibit D – PDF pages 205, 214, 224, 234, 244, 251, 260, 269, and 279	



## **Tab 1**

1 **OFFICE OF THE STATE CONTROLLER**

2 Division of Audits

3 3301 C Street, Suite 725

4 Sacramento, CA 95816

5 Telephone No.: (916) 324-8907

6 **BEFORE THE**

7 **COMMISSION ON STATE MANDATES**

8 **STATE OF CALIFORNIA**

9 **INCORRECT REDUCTION CLAIM (IRC)**  
10 **ON:**

11 *Integrated Waste Management Program*

12 Public Resources Code Sections 40418,  
13 40196.3, 42920, 42921, 42922, 42923, 42924,  
14 42925, 42926, 42927, and 42928; Public  
15 Contract Code Sections 12167 and 12167.1

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

18 **SIERRA JOINT COMMUNITY COLLEGE**  
19 **DISTRICT, Claimant**

No.: IRC 13-0007-I-02

**AFFIDAVIT OF BUREAU CHIEF**

20 I, Jim L. Spano, make the following declarations:

- 21 1) I am an employee of the State Controller's Office (SCO) and am over the age of  
22 18 years.
- 23 2) I am currently employed as a bureau chief, and have been so since April 21, 2000.  
24 Before that, I was employed as an audit manager for two years and three months.
- 25 3) I am a California Certified Public Accountant.
- 4) I reviewed the work performed by the SCO auditor.
- 5) Any attached copies of records are true copies of records, as provided by Sierra Joint  
Community College District, CalRecycle, or retained at our place of business.

- 1 6) The records include claims for reimbursement, and attached supporting documentation,  
2 explanatory letters, or other documents relating to the above-entitled IRC.
- 3 7) A review of the claims for fiscal year (FY) 1999-2000, FY 2000-01, FY 2003-04, FY 2004-05,  
4 FY 2005-06, FY 2006-07, FY 2007-08, FY 2008-09, and FY 2009-10 commenced on May 10,  
5 2013 (initial contact date) and was completed on July 22, 2013 (issuance of review report).

6 I do declare that the above declarations are made under penalty of perjury and are true and  
7 correct to the best of my knowledge, and that such knowledge is based on personal  
8 observation, information, or belief.

9 Date: October 30, 2015

10 OFFICE OF THE STATE CONTROLLER

11 By: 

12 Jim L. Spano, Chief  
13 Mandated Cost Audits Bureau  
14 Division of Audits  
15 State Controller's Office  
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## **Tab 2**

**STATE CONTROLLER'S OFFICE ANALYSIS AND RESPONSE  
TO THE INCORRECT REDUCTION CLAIM BY  
SIERRA JOINT COMMUNITY COLLEGE DISTRICT**

**For Fiscal Year (FY) 1999-2000, FY 2000-01, FY 2003-04, FY 2004-05,  
FY 2005-06, FY 2006-07, FY 2007-08, FY 2008-09, and FY 2009-10**

**Integrated Waste Management Program  
Public Resources Code Sections 40418, 40196.3, 42920, 42921, 42922, 42923, 42924, 42925,  
42926, 42927, and 42928; Public Contract Code Sections 12167 and 12167.1;  
Statutes of 1992, Chapter 1116 (AB 3521); Statutes of 1999, Chapter 764 (AB 75)**

**SUMMARY**

The following is the State Controller's Office's (SCO) response to the Incorrect Reduction Claim (IRC) that Sierra Joint Community College District filed on June 19, 2014. The SCO reviewed the district's claims for costs of the legislatively mandated Integrated Waste Management (IWM) Program for the period of July 1, 1999, through June 30, 2001; and July 1, 2003, through June 30, 2010. The SCO issued its final report on July 22, 2013 [Exhibit A, page 24].

The district submitted reimbursement claims totaling \$238,419—\$23,194 for fiscal year (FY) 1999-2000 [Exhibit D, page 205], \$26,238 for FY 2000-01 [Exhibit D, page 214], \$24,857 for FY 2003-04 [Exhibit D, page 224], \$28,125 for FY 2004-05 [Exhibit D, page 234], \$36,948 for FY 2005-06 [Exhibit D, page 244], \$53,125 for FY 2006-07 [Exhibit D, page 251], \$19,388 for FY 2007-08 [Exhibit D, page 260], \$15,046 for FY 2008-09 [Exhibit D, page 269], \$11,498 for FY 2009-10 [Exhibit D, page 279]. Subsequently, the SCO reviewed these claims and found that \$98,784 is allowable and \$139,635 is unallowable [Exhibit A, page 24] because the district did not report any offsetting savings realized from implementation of its IWM plan.

The following table summarizes the review results:

<u>Cost Elements</u>	<u>Actual Costs Claimed</u>	<u>Allowable per Review</u>	<u>Review Adjustment</u>
<u>July 1, 1999, through June 30, 2000</u>			
Direct costs:			
Salaries and benefits	\$ 14,738	\$ 14,738	\$ -
Materials and supplies	2,259	2,259	-
Total direct costs	16,997	16,997	-
Indirect costs	6,197	6,197	-
Total direct and indirect costs	23,194	23,194	-
Less offsetting savings	-	(3,981)	(3,981)
Total program costs	<u>\$ 23,194</u>	19,213	<u>\$ (3,981)</u>
Less amount paid by the State <sup>1</sup>		(19,213)	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ -</u>	

Cost Elements	Actual Costs Claimed	Allowable per Review	Review Adjustment
<u>July 1, 2000, through June 30, 2001</u>			
Direct costs:			
Salaries and benefits	\$ 17,330	\$ 17,330	\$ -
Materials and supplies	1,743	1,743	-
Total direct costs	19,073	19,073	-
Indirect costs	7,165	7,165	-
Total direct and indirect costs	26,238	26,238	-
Less offsetting savings	-	(7,250)	(7,250)
Total program costs	<u>\$ 26,238</u>	18,988	<u>\$ (7,250)</u>
Less amount paid by the State <sup>1</sup>		(18,988)	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ -</u>	
<u>July 1, 2003, through June 30, 2004</u>			
Direct costs:			
Salaries and benefits	\$ 16,342	\$ 16,342	\$ -
Materials and supplies	2,239	2,239	-
Total direct costs	18,581	18,581	-
Indirect costs	6,276	6,276	-
Total direct and indirect costs	24,857	24,857	-
Less offsetting savings	-	(17,095)	(17,095)
Total program costs	<u>\$ 24,857</u>	7,762	<u>\$ (17,095)</u>
Less amount paid by the State <sup>1</sup>		(7,762)	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ -</u>	
<u>July 1, 2004, through June 30, 2005</u>			
Direct costs:			
Salaries and benefits	\$ 18,552	\$ 18,552	\$ -
Materials and supplies	1,986	1,986	-
Total direct costs	20,538	20,538	-
Indirect costs	7,587	7,587	-
Total direct and indirect costs	28,125	28,125	-
Less offsetting savings	-	(19,634)	(19,634)
Total program costs	<u>\$ 28,125</u>	8,491	<u>\$ (19,634)</u>
Less amount paid by the State <sup>1</sup>		(8,491)	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ -</u>	

Cost Elements	Actual Costs Claimed	Allowable per Review	Review Adjustment
<u>July 1, 2005, through June 30, 2006</u>			
Direct costs:			
Salaries and benefits	\$ 27,227	\$ 27,227	\$ -
Indirect costs	9,721	9,721	-
Total direct and indirect costs	36,948	36,948	-
Less offsetting savings	-	(22,011)	(22,011)
Total program costs	<u>\$ 36,948</u>	14,937	<u>\$ (22,011)</u>
Less amount paid by the State <sup>1</sup>		(14,937)	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ -</u>	
<u>July 1, 2006, through June 30, 2007</u>			
Direct costs:			
Salaries and benefits	\$ 20,995	\$ 20,995	\$ -
Materials and supplies	24,050	24,050	-
Total direct costs	45,045	45,045	-
Indirect costs	8,080	8,080	-
Total direct and indirect savings	53,125	53,125	-
Less offsetting savings	-	(23,732)	(23,732)
Total program costs	<u>\$ 53,125</u>	29,393	<u>\$ (23,732)</u>
Less amount paid by the State <sup>1</sup>		-	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 29,393</u>	
<u>July 1, 2007, through June 30, 2008</u>			
Direct costs:			
Salaries and benefits	\$ 14,067	\$ 14,067	\$ -
Indirect costs	5,321	5,321	-
Total direct and indirect costs	19,388	19,388	-
Less offsetting savings	-	(24,282)	(24,282)
Subtotal	19,388	(4,894)	(24,282)
Adjustment to eliminate negative balance	-	4,894	4,894
Total program costs	<u>\$ 19,388</u>	-	<u>\$ (19,388)</u>
Less amount paid by the State <sup>1</sup>		-	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ -</u>	

Cost Elements	Actual Costs Claimed	Allowable per Review	Review Adjustment
<u>July 1, 2008, through June 30, 2009</u>			
Direct costs:			
Salaries and benefits	\$ 10,219	\$ 10,219	\$ -
Indirect costs	4,827	4,827	-
Total direct and indirect costs	15,046	15,046	-
Less offsetting savings	-	(25,999)	(25,999)
Subtotal	15,046	(10,953)	(25,999)
Adjustment to eliminate negative balance	-	10,953	10,953
Total program costs	<u>\$ 15,046</u>	-	<u>\$ (15,046)</u>
Less amount paid by the State <sup>1</sup>		-	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ -</u>	
<u>July 1, 2009, through June 30, 2010</u>			
Direct costs:			
Salaries and benefits	\$ 7,809	\$ 7,809	\$ -
Indirect costs	3,689	3,689	-
Total direct and indirect costs	11,498	11,498	-
Less offsetting savings	-	(27,225)	(27,225)
Subtotal	11,498	(15,727)	(27,225)
Adjustment to eliminate negative balance	-	15,727	15,727
Total program costs	<u>\$ 11,498</u>	-	<u>\$ (11,498)</u>
Less amount paid by the State <sup>1</sup>		-	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ -</u>	
<u>Summary: July 1, 1999, through June 30, 2010</u>			
Direct costs:			
Salaries and benefits	\$ 147,279	\$ 147,279	\$ -
Materials and supplies	32,277	32,277	-
Total direct costs	179,556	179,556	-
Indirect costs	58,863	58,863	-
Total direct and indirect costs	238,419	238,419	-
Less offsetting savings	-	(171,209)	(171,209)
Subtotal	238,419	67,210	(171,209)
Adjustment to eliminate negative balance	-	31,574	31,574
Total program costs	<u>\$ 238,419</u>	98,784	<u>\$ (139,635)</u>
Less amount paid by the State <sup>1</sup>		(69,391)	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 29,393</u>	

<sup>1</sup> Payment information current as of October 14, 2015.



## **I. INTEGRATED WASTE MANAGEMENT PROGRAM CRITERIA**

### **Parameters and Guidelines**

On March 30, 2005, the Commission on State Mandates (Commission) adopted the parameters and guidelines for Chapter 764, Statutes of 1999; and Chapter 1116, Statutes of 1992 [Exhibit B, page 37]. The Commission amended the parameters and guidelines on September 26, 2008 [Exhibit B, page 49], as directed by the Superior Court of California, County of Sacramento, No. 07CS00355 [Tab 3].

Section VIII of the amended parameters and guidelines define offsetting cost savings as follows [Exhibit B, page 59]:

#### **VII. OFFSETTING COST SAVINGS**

Reduced or avoided costs realized from implementation of the community college district's Integrated Waste Management plans shall be identified and offset from this claim as cost savings, consistent with the directions for revenue in Public Contract Code sections 12167 and 12167.1. Pursuant to these statutes, community college districts are required to deposit cost savings resulting from the Integrated Waste Management plans in the Integrated Waste Management Account in the Integrated Waste Management Fund; the funds deposited in the Integrated Waste Management Account, upon appropriation by the Legislature, may be expended by the California Integrated Waste Management Board for the purpose of offsetting Integrated Waste Management plan costs. Subject to the approval of the California Integrated Waste Management Board, cost savings by a community college that do not exceed two thousand dollars (\$2,000) annually are continually appropriated for expenditure by the community college for the purpose of offsetting Integrated Waste Management program costs. Cost savings exceeding two thousand dollars (\$2,000) annually may be available for expenditure by the community college only when appropriated by the Legislature. To the extent so approved or appropriated and applied to the college, these amounts shall be identified and offset from the costs claimed for implementing the Integrated Waste Management Plan.

### **SCO Claiming Instructions**

The SCO annually issues mandated cost claiming instructions, which contain filing instructions for mandated cost programs [Exhibit C]. On June 6, 2005, the SCO issued the IWM claiming instructions [Exhibit C, page 62]. On December 1, 2008, the SCO amended the IWM claiming instructions to be consistent with the amended parameters and guidelines [Exhibit C, page 83]. The amended claiming instructions provided community college districts the ability to refile its FY 1999-2000 through FY 2007-08 claims to report the required offsetting savings.

## **II. DISTRICT UNREPORTED OFFSETTING SAVINGS**

### **Issue**

For the period of July 1, 1999, through June 30, 2001; and July 1, 2003, through June 30, 2010, the district did not report any offsetting savings on its mandated costs claims. We found that the district realized savings of \$171,209 from implementation of its IWM plan.

The district believes that none of the cost savings were realized by the district, as required by the parameters and guidelines.

### SCO's Analysis:

The amended parameters and guidelines require districts to report reduced or avoided costs realized from implementation of the community college district's IWM plan, consistent with the directions for revenue in Public Contract Code sections 12167 and 12167.1 [Exhibit B, page 59].

This issue of realized offsetting savings has already been decided by the Sacramento County Superior Court, which issued a Judgment and Writ of Mandate on June 30, 2008 [Tab 3]. The court ordered the Commission to amend the parameters and guidelines to require community college districts claiming reimbursable costs of an IWM plan to identify and offset from their claims (consistent with the directions for revenue in Public Contract Code sections 12167 and 12167.1) cost savings realized as a result of implementing their plan [Tab 3, page 2].

Public Contract Code section 12167 requires that revenues received from the IWM plan or any other activity involving the collection and sale of recyclable materials in State offices located in State-owned and State-leased buildings be deposited in the IWM Account in the IWM Fund. For the period of July 1, 1999, through June 30, 2001; and July 1, 2003, through June 30, 2010, the district did not remit to the State any savings realized from implementation of its IWM plan. However, the failure of the district to remit to the State the savings realized from implementation of its IWM plan does not preclude it from the requirement to do so.

Government Code section 17514 defines "costs mandated by the state" as any increased costs that either a local agency or school district is required to incur. In addition, Government Code section 17556, subdivision (e), states that reimbursement is precluded if the statute provides for offsetting savings that result in no net costs to the local agency. For purposes of section 6 of article XIII B of the California Constitution and the statutes implementing section 6, California Community Colleges are defined as school districts and treated as local governments. To the extent that Sierra Joint Community College District realized cost savings, it is not required to incur increased costs.

### District's Response:

#### **A. OFFSETTING COST SAVINGS**

The District did not report offsetting cost savings because none were realized. The audit report states that the total claimed costs of \$238,419 should have been reduced by \$139,635 of cost savings calculated by multiplying the tonnage diverted by a statewide average landfill fee per ton. However, none of these alleged cost savings were realized by the District as required by the parameters and guidelines.

#### **2. Assumed Cost Savings**

The court presupposes a previous legal requirement for districts to incur landfill disposal fees to divert solid waste. Thus, potentially relieved of the need to incur new or additional landfill fees for increased waste diversion, a cost savings would occur. There is no finding of fact or law in the court decision or from the Commission Statement of Decision for the test claim for this assumed duty to use landfills. However, since the court stated that the cost savings from avoided landfill costs are only "likely," potential costs savings would be a finding of fact not law. There is no evidence in the court decision that these reduced or avoided landfill costs occurred at all or to any one district other than the bare assertion that such savings may have occurred. Thus, potential landfill cost savings would be a question of fact for each claiming district. However, the Controller's audit adjustment erroneously and simply assumes these cost savings occurred in the form of avoided landfill fees for the mandated tonnage diverted. The audit report merely states that the Controller has "determined that the district had reduced or avoided costs" apparently, and only, as a result of increased diversion of solid waste.

3. Realized Cost Savings

The parameters and guidelines language does not assume that the cost savings occurred, but instead requires that the cost savings be *realized*. The amended parameters and guidelines, relying upon the court decision, state that "(r)educed or avoided costs *realized* from implementation of the community college districts' Integrated Waste Management plans shall be identified and offset from this claim as cost savings...." To be realized, the court states that the following string of events must occur:

Thus, in accordance with section 12167, state agencies, along with California Community Colleges which are defined as state agencies for purposes of IWM plan requirements in Public Resources Code section 42920 et seq. (Pub. Resources Code §§ 40196, 40148), must deposit cost savings resulting from IWM plans in the Integrated Waste Management Account in the Integrated Waste Management Fund; the funds deposited in the Integrated Waste Management Account, upon appropriation by the Legislature, may be expended by the Integrated Waste Management Board for the purpose of offsetting IWM plan costs. In accordance with section 12167.1 and notwithstanding section 12167, cost savings from the IWM plans of the agencies and colleges that do not exceed \$2,000 annually are continuously appropriated for expenditure by the agencies and colleges for the purpose of offsetting IWM plan implementation and administration costs; cost savings resulting from IWM plan in excess of \$2,000 annually are available for such expenditure by the agencies and colleges when appropriated by the Legislature.

For the cost savings to be realized, the parameters and guidelines further require that "(t)o the extent so approved or appropriated and applied to the college, these amounts shall be identified and offset from the costs claimed for implementing the Integrated Waste Management Plan." Thus, a certain chain of events must occur: the cost savings must exist (avoided landfill costs); be converted to cash; amounts in excess of \$2,000 per year deposited in the state fund; and, these deposits by the districts appropriated by the Legislature to districts for purposes of mitigating the cost of implementing the plan. None of these prerequisite events occurred so no costs savings were "realized" by the District. Regardless, the adjustment cannot be applied to the District since no state appropriation of the cost savings was made to the District.

4. Calculation of Cost Savings

The court suggested that "(t)he amount or value of the savings may be determined from the calculations of annual solid waste disposal reduction or diversion which California Community Colleges must annually report to petitioner Integrated Waste Management Board pursuant to subdivision (b)(1) of Public Resources Code section 42926." The parameters and guidelines are silent as to how to calculate the avoided costs. The court provided two alternative methods, either disposal reduction or diversion reported by districts, and the Controller utilized the diversion percentage, which assumes, without findings of fact, that all diversion tonnage is landfill disposal tonnage reduction.

a. The Controller's formula is a standard of general application

The audit adjustment for the assumed landfill cost savings is based on a formula created by the Controller and has been consistently used for all 28 audits of this mandate published by the Controller (as of the date of this document). The Controller's use of this formula for audit purposes is a standard of general application without appropriate state agency rulemaking and is therefore unenforceable (Government Code Section 11340.5). The formula is not an exempt audit guideline (Government Code Section 11340.9(e)). State agencies are prohibited from enforcing underground regulations. If a state agency issues, enforces, or attempts to enforce a rule without following the Administrative Procedures Act, when it is required to, the rule is called an "underground regulation." Further, the audit adjustment is a financial penalty against the District, and since the adjustment is based on an underground regulation, the formula cannot be used for the audit adjustment (Government Code Section 11425.50).

b. The Controller's formula assumes facts not in evidence

The audited offsetting cost savings is the sum of three components: the "allocated" diversion percentage, multiplied by the tonnage diverted, multiplied by a landfill disposal cost per ton. The Controller's calculation method includes several factual errors that make it useless as a basis of determining potential cost savings.

1. Allocated diversion percentage: The audit report uses the diversion percentage reported by the District to the state (CalRecycle) for each year until 2008 at which time this statistic was no longer available from CalRecycle. The auditor then used the 2007 percentage for all subsequent years. Therefore, the diversion rates used for the audit adjustments after 2007 are fiction.
2. Tonnage diverted: The Controller formula uses the total tonnage reported by the District to CalRecycle. The audit report states that this total amount includes "solid waste that the district recycled, composted, and kept out of a landfill." Next, the audit report assumes without findings that all diverted tonnage would have been disposed in a landfill and thus additional landfill fees incurred for all additional tonnage diverted. Composted material, which is a significant amount of the diverted tonnage, would not have gone to the landfill. The audit report also assumes without findings that all diverted tonnage is within the scope of the mandate. The total tons diverted for some fiscal years may include materials that are outside the scope of the mandate (e.g. paint, etc.). Deducting the compost amount and tonnage unrelated to the mandate would reduce both the total tonnage and the diversion percentage. The audit report uses the total tonnage diverted reported by the District to the state (CalRecycle) for each year until 2008 at which time this statistic was no longer available from CalRecycle. The auditor then used the 2007 tonnage for all subsequent years. Therefore, the diversion rates used for the audit adjustments after 2007 are fiction.
3. Landfill disposal fee: Having no District information in the annual claims for landfill disposal fees, since it was not required for the annual claims or the CalRecycle report, the Controller's method uses a statewide average cost to dispose of a ton of waste, ranging from \$36 to \$56 per ton, based on data said to be obtained from CalRecycle. The audit report does not include the CalRecycle statewide data used to generate these average fee amounts. Thus, the source of the average or actual costs that comprise the average is unknown and unsupported by audit findings.

5. Application of the Formula

The audit calculated cost savings of \$171,209, of which \$139,635 was applied to the annual claims:

<u>Fiscal Year</u>	<u>Amount Claimed</u>	<u>Audited Amount</u>	<u>Adjustment Amount</u>	<u>Adjustment Applied</u>	<u>Adjustment Excess</u>
FY 1999-00	\$ 23,194	\$ 19,213	\$ 3,981	\$ 3,981	\$ -
FY 2000-01	\$ 26,238	\$ 18,988	\$ 7,250	\$ 7,250	\$ -
FY 2003-04	\$ 24,857	\$ 7,762	\$ 17,095	\$ 17,095	\$ -
FY 2004-05	\$ 28,125	\$ 8,491	\$ 19,634	\$ 19,634	\$ -
FY 2005-06	\$ 36,948	\$ 14,937	\$ 22,011	\$ 22,011	\$ -
FY 2006-07	\$ 53,125	\$ 29,393	\$ 23,732	\$ 23,732	\$ -
FY 2007-08	\$ 19,388	\$ -	\$ 24,282	\$ 19,388	\$ 4,894
FY 2008-09	\$ 15,046	\$ -	\$ 25,999	\$ 15,046	\$ 10,953
FY 2009-10	\$ 11,498	\$ -	\$ 27,225	\$ 11,498	\$ 15,727
Totals	\$ 238,419	\$ 98,784	\$ 171,209	\$ 139,635	\$ 31,574

The "excess" adjustment amount means the adjustment exceeded the amount claimed by the District for all program costs for three fiscal years. There are several factual errors in the application of this offset. The District did not claim landfill costs, so there are none to be offset. The adjustment method does not match or limit the landfill costs avoided to landfill costs, if any, actually claimed. Instead, the total adjustment amount for avoided landfill costs is applied to the total annual claim amounts and thus reduces unrelated salary and benefit costs for: preparing district policies and procedures; training staff who work on the integrated waste management plan; designating a plan coordinator; operating the plan accounting system; and, preparing annual recycling material reports.

The Controller's calculation method thus prevents this District from receiving full reimbursement of its actual increased program costs, contrary to an unfounded expectation by the court. Footnote 1 of the court decision states that:

There is no indication in the administrative record or in the legal authorities provided to the court that, as respondent argues, a California Community College might not receive the full reimbursement of its actual increased costs required by section 6 if its claims for reimbursement of IWM plan costs were offset by realized cost savings and all revenues received from plan activities.

Indeed, it appears from the statewide audit results <sup>2</sup> to date that the application of the formula has only arbitrary results. The following table indicates the percentage of total claimed cost allowed by the "desk audits" conducted by the Controller on the single issue of the cost savings offset:

<b><u>Controller's Audits-cost savings Issue only</u></b> <b><u>District</u></b>	<b><u>Percentage</u></b> <b><u>Allowed</u></b>	<b><u>Audit</u></b> <b><u>Date</u></b>
Mira Costa Community College District	0%	10/08/2013
Citrus Community College District	2.0%	09/11/2013
Yuba Community College District	3.4%	05/07/2014
Grossmont-Cuyamaca Community College District	28.7%	4/30/2013
State Center Community College District	32.1%	08/30/2013
Merced Community College District	33.2%	07/09/2013
North Orange County Community College District	33.6%	08/15/2013
Solano Community College District	34.4%	06/17/2013
Long Beach Community College District	35.4%	05/22/2014
Sierra Joint Community College District	41.4%	07/22/2013
Yosemite Community College District	41.7%	07/10/2013
El Camino Community College District	43.0%	03/19/2014
Mt. San Antonio Community College District	43.7%	08/15/2013
Hartnell Community College District	45.0%	04/09/2014
Contra Costa Community College District	58.7%	05/29/2013
Monterey Peninsula Community College District	59.8%	06/05/2014
Siskiyou Joint Community College District	62.2%	06/03/2014
San Joaquin Delta Community College District	69.5%	05/07/2014
Gavilan Joint Community College District	69.6%	04/11/2014
West Kern Community College District	69.9%	06/03/2014
Marin Community College District	72.4%	06/03/2014
Victor Valley Community College District	73.4%	04/09/2014
Redwoods Community College District	83.4%	04/11/2014

The District agrees that any relevant realized cost savings should be reported, but the offset must also be properly matched to relevant costs.

### SCO's Comments:

During our review of the district's claims, we found that the district realized total offsetting savings of \$171,209 from implementation of its IWM plan [Exhibit A, page 32].

The district believes that the SCO's offsetting savings adjustment is inappropriate because "none of these alleged cost savings were realized by the District as required by the parameters and guidelines."

## **2. Assumed Cost Savings**

- *Presumed Requirement for the District to use Landfills*

The district states, "The court presupposes a previous legal requirement for districts to incur landfill disposal fees to *divert* solid waste [emphasis added]." We disagree. Landfill fees are incurred when solid waste is disposed. Diversion is not the same as disposal. Public Resources Code section 40192, subsection (b), states:

... solid waste disposal ... means the management of solid waste through landfill disposal...at a permitted solid waste facility.

Therefore, we believe that the district intended to state, "The court presupposes a previous legal requirement for districts to incur landfill disposal fees to *dispose of* solid waste [emphasis added]."

The district states that there is only a presumption for districts to incur landfill disposal fees to dispose of solid waste, yet the district does not provide an alternative for how non-diverted solid waste would be disposed of, if not at a landfill. In addition, the district does not state that it disposed of its solid waste at any location other than a landfill or used any other methodology to dispose of its waste other than to contract with a commercial waste hauler. Therefore, comments relating to legal requirements regarding alternatives for the disposal of solid waste are irrelevant.

In addition, the district acknowledges its use of landfills for solid waste disposal. In its annual waste management report to CalRecycle, the district states the following:

- "The waste stream disposed at the landfill has decreased while the recycling and diversion programs volume has increased." [Tab 4, page 4]
- "Our solid waste to the landfill has decreased significantly. Due to reuse, recycling, the CalMax exchange program other diversion options, several hundred tons of materials are being diverted from the landfill...." [Tab 4, page 6]
- "The District has continued its commitment towards providing staff that will work towards diverting its solid wastes from the landfills...." [Tab 4, page 8].
- "We continue to education our students and staff on the importance of diverting wastes to our landfills....Overall, our diversion has gone up and our disposal to landfills has been reduced." [Tab 4, page 10]
- "Although our student and staff numbers have grown, we continue to reduce the solid waste to our landfills." [Tab 4, page 12]

Further, the district reported to CalRecycle that it *disposed* of 583.0 tons of trash in calendar year 2000 [Tab 4, page 1], 513.0 tons in calendar year 2001 [Tab 4, page 3], 487.0 tons in calendar year 2003 [Tab 4, page 5], 459.0 tons in calendar year 2004 [Tab 4, page 7], 461.3 tons in calendar year 2005 [Tab 4, page 9], 458.5 tons in calendar year 2006 [Tab 4, page 11], 389.8 tons in calendar year 2007 [Tab 4, page 13], 383.0 tons in calendar year 2008 [Tab 4, page 15], 387.0 tons in calendar year 2009 [Tab 4, page 17], and 358.0 tons in calendar year 2010 [Tab 4, page 20]. Within the narrative of these reports the district acknowledges the use of a waste hauler [Tab 4, page 2, 18, and 21]. The district does not indicate in these annual reports that it used any other methodology to dispose of solid waste other than in the landfill.

- *Assumed Cost Savings*

The district states, "... the Controller's audit adjustment erroneously and simply assumes these costs savings occurred in the form of avoided landfill fees for the mandated tonnage diverted." We disagree.

Unless the district had an arrangement with its waste hauler that it did not disclose to us or CalRecycle, the district did not dispose of its solid waste at a landfill for no cost. Sierra Joint Community College is located in Rocklin, California. An internet search for landfill fees revealed that the Western Placer Waste Management Authority in Lincoln, California (12 miles from Sierra Joint Community College), currently charges \$69.00 per ton to dispose of solid waste [Tab 5]. Thus, the higher the rate of diversion results in less trash that is disposed of at a landfill, which creates cost savings for the district.

Further, by the district's own admission, it recognizes that savings have occurred. In its 2000 annual report to CalRecycle, the district states, "From an economical standpoint, waste reduction and recycling was advantageous to the District. Minimizing solid wastes required smaller dumpsters, and therefore reduced our costs" [Tab 4, page 1].

### 3. Realized Cost Savings

The district reported that it *diverted* from landfill disposal 292.2 tons in calendar year 2000 [Tab 4, page 1], 205.7 tons in calendar year 2001 [Tab 4, page 3], 408.0 tons in calendar year 2003 [Tab 4, page 5], 538.5 tons in calendar year 2004 [Tab 4, page 7], 569.7 tons in calendar year 2005 [Tab 4, page 9], 581.4 tons in calendar year 2006 [Tab 4, page 11], and 591.3 tons in calendar year 2007 [Tab 4, page 13], due to implementation of its IWM plan. The district realized a savings from implementation of its IWM plan. The savings is supported when the tonnage diverted is multiplied by the cost to dispose of one ton of solid waste at the landfill (e.g., \$69.00 per ton at the Western Placer Waste Management Authority [Tab 5]).

Public Resources Code section 42925(a) requires that cost savings realized as a result of implementing an IWM plan be redirected to fund IWM plan implementation and administration costs in accordance with Public Contract Code sections 12167 and 12167.1. We recognize that the district did not remit to the State any savings realized from implementation of its IWM plan. However, the failure of the district to remit to the State the savings realized from implementation of its IWM plan in compliance with the Public Contract Code and its failure to perform all of what it calls "prerequisite events" does not preclude it from the requirement to do so.

The amended parameters and guidelines, section VIII (Offsetting Cost Savings) state [Exhibit B, page 59]:

Reduced or avoided costs realized from implementation of the community college districts' Integrated Waste Management plans shall be identified and offset from this claim as cost savings, consistent with the directions for revenue in Public Contract Code sections 12167 and 12167.1.

Pursuant to these statutes, community college districts *are required to deposit cost savings* resulting from their Integrated Waste Management plans into the Integrated Waste Management Account in the Integrated Waste management Fund [emphasis added].

The Sacramento Superior Court ruled on May 29, 2008, that the cost savings *must* be used to fund IWM plan costs when it stated [Tab 6, page 7]:

Second, respondent incorrectly interpreted the phrase ‘to the extent feasible’ in Public Resources Code section 42925 to mean that the redirection of cost savings resulting from diversion activities by California Community Colleges to fund their IWM plan implementation and administration costs was not mandatory and that colleges could direct the cost savings to other programs upon a finding of infeasibility. Respondent’s interpretation is contrary to the manifest legislative intent and purpose of section 42925 that *cost savings be used to fund IWM plan costs* [emphasis added].

Therefore, evidence reviewed by the SCO supports that the district realized savings through diversion activities, and the savings are required to be remitted to the State and are to be used to fund IWM plan costs.

#### 4. Calculation of Cost Savings

##### a. The Controller’s formula is a standard of general application

The district states, “The Controller’s use of this formula for audit purposes is a standard of general application without appropriate state agency rulemaking and is therefore unenforceable.” We disagree.

We used a “court-approved” methodology to determine the *required* offset, which we believe to be both fair and reasonable. In the Superior Court ruling dated May 29, 2008, the court stated that “Such reduction or avoidance of landfill fees and costs resulting from solid waste diversion activities under §42920 et seq. represent savings which *must* be offset against the costs of diversion activities to determine the reimbursable costs of IWM plan implementation – i.e., the actual increased costs of diversion – under section 6 and section 17514 [emphasis added].” [Tab 6, page 7].

The ruling goes on to state, “The amount or value of the savings may be determined from the calculations of annual solid waste disposal reduction or diversion which California Community Colleges must annually report to petitioner Integrated Waste Management Board pursuant to subdivision (b)(1) of Public Resources Code section 42926.”

On September 26, 2008, the Commission amended the parameters and guidelines to be in accordance with the Judgment and Writ of Mandate issued by the court [Exhibit B, page 52]. On December 1, 2008, in compliance with Government Code section 17558, the SCO issued claiming instructions allowing community college districts to refile their FY 1999-2000 through FY 2007-08 claims to report the required offsetting savings. These amended claims were to be re-filed with the SCO on or before March 31, 2009 [Exhibit C, page 84].

The district’s IWM claims for FY 1999-2000 through FY 2004-05 were filed with the SCO on October 6, 2005. The IWM claim for FY 2005-06 was filed with the SCO on January 16, 2007, the IWM claim for FY 2006-07 was filed with the SCO on January 22, 2008, and the IWM claim for FY 2007-08 was filed with the SCO on February 10, 2009. The district did not amend any of these claims to report the required offset identified in the amended parameters and guidelines. Further, neither the FY 2008-09 or FY 2009-10 IWM claims reported the required offset. Therefore, due to the district’s failure to report the required offset, we used the methodology identified in the May 29, 2008 Superior Court ruling to determine the applicable offset amount [see the offsetting savings calculation in Tab 7 and Exhibit A, pages 30 and 31]. We believe that this “court-identified” approach provides a reasonable methodology to identify the required offset.



We informed the district of the adjustment via an email on May 10, 2013 [Tab 8]. Included in the email were various attachments, including background information regarding the adjustment and the offsetting savings calculation. On June 24, 2013, we conducted a meeting with the district. During the meeting, we explained the reason for the adjustment and provided a walk-through of the offsetting savings calculation. In addition, we requested that the district provide us with the amount of tonnage diverted for 2008, 2009, and 2010. The district informed us that as CalRecycle does not require this information to be reported, the district does not keep any records to support its diversion percentage. We also requested that the district provide us with the actual landfill disposal fee. The district stated that it is not charged landfill disposal fees so it has no "actual" disposal fee amounts to provide. We responded that this comment is illogical, as the district contracts with a waste hauler that disposes of the district's solid waste at a landfill. At the conclusion of the meeting, the district and the SCO "agreed to disagree."

b. The Controller's formula assumes facts not in evidence

1. Allocated Diversion Percentage

Public Resources Code section 42921 states:

- (a) Each state agency and each large state facility shall divert at least 25 percent of all solid waste generated by the state agency by January 1, 2002, through source reduction, recycling, and composting activities.
- (b) On and after January 1, 2004, each state agency and each large state facility shall divert at least 50 percent of all solid waste through source reduction, recycling, and composting activities.

For every calendar year except 2003, Sierra Joint Community College District diverted above and beyond the requirements of Public Resources Code section 42921 based on information that the district reported to CalRecycle [Tab 4]. Therefore, we "allocated" the offsetting savings so as to not penalize the district by recognizing offsetting savings resulting from the additional non-mandated savings realized by the district from diverting solid waste above and beyond the applicable requirements of the Public Resources Code.

- Allocated Diversion Percentage for FY 1999-00 through FY 2006-07

For calendar years 2000 through 2007, we used the diversion information exactly as reported annually by the district to CalRecycle. However, we "allocated" the diversion percentage to the mandated level. For example, in calendar year 2007, the district reported to CalRecycle that it diverted 591.3 tons of solid waste and disposed of 389.8 tons, which results in an overall diversion percentage of 60.3% [Tab 4, page 13]. Because the district was required to divert 50% for that year to meet the mandated requirements and comply with the Public Resources Code, it needed to divert only 490.55 tons (981.1 total tonnage generated  $\times$  50%) in order to satisfy the 50% requirement. Therefore, we adjusted our calculation to compute offsetting savings based on 490.55 tons of diverted solid waste rather than a total of 591.3 tons diverted.

As there is no State mandate to exceed solid waste diversion for amounts in excess of 25% for calendar years 2000 through 2003 or 50% for calendar year 2004 and later, there is no basis for calculating offsetting savings realized for actual diversion percentages that exceed the levels set by statute.

- Allocated Diversion Percentage for FY 2007-08 through FY 2009-10

The district is correct when it states, "The auditor then used the 2007 percentage for all subsequent years." With the passage of Senate Bill (SB) 1016 (Chapter 343; Statutes of 2008), CalRecycle began focusing on "per capita disposal" instead of a "diversion percentage." As a result of SB 1016, beginning in calendar year 2008, CalRecycle stopped requiring districts to report the actual amount of tonnage diverted. Consequently, the annual reports no longer identify either the tonnage diverted or a diversion percentage. However, even though community college districts no longer report diversion information, they are still required to divert 50% of their solid waste.

The shift from diversion to disposal provides more accurate measurements, takes less time to calculate, and allows for jurisdictional growth. With the original system of a 25% or 50% diversion requirement, if the district diverted above its requirement, it was fully implementing its IWM plan. Now, with SB 1016, each jurisdiction has "a disposal target that is the equivalent of 50 percent diversion, and that target will be expressed on a *per capita basis*." Therefore, if the district's per-capita disposal rate is less than the target, it means that the district is meeting its requirement to divert 50% of its solid waste [Tab 9, page 4].

In reviewing the 2008 [Tab 4, page 15], 2009 [Tab 4, page 17], and 2010 [Tab 4, page 20] annual reports, we found the district's annual per capita disposal rate for both the employee and student populations to be equivalent or below the target rate. Therefore, the district met its requirement to divert 50% of its solid waste. As the district was unable to provide either the tonnage diverted or the diversion percentage for calendar years 2008, 2009, and 2010, we used the 2007 diversion information (which is identified on Tab 4, page 13) to calculate the required offsetting savings for FY 2007-08 through FY 2009-10.

We believe that the 2007 diversion information is a fair representation of the 2008 through 2010 diversion information because the district's recycling processes have already been established and committed to. Further, in the 2008 annual report, when asked to explain what significant changes were made to the waste programs during the year, the district stated:

There has been less waste disposed of in 2008. We have been more proactive in increasing awareness of what materials can be recycled and therefore not placed in our solid waste stream. Our cardboard, metals and wood pallet recycling increased in 2008. [Tab 4, page 16]

Therefore, it is entirely possible that the district's diversion percentages increased since 2007 with these expanded programs, and that the offsetting savings calculations we determined for FY 2007-08 through FY 2009-10, which were based on the 2007 diversion information, possibly may be understated.

## 2. Tonnage Diverted

- Composted Material

The district states, "Composted material, which is a significant amount of the diverted tonnage, would not have gone to the landfill." However, the district does not identify where this material (e.g. grass, weeds, branches, etc.) will be disposed of if it were not composted.

Further, we do not believe composted material is a significant amount of the tonnage diverted. In its 2010 annual report to CalRecycle, the district states, "We are now composting the grass clippings" [Tab 4, page 21]. This statement indicates that composting did not begin at the district until 2010, which is the last year of the review period. Also, none of the narratives in the annual reports from 2000 to 2009 mention any composting performed by the district.

- Hazardous Waste

The district states, "The audit report also assumes without findings that all diverted tonnage is within the scope of the mandate. The total tons diverted for some fiscal years may include materials that are outside the scope of the mandate (e.g., paint, etc.)." This comment is irrelevant because hazardous waste is not included in the diversion amounts reported to CalRecycle [Tab 4]; therefore, it is not included in our offsetting savings calculation [Tab 7 or Exhibit A, page 30].

We agree that hazardous waste (e.g., paint) is not a part of the mandate. In fact, CalRecycle has specified that hazardous waste requires proper handling and does not count as diversion and is not to be included in the diversion information reported annually by the district to CalRecycle. CalRecycle's website states:

These following materials are deemed as hazardous, and cannot be disposed in a landfill... [Tab 10, pages 1 and 2]:

- Universal waste – radios, stereo equipment, printers . . .
- Electronic waste – common electronic devices that are identified as hazardous waste, such as computers . . .
- Additional hazardous wastes should be properly managed: antifreeze, asbestos, paint, treated wood, used oil, etc.

In compliance with these instructions, the district's Waste Management Annual Reports [Tab 4] sent to CalRecycle did not include information regarding the diversion of hazardous waste.

- Tonnage Diverted After Calendar Year 2007

The SCO's comments regarding the use of 2007 tonnage information to calculate the required offsetting savings for 2008 through 2010 are the same as previously addressed with regards to the passage of SB 1016.

### 3. Landfill Disposal Fee

The district states, "Having no District information in the annual claims for landfill disposal fees, since it was not required for the annual claims or the CalRecycle report, the Controller's method uses a statewide average cost to dispose of a ton of waste, ranging from \$36 to \$56 per ton, based on data said to be obtained from CalRecycle."

The calendar year 2001 through 2006 "data said to be obtained from CalRecycle" was provided to the Commission by the Chief Counsel for the California Integrated Waste Management Board, in an attachment to a letter dated September 21, 2009 [Tab 11, pages 13 through 18]. The district's mandated cost consultant was copied on this letter and was privy to the "statewide average disposal fees" at that time [Tab 11, page 4]. On March 20, 2012, the statewide average landfill fees for calendar years 2007 and 2008 were provided to the SCO by the Recycling Program Manager I at CalRecycle (formerly the

California Integrated Waste Management Board) [Tab 12]. On May 31, 2012, the statewide average landfill fees for calendar years 2009 and 2010 were provided to the SCO by the same employee at CalRecycle [Tab 13]. We confirmed with CalRecycle that it obtained the "statewide average disposal fees" from a private company, which polled a large percentage of the landfills across California to establish the statewide averages.

As identified earlier, an internet search for landfill fees revealed that the Western Placer Waste Management Authority in Lincoln, California, currently charges \$69.00 per ton to dispose of solid waste [Tab 5]. Therefore, we believe that the \$36 to \$56 "statewide average disposal fee" used to calculate the offsetting savings realized by the district is reasonable. The district did not provide any information, such as its contract with or invoices received from its commercial waste hauler, to support either the landfill fees actually incurred by the district or to confirm that the statewide average landfill fee was greater than the actual landfill fees incurred by the district.

## 5. Application of the Formula

The district states, "The District did not claim landfill costs, so there are none to be offset." This comment is irrelevant because the mandated program does not reimburse claimants for landfill costs incurred to dispose of solid waste. Instead, the mandated program reimburses claimants to divert solid waste from landfill disposal. By diverting solid waste, the district realizes both a reduction of solid waste going to a landfill and the associated cost of having the waste hauled there. The reduction of landfill costs incurred creates offsetting savings that the district is required to identify in its mandated cost claims.

The Superior Court ruled on May 29, 2008, [Tab 6, page 7] that:

...the reduced or avoided costs of landfill disposal are an integral part of the IWM diversion mandate under Public Resources Code section 42920 et seq. Therefore, respondent's conclusion that reduced or avoided disposal costs could not qualify as an offsetting cost savings for diversion costs, *based on the erroneous premise that reduced or avoided costs were not part of the reimbursable mandates of Public Resources Code section 42920 et seq., is wrong* [emphasis added].

The district states, "The adjustment method does not match or limit the landfill costs avoided to landfill costs, if any, actually claimed. Instead, the total adjustment amount for avoided landfill costs is applied to the total annual claim amounts and thus reduces unrelated salary and benefit costs for: preparing district policies and procedures; training staff who work on the integrated waste management plan; designating a plan coordinator; operating the plan accounting system; and, preparing annual recycling material reports." We disagree.

Public Resources Code section 42925 states that cost savings realized as a result of the IWM plan be redirected to "fund plan *implementation and administration costs*" [emphasis added]. Also, the district did not identify, and we did not find, any statute or provision limiting offsetting savings solely to solid waste diversion activities included in the district's IWM claims.

Further, the district's statements are contrary to the purpose of the mandated program. The parameters and guidelines (Section VIII. Offsetting Cost Savings) state [Exhibit B, page 59]:

Reduced or avoided costs realized from *implementation of the community college districts' Integrated Waste Management plans* shall be identified and offset from the claim as cost savings, consistent with the directions for revenue in Public Contract Code sections 12167 and 12167.1 [emphasis added].

When outlining the reimbursable activities, the parameters and guidelines consistently use the phrase "implementation of the integrated waste management plan," as follows:

A. One-Time Activities [Exhibit B, page 54]

1. Develop the necessary district policies and procedures for the *implementation of the integrated waste management plan*. [Emphasis added].
2. Train district staff on the requirements and *implementation of the integrated waste management plan* (one-time per employee). Training is limited to staff working directly on the plan [emphasis added].

B. Ongoing Activities [Exhibit B, page 54]

4. Designate one solid waste reduction and recycling coordinator for each college in the district to perform new duties imposed by chapter 18.5 (Public Resources Code, §§42920 – 42928). The coordinator shall *implement the integrated waste management plan*. . . . [emphasis added].

C. Annual Report [Exhibit B, page 56]

3. A summary of progress made in *implementing the integrated waste management plan*. . . . [emphasis added].

Therefore, we believe it is reasonable that the offsetting savings realized from "implementing the plan" be offset against all direct costs incurred to "implement the plan."

The district provided a table of other engagements conducted by the State Controller's Office on the single issue of cost savings. The adjustments made at other community college districts are not relevant to the current issue at hand.

### III. OFFSETTING REVENUES AND REIMBURSEMENTS

#### Issue

The district did not deposit any revenue into the State IWM Account. In addition, had the district reported recycling income as a reduction of total claimed costs, it would not have been subject to appropriation in the form of cost savings because recycling revenues are not offsetting costs savings.

#### SCO's Analysis:

We agree with the district.

#### District's Response:

### B. OFFSETTING REVENUES AND REIMBURSEMENTS

The District did not report offsetting recycling revenues. The audit report correctly states that this District did not deposit and revenue into the State IWM Account, but there is no such requirement to do so for community colleges. Recycling revenues are not offsetting cost savings, but are offsetting revenues generated from implementing the IWM plan. Regarding recycling revenues, the court stated:

Although Public Contract Code sections 12167 and 12167.1 apply to California Community Colleges for the purpose of offsetting savings pursuant to the terms of Public Resources Code section 42925, sections 12167 and 12167.1 *do not apply to the colleges for the purpose of offsetting revenues or, indeed, any other purpose* [emphasis added by district]. Sections 12167 and 12167.1 apply exclusively to state agencies and institutions; the colleges, which are school

districts rather than state agencies, are not specifically defined as state agencies for purposes of the State Assistance for Recycling Markets Act of which sections 12167 and 12167.1 are a part. Therefore, sections 12167 and 12167.1 do not properly govern the revenues generated by the colleges' recycling activities pursuant to their IWM plans. *The limits and conditions placed by sections 12167 and 12167.1 on the expenditure of recycling revenues for the purpose of offsetting recycling program costs are simply inapplicable to the revenues generated by the colleges' recycling activities* [emphasis added by district].

The provisions of Public Resources Code section 42920 et seq. do not address the use of revenues generated by recycling activities of California Community Colleges under IWM plans to offset reimbursable plan costs. *Thus, use of the revenues to offset reimbursable IWM plan costs is governed by the general principles of state mandates, that only the actual increased costs of a state-mandated program are reimbursable and, to that end, revenues provided for by the state-mandated program must be deducted from program costs* [emphasis added by district]. (See Cal. Const., art. XIII B, § 6; Gov. Code §§ 17514, 17556, subd. (e); *County of Fresno v. State of California* (1991) 51 Cal.3d 482, 487; *County of Sonoma v. Commission on State Mandates*, (2000) 84 Cal.App.4<sup>th</sup> 1264, 1284.) These principles are reflected in the respondent's regulation which requires, without limitation or exception, the identification of offsetting revenues in the parameters and guidelines for reimbursable cost claims. (Cal. Code Regs., tit. 2, §1183.1(a)(7).) *Emphasis added.*

The amended and retroactive parameters and guidelines adopted September 26, 2008, state:

#### **VII. OFFSETTING REVENUES AND REIMBURSEMENTS**

Reimbursement for this mandate from any source, including but not limited to, service fees collected, federal funds, and other state funds allocated to any service provided under this program, shall be identified and offset from this claim. Offsetting revenue shall include all revenues generated from implanting the Integrated Waste management Plan.

In addition, revenue from a building-operating fee imposed pursuant to Education Code section 76375, subdivision (a) if received by a claimant and the revenue is applied to this program, shall be deducted from the costs claimed.

Therefore, had the District reported recycling income as a reduction of total claimed costs it would not have been subject to state appropriation in the form of cost savings.

#### **SCO's Comment:**

No adjustment was made to the district's claims with regard to offsetting revenues and reimbursements; therefore, we are uncertain as to why the district included this argument in its IRC filing.

#### **IV. PROCEDURAL ISSUES**

##### **Issue**

The district asserts that none of the adjustments were because program costs claimed were excessive or unreasonable, which is the only mandated cost audit standard in statute. Also, the district states that it is the Controller's responsibility to provide evidence of its audit finding.

##### **SCO's Analysis:**

The SCO did conclude that the district costs claimed were excessive. In addition, the data the SCO used to calculate the offset was based on factual information provided solely by the district and CalRecycle.

District's Response:

**C. PROCEDURAL ISSUES**

1. Standard of Review

None of the adjustments were made because the program costs claimed were excessive or unreasonable. The Controller does not assert that the claimed costs were excessive or reasonable, which is the only mandated cost audit standard in statute (Government Code Section 17561(d)(2)). It would therefore appear that the entire findings are based upon the wrong standard for review. If the Controller wishes to enforce other audit standards for mandated cost reimbursement, the Controller should comply with the Administrative Procedure Act.

2. Burden of Proof

Here, the evidentiary issue is the Controller's method for determining the adjustments. In many instances in the audit report, the District was invited to provide missing data in lieu of fictional data used by auditor, or to disprove the auditor's factual assumptions. This is an inappropriate shifting of the burden of proof for an audit. The Controller must first provide evidence as to the propriety of its audit finding because it bears the burden of going forward and because it is the party with the power to create, maintain, and provide evidence regarding its auditing methods and procedures, as well as the specific facts relied upon for its audit findings.

SCO's Comments:

1. Standard of Review

We disagree with the district's conclusion. Government Code section 17558.5 requires the district to file a reimbursement claim for actual mandate-related costs. Government Code section 17561, subdivision (d)(2), allows the SCO to audit the district's records to verify actual mandate-related costs *and* reduce any claim that the SCO determines is excessive or unreasonable. In addition, Government Code section 12410 states, "The Controller shall audit all claims against the state, and may audit the disbursement of any state money, for correctness, legality, and for sufficient provisions of law for payment." Therefore, the SCO has sufficient authority to impose these adjustments. The district's contention that the SCO is only authorized to reduce a claim if it determines the claim to be excessive or unreasonable is without merit.

The SCO did, in fact, conclude that the district's claim was excessive. Excessive is defined as "exceeding what is usual, proper, necessary, or normal....Excessive implies an amount or degree too great to be reasonable or acceptable..."<sup>1</sup> The district's mandated cost claims exceeded the proper amount based on the reimbursable costs allowable per statutory language and the program's parameters and guidelines. Therefore, the district's comments regarding the Administrative Procedure Act are irrelevant.

---

<sup>1</sup> Merriam-Webster's Collegiate Dictionary, Tenth Edition, © 2001

2. Burden of Proof

The district's statement mentions what it calls "fictional data" and "factual assumptions" used as a basis for the adjustments made to the district's claims. However, the data that the SCO used to calculate the offsetting savings adjustments were based on information maintained by the district and reported by the district to CalRecycle as a result of implementing its IWM plan [Tab 4]. Further, the tonnage amounts reported to CalRecycle are hardly "fictional." When questioned by CalRecycle as to how the reported tonnage amounts were determined, the district stated the following:

Business Source Reduction were calculated based on per capita generation and extrapolation. Recycling tonnages were determined based on the actual volume diverted and converted using CIWMB conversion tables. Shredded paper and wood pallets were determined by actual weight tickets. Organic Management materials were calculated using the dormant season weights for pruning wastes and the growing season weights for grasscycling by volume generated and converted to tons. Special Wastes were determined by estimated weight per item/container and the number of items/containers diverted from waste streams.... [Tab 4, page 6]

In addition, we used a statewide average disposal fee based on information provided by CalRecycle [Tabs 11, 12 and 13]. We confirmed that these statewide averages are “in line” with the actual disposal fee charged by the Western Placer Waste Management Authority of \$69 per ton (which is only 12 miles away from the district) [Tab 5].

The district is correct when it states that we advised the district of our adjustments to its claims. In an email dated May 10, 2013 [Tab 8], we provided the district with the following information:

- Offsetting Savings Calculation [Tab 7]
- Narrative of Finding (identified as Attachment 3 in the review report) [Exhibit A, page 32]
- Waste Management Annual Reports of Diversion [Tab 4]
- September 10, 2008 Final Staff Analysis (from the Commission on State Mandates)
- Amended Parameters and Guidelines [Exhibit B, page 50]
- Fiscal Analysis (Summary of claimed, allowable, and unallowable costs by fiscal year (identified as Attachment 1 in the review report [Exhibit A, page 26])

As mentioned earlier, on June 24, 2013, we conducted a meeting with the district. During the meeting, we explained the reason for the adjustment and provided a walk-through of the offsetting savings calculation. In addition, we requested that the district provide us with the amount of tonnage diverted for 2008, 2009, and 2010. The district informed us that as CalRecycle does not require this information be reported, the district does not keep any records to support its diversion percentage. We also requested that the district provide us with the actual landfill disposal fee. The district stated that it is not charged landfill disposal fees so it has no “actual” disposal fee amounts to provide. We responded that this comment is illogical, as the district contracts with a waste hauler that disposes of the district’s solid waste at a landfill. At the conclusion of the meeting, the district and the SCO “agreed to disagree.”

## V. CONCLUSION

The SCO reviewed Sierra Joint Community College District’s claims for costs of the legislatively mandated Integrated Waste Management Program (Chapter 1116, Statutes of 1992; and Chapter 764, Statutes of 1999) for the period of July 1, 1999, through June 30, 2001; and July 1, 2003, through June 30, 2010. The district reported no offsetting savings. We found that the district realized savings of \$171,209 from implementation of its IWM plan. However, because the offsetting savings adjustment exceeded the amount claimed for FY 2007-08 through FY 2009-10, we found that of the \$238,419 claimed, \$98,784 is allowable and \$139,635 is unallowable.

In conclusion, the Commission should find that the SCO: (1) correctly reduced the district’s FY 1999-2000 claim by \$3,981; (2) correctly reduced the district’s FY 2000-01 claim by \$7,250; (3) correctly reduced the district’s FY 2003-04 claim by \$17,095; (4) correctly reduced the district’s FY 2004-05 claim by \$19,634; (5) correctly reduced the district’s FY 2005-06 claim by \$22,011; (6) correctly reduced the district’s FY 2006-07 claim by \$23,732; (7) correctly reduced the district’s FY 2007-08 claim by \$19,388; (8) correctly reduced the district’s FY 2008-09 claim by \$15,046; and (9) correctly reduced the district’s FY 2009-10 claim by \$11,498.



## **VI. CERTIFICATION**

I hereby certify by my signature below that the statements made in this document are true and correct of my own knowledge, or, as to all other matters, I believe them to be true and correct based upon information and belief.

Executed on October 30, 2015, at Sacramento, California, by:

---

Jim L. Spano, Chief  
Mandated Cost Audits Bureau  
Division of Audits  
State Controller's Office

## **Tab 3**

1 EDMUND G. BROWN JR.  
Attorney General of the State of California  
2 CHRISTOPHER E. KRUEGER  
Senior Assistant Attorney General  
3 DOUGLAS J. WOODS  
Supervising Deputy Attorney General  
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6 Sacramento, CA 94244-2550  
Telephone: (916) 324-5138  
7 Fax: (916) 324-8835  
E-mail: Jack.Woodside@doj.ca.gov  
8 Attorneys for Petitioners Department of Finance and  
California Integrated Waste Management Board  
9

10 SUPERIOR COURT OF CALIFORNIA  
11 COUNTY OF SACRAMENTO  
12

13 STATE OF CALIFORNIA DEPARTMENT OF  
FINANCE, CALIFORNIA INTEGRATED  
14 WASTE MANAGEMENT BOARD,

15 Petitioner,

16 v.

17 COMMISSION ON STATE MANDATES,

18 Respondent,

19 SANTA MONICA COMMUNITY COLLEGE  
DISTRICT, LAKE TAHOE COMMUNITY  
20 COLLEGE DISTRICT,

21 Real Parties in Interest.  
22

Case No: 07CS00355

~~PROPOSED~~ JUDGMENT  
GRANTING PETITION FOR  
WRIT OF ADMINISTRATIVE  
MANDAMUS

Judge: The Honorable  
Lloyd G. Connelly  
Dept: 33

23 This matter came before this Court on February 29, 2008, for hearing in Department 33  
24 of the above court, the Honorable Lloyd G. Connelly presiding. Eric Feller appeared on behalf of  
25 Respondent Commission on State Mandates, and Jack C. Woodside appeared on behalf of  
26 Petitioners California Department of Finance and California Integrated Waste Management  
27 Board.  
28 ///

1 The Administrative Record having been admitted into evidence and considered by the  
2 Court, and the Court having read and considered the pleadings and files, argument having been  
3 presented and the Court having issued its Ruling on Submitted Matter on May 29, 2008;

4 IT IS HEREBY ORDERED that:

5 1. The Petition for Writ of Administrative Mandamus is GRANTED;

6 2. A Peremptory Writ of Mandate shall issue from this Court remanding the matter  
7 to Respondent Commission and commanding Respondent Commission to amend the parameters  
8 and guidelines in Test Claim No. 00-TC-07 to require community college districts claiming  
9 reimbursable costs of an integrated waste management plan under Public Resources Code section  
10 42920, et seq. to identify and offset from their claims, consistent with the directions for revenue  
11 in Public Contract Code sections 12167 and 12167.1, cost savings realized as a result of  
12 implementing their plans; and

13 3. The Writ shall further command Respondent Commission to amend the  
14 parameters and guidelines in Test Claim No. 00-TC-07 to require community college districts  
15 claiming reimbursable costs of an integrated waste management plan under Public Resources  
16 Code section 42920, et seq. to identify and offset from their claims all of the revenue generated  
17 as a result of implementing their plans, without regard to the limitations or conditions described  
18 in sections 12167 and 12167.1 of the Public Contract Code.

19  
20 Dated: JUN 30 2008

**LLOYD G. CONNELLY**

The Honorable Lloyd G. Connelly  
Judge of the Sacramento County Superior Court

**DECLARATION OF SERVICE BY U.S. MAIL**

Case Name: **State of California Dept. of Finance, et al. v. Commission on State Mandates**  
Sacramento County Superior Court No.: 07CS00355

I declare:

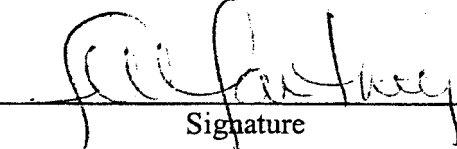
I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar, at which member's direction this service is made. I am 18 years of age or older and not a party to this matter. I am familiar with the business practice at the Office of the Attorney General for collection and processing of correspondence for mailing with the United States Postal Service. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the United States Postal Service that same day in the ordinary course of business.

On June 18, 2008, I served the attached **[PROPOSED] PEREMPTORY WRIT OF MANDATE**; by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the internal mail collection system at the Office of the Attorney General at 1300 I Street, Suite 125, P.O. Box 944255, Sacramento, CA 94244-2550, addressed as follows:

Eric Feller  
Commission on State Mandates  
980 9th Street, Suite 300  
Sacramento, CA 95814  
*Respondent Commission on State Mandates*

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on June 18, 2008, at Sacramento, California.

\_\_\_\_\_  
Christine A. McCartney  
Declarant

\_\_\_\_\_  
  
Signature

## **Tab 4**



State Agency Reporting Center: Waste Management Annual Report

**2000 SARC Annual Report: Sierra Joint Community College District**

[New Search](#) | [Agency Detail](#)

[Facilities](#) | [Annual Per Capita Disposal](#) | [Programs](#)

**Alternative Name(s):** 59 Sierra Joint, Sierra College

**Physical Address**  
5000 Rocklin Road  
Rocklin, CA 95677

**CalRecycle Representative**  
Kerry Wicker  
[Kerry.Wicker@CalRecycle.ca.gov](mailto:Kerry.Wicker@CalRecycle.ca.gov)  
(916) 341-6267 x

**Total Number of Employees including Facilities:** 0

**Recycling Coordinator:** Colin Irwin [cirwin@sierracollege.edu](mailto:cirwin@sierracollege.edu) (916) 660-7655

**Facilities**

No Facilities exist for this Agency

**Annual Per Capita Disposal**

**Diversion Program Summary**

**Total Tonnage Diverted:** 292.2

**Total Tonnage Disposed:** 583.0

**Total Tonnage Generated:** 875.2

**Overall Diversion Percentage:** 33.4%

→ 1/1/00 - 6/30/00 : 146.1  
7/1/00 - 12/31/00 : 146.1  
292.2

**Questions**

What is the mission statement of the State agency/large State facility?

The mission of Sierra College is to provide a supportive learning environment enriched by diversity, which promotes personal and professional success, leadership, innovation, and a sense of community and global participation and responsibility. We are committed to helping students participate successfully in a complex global community. Sierra accepts the responsibility to be a model of excellence in education. We strive to encourage the full development of human potential within the framework of California's rapid population growth, the pressures on the environment, and the dynamic changes in technology that are taking place. We recognize these changes, and plan for them, while at the same time fostering ecological awareness and individual responsibility.

Based on the "State Agency Waste Reduction and Recycling Program Worksheet (Part III)," briefly describe the basic components of the waste stream and where these components are generated.

The basic components in the Sierra College waste stream are: office paper, CRV glass, CRV aluminum and CRV plastic beverage containers, cardboard, glass, newspaper, magazines, plastic, scrap metal, cafeteria wastes, yard trimmings, tires, pallets, grass clippings, oil filters and confidential shredded documents. The students primarily generate the CRV beverage containers, cafeteria waste, oil filters, and tires. The office paper, cardboard, newspapers, magazines, plastic, scrap metal, pallets, grass clippings, yard wastes and confidential shredded documents are generated by the operational support staff.

Based on the worksheet (Part III), what is currently being done to reduce waste?

With the passage of AB 939, the Sierra Joint Community College District expanded our solid waste reduction and recycling programs to assist Placer County with the mandated reductions. Although not specifically required to reduce our wastes, Sierra College was committed to developing a model waste reduction and recycling program. From an economical standpoint, waste reduction and recycling was advantageous to the District. Minimizing solid wastes required smaller dumpsters, and therefore reduced our costs. The District contracted with Project GO, a local non-profit recycling company to take all our CRV containers, office paper and cardboard. All proceeds from these recyclable materials were kept by Project GO and the money was used to support weatherization projects for low-income housing projects within our local community. This was a win/win situation for both of us until 1997 when Project GO left the recycling business. In early 1998, the College developed bid specifications for solid waste disposal and recognized an opportunity to expand our recycling programs. The resulting contract tripled our recycling programs and reduced our solid waste disposal costs by two-thirds. Both our campus in Rocklin and our Roseville Gateway satellite facility in Roseville are located within Placer County. All solid waste generated in Placer County is

processed at the Nor tech Material Recovery Facility (MRF) at Lincoln. At this facility, the Districts solid wastes are again processed to recover additional recyclable materials prior to being landfilled. As a customer and participant, the District shall accept the additional 16% credit for recycling through the MRF.

Based on the worksheet (Part III), briefly describe the programs to be implemented to meet the 25 percent and 50 percent waste diversion goals. Please include a program implementation timeline.

Sierra College proposes to implement grass, concrete and asphalt recycling programs by the end of 2001. In addition, we shall increase the use of electronic forms, double sided copies and utilize CalMAX for the acquisition and/or diversion of reusable materials beginning in 2001. Due to new legislation, we will be recycling all florescent lighting tubes immediately. The Recycling Coordinator at Sierra College shall implement an intensive training program, using numerous methods and media, to educate the 1,500 plus staff and 17,000 plus students as to opportunities for source reduction, reuse and recycling at all facilities within the District. The College shall utilize the CIWMB for grant assistance and for supplying collection containers to expand our current recycling programs to all facilities. We will continue to work closely with our local waste haulers to further reduce our solid wastes.

Does the State agency/large State facility have a waste reduction policy? If so, what is it? See "Waste Reduction Policies and Procedures for State Agencies" for a sample waste reduction and recycling policy statement.

Sierra Joint Community College District does not have a waste reduction policy. We do have, as goals #1, to "Enhance cooperation and involvement of the District with external agencies and individuals, an increase the Districts contributions to the educational, cultural, environmental, and economic well being of the local communities." In addition, goal #8 is to "Manage physical resources effectively to support the educational programs and provide a safe, healthy, and aesthetically stimulating learning and working environment in all District facilities." We feel these goals clearly support a waste reduction philosophy throughout the District.

Briefly describe what resources (staff and/or funds) the State agency/large State facility plans to commit toward implementing its integrated waste management plan, plus meeting the waste diversion goals outlined in Public Resource Code Section 42921.

Due to financial constraints, the District is not in a position to increase its budget to purchase additional equipment or add staff to implement this program. Our Environmental Health & Safety Specialist shall serve as the Recycling Coordinator and that person will supervise the student help needed to accomplish the diversion goals. CIWMB grants will be used to purchase additional equipment and containers needed to collect and process the increased volume of recyclable materials.

This question applies only for State agencies submitting a modified IWMP: Briefly describe the waste diversion program activities currently in place.

#### Programs

Program Name	Existing Planned/Expanding		Tons
Business Source Reduction	X	X	7.6000
Material Exchange	X	X	5.0000
Beverage Containers	X		1.5000
Cardboard	X		10.0000
Glass	X		3.0000
Newspaper	X		1.5000
Office Paper (mixed)	X		9.3000
Plastics	X		0.2500
Scrap Metal	X		1.0000
Special Collection Events	X		93.3000
Xeriscaping, grasscycling	X		152.0000
Commercial pickup of compostables	X		4.0000
Tires	X		0.5000
White/brown goods	X		0.5000
Wood waste	X		2.0000
Concrete/asphalt/rubble (C&D)	X	X	0.2000
Rendering	X		0.5000

392.2 TONS  
DIVERTED, SEE  
PAGE 1

State Agency Waste Management Programs, <http://www.calrecycle.ca.gov/StateAgency/>  
Recycling Coordinator: [SARC@calrecycle.ca.gov](mailto:SARC@calrecycle.ca.gov), (916) 341-6199  
Buy Recycled Campaign: [BuyRecycled@calrecycle.ca.gov](mailto:BuyRecycled@calrecycle.ca.gov), (916) 341-6199

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2001

## State Agency Reporting Center: Waste Management Annual Report

## 2001 SARC Annual Report: Sierra Joint Community College District

[New Search](#) | [Agency Detail](#)[Facilities](#) | [Annual Per Capita Disposal](#) | [Programs](#)

Alternative Name(s): 59 Sierra Joint, Sierra College

Physical Address  
5000 Rocklin Road  
Rocklin, CA 95677CalRecycle Representative  
Kerry Wicker  
[Kerry.Wicker@CalRecycle.ca.gov](mailto:Kerry.Wicker@CalRecycle.ca.gov)  
(916) 341-6267 x

Total Number of Employees including Facilities: 1,775

Recycling Coordinator: Colin Irwin [cirwin@sierracollege.edu](mailto:cirwin@sierracollege.edu) (916) 660-7655

## Facilities

FACILITY NAME	NUMBER OF EMPLOYEES	ADDRESS
Sierra College (Rocklin Campus)	1,500	5000 Rocklin Rd Rocklin, CA 95677
Sierra College (Nevada County Campus)	100	250 Sierra College Dr. Grass Valley, CA 95945
Sierra College (Roseville Gateway Site)	50	333 Sunrise Ave. Roseville, CA 95661
Sierra College (Economic Development)	75	3322 Swetzer Rd. Loomis, CA 95650
Sierra College (Tahoe-Truckee Ext.)	50	PO Box 2467 Truckee, CA 96160
Total Employees in Facilities:	1,775	

Export To Excel

Count: 5

## Annual Per Capita Disposal

## Diversion Program Summary

Total Tonnage Diverted: 205.7

Total Tonnage Disposed: 513.0

Total Tonnage Generated: 718.7

Overall Diversion Percentage: 28.6%

→ 11/1/01 - 6/30/01: 102.85

7/1/01 - 12/31/01: 102.85

205.7

## Employees

Total Number of Employees: 1,775

## Non-Employee Population

Total Number of Non-employees: 17,361

Non-employee Population Type: Visitors, Inmates, etc

## Disposal

Total amount Disposed: 513.00 tons

## Annual Results

Employee Population

3

2001

	<u>Target</u>	<u>Annual</u>	<u>Target</u>	<u>Annual</u>
Per Capita Disposal Rate (pounds/person/day):	0.00	1.60	0.00	0.16

## Questions

Is the mission statement of the State agency/large State facility the same as reported in the Integrated Waste Management Plan?

How has the waste stream, i.e. those materials disposed in landfills, changed since the Integrated Waste Management Plan was submitted?

The waste stream disposed at the landfill has decreased while the recycling and diversion programs volume has increased.

What waste diversion programs are currently in place and what waste diversion programs were implemented in 2001 to meet the waste diversion goals?

Source reduction Recycling Composting Special Waste

How were the amounts of materials disposed and diverted, that were entered into the Annual Report, determined (e.g. waste assessments, per capita generation and extrapolation, actual disposal weights, or actual recycling weights)?

A combination of waste assessments, disposal weights based on volume and estimated recycling weights based on volume.

What types of activities are included in each of the reported programs? For example does your agency Business Source Reduction include email, double-sided photocopying, reusing envelopes, etc.?

Source Reduction: Business Source Reduction Material Exchange Recycling: Beverage Containers Cardboard Glass Newspapers Office paper (mixed) Plastics Scrap Metal Composting: Xeriscaping/grasscycling On-site composting Commercial Pickup of Waste Special Waste: Tires White/brown goods Scrap metal Wood waste Concrete/asphalt/rubble (C&D) Rendering

Has the State agency/large State facility adopted or changed it's waste reduction policy?

What resources (staff and/or funds) did the State agency/large State facility commit toward implementing it's Integrated Waste Management Plan in 2001 to help meet the waste diversion goals?

The district committed \$13,000 in Capital Outlay funding to purchase 20 large Rubbermaid Paper collection containers. These containers will be placed throughout district facilities for the collection of mixed office paper. The containers can be wheeled or hauled to our central collection container for recycling.

## Programs

Program Name	Existing	Planned/Expanding	Tons
Business Source Reduction	X		8.2000
Material Exchange	X		5.1000
Beverage Containers	X		3.8000
Cardboard	X		5.6000
Glass	X		1.8000
Newspaper	X		1.4000
Office Paper (mixed)	X		13.2000
Plastics	X		0.6000
Scrap Metal	X		2.1000
Xeriscaping, grasscycling	X		154.0000
On-site composting/mulching	X		1.3000
Commercial pickup of compostables	X		4.1000
Tires	X		0.5000
White/brown goods	X		0.5500
Scrap Metal	X		0.3000
Wood waste	X		2.4000
Concrete/asphalt/rubble (C&D)	X		0.1000
Rendering	X		0.6000

205.7 TONS  
DIVERTED, SEE  
PAGE 3

State Agency Waste Management Programs, <http://www.calrecycle.ca.gov/StateAgency/>  
Recycling Coordinator: [SARC@calrecycle.ca.gov](mailto:SARC@calrecycle.ca.gov), (916) 341-6199  
Buy Recycled Campaign: [BuyRecycled@calrecycle.ca.gov](mailto:BuyRecycled@calrecycle.ca.gov), (916) 341-6199

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2003

## State Agency Reporting Center: Waste Management Annual Report

## 2003 SARC Annual Report: Sierra Joint Community College District

[New Search](#) | [Agency Detail](#)[Facilities](#) | [Annual Per Capita Disposal](#) | [Programs](#)

Alternative Name(s): 59 Sierra Joint, Sierra College

Physical Address  
5000 Rocklin Road  
Rocklin, CA 95677CalRecycle Representative  
Kerry Wicker  
[Kerry.Wicker@CalRecycle.ca.gov](mailto:Kerry.Wicker@CalRecycle.ca.gov)  
(916) 341-6267 x

Total Number of Employees including Facilities: 1,188

Recycling Coordinator: Colin Irwin [cirwin@sierracollege.edu](mailto:cirwin@sierracollege.edu) (916) 660-7655

## Facilities

FACILITY NAME	NUMBER OF EMPLOYEES	ADDRESS
Sierra College (Rocklin Campus)	1,009	5000 Rocklin Rd Rocklin, CA 95677
Sierra College (Nevada County Campus)	77	250 Sierra College Dr. Grass Valley, CA 95945
Sierra College (Roseville Gateway)	50	333 Sunrise Ave. Roseville, CA 95661
Sierra College (Tahoe-Truckee)	52	PO Box 2467 Truckee, CA 96160
Total Employees in Facilities:	1,188	

Export To Excel Count: 4

## Annual Per Capita Disposal

## Diversion Program Summary

Total Tonnage Diverted: 408.0

Total Tonnage Disposed: 487.0

Total Tonnage Generated: 895.0

Overall Diversion Percentage: 45.6%

→ 11/1/03 - 6/30/03 : 204.0  
7/1/03 - 12/31/03 : 204.0  
408.0

## Employees

Total Number of Employees: 1,188

## Non-Employee Population

Total Number of Non-employees: 17,900

Non-employee Population Type: Visitors, Inmates, etc

## Disposal

Total amount Disposed: 487.00 tons

## Annual Results

## Employee Population

	Target	Annual	Target	Annual
Per Capita Disposal Rate (pounds/person/day):	0.00	2.20	0.00	0.15

## Questions

2003

Is the mission statement of the State agency/large State facility the same as reported in the previous year?

How has the waste stream (i.e. those materials disposed in landfills) changed since the Integrated Waste Management Plan was submitted? (Changes include kinds and quantities of materials disposed in landfills.)

Our solid waste to the landfill has decreased significantly. Due to reuse, recycling, the CalMax exchange program other diversion options, several hundred tons of materials are being diverted from the landfill. Materials that we do not capture are diverted at the Placer County MRF operated by Nortech.

Summarize what waste diversion programs were continued or newly implemented during the report year.

Solid waste diversion programs continued are: 1) Using the CalMax Exchange, 2) CRV container recycling, 3) Plastic and metal recycling, 4) Mixed office paper, newspaper, magazine & telephone books, 5) cardboard, 6) wood pallet reuse/recycling, 7) yard wood and grass recycling, 8) tires, batteries, antifreeze, motor oil and oil filter recycling, 9) cafeteria oil/grease recycling, and 10) paint and photography fixer/developer recycling. Newly implemented programs include: 1) collection of parking lot sweepings, 2) recycling of electronic wastes and 3) increased utilization of confidential document shredding.

How were the tonnages determined for the materials disposed and diverted? (e.g. waste assessments, per capita generation and extrapolation, actual disposal weights, or actual recycling weights)

Business Source Reduction were calculated based on per capita generation and extrapolation. Recycling tonnages were determined based on the actual volume diverted and converted using CIWMB conversion tables. Shredded paper and wood pallets were determined by actual weight tickets. Organic Management materials were calculated using the dormant season weights for pruning wastes and the growing season weights for grass recycling by volume generated and converted to tons. Special Wastes were determined by estimated weight per item/container and the number of items/containers diverted from the waste stream. Hazardous Wastes were calculated using the Hazardous Waste Manifests or Bills of Lading to identify the volume and then multiplied by the estimated weight per unit of volume.

What types of activities are included in each of the reported programs? (The following link of [category definitions](#) may assist you in answering this question.)

I. Business Source Reduction \*Paper form reduction by adding additional electronic forms \*Collecting and recycling toner cartridges \*Reusing boxes \*Using electronic media \*Placed additional forms online \*Purchasing printer that have two sided printing option \*Rolled paper towels in restrooms with 30% recycle content \*Contracted to have shop rags laundered II. Material Exchange \*Donating materials to other schools and non-profits \*Utilizing CalMax to receive and reuse items \*Reutilizing property by other departments/divisions \*Surplus old equipment III. Recycling \*Collecting CRV beverage containers \*Collecting cardboard, glass, plastic, newspaper, mixed paper, scrap metal, magazines and telephone books \*Wood pallets IV. Organic Management \*Continue to compost grass clippings \*Mulching around trees to reduce water requirements \*Collect and recycle parking lot sweeping debris V. Special Waste Materials \*Recycle tires \*Recycle white and brown metal appliances \*Utilize concrete & asphalt for fill \*Recycle grease and oil from cafeteria VI. Facility Recovery \*All of our solid wastes are taken to the MRF facility on Athens Road operated by Nortech VII. Hazardous Waste Materials \*All CRT's and CED's are recycled \*All light tubes are recycled \*All batteries, oil, oil filters, antifreeze and paint is recycled \*All other hazardous wastes are lab packed and properly disposed of through reuse, recycle, incineration or neutralization. IIX. Promotional Programs \* Promote through news updates, publications on the website, labeling of containers for proper sorting of recyclables discussing the District's recycling program at new employee orientations.

Has the State agency/large State facility adopted or changed its waste reduction policy?

What resources (staff and/or funds) did the State agency/large State facility commit toward implementing its Integrated Waste Management Plan during the report year to help meet the waste diversion goals?

Due to budget cuts, student help was eliminated during the last 9 months of 2003. Due to these cuts, the Recycling Coordinator was directed to pick up the 13.5 hours per week that previously students worked on picking up the recyclables. The diversion goal is a priority and the program continues. In March of 2004, 8.5 student hours have been restored.

#### Programs

Program Name	Existing	Planned/Expanding	Tons
Business Source Reduction	X		31.2000
Material Exchange	X		28.3000
Beverage Containers	X		6.9000
Cardboard	X		22.5000
Glass	X		4.8000
Newspaper	X		4.1000
Office Paper (mixed)	X		22.3000
Plastics	X		1.9000
Scrap Metal	X		8.0000
Special Collection Events	X		1.0000
Xeriscaping, grasscycling	X		154.0000
On-site composting/mulching	X		5.5000
Commercial pickup of compostables	X		10.2000
Tires	X		1.4000
White/brown goods	X		0.5000
Wood waste	X		6.6000
Concrete/asphalt/rubble (C&D)	X		1.1000
Rendering	X		1.3000
MRF	X		96.3600

408.0 TONS  
DIVERTED, SEE  
PAGE 5

State Agency Waste Management Programs, <http://www.calrecycle.ca.gov/StateAgency/>  
Recycling Coordinator: [SARC@calrecycle.ca.gov](mailto:SARC@calrecycle.ca.gov), (916) 341-6199  
Buy Recycled Campaign: [BuyRecycled@calrecycle.ca.gov](mailto:BuyRecycled@calrecycle.ca.gov), (916) 341-6199

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2004



## State Agency Reporting Center: Waste Management Annual Report

## 2004 SARC Annual Report: Sierra Joint Community College District

[New Search](#) | [Agency Detail](#)
[Facilities](#) | [Annual Per Capita Disposal](#) | [Programs](#)

Alternative Name(s): 59 Sierra Joint, Sierra College

**Physical Address**  
5000 Rocklin Road  
Rocklin, CA 95677

**CalRecycle Representative**  
Kerry Wicker  
[Kerry.Wicker@CalRecycle.ca.gov](mailto:Kerry.Wicker@CalRecycle.ca.gov)  
(916) 341-6267 x

Total Number of Employees including Facilities: 1,399

Recycling Coordinator: Colin Irwin [cirwin@sierracollege.edu](mailto:cirwin@sierracollege.edu) (916) 660-7655

## Facilities

FACILITY NAME	NUMBER OF EMPLOYEES	ADDRESS
Sierra College (Rocklin Campus)	1,220	5000 Rocklin Rd Rocklin, CA 95677
Sierra College (Nevada County Campus)	77	250 Sierra College Dr. Grass Valley, CA 95945
Sierra College (Roseville Gateway)	50	333 Sunrise Ave. Roseville, CA 95661
Sierra College (Tahoe-Truckee)	52	PO Box 2467 Truckee, CA 96160
<b>Total Employees in Facilities:</b>	<b>1,399</b>	

Export To Excel

Count: 4

## Annual Per Capita Disposal

## Diversion Program Summary

Total Tonnage Diverted: 538.5

Total Tonnage Disposed: 459.0

Total Tonnage Generated: 997.5

Overall Diversion Percentage: 54.0%

→ 1/1/04 - 6/30/04 : 269.25  
7/1/04 - 12/31/04 : 269.25  
538.5

## Employees

Total Number of Employees: 1,399

## Non-Employee Population

Total Number of Non-employees: 20,034

Non-employee Population Type: Visitors, inmates, etc

## Disposal

Total amount Disposed: 459.00 tons

## Annual Results

## Employee Population

	Target	Annual	Target	Annual
Per Capita Disposal Rate (pounds/person/day):	0.00	1.80	0.00	0.13

## Questions

2004

Is the mission statement of the State agency/large State facility the same as reported in the previous year?

How has the waste stream (i.e. those materials disposed in landfills) changed since the Integrated Waste Management Plan was submitted? (Changes include kinds and quantities of materials disposed in landfills.)

Solid waste diversion at all District sites has increased this past year. Diversion increases were due to increased awareness, recycling, donations of reusable/recyclable equipment and implementation of a sensitive document shredding program. Materials not captured at District sites are being recovered by MRF facilities utilized by both Placer and Nevada Counties.

Summarize what waste diversion programs were continued or newly implemented during the report year.

Solid waste diversion programs continued are: 1) use of the CalMax Exchange, 2) Business Source Reduction, 3) recycling of beverage containers, 4) cardboard, 5) glass, 6) newspapers, telephone books and magazines, 7) mixed office paper, 8) plastic and metal containers and special event collections. Our organic material program includes grasscycling onsite and collecting all pruning and wood wastes for composting. Special wastes that we continue to divert include white/brown goods, wood pallets, concrete & asphalt demolition and rendering oils and grease. We continue to utilize the services provided by County MRF's to further recover recyclable solid wastes not recovered at our sites. We have greatly expanded our electronic waste recycling and sensitive data document shredding programs this past year. Hazardous materials such as batteries, photography wastes, paint, universal wastes and hazardous wastes are properly managed and recycled/treated and properly disposed of according to State and Federal laws and regulations.

How were the tonnages determined for the materials disposed and diverted? (e.g. waste assessments, per capita generation and extrapolation, actual disposal weights, or actual recycling weights)

Business Source Reduction tons were calculated based on per capita generation and extrapolation. Recycling tonnages were determined based on the actual volume diverted and converted using CIVMB conversion tables. Shredded paper and wood pallets were determined by extrapolation using the information provided by the vendor. Organic Management materials were calculated using the dormant season weights for pruning wastes and the growing season weights for grasscycling by volume generated and converted to tons. Special Wastes were determined by estimated weight per item/container and the number of items/containers diverted from the waste stream. Hazardous Wastes were calculated using the Hazardous Waste Manifests or Bills of Lading to identify the volume and then multiplied by the estimated weight per unit of volume.

What types of activities are included in each of the reported programs? (The following link of [category definitions](#) may assist you in answering this question.)

I. Business Source Reduction \*Paper form reduction by encouraging electronic forms \*Collecting and recycling toner cartridges \*Reusing boxes \*Using electronic media \*Encouraging the purchasing of printers that have two sided printing option \*Rolled paper towels in restrooms with 30% recycle content \*Contracted to have shop rags laundered II. Material Exchange \*Donating materials to other schools and non-profits \*Utilizing CalMax to receive and reuse items \*Reutilizing property by other departments/divisions \*Surplus old equipment to recycling vendor III. Recycling \*Collecting CRV beverage containers \*Collecting cardboard, glass, plastic, newspaper, mixed office paper, scrap metal, magazines and telephone books \*Wood pallets IV. Organic Management \*Continue to compost grass clippings \*Mulching around trees to reduce watering requirements \*Collect and recycle parking lot sweeping debris \*Collect pruning wastes for composting V. Special Waste Materials \*Recycle tires \*Recycle wood pallets \*Recycle white and brown metal appliances \*Utilize concrete & asphalt for fill \*Recycle grease and oil from cafeteria VI. Facility Recovery \*All of our solid wastes are taken to MRF facilities in both Placer and Nevada Counties. VII. Hazardous Waste Materials \*All CRT's and CED's are recycled \*All light tubes and bulbs are recycled \*All batteries, oil, oil filters, antifreeze and paint is recycled \*All hazardous wastes are lab packed and properly disposed of through reuse, recycle, incineration or neutralization. IIX. Promotional Programs \* Promote through news updates, publications on the website, labeling of containers for proper sorting of recyclables discussing the District's recycling program at new employee orientations.

Has the State agency/large State facility adopted or changed its waste reduction policy?

What resources (staff and/or funds) did the State agency/large State facility commit toward implementing its Integrated Waste Management Plan during the report year to help meet the waste diversion goals?

The District has continued its commitment towards providing staff that will work towards diverting it's solid wastes from the landfills. Limited funds play a vital role in the expansion of the program.

#### Programs

Program Name	Existing	Planned/Expanding	Tons
Business Source Reduction	X		42.3000
Material Exchange	X	X	39.6000
Beverage Containers	X		9.3000
Cardboard	X		39.5000
Glass	X		10.2500
Newspaper	X		9.0000
Office Paper (mixed)	X		37.5000
Plastics	X		2.2500
Scrap Metal	X		23.0000
Special Collection Events	X		18.0000
Xeriscaping, grasscycling	X		155.0000
Commercial pickup of compostables	X		13.5000
Tires	X		1.5000
White/brown goods	X		2.2500
Wood waste	X		11.5000
Concrete/asphalt/rubble (C&D)	X		5.5000
Rendering	X		2.5000
MRF	X		116.0000

538.5 TONS,  
DIVERTED, SEE  
PAGE 7

State Agency Waste Management Programs, <http://www.calrecycle.ca.gov/StateAgency/>  
Recycling Coordinator: [SARC@calrecycle.ca.gov](mailto:SARC@calrecycle.ca.gov), (916) 341-6199  
Buy Recycled Campaign: [BuyRecycled@calrecycle.ca.gov](http://www.calrecycle.ca.gov/BuyRecycled), (916) 341-6199

2005



## State Agency Reporting Center: Waste Management Annual Report

## 2005 SARC Annual Report: Sierra Joint Community College District

[New Search](#) | [Agency Detail](#)
[Facilities](#) | [Annual Per Capita Disposal](#) | [Programs](#)

Alternative Name(s): 59 Sierra Joint, Sierra College

**Physical Address**  
5000 Rocklin Road  
Rocklin, CA 95677

**CalRecycle Representative**  
Kerry Wicker  
[Kerry.Wicker@CalRecycle.ca.gov](mailto:Kerry.Wicker@CalRecycle.ca.gov)  
(916) 341-6267 x

Total Number of Employees including Facilities: 1,387

Recycling Coordinator: Colin Irwin [cirwin@sierracollege.edu](mailto:cirwin@sierracollege.edu) (916) 660-7655

## Facilities

FACILITY NAME	NUMBER OF EMPLOYEES	ADDRESS
Sierra College (Rocklin Campus)	1,210	5000 Rocklin Rd Rocklin, CA 95677
Sierra College (Nevada County Campus)	73	250 Sierra College Dr. Grass Valley, CA 95945
Sierra College (Roseville Gateway)	52	333 Sunrise Ave. Roseville, CA 95661
Sierra College (Tahoe-Truckee)	52	PO Box 2467 Truckee, CA 96160
<b>Total Employees in Facilities:</b>	<b>1,387</b>	

Export To Excel

Count: 4

## Annual Per Capita Disposal

## Diversion Program Summary

Total Tonnage Diverted: 569.7

Total Tonnage Disposed: 461.3

Total Tonnage Generated: 1,031.0

Overall Diversion Percentage: 55.3%

11/1/05 - 6/30/05 : 298.85

7/1/05 - 12/31/05 : 298.85

569.7

## Employees

Total Number of Employees: 1,387

## Non-Employee Population

Total Number of Non-employees: 20,413

Non-employee Population Type: Visitors, Inmates, etc

## Disposal

Total amount Disposed: 461.30 tons

## Annual Results

## Employee Population

	Target	Annual	Target	Annual
Per Capita Disposal Rate (pounds/person/day):	0.00	1.80	0.00	0.12

## Questions

2005

Is the mission statement of the State agency/large State facility the same as reported in the previous year?

How has the waste stream (i.e. those materials disposed in landfills) changed since the Integrated Waste Management Plan was submitted? (Changes include kinds and quantities of materials disposed in landfills.)

The solid waste diversion has increased or decreased in some areas but, overall diversion has increased slightly. We continue to educate our students and staff on the importance of diverting wastes to our landfills. We are fortunate to have MRF's that can divert non-captured materials from our Nevada and Placer County sites. Overall, our diversion has gone up and our disposal to landfills has been reduced.

Summarize what waste diversion programs were continued or newly implemented during the report year.

Diversion Programs continued include: 1) use of the CalMax Exchange, 2) Business Source Reduction, 3) recycling of all CRV and non-CRV beverage containers, 4) cardboard, 5) glass, 6) newspapers, magazines and telephone books, 7) mixed office paper 8) pallet recycling and 9) CRV beverage containers at special events throughout the academic year. We continue to utilize grasscycling onsite and collecting all landscape wood wastes for offsite grinding. Special wastes we continue to divert include white/brown metals, concrete and asphalt demolition, and rendering oil/grease. Our electronic and sensitive data paper recycling programs were increased this past year and will continue to grow. We will be implementing a Universal Waste collection program beginning in 2005 to collect household batteries and mercury containing products such as light tubes, thermostats and switches.

How were the tonnages determined for the materials disposed and diverted? (e.g. waste assessments, per capita generation and extrapolation, actual disposal weights, or actual recycling weights)

The tonnages were derived using past practices. The Business Source Reduction tons were calculated based on per capita generation and extrapolation. Recycling tonnages were determined based on the actual volume diverted and converted using the CIWMB conversion tables. Shredded paper and wood pallets were determined by extrapolation using the information provided by our vendors. Organic Management materials were calculated using the dormant season weights from pruning wastes and the growing season weights for grasscycling by the volume generated and converted to tons. Special wastes were determined by estimated weight per item/container and the number of items/containers diverted from the waste stream. Hazardous wastes were calculated using Hazardous Waste Manifests or Bills of Lading to identify the volume and the multiplied by the estimated weight per unit of volume.

What types of activities are included in each of the reported programs? (The following link of [category definitions](#) may assist you in answering this question.)

I. Business Source Reduction \*Paper forms reduction by encouraging electronic forms \*Collecting and recycling toner cartridges \*Reusing boxes \*Using electronic media \*Encouraging the purchasing of printers that have two sided printing option \*Rolled paper towels in restrooms with 30% recycle content \*Contracted to have shop rags laundered II. Material Exchange \*Donating materials to other schools and non-profits \*Utilizing CalMax to receive and reuse items \*Reutilizing property by other departments/divisions \*Surplus old equipment to recycling vendor III. Recycling \*Collecting CRV beverage containers \*Collecting cardboard, glass, plastic, newspaper, mixed office paper, scrap metal, magazines and telephone books IV. Organic Management \*Continue to compost grass clippings \*Mulching around trees to reduce watering requirements \*Collect and recycle parking lot sweeping debris \*Collect pruning wastes for composting V. Special Waste Materials \*Recycle tires \*Recycle wood pallets \*Recycle white and brown metal appliances \*Utilize concrete & asphalt for fill \*Recycle grease and oil from cafeteria VI. Facility Recovery \*All of our solid wastes are taken to MRF facilities for both Placer and Nevada Counties. VII. Hazardous Waste Materials \*All CRT's and CED's are recycled \*All light tubes and bulbs are recycled \*All batteries, oil, oil filters, antifreeze and paint is recycled \*All hazardous wastes are lab packed and properly disposed of through reuse, recycle, incineration or neutralization. IIX. Promotional Programs \* Promote through news updates, publications on the website, labeling of containers for proper sorting of recyclables discussing the District's recycling program at each new employee orientation.

Has the State agency/large State facility adopted or changed its waste reduction policy?

What resources (staff and/or funds) did the State agency/large State facility commit toward implementing its Integrated Waste Management Plan during the report year to help meet the waste diversion goals?

The District has continued its commitment to providing staff that will work towards diverting our solid wastes from the landfills. Limited funding plays a key role in expanding the current program.

#### Programs

Program Name	Existing	Planned/Expanding	Tons
Business Source Reduction	X		42.5000
Material Exchange	X		37.0000
Beverage Containers	X		11.7500
Cardboard	X		42.0000
Glass	X		10.5000
Newspaper	X		14.7500
Office Paper (white)	X		16.5000
Office Paper (mixed)	X		39.5000
Plastics	X		3.0000
Scrap Metal	X		25.3300
Special Collection Events	X		16.5000
Xeriscaping, grasscycling	X		156.0000
Commercial pickup of compostables	X		15.5000
Tires	X		2.2500
White/brown goods	X		2.5000
Wood waste	X		11.0000
Concrete/asphalt/rubble (C&D)	X		7.7500
Rendering	X		3.3300
MRF	X		112.0000

569.7 TONS  
DIVERTED. SEE  
PAGE 9

State Agency Waste Management Programs, <http://www.calrecycle.ca.gov/StateAgency/>  
Recycling Coordinator: [SARC@calrecycle.ca.gov](mailto:SARC@calrecycle.ca.gov), (916) 341-6199  
Buy Recycled Campaign: [BuyRecycled@calrecycle.ca.gov](mailto:BuyRecycled@calrecycle.ca.gov), (916) 341-6199



2006



## State Agency Reporting Center: Waste Management Annual Report

## 2006 SARC Annual Report: Sierra Joint Community College District

[New Search](#) | [Agency Detail](#)
[Facilities](#) | [Annual Per Capita Disposal](#) | [Programs](#)

Alternative Name(s): 59 Sierra Joint, Sierra College

**Physical Address**  
5000 Rocklin Road  
Rocklin, CA 95677

**CalRecycle Representative**  
Kerry Wicker  
[Kerry.Wicker@CalRecycle.ca.gov](mailto:Kerry.Wicker@CalRecycle.ca.gov)  
(916) 341-6267 x

Total Number of Employees including Facilities: 1,397

Recycling Coordinator: Colin Irwin [cirwin@sierracollege.edu](mailto:cirwin@sierracollege.edu) (916) 660-7655

## Facilities

FACILITY NAME	NUMBER OF EMPLOYEES	ADDRESS
Sierra College (Rocklin Campus)	1,215	5000 Rocklin Rd Rocklin, CA 95677
Sierra College (Nevada County Campus)	73	250 Sierra College Dr. Grass Valley, CA 95945
Sierra College (Roseville Gateway)	52	333 Sunrise Ave. Roseville, CA 95661
Sierra College (Tahoe-Truckee)	57	PO Box 2467 Truckee, CA 96160
<b>Total Employees in Facilities:</b>	<b>1,397</b>	
Export To Excel		Count: 4

## Annual Per Capita Disposal

## Diversion Program Summary

Total Tonnage Diverted: 581.4

Total Tonnage Disposed: 458.5

Total Tonnage Generated: 1,039.9

Overall Diversion Percentage: 55.9%

1/01/06 - 6/30/06 : 290.7  
7/01/06 - 12/31/06 : 290.7  
581.4

## Employees

Total Number of Employees: 1,397

## Non-Employee Population

Total Number of Non-employees: 21,047

Non-employee Population Type: Visitors, Inmates, etc

## Disposal

Total amount Disposed: 458.50 tons

## Annual Results

## Employee Population

	Target	Annual	Target	Annual
Per Capita Disposal Rate (pounds/person/day):	0.00	1.80	0.00	0.12

## Questions

2006

Is the mission statement of the State agency/large State facility the same as reported in the previous year?

How has the waste stream (i.e. those materials disposed in landfills) changed since the Integrated Waste Management Plan was submitted? (Changes include kinds and quantities of materials disposed in landfills.)

The waste stream has decreased. We continue to educate our students and staff on the benefits of recycling and diverting reusable items from our waste stream. The recyclable and reusable items have increased yearly since the Plan was adopted. Although our student and staff numbers have grown, we continue to reduce the solid waste to our landfills.

Summarize what waste diversion programs were continued or newly implemented during the report year.

Waste diversion programs continued include Business Source Reduction, Material Exchange, Beverage containers, Cardboard, Glass, Newspaper, White Office Paper, Mixed Office Paper, Plastics, Scrap Metal, Special Collection Events, Grasscycling, Commercial pickup of compostables, Tires, White/brown goods, wood waste, Concrete/asphalt demolition, oil rendering and utilizing the Placer County MRF. Programs newly plandded/expanded include more beverage collection containers, increased collection of non CRV glass, expanded collection of Pete 1-7 plastics and additional collection sites for Earth Day Activities. Due to changes in the regulations regarding Universal Wastes, our batteries, light tubes and mercury containg bulbs/switches has increased.

How were the tonnages determined for the materials disposed and diverted? (e.g. waste assessments, per capita generation and extrapolation, actual disposal weights, or actual recycling weights)

The tonnages were derived using past practices. The Business Source Reduction tons were calculated based on per capita generation and extrapolation. Recycling tonnages were determined based on the actual volume diverted and converted using the CIWMB conversion tables. Shredded paper and wood pallets were determined by extrapolation using the information provided by our vendors. Organic Management materials were calculated using the dormant season weights from pruning wastes and the growing season weights for grasscycling by the volume generated and converted to tons. Special wastes were determined by estimated weight per item/container and the number of items/containers diverted from the waste stream. Hazardous wastes were calculated using Hazardous Waste Manifests or Bills of Lading to identify the volume and then multiplied by the estimated weight per unit of volume.

What types of activities are included in each of the reported programs? (The following link of category definitions may assist you in answering this question.)

I. Business Source Reduction: Paper forms reduction by encouraging electronic forms; Collecting and recycling toner cartridges; Reusing boxes; Using electronic media; Encouraging the purchasing of printers that have two sided printing option; Rolled paper towels in restrooms with 30% recycle content; Contracted to have shop rags laundered; All white paper purchased for printing contains 30% recycled content II. Material Exchange: Donating materials to other schools and non-profits; Utilizing CalMax to receive and reuse items; Reutilizing property by other departments/divisions; Surplusing old equipment to recycling vendor III. Recycling: Collecting CRV beverage containers; Collecting cardboard, glass, plastic, newspaper, mixed office paper, scrap metal, magazines and telephone books; Wood pallets; Recycle grease and oil from cafeteria IV. Organic Management: Continue to compost grass clippings; Mulching around trees to reduce watering requirements; Collect and recycle parking lot sweeping debris; Collect pruning wastes for composting V. Special Waste Materials: Recycle tires; Recycle white and brown metal appliances; Utilize concrete & asphalt for fill; Recycle batteries and flourscent light tubes VI. Facility Recovery: All of our solid wastes in Placer County are taken to the MRF facility. VII. Hazardous Waste Materials: All auto batteries, oil, oil filters, antifreeze and paint are recycled; All hazardous wastes are lab packed and properly disposed of through reuse, recycle, incineration or neutralization. \*All CRT's and CED's are recycled IIX. Promotional Programs: Promote through news updates, publications on the website, labeling of containers for proper sorting of recyclables and discussing the District's recycling program at each new employee orientation.

Has the State agency/large State facility adopted or changed its waste reduction policy?

What resources (staff and/or funds) did the State agency/large State facility commit toward implementing its Integrated Waste Management Plan during the report year to help meet the waste diversion goals?

The District has continued its commitment to providing staff that will work towards diverting our solid wastes from the landfills. Limited funding plays a key role in expanding the current program.

#### Programs

Program Name	Existing	Planned/Expanding	Tons
Business Source Reduction	X		43.3000
Material Exchange	X		35.8100
Beverage Containers	X	X	13.1000
Cardboard	X		42.6000
Glass	X	X	10.5100
Newspaper	X		14.8300
Office Paper (white)	X		19.8000
Office Paper (mixed)	X		39.8700
Plastics	X	X	3.2100
Scrap Metal	X		24.9000
Special Collection Events	X	X	16.6000
Xeriscaping, grasscycling	X		158.2000
Commercial pickup of compostables	X		15.4700
Tires	X		2.2100
White/brown goods	X		2.5600
Wood waste	X		12.1300
Concrete/asphalt/rubble (C&D)	X		7.6200
Rendering	X		3.3500
MRF	X		115.3000

581.4 TONS  
DIVERTED, SEE  
PAGE 11

State Agency Waste Management Programs, <http://www.calrecycle.ca.gov/StateAgency/>  
Recycling Coordinator: [SARC@calrecycle.ca.gov](mailto:SARC@calrecycle.ca.gov), (916) 341-6199  
Buy Recycled Campaign: [BuyRecycled@calrecycle.ca.gov](mailto:BuyRecycled@calrecycle.ca.gov), (916) 341-6199

2007


**State Agency Reporting Center: Waste Management Annual Report**
**2007 SARC Annual Report: Sierra Joint Community College District**
[New Search](#) | [Agency Detail](#)
[Facilities](#) | [Annual Per Capita Disposal](#) | [Programs](#)
**Alternative Name(s):** 59 Sierra Joint, Sierra College

**Physical Address**  
 5000 Rocklin Road  
 Rocklin, CA 95677

**CalRecycle Representative**  
 Kerry Wicker  
[Kerry.Wicker@CalRecycle.ca.gov](mailto:Kerry.Wicker@CalRecycle.ca.gov)  
 (916) 341-6267 x

**Total Number of Employees including Facilities:** 1,397

**Recycling Coordinator:** Colin Irwin [cirwin@sierracollege.edu](mailto:cirwin@sierracollege.edu) (916) 660-7655

Facilities		
FACILITY NAME	NUMBER OF EMPLOYEES	ADDRESS
Sierra College (Rocklin Campus)	1,215	5000 Rocklin Rd Rocklin, CA 95677
Sierra College (Nevada County Campus)	73	250 Sierra College Dr. Grass Valley, CA 95945
Sierra College (Roseville Gateway)	52	333 Sunrise Ave. Roseville, CA 95661
Sierra College (Tahoe-Truckee)	57	PO Box 2467 Truckee, CA 96160
<b>Total Employees in Facilities:</b>	<b>1,397</b>	
Export To Excel		Count: 4

**Annual Per Capita Disposal**
**Diversion Program Summary**
**Total Tonnage Diverted:** 591.3

**Total Tonnage Disposed:** 389.8

**Total Tonnage Generated:** 981.1

**Overall Diversion Percentage:** 60.3%

→ 1/1/07 - 6/30/07: 295.65  
 7/1/07 - 12/31/07: 295.65  
591.3

**Employees**
**Total Number of Employees:** 1,397

**Non-Employee Population**
**Total Number of Non-employees:** 20,839

**Non-employee Population Type:** Visitors, Inmates, etc

**Disposal**
**Total amount Disposed:** 389.80 tons

**Annual Results**
**Employee Population**

	Target	Annual	Target	Annual
Per Capita Disposal Rate (pounds/person/day):	0.00	1.50	0.00	0.10

**Questions**

2007

Is the mission statement of the State agency/large State facility the same as reported in the previous year?

How has the waste stream (i.e. those materials disposed in landfills) changed since the Integrated Waste Management Plan was submitted? (Changes include kinds and quantities of materials disposed in landfills.)

The waste stream has decreased. We continue to educate our students and staff on the benefits of recycling and diverting reusable items from our waste stream. Although our student and staff numbers have decreased, our facility square footage has increased. With assistance from Nevada County, we have increased the recycling program at our Nevada County Campus in Grass Valley.

Summarize what waste diversion programs were continued or newly implemented during the report year.

Waste diversion programs continued include Business Source Reduction, Material Exchange, Beverage containers, Cardboard, Glass, Newspaper, White Office Paper, Mixed Office Paper, Plastics, Scrap Metal, Special Collection Events, Grasscycling, Commercial pickup of compostables, Tires, White/brown goods, wood waste, Concrete/asphalt demolition, oil rendering and utilizing the Placer County MRF. Programs newly expanded include more beverage collection containers, increased collection of non CRV glass and expanded collection of Pete 1-7 plastics at our Nevada County site. Due to changes in the regulations regarding Universal Wastes, our batteries, light tubes and mercury containing bulbs/switches have increased.

How were the tonnages determined for the materials disposed and diverted? (e.g. waste assessments, per capita generation and extrapolation, actual disposal weights, or actual recycling weights)

The tonnages were derived using past practices. The Business Source Reduction tons were calculated based on per capita generation and extrapolation. Recycling tonnages were determined based on the actual volume diverted and converted using the CIWMB conversion tables. Shredded paper and wood pallets were determined by extrapolation using the information provided by our vendors. Organic Management materials were calculated using the dormant season weights from pruning wastes and the growing season weights for grasscycling by the volume generated and converted to tons. Hazardous wastes were calculated using Hazardous Waste Manifests or Bills of Lading to identify the volume and then multiplied by the estimated weight per unit of volume.

What types of activities are included in each of the reported programs? (The following link of category definitions may assist you in answering this question.)

I. Business Source Reduction: Paper forms reduction by encouraging electronic forms; Collecting and recycling toner cartridges; Reusing boxes; Using electronic media; Encouraging the purchasing of printers that have two sided printing option; Rolled paper towels in restrooms with 30% recycle content; Contracted to have shop rags laundered; All white paper purchased for printing contains 30% recycled content II. Material Exchange: Donating materials to other schools and non-profits; Utilizing CalMax to receive and reuse items; Reutilizing property by other departments/divisions; Surplus old equipment to recycling vendor III. Recycling: Collecting CRV beverage containers; Collecting cardboard, glass, plastic, newspaper, mixed office paper, scrap metal, magazines and telephone books; Wood pallets; Recycle grease and oil from cafeteria IV. Organic Management: Continue to compost grass clippings; Mulching around trees to reduce watering requirements; Collect and recycle parking lot sweeping debris; Collect pruning wastes for composting V. Special Waste Materials: Recycle tires; Recycle white and brown metal appliances; Utilize concrete & asphalt for fill; Recycle batteries and fluorescent light tubes VI. Facility Recovery: All of our solid wastes in Placer County are taken to the MRF facility. All the commingled materials collected at our Nevada County site are hauled by Waste Management to a sorting facility in Lodi. VII. Hazardous Waste Materials: All auto batteries, oil, oil filters, antifreeze and paint are recycled; All hazardous wastes are lab packed and properly disposed of through reuse, recycle, incineration or neutralization. \*All CRT's and CED's are recycled IIX. Promotional Programs: Promote through news updates, information via e-mail, labeling of containers for proper sorting of recyclables and discussing the District's recycling program at each new employee orientation.

Has the State agency/large State facility adopted or changed its waste reduction policy?

What resources (staff and/or funds) did the State agency/large State facility commit toward implementing its Integrated Waste Management Plan during the report year to help meet the waste diversion goals?

The District has continued its commitment towards creating a sustainable environment looks for new ways to divert our solid wastes from the landfills. Limited funding for staffing and equipment plays a key role in expanding the current program.

#### Programs

Program Name	Existing	Planned/Expanding	Tons
Business Source Reduction	X		42.8000
Material Exchange	X		31.5000
Beverage Containers	X		17.4000
Cardboard	X		44.2000
Glass	X		11.2500
Newspaper	X		14.5000
Office Paper (white)	X		21.5000
Office Paper (mixed)	X		39.0000
Plastics	X	X	4.2500
Scrap Metal	X		31.6000
Special Collection Events	X	X	14.7500
Xeriscaping, grasscycling	X		159.2500
Commercial pickup of compostables	X		15.5000
Tires	X		2.0000
White/brown goods	X		2.2500
Wood waste	X		14.7500
Concrete/asphalt/rubble (C&D)	X		3.0000
Rendering	X		2.5000
MRF	X		119.2500

591.3 TONS  
DIVERTED, SEE  
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State Agency Waste Management Programs, <http://www.calrecycle.ca.gov/StateAgency/>  
Recycling Coordinator: [SARC@calrecycle.ca.gov](mailto:SARC@calrecycle.ca.gov), (916) 341-6199  
Buy Recycled Campaign: [BuyRecycled@calrecycle.ca.gov](mailto:BuyRecycled@calrecycle.ca.gov), (916) 341-6199

2008



## State Agency Reporting Center: Waste Management Annual Report

## 2008 SARC Annual Report: Sierra Joint Community College District

[New Search](#) | [Agency Detail](#)
[Facilities](#) | [Annual Per Capita Disposal](#) | [Programs](#)

Alternative Name(s): 59 Sierra Joint, Sierra College

## Physical Address

5000 Rocklin Road  
Rocklin, CA 95677

## CalRecycle Representative

Kerry Wicker  
[Kerry.Wicker@CalRecycle.ca.gov](mailto:Kerry.Wicker@CalRecycle.ca.gov)  
(916) 341-6267 x

Total Number of Employees including Facilities: 1,524

Recycling Coordinator: Colin Irwin [cirwin@sierracollege.edu](mailto:cirwin@sierracollege.edu) (916) 660-7655

## Facilities

FACILITY NAME	NUMBER OF EMPLOYEES	ADDRESS
Sierra College (Rocklin Campus)	1,316	5000 Rocklin Rd Rocklin, CA 95677
Sierra College (Nevada County Campus)	91	250 Sierra College Dr. Grass Valley, CA 95945
Sierra College (Roseville Gateway)	62	333 Sunrise Ave. Roseville, CA 95661
Sierra College (Tahoe-Truckee)	55	10725 Pioneer Trail Truckee, CA 96161
<b>Total Employees in Facilities:</b>	<b>1,524</b>	
Export To Excel		Count: 4

## Annual Per Capita Disposal

## Employees

Total Number of Employees: 1,524

## Non-Employee Population

Total Number of Non-employees: 21,162

Non-employee Population Type: Students

NO DIVERSION INFORMATION  
IS REPORTED BY DISTRICT.

## Disposal

Total amount Disposed: 383.00 tons

## Annual Results

	Employee Population		Student Population	
	Target	Annual	Target	Annual
Per Capita Disposal Rate (pounds/person/day):	2.00	1.40	0.10	0.10

## Questions

Is the mission statement of your State agency/large State facility the same as reported in the previous year?

What changes have there been in the waste generated or disposed by your State agency/large State facility during the report year? (For example, changes in types and/or quantities of waste.) Explain, to the best of your ability the causes for those changes.

2008

There has been less waste disposed of in 2008. We have been more proactive in increasing awareness of what materials can be recycled and therefore not placed in our solid waste stream. Our cardboard, metals and wood pallet recycling increased in 2008. Shredded paper recycling decreased to zero as the MRF no longer accepts it as recycled paper. The shredded paper is now in our solid waste to the landfill. Also, our food wastes from the cafeteria in Rocklin go directly to the landfill and not through the MRF. The ability to comeingle our recyclables at the Nevada County Campus has greatly increased our recycling at that campus. With our new campus opening at Tahoe-Truckee, we now have our own site and building so we increased our recycling at that site as well.

Explain any changes to waste diversion programs that were continued from the prior report year. Be sure to indicate the reason for making the changes.

The major change from prior years is the ability to collect comingled recyclables at our Nevada County Campus. We also added a metal recycling roll-off bin at our Rocklin campus and that has enabled us to increase our metal recycling. We are also capturing additional cardboard and wood pallets throughout all District sites.

Explain any waste diversion programs that were newly implemented or were discontinued during the report year and explain why.

With assistance from the County of Nevada, we were able to obtain new collection containers for our Nevada County campus and we are able to comeingle a lot of our recyclable materials. Also, the types of materials acceptable for recycling was increased at that campus.

What types of activities are included in each of the waste diversion programs you continued or newly implemented during the reporting year?

Waste diversion programs continued include: Business Source Reduction, Material Exchange, CRV beverage containers, cardboard, glass, newspaper, mixed office paper, scrap metal, collection at special events, grasscycling, commercial pickup of compostable yard wastes, tires, white/brown goods, wood waste, concrete/asphalt demolition, oil rendering and utilizing the Placer County MRF. We also continue to collect and recycle electronic wastes, batteries, CFL's/light tubes and mercury containing bulbs/switches. Newly implemented were collection of all plastics PETE 1-7, pressed board, non CRV glass and tin cans at the Nevada County Campus.

What resources (staff and/or funds) did your State agency/large State facility commit toward implementing its Integrated Waste Management Plan during the report year to help reduce disposal and meet the diversion mandate?

The District has continued to work towards creating a sustainable environment and looks for opportunities to divert more of it's solid wastes from the landfill. Limited funding for staff and equipment creates a challenge for maintaining and/or expanding the current program.

Has your State agency/large State facility adopted or changed its waste reduction policy?

Explain how you determined the reported tons disposed? (e.g. waste assessments, per capita generation and extrapolation, actual disposal weights, etc.)

The Rocklin tonnage was received from our waste hauler. Using this information, we determined an average weight per cubic yard of waste. Since all sites generate similar solid wastes, we used these calculations to extrapolate the solid waste generated from the other three smaller sites.

Please provide a definition of "employee" for your State agency/large State facility. Also, what is the source of the reported number of employees and visitors/students/inmates, etc. (as applicable)?

Employee is defined by us as a person who gets a payroll check from the college. Because we have student employees, part-time employees and full time employees, the number of employees reported by our Human Resource Manager was extrapolated using the 2007 and 2009 data to determine full-time equivalencies. The District implemented a new accounting and human resource system beginning in late 2008 and early 2009 so we now have actual hard numbers.

#### Programs

Program Name	Existing	Planned/Expanding
Business Source Reduction	X	
Material Exchange	X	
Beverage Containers	X	
Cardboard	X	
Glass	X	
Newspaper	X	
Office Paper (mixed)	X	
Plastics	X	
Scrap Metal	X	
Special Collection Events	X	
Xeriscaping, grasscycling	X	
Commercial pickup of compostables	X	
Tires	X	
White/brown goods	X	
Wood waste	X	
Concrete/asphalt/rubble (C&D)	X	
Rendering	X	
MRF	X	

NO TONNAGE AMOUNTS  
OF DIVERSION ARE  
REPORTED BY THE  
DISTRICT.

State Agency Waste Management Programs, <http://www.calrecycle.ca.gov/StateAgency/>  
Recycling Coordinator: [SARC@calrecycle.ca.gov](mailto:SARC@calrecycle.ca.gov), (916) 341-6199  
Buy Recycled Campaign: [BuyRecycled@calrecycle.ca.gov](mailto:BuyRecycled@calrecycle.ca.gov), (916) 341-6199

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2009



## State Agency Reporting Center: Waste Management Annual Report

**2009 SARC Annual Report: Sierra Joint Community College District**[New Search](#) | [Agency Detail](#)[Facilities](#) | [Annual Per Capita Disposal](#) | [Programs](#)

Alternative Name(s): 59 Sierra Joint, Sierra College

**Physical Address**  
5000 Rocklin Road  
Rocklin, CA 95677

**CalRecycle Representative**  
Kerry Wicker  
[Kerry.Wicker@CalRecycle.ca.gov](mailto:Kerry.Wicker@CalRecycle.ca.gov)  
(916) 341-6267 x

Total Number of Employees including Facilities: 2,435

Recycling Coordinator: Colin Irwin [cirwin@sierracollege.edu](mailto:cirwin@sierracollege.edu) (916) 660-7655

Facilities		
FACILITY NAME	NUMBER OF EMPLOYEES	ADDRESS
Sierra College (Rocklin Campus)	1,956	5000 Rocklin Rd Rocklin, CA 95677
Sierra College (Nevada County Campus)	255	250 Sierra College Dr. Grass Valley, CA 95945
Sierra College (Roseville Gateway)	142	333 Sunrise Ave. Roseville, CA 95661
Sierra College (Tahoe-Truckee)	82	10725 Pioneer Trail Truckee, CA 96161
<b>Total Employees in Facilities:</b>	<b>2,435</b>	
Export To Excel		Count: 4

**Annual Per Capita Disposal****Employees**

Total Number of Employees: 2,435

**Non-Employee Population**

Total Number of Non-employees: 21,162

Non-employee Population Type: Students

**Disposal**

Total amount Disposed: 387.00 tons

**Annual Results**

	<u>Employee Population</u>		<u>Student Population</u>	
	<u>Target</u>	<u>Annual</u>	<u>Target</u>	<u>Annual</u>
Per Capita Disposal Rate (pounds/person/day):	2.00	0.90	0.10	0.10

2009

## Questions

IN THE TEXT BOX BELOW, PLEASE PROVIDE ANSWERS TO A AND B.

(A) What are the major types of waste materials that your agency/facility currently disposes (not currently diverting), e.g., waste of significant weight and/or volume? If there are major waste materials that are being disposed, what is your agency/facility doing to find ways to divert these materials?

(B) Please explain any difficulties or obstacles your agency/facility encountered in trying to implement recycling or other programs to reduce the amount of waste disposed. Summarize any efforts your agency/facility made to resolve difficulties or overcome obstacles and if they were successful or not.

(A)(B) The district is constantly striving to reduce the amount of waste that is not diverted. The difficulty is that staff disposes of waste that could be diverted. We have added many more recycling containers to help increase the recycled materials.

Waste generation includes both materials disposed in the trash as well as materials recycled or otherwise diverted from landfill. There are many reasons why the type or amount of waste generated by your agency/facility may have changed.

SELECT YES OR NO FROM THE DROP DOWN LIST BELOW. IF YOU SELECT YES, YOU MUST PROVIDE AN EXPLANATION IN THE TEXT BOX BELOW.

Do the types or amounts of wastes generated in the last calendar year significantly differ from those that were generated by your agency/facility in the prior report year? If yes, please explain.

The reason why, the type, or amount of waste generated by your agency/facility either may have increased or decreased. For example, construction activities at your agency or facility may increase construction-related wastes; budget cuts may result in cuts to the services your agency provides and, therefore, the related wastes are no longer generated; or a shift in how you do business may create a new type of waste.

If you had changes in the types or amounts of waste generated, then that may have affected the waste diversion programs you implemented. You will be asked in Question #3 about how your waste diversion programs may have changed.

SELECT YES OR NO FROM THE DROP DOWN LIST BELOW. IF YOU SELECT YES, YOU MUST PROVIDE AN EXPLANATION IN THE TEXT BOX BELOW.

Did you make any significant changes (during the report year) to the waste diversion programs implemented by your agency/facility (such as programs to reduce waste, reuse, recycle, compost, etc.)? For example, did you start new programs, discontinue prior programs, or make significant modifications to existing programs? If yes, in the text box below, please explain why you made the change(s).

Having an accurate and consistent measurement of trash disposal is important. The annual amount of trash disposed is one factor in the calculation to determine the annual per capita disposal for your agency/facility. CalRecycle considers this calculation, in addition to the waste reduction, recycling, and other waste diversion programs your agency/facility implemented, in determining compliance with statutory mandates.

IN THE TEXT BOX BELOW, PLEASE PROVIDE ANSWERS TO A AND B.

(A) Explain how you determined the annual tons disposed by your agency for the report year (e.g. did you use actual disposal weights provided by a trash hauler, conduct a waste generation study, estimate using weight-to-volume conversions, etc.)

(B) Indicate if this is the same method used to determine tons disposed that was used for the prior report year. If not, please also explain the reason for the change.

(A)The tonnage number was received from our waste hauler. (B) This is the same method used previously.

Having an accurate and consistent method to count employees is also important. The number of employees is one factor in the calculation to determine the annual per capita disposal for your agency/facility. (If your agency submits a modified report, per capita disposal is not calculated, but the number of employees is important in verifying your eligibility to submit a modified report).

IN THE TEXT BOX BELOW, PLEASE PROVIDE ANSWERS TO A AND B.

(A) Please explain how you determined the number of employees working for your agency (e.g. total number of full time employees; full time equivalents; total number of full and part time employees; etc.). This information is usually available from your human resources or payroll department.

(B) Indicate if you used the same method to determine the number of employees that was used for the prior report year. If not, please explain the reason for the change.

(A)This is the total number of employees (B)The same method was used as the previous year



2009

If your agency/facility also has a non-employee population (such as students, visitors, inmates, residents, patients) that significantly contributes to waste generated, then there is a space provided to report that information in Part I – Facility Information. This information is in addition to your employee information - it does not replace it.

IN THE TEXT BOX BELOW, PLEASE PROVIDE ANSWERS TO A AND B.

(A) If you reported a number for a non-employee population, please explain how you determined that number (e.g. full time equivalent students; average number of patients during the report year; etc.)

(B) Indicate if you used the same method that was used for the prior report year. If not, please explain the reason for the change.

If you are not given the option in Part 1 - Facility Information to report an additional population, but believe doing so would be valuable, or if you provided this in the past, but no longer wish to do so, please contact your CalRecycle representative to discuss the merits of adding or deleting this option from your report.

(A) This is the total student headcount. (B) The same method was used as last report.

For your agency/facility, if the annual per capita disposal for the current report year is more than the per capita disposal from the previous report year, then, to the best of your ability, please explain why there was an increase. (To find these numbers, click on "Current Year" under "Previous Year" under "View Report" in the left menu bar. These links display the report summary.)

There was a decrease in the per capita disposal.

Additional information you wish to provide in your annual report.

#### Programs

Program Name	Existing	Planned/Expanding
Business Source Reduction	X	
Material Exchange	X	
Beverage Containers	X	
Cardboard	X	
Glass	X	
Newspaper	X	
Office Paper (mixed)	X	
Plastics	X	
Scrap Metal	X	
Special Collection Events	X	
Xeriscaping, grasscycling	X	
On-site composting/mulching	X	
Commercial pickup of compostables	X	
Tires	X	
White/brown goods	X	
Scrap Metal	X	
Wood waste	X	
MRF	X	

NO TONNAGE AMOUNTS  
OF DIVERSION ARE  
REPORTED BY THE  
DISTRICT.

State Agency Waste Management Programs, <http://www.calrecycle.ca.gov/StateAgency/>  
Recycling Coordinator: [SARC@calrecycle.ca.gov](mailto:SARC@calrecycle.ca.gov), (916) 341-6199  
Buy Recycled Campaign: [BuyRecycled@calrecycle.ca.gov](mailto:BuyRecycled@calrecycle.ca.gov), (916) 341-6199

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2010


**State Agency Reporting Center: Waste Management Annual Report**
**2010 SARC Annual Report: Sierra Joint Community College District**
[New Search](#) | [Agency Detail](#)
[Facilities](#) | [Annual Per Capita Disposal](#) | [Programs](#)
**Alternative Name(s):** 59 Sierra Joint, Sierra College

**Physical Address**

 5000 Rocklin Road  
 Rocklin, CA 95677

**CalRecycle Representative**

 Kerry Wicker  
[Kerry.Wicker@CalRecycle.ca.gov](mailto:Kerry.Wicker@CalRecycle.ca.gov)  
 (916) 341-6267 x

**Total Number of Employees including Facilities:** 1,507

**Recycling Coordinator:** Colin Irwin [cirwin@sierracollege.edu](mailto:cirwin@sierracollege.edu) (916) 660-7655

Facilities		
FACILITY NAME	NUMBER OF EMPLOYEES	ADDRESS
Sierra College (Rocklin Campus)	1,149	5000 Rocklin Rd Rocklin, CA 95677
Sierra College (Nevada County Campus)	148	250 Sierra College Dr. Grass Valley, CA 95945
Sierra College (Roseville Gateway)	134	333 Sunrise Ave. Roseville, CA 95661
Sierra College (Tahoe-Truckee)	76	11001 College Trail Truckee, CA 96161
<b>Total Employees in Facilities:</b>	<b>1,507</b>	
Export To Excel		Count: 4

**Annual Per Capita Disposal**
**Employees**
**Total Number of Employees:** 1,507

**Non-Employee Population**
**Total Number of Non-employees:** 20,792

**Non-employee Population Type:** Students

**Disposal**
**Total amount Disposed:** 358.00 tons

**Annual Results**
[Employee Population](#) [Student Population](#)

20 52

2010

	<u>Target</u>	<u>Annual</u>	<u>Target</u>	<u>Annual</u>
Per Capita Disposal Rate (pounds/person/day):	2.00	1.30	0.10	0.09

## Questions

IN THE TEXT BOX BELOW, PLEASE PROVIDE ANSWERS TO A and B.

We would like to understand what is still being thrown away and help you find ways to increase recycling.

- Please describe the types of waste that are thrown away.
- What difficulties or obstacles have you had with finding ways to recycle these wastes?

A/B. A large portion of our waste comes from the cafeterias. This is mixed waste that is difficult to separate. We tried a voluntary waste separation program that met with little success.

SELECT YES OR NO FROM THE DROP DOWN LIST BELOW. IF YOU SELECT YES, YOU MUST DESCRIBE IN THE TEXT BOX BELOW.

Were there any changes in your recycling/waste reduction programs during the report year? For example, did you start, discontinue, or make significant changes to your recycling/waste reduction programs?

We are now composting the grass clippings.

IN THE TEXT BOX BELOW, PLEASE ANSWER THE FOLLOWING QUESTION.

If the per capita disposal for the current report year is greater than the per capita disposal from the previous report year, then, to the best of your ability, explain why there was an increase. (To find these numbers, look for "View Report" in the left menu and click either "Current Year" or "Previous Year" to display a report summary.)

Our tonnage was reduced but the number of employees and students have been reduced.

IN THE TEXT BOX BELOW, PLEASE PROVIDE ANSWERS TO A AND B.

In Section III, you entered total tons disposed (thrown away at a landfill) by your agency/facility during the report year. Having an accurate method to consistently calculate this number each year is important because it is used in the calculation to determine the report year per capita disposal for your agency/facility.

Examples of types of methods that may be used include, but are not limited to, conducting a waste generation study, using actual disposal weights provided by a trash hauler, or estimating using weight-to-volume conversions.

- Explain the method you, or the person that provided you with this number, used to calculate the total tons disposed. Please provide a detailed explanation of the method so that it could be used in the event someone else from your agency/facility had to produce the same number.
- Is this the same method used for last year's report? If not, explain the reason for the change.

A. The tonnage number was received from our waste haulers. B. This is the same method used last year.

IN THE TEXT BOX BELOW, PLEASE PROVIDE ANSWERS TO A AND B.

In Part I of this report, you entered the number of employees for your agency/facility. This information is usually available from your human resources or payroll department. Having an accurate method to consistently calculate this number each year is important because it is used in the calculation to determine the report year per capita disposal for your agency/facility.

(Note: If your agency submits a modified report, per capita disposal is not calculated, but the number of employees is important in verifying your continued eligibility to submit a modified report).

IN THE TEXT BOX BELOW, PLEASE PROVIDE ANSWERS TO A AND B.

- Explain the method you, or the person that provided you with this number, used to calculate the number of employees (e.g. total number of full time employees, full time equivalents, total number of full and part time employees, etc.). Please provide a detailed explanation of the method so that it could be used in the event someone else from your agency/facility had to produce the same number.

2010

B. Is this the same method used for last year's report? If not, explain the reason for the change.

A. This is the total number of employees B. This is the same method used last year.

IN THE TEXT BOX BELOW, PLEASE PROVIDE ANSWERS TO A AND B. (Skip to the next question if you did not enter a non-employee population in Part I.)

NOTE: If there was not an option in Part I to report an additional population, but you believe doing so would be valuable, or if you provided this in the past, but no longer wish to do so, please contact your CalRecycle representative to discuss the merits of adding or deleting this option for future reports.

If your agency/facility also has a non-employee population (such as students, visitors, inmates, residents, patients, etc.) that significantly contributes to the waste your agency/facility creates, Part I of this report asks you for a number for that population. This information is in addition to your employee information - it does not replace it.

A. Explain the method you (or the person that provided you with this number) used to calculate that number (e.g. full time equivalent students, average number of patients during the report year, etc.). Please provide a detailed explanation of the method so that it could be used in the event someone else from your agency/facility had to produce the same number.

B. Is this the same method you used for last year's report? If not, explain the reason for the change.

A. We received the number from our research dept. B. This is the same method used last year.

Additional information you wish to provide in your annual report.

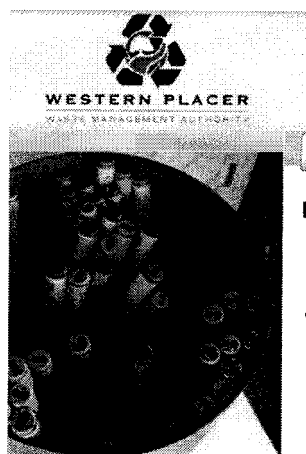
#### Programs

Program Name	Existing	Planned/Expanding
Business Source Reduction	X	
Material Exchange	X	
Beverage Containers	X	
Cardboard	X	
Glass	X	
Newspaper	X	
Office Paper (mixed)	X	
Plastics	X	
Scrap Metal	X	
Special Collection Events	X	
Xeriscaping, grasscycling	X	
On-site composting/mulching	X	
Tires	X	
White/brown goods	X	
Scrap Metal	X	
Wood waste	X	
Concrete/asphalt/rubble (C&D)	X	
MRF	X	

NO TONNAGE AMOUNTS  
OF DIVERSION ARE  
REPORTED BY THE  
DISTRICT.

State Agency Waste Management Programs, <http://www.calrecycle.ca.gov/StateAgency/>  
Recycling Coordinator: [SARC@calrecycle.ca.gov](mailto:SARC@calrecycle.ca.gov), (916) 341-6199  
Buy Recycled Campaign: [BuyRecycled@calrecycle.ca.gov](mailto:BuyRecycled@calrecycle.ca.gov), (916) 341-6199

## **Tab 5**



[Map to Facility](#)

[Community Workshop Summary and Information](#)

[Online Odor Notification Form](#)

[Contact the WPWMA](#)

**Board Agenda**  
WPWMA Board of Directors meetings are held, as necessary, on the second Thursday of each month. The agenda will be posted here approximately one week prior to each meeting.  
[Download the latest Board Agenda.](#)

**Current Events**

**Newsletters**

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Sign up to receive the WPWMA Newsletter by e-mail.

\* indicates required field

Email Address:\*

First Name:

Last Name:

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## Disposal Fees

Description	Pricing
General Refuse	\$69.00/ton \$14.00/yard
Greenwaste*	\$36.50/ton \$7.00/yard
Wood Waste**	\$26.00/ton \$7.00/yard
Inert Materials***	\$16.00/ton
Construction and Demolition Waste	\$47.00/ton

### Appliances

Refrigerated Appliances (Includes air conditioners, water coolers, refrigerators, & freezers) \$30.00/each

Other Appliances (Includes microwaves, water heaters, stoves, washers & dryers) \$5.00/each

### Electronic Waste

**Electronic Waste** such as computers, monitors, televisions, video and stereo record and play equipment, telephones, answering devices, and calculators are accepted any day of the week from Placer County residents FREE of charge; please note that fees apply for businesses.

### Tires

Car and Light Truck Tires	\$3.00/each
Semi Trailer Truck Tires	\$17.50/each
Tractor Tires	\$70.00/each
Euclid Tires	\$175/ton
Commercial Tire Hauler	\$175/ton

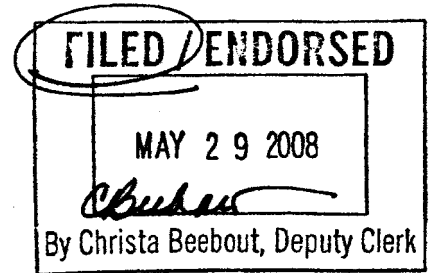
\* Applies to separated loads of greenwaste, including: grass clippings, leaves and brush and tree limbs 1 inch in diameter or less. Bamboo, palm, and cattails are considered MSW and will be charged at that rate.

\*\* Applies to separated loads of wood, including: lumber, plywood, particle board, and tree trunks and limbs less than 24 inches in length and greater than one inch in diameter. Loads can contain no more than 1% of contaminants. Contaminants include treated or painted wood. Treated wood waste will be charged at the C&D rate. Includes railroad ties, phone poles and painted wood. Treated wood is defined as wood that has been treated with a chemical preservative for purposes of protecting the wood against attacks from insects, microorganisms, fungi and other environmental conditions.

\*\*\* Applies to separated loads of uncontaminated dirt, rock, asphalt and concrete if free from re-bar or mesh and broken into pieces less than 2' x 2' x 4".

FACILITIES LOCATED  
IN LINCOLN, CA  
12 MILES FROM  
SJCCD.

## **Tab 6**



SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SACRAMENTO

STATE OF CALIFORNIA, DEPARTMENT,  
OF FINANCE, CALIFORNIA INTEGRATED  
WASTE MANAGEMENT BOARD,

Dept. 33

No. 07CS00355

Petitioners,

v.

RULING ON SUBMITTED MATTER

COMMISSION ON STATE MANDATES,

Respondent.

SANTA MONICA COMMUNITY COLLEGE  
DISTRICT, LAKE TAHOE COMMUNITY  
COLLEGE DISTRICT,

Real Parties in Interest.

In this mandate proceeding, the court must determine the extent to which the reimbursement of a California Community College under section 6 of article XIII B of the California Constitution for the costs that the College incurs in implementing a state-mandated integrated waste management plan pursuant to Public Resources Code section 42920 et seq. is subject to offset by cost savings realized and revenues received during implementation of the plan. For the reasons set forth below, the court determines that the college's reimbursement is subject to such offset.



## BACKGROUND

Public Resources Code section 42920 et seq. was enacted to require each state agency to adopt and implement an integrated waste management plan (IWM plan) that would reduce solid waste, reuse materials whenever possible, recycle recyclable materials and procure products with recycled content in all agency offices and facilities. (Pub. Resources Code § 42920, subd. (b). See Stats. 1999, ch. 764 (A.B. 75).) These statutory provisions require that each state agency, in implementing the plan, divert at least 25 percent of its solid waste from landfill disposal by January 1, 2002, and divert at least 50 percent of its solid waste from landfill disposal on and after January 1, 2004. (Pub. Resources Code § 42921.) Each agency must also submit an annual report to petitioner Integrated Waste Management Board summarizing its progress in reducing solid waste pursuant to Public Resources Code section 42921 and providing related information, including calculations of its annual disposal reduction.

Any cost savings realized as a result of the state agency's IWM plan must, to the extent feasible, be redirected to the plan to fund the implementation and administrative costs of the plan in accordance with Public Contract Code sections 12167 and 12167.1. (Pub. Resources Code § 42925, subd. (a).) Public Contract Code sections 12167 and 12167.1 are part of the State Assistance for Recycling Markets Act, which was originally enacted in 1989 for the purpose of fostering the procurement and use of recycled paper products and other recycled resources in daily state operations (See Pub. Contract Code §§ 12153, 12160; Stats. 1989, ch. 1094.) As amended in 1992, sections 12167 and 12167.1 provide for the deposit of revenues received from the collection and sale of recyclable materials in state and legislative offices in specified accounts for the purpose of offsetting recycling costs; revenues not exceeding \$2000 annually are continuously appropriated without regard to fiscal years for expenditure by state agencies to offset the recycling costs; and revenues exceeding \$2000 annually are available for expenditure by the state agencies upon appropriation by the Legislature.

The IWM plan requirements under Public Resources Code section 42920 et seq. apply to the California Community Colleges pursuant to Public Resources Code sections 40148 and 40196, which include California Community Colleges and their campuses in the definitions

1 of "large state facility" and "state agency" for purposes of IWM plan requirements. The  
2 provisions of the State Assistance for Recycling Markets Act, including the provisions of Public  
3 Contract Code sections 12167 and 12167.1, apply to California Community Colleges only to the  
4 limited extent that sections 12167 and 12167.1 are referenced in Public Resources Code section  
5 42925; California Community Colleges are not defined as state agencies or otherwise subject to  
6 the Act's provisions for the procurement and use of recycled products in daily state operations.

7 For purposes of section 6 of article XIII B of the California Constitution and the  
8 statutes implementing section 6 (Gov. Code § 17500 et seq.), California Community Colleges are  
9 defined as school districts and treated as local governments eligible for reimbursement of any  
10 state-mandated costs that they incur in carrying out statutory IWM plan requirements. (See Gov.  
11 Code §§ 17514, 17519.) Section 6 and Government Code section 17514 provide for the  
12 reimbursement of a local government's increased costs of carrying out new programs or higher  
13 levels of service that are mandated by the state pursuant to a statute enacted on or after January 1,  
14 1975, or an executive order implementing a statute enacted on or after January 1, 1975. Such  
15 reimbursement is precluded pursuant to Government Code section 17556, subdivision (e), if the  
16 statute or executive order provides for offsetting savings that result in no net costs to the local  
17 government or includes additional revenue specifically intended to fund the costs of the state  
18 mandated program in an amount sufficient to cover the costs.

19 Real parties in interest Santa Monica Community College District and Tahoe  
20 Community College District sought section 6 reimbursement of their IWM plan costs pursuant to  
21 Public Resources Code section 42920 et seq. by filing a test claim with respondent pursuant to in  
22 March 2001. (Administrative Record, pp. 51-74 (AR 51-93). See Gov. Code § 17550 et seq.)  
23 Respondent adopted a statement of decision granting the test claim in part on March 25, 2004  
24 (AR 1135-1176), after receiving and considering public comments on the test claim, including  
25 comments from petitioners opposing the claim. (AR 351-356, 359-368.) Respondent found that  
26 specified IWM plan requirements under Public Resources Code section 42920 et seq. imposes a  
27 reimbursable state-mandated program on California Community Colleges within the meaning of  
28 section 6 and Government Code section 17514. Respondent further found that the requirement

1 of Public Resources Code section 42925, that cost savings realized as a result of an IWM plan be  
2 redirected to plan implementation and administrative costs, did not preclude a reimbursable  
3 mandate pursuant to subdivision (e) of Government Code section 17556 because there was  
4 neither evidence of offsetting savings that would result in "no net costs" to a California  
5 Community College implementing an IWM plan nor evidence of revenues received from plan  
6 implementation "in an amount sufficient to fund" the cost of the state-mandated program.  
7 Respondent noted that the \$2000 in revenue available annually to a community college pursuant  
8 to Public Contract Code section 12167.1 would be insufficient to offset the college's costs of  
9 plan implementation and that any revenues would be identified as offsets in the parameters and  
10 guidelines to be adopted for reimbursement of claims by California Community Colleges for the  
11 IWM plan mandates imposed by Public Resources Code section 42920 et seq.

12           Thereafter, on March 30, 2005, respondent adopted parameters and guidelines  
13 pursuant to Government Code section 17556 based on a proposal by real parties and public  
14 comments, including comments by petitioners. (AR 1483-1496.) Section VII of the parameters  
15 and guidelines, concerning offsetting revenues and reimbursements, indicates that a claim by a  
16 California Community College for reimbursement of costs incurred in implementing an IWM  
17 plan must identify and deduct from the claim all reimbursement received from any source for the  
18 mandate. Section VII further indicates that the revenues specified in Public Resources Code  
19 section 42925 and Public Contract Code sections 12167 and 12167.1 must offset the costs  
20 incurred by a California Community College for the recycling mandated by Public Resources  
21 Code section 42920 et seq. These offsetting revenues include, pursuant to section 12167.1,  
22 revenues up to \$2000 annually from the college's sale of recyclable materials which are  
23 continuously appropriated for expenditure by the college to offset its recycling costs and  
24 revenues in excess of \$2000 annually when appropriated by the Legislature.

25           In adopting section VII of the parameters and guidelines, respondent rejected the  
26 position of petitioner Integrated Waste Management Board that the parameters and guidelines  
27 should require California Community Colleges to identify in their reimbursement claims any  
28 offsetting savings in reduced or avoided landfill disposal costs likely to result from their

1 diversion of solid waste from landfills pursuant to the mandates of Public Resources Code  
2 section 42921. (AR 1194-1199.) This rejection was based on three grounds: that "cost savings"  
3 in Public Resources Code section 42925 meant "revenues" received and directed "in accordance  
4 with Sections 12167 and 12167.1 of the Public Contract Code"; reduced or avoided disposal  
5 costs could not qualify as offsetting cost savings for the diversion costs because the disposal  
6 costs had not previously been reimbursed by the state and were not included in the reimbursable  
7 mandates of Public Resources Code section 42920 et seq.; and the redirection of cost savings to  
8 IWM plan implementation and administration costs under section 42925 was "only to the extent  
9 feasible" and not mandatory, thus allowing a California Community College to redirect cost  
10 savings to other campus programs upon a finding that it was not feasible to use the savings for  
11 IWM plan implementation. (AR 98-1199.) On these grounds, respondent omitted from section  
12 VII of the parameters and guidelines any language about offsetting savings, including a  
13 boilerplate provision stating "Any offsetting savings the claimant experiences in the same  
14 program as a result of the same statutes or executive orders found to contain the mandate shall be  
15 deducted from the costs claimed."

16 On October 26, 2006, respondent adopted a statewide cost estimate for the  
17 reimbursement of costs incurred by California Community Colleges in implementing IWM plan  
18 mandates pursuant to Public Resources Code section 42920 et seq. (AR 1641-1650.)  
19 Respondent noted comments by petitioners that the lack of a requirement in the parameters and  
20 guidelines for information on offsetting cost savings by the community colleges had resulted in  
21 an inaccurate Statewide Cost Estimate. (AR 1647.) A request by petitioner Integrated Waste  
22 Management Board to amend the parameters and guidelines to include additional information  
23 about offsetting savings was distributed for public comment. (AR 1647-1648, 1859-873.)

#### 24 ANALYSIS

25 Section 6 of article XIII B of the California Constitution, as implemented by  
26 Government Code section 17514, provides for the reimbursement of actual increased costs  
27 incurred by a local government or school district in implementing a new program or higher level  
28 of service of an existing program mandated by statute, such as the IWM plan requirements of

1 Public Resources Code section 42920 et seq. (See *County of Fresno v. State of California* (1991)  
2 51 Cal.3d 482, 487; *County of Sonoma v. Commission on State Mandates*, (2000) 84 Cal.App.4th  
3 1264, 1283-1284.) Reimbursement is not available under section 6 and section 17514 to the  
4 extent that the local government or school district is able to provide the mandated program or  
5 increased service level without actually incurring increased costs. (*Ibid.*) For example,  
6 reimbursement is not available if the statute mandating the new program or increased service  
7 level provides for offsetting savings which result in no net costs to the local government or  
8 school district or includes revenues sufficient to fund the state mandate. (See Gov. Code §  
9 17556, subd. (e). See also Cal. Code Regs., tit. 2, § 1183.1(a)(7), (a)(8) (requiring parameters  
10 and guidelines for claiming reimbursable costs to identify offsetting revenues and savings  
11 resulting from implementation of state-mandated program).) Because section VII of the IWM  
12 plan parameters and guidelines adopted by respondent do not require a California Community  
13 College to identify and deduct offsetting cost savings from its claimed reimbursable costs and  
14 unduly limit the deduction of offsetting revenues, section VII contravenes the rule of section 6  
15 and section 17514 that only actual increased costs of a state mandate are reimbursable.<sup>1</sup>

#### 16 Cost Savings

17 In complying with the mandated solid waste diversion requirements of Public  
18 Resources Code section 42921, California Community Colleges are likely to experience cost  
19 savings in the form of reduced or avoided costs of landfill disposal. The reduced or avoided  
20 costs are a direct result and an integral part of the IWM plan mandates under Public Resources  
21 Code section 42920 et seq.: as solid waste diversion occurs, landfill disposal of the solid waste  
22 and associated landfill disposal costs are reduced or avoided. Indeed, diversion is defined in  
23 terms of landfill disposal for purposes of the IWM plan mandates. (See Pub. Resources Code §§  
24 40124 (“diversion’ means activities which reduce or eliminate the amount of solid waste from  
25 solid waste disposal for purposes of this division [i.e., division 30, including § 42920 et seq.]”),

26  
27 <sup>1</sup> There is no indication in the administrative record or in the legal authorities provided to the court that, as  
28 respondent argues, a California Community College might not receive the full reimbursement of its actual increased  
costs required by section 6 if its claims for reimbursement of IWM plan costs were offset by realized cost savings  
and all revenues received from plan activities.

1 40192, subd. (b) (for purposes of Part 2 (commencing with Section 40900), 'disposal' means the  
2 management of solid waste through landfill disposal or transformation at a permitted solid waste  
3 facility.".)

4 Such reduction or avoidance of landfill fees and costs resulting from solid waste  
5 diversion activities under § 42920 et seq. represent savings which must be offset against the costs  
6 of the diversion activities to determine the reimbursable costs of IWM plan  
7 implementation -- i.e., the actual increased costs of diversion -- under section 6 and section  
8 17514. Similarly, under Public Resources Code section 42925, such offsetting savings must be  
9 redirected to fund IWM plan implementation and administration costs in accordance with Public  
10 Contract Code section 12167. The amount or value of the savings may be determined from the  
11 calculations of annual solid waste disposal reduction or diversion which California Community  
12 Colleges must annually report to petitioner Integrated Waste Management Board pursuant to  
13 subdivision (b)(1) of Public Resources Code section 42926.

14 Respondent's three grounds for omitting offsetting savings from section VII of the  
15 IWM plan parameters and guidelines are flawed. First, as explained above, the reduced or  
16 avoided costs of landfill disposal are an integral part of the IWM diversion mandates under  
17 Public Resources Code section 42920 et seq. Therefore, respondent's conclusion that reduced or  
18 avoided disposal costs could not qualify as offsetting cost savings for diversion costs, based on  
19 the erroneous premise that the reduced or avoided disposal costs were not part of the  
20 reimbursable mandates of Public Resources Code section 42920 et seq., is wrong.

21 Second, respondent incorrectly interpreted the phrase "to the extent feasible" in  
22 Public Resources Code section 42925 to mean that the redirection of cost savings resulting from  
23 diversion activities by California Community Colleges to fund their IWM plan implementation  
24 and administration costs was not mandatory and that the colleges could direct the cost savings to  
25 other campus programs upon a finding of infeasibility. Respondent's interpretation is contrary to  
26 the manifest legislative intent and purpose of section 42925, that cost savings be used to fund  
27 IWM plan costs. In light of this legislative purpose, the phrase "to the extent feasible"  
28 reasonably refers to situations where, as a practical matter, the reductions in landfill fees and

1 costs saved as a result of diversion activities by the colleges may not be available for redirection.  
2 For example, a college may not have budgeted or allocated funds for landfill fees and costs  
3 which they did not expect to incur as a result of their diversion activities.

4 Third, respondent incorrectly interpreted "cost savings realized as a result of the state  
5 agency integrated waste management plan" in Public Resources Code section 42925 to mean  
6 "revenues received from [a recycling] plan and any other activity involving the collection and  
7 sale of recyclable materials" under Public Contract Code sections 12167 and 12167.1. This  
8 interpretation, based in turn on a strained interpretation of the phrase "in accordance with  
9 Sections 12167 and 12167.1 of the Public Contract Code" at the end of section 42925, used the  
10 substantive content of sections 12167 and 12167.1 to redefine "cost savings" in a manner directly  
11 contradicting its straightforward description in section 42925. The consequences of this  
12 redefinition are unreasonable: the interpretation effectively denies the existence of cost savings  
13 resulting from IWM plan implementation and eliminates any possibility of redirecting such cost  
14 savings to fund IWM plan implementation and administration costs, thereby defeating the  
15 express legislative purpose of section 42925.

16 The reference to Public Contract Code sections 12167 and 12167.1 in Public  
17 Resources Code section 42925 may be reasonably interpreted in a manner that preserves section  
18 42925's straightforward description of "cost savings" and legislative purpose. The reference to  
19 sections 12167 and 12167.1 in section 42925 reflects an effort by the Legislature to coordinate  
20 the procedures of two programs involving recycling activities exclusively or primarily by state  
21 agencies, the State Assistance for Recycling Markets Act set forth at Public Contracts Code  
22 section 12150 et seq. and the IWM provisions of Public Resources Code section 42920 et seq.  
23 (See Senate Committee on Environmental Quality, Bill Analysis of A.B. 75, 1999-2000 Reg.  
24 Sess., as amended April 27, 1999, p. 6 (need to ensure consistency and avoid conflicts between  
25 A.B. 75 and Public Contract Code provisions relating to state agency reporting on recycling,  
26 depositing revenues from recycled materials etc.)) By requiring the redirection of cost savings  
27 from state agency IWM plans to fund plan implementation and administration costs "in  
28 accordance with Sections 12167 and 12167.1 of the Public Contract Code," section 42925

1 assures that cost savings realized from state agencies' IWM plans are handled in a manner  
2 consistent with the handling of revenues received from state agencies' recycling plans under the  
3 State Assistance for Recycling Markets Act. Thus, in accordance with section 12167, state  
4 agencies, along with California Community Colleges which are defined as state agencies for  
5 purposes of IWM plan requirements in Public Resources Code section 42920 et seq. (Pub.  
6 Resources Code §§ 40196, 40148), must deposit cost savings resulting from IWM plans in the  
7 Integrated Waste Management Account in the Integrated Waste Management Fund; the funds  
8 deposited in the Integrated Waste Management Account, upon appropriation by the Legislature,  
9 may be expended by the Integrated Waste Management Board for the purpose of offsetting IWM  
10 plan costs. In accordance with section 12167.1 and notwithstanding section 12167, cost savings  
11 from the IWM plans of the agencies and colleges that do not exceed \$2000 annually are  
12 continuously appropriated for expenditure by the agencies and colleges for the purpose of  
13 offsetting IWM plan implementation and administration costs; cost savings resulting from IWM  
14 plans in excess of \$2000 annually are available for such expenditure by the agencies and colleges  
15 when appropriated by the Legislature.

16 Accordingly, respondent had no proper justification for omitting offsetting cost  
17 savings from the parameters and guidelines for claiming reimbursable costs of IWM plan  
18 implementation under Public Resources Code section 42920 et seq. The court will order the  
19 issuance of a writ of mandate requiring respondent to correct this omission through an  
20 amendment of the parameters and guidelines.

#### 21 Revenues

22 As indicated previously in this ruling, section VII of the parameters and guidelines  
23 for claiming reimbursement of IWM plan costs provides for offsetting revenues that are governed  
24 by Public Contract Code sections 12167 and 12167.1. Revenues derived from the sale of  
25 recyclable materials by a California Community College are deposited in the Integrated Waste  
26 Management Account. Revenues that do not exceed \$2000 annually are continuously  
27 appropriated for expenditure by the college for the purpose of offsetting recycling program costs  
28 upon approval by the Integrated Waste Management Board, and revenues exceeding \$2000



1 annually are available for such expenditure by the college when appropriated by the Legislature.  
2 To the extent so approved by the board or appropriated by the Legislature, these revenue amounts  
3 offset or reduce the reimbursable costs incurred by the college in implementing an IWM plan  
4 under Public Resources Code section 42920 et seq.

5 Although Public Contract Code sections 12167 and 12167.1 apply to California  
6 Community Colleges for the purpose of offsetting savings pursuant to the terms of Public  
7 Resources Code section 42925, sections 12167 and 12167.1 do not apply to the colleges for the  
8 purpose of offsetting revenues or, indeed, any other purpose. Sections 12167 and 12167.1 apply  
9 exclusively to state agencies and institutions; the colleges, which are school districts rather than  
10 state agencies, are not specially defined as state agencies for purposes of the State Assistance for  
11 Recycling Markets Act of which sections 12167 and 12167.1 are a part. Therefore, sections  
12 12167 and 12167.1 do not properly govern the revenues generated by the colleges' recycling  
13 activities pursuant to their IWM plans. The limits and conditions placed by sections 12167 and  
14 12167.1 on the expenditure of recycling revenues for the purpose of offsetting recycling program  
15 costs are simply inapplicable to the revenues generated by the colleges' recycling activities.

16 The provisions of Public Resources Code section 42920 et seq. do not address the  
17 use of revenues generated by recycling activities of California Community Colleges under IWM  
18 plans to offset reimbursable plan costs. Thus, use of the revenues to offset reimbursable IWM  
19 plan costs is governed by the general principles of state mandates, that only the actual increased  
20 costs of a state-mandated program are reimbursable and, to that end, revenues provided for by the  
21 state-mandated program must be deducted from program costs. (See Cal. Const., art. XIII B, § 6;  
22 Gov. Code §§ 17514, 17556, subd. (e); *County of Fresno v. State of California* (1991) 51 Cal.3d  
23 482, 487; *County of Sonoma v. Commission on State Mandates*, (2000) 84 Cal.App.4th 1264,  
24 1284.) These principles are reflected in respondent's regulation which requires, without  
25 limitation or exception, the identification of offsetting revenues in the parameters and guidelines  
26 for reimbursable cost claims. (Cal. Code Regs., tit. 2, § 1183.1(a)(7).)

27 In sum, respondent erred in adopting parameters and guidelines which, pursuant to  
28 Public Contract Code sections 12167 and 12167.1, limited and conditioned the use of revenues


1 generated by recycling activities of California Community Colleges under IWM plans to offset  
2 the colleges' reimbursable plan costs. Because the use of revenues to offset the reimbursable  
3 costs of IWM plan are properly governed by section 6 principles without the limitations and  
4 conditions imposed by sections 12167 and 12167.1, the court will order the issuance of a writ of  
5 mandate requiring respondent to correct its error through an amendment of the parameters and  
6 guidelines.

7 RELIEF

8 The petition is granted. Counsel for petitioners is directed to prepare a proposed  
9 judgment and proposed writ of mandate consistent with this ruling, serve it on counsel for  
10 respondent for approval as to form, and then submit it to the court pursuant to rule 3.1312 of the  
11 California Rules of Court.

12 Dated: May 29, 2008



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LLOYD G. CONNELLY  
Judge of the Superior Court

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF SACRAMENTO**

Gordon D Schaber Courthouse  
720 Ninth STREET  
Sacramento, CA 95814-1311

**SHORT TITLE: ST OF CA DEPT OF FINANCE. ETAL VS. COMMISSION ON ST MANDATES**

**CLERK'S CERTIFICATE OF SERVICE BY MAIL**

**CASE NUMBER:  
07CS00355**

I certify that I am not a party to this cause. I certify that a true copy of the attached was mailed following standard court practices in a sealed envelope with postage fully prepaid, addressed as indicated below. The mailing and this certification occurred at Sacramento, California, on 05/30/2008.

Clerk of the Court, by: /s/ C Beebout *CBeebout*, Deputy

Leslie R Lopez  
P.O.Box 944255  
Sacramento, CA 94244

Camille Shelton  
980 Ninth Street # 300  
Sacramento, CA 95814

Jack C Woodside  
P.O.Box 944255  
Sacramento, CA 94244

Lisa Rose  
*Santa Monica Community College Dist.*  
*1900 Pico Blvd*  
*Santa Monica*

Eric Feller  
980 9th Street # 300  
Commission on State Mandates  
Sacramento, CA 95814

Roberta Mason  
*Lake Tahoe Community College Dist.*  
*One College Dr.*  
*South Lake Tahoe, CA 96150*

☐ Additional names and address attached.

**CLERK'S CERTIFICATE OF SERVICE BY MAIL**

Page: 1

(18)

## **Tab 7**

Sierra Joint Community College District  
 Legislatively Mandated Integrated Waste Management Program  
 Offsetting Savings  
 FY's 1999-00 through 2009-10, excluding FY's 2001-02 and 2002-03  
 Review ID #: S13-MCC-942

Sierra College												
Fiscal Year	Dates	Calendar Year	Tonnage Diverted	Tonnage Disposed	Total Tonnage Generated	Actual Diversion Percentage	Maximum Allowable Diversion Percentage	Is the Diversion % (column D) LESS THAN or EQUAL to the Maximum Diversion %	Allocated Diversion %	State-wide Average Landfill Fee	Offsetting Savings	
					C = A + B	D = A / C		If "YES", unlimited off savings = 100% If "NO", limited off savings = (E / D)	(Per Ton)	I = A * G * H		
1999-00	1/1/00 - 6/30/00	2000	Tab 4, page 1	146.10	291.50	437.60	33.39%	25.00%	NO	74.87%	\$ 36.39	(3,981)
												(3,981)
2000-01	7/1/00 - 12/31/00	2000	Tab 4, page 1	146.10	291.50	437.60	33.39%	25.00%	NO	74.87%	\$ 36.39	(3,981)
	1/1/01 - 6/30/01	2001	Tab 4, page 3	102.85	256.50	359.35	28.62%	25.00%	NO	87.35%	\$ 36.39	(3,269)
												(7,250)
2003-04	7/1/03 - 12/31/03	2003	Tab 4, page 5	204.00	243.50	447.50	45.59%	50.00%	YES	100.00%	\$ 36.83	(7,513)
	1/1/04 - 6/30/04	2004	Tab 4, page 7	269.25	229.50	498.75	53.98%	50.00%	NO	92.63%	\$ 38.42	(9,582)
												(17,095)
2004-05	7/1/04 - 12/31/04	2004	Tab 4, page 7	269.25	229.50	498.75	53.98%	50.00%	NO	92.63%	\$ 38.42	(9,582)
	1/1/05 - 6/30/05	2005	Tab 4, page 9	284.85	230.65	515.50	55.26%	50.00%	NO	90.48%	\$ 39.00	(10,052)
												(19,634)
2005-06	7/1/05 - 12/31/05	2005	Tab 4, page 9	284.85	230.65	515.50	55.26%	50.00%	NO	90.48%	\$ 39.00	(10,052)
	1/1/06 - 6/30/06	2006	Tab 4, page 11	290.70	229.25	519.95	55.91%	50.00%	NO	89.43%	\$ 46.00	(11,959)
												(22,011)
2006-07	7/1/06 - 12/31/06	2006	Tab 4, page 11	290.70	229.25	519.95	55.91%	50.00%	NO	89.43%	\$ 46.00	(11,959)
	1/1/07 - 6/30/07	2007	Tab 4, page 13	295.65	194.90	490.55	60.27%	50.00%	NO	82.96%	\$ 48.00	(11,773)
												(23,732)
2007-08	7/1/07 - 12/31/07	2007	Tab 4, page 13	295.65	194.90	490.55	60.27%	50.00%	NO	82.96%	\$ 48.00	(11,773)
	1/1/08 - 6/30/08	2008 *	Tab 4, page 13	295.65	194.90	490.55	60.27%	50.00%	NO	82.96%	\$ 51.00	(12,509)
												(24,282)
2008-09	7/1/08 - 12/31/08	2008 *	Tab 4, page 13	295.65	194.90	490.55	60.27%	50.00%	NO	82.96%	\$ 51.00	(12,509)
	1/1/09 - 6/30/09	2009 *	Tab 4, page 13	295.65	194.90	490.55	60.27%	50.00%	NO	82.96%	\$ 55.00	(13,490)
												(25,999)
2009-10	7/1/09 - 12/31/09	2009 *	Tab 4, page 13	295.65	194.90	490.55	60.27%	50.00%	NO	82.96%	\$ 55.00	(13,490)
	1/1/10 - 6/30/10	2010 *	Tab 4, page 13	295.65	194.90	490.55	60.27%	50.00%	NO	82.96%	\$ 56.00	(13,735)
												(27,225)
											\$	(171,209)

\* Note: In 2008, CalRecycle began focusing on "per-capita disposal" instead of "diversion percentage." Therefore, beginning in 2008, CalRecycle no longer required the districts to report the actual amount of tonnage diverted. As a result, we used the tonnage diverted in 2007 to calculate the offsetting savings for FY's 2007-08, 2008-09, and 2009-10. If the district is able to support a lower amount of tonnage diverted for either 2008, 2009, or 2010, we will revise the amounts accordingly.

## **Tab 8**

## Kurokawa, Lisa

---

**From:** Kurokawa, Lisa  
**Sent:** Friday, May 10, 2013 1:26 PM  
**To:** 'cyatooma@sierracollege.edu'  
**Cc:** 'cirwin@sierracollege.edu'; 'jahlquist@sierracollege.edu'; 'khester@sierracollege.edu'  
**Subject:** Adjustment to Integrated Waste Management Mandated Cost Claims filed by Sierra Joint CCD  
**Attachments:** Offsetting Savings Calculation.xlsx; Narrative of Adjustment.pdf; Waste Management Annual Report of Diversion.pdf; Summary of Program Costs.pdf; Amended Parameters and Guidelines.pdf

Mr. Yatooma,

My name is Lisa Kurokawa and I'm an Audit Manager with the State Controller's Office, Division of Audits, Mandated Cost Claim Bureau. The reason I am contacting you is because the State Controller's Office will be adjusting Sierra Joint CCD's Integrated Waste Management (IWM) claims for FY's 1999-00, 2000-01, 2003-04, 2004-05, 2005-06, 2006-07, 2007-08, 2008-09, and 2009-10 by \$116,605. The district contracted with SixTen and Associates to prepare these claims.

At this point, I am not sure who the appropriate district contact would be regarding these claims? If you are not the appropriate contact, please forward this email to the correct person. I have included Colin Irwin as a cc: on this email because he is listed as the district's Recycling Coordinator on CalRecycle's website.

### Unreported Offsetting Savings

We are making this adjustment because the district did not offset any savings realized as a result of implementing the district's IWM Plan. For FY's 1999-00, 2000-01, 2003-04, 2004-05, 2005-06, 2006-07, 2007-08, 2008-09, and 2009-10 the district realized savings of \$171,209. Please see the attached "Offsetting Savings Calculation" and the attached "Narrative of Review Adjustment" for an explanation of the adjustment and the calculation. To calculate the offsetting savings realized by the district, we used the "tonnage diverted" that the district reported to CalRecycle in accordance with Public Resource Code section 42926, subsection (b)(1) (as shown on the attached "Waste Management Annual Report of Diversion").

### Financial Summary

For FY's 1999-00, 2000-01, 2003-04, 2004-05, 2005-06, 2006-07, 2007-08, 2008-09, and 2009-10, the district claimed reimbursement of \$236,914 (\$238,419 less a \$1,505 penalty for filing a late claim) for the IWM Program. However, because of the offsetting savings adjustment, we have determined that \$120,309 (\$121,131 less a \$822 penalty for filing a late claim) is allowable and \$116,605 is unallowable (please see the attached "Summary of Program Costs" for a summary of the claimed, allowable, and review adjustment by fiscal year). The State has made no payments to the district; therefore, the State will pay the district \$120,309 contingent upon available appropriations.

### Attached Documentation

I have attached the following documentation for you to review:

- Offsetting Savings Calculation
- Narrative of Review Adjustment
- Waste Management Report of Diversion (from CalRecycle's website)
- Summary of Program Costs
- Amended Parameters and Guidelines (See the "Offsetting Savings" section on page 11 of 12)

On a separate email, I will attach the IWM claims because the file size is too large (3 MB).

May 21, 2013 meeting to discuss this adjustment?

At this point, we would like to have a meeting with the district to discuss this adjustment. During this meeting, we can discuss the background regarding this adjustment, explain further how the calculation was made, and answer any questions you may have.

We are available anytime on **Wednesday, May 21, 2013**. If this date does not work for you, please provide an alternate date and time. Alternatively, if the district agrees with this adjustment, we can forgo the meeting and just issue a letter report.

Please let me know how you wish to proceed?

Thank you,

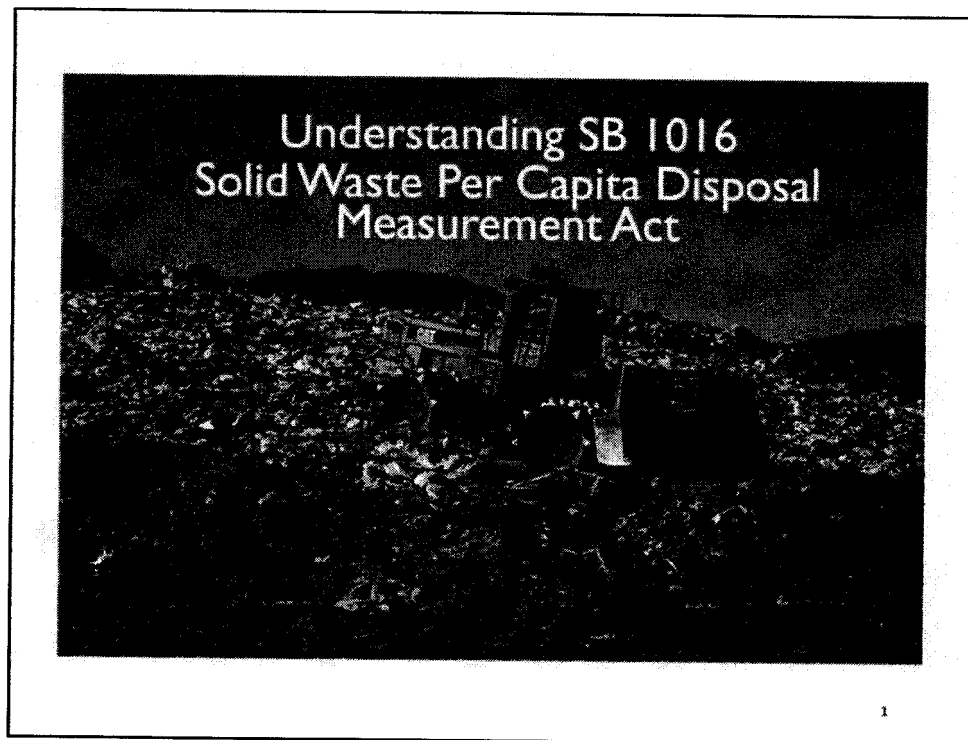
***Lisa Kurokawa***

Audit Manager  
State Controller's Office  
Division of Audits | Mandated Cost Bureau  
(916) 327-3138 - Office | (916) 549-2753 - Work Cell  
[lkurokawa@sco.ca.gov](mailto:lkurokawa@sco.ca.gov)

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## **Tab 9**



#### Intro

Hello, and thank you for your interest in this quick overview of The Solid Waste Per Capita Disposal Measurement Act – also known as SB1016. I am \_\_\_\_\_ of the California Integrated Waste Management Board.

The Integrated Waste Management Act of 1989 (AB 939) was revolutionary legislation that changed the way California managed its trash, its landfills, and most importantly – its resources.

Not only did 939 get California to divert a mandated 50 percent of its waste, it surpassed that goal as California achieved 58 percent diversion in 2007.

But we are far from finished. While the 50 percent target remains unchanged, the passage of SB 1016 will simplify the way jurisdictions measure their waste stream and put more emphasis on successful recycling and diversion program implementation.

[Slide 1]

So how does SB 1016 affect your waste management practices? This presentation will provide a very brief overview that will answer some frequently asked questions about the legislation and will provide resources for additional information.

SOURCE:

<http://www.calrecycle.ca.gov/igcentral/goalmeasure/Tools/SimplePresen.pdf>

### **From Diversion...**

- ***Diversion Rate:***
  - Complex mathematical calculations and estimates
  - 18-24 months to determine final calculations
  - Focus on 50 percent rather than implementing effective programs

2

The calculation of a jurisdiction's diversion numbers has always played a major role in AB 939.

However, [click] it has long been described as an inefficient, overly complex process – one that takes [click] between 18 and 24 months to complete.

[click] It also improperly places focus on achieving satisfactory numbers rather than implementing successful waste reduction and recycling programs.

[next slide]

### **...to Disposal**

- **Per Capita Disposal Rate:**
  - Simplifies: calculates disposal per person within a jurisdiction
  - Six months to determine final calculations
  - Less “bean counting” and more resources towards program implementation

3

SB 1016 [click] simplifies the measurement process – moving away from the complexities of diversion estimates and instead measuring per capita *disposal* - that is, disposal per person within a particular Jurisdiction.

This shift from diversion to disposal provides much more accurate measurements, [click] takes less time to calculate – 6 months vs. 18-24 – and allows jurisdictions [click] to apply resources toward building successful programs rather than crunching numbers.

[next slide]

## How does this Change 50%?

- Old system: 50% or MORE *Diversion* plus program implementation equals success
- New system: 50% or LESS *Disposal* plus program implementation equals success
- Under SB 1016, lower per capita disposal equal less waste

4

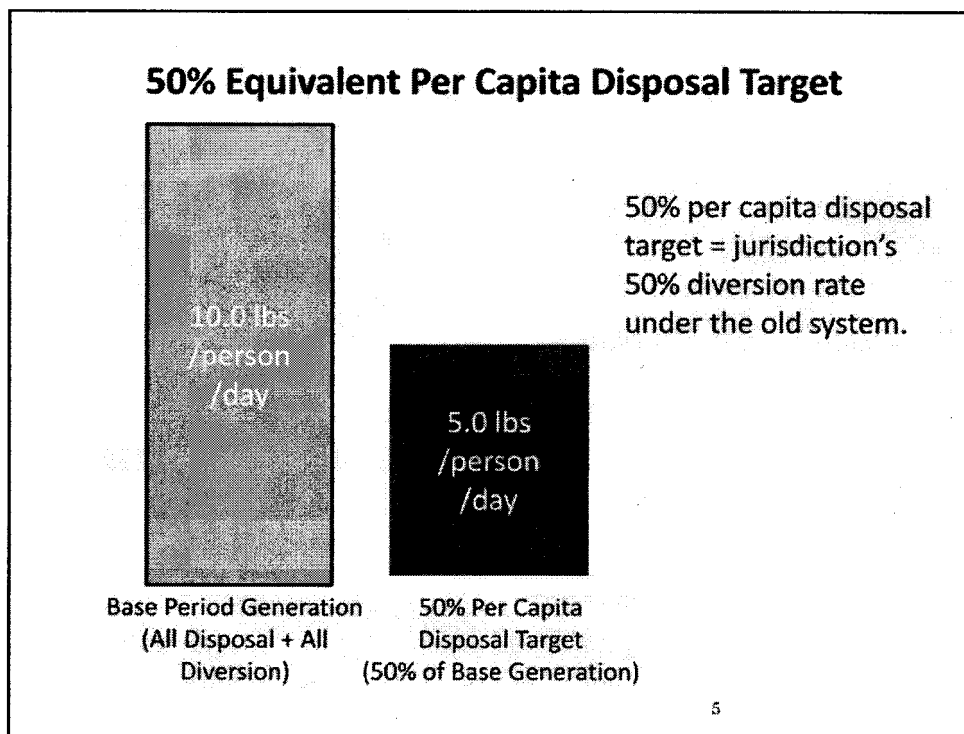
This change in measurement does change how we look at the numbers, however the intent remains the same – reducing our waste disposal.

Under the old system, [click] if a jurisdiction *diverted* 50 percent of its waste or MORE, and it was fully implementing its recycling and related programs, then it had met its mandate and was moving in the right direction.

Now, under SB 1016, each jurisdiction will have a disposal target that is the equivalent of 50 percent diversion, and that target will be expressed on a *per capita basis*. [click] If a jurisdiction *disposes* less than its 50 percent equivalent per capita disposal target AND is implementing its recycling and related programs, it has met the mandate.

You are used to thinking about a diversion rate of *over* 50 percent as being great news! [click] But now, you should be thinking that if your per-capita disposal rate is *less than* your target, then that means you're doing a great job with your programs and now that is great news!

\*



Confused? Perhaps this slide will help.

**[click]** A jurisdiction with a base waste generation rate of 10 pounds per person per day will have a **TARGET [click]** of getting that rate to 5 pounds per person per day, or 50 percent. As you can see, under this new system, a low per capita disposal is a good thing.

In short, the lower the percentage, the less waste a jurisdiction is generating - thus the better it is doing.

Also, an important point to remember **[click]** - if your jurisdiction was at 50 percent diversion under the old system, in most cases, your jurisdiction will remain at 50 percent under the new system—it is just measured in terms of per capita disposal now.

**[next slide]**

## **Each Jurisdiction is Unique**

- Differing demographics and industrial bases within jurisdictions
- Impossible to compare targets and progress to other jurisdictions

6

Remember that each jurisdiction is unique! **[click]** Each one has its own 50 percent equivalent disposal target, different demographics and industrial bases.

You may be used to comparing your diversion rate with other jurisdictions in the region, but because the per-capita disposal calculation is unique to each jurisdiction, **[click]** it is impossible to compare targets and disposal rates.

## Compliance Impacts of SB 1016

- Compliance remains unchanged
- Disposal number is a factor to consider, but does NOT determine compliance
- Evaluation focused on how jurisdictions are implementing their programs
- Technical assistance for struggling programs

7

SB 1016 does not change AB 939's 50 percent requirement—it just measures it differently.

**[click]** A jurisdiction's compliance is also the same under the new system as it was under the old system. Under both systems, the most important aspect of compliance is program implementation. However, the new system further emphasizes the importance of program implementation.

To evaluate compliance, the Board will look at a jurisdiction's per-capita disposal rates as an indicator of how well its programs are doing to keep or reduce disposal at or below a jurisdiction's unique 50% equivalent disposal target.

**[click]** But the numbers are simply one of several factors – as opposed to being the primary factor – that the Board uses to determine compliance.

**[click]** The priority of the Board is to evaluate that a jurisdiction is continuing to implement the programs it chose and is making progress in meeting its target.

If a jurisdiction is struggling to meet its 50 percent target, **[click]** the Board will provide increased technical assistance to help determine why that may be and work with them to make any necessary program modifications.

**[next slide]**



## **SB 1016 Recap What Stakeholders Asked For!**

- Simplified, accurate and timely
- Maintains 50% requirement
- Emphasis on program implementation instead of number crunching
- Increase CIWMB staff field presence to provide technical assistance

8

SB 1016 was developed - in response to recommendations from you and the CIWMB – [click] to create a measurement system that is less complex, more accurate, and more timely than it has been in the past.

[click]

The shift to a per capita disposal system with [click] continuing emphasis on successful program implementation, [click] as well as an increase in technical assistance to jurisdictions, is the next step to improving waste management practices in California.

It creates a clearer picture of where we stand in our waste reduction efforts - but most importantly, SB 1016 allows us to better see where improvements are needed and to address those areas.

## Contacts:

Kaoru Cruz, CIWMB  
(916) 341-6249  
[kcruz@ciwmb.ca.gov](mailto:kcruz@ciwmb.ca.gov)

Keir Furey, CIWMB  
(916) 341-6622  
[kfurey@ciwmb.ca.gov](mailto:kfurey@ciwmb.ca.gov)

Debra Kustic, CIWMB  
(916) 341-6207  
[dkustic@ciwmb.ca.gov](mailto:dkustic@ciwmb.ca.gov)

9

I'm sure you have plenty of questions regarding the finer points of SB 1016 and the Board has a number of staff available to provide any additional information and expertise you might need regarding this important piece of legislation. **[click]** Please do not hesitate to contact them if you have any questions.

### [Closing]

It is my hope that you have found this brief introduction to SB 1016 useful and informative. California is a global leader in environmental protection, and it is our work here at the State and Local levels that is so vital to that success.

We at the Board thank you for your efforts thus far, and we look forward to continued success working with you

Thank you very much for your time.

## **Tab 10**

**State Agency Waste Management: Annual Report****Diversion Programs to Report**

---

In each reporting year, state agencies must select which diversion programs to report, and describe how programs are implemented. This list of materials and program activities is offered to help state agencies prepare for the annual report.

**Recycling**

Recycling is the practice of collecting and diverting materials from the waste stream for remanufacturing into new products, such as recycled-content paper. The programs listed reflect this practice.

The annual report will ask you to identify the materials that are collected for recycling at your facility/facilities and provide details describing your recycling activities.

- >> Beverage containers
- >> Glass Plastics (#3-7)
- >> Carpet
- >> Cardboard
- >> Newspaper
- >> Office paper (white)
- >> Office paper (mixed)
- >> Confidential shredded paper
- >> Copier/toner cartridges
- >> Scrap metal
- >> Wood waste
- >> Textiles
- >> Ash Sludge (sewage/industrial)
- >> Tires
- >> White goods
- >> Construction materials/debris
- >> Rendering
- >> Other
- >> None

**Information About Hazardous Waste Materials**

These following materials are deemed as hazardous, and cannot be disposed in a landfill. Proper handling is required and does not count as diversion. These hazardous materials are regulated by the California Department of Toxic Substances Control (DTSC). Please see the DTSC website for their disposal guidelines.

- » Universal Waste: Radios, stereo equipment, printers, VCR/DVD players, calculators, cell phones, telephones, answering machines, microwave ovens, cathode ray tubes, cathode ray glass, all types of batteries, lamps (compact fluorescent lightbulbs, commercial fluorescent lights), mercury containing equipment, non-empty aerosol cans (containing propane, butane pesticides), and other common electronic devices.
- » Electronic Waste: Common electronic devices that are identified as hazardous waste, such as computers and central processing units (CPU), laptops, monitors and televisions, etc.
- » Additional hazardous wastes should be properly managed: antifreeze, asbestos, paint, treated wood, used oil, etc.



## Organics Recycling

In October of 2014 Governor Brown signed AB 1826 Chesbro (Chapter 727, Statutes of 2014), requiring businesses, including State Agencies, to recycle their organic waste on and after April 1, 2016, depending on the amount of organic waste they generate per week. This law also requires that on and after January 1, 2016, local jurisdictions across the state implement an organic waste recycling program to divert organic waste generated by businesses, including State Agencies that meet the progressive thresholds. Learn more about AB 1826 and Mandatory Commercial Organics Recycling.

Programs that increase diversion of organic materials from landfill disposal for beneficial uses such as compost, mulch, and energy production.

The annual report will ask you to identify the organic materials, how they are diverted by your facility/facilities, and provide details describing your organics recycling programs.

- » Xeriscaping (climate appropriate landscaping)
- » Grasscycling
- » Green Waste—On-site composting and mulching
- » Green Waste—Self-haul
- » Green Waste—Commercial pickup
- » Food scraps—On-site composting and mulching
- » Food scraps—Self-haul
- » Food scraps—Commercial pickup
- » Other

## Material Exchange

Programs that promote the exchange and reuse of unwanted or surplus materials. The reuse of materials/products results in the conservation of energy, raw resources, landfill space, and the reduction of green house gas emissions, purchasing costs, and disposal costs.

The annual report will ask you to identify your agency/facility's efforts to donate or exchanges materials, supplies, equipment, etc., and provide details describing your material exchange activities.

- » Nonprofit/school donations
- » Internal property reutilizations
- » State surplus (accepted by DGS)
- » Used book exchange/buy backs
- » Employee supplies exchange
- » Other

**Waste Prevention/Reuse**

Programs in this section support (a) waste prevention: actions or choices that reduce waste, and prevent the generation of waste in the first place; and (b) reuse: using an object or material again, either for its original purpose or for a similar purpose, without significantly altering the physical form of the object or material.

The annual report will ask you to select the common waste prevention and reuse activities implemented at your facility/facilities, and provide details describing your waste prevention and reuse programs.

- Paper forms reduction--online forms
- Bulletin boards
- Remanufactured toner cartridges
- Retreaded/Recapped tires
- Washable/Reusable cups, service ware
- Reusable boxes
- Reusable pallets
- Reusable slip sheets
- Electronic document storage
- Intranet
- Reuse of office furniture, equipment & supplies
- Reuse of packing materials
- Reuse of construction/remodeling materials
- Double-sided copies
- Email vs. paper memos
- Food Donation
- Electric air hand-dryers
- Remanufactured equipment
- Rags made from waste cloth or reusable rags
- Preventative maintenance
- Used vehicle parts
- Used Tires
- Other
- None

**Green Procurement**

Programs that promote green purchasing practices, including the purchase of goods and materials that are made from recycled or less harmful ingredients such as, postconsumer recycled content copy paper or less toxic cleaning products. [View sample policies](#) and the [Department of General Services Buying Green website](#).

The annual report will ask you to identify how your agency is closing the recycling loop (such as buying post-consumer recycled content products), and provide details describing your procurement programs/policies and the types of green products your agency is procuring. [View SABRC Report](#)

- Recycled Content Product (RCP) procurement policy

3  
88

- Environmentally Preferable Purchasing (EPP) procurement policy
- Staff procurement training regarding RCP/EPP practices
- RCP/EPP language included in procurement contracts for products and materials
- Other green procurement activities

## Training and Education

Programs to reduce trash, re-use, recycle, compost, and to buy green products are more effective when employees are aware, involved and motivated. How does your agency train and educate employees, and non-employees (if applicable) regarding existing waste management and recycling programs?

The annual report will ask you to identify how your agency trains and educates employees, and non-employees (if applicable) regarding efforts to reduce waste, reuse, recycle, compost, and buy green products, and explain how you also educate your suppliers, customers, and/or your community about your efforts to reduce, reuse, recycle, compost, and buy recycled products.

- Web page (intranet or internet)
- Signage (signs, posters, including labels for recycling bins)
- Brochures, flyers, newsletters, publications, newspaper articles/ads
- Office recycling guide, fact sheets
- New employee package
- Outreach (internal/external) e.g. environmental fairs
- Seminars, workshops, special speakers
- Employee incentives, competitions/prizes
- Awards program
- Press releases
- Employee training
- Waste audits, waste evaluations/surveys
- Special recycling/reuse events
- Other

Please contact your CalRecycle local assistance representative for individual assistance.

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Last updated: July 30, 2015

State Agency Waste Management Programs, <http://www.calrecycle.ca.gov/StateAgency/>

Recycling Coordinator: [SARC@calrecycle.ca.gov](mailto:SARC@calrecycle.ca.gov), (916) 341-6199

Buy Recycled Campaign: [BuyRecycled@calrecycle.ca.gov](mailto:BuyRecycled@calrecycle.ca.gov), (916) 341-6199

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## **Tab 11**





LINDA S. ADAMS  
SECRETARY FOR ENVIRONMENTAL  
PROTECTION

# CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD



ARNOLD SCHWARZENEGGER  
GOVERNOR

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September 21, 2009

Paula Higashi  
Executive Director  
Commission on State Mandates  
980 Ninth Street, Suite 300  
Sacramento, CA 95864

Re: **Development Of Revised Statewide Cost Estimate**  
Request to Amend Parameters and Guidelines  
Integrated Waste Management Board 05-PGA-16  
Public Resources Code Sections 40148, 40196.3, 42920-42928  
Public Contract Code Sections 12167 and 12167.1  
Statutes 1999, Chapter 764; Statutes 1992, Chapter 1116  
State Agency Model Integrated Waste Management Plan (February 2000)

Dear Ms. Higashi:

You have requested a "revised estimate of avoided disposal costs and sales of recyclable materials, based on the information reported to the CIWMB by the 45 claimant districts" for use in developing an accurate revised statewide cost estimate. Compiling this information required a significant effort on the part of a number of our staff and I wanted to express our appreciation for the additional time you have allowed us to respond.

Enclosed you will find summary spreadsheets containing information on each district to the extent it was available for the years involved with this claim. These summary sheets were built from a number of other spreadsheets detailing disposal reduction amounts for waste, and recovered materials by types, such as glass, paper, etc. I have only enclosed the summary sheets in hard copy due to the large amount of paper involved and the inability to fit much of the information on one page at a time. I will be separately e-mailing those documents to you so that your staff may review them in a more readily useable format. For those parties that are also receiving a copy of this letter, if you would like me to e-mail these additional documents to you, please send your e-mail address with a request to me at [eblock@ciwmb.ca.gov](mailto:eblock@ciwmb.ca.gov).

There are several things I must note about the enclosed information. We could not provide information about the years 1999 and 2000 because plans were first coming in during that period and community colleges were not yet reporting their results. Starting in 2001, the data is based on a calendar year, not a fiscal year, as that is the way in which the information was reported to us. We have not provided 2008 data as we have not received and reviewed all of that information yet. Districts do not report their reduced disposal costs or sales of recyclable materials per se, they report their reduction in disposal and the amounts of recyclable materials they have recovered. We then took that data and used average estimated rates for disposal costs and sale of recyclable commodities for the years involved to develop monetary estimates.

Finally, you will notice that despite some significant offsets and available revenue, some community college districts still show a cost for implementation. I want to make clear that it is the CIWMB's position that these claim amounts are still inaccurate – the amounts claimed far exceed

September 21, 2009  
Paula Higashi  
Page 2


reasonable costs for the programs implemented, particularly when compared to other similar costs from other claimants. While the CIWMB understands that a more detailed level of claim review will occur at a later date, we still believe that the Commission should not include claims that are inaccurate on their face in the calculations of estimated statewide costs.

Once you have had a chance to review this information, you will see that most of the claimants have neglected to provide information to you on offsets and revenues that they reported to us as part of their annual reports. As we have previously indicated, we believe once these numbers are factored in, and other inaccuracies are corrected – the claimants will in fact be owed nothing from the state because the programs that they were required to institute saved them money, rather than costing money.

I realize there is a lot of detail in the information provided and e-mailed separately. Please feel free to let me know if you would like to meet with our staff to obtain any additional information or explanations on how this data was derived. I can be reached at 916-341-6080 if you would like to make arrangements to discuss this further. Thank you for your consideration.

I certify, under penalty of perjury, that I am an authorized representative of the California Integrated Waste Management Board and that the statements made in this document are true and correct to the best of my personal knowledge and belief.

Executed this 21st day of September, 2009 in Sacramento, California, by:



\_\_\_\_\_  
Elliot Block  
Chief Counsel  
California Integrated Waste Management Board

## PROOF OF SERVICE

**Development Of Revised Statewide Cost Estimate  
Integrated Waste Management Board 05-PGA-16**

I, the undersigned, declare as follows:

I am employed in the County of Sacramento, State of California, I am 18 years of age or older and not a party to the within-entitled cause; my business address is 1001 I Street, 23<sup>rd</sup> floor, Sacramento, California, 95814.

On September 21, 2009, I served the attached Letter With Enclosures Regarding The Development Of Revised Statewide Cost Estimate to the Commission on State Mandates and by placing a true copy thereof to the Commission and to all of those listed on the attached mailing list enclosed in a sealed envelope with postage thereon fully prepaid in the U. S. Mail at Sacramento, California, in the normal pickup location at 1001 I Street, 23<sup>rd</sup> floor, for Interagency Mail Service, addressed as follows:

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 September 21, 2009 at Sacramento, California.

A handwritten signature in cursive script, appearing to read "Maria Bell", written over a horizontal line.

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Michael Johnston  
Clovis Unified School District  
1450 Herndon Ave.  
Clovis, CA 93611-0599

District / College	Total claimed - (offsets + avoided disposal) for 2001	Total claimed - (offsets + avoided disposal) for 2002	Total claimed - (offsets + avoided disposal) for 2003	Total claimed - (offsets + avoided disposal) for 2004	Total claimed - (offsets + avoided disposal) for 2005	Total claimed - (offsets + avoided disposal) for 2006	Total claimed - (offsets + avoided disposal) for 2007	Grand Total For All Years
Allan Hancock CCD								
Allan Hancock College								
	\$ (13,459.07)	\$ (48,899.21)	\$ (1,185.78)	\$ (8,674.97)	\$ (24,695.78)	\$ (38.54)	\$ (37,252.08)	\$ (134,205.44)
Butte CCD								
Butte College								
	\$ (143,534.70)	\$ (43,154.69)	\$ (46,261.79)	\$ (49,695.92)	\$ (55,239.65)	\$ (62,209.06)	\$ (50,768.13)	\$ (450,863.94)
Cabrillo CCD								
Cabrillo College								
	\$ (14,118.44)	\$ (17,179.18)	\$ (22,818.54)	\$ (18,143.93)	\$ (15,381.47)	\$ (5,411.70)	\$ (25,913.23)	\$ (118,966.49)
Chabot-Las Positas CCD								
Chabot College								
Las Positas College								
	\$ 80,384.42	\$ 81,333.13	\$ 96,103.70	\$ 116,858.89	\$ 159,153.07	\$ 37,557.42	\$ 27,527.32	\$ 598,917.94
Citrus CCD								
Citrus College								
	\$ (60,776.76)	\$ (26,665.64)	\$ (24,284.47)	\$ (2,624.48)	\$ (11,795.19)	\$ (132,644.25)	\$ (83,666.70)	\$ (342,457.49)
Coast CCD								
Coastline Community College								
Golden West College								
Orange Coast College								
	\$ (86,379.58)	\$ (30,046.73)	\$ 149.92	\$ (29,469.60)	\$ 21,164.81	\$ (49,415.73)	\$ (148,200.90)	\$ (322,197.80)
Sequoias CCD								
College of the Sequoias								
	\$ (10,834.92)	\$ (10,310.03)	\$ (20,686.69)	\$ (22,958.41)	\$ (28,017.19)	\$ (33,123.41)	\$ (42,730.48)	\$ (168,661.12)
Contra Costa CCD								

District / College	Total claimed - (offsets + avoided disposal) for 2001	Total claimed - (offsets + avoided disposal) for 2002	Total claimed - (offsets + avoided disposal) for 2003	Total claimed - (offsets + avoided disposal) for 2004	Total claimed - (offsets + avoided disposal) for 2005	Total claimed - (offsets + avoided disposal) for 2006	Total claimed - (offsets + avoided disposal) for 2007	Grand Total For All Years
Contra Costa College								
Diablo Valley College								
Los Medanos College								
	\$ (9,721.43)	\$ (17,093.76)	\$ (21,268.27)	\$ (34,617.79)	\$ (38,088.70)	\$ (44,388.20)	\$ (93,161.02)	\$ (258,339.18)
El Camino CCD								
El Camino College								
Compton Community Educational Center								
	\$ 31,005.91	\$ 14,677.70	\$ 3,983.50	\$ 13,877.75	\$ (46,510.53)	\$ 8,980.07	\$ (8,815.19)	\$ 17,199.21
Foothill-DeAnza CCD								
DeAnza College								
Foothill College								
	\$ (76,543.42)	\$ (314,355.47)	\$ (108,315.26)	\$ (110,536.86)	\$ (236,092.97)	\$ (181,090.89)	\$ (153,776.91)	\$ (1,180,711.77)
Gavilan Joint CCD								
Gavilan College								
	\$ 63,323.67	\$ 62,091.56	\$ 36,358.77	\$ 45,610.46	\$ 43,765.48	\$ (408,713.79)	\$ 38,836.07	\$ (118,727.79)
Glendale CCD								
Glendale Community College								
	\$ (34,513.22)	\$ 18,688.38	\$ 72,574.80	\$ 46,948.46	\$ 56,408.12	\$ 54,814.00	\$ 80,453.34	\$ 295,373.88
Grossmont-Cuyamaca CCD								
Cuyamaca College								
Grossmont College								
	\$ (137,664.73)	\$ 39,437.16	\$ 39,263.89	\$ (115,710.42)	\$ (721,030.27)	\$ 116,609.81	\$ (597.11)	\$ (779,691.67)
Hartnell CCD								
Hartnell Community College								
	\$ 30,209.01	\$ 43,437.20	\$ 18,598.88	\$ (12,568.36)	\$ 5,597.45	\$ (20,014.70)	\$ (84,752.35)	\$ (19,492.87)

District / College	Total claimed - (offsets + avoided disposal) for 2001	Total claimed - (offsets + avoided disposal) for 2002	Total claimed - (offsets + avoided disposal) for 2003	Total claimed - (offsets + avoided disposal) for 2004	Total claimed - (offsets + avoided disposal) for 2005	Total claimed - (offsets + avoided disposal) for 2006	Total claimed - (offsets + avoided disposal) for 2007	Grand Total For All Years
Lassen CCD								
Lassen College								
	\$ (10,880.06)	\$ (15,900.70)	\$ (9,691.47)	\$ (15,708.67)	\$ (13,755.67)	\$ (18,911.66)	\$ (23,146.91)	\$ (107,995.14)
Long Beach CCD								
Long Beach City College								
	\$ 11,682.69	\$ 16,676.15	\$ 12,275.70	\$ (101,090.71)	\$ 10,735.82	\$ (16,139.13)	\$ (10,663.06)	\$ (76,522.54)
Los Rios CCD								
American River College								
Cosumnes River College								
Folsom Lake College								
Sacramento City College								
	\$ (32,892.88)	\$ (93,854.42)	\$ (66,912.90)	\$ (96,455.32)	\$ (1,231,937.81)	\$ (19,344.10)	\$ (37,187.40)	\$ (1,578,584.82)
Marin CCD								
College of Marin								
	\$ (13,631.22)	\$ (10,468.62)	\$ (1,086.09)	\$ 8,419.85	\$ 9,879.65	\$ 4,744.82	\$ (19,837.14)	\$ (21,978.75)
Merced CCD								
Merced College								
	\$ (208,871.37)	\$ 12,812.47	\$ 15,089.74	\$ 6,851.73	\$ 4,494.98	\$ 35,310.27	\$ 34,030.21	\$ (100,281.96)
MiraCosta CCD								
MiraCosta College								
	\$ (7,547.86)	\$ (10,795.92)	\$ (38,401.45)	\$ (16,505.89)	\$ (55,895.14)	\$ (77,153.72)	\$ (41,286.71)	\$ (247,586.68)
Monterey CCD								
Monterey Peninsula College								
	\$ (12,928.87)	\$ (18,782.43)	\$ (20,194.80)	\$ (28,059.36)	\$ (25,043.13)	\$ (29,633.94)	\$ (18,153.85)	\$ (152,796.37)



District / College	Total claimed - (offsets + avoided disposal) for 2001	Total claimed - (offsets + avoided disposal) for 2002	Total claimed - (offsets + avoided disposal) for 2003	Total claimed - (offsets + avoided disposal) for 2004	Total claimed - (offsets + avoided disposal) for 2005	Total claimed - (offsets + avoided disposal) for 2006	Total claimed - (offsets + avoided disposal) for 2007	Grand Total For All Years
Mt. San Antonio CCD								
Mt. San Antonio College								
	\$ 3,452.14	\$ (22,145.81)	\$ 5,517.39	\$ (8,624.39)	\$ 23,867.20	\$ 38,421.14	\$ 34,257.98	\$ 74,745.65
North Orange Cty CCD								
Cypress College								
Fullerton College								
	\$ (3,105.41)	\$ (80,224.30)	\$ (129,370.31)	\$ (134,735.18)	\$ (193,425.60)	\$ (249,952.05)	\$ (34,409.44)	\$ (825,222.29)
Palo Verde CCD								
Palo Verde College								
	\$ 71,930.00	\$ 58,605.46	\$ 56,129.09	\$ 59,374.79	\$ 65,689.95	\$ 63,553.71	\$ 26,730.81	\$ 402,013.80
Palomar CCD								
Palomar College								
	\$ 65,958.21	\$ 72,504.57	\$ 101,216.85	\$ 58,994.82	\$ 40,096.59	\$ 40,897.25	\$ 65,760.78	\$ 445,429.07
Pasadena CCD								
Pasadena City College								
	\$ 164,564.73	\$ 238,657.67	\$ 256,456.32	\$ 235,830.32	\$ 245,767.58	\$ 14,930.51	\$ 270,023.24	\$ 1,426,230.37
Rancho Santiago CCD								
Santa Ana College								
	\$ 58,373.70	\$ 49,973.24	\$ 54,125.17	\$ 115,919.38	\$ 67,374.86	\$ 141,308.96	\$ 60,312.53	\$ 547,387.84
Santiago Canyon College								
Redwoods CCD								
College of the Redwoods								
	\$ (2,801.78)	\$ 31,802.33	\$ 33,184.43	\$ 33,788.47	\$ 31,796.19	\$ 6,146.67	\$ (79,700.05)	\$ 54,216.27
San Bernardino CCD								
Crafton Hills College								

District / College	Total claimed - (offsets + avoided disposal) for 2001	Total claimed - (offsets + avoided disposal) for 2002	Total claimed - (offsets + avoided disposal) for 2003	Total claimed - (offsets + avoided disposal) for 2004	Total claimed - (offsets + avoided disposal) for 2005	Total claimed - (offsets + avoided disposal) for 2006	Total claimed - (offsets + avoided disposal) for 2007	Grand Total For All Years
San Bernardino Valley College								
	\$ (3,452.57)	\$ (10,621.38)	\$ (28,228.29)	\$ (19,861.75)	\$ (239,409.28)	\$ (322,864.10)	\$ (995,388.02)	\$ (1,619,825.40)
San Joaquin Delta CCD								
San Joaquin Delta College								
	\$ (22,828.64)	\$ (16,462.40)	\$ (28,689.47)	\$ (38,053.60)	\$ (42,871.30)	\$ (38,021.93)	\$ 19,183.93	\$ (167,743.42)
San Jose CCD								
Evergreen Valley College								
San Jose City College								
	\$ (10,767.02)	\$ 191,233.96	\$ 238,555.16	\$ 256,890.84	\$ 286,824.48	\$ 192,184.29	\$ 374,162.79	\$ 1,529,084.50
San Luis Obispo CCD								
Cuesta College								
	\$ (23,187.77)	\$ (17,819.63)	\$ (19,530.76)	\$ (18,509.76)	\$ (20,925.33)	\$ 37,492.56	\$ 38,224.33	\$ (24,256.35)
San Mateo Co CCD								
College of San Mateo								
Skyline College								
	\$ (29,194.91)	\$ (9,486.68)	\$ (11,855.60)	\$ (128,527.81)	\$ (4,882.60)	\$ (97,026.52)	\$ (89,080.30)	\$ (370,054.41)
Santa Clarita CCD								
College of the Canyons								
	\$ (10,541.53)	\$ (14,971.73)	\$ (23,555.53)	\$ (27,139.81)	\$ (31,272.84)	\$ (40,175.65)	\$ (52,109.34)	\$ (199,766.43)
Santa Monica CCD								
Santa Monica College								
	\$ (970,517.06)	\$ (24,520.06)	\$ (128,695.11)	\$ (270,723.06)	\$ (205,658.62)	\$ (400,814.98)	\$ (185,388.10)	\$ (2,186,316.99)
Shasta Tehama CCD								
Shasta College								
	\$ (8,132.25)	\$ (21,651.17)	\$ (15,267.68)	\$ (66,984.34)	\$ (25,203.34)	\$ (8,982.40)	\$ (17,649.48)	\$ (163,870.65)

District / College	Total claimed - (offsets + avoided disposal) for 2001	Total claimed - (offsets + avoided disposal) for 2002	Total claimed - (offsets + avoided disposal) for 2003	Total claimed - (offsets + avoided disposal) for 2004	Total claimed - (offsets + avoided disposal) for 2005	Total claimed - (offsets + avoided disposal) for 2006	Total claimed - (offsets + avoided disposal) for 2007	Grand Total For All Years
Sierra Joint CCD								
Sierra College								
	\$ 15,932.10	\$ 19,408.44	\$ 3,580.84	\$ (8,663.27)	\$ (11,695.66)	\$ (10,453.94)	\$ (11,149.13)	\$ (3,040.62)
Siskiyou CCD								
College of the Siskiyous								
	\$ 7,292.15	\$ (4,206.06)	\$ 20,877.40	\$ 4,816.74	\$ 12,846.77	\$ (17,859.70)	\$ (18,158.82)	\$ 5,608.47
Solano Co CCD								
Solano Community College								
	\$ (5,346.21)	\$ (122,573.58)	\$ (13,171.70)	\$ (18,882.42)	\$ (15,244.51)	\$ (40,396.03)	\$ (28,572.29)	\$ (244,186.73)
State Center CCD								
Fresno City College								
Reedley College								
	\$ (3,269.73)	\$ (1,709.91)	\$ (2,020.77)	\$ (14,798.60)	\$ (14,351.89)	\$ (8,247.29)	\$ (21,339.27)	\$ (65,737.47)
Victor Valley CCD								
Victor Valley College								
	\$ 36,238.51	\$ 53,336.44	\$ 56,722.89	\$ 53,200.88	\$ 55,662.05	\$ 17,841.05	\$ 10,432.65	\$ 283,434.46
West Kern CCD								
Taft College								
	\$ 3,941.58	\$ 8,389.09	\$ 7,629.30	\$ 5,452.23	\$ 8,117.72	\$ 10,136.37	\$ (10,150.87)	\$ 33,515.41
West Valley-Mission CCD								
Mission College								
	\$ (12,760.67)	\$ (5,787.41)	\$ (12,321.50)	\$ (15,665.07)	\$ (16,507.43)	\$ (7,764.51)	\$ (27,755.78)	\$ (98,562.37)
Yosemite CCD								
West Valley College								

District / College	Total claimed - (offsets + avoided disposal) for 2001	Total claimed - (offsets + avoided disposal) for 2002	Total claimed - (offsets + avoided disposal) for 2003	Total claimed - (offsets + avoided disposal) for 2004	Total claimed - (offsets + avoided disposal) for 2005	Total claimed - (offsets + avoided disposal) for 2006	Total claimed - (offsets + avoided disposal) for 2007	Grand Total For All Years
	\$ (105,973.59)	\$ (91,365.78)	\$ (106,050.59)	\$ (96,710.98)	\$ (39,130.58)	\$ (123,975.15)	\$ (117,158.48)	\$ (680,365.15)
Yuba CCD								
Yuba College								
	\$ (12,880.59)	\$ (21,586.25)	\$ (21,248.02)	\$ (41,669.46)	\$ (182,486.12)	\$ (56,694.98)	\$ (26,149.84)	\$ (362,715.27)
GRAND TOTAL	\$ (1,454,769.47)	\$ (109,573.99)	\$ 207,280.89	\$ (509,534.59)	\$ (2,397,305.81)	\$ (1,700,533.15)	\$ (1,514,132.40)	\$ (7,478,568.53)

District / College	Avoided Cost 2001	Avoided Cost 2002	Avoided Cost 2003	Avoided Cost 2004	Avoided Cost 2005	Avoided Cost 2006	<del>Avoided Cost 2007</del>	Grand Total For All Years
Landfill cost per ton	\$ 36.39	\$ 36.17	\$ 36.83	\$ 38.42	\$ 39.00	\$ 46.00	<del>\$ 49.00</del>	
Allan Hancock CCD	<del>\$ 12,898.44</del>	<del>\$ 58,686.19</del>	<del>\$ 15,678.90</del>	<del>\$ 19,224.60</del>	<del>\$ 34,251.75</del>	<del>\$ 23,809.60</del>	<del>\$ 46,574.99</del>	
Allan Hancock College	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
	\$ 12,898.44	\$ 58,686.19	\$ 15,678.90	\$ 19,224.60	\$ 34,251.75	\$ 23,809.60	\$ 46,574.99	\$ 211,124.46
Butte CCD	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Butte College	\$ 140,510.89	\$ 39,841.26	\$ 40,434.55	\$ 42,795.27	\$ 43,669.47	\$ 50,620.70	\$ 53,343.85	
	\$ 140,510.89	\$ 39,841.26	\$ 40,434.55	\$ 42,795.27	\$ 43,669.47	\$ 50,620.70	\$ 53,343.85	\$ 411,215.98
Cabrillo CCD	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Cabrillo College	\$ 7,433.75	\$ 8,477.52	\$ 15,803.75	\$ 9,953.09	\$ 9,086.22	\$ 11,676.64	\$ 12,300.96	
	\$ 7,433.75	\$ 8,477.52	\$ 15,803.75	\$ 9,953.09	\$ 9,086.22	\$ 11,676.64	\$ 12,300.96	\$ 74,731.93
Chabot-Las Positas CCD	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Chabot College	\$ 15,935.18	\$ 15,412.04	\$ 16,278.86	\$ 16,336.18	\$ 14,594.19	\$ 24,228.20	\$ 56,415.17	
Las Positas College	\$ 4,570.58	\$ 4,864.87	\$ 6,062.22	\$ 7,380.48	\$ 5,100.42	\$ 18,082.60	\$ 7,608.97	
	\$ 20,505.77	\$ 20,276.90	\$ 22,341.08	\$ 23,716.67	\$ 19,694.61	\$ 42,310.80	\$ 64,024.14	\$ 212,869.96
Citrus CCD	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Citrus College	\$ 77,880.02	\$ 43,047.73	\$ 38,148.88	\$ 17,523.78	\$ 23,800.18	\$ 175,911.77	\$ 150,622.33	
	\$ 77,880.02	\$ 43,047.73	\$ 38,148.88	\$ 17,523.78	\$ 23,800.18	\$ 175,911.77	\$ 150,622.33	\$ 526,934.69
Coast CCD	\$ 3,042.20	\$ 3,616.64	\$ 3,347.11	\$ 5,758.77	\$ 7,845.36	\$ 5,196.71	\$ 6,346.58	
Coastline Community College	\$ 3,640.46	\$ 3,657.04	\$ 5,851.55	\$ 5,185.05	\$ 8,134.50	\$ 13,262.49	\$ 6,673.21	
Golden West College	\$ 16,646.02	\$ 17,077.38	\$ 21,101.90	\$ 40,968.67	\$ 28,081.95	\$ 84,803.21	\$ 34,882.86	
Orange Coast College	\$ 54,714.91	\$ 27,944.44	\$ 41,899.10	\$ 54,368.14	\$ 46,801.17	\$ 77,922.16	\$ 187,207.44	
	\$ 78,043.60	\$ 52,295.49	\$ 72,199.65	\$ 106,280.63	\$ 90,862.98	\$ 181,184.57	\$ 235,110.09	\$ 815,977.01
Sequoias CCD	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
College of the Sequoias	\$ 11,390.07	\$ 12,326.74	\$ 12,503.79	\$ 12,774.65	\$ 16,048.50	\$ 18,763.40	\$ 19,835.20	
	\$ 11,390.07	\$ 12,326.74	\$ 12,503.79	\$ 12,774.65	\$ 16,048.50	\$ 18,763.40	\$ 19,835.20	\$ 103,642.34
Contra Costa CCD	\$ 462.15	\$ 453.93	\$ 750.96	\$ 593.59	\$ 649.35	\$ 616.40	\$ 618.63	
Contra Costa College	\$ 2,216.15	\$ 3,121.47	\$ 3,319.86	\$ 5,755.32	\$ 5,495.10	\$ 6,517.74	\$ 21,320.39	
Diablo Valley College	\$ 4,779.10	\$ 6,584.75	\$ 7,775.55	\$ 9,545.45	\$ 8,788.65	\$ 8,864.20	\$ 34,707.68	

District / College	Avoided Cost 2001	Avoided Cost 2002	Avoided Cost 2003	Avoided Cost 2004	Avoided Cost 2005	Avoided Cost 2006	Avoided Cost 2007	Grand Total For All Years
Landfill cost per ton	<del>\$ 26.39</del>	\$ 36.17	\$ 36.83	\$ 38.42	\$ 39.00	\$ 46.00	<del>\$ 49.00</del>	
Los Medanos College	\$ 2,241.62	\$ 3,023.81	<del>\$ 3,577.11</del>	<del>\$ 6,043.39</del>	\$ 5,967.00	<del>\$ 5,416.50</del>	\$ 23,793.91	
	\$ 9,699.03	\$ 13,183.97	\$ 15,423.48	\$ 21,939.74	\$ 20,900.10	\$ 21,414.84	\$ 80,440.61	\$ 183,001.76
El Camino CCD	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
El Camino College	\$ 9,026.18	\$ 14,298.00	\$ 68,860.68	\$ 30,109.75	\$ 81,400.41	\$ 45,523.90	\$ 58,023.60	
Compton Community Educational Center	\$ -	\$ 12,205.93	\$ 18,442.99	\$ -	\$ 5,296.20	\$ 6,459.92	\$ 4,975.95	
	\$ 9,026.18	\$ 26,503.93	\$ 87,303.67	\$ 30,109.75	\$ 86,696.61	\$ 51,983.82	\$ 62,999.55	\$ 354,623.51
Foothill-DeAnza CCD	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
DeAnza College	\$ 32,354.35	\$ 53,028.84	\$ 60,438.03	\$ 54,560.24	\$ 29,246.10	\$ 46,469.20	\$ 34,848.80	
Foothill College	\$ 29,888.93	\$ 239,980.72	\$ 21,240.23	\$ 25,622.30	\$ 177,391.50	\$ 96,991.00	\$ 48,637.40	
	\$ 62,243.28	\$ 293,009.55	\$ 81,678.26	\$ 80,182.54	\$ 206,637.60	\$ 143,460.20	\$ 83,486.20	\$ 950,697.63
Gavilan Joint CCD	\$ 4,395.91	\$ 962.12	\$ 22,934.04	\$ 9,977.67	\$ 13,724.10	\$ 462,088.40	\$ 12,725.30	
Gavilan College	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
	\$ 4,395.91	\$ 962.12	\$ 22,934.04	\$ 9,977.67	\$ 13,724.10	\$ 462,088.40	\$ 12,725.30	\$ 526,807.55
Glendale CCD	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Glendale Community College	\$ 67,633.54	\$ 24,092.11	\$ 20,052.83	\$ 18,820.04	\$ 19,254.69	\$ 20,434.58	\$ 24,842.51	
	\$ 67,633.54	\$ 24,092.11	\$ 20,052.83	\$ 18,820.04	\$ 19,254.69	\$ 20,434.58	\$ 24,842.51	\$ 195,130.30
Grossmont-Cuyamaca CCD	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Cuyamaca College	\$ 8,082.58	\$ 9,992.69	\$ 9,189.82	\$ 44,981.75	\$ 51,054.08	\$ 14,811.08	\$ 15,052.31	
Grossmont College	\$ 179,799.35	\$ 14,593.87	\$ 16,097.29	\$ 138,480.66	\$ 770,299.14	\$ 18,147.46	\$ 69,446.72	
	\$ 187,881.93	\$ 24,586.56	\$ 25,287.11	\$ 183,462.42	\$ 821,353.22	\$ 32,958.54	\$ 84,499.03	\$ 1,360,028.81
Hartnell CCD	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Hartnell Community College	\$ 9,850.77	\$ 11,350.51	\$ 11,983.01	\$ 30,470.90	\$ 13,861.77	\$ 15,832.28	\$ 81,052.86	
	\$ 9,850.77	\$ 11,350.51	\$ 11,983.01	\$ 30,470.90	\$ 13,861.77	\$ 15,832.28	\$ 81,052.86	\$ 174,402.10
Lassen CCD	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Lassen College	\$ 12,649.89	\$ 13,968.85	\$ 9,951.47	\$ 13,079.32	\$ 11,591.97	\$ 14,887.90	\$ 14,577.99	
	\$ 12,649.89	\$ 13,968.85	\$ 9,951.47	\$ 13,079.32	\$ 11,591.97	\$ 14,887.90	\$ 14,577.99	\$ 90,707.39

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District / College	Avoided Cost 2001	Avoided Cost 2002	Avoided Cost 2003	Avoided Cost 2004	Avoided Cost 2005	Avoided Cost 2006	Avoided Cost 2007	Grand Total For All Years
Landfill cost per ton	\$ 36.39	\$ 36.17	\$ 36.83	\$ 38.42	\$ 39.00	\$ 46.00	<del>\$ 49.00</del>	
Long Beach CCD	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Long Beach City College	\$ 8,442.48	\$ 11,914.40	\$ 12,142.85	\$ 190,270.06	\$ 15,359.76	\$ 28,050.80	\$ 17,461.64	
	\$ 8,442.48	\$ 11,914.40	\$ 12,142.85	\$ 190,270.06	\$ 15,359.76	\$ 28,050.80	\$ 17,461.64	\$ 283,641.98
Los Rios CCD	\$ 1,676.12	\$ 2,536.78	\$ 2,386.47	\$ 2,548.01	\$ 3,563.43	\$ 3,013.55	\$ 3,358.80	
American River College	\$ 10,192.11	\$ 16,360.41	\$ 20,682.99	\$ 24,871.96	\$ 24,963.51	\$ 29,823.64	\$ 32,529.14	
Cosumnes River College	\$ 4,919.93	\$ 39,787.40	\$ 7,275.55	\$ 7,805.60	\$ 79,703.52	\$ 31,698.60	\$ 21,073.43	
Folsom Lake College	\$ -	\$ -	\$ -	\$ -	\$ 1,107,929.20	\$ 3,039.68	\$ 3,390.95	
Sacramento City College	\$ 2,867.17	\$ 11,460.46	\$ 10,382.75	\$ 12,514.55	\$ 13,676.52	\$ 15,381.94	\$ 16,503.20	
	\$ 19,655.33	\$ 70,145.06	\$ 40,727.76	\$ 47,740.12	\$ 1,229,836.18	\$ 82,957.41	\$ 76,855.52	\$ 1,567,917.37
Marin CCD	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
College of Marin	\$ 6,328.95	\$ 8,319.10	\$ 6,279.15	\$ 6,689.31	\$ 6,134.31	\$ 8,623.62	\$ 7,396.06	
	\$ 6,328.95	\$ 8,319.10	\$ 6,279.15	\$ 6,689.31	\$ 6,134.31	\$ 8,623.62	\$ 7,396.06	\$ 49,770.49
Merced CCD	\$ 96,369.45	\$ 479.61	\$ -	\$ -	\$ -	\$ -	\$ -	
Merced College	\$ 93,531.03	\$ 20,609.67	\$ 23,141.03	\$ 36,825.19	\$ 45,099.21	\$ 43,589.60	\$ 46,244.24	
	\$ 189,900.49	\$ 21,089.28	\$ 23,141.03	\$ 36,825.19	\$ 45,099.21	\$ 43,589.60	\$ 46,244.24	\$ 405,889.03
MiraCosta CCD	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
MiraCosta College	\$ 4,475.97	\$ 7,197.83	\$ 30,858.02	\$ 15,185.89	\$ 53,120.26	\$ 71,094.70	\$ 53,322.63	
	\$ 4,475.97	\$ 7,197.83	\$ 30,858.02	\$ 15,185.89	\$ 53,120.26	\$ 71,094.70	\$ 53,322.63	\$ 235,255.30
Monterey CCD	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Monterey Peninsula College	\$ 4,995.62	\$ 7,797.53	\$ 7,418.67	\$ 13,562.26	\$ 10,310.43	\$ 11,389.60	\$ 12,558.70	
	\$ 4,995.62	\$ 7,797.53	\$ 7,418.67	\$ 13,562.26	\$ 10,310.43	\$ 11,389.60	\$ 12,558.70	\$ 68,032.80
Mt. San Antonio CCD	\$ 14,546.17	\$ 18,580.17	\$ 19,429.67	\$ 29,518.85	\$ 27,925.56	\$ 37,847.42	\$ 38,030.37	
Mt. San Antonio College	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
	\$ 14,546.17	\$ 18,580.17	\$ 19,429.67	\$ 29,518.85	\$ 27,925.56	\$ 37,847.42	\$ 38,030.37	\$ 185,878.21
North Orange Cty CCD	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Cypress College	\$ 1,146.29	\$ 13,146.71	\$ 15,485.91	\$ 25,016.80	\$ 43,624.62	\$ 28,653.40	\$ 33,754.63	

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District / College	Avoided Cost 2001	Avoided Cost 2002	Avoided Cost 2003	Avoided Cost 2004	Avoided Cost 2005	Avoided Cost 2006	Avoided Cost 2007	Grand Total For All Years
Landfill cost per ton	\$ 36.39	\$ 36.17	\$ 36.83	\$ 38.42	\$ 39.00	\$ 46.00	\$ 49.00	
Fullerton College	\$ 280.57	\$ 17,914.75	\$ 55,345.66	\$ 56,346.89	\$ 58,599.18	\$ 191,717.10	\$ 2,914.32	
	\$ 1,426.85	\$ 31,061.46	\$ 70,831.57	\$ 81,363.69	\$ 102,223.80	\$ 220,370.50	\$ 36,668.95	\$ 543,946.81
Palo Verde CCD	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Palo Verde College	\$ -	\$ 2,188.29	\$ 2,265.05	\$ 1,085.37	\$ 6,405.75	\$ 5,014.00	\$ 6,529.25	
	\$ -	\$ 2,188.29	\$ 2,265.05	\$ 1,085.37	\$ 6,405.75	\$ 5,014.00	\$ 6,529.25	\$ 23,487.70
Palomar CCD	\$ 10,892.07	\$ 19,027.73	\$ 12,101.97	\$ 27,658.37	\$ 60,461.47	\$ 26,242.26	\$ 30,766.86	
Palomar College	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
	\$ 10,892.07	\$ 19,027.73	\$ 12,101.97	\$ 27,658.37	\$ 60,461.47	\$ 26,242.26	\$ 30,766.86	\$ 187,150.73
Pasadena CCD	\$ 5,775.09	\$ 8,005.51	\$ 13,507.40	\$ 28,267.13	\$ 29,476.67	\$ 206,035.01	\$ 23,677.93	
Pasadena City College	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
	\$ 5,775.09	\$ 8,005.51	\$ 13,507.40	\$ 28,267.13	\$ 29,476.67	\$ 206,035.01	\$ 23,677.93	\$ 314,744.74
Rancho Santiago CCD	\$ 1,893.19	\$ 2,300.05	\$ 2,145.35	\$ 3,369.82	\$ 1,857.57	\$ 1,426.00	\$ 1,567.36	
Santa Ana College	\$ 1,183.04	\$ 14,755.19	\$ 12,746.86	\$ 22,414.19	\$ 28,720.81	\$ 28,541.62	\$ 31,082.66	
	\$ 3,076.23	\$ 17,055.24	\$ 14,892.21	\$ 25,784.01	\$ 30,578.38	\$ 29,967.62	\$ 32,650.02	\$ 154,003.71
Santiago Canyon College								
Redwoods CCD	\$ 786.02	\$ 1,150.21	\$ 2,781.25	\$ 4,308.80	\$ 4,621.11	\$ 7,326.42	\$ 14,085.05	
College of the Redwoods	\$ 42,561.02	\$ 13,087.03	\$ 10,123.50	\$ 10,595.20	\$ 8,517.17	\$ 9,900.12	\$ 20,711.81	
	\$ 43,347.04	\$ 14,237.24	\$ 12,904.75	\$ 14,904.00	\$ 13,138.28	\$ 17,226.54	\$ 34,796.86	\$ 150,554.71
San Bernardino CCD	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Crafton Hills College	\$ 22,434.44	\$ 23,394.76	\$ 24,270.97	\$ 25,464.78	\$ 25,454.91	\$ 18,739.02	\$ 29,902.25	
San Bernardino Valley College	\$ 13,908.26	\$ 19,076.06	\$ 35,538.74	\$ 18,776.62	\$ 241,390.11	\$ 344,128.30	\$ 990,051.37	
	\$ 36,342.69	\$ 42,470.81	\$ 59,809.71	\$ 44,241.40	\$ 266,845.02	\$ 362,867.32	\$ 1,019,953.62	\$ 1,832,530.58
San Joaquin Delta CCD	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
San Joaquin Delta College	\$ 16,534.09	\$ 11,376.15	\$ 21,616.78	\$ 24,257.00	\$ 32,345.00	\$ 28,926.36	\$ 33,623.31	
	\$ 16,534.09	\$ 11,376.15	\$ 21,616.78	\$ 24,257.00	\$ 32,345.00	\$ 28,926.36	\$ 33,623.31	\$ 168,678.70
San Jose CCD	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	



District / College	Avoided Cost 2001	Avoided Cost 2002	Avoided Cost 2003	Avoided Cost 2004	Avoided Cost 2005	Avoided Cost 2006	Avoided Cost 2007	Grand Total For All Years
Landfill cost per ton	\$ 36.39	\$ 36.17	\$ 36.83	\$ 38.42	\$ 39.00	\$ 46.00	\$ 46.00	
Evergreen Valley College	\$ 9,446.84	\$ 31,721.81	\$ 28,128.99	\$ 20,191.29	\$ 34,148.36	\$ 34,656.08	\$ 30,805.86	
San Jose City College	\$ 10,041.82	\$ 16,153.16	\$ 8,399.93	\$ 19,877.85	\$ 10,347.64	\$ 166,758.97	\$ 16,725.42	
	\$ 19,488.66	\$ 47,874.97	\$ 36,528.91	\$ 49,069.14	\$ 44,496.00	\$ 201,415.05	\$ 47,531.27	\$ 446,404.01
San Luis Obispo CCD	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Cuesta College	\$ 14,154.84	\$ 13,404.96	\$ 16,676.26	\$ 13,242.22	\$ 14,828.00	\$ 17,394.90	\$ 23,889.46	
	\$ 14,154.84	\$ 13,404.96	\$ 16,676.26	\$ 13,242.22	\$ 14,828.00	\$ 17,394.90	\$ 23,889.46	\$ 113,590.63
San Mateo Co CCD	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
College of San Mateo	\$ 6,096.78	\$ 17,866.89	\$ 21,602.38	\$ 139,365.09	\$ 19,560.84	\$ 29,220.67	\$ 22,601.25	
Skyline College	\$ 13,068.09	\$ 10,780.47	\$ 10,726.37	\$ 12,508.13	\$ 12,074.40	\$ 57,144.47	\$ 49,543.02	
	\$ 19,164.87	\$ 28,647.36	\$ 32,328.75	\$ 151,873.22	\$ 31,635.24	\$ 86,365.14	\$ 72,144.27	\$ 422,158.85
Santa Clarita CCD	\$ 10,471.22	\$ 11,556.32	\$ 16,774.22	\$ 17,932.54	\$ 19,513.65	\$ 25,042.40	\$ 29,694.00	
College of the Canyons	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
	\$ 10,471.22	\$ 11,556.32	\$ 16,774.22	\$ 17,932.54	\$ 19,513.65	\$ 25,042.40	\$ 29,694.00	\$ 130,984.35
Santa Monica CCD	\$ 994,431.35	\$ 97,145.39	\$ 217,496.99	\$ 346,715.14	\$ 290,473.17	\$ 488,949.64	\$ 327,850.18	
Santa Monica College	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
	\$ 994,431.35	\$ 97,145.39	\$ 217,496.99	\$ 346,715.14	\$ 290,473.17	\$ 488,949.64	\$ 327,850.18	\$ 2,763,061.86
Shasta Tehama CCD	\$ 5,074.95	\$ 17,259.96	\$ 7,966.70	\$ 57,606.60	\$ 15,253.68	\$ 19,997.86	\$ 18,083.25	
Shasta College	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
	\$ 5,074.95	\$ 17,259.96	\$ 7,966.70	\$ 57,606.60	\$ 15,253.68	\$ 19,997.86	\$ 18,083.25	\$ 141,243.00
Sierra Joint CCD	\$ 7,441.76	\$ 10,422.39	\$ 14,958.87	\$ 20,504.75	\$ 21,989.37	\$ 26,471.16	\$ 28,738.50	
Sierra College	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
	\$ 7,441.76	\$ 10,422.39	\$ 14,958.87	\$ 20,504.75	\$ 21,989.37	\$ 26,471.16	\$ 28,738.50	\$ 130,526.80
Siskiyou CCD	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
College of the Siskiyous	\$ 7,202.67	\$ 17,743.56	\$ 5,516.40	\$ 17,513.37	\$ 15,415.53	\$ 16,526.42	\$ 16,452.24	
	\$ 7,202.67	\$ 17,743.56	\$ 5,516.40	\$ 17,513.37	\$ 15,415.53	\$ 16,526.42	\$ 16,452.24	\$ 96,370.19
Solano Co CCD	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	

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District / College	Avoided Cost 2001	Avoided Cost 2002	Avoided Cost 2003	Avoided Cost 2004	Avoided Cost 2005	Avoided Cost 2006	Avoided Cost 2007	Grand Total For All Years
Landfill cost per ton	\$ 36.39	\$ 36.17	\$ 36.83	\$ 38.42	\$ 39.00	\$ 46.00	<del>\$ 49.00</del>	
Solano Community College	\$ 27,769.21	\$ 149,566.57	\$ 30,519.92	\$ 35,637.85	\$ 32,687.30	<del>\$ 35,202.42</del>	<del>\$ 38,327.75</del>	
	\$ 27,769.21	\$ 149,566.57	\$ 30,519.92	\$ 35,637.85	\$ 32,687.30	\$ 35,202.42	\$ 38,327.75	\$ 349,711.02
State Center CCD	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Fresno City College	\$ 14,495.59	\$ 11,320.12	\$ 12,458.48	\$ 14,579.24	\$ 14,660.49	\$ 17,456.54	\$ 16,964.78	
Reedley College	\$ 13,227.77	\$ 14,757.36	\$ 14,818.92	\$ 24,158.88	\$ 25,174.50	\$ 29,237.60	\$ 28,748.30	
	\$ 27,723.36	\$ 26,077.48	\$ 27,277.40	\$ 38,738.12	\$ 39,834.99	\$ 46,694.14	\$ 45,713.08	\$ 252,058.57
Victor Valley CCD	\$ 13,133.51	\$ 12,673.06	\$ 13,159.36	\$ 23,109.63	\$ 19,132.62	\$ 80,315.54	\$ 21,930.15	
Victor Valley College	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
	\$ 13,133.51	\$ 12,673.06	\$ 13,159.36	\$ 23,109.63	\$ 19,132.62	\$ 80,315.54	\$ 21,930.15	\$ 183,453.87
West Kern CCD	\$ 2,893.01	\$ 3,012.96	\$ 3,237.36	\$ 3,638.37	\$ 3,613.35	\$ 14,408.58	\$ 9,604.00	
Taft College	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
	\$ 2,893.01	\$ 3,012.96	\$ 3,237.36	\$ 3,638.37	\$ 3,613.35	\$ 14,408.58	\$ 9,604.00	\$ 40,407.63
West Valley-Mission CCD	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Mission College	\$ 10,653.17	\$ 7,476.34	\$ 15,092.57	\$ 16,286.24	\$ 15,892.50	\$ 17,504.38	\$ 19,429.48	
	\$ 10,653.17	\$ 7,476.34	\$ 15,092.57	\$ 16,286.24	\$ 15,892.50	\$ 17,504.38	\$ 19,429.48	\$ 102,334.68
Yosemite CCD	\$ 68,733.80	\$ 71,285.64	\$ 76,429.62	\$ 57,126.31	\$ 37,918.14	\$ 137,038.60	\$ 43,932.42	
West Valley College	\$ 10,931.92	\$ 14,945.44	\$ 23,601.77	\$ 24,700.22	\$ 20,920.38	\$ 19,562.88	\$ 193,402.02	
	\$ 79,665.72	\$ 86,231.09	\$ 100,031.38	\$ 81,826.53	\$ 58,838.52	\$ 156,601.48	\$ 237,334.44	\$ 800,529.16
Columbia College CCD	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Modesto Junior College	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Yuba CCD	\$ 18,242.31	\$ 18,373.49	\$ 15,238.08	\$ 21,656.36	\$ 162,123.39	\$ 42,854.89	\$ 37,483.58	
Yuba College	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
	\$ 18,242.31	\$ 18,373.49	\$ 15,238.08	\$ 21,656.36	\$ 162,123.39	\$ 42,854.89	\$ 37,483.58	\$ 315,972.09
GRAND TOTAL	\$ 2,335,292.73	\$ 1,480,541.11	\$ 1,392,454.20	\$ 2,103,013.79	\$ 4,146,421.15	\$ 3,723,284.80	\$ 3,471,177.20	\$ 18,652,184.99

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District / College	Total Estimated Available Revenue for Total Materials / College 2001	Total Estimated Available Revenue for Total Materials / College 2002	Total Estimated Available Revenue for Total Materials / College 2003	Total Estimated Available Revenue for Total Materials / College 2004	Total Estimated Available Revenue for Total Materials / College 2005	Total Estimated Available Revenue for Total Materials / College 2006	Total Estimated Available Revenue for Total Materials / College 2007	Total Estimated Available Revenue for Total Materials / College for all
Allan Hancock CCD	\$ 7,062.63	\$ 11,412.03	\$ 5,880.88	\$ 10,759.37	\$ 12,127.03	\$ 10,984.94	\$ 17,070.09	\$ 75,296.98
Allan Hancock College	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	\$ 7,062.63	\$ 11,412.03	\$ 5,880.88	\$ 10,759.37	\$ 12,127.03	\$ 10,984.94	\$ 17,070.09	\$ 75,296.98
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Butte CCD	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Butte College	\$ 3,023.82	\$ 3,313.43	\$ 5,827.23	\$ 6,900.65	\$ 11,570.18	\$ 11,588.36	\$ 17,540.28	\$ 59,763.96
	\$ 3,023.82	\$ 3,313.43	\$ 5,827.23	\$ 6,900.65	\$ 11,570.18	\$ 11,588.36	\$ 17,540.28	\$ 59,763.96
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Cabrillo CCD	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Cabrillo College	\$ 6,684.69	\$ 8,701.65	\$ 7,014.79	\$ 8,190.85	\$ 6,295.25	\$ 8,137.06	\$ 13,612.27	\$ 58,636.56
	\$ 6,684.69	\$ 8,701.65	\$ 7,014.79	\$ 8,190.85	\$ 6,295.25	\$ 8,137.06	\$ 13,612.27	\$ 58,636.56
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Chabot-Las Positas CCD	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Chabot College	\$ 5,087.37	\$ 7,479.29	\$ 8,299.46	\$ 4,440.79	\$ 4,343.06	\$ 5,439.09	\$ 20,058.18	\$ 55,147.23
Las Positas College	\$ 1,953.45	\$ 2,046.69	\$ 2,171.76	\$ 646.65	\$ 1,748.27	\$ 2,294.69	\$ 3,320.36	\$ 14,181.87
	\$ 7,040.82	\$ 9,525.97	\$ 10,471.23	\$ 5,087.44	\$ 6,091.32	\$ 7,733.78	\$ 23,378.54	\$ -
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Citrus CCD	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Citrus College	\$ 1,910.73	\$ 3,004.91	\$ 2,776.59	\$ 4,304.69	\$ 3,357.02	\$ 13,546.48	\$ 17,281.37	\$ 46,181.79
	\$ 1,910.73	\$ 3,004.91	\$ 2,776.59	\$ 4,304.69	\$ 3,357.02	\$ 13,546.48	\$ 17,281.37	\$ 46,181.79
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Coast CCD	\$ 742.87	\$ 1,263.62	\$ 1,318.97	\$ 1,941.99	\$ 2,657.46	\$ 855.47	\$ 1,473.86	\$ 10,254.25
Coastline Community College	\$ 294.98	\$ 506.02	\$ 718.91	\$ 660.08	\$ 2,267.19	\$ 1,643.03	\$ 3,595.39	\$ 9,685.60
Golden West College	\$ 2,590.86	\$ 3,004.83	\$ 4,895.22	\$ 8,704.43	\$ 10,181.55	\$ 8,083.98	\$ 13,065.76	\$ 50,526.62
Orange Coast College	\$ 16,992.27	\$ 12,549.77	\$ 16,713.32	\$ 21,188.47	\$ 19,785.02	\$ 25,603.69	\$ 54,369.79	\$ 167,202.32
	\$ 20,620.99	\$ 17,324.24	\$ 23,646.42	\$ 32,494.97	\$ 34,891.21	\$ 36,186.16	\$ 72,504.81	\$ 237,668.80
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Sequoias CCD	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
College of the Sequoias	\$ 5,128.85	\$ 6,711.29	\$ 8,182.90	\$ 10,183.76	\$ 11,968.69	\$ 14,360.01	\$ 22,895.28	\$ 79,430.78
	\$ 5,128.85	\$ 6,711.29	\$ 8,182.90	\$ 10,183.76	\$ 11,968.69	\$ 14,360.01	\$ 22,895.28	\$ 79,430.78
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Contra Costa CCD	\$ 1,026.27	\$ 1,088.23	\$ 1,337.46	\$ 1,734.27	\$ 2,304.04	\$ 1,770.52	\$ 1,491.41	\$ 10,752.20
Contra Costa College	\$ 4,344.51	\$ 5,930.25	\$ 6,831.49	\$ 9,271.61	\$ 9,816.57	\$ 6,401.14	\$ 22,010.10	\$ 64,605.67
Diablo Valley College	\$ 2,282.02	\$ 4,169.38	\$ 4,726.35	\$ 6,732.82	\$ 9,046.73	\$ 8,209.67	\$ 10,826.50	\$ 45,993.47
Los Medanos College	\$ 5,217.60	\$ 5,692.94	\$ 6,460.48	\$ 8,784.35	\$ 10,346.26	\$ 6,592.04	\$ 6,639.41	\$ 49,733.08
	\$ 12,870.41	\$ 16,880.79	\$ 19,355.78	\$ 26,523.05	\$ 31,513.60	\$ 22,973.36	\$ 40,967.42	\$ 171,084.41
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
El Camino CCD	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
El Camino College	\$ 2,170.92	\$ 3,383.13	\$ 2,392.30	\$ 3,983.50	\$ 9,858.40	\$ 8,393.22	\$ 15,127.21	\$ 45,308.68
Compton Community Educational Center	\$ -	\$ 3,115.24	\$ 1,010.00	\$ -	\$ 3,787.51	\$ 1,737.89	\$ 753.44	\$ 10,404.08

District / College	Total Estimated Available Revenue for Total Materials / College 2001	Total Estimated Available Revenue for Total Materials / College 2002	Total Estimated Available Revenue for Total Materials / College 2003	Total Estimated Available Revenue for Total Materials / College 2004	Total Estimated Available Revenue for Total Materials / College 2005	Total Estimated Available Revenue for Total Materials / College 2006	Total Estimated Available Revenue for Total Materials / College 2007	Total Estimated Available Revenue for Total Materials / College for all
	\$ 2,170.92	\$ 6,498.37	\$ 3,402.30	\$ 3,983.50	\$ 13,645.92	\$ 10,131.11	\$ 15,880.65	\$ 55,712.76
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Foothill-DeAnza CCD	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
DeAnza College	\$ 7,843.06	\$ 7,694.99	\$ 11,661.38	\$ 17,909.13	\$ 13,802.10	\$ 15,483.93	\$ 25,990.52	\$ 100,385.11
Foothill College	\$ 6,457.09	\$ 13,650.92	\$ 14,975.62	\$ 17,588.19	\$ 27,349.27	\$ 26,172.76	\$ 44,300.19	\$ 150,494.04
	\$ 14,300.15	\$ 21,345.91	\$ 26,637.00	\$ 35,497.32	\$ 41,151.37	\$ 41,656.69	\$ 70,290.71	\$ 250,879.14
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Gavilan Joint CCD	\$ 1,487.42	\$ 4,286.32	\$ 9,508.19	\$ 11,167.87	\$ 11,004.42	\$ 14,730.39	\$ 19,228.63	\$ 71,413.24
Gavilan College	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	\$ 1,487.42	\$ 4,286.32	\$ 9,508.19	\$ 11,167.87	\$ 11,004.42	\$ 14,730.39	\$ 19,228.63	\$ 71,413.24
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Glendale CCD	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Glendale Community College	\$ 4,251.68	\$ 2,615.50	\$ 1,714.37	\$ 3,573.50	\$ 3,397.19	\$ 1,992.43	\$ 4,081.15	\$ 21,625.82
	\$ 4,251.68	\$ 2,615.50	\$ 1,714.37	\$ 3,573.50	\$ 3,397.19	\$ 1,992.43	\$ 4,081.15	\$ 21,625.82
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Grossmont-Cuyamaca CCD	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Cuyamaca College	\$ 550.53	\$ 1,455.20	\$ 1,012.79	\$ 1,587.54	\$ 730.52	\$ 652.18	\$ 4,913.85	\$ 10,902.61
Grossmont College	\$ 4,976.27	\$ 5,353.08	\$ 5,150.20	\$ 5,994.47	\$ 6,197.52	\$ 8,755.47	\$ 13,496.23	\$ 49,923.25
	\$ 5,526.80	\$ 6,808.29	\$ 6,163.00	\$ 7,582.01	\$ 6,928.05	\$ 9,407.65	\$ 18,410.08	\$ 60,825.86
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Hartnell CCD	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Hartnell Community College	\$ 4,024.22	\$ 4,629.29	\$ 5,648.11	\$ 6,381.46	\$ 9,233.78	\$ 10,510.42	\$ 13,728.49	\$ 54,155.77
	\$ 4,024.22	\$ 4,629.29	\$ 5,648.11	\$ 6,381.46	\$ 9,233.78	\$ 10,510.42	\$ 13,728.49	\$ 54,155.77
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Lassen CCD	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Lassen College	\$ 2,726.17	\$ 1,931.85	\$ 1,500.00	\$ 2,629.35	\$ 2,163.70	\$ 4,023.76	\$ 8,568.92	\$ 23,543.75
	\$ 2,726.17	\$ 1,931.85	\$ 1,500.00	\$ 2,629.35	\$ 2,163.70	\$ 4,023.76	\$ 8,568.92	\$ 23,543.75
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Long Beach CCD	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Long Beach City College	\$ 2,369.83	\$ 1,540.45	\$ 5,271.45	\$ 6,517.66	\$ 1,807.42	\$ 3,510.33	\$ 3,745.42	\$ 24,762.56
	\$ 2,369.83	\$ 1,540.45	\$ 5,271.45	\$ 6,517.66	\$ 1,807.42	\$ 3,510.33	\$ 3,745.42	\$ 24,762.56
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Los Rios CCD	\$ 570.11	\$ 1,140.59	\$ 1,951.34	\$ 2,932.98	\$ 3,055.31	\$ 309.62	\$ 850.07	\$ 10,810.02
American River College	\$ 17,955.75	\$ 36,523.96	\$ 40,950.75	\$ 55,630.70	\$ 64,384.00	\$ 64,943.62	\$ 69,002.43	\$ 349,391.21
Cosumnes River College	\$ 3,020.27	\$ 4,165.53	\$ 2,273.05	\$ 8,415.41	\$ 5,251.28	\$ 5,296.95	\$ 11,033.52	\$ 39,456.02
Folsom Lake College	\$ -	\$ -	\$ -	\$ -	\$ 1,144.04	\$ 856.50	\$ 1,174.86	\$ 3,175.40
Sacramento City College	\$ 2,119.41	\$ 2,553.28	\$ -	\$ 1,197.11	\$ -	\$ -	\$ -	\$ 5,869.80
	\$ 23,665.54	\$ 44,383.36	\$ 45,175.14	\$ 68,176.20	\$ 73,834.63	\$ 71,406.69	\$ 82,060.88	\$ 408,702.45
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Marin CCD	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
College of Marin	\$ 7,302.27	\$ 2,149.52	\$ 3,770.94	\$ 4,866.84	\$ 4,805.04	\$ 8,083.56	\$ 12,441.08	\$ 43,419.26

District / College	Total Estimated Available Revenue for Total Materials / College 2001	Total Estimated Available Revenue for Total Materials / College 2002	Total Estimated Available Revenue for Total Materials / College 2003	Total Estimated Available Revenue for Total Materials / College 2004	Total Estimated Available Revenue for Total Materials / College 2005	Total Estimated Available Revenue for Total Materials / College 2006	Total Estimated Available Revenue for Total Materials / College 2007	Total Estimated Available Revenue for Total Materials / College for all
	\$ 7,302.27	\$ 2,149.52	\$ 3,770.94	\$ 4,866.84	\$ 4,805.04	\$ 8,083.56	\$ 12,441.08	\$ 43,419.26
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Merced CCD	\$ 10,288.44	\$ 77.29	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 10,365.73
Merced College	\$ 10,288.44	\$ 5,460.96	\$ 5,273.23	\$ 5,497.08	\$ 5,467.81	\$ 7,001.13	\$ 17,698.55	\$ 56,687.20
	\$ 20,576.88	\$ 5,538.25	\$ 5,273.23	\$ 5,497.08	\$ 5,467.81	\$ 7,001.13	\$ 17,698.55	\$ 67,052.93
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
MiraCosta CCD	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
MiraCosta College	\$ 3,071.89	\$ 3,598.09	\$ 7,543.43	\$ 1,320.00	\$ 2,774.87	\$ 6,059.02	\$ 9,240.07	\$ 33,607.38
	\$ 3,071.89	\$ 3,598.09	\$ 7,543.43	\$ 1,320.00	\$ 2,774.87	\$ 6,059.02	\$ 9,240.07	\$ 33,607.38
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Monterey CCD	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Monterey Peninsula College	\$ 7,933.25	\$ 10,984.90	\$ 12,776.14	\$ 14,497.10	\$ 14,732.70	\$ 18,244.34	\$ 27,144.15	\$ 106,312.56
	\$ 7,933.25	\$ 10,984.90	\$ 12,776.14	\$ 14,497.10	\$ 14,732.70	\$ 18,244.34	\$ 27,144.15	\$ 106,312.56
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Mt. San Antonio CCD	\$ 2,863.69	\$ 5,368.64	\$ 4,131.94	\$ 4,732.54	\$ 4,457.24	\$ 2,876.44	\$ 4,483.65	\$ 28,914.14
Mt. San Antonio College	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	\$ 2,863.69	\$ 5,368.64	\$ 4,131.94	\$ 4,732.54	\$ 4,457.24	\$ 2,876.44	\$ 4,483.65	\$ 28,914.14
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
North Orange Cty CCD	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Cypress College	\$ 1,332.07	\$ 18,697.34	\$ 19,300.38	\$ 6,322.71	\$ 39,092.99	\$ 5,695.06	\$ 13,654.72	\$ 104,095.27
Fullerton College	\$ 346.49	\$ 30,465.51	\$ 39,238.36	\$ 47,048.79	\$ 52,108.81	\$ 43,207.50	\$ 72,248.76	\$ 284,664.22
	\$ 1,678.56	\$ 49,162.85	\$ 58,538.74	\$ 53,371.49	\$ 91,201.80	\$ 48,902.55	\$ 85,903.48	\$ 388,759.48
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Palo Verde CCD	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Palo Verde College	\$ -	\$ 1,299.26	\$ 1,698.86	\$ 1,536.85	\$ 2,499.30	\$ 3,014.29	\$ 5,551.95	\$ 15,600.50
	\$ -	\$ 1,299.26	\$ 1,698.86	\$ 1,536.85	\$ 2,499.30	\$ 3,014.29	\$ 5,551.95	\$ 15,600.50
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Palomar CCD	\$ 7,897.72	\$ 10,315.69	\$ 8,601.18	\$ 11,312.81	\$ 10,151.94	\$ 11,518.48	\$ 17,183.37	\$ 76,981.20
Palomar College	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	\$ 7,897.72	\$ 10,315.69	\$ 8,601.18	\$ 11,312.81	\$ 10,151.94	\$ 11,518.48	\$ 17,183.37	\$ 76,981.20
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Pasadena CCD	\$ 1,157.17	\$ 3,969.83	\$ 6,853.28	\$ 3,561.55	\$ 12,146.75	\$ 6,933.48	\$ 11,056.83	\$ 45,678.89
Pasadena City College	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	\$ 1,157.17	\$ 3,969.83	\$ 6,853.28	\$ 3,561.55	\$ 12,146.75	\$ 6,933.48	\$ 11,056.83	\$ 45,678.89
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Rancho Santiago CCD	\$ 186.25	\$ 222.65	\$ 697.88	\$ 526.34	\$ 533.72	\$ 836.64	\$ 1,317.22	\$ 4,320.70
Santa Ana College	\$ 891.83	\$ 1,992.87	\$ 934.74	\$ 2,523.27	\$ 4,386.03	\$ 4,216.78	\$ 4,880.22	\$ 19,825.75
	\$ 1,078.08	\$ 2,215.52	\$ 1,632.62	\$ 3,049.61	\$ 4,919.76	\$ 5,053.42	\$ 6,197.45	\$ 24,146.45
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Santiago Canyon College								
Redwoods CCD	\$ 1,633.34	\$ 2,586.21	\$ 5,729.97	\$ 8,261.74	\$ 7,339.16	\$ 15,448.46	\$ 33,467.86	\$ 74,466.74

District / College	Total Estimated Available Revenue for Total Materials / College 2001	Total Estimated Available Revenue for Total Materials / College 2002	Total Estimated Available Revenue for Total Materials / College 2003	Total Estimated Available Revenue for Total Materials / College 2004	Total Estimated Available Revenue for Total Materials / College 2005	Total Estimated Available Revenue for Total Materials / College 2006	Total Estimated Available Revenue for Total Materials / College 2007	Total Estimated Available Revenue for Total Materials / College for all
College of the Redwoods	\$ 4,972.39	\$ 5,186.22	\$ 5,809.84	\$ 4,859.79	\$ 4,588.37	\$ 3,234.32	\$ 11,435.33	\$ 40,086.27
	\$ 6,605.74	\$ 7,772.43	\$ 11,539.81	\$ 13,121.53	\$ 11,927.53	\$ 18,682.79	\$ 44,903.19	\$ 114,553.02
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
San Bernardino CCD	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Crafton Hills College	\$ 1,923.05	\$ 1,539.12	\$ 1,904.95	\$ 2,371.13	\$ 2,219.52	\$ 3,258.08	\$ 7,226.46	\$ 20,442.31
San Bernardino Valley College	\$ 1,155.83	\$ 1,412.45	\$ 1,842.64	\$ 7,452.23	\$ 6,816.74	\$ 6,450.70	\$ 12,932.94	\$ 38,063.52
	\$ 3,078.88	\$ 2,951.57	\$ 3,747.58	\$ 9,823.36	\$ 9,036.26	\$ 9,708.78	\$ 20,159.40	\$ 58,505.83
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
San Joaquin Delta CCD	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
San Joaquin Delta College	\$ 6,294.55	\$ 5,086.25	\$ 7,072.69	\$ 13,796.60	\$ 10,526.30	\$ 9,095.57	\$ 12,355.76	\$ 64,227.73
	\$ 6,294.55	\$ 5,086.25	\$ 7,072.69	\$ 13,796.60	\$ 10,526.30	\$ 9,095.57	\$ 12,355.76	\$ 64,227.73
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
San Jose CCD	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Evergreen Valley College	\$ 3,963.82	\$ 1,615.75	\$ 1,787.70	\$ 2,189.17	\$ 900.68	\$ 5,268.50	\$ 4,226.84	\$ 19,952.46
San Jose City College	\$ 3,777.54	\$ 6,056.32	\$ 4,735.22	\$ 5,141.86	\$ 5,647.84	\$ 6,861.17	\$ 9,358.09	\$ 41,578.03
	\$ 7,741.36	\$ 7,672.07	\$ 6,522.92	\$ 7,331.02	\$ 6,548.52	\$ 12,129.66	\$ 13,584.93	\$ 61,530.49
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
San Luis Obispo CCD	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Cuesta College	\$ 9,032.93	\$ 4,414.67	\$ 2,854.50	\$ 5,267.54	\$ 6,097.33	\$ 5,142.54	\$ 11,093.21	\$ 43,902.72
	\$ 9,032.93	\$ 4,414.67	\$ 2,854.50	\$ 5,267.54	\$ 6,097.33	\$ 5,142.54	\$ 11,093.21	\$ 43,902.72
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
San Mateo Co CCD	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
College of San Mateo	\$ 4,465.86	\$ 19,230.20	\$ 15,890.63	\$ 13,691.14	\$ 11,581.45	\$ 6,933.74	\$ 7,911.47	\$ 79,704.48
Skyline College	\$ 6,964.18	\$ 5,595.11	\$ 6,047.22	\$ 8,523.45	\$ 8,397.91	\$ 10,185.64	\$ 13,880.56	\$ 59,594.09
	\$ 11,430.04	\$ 24,825.31	\$ 21,937.85	\$ 22,214.59	\$ 19,979.36	\$ 17,119.38	\$ 21,792.03	\$ 139,298.57
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Santa Clarita CCD	\$ 2,030.31	\$ 3,415.41	\$ 8,204.31	\$ 10,816.27	\$ 11,759.19	\$ 15,133.25	\$ 22,415.34	\$ 73,774.09
College of the Canyons	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	\$ 2,030.31	\$ 3,415.41	\$ 8,204.31	\$ 10,816.27	\$ 11,759.19	\$ 15,133.25	\$ 22,415.34	\$ 73,774.09
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Santa Monica CCD	\$ 8,804.71	\$ 12,628.67	\$ 12,866.13	\$ 11,045.91	\$ 22,883.45	\$ 13,431.34	\$ 22,553.92	\$ 104,214.14
Santa Monica College	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	\$ 8,804.71	\$ 12,628.67	\$ 12,866.13	\$ 11,045.91	\$ 22,883.45	\$ 13,431.34	\$ 22,553.92	\$ 104,214.14
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Shasta Tehama CCD	\$ 3,057.30	\$ 4,391.20	\$ 7,300.98	\$ 9,377.74	\$ 9,949.66	\$ 9,237.54	\$ 15,158.23	\$ 58,472.65
Shasta College	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	\$ 3,057.30	\$ 4,391.20	\$ 7,300.98	\$ 9,377.74	\$ 9,949.66	\$ 9,237.54	\$ 15,158.23	\$ 58,472.65
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Sierra Joint CCD	\$ 2,864.14	\$ 5,779.17	\$ 6,730.28	\$ 13,015.52	\$ 17,831.29	\$ 20,930.78	\$ 35,535.63	\$ 102,686.82
Sierra College	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	\$ 2,864.14	\$ 5,779.17	\$ 6,730.28	\$ 13,015.52	\$ 17,831.29	\$ 20,930.78	\$ 35,535.63	\$ 102,686.82

District / College	Total Estimated Available Revenue for Total Materials / College 2001	Total Estimated Available Revenue for Total Materials / College 2002	Total Estimated Available Revenue for Total Materials / College 2003	Total Estimated Available Revenue for Total Materials / College 2004	Total Estimated Available Revenue for Total Materials / College 2005	Total Estimated Available Revenue for Total Materials / College 2006	Total Estimated Available Revenue for Total Materials / College 2007	Total Estimated Available Revenue for Total Materials / College for all
Siskiyou CCD	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
College of the Siskiyous	\$ 1,089.18	\$ 1,131.51	\$ 805.21	\$ 2,004.89	\$ 1,790.70	\$ 1,333.28	\$ 1,706.58	\$ 9,861.34
	\$ 1,089.18	\$ 1,131.51	\$ 805.21	\$ 2,004.89	\$ 1,790.70	\$ 1,333.28	\$ 1,706.58	\$ 9,861.34
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Solano Co CCD	\$ 550.00	\$ 200.00	\$ 50.00	\$ 90.00	\$ 100.00	\$ 210.73	\$ 363.56	\$ 1,564.29
Solano Community College	\$ -	\$ 4,658.01	\$ 3,287.78	\$ 3,861.56	\$ 3,992.20	\$ 4,982.88	\$ 9,433.98	\$ 30,216.42
	\$ 550.00	\$ 4,858.01	\$ 3,337.78	\$ 3,951.56	\$ 4,092.20	\$ 5,193.61	\$ 9,797.54	\$ 31,780.71
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
State Center CCD	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Fresno City College	\$ 3,417.69	\$ 5,614.45	\$ 7,129.42	\$ 10,995.57	\$ 10,359.16	\$ 13,848.57	\$ 11,908.84	\$ 63,273.70
Reedley College	\$ 4,577.68	\$ 6,352.98	\$ 5,564.95	\$ 8,186.92	\$ 7,681.74	\$ 8,581.58	\$ 14,168.35	\$ 55,114.20
	\$ 7,995.37	\$ 11,967.43	\$ 12,694.37	\$ 19,182.49	\$ 18,040.90	\$ 22,430.15	\$ 26,077.19	\$ 118,387.90
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Victor Valley CCD	\$ 10,233.98	\$ 8,637.50	\$ 7,274.75	\$ 7,815.49	\$ 6,164.33	\$ 5,743.41	\$ 6,365.21	\$ 52,234.66
Victor Valley College	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	\$ 10,233.98	\$ 8,637.50	\$ 7,274.75	\$ 7,815.49	\$ 6,164.33	\$ 5,743.41	\$ 6,365.21	\$ 52,234.66
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
West Kern CCD	\$ 711.42	\$ 785.95	\$ 788.35	\$ 2,095.40	\$ 792.93	\$ 833.05	\$ 2,396.87	\$ 8,403.97
Taft College	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	\$ 711.42	\$ 785.95	\$ 788.35	\$ 2,095.40	\$ 792.93	\$ 833.05	\$ 2,396.87	\$ 8,403.97
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
West Valley-Mission CCD	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Mission College	\$ 2,107.50	\$ 1,114.07	\$ 2,628.94	\$ 3,878.83	\$ 5,294.93	\$ 5,299.13	\$ 8,326.30	\$ 28,649.69
	\$ 2,107.50	\$ 1,114.07	\$ 2,628.94	\$ 3,878.83	\$ 5,294.93	\$ 5,299.13	\$ 8,326.30	\$ 28,649.69
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Yosemite CCD	\$ 23,754.95	\$ 3,416.93	\$ 4,926.50	\$ 6,904.32	\$ 5,201.11	\$ 5,377.18	\$ 9,039.78	\$ 58,620.77
West Valley College	\$ 5,219.92	\$ 5,249.76	\$ 8,689.71	\$ 11,014.13	\$ 8,353.95	\$ 8,279.49	\$ 15,489.26	\$ 62,296.22
	\$ 28,974.87	\$ 8,666.70	\$ 13,616.21	\$ 17,918.45	\$ 13,555.06	\$ 13,656.67	\$ 24,529.04	\$ 120,916.99
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Columbia College CCD	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Modesto Junior College	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Yuba CCD	\$ 4,106.28	\$ 5,901.76	\$ 9,730.94	\$ 22,926.11	\$ 31,641.73	\$ 27,261.09	\$ 4,414.26	\$ 105,982.18
Yuba College	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	\$ 4,106.28	\$ 5,901.76	\$ 9,730.94	\$ 22,926.11	\$ 31,641.73	\$ 27,261.09	\$ 4,414.26	\$ 105,982.18
GRAND TOTAL	\$ 295,133.74	\$ 387,515.88	\$ 438,649.37	\$ 549,282.80	\$ 642,049.66	\$ 622,928.35	\$ 961,310.21	\$ 3,827,540.90

## **Tab 12**



## RE: Rancho Santiago CCD IWM Audit Questions

Tuesday, March 12, 2013  
3:14 PM

Subject	RE: Rancho Santiago CCD IWM Audit Questions
From	Kustic, Debra
To	Kurokawa, Lisa
Sent	Wednesday, April 04, 2012 9:21 AM

Hi Lisa,

See the highlighted part of the e-mail below for the 2008 and 2009. We are not able to get the 2011 data at this time – It has not yet been compiled. We can check later with the external organization that does track that info, but they are a private entity, so we never know for sure if they will continue to be willing to provide it to us.

I am out of the office next week, so let's try to connect the week of April 16<sup>th</sup>.

Debra

From: Kustic, Debra  
Sent: Tuesday, March 20, 2012 2:26 PM  
To: 'Martin, Alexandra L.'  
Cc: Kurokawa, Lisa  
Subject: RE: Rancho Santiago CCD IWM Audit Questions



Hi,

I was able to get answers for your questions related to Rancho Santiago CCD.

There are 3 landfills on Orange County – Bowerman, Prims Desecha, and Olinda Alpha. All three have the same rates, and it was \$22/ton for haulers that hold franchise agreements from 1997-2010. The County entered in a long term contract with cities, franchised waste haulers, and sanitary districts in 1997 in order to maintain a stable customer base.

Since 2010, we believe the franchised hauler rate remained about the same, but the County added a large surcharge to waste hauled by independent haulers – their rate is around \$55/ton. The difference between the true landfill rate and this added surcharge is given to cities and public entities as grants. The surcharge is supposed to make MRF processing a more appealing option versus bringing the material directly to the landfill.

Here are the disposal numbers for the two colleges in the district (in total tons and pounds/person/day). This is useful in seeing the disposal trend over time. The data only goes through 2010 as they have not yet submitted their annual report with 2011 – that reporting period is now open and reports are due by May 1<sup>st</sup>.

### Santa Ana College

Year	Disposal in Tons	Lbs/person/day Disposed
------	------------------	-------------------------

2001	32.5	0.2
2002	512.7	2.8
2003	469	2.4
2004	579	3.0
2005	727.4	4.0
2006	378.9	2.0
2007	284.2	1.5
2008	311	2.1
2009	312.2	2.2
2010	331	3.2

**Santiago Canyon College**

Year	Disposal in Tons	Lbs/person/day Disposed
2001	105.3	3.0
2002	98.9	2.6
2003	87.8	1.7
2004	100.3	1.8
2005	97.8	1.7
2006	114.5	1.9
2007	227.4	3.1
2008	114.6	1.6
2009	109.3	1.6
2010	114.1	1.5

2007 - \$48 per ton  
2008 - \$51 per ton

Let me know if you have questions on that info.

Regarding the statewide average landfill disposal fee:

The numbers we provided to you for 2001-2004 were before my tenure - but as far as I am aware, they were the most accurate information available to us for those years.

We do not track landfill fees. The numbers we gave you for 2005-2007 we got in Sept 2009 from a third party that tracks this information. They provided us with information again in Feb 2011 and the 2007 figure was revised to \$48/ton,

[REDACTED]

[REDACTED]

Regards,

*Debra Kustic*



California Department of Resources Recycling and Recovery

[debra.kustic@calrecycle.ca.gov](mailto:debra.kustic@calrecycle.ca.gov)

Phone: 916-341-8207

Fax: 916-318-8112

## **Tab 13**

## Lanfill Disposal Fees

Tuesday, March 12, 2013  
3:12 PM

Subject	Lanfill Disposal Fees
From	Kustic, Debra
To	Kurokawa, Lisa
Sent	Thursday, May 31, 2012 1:19 PM

Hi Lisa,

I finally got updated landfill disposal fee information! When the organization from which we get this data provided us with the 2010 and 2011 fees, they also provided us with an updated 2009 fee. I think this happens because they have had additional time to gather a more complete data set. We saw this with another year for which I had provided you with a landfill cost and when they provided us with updated figures, it had decreased.

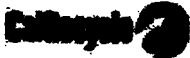
2009: \$55/ton (previously was noted at \$54/ton)  
2010: \$56/ton  
2011: \$56/ton

*[Handwritten mark]*

If you have any questions, please let me know.

Regards,

*Debra Kustic*



California Department of Resources Recycling and Recovery  
[debra.kustic@calrecycle.ca.gov](mailto:debra.kustic@calrecycle.ca.gov)  
Phone: 916-341-6207  
Fax: 916-319-8112

**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 November 2, 2015, I served the:

**SCO Comments**

Integrated Waste Management, 13-0007-I-02

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

Public Contract Code Section 12167 and 12167.1

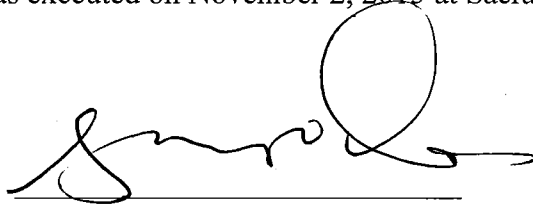
Statutes 1992, Chapter 1116 (AB 3521); Statutes 1999, Chapter 764 (AB 75)

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

Sierra Joint 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 November 2, 2015 at Sacramento, California.



Lorenzo Duran  
Commission on State Mandates  
980 Ninth Street, Suite 300  
Sacramento, CA 95814  
(916) 323-3562

# COMMISSION ON STATE MANDATES

## Mailing List

**Last Updated:** 10/29/15

**Claim Number:** 13-0007-I-02

**Matter:** Integrated Waste Management

**Claimant:** Sierra Joint 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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SAquino@sco.ca.gov

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eric.feller@csm.ca.gov

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lfisher@sierracollege.edu

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Rebecca.Hamilton@dof.ca.gov

**Ed Hanson**, *Department of Finance*  
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apalkowitz@sashlaw.com

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kbsixten@aol.com

**Sandra Reynolds**, *Reynolds Consulting Group, Inc.*

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Phone: (951) 303-3034

sandrareynolds\_30@msn.com

**David Scribner**, *The Law Office of David E. Scribner, Esq*

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david@deslawoffice.com

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**Dennis Speciale**, *State Controller's Office*

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Phone: (916) 324-0254

DSpeciale@sco.ca.gov

**Chris Yatooma**, Vice President, *Sierra Joint Community College District*

**Claimant Representative**

Administrative Services, 5000 Rocklin Road, Rocklin, CA 95677-3397

Phone: (916) 660-7601

cyatooma@sierracollege.edu



May 19, 2017

Mr. Chris Yatooma  
Sierra Joint Community College District  
Administrative Services  
5000 Rocklin Road  
Rocklin, CA 95677-3397

Ms. Jill Kanemasu  
Division of Accounting and Reporting  
State Controller's Office  
3301 C Street, Suite 700  
Sacramento, CA 95816

*And Parties, Interested Parties, and Interested Persons (See Mailing List)*

**Re: Draft Proposed Decision, Schedule for Comments, and Notice of Hearing**  
*Integrated Waste Management*, 13-0007-I-02  
Public Resources Code Sections 40418, 40196.3, 42920-42928;  
Public Contract Code Sections 12167 and 12167.1  
Statutes 1992, Chapter 1116 (AB 3521); Statutes 1999, Chapter 764 (AB 75)  
State Agency Model Integrated Waste Management Plan (February 2000)  
Fiscal Years: 1999-2000, 2000-2001, 2003-2004, 2004-2005, 2005-2006, 2006-2007,  
2007-2008, 2008-2009, and 2009-2010  
Sierra Joint Community College District, Claimant

Dear Mr. Yatooma and Ms. Kanemasu:

The Draft Proposed Decision for the above-captioned matter is enclosed for your review and comment.

### Written Comments

Written comments may be filed on the Draft Proposed Decision by **June 9, 2017**. Please note that all representations of fact submitted to the Commission must be signed under penalty of perjury by persons who are authorized and competent to do so and must be based upon the declarant's personal knowledge, information, or belief. (Cal. Code Regs., tit. 2, § 1187.5.) Hearsay evidence may be used for the purpose of supplementing or explaining other evidence but shall not be sufficient in itself to support a finding unless it would be admissible over an objection in civil actions. (Cal. Code Regs., tit. 2, § 1187.5.) The Commission's ultimate findings of fact must be supported by substantial evidence in the record.<sup>1</sup>

You are advised that comments filed with the Commission on State Mandates (Commission) are required to be simultaneously served on the other interested parties on the mailing list, and to be accompanied by a proof of service. However, this requirement may also be satisfied by electronically filing your documents. Refer to [http://www.csm.ca.gov/dropbox\\_procedures.php](http://www.csm.ca.gov/dropbox_procedures.php) on the Commission's website for electronic filing instructions. (Cal. Code Regs., tit. 2, § 1181.3.)

If you would like to request an extension of time to file comments, please refer to section 1187.9(a) of the Commission's regulations.

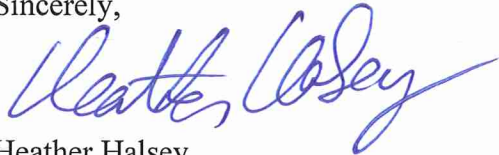
<sup>1</sup> Government Code section 17559(b), which provides that a claimant or the state may commence a proceeding in accordance with the provisions of section 1094.5 of the Code of Civil Procedure to set aside a decision of the Commission on the ground that the Commission's decision is not supported by substantial evidence in the record.

Mr. Yatooma and Ms. Kanemasu  
May 19, 2017  
Page 2

**Hearing**

This matter is set for hearing on **Friday, July 28, 2017**, at 10:00 a.m., State Capitol, Room 447, Sacramento, California. The Proposed Decision will be issued on or about July 14, 2017. 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. If you would like to request postponement of the hearing, please refer to section 1187.9(b) of the Commission's regulations.

Sincerely,



Heather Halsey  
Executive Director

**ITEM \_**  
**INCORRECT REDUCTION CLAIM**  
**DRAFT PROPOSED DECISION**

Public Resources Code Sections 40148, 40196.3, 42920-42928; Public Contract Code Sections 12167 and 12167.1; Statutes 1992, Chapter 1116 (AB 3521); Statutes 1999, Chapter 764 (AB 75); State Agency Model Integrated Waste Management Plan (February 2000)

*Integrated Waste Management*

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

13-0007-I-02

Sierra Joint Community College District, Claimant

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**EXECUTIVE SUMMARY**

**Overview**

This Incorrect Reduction Claim (IRC) addresses the State Controller's Office's (Controller's) reductions to reimbursement claims of the Sierra Joint Community College District (claimant) for fiscal years 1999-2000, 2000-2001, and 2003-2004 through 2009-2010 under the *Integrated Waste Management* program, 00-TC-07. The reductions were made because the claimant did not identify and deduct from its reimbursement claims offsetting savings resulting from the claimant's diversion of solid waste and the associated reduction or avoidance of costs for landfill disposal fees.

Staff finds that the Controller's reduction of costs claimed for fiscal years 1999-2000, 2000-2001, the second half of fiscal year 2003-2004, and fiscal years 2004-2005 through 2009-2010, is correct as a matter of law and is not arbitrary, capricious, or entirely lacking in evidentiary support.

However, the Controller's reduction of costs claimed for the first half of fiscal year 2003-2004 (July 1, 2003, through Dec. 31, 2003) is incorrect as a matter of law because the Controller found that the claimant did not achieve the mandated "50 percent" diversion for the first half of fiscal year 2003-2004 and therefore did not allocate the diversion percentage to reflect the mandate, but instead used 100 percent of the tonnage diverted by the claimant to calculate offsetting cost savings. The claimant, during that time period, was only mandated to divert 25 percent of solid waste, and the claimant achieved a diversion level of 45.59 percent, exceeding the mandate, and under the Controller's formula should have deducted avoided costs based on the diversion rate mandated by the state. Therefore, the Controller's calculation of \$7,513 as an offset of costs claimed for the first half of fiscal year 2003-2004 is incorrect as a matter of law.

Applying the Controller's cost savings formula for years when the claimant exceeds the mandate, to the first half of fiscal year 2003-2004, results in a finding of offsetting costs savings of \$4,120

(25 percent mandated diversion rate divided by 45.59 percent actual diversion rate, multiplied by 204 tons diverted, multiplied by the avoided statewide average landfill disposal fee of \$36.83) rather than the \$7,513 calculated by the Controller who used a 50 percent mandated diversion rate. Accordingly, staff finds that \$3,393 has been incorrectly offset and should be reinstated to the claimant.

Therefore, staff recommends that the Commission on State Mandates (Commission) partially approve this IRC and request that the Controller reinstate \$3,393 to the claimant.

#### The Integrated Waste Management Program

The test claim statutes require community college districts<sup>1</sup> to adopt and implement, in consultation with the California Integrated Waste Management Board (CIWMB, now known as CalRecycle), an integrated waste management (IWM) plan to govern the district's efforts to reduce solid waste, reuse materials, recycle recyclable materials and procure products with recycled content in all agency offices and facilities. To implement their plans, community college districts must divert from landfill disposal at least 25 percent of solid waste by January 1, 2002, and at least 50 percent by January 1, 2004. Public Resources Code section 42925, as added by the test claim statutes, further provides that "[a]ny cost savings realized as a result of the state agency integrated waste management plan shall, to the extent feasible, be redirected to the agency's integrated waste management plan to fund plan implementation and administration costs, in accordance with Sections 12167 and 12167.1 of the Public Contract Code."

On March 24, 2004, the Commission adopted the Test Claim Statement of Decision and found that the test claim statutes impose a reimbursable mandate on community colleges, and that cost savings under Public Resources Code section 42925 did not result in a denial of the

Test Claim because there was no evidence of offsetting savings that would result in no net costs to a community college district. The Parameters and Guidelines were adopted on March 30, 2005, to authorize reimbursement for the activities approved in the Statement of Decision, and did not require claimants to identify and deduct from their reimbursement claims any cost savings. After the Commission adopted the Parameters and Guidelines, the Department of Finance (Finance) and the CIWMB challenged the Statement of Decision and Parameters and Guidelines, arguing that the Commission did not properly account for all the offsetting cost savings from avoided disposal costs, or offsetting revenues from the sale of recyclable materials in the Statement of Decision or Parameters and Guidelines. On May 29, 2008, the Sacramento County Superior Court partially agreed with the petitioners and directed the Commission to amend the Parameters and Guidelines to:

1. [R]equire community college districts claiming reimbursable costs of an integrated waste management plan under Public Resources Code section 42920, et seq. to identify and offset from their claims, consistent with the directions for revenue in Public Contract Code sections 12167 and 12167.1, cost savings realized as a result of implementing their plans; and

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<sup>1</sup> The test claim statutes apply to "state agencies" but defines them to include "the California Community Colleges" (Pub. Res. Code, § 40196.3). Community college districts are the only local government to which the test claim statutes apply.

2. [R]equire community college districts claiming reimbursable costs of an integrated waste management plan under Public Resources Code section 42920, et seq. to identify and offset from their claims all of the revenue generated as a result of implementing their plans, without regard to the limitations or conditions described in sections 12167 and 12167.1 of the Public Contract Code.<sup>2</sup>

In accordance with this court ruling, the Commission amended the Parameters and Guidelines on September 26, 2008.

### **Procedural History**

The claimant signed its 1999-2000, 2000-2001, 2003-2004, and 2004-2005 reimbursement claims on September 28, 2005.<sup>3</sup> The claimant signed its 2005-2006 reimbursement claim on January 9, 2007,<sup>4</sup> its 2006-2007 reimbursement claim on January 9, 2008,<sup>5</sup> its 2007-2008 reimbursement claim on December 5, 2008,<sup>6</sup> its 2008-2009 reimbursement claim on February 8, 2011,<sup>7</sup> and its 2009-2010 reimbursement claim on February 8, 2011.<sup>8</sup> As of August 4, 2013, no payments had been made to the claimant on these reimbursement claims.<sup>9</sup> The Controller issued the final audit report on July 22, 2013.<sup>10</sup> The claimant filed this IRC on June 19, 2014.<sup>11</sup> The Controller filed late comments on the IRC on October 30, 2015.<sup>12</sup> Commission staff issued the Draft Proposed Decision on May 19, 2017.<sup>13</sup>

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<sup>2</sup> Exhibit B, Controller's Late Comments on the IRC, page 30 (Judgment Granting Petition for Writ of Administrative Mandamus).

<sup>3</sup> Exhibit A, IRC, pages 205, 214, 224, and 234.

<sup>4</sup> Exhibit A, IRC, page 244.

<sup>5</sup> Exhibit A, IRC, page 251.

<sup>6</sup> Exhibit A, IRC, page 260.

<sup>7</sup> Exhibit A, IRC, page 269.

<sup>8</sup> Exhibit A, IRC, page 279.

<sup>9</sup> Exhibit A, IRC, pages 5, 289-297,

<sup>10</sup> Exhibit A, IRC, page 24 (Final Audit Report).

<sup>11</sup> Exhibit A, IRC.

<sup>12</sup> Exhibit B, Controller's Late Comments on the IRC. Note that Government Code section 17553(d) states: "the Controller shall have no more than 90 days after the claim is delivered or mailed to file any rebuttal to an incorrect reduction claim. The failure of the Controller to file a rebuttal to an incorrect reduction claim shall not serve to delay the consideration of the claim by the Commission." However, in this instance, due to the backlog of IRCs, these late comments have not delayed consideration of this item and so have been included in the analysis and Proposed Decision.

<sup>13</sup> Exhibit C, Draft Proposed Decision.

## **Commission Responsibilities**

Government Code section 17561(d) authorizes the Controller to audit the claims filed by local agencies and school districts and to reduce any claim for reimbursement of state-mandated costs that the Controller determines is excessive or unreasonable.

Government Code Section 17551(d) requires the Commission to hear and decide a claim that the Controller has incorrectly reduced payments to the local agency or school district. If the Commission determines that a reimbursement claim has been incorrectly reduced, section 1185.9 of the Commission's regulations requires the Commission to send the decision to the Controller and request that the costs in the claim be reinstated.

The Commission must review questions of law, including interpretation of parameters and guidelines, de novo, without consideration of legal conclusions made by the Controller in the context of an audit. The Commission is vested with exclusive authority to adjudicate disputes over the existence of state-mandated programs within the meaning of article XIII B, section 6.<sup>14</sup> The Commission must also interpret the Government Code and implementing regulations in accordance with the broader constitutional and statutory scheme. In making its decisions, the Commission must strictly construe article XIII B, section 6 of the California Constitution and not apply it as an "equitable remedy to cure the perceived unfairness resulting from political decisions on funding priorities."<sup>15</sup>

With regard to the Controller's audit decisions, the Commission must determine whether they were arbitrary, capricious, or entirely lacking in evidentiary support. This standard is similar to the standard used by the courts when reviewing an alleged abuse of discretion of a state agency.<sup>16</sup>

The Commission must also review the Controller's audit in light of the fact that the initial burden of providing evidence for a claim of reimbursement lies with the claimant.<sup>17</sup> In addition, section 1185.1(f)(3) and 1185.2(c) of the Commission's regulations requires that any assertions of fact by the parties to an IRC must be supported by documentary evidence. The Commission's ultimate findings of fact must be supported by substantial evidence in the record.<sup>18</sup>

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<sup>14</sup> *Kinlaw v. State of California* (1991) 54 Cal.3d 326, 331-334; Government Code sections 17551, 17552.

<sup>15</sup> *County of Sonoma v. Commission on State Mandates* (2000), 84 Cal.App.4th 1264, 1281, citing *City of San Jose v. State of California* (1996) 45 Cal.App.4th 1802, 1817.

<sup>16</sup> *Johnston v. Sonoma County Agricultural Preservation and Open Space District* (2002) 100 Cal.App.4th 973, 983-984; *American Bd. of Cosmetic Surgery, Inc. v. Medical Bd. of California* (2008) 162 Cal.App.4th 534, 547.

<sup>17</sup> *Gilbert v. City of Sunnyvale* (2005) 130 Cal.App.4th 1264, 1274-1275.

<sup>18</sup> Government Code section 17559(b), which provides that a claimant or the state may commence a proceeding in accordance with the provisions of section 1094.5 of the Code of Civil Procedure to set aside a decision of the Commission on the ground that the Commission's decision is not supported by substantial evidence in the record.

## Claims

The following chart provides a brief summary of the claims and issues raised and staff's recommendation.

Issue	Description	Staff Recommendation
<p>The Controller's reduction of costs claimed based on unreported cost savings resulting from implementation of the IWM plan.</p>	<p>Pursuant to the ruling and writ issued in <i>State of California v. Commission on State Mandates</i>, (Super. Ct., Sacramento County, 2008, No. 07CS00355), the amended Parameters and Guidelines require claimants to identify and offset from their claims, consistent with the directions for revenue in Public Contract Code sections 12167 and 12167.1, cost savings realized as a result of implementing their IWM plans, and apply the cost savings to fund plan implementation and administration costs.</p> <p>The test claim statutes presume that by complying with the mandate to reduce and divert solid waste through the IWM program, claimants can reduce or avoid landfill fees and realize cost savings. As indicated in the court's ruling, the amount of the cost savings may be determined from calculations of annual solid waste disposal reduction or diversion that community colleges are required to annually report to the CIWMB. There is a rebuttable statutory presumption of cost savings. However, the claimant has not filed any evidence to rebut the presumption and show that cost savings were not realized. The</p>	<p><i>Partially Incorrect</i> – The Controller correctly presumed, consistent with the test claim statutes and the court's interpretation of those statutes and absent any evidence to the contrary, that the allocated percentage of waste required to be diverted resulted in offsetting savings equal to the avoided landfill fee per ton of waste diverted. The Controller did not use the actual percentage of waste diverted by the claimant, which exceeded the amount mandated by the state, so that the claimant would not be penalized. The avoided landfill disposal fee was based on the statewide average disposal fee provided by the CIWMB for each year in the audit period. The claimant has not filed any evidence to rebut the statutory presumption of cost savings. Thus, the Controller's reduction of costs claimed is correct as a matter of law.</p> <p>Moreover, there is no evidence that the Controller's calculations of cost savings for fiscal years 1999-2000, 2000-2001, the second half of fiscal year 2003-2004, and fiscal years 2004-2005 through 2009-2010 from avoided landfill fees are incorrect as a matter of law,</p>



	<p>claimant has the burden of proof on this issue.</p> <p>However, for the first half of fiscal year 2003-2004 the Controller applied a 50% mandated diversion rate, rather than the 25% diversion rate that was mandated by law at that time, to reduce costs claimed for that period.</p>	<p>or are arbitrary, capricious, or without evidentiary support.</p> <p>However, the Controller applied the wrong mandated diversion rate (i.e., 50% when the mandate was 25% in 2003) when calculating the offsetting savings for the first half of fiscal year 2003-2004, resulting in an incorrect reduction of \$3,393. Applying the Controller's formula using the 25% diversion rate results in a finding of offsetting costs savings of \$4,120 (25% mandated diversion rate divided by 45.59% actual diversion rate, multiplied by 204 tons diverted, multiplied by the avoided statewide average landfill disposal fee of \$36.83) rather than \$7,513 as calculated by the Controller. The Controller's comments agree with this reading of the mandate.<sup>19</sup> Accordingly, the Commission finds that the law and the record support offsetting cost savings for the first half of fiscal year 2003-2004 of \$4,120, rather than \$7,513, and that the difference of \$3,393 has been incorrectly reduced and should be reinstated to the claimant.</p>
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### **Staff Analysis**

#### **The Controller's Reduction of Costs Is Partially Incorrect as a Matter of Law.**

The IWM program requires community college districts to reduce solid waste, reuse materials whenever possible, recycle recyclable materials, and procure products with recycled content in all agency offices and facilities. To implement their IWM plans, community college districts must divert from landfill disposal at least 25 percent of generated solid waste by January 1, 2002,

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<sup>19</sup> Exhibit B, Controller's Late Comments on the IRC, page 19.

and at least 50 percent by January 1, 2004. Public Resources Code section 42925(a), as added by the test claim statutes, further provides that “[a]ny cost savings realized as a result of the state agency integrated waste management plan shall, to the extent feasible, be redirected to the agency’s integrated waste management plan to fund plan implementation and administration costs, in accordance with Sections 12167 and 12167.1 of the Public Contract Code.”

The Test Claim Statement of Decision and Parameters and Guidelines were challenged by Finance and CIWMB on the ground that the Commission failed to identify cost savings from the program from reduced or avoided landfill disposal fees.<sup>20</sup> The court granted the petition for writ of mandate, finding that offsetting savings are, by statutory definition, likely to occur as a result of implementing the mandated activities. Reduced or avoided costs “are a direct result and an integral part of the IWM plan mandated under Public Resources Code section 42920 et seq.: as solid waste diversion occurs, landfill disposal of the solid waste and associated landfill disposal costs are reduced or avoided.” As the court held, “landfill fees and costs resulting from solid waste diversion activities under § 42920 et seq. represent savings *which must be offset* against the costs of the diversion activities to determine the reimbursable costs. . . .”<sup>21</sup> The writ directed the Commission to amend the Parameters and Guidelines to require claimants to “identify and offset from their claims, consistent with the directions for revenue in Public Contract Code sections 12167 and 12167.1, cost savings realized as a result of implementing their plans,” and apply the cost savings to fund plan implementation and administration costs.<sup>22</sup>

The test claim statutes, therefore, presume that by complying with the mandate to reduce and divert solid waste through the IWM program, landfill fees are reduced or avoided and cost savings are realized. As indicated in the court’s ruling, the amount or value of the cost savings may be determined from the calculations of annual solid waste disposal reduction or diversion, which community colleges are required to annually report to the CIWMB.<sup>23</sup> The statutory presumption of cost savings controls unless the claimant files evidence to rebut the presumption and shows that cost savings were not realized. The claimant has the burden of proof on this issue. Under the mandates statutes and regulations, the claimant is required to show that it has incurred increased costs mandated by the state when submitting a reimbursement claim to the Controller’s Office. The claimant has the burden to show that any reduction made by the Controller is incorrect.<sup>24</sup>

In this case, the claimant argues that no cost savings were realized.<sup>25</sup> However, based on the claimant’s annual reports to the CIWMB showing that the claimant diverted more solid waste than the state mandated every year,<sup>26</sup> the Controller correctly presumed, consistent with the test

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<sup>20</sup> Exhibit B, Controller’s Late Comments on the IRC, pages 58-68.

<sup>21</sup> Exhibit B, Controller’s Late Comments on the IRC, page 64. Emphasis added.

<sup>22</sup> Exhibit B, Controller’s Late Comments on the IRC (Judgment Granting Petition for Writ of Administrative Mandamus).

<sup>23</sup> Exhibit B, Controller’s Late Comments on the IRC, page 64.

<sup>24</sup> Evidence Code section 500; Government Code sections 17514, 17551, 17558.7, 17560.

<sup>25</sup> Exhibit A, IRC, page 9.

<sup>26</sup> Exhibit B, Controller’s Late Comments on the IRC, pages 33-54.

claim statutes and the court's interpretation of those statutes and without any evidence to the contrary, that the allocated percentage of waste required to be diverted results in offsetting savings that are equal to the avoided landfill fee per ton of waste diverted. The Controller did not use the actual percentage of waste diverted by the claimant, which exceeded the amount mandated by the state, so that the claimant would not be penalized.<sup>27</sup> The avoided landfill disposal fee was based on the statewide average disposal fee provided by the CIWMB for each fiscal year in the audit period, and the claimant has not filed any evidence to support a finding that the statewide average disposal fee is incorrect, or arbitrary, or capricious. Nor has the claimant filed any evidence to rebut the statutory presumption of cost savings. Thus, the Controller's reduction of costs claimed for fiscal years 1999-2000, 2000-2001, the second half of fiscal year 2003-2004, and fiscal years 2004-2005 through 2009-2010, is correct as a matter of law and is not arbitrary, capricious, or entirely lacking in evidentiary support.

However, the Controller's reduction of costs claimed for the first half of fiscal year 2003-2004 (July 1, 2003, through Dec. 31, 2003) is not correct because the Controller found that the claimant did not achieve the mandated "50 percent" diversion for the first half of fiscal year 2003-2004 and therefore did not allocate the diversion percentage to reflect the mandate, but instead used 100 percent of the tonnage diverted by the claimant to calculate offsetting cost savings. Claimant was only required by law to divert 25 percent of solid waste during this period, and claimant achieved a diversion level of 45.59 percent, so the Controller's calculation of \$7,513 as an offset of costs claimed for the first half of fiscal year 2003-2004 is incorrect as a matter of law. In its Late Comments on the IRC, the Controller agrees with this reading of the mandate and states that "there is no state mandate to exceed solid waste diversion for amounts in excess of 25% for calendar years 2000 through 2003 or 50% for calendar year 2004 and later . . ."<sup>28</sup>

Applying the Controller's formula for cost savings (for years when the claimant exceeded the mandate) to the first half of fiscal year 2003-2004, results in a finding of offsetting costs savings of \$4,120 (25 percent mandated diversion rate divided by 45.59 percent actual diversion rate, multiplied by 204 tons diverted, multiplied by the avoided statewide average landfill disposal fee of \$36.83) rather than the \$7,513 calculated by the Controller. Accordingly, staff finds that the law and the record support offsetting cost savings for the first half of fiscal year 2003-2004 of \$4,120, rather than \$7,513, and that the difference of \$3,393 has been incorrectly offset and should be reinstated to claimant.

### **Conclusion**

Staff finds that the audit reductions are partially incorrect as a matter of law. While the Controller's reduction of costs claimed for fiscal years 1999-2000, 2000-2001, the second half of fiscal year 2003-2004, and fiscal years 2004-2005 through 2009-2010, is correct as a matter of law and is not arbitrary, capricious, or entirely lacking in evidentiary support, staff finds that the law and the record support offsetting cost savings for the first half of fiscal year 2003-2004 of \$4,120, rather than \$7,513, and that the difference of \$3,393 has been incorrectly reduced and should be reinstated to claimant.

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<sup>27</sup> Exhibit B, Controller's Late Comments on the IRC, page 19.

<sup>28</sup> Exhibit B, Controller's Late Comments on the IRC, page 19.

### **Staff Recommendation**

Staff recommends that the Commission adopt the Proposed Decision to partially approve the IRC and request, pursuant to Government Code section 17551(d) and section 1185.9 of the Commission's regulations, that the Controller reinstate \$3,393 to the claimant. Staff further recommends that the Commission authorize staff to make any technical, non-substantive changes to Proposed Decision following the hearing.

BEFORE THE  
COMMISSION ON STATE MANDATES  
STATE OF CALIFORNIA

**IN RE INCORRECT REDUCTION CLAIM  
ON:**

Public Resources Code Sections 40148,  
40196.3, 42920-42928; Public Contract Code  
Sections 12167 and 12167.1; Statutes 1992,  
Chapter 1116 (AB 3521); Statutes 1999,  
Chapter 764 (AB 75); State Agency Model  
Integrated Waste Management Plan  
(February 2000)

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

Sierra Joint Community College District,  
Claimant

Case No.: 13-0007-I-02

*Integrated Waste Management*

DECISION PURSUANT TO  
GOVERNMENT CODE SECTION  
17500 ET SEQ.; CALIFORNIA CODE OF  
REGULATIONS, TITLE 2, DIVISION 2,  
CHAPTER 2.5, ARTICLE 7

*(Adopted July 28, 2017)*

**DECISION**

The Commission on State Mandates (Commission) heard and decided this Incorrect Reduction Claim (IRC) during a regularly scheduled hearing on July 28, 2017. [Witness list will be included in the adopted Decision.]

The law applicable to the Commission's determination of a reimbursable state-mandated program is article XIII B, section 6 of the California Constitution, Government Code section 17500 et seq., and related case law.

The Commission [adopted/modified] the Proposed Decision to [approve/partially approve/deny] the IRC by a vote of [vote count will be included in the adopted Decision] as follows:

<b>Member</b>	<b>Vote</b>
Lee Adams, County Supervisor	
Ken Alex, Director of the Office of Planning and Research	
Richard Chivaro, Representative of the State Controller	
Mark Hariri, Representative of the State Treasurer, Vice Chairperson	
Sarah Olsen, Public Member	
Eraina Ortega, Representative of the Director of the Department of Finance, Chairperson	
Carmen Ramirez, City Council Member	

## **Summary of the Findings**

This IRC addresses the State Controller's Office's (Controller's) reductions to reimbursement claims of the Sierra Joint Community College District (claimant) for fiscal years 1999-2000, 2000-2001, and 2003-2004 through 2009-2010 under the *Integrated Waste Management* program, 00-TC-07. The reductions were made because the claimant did not identify and deduct from its claims offsetting savings from its diversion of solid waste and the associated reduced or avoided costs of landfill disposal fees. The Commission finds that the audit reductions are partially incorrect as a matter of law.

The Controller correctly presumed, consistent with the test claim statutes and the court's interpretation of those statutes, and without any evidence to the contrary, that cost savings, resulting from the diversion of waste from landfills, were realized by the claimant during the audit period. Therefore, the finding of cost savings and the associated reduction of costs claimed is correct as a matter of law. The Commission further finds, based on the evidence in the record, that the Controller's calculation of offsetting cost savings for fiscal years 1999-2000, 2000-2001, the second half of fiscal year 2003-2004, and fiscal years 2004-2005 through 2009-2010 is not arbitrary, capricious, or without evidentiary support. To calculate cost savings, the Controller allocated the diversion percentage to the mandated level by dividing the percentage of solid waste required to be diverted, either 25 or 50 percent, by the actual percentage of solid waste diverted, as reported by the claimant to California Integrated Waste Management Board (CIWMB). The resulting quotient is then multiplied by the tons of solid waste diverted, as annually reported by the claimant to the CIWMB, multiplied by the avoided landfill disposal fee (based on the statewide average fee).<sup>29</sup> The formula works to reduce cost savings to the mandated levels of diversion, and is intended to prevent the claimant from being penalized for diverting more solid waste than the amount mandated by law.<sup>30</sup> The claimant has not filed any evidence to rebut the statutory presumption of cost savings or to show that the statewide average disposal fee is incorrect, or arbitrary. Thus, the Controller's reduction of costs claimed for these fiscal years is correct.

However, the Controller's reduction of costs claimed for the first half of fiscal year 2003-2004 (July 1, 2003, through Dec. 31, 2003) is incorrect as a matter of law. The Controller found that the claimant did not achieve the mandated "50 percent" diversion for the first half of fiscal year 2003-2004 when the mandated diversion rate for all of 2003 was in fact 25 percent, which the claimant exceeded. The mandate is to divert at least 25 percent of all solid waste by January 1, 2002, and at least 50 percent of all solid waste by January 1, 2004, through source reduction, recycling, and composting activities.<sup>31</sup> As a result of applying the wrong mandated diversion rate, the Controller used 100 percent of the tonnage diverted by the claimant to calculate offsetting cost savings, resulting in a reduction of \$7,513 (204 tons of diverted waste

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<sup>29</sup> Exhibit A, IRC, pages 33-35; Exhibit B, Controller's Late Comments on the IRC, pages 19 and 20.

<sup>30</sup> Exhibit B, Controller's Late Comments on the IRC, page 19.

<sup>31</sup> Exhibit A, IRC, page 42 (Parameters and Guidelines, adopted March 30, 2005).

multiplied by the avoided statewide average landfill disposal fee of \$36.83).<sup>32</sup> In its late comments on the IRC, the Controller agrees with this reading of the mandate and states that “there is no state mandate to exceed solid waste diversion for amounts in excess of 25% for calendar years 2000 through 2003 or 50% for calendar year 2004 and later . . .”<sup>33</sup>

Applying the Controller’s calculation of cost savings for years when the claimant exceeds the mandate to the first half of fiscal year 2003-2004, results in a finding of offsetting costs savings of \$4,120 (25 percent mandated diversion rate divided by 45.59 percent actual diversion rate, multiplied by 204 tons diverted, multiplied by the avoided statewide average landfill disposal fee of \$36.83),<sup>34</sup> rather than the \$7,513 calculated by the Controller. Accordingly, the Commission finds that the law and the record support offsetting cost savings for the first half of fiscal year 2003-2004 of \$4,120, rather than \$7,513, and that the difference of \$3,393 has been incorrectly reduced.

Therefore, the Commission partially approves this IRC, and requests, pursuant to Government Code section 17551(d) and section 1185.9 of the Commission’s regulations, that the Controller reinstate \$3,393 to the claimant.

## COMMISSION FINDINGS

### I. Chronology

- 09/28/2005 Claimant signed its 1999-2000, 2000-2001, 2003-2004, and 2004-2005 reimbursement claims.<sup>35</sup>
- 01/09/2007 Claimant signed its 2005-2006 reimbursement claim.<sup>36</sup>
- 01/09/2008 Claimant signed its 2006-2007 reimbursement claim.<sup>37</sup>
- 12/05/2008 Claimant signed its 2007-2008 reimbursement claim.<sup>38</sup>
- 02/08/2011 Claimant signed its 2008-2009 reimbursement claim.<sup>39</sup>

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<sup>32</sup> Exhibit A, IRC, page 31, footnote 2 (Final Audit Report); Exhibit B, Controller’s Late Comments on the IRC, page 71.

<sup>33</sup> Exhibit B, Controller’s Late Comments on the IRC, page 19.

<sup>34</sup> Exhibit B, Controller’s Late Comments on the IRC, pages 37 and 71.

<sup>35</sup> Exhibit A, IRC, pages 205, 214, 224, and 234. Though these reimbursement claims were filed in 2005, as of August 4, 2013, the Controller had not yet issued any payment on them and therefore the audit was timely initiated in May 2013, when the claimant was notified of the audit. (Exhibit B, p. 73).

<sup>36</sup> Exhibit A, IRC, page 244.

<sup>37</sup> Exhibit A, IRC, page 251.

<sup>38</sup> Exhibit A, IRC, page 260.

<sup>39</sup> Exhibit A, IRC, page 269.

02/08/2011 Claimant signed its 2009-2010 reimbursement claim.<sup>40</sup>  
 05/10/2013 The claimant was notified of the audit.<sup>41</sup>  
 07/22/2013 Controller issued the Final Audit Report.<sup>42</sup>  
 06/19/2014 Claimant filed this IRC.<sup>43</sup>  
 10/30/2015 Controller filed late comments on the IRC.<sup>44</sup>  
 05/19/2017 Commission staff issued the Draft Proposed Decision.<sup>45</sup>

## **II. Background**

### **A. The *Integrated Waste Management Program***

The test claim statutes require community college districts<sup>46</sup> to adopt and implement, in consultation with the California Integrated Waste Management Board (CIWMB), now the California Department of Resources Recycling and Recovery, or CalRecycle), integrated waste management (IWM) plans to reduce solid waste, reuse materials whenever possible, recycle recyclable materials, and procure products with recycled content in all agency offices and facilities.<sup>47</sup> To implement their plans, districts must divert from landfill disposal at least 25 percent of generated solid waste by January 1, 2002, and at least 50 percent by January 1, 2004. To divert means to “reduce or eliminate the amount of solid waste from solid waste disposal...”<sup>48</sup>

The CIWMB developed and adopted a model IWM plan on February 15, 2000, and the test claim statutes provide that if a district does not adopt an IWM plan, the CIWMB model plan governs

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<sup>40</sup> Exhibit A, IRC, page 279.

<sup>41</sup> Exhibit B, Controller’s Late Comments on the IRC, page 73 (E-mail from Controller to claimant).

<sup>42</sup> Exhibit A, IRC, page 24 (Final Audit Report).

<sup>43</sup> Exhibit A, IRC.

<sup>44</sup> Exhibit B, Controller’s Late Comments on the IRC. Note that Government Code section 17553(d) states: “the Controller shall have no more than 90 days after the claim is delivered or mailed to file any rebuttal to an incorrect reduction claim. The failure of the Controller to file a rebuttal to an incorrect reduction claim shall not serve to delay the consideration of the claim by the Commission.” However, in this instance, due to the backlog of IRCs, these late comments have not delayed consideration of this item and so have been included in the analysis and Proposed Decision.

<sup>45</sup> Exhibit C, Draft Proposed Decision.

<sup>46</sup> The test claim statutes apply to “state agencies” and define them to include “the California Community Colleges” (Pub. Res. Code, § 40196.3).

<sup>47</sup> Public Resources Code section 42920(b).

<sup>48</sup> Public Resources Code section 40124.



the community college.<sup>49</sup> Each district is also required to report annually to CIWMB on its progress in reducing solid waste; and the reports' minimum contents are specified in statute.<sup>50</sup> The test claim statutes also require a community college, when entering into or renewing a lease, to ensure that adequate areas are provided for and adequate personnel are available to oversee collection, storage, and loading of recyclable materials in compliance with CIWMB's requirements.<sup>51</sup> Additionally, the test claim statutes added Public Resources Code section 42925(a), which addressed cost savings from IWM plan implementation:

Any cost savings realized as a result of the state agency integrated waste management plan shall, to the extent feasible, be redirected to the agency's integrated waste management plan to fund plan implementation and administration costs, in accordance with Sections 12167 and 12167.1 of the Public Contract Code.

The Public Contract Code sections referenced in section 42925(a) require that revenue received as a result of the community college's IWM plan be deposited in CIWMB's Integrated Waste Management Account. After July 1, 1994, CIWMB is authorized to spend the revenue upon appropriation by the Legislature to offset recycling program costs. Annual revenue under \$2,000 is to be continuously appropriated for expenditure by the community colleges, whereas annual revenue over \$2,000 is available for expenditures upon appropriation by the Legislature.<sup>52</sup>

On March 24, 2004, the Commission adopted the *Integrated Waste Management* Statement of Decision and determined that the test claim statutes impose a reimbursable state-mandated program on community college districts. The Commission also found that cost savings under Public Resources Code section 42925(a) did not preclude a reimbursable mandate under Government Code section 17556(e) because there was no evidence that offsetting savings would result in no net costs to a community college implementing an IWM plan, nor was there evidence that revenues received from plan implementation would be "in an amount sufficient to fund" the cost of the state-mandated program. The Commission found that any revenues received would be identified as offsetting revenue in the Parameters and Guidelines.

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<sup>49</sup> Public Resources Code section 42920(b)(3).

<sup>50</sup> Public Resources Code section 42926.

<sup>51</sup> Public Resources Code section 42924(b).

<sup>52</sup> Public Contract Code sections 12167 and 12167.1 are part of the State Assistance for Recycling Markets Act, which was originally enacted in 1989 to foster the procurement and use of recycled paper products and other recycled resources in daily state operations (See Pub. Contract Code, §§ 12153, 12160; Stats. 1989, ch. 1094). The Act, including sections 12167 and 12167.1, applies to California community colleges only to the limited extent that these sections are referenced in Public Resources Code section 42925. Community colleges are not defined as state agencies or otherwise subject to the Act's provisions for the procurement and use of recycled products in daily state operations. See Exhibit B, Controller's Late Comments on the IRC, page 105 (*State of California, Department of Finance, California Integrated Waste Management Board v. Commission on State Mandates, et al.* (Sacramento County Superior Court, Case No. 07CS00355)).

The Parameters and Guidelines were adopted on March 30, 2005, and authorize reimbursement for the increased costs to perform the following activities:

A. One-Time Activities (*Reimbursable starting January 1, 2000*)

1. Develop the necessary district policies and procedures for the implementation of the integrated waste management plan.
2. Train district staff on the requirements and implementation of the integrated waste management plan (one-time per employee). Training is limited to the staff working directly on the plan.

B. Ongoing Activities (*Reimbursable starting January 1, 2000*)

1. Complete and submit to the [Integrated Waste Management] Board the following as part of the State Agency Model Integrated Waste Management Plan (Pub. Resources Code, § 42920, subd. (b)(3) & State Agency Model Integrated Waste Management Plan, February 2000.):
  - a. state agency or large state facility information form;
  - b. state agency list of facilities;
  - c. state agency waste reduction and recycling program worksheets that describe program activities, promotional programs, and procurement activities, and other questionnaires; and
  - d. state agency integrated waste management plan questions.

NOTE: Although reporting on promotional programs and procurement activities in the model plan is reimbursable, implementing promotional programs and procurement activities is not.
2. Respond to any Board reporting requirements during the approval process. (Pub. Resources Code, § 42920, subd. (b)(3) & State Agency Model Integrated Waste Management Plan, February 2000.)
3. Consult with the Board to revise the model plan, if necessary. (Pub. Resources Code, § 42920, subd. (b)(3) & State Agency Model Integrated Waste Management Plan, February 2000.)
4. Designate one solid waste reduction and recycling coordinator for each college in the district to perform new duties imposed by chapter 18.5 (Pub. Resources Code, §§ 42920 – 42928). The coordinator shall implement the integrated waste management plan. The coordinator shall act as a liaison to other state agencies (as defined by section 40196.3) and coordinators. (Pub. Resources Code, § 42920, subd. (c).)
5. Divert at least 25 percent of all solid waste from landfill disposal or transformation facilities by January 1, 2002, and at least 50 percent of all solid waste from landfill disposal or transformation facilities by January 1, 2004, through source reduction, recycling, and composting activities. Maintain the required level of reduction, as approved by the Board. (Pub. Resources Code, §§ 42921 & 42922, subd. (i).)

C. Alternative Compliance (*Reimbursable from January 1, 2000 – December 31, 2005*)

1. Seek either an alternative requirement or time extension if a community college is unable to comply with the January 1, 2002 deadline to divert 25 percent of its solid waste, by doing the following: (Pub. Resources Code, §§ 42927 & 42923 subds. (a) & (c).)
  - a. Notify the Board in writing, detailing the reasons for its inability to comply.
  - b. Request of the Board an alternative to the January 1, 2002 deadline.
  - c. Provide evidence to the Board that the college is making a good faith effort to implement the source reduction, recycling, and composting programs identified in its integrated waste management plan.
  - d. Provide information that describes the relevant circumstances that contributed to the request for extension, such as lack of markets for recycled materials, local efforts to implement source reduction, recycling and composting programs, facilities built or planned, waste disposal patterns, and the type of waste disposed of by the community college.
  - e. Submit a plan of correction that demonstrates that the college will meet the requirements of Section 42921 [the 25 and 50 percent diversion requirements] before the time extension expires, including the source reduction, recycling, or composting steps the community college will implement, a date prior to the expiration of the time extension when the requirements of Section 42921 will be met, the existing programs that it will modify, any new programs that will be implemented to meet those requirements, and the means by which these programs will be funded.
2. Seek either an alternative requirement or time extension if a community college is unable to comply with the January 1, 2004 deadline to divert 50 percent of its solid waste, by doing the following: (Pub. Resources Code, §§ 42927 & 42922, subds. (a) & (b).)
  - a. Notify the Board in writing, detailing the reasons for its inability to comply.
  - b. Request of the Board an alternative to the 50-percent requirement.
  - c. Participate in a public hearing on its alternative requirement.
  - d. Provide the Board with information as to:
    - (i) the community college's good faith efforts to implement the source reduction, recycling, and composting measures described in its integrated waste management plan, and demonstration of its progress toward meeting the alternative requirement as described in its annual reports to the Board;

- (ii) the community college's inability to meet the 50 percent diversion requirement despite implementing the measures in its plan;
- (iii) how the alternative source reduction, recycling, and composting requirement represents the greatest diversion amount that the community college may reasonably and feasibly achieve; and,
- (iv) the circumstances that support the request for an alternative requirement, such as waste disposal patterns and the types of waste disposed by the community college.<sup>53</sup>

D. Accounting System (*Reimbursable starting January 1, 2000*)

Developing, implementing, and maintaining an accounting system to enter and track the college's source reduction, recycling and composting activities, the cost of those activities, the proceeds from the sale of any recycled materials, and such other accounting systems which will allow it to make its annual reports to the state and determine waste reduction. Note: only the pro-rata portion of the costs incurred to implement the reimbursable activities can be claimed.

E. Annual Report (*Reimbursable starting January 1, 2000*)

Annually prepare and submit, by April 1, 2002, and by April 1 each subsequent year, a report to the Board summarizing its progress in reducing solid waste. The information in the report must encompass the previous calendar year and shall contain, at a minimum, the following as outlined in section 42926, subdivision (b): (Pub. Resources Code, §§ 42926, subd. (a) & 42922, subd. (i).)

1. calculations of annual disposal reduction;
2. information on the changes in waste generated or disposed of due to increases or decreases in employees, economics, or other factors;
3. a summary of progress made in implementing the integrated waste management plan;
4. the extent to which the community college intends to use programs or facilities established by the local agency for handling, diversion, and disposal of solid waste (If the college does not intend to use those established programs or facilities, it must identify sufficient disposal capacity for solid waste that is not source reduced, recycled or composted.);
5. for a community college that has been granted a time extension by the Board, it shall include a summary of progress made in meeting the integrated waste management plan implementation schedule pursuant to

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<sup>53</sup> These alternative compliance and time extension provisions in part C were sunset on January 1, 2006, but were included in the adopted Parameters and Guidelines.

section 42921, subdivision (b), and complying with the college's plan of correction, before the expiration of the time extension;

6. for a community college that has been granted an alternative source reduction, recycling, and composting requirement by the Board pursuant to section 42922, it shall include a summary of progress made towards meeting the alternative requirement as well as an explanation of current circumstances that support the continuation of the alternative requirement.

F. Annual Recycled Material Reports (*Reimbursable starting July 1, 1999*)

Annually report to the Board on quantities of recyclable materials collected for recycling. (Pub. Contract Code, § 12167.1.) (See Section VII. regarding offsetting revenues from recyclable materials.)

The Parameters and Guidelines further require that each claimed reimbursable cost be supported by contemporaneous source documentation.<sup>54</sup>

And as originally adopted, the Parameters and Guidelines required community college districts to identify and deduct from their reimbursement claims all of the offsetting revenues received from the sale of recyclable materials, limited by the provisions of Public Resources Code section 42925 and Public Contract Code section 12167.1. The original Parameters and Guidelines did not require community colleges to identify and deduct from their claims any offsetting cost savings resulting from the solid waste diversion activities required by the test claim statutes.<sup>55</sup>

**B. Superior Court Decision Regarding Cost Savings and Offsets Under the Program**

After the Parameters and Guidelines were adopted, the Department of Finance (Finance) and the CIWMB filed a petition for a writ of mandate requesting the court to direct the Commission to set aside the Test Claim Statement of Decision and Parameters and Guidelines and to issue a new Decision and Parameters and Guidelines that give full consideration to the cost savings and offsetting revenues community college districts will achieve by complying with the test claim statutes, including all cost savings realized from avoided landfill disposal fees and revenues received from the collection and sale of recyclable materials. The petitioners further argued that Public Contract Code sections 12167 and 12167.1 do not require community college districts to deposit revenues received from the collection and sale of recyclable materials into the Integrated Waste Management Account, as determined by the Commission, but instead allow community college districts to retain all revenues received. The petitioners argued that such revenues must be identified as offsetting revenues and applied to the costs of the program, without the community college district obtaining the approval of the Legislature or the CIWMB.

On May 29, 2008, the Sacramento County Superior Court granted the petition for writ of mandate, finding that the Commission's treatment of cost savings and revenues in the Parameters and Guidelines was erroneous and required that the Parameters and Guidelines be amended. The court said:

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<sup>54</sup> Exhibit A, IRC, page 41 (Parameters and Guidelines, adopted March 30, 2005).

<sup>55</sup> Exhibit A, IRC, page 41-47 (Parameters and Guidelines, adopted March 30, 2005).

There is no indication in the administrative record or in the legal authorities provided to the court that, as respondent [Commission] argues, a California Community College might not receive the full reimbursement of its actual increased costs required by section 6 if its claims for reimbursement of IWM plan costs were offset by realized cost savings and all revenues received from the plan activities.<sup>56</sup>

Instead, the court recognized that community colleges are “*likely* to experience costs savings in the form of reduced or avoided costs of landfill disposal” as a result of the mandated activities in Public Resources Code section 42921 because reduced or avoided costs “are a direct result and an integral part of the IWM plan mandated under Public Resources Code section 42920 et seq.: as solid waste diversion occurs, landfill disposal of the solid waste and associated landfill disposal costs are reduced or avoided.”<sup>57</sup> The court noted that “diversion is defined in terms of landfill disposal for purposes of the IWM plan mandates” and cited the statutory definition of diversion: “activities which reduce or eliminate the amount of solid waste from solid waste disposal for purposes of this division [i.e., division 30, including § 42920 et seq.]” as well as the statutory definition of disposal: “the management of solid waste through landfill disposal or transformation at a permitted solid waste facility.”<sup>58</sup> The court explained that:

[R]eduction or avoidance of landfill fees resulting from solid waste diversion activities under § 42920 et seq. represent savings *which must be offset* against the costs of the diversion activities to determine the reimbursable costs of the IWM plan implementation . . . The amount or value of the savings may be determined from the calculations of annual solid waste disposal reduction or diversion which California Community Colleges must annually report to petitioner Integrated Waste Management Board pursuant to subdivision (b)(l) of Public Resources Code section 42926.<sup>59</sup>

The court harmonized section 42925(a) with Public Contract Code sections 12167 and 12167.1:

By requiring the redirection of cost savings from state agency IWM plans to fund plan implementation and administration costs “in accordance with Sections 12167 and 12167.1 of the Public Contract Code,” section 42925 assures that cost savings realized from state agencies’ IWM plans are handled in a manner consistent with the handling of revenues received from state agencies’ recycling plans under the State Assistance for Recycling Markets Act. Thus, in accordance with section 12167, state agencies, along with California Community Colleges which are defined as state agencies for purposes of IWM plan requirements in

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<sup>56</sup> Exhibit B, Controller’s Late Comments on the IRC, page 63 (Ruling on Submitted Matter).

<sup>57</sup> Exhibit B, Controller’s Late Comments on the IRC, page 63 (Ruling on Submitted Matter). Emphasis added.

<sup>58</sup> Exhibit B, Controller’s Late Comments on the IRC, pages 63-64 (Ruling on Submitted Matter).

<sup>59</sup> Exhibit B, Controller’s Late Comments on the IRC, page 64 (Ruling on Submitted Matter). Emphasis added.

Public Resources Code section 42920 et seq. [citations omitted], must deposit cost savings resulting from IWM plans in the Integrated Waste Management Account in the Integrated Waste Management Fund; the funds deposited in the Integrated Waste Management Account, upon appropriation by the Legislature, may be expended by the Integrated Waste Management Board for the purpose of offsetting IWM plan costs. In accordance with section 12167.1 and notwithstanding section 12167, cost savings from the IWM plans of the agencies and colleges that do not exceed \$2000 annually are continuously appropriated for expenditure by the agencies and colleges for the purpose of offsetting IWM plan implementation and administration costs; cost savings resulting from IWM plans in excess of \$2000 annually are available for such expenditure by the agencies and colleges when appropriated by the Legislature.<sup>60</sup>

The court issued a writ of mandate directing the Commission to amend the Parameters and Guidelines to require community college districts claiming reimbursable costs of an integrated waste management plan to:

1. Identify and offset from their claims, consistent with the directions for revenue in Public Contract Code sections 12167 and 12167.1, cost savings realized as a result of implementing their plans; and
2. Identify and offset from their claims all of the revenue generated as a result of implementing their plans, without regard to the limitations or conditions described in sections 12167 and 12167.1 of the Public Contract Code.<sup>61</sup>

### **C. Parameters and Guidelines Amendment Pursuant to the Writ**

In compliance with the writ, the Commission amended the Parameters and Guidelines on September 26, 2008 to add section VIII. Offsetting Cost Savings, which states:

Reduced or avoided costs realized from implementation of the community college districts' Integrated Waste Management plans shall be identified and offset from this claim as cost savings, consistent with the directions for revenue in Public Contract Code sections 12167 and 12167.1. Pursuant to these statutes, community college districts are required to deposit cost savings resulting from their Integrated Waste Management plans in the Integrated Waste Management Account in the Integrated Waste Management Fund; the funds deposited in the Integrated Waste Management Account, upon appropriation by the Legislature, may be expended by the California Integrated Waste Management Board for the purpose of offsetting Integrated Waste Management plan costs. Subject to the approval of the California Integrated Waste Management Board, cost savings by a community college that do not exceed two thousand dollars (\$2,000) annually are continuously appropriated for expenditure by the community college for the

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<sup>60</sup> Exhibit B, Controller's Late Comments on the IRC, pages 65-66 (Ruling on Submitted Matter).

<sup>61</sup> Exhibit B, Controller's Late Comments on the IRC, page 30 (Judgment Granting Petition for Writ of Administrative Mandamus).

purpose of offsetting Integrated Waste Management program costs. Cost savings exceeding two thousand dollars (\$2,000) annually may be available for expenditure by the community college only when appropriated by the Legislature. To the extent so approved or appropriated and applied to the college, these amounts shall be identified and offset from the costs claimed for implementing the Integrated Waste Management Plan.<sup>62</sup>

Section VII. of the Parameters and Guidelines, on Offsetting Revenues, was amended as follows (amendments in strikeout and underline):

Reimbursement for this mandate from any source, including but not limited to, services fees collected, federal funds, and other state funds allocated to any service provided under this program, shall be identified and ~~deducted~~ offset from this claim. Offsetting revenue shall include all revenues generated from implementing the Integrated Waste Management Plan. ~~the revenues cited in Public Resources Code section 42925 and Public Contract Code sections 12167 and 12167.1.~~

~~Subject to the approval of the California Integrated Waste Management Board, revenues derived from the sale of recyclable materials by a community college that do not exceed two thousand dollars (\$2,000) annually are continuously appropriated for expenditure by the community college for the purpose of offsetting recycling program costs. Revenues exceeding two thousand dollars (\$2,000) annually may be available for expenditure by the community college only when appropriated by the Legislature. To the extent so approved or appropriated and applied to the college, these amounts are a reduction to the recycling costs mandated by the state to implement Statutes 1999, chapter 764.~~

In addition, revenue from a building-operating fee imposed pursuant to Education Code section 76375, subdivision (a) if received by a claimant and the revenue is applied to this program, shall be deducted from the costs claimed.<sup>63</sup>

All other requirements in the Parameters and Guidelines remained the same.

The CIWMB requested additional amendments to the Parameters and Guidelines at this September 2008 hearing, including a request to alter the offsetting savings provision to require community college districts to provide offsetting savings information *whether or not* the offsetting savings generated in a fiscal year exceeded the \$2,000 continuous appropriation required by Public Contract Code sections 12167 and 12167.1. The Commission denied the request because the proposed language went beyond the scope of the court's judgment and writ.<sup>64</sup> As the court found:

By requiring the redirection of cost savings from state agency IWM plans to fund plan implementation and administration costs "in accordance with Sections

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<sup>62</sup> Exhibit A, IRC page 59 (Amended Parameters and Guidelines, adopted Sept. 26, 2008).

<sup>63</sup> Exhibit A, IRC, pages 58-59 (Amended Parameters and Guidelines, adopted Sept. 26, 2008).

<sup>64</sup> Exhibit X, Commission on State Mandates, Excerpt from the Minutes for the September 26, 2008 Meeting.



12167 and 12167.1 of the Public Contract Code,” section 42925 assures that cost savings realized from state agencies’ IWM plans are handled in a manner consistent with the handling of revenues received from state agencies’ recycling plans under the State Assistance for Recycling Markets Act. Thus, in accordance with section 12167, state agencies, along with California Community Colleges which are defined as state agencies for purposes of IWM plan requirements in Public Resources Code section 42920 et seq. [citations omitted], must deposit cost savings resulting from IWM plans in the Integrated Waste Management Account in the Integrated Waste Management Fund; the funds deposited in the Integrated Waste Management Account, upon appropriation by the Legislature, may be expended by the Integrated Waste Management Board for the purpose of offsetting IWM plan costs. In accordance with section 12167.1 and notwithstanding section 12167, cost savings from the IWM plans of the agencies and colleges that do not exceed \$2000 annually are continuously appropriated for expenditure by the agencies and colleges for the purpose of offsetting IWM plan implementation and administration costs; cost savings resulting from IWM plans in excess of \$2000 annually are available for such expenditure by the agencies and colleges when appropriated by the Legislature.<sup>65</sup>

The CIWMB also requested adding a requirement for community college districts to analyze specified categories of potential cost savings when filing their reimbursement claims. The Commission found that the court determined that the amount or value of cost savings is already available from the annual reports the community college districts provide to the CIWMB pursuant to Public Resources Code section 42926(b). This report is required to include the district’s “calculations of annual disposal reduction” and “information on the changes in waste generated or disposed of due to increases or decreases in employees, economics, or other factors.” Thus, the Commission denied the CIWMB’s request and adopted the staff analysis finding that the request was beyond the scope of the court’s writ and judgment. The Commission also noted that the request was the subject of separate pending request filed by CIWMB to amend the Parameters and Guidelines and would therefore be further analyzed for that matter.

#### **D. Subsequent Request by the CIWMB to Amend the Parameters and Guidelines to Require Detailed Reports on Cost Savings and Revenues**

The CIWMB filed a request to amend the Parameters and Guidelines to require community college districts to submit with their reimbursement claims a separate worksheet and report analyzing the costs incurred and avoided and any fees received relating to staffing, overhead, materials, storage, transportation, equipment, the sale of commodities, avoided disposal fees, and any other revenue received relating to the mandated program as specified by the CIWMB. At its January 30, 2009 meeting, the Commission denied the request for the following reasons: there is no requirement in statute or regulation that community college districts perform the analysis specified by the CIWMB; the Commission has no authority to impose additional requirements on community college districts regarding this program; the offsetting cost savings paragraph in the

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<sup>65</sup> Exhibit B, Controller’s Late Comments on the IRC, pages 65-66 (Ruling on Submitted Matter).

Parameters and Guidelines already identifies the offsetting savings consistent with the language of Public Resources Code section 42925(a), Public Contract Code sections 12167 and 12167.1, and the court’s judgment and writ; and information on cost savings is already available in the community colleges’ annual reports submitted to CIWMB, as required by Public Resources Code section 42926(b)(1).<sup>66</sup>

### E. The Controller’s Audit

The Controller audited the reimbursement claims for the 1999-2000, 2000- 2001, and 2003-2004 through 2009-2010 fiscal years (the audit period). Of the \$238,419 claimed for the mandated program, the Controller found that \$98,784 is allowable and \$139,635 is unallowable because the claimant did not report offsetting savings of \$171,209 related to implementation of its IWM plan.<sup>67</sup>

The Controller’s audit finding is based on the court’s ruling, which states that “the amount or value of the savings may be determined from the calculations of annual solid waste disposal reduction or diversion which California Community Colleges must annually report to petitioner Integrated Waste Management Board pursuant to subdivision (b)(l) of Public Resources Code section 42926,”<sup>68</sup> and the resulting amendment to the Parameters and Guidelines.

The Controller determined that for every year except the first half of fiscal year 2003, the claimant diverted more solid waste than the amount mandated by the test claim statute.<sup>69</sup> Therefore, for those years when the claimant exceeded the mandate, the Controller allocated the diversion percentage to the mandated level and used the following formula to calculate offsetting cost savings:

$$\begin{array}{c} \text{Offsetting} \\ \text{Savings} \\ \text{Realized} \end{array} = \frac{\begin{array}{c} \text{Allocated Diversion \%} \\ \text{Maximum} \\ \text{Allowable} \\ \text{Diversion \%} \\ \text{Actual} \\ \text{Diversion \%} \end{array}}{\text{Actual} \\ \text{Diversion \%}} \times \text{Tonnage} \\ \text{Diverted} \times \begin{array}{c} \text{Avoided} \\ \text{Landfill} \\ \text{Disposal Fee} \\ \text{(per Ton)} \end{array}$$

This formula divides the percentage of solid waste required to be diverted (the Controller used 25 percent for fiscal years 1999-2000 and 2000-2001 and 50 percent for fiscal years 2003-2004, through 2010-2011) by the actual percentage of solid waste diverted (as reported by the claimant to CIWMB). The resulting quotient is then multiplied by the tons of solid waste diverted (as

<sup>66</sup> Exhibit X, Item 9, Final Staff Analysis of Proposed Amendments to the Parameters and Guidelines for *Integrated Waste Management*, 05-PGA-16, January 30, 2009, pages 2-3.

<sup>67</sup> Because the audit adjustment exceeded the amount claimed in three fiscal years (2007 – 2010) an excess of \$31,574 was subtracted from the offset amount, leaving a net audit adjustment of \$139,635. Exhibit A, IRC, pages 16-17, 24, 29 (Final Audit Report). Exhibit B, Controller’s Late Comments on the IRC, page 26.

<sup>68</sup> Exhibit B, Controller’s Late Comments on the IRC, page 64 (Ruling on Submitted Matter).

<sup>69</sup> Exhibit A, IRC, pages 33-34. Exhibit B, Controller’s Late Comments on the IRC, page 71.

annually reported by the claimant to the CIWMB), multiplied by the avoided landfill disposal fee (based on the statewide average fee). The Controller states that “[t]his calculation determines the cost that the district did not incur for solid waste disposal as a result of implementing its IWM plan.”<sup>70</sup>

The Controller provided an example of how this formula works. In calendar year 2007, the claimant reported that it diverted 591.3 tons of solid waste and disposed of 389.8 tons, which totals 981.1 tons of solid waste generated for that year. Diverting 591.3 tons out of the 981.1 tons of total waste generated results in a diversion rate of 60.3 percent (more than the 50 percent required).<sup>71</sup> The Controller did not want to penalize the claimant for diverting more solid waste than the amount mandated<sup>72</sup> and thus, allocated the diversion percentage by dividing the mandated diversion percentage (50 percent) by the actual diversion percentage (60.27 percent), which equals 82.96 percent. The allocated diversion percentage of 82.96 percent is then multiplied by the 591.3 tons diverted that year, which equals 490.5 tons of diverted solid waste, instead of the 591.3 tons actually diverted. The allocated 490.5 tons of diverted waste is then multiplied by the statewide average disposal fee per ton, which in calendar year 2007 was \$48, for “offsetting cost savings” for calendar year 2007 of \$23,546.<sup>73</sup> The audit report states that the claimant did not provide documentation supporting a different disposal fee.<sup>74</sup>

For the first half of fiscal year 2003, the Controller found that the claimant did not achieve the mandated percentage of diversion and therefore, the Controller did not allocate the diversion percentage, but used 100 percent of the tonnage diverted to calculate offsetting savings from July 1, 2003, through December 31, 2003.<sup>75</sup>

In 2008, the CIWMB stopped requiring community college districts to report the actual amount of tonnage diverted (CIWMB changed focus to “per-capita disposal” instead of a “diversion percentage”). Consequently, the Controller used the claimant’s reported 2007 diversion percentage to calculate the offsetting savings for the last half of fiscal year 2007-2008, as well as for fiscal years 2008-2009 and 2009-2010. According to the Controller, the claimant did not provide documentation supporting a different diversion percentage.<sup>76</sup>

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<sup>70</sup> Exhibit A, IRC, pages 33 - 34 (Final Audit Report).

<sup>71</sup> Exhibit B, Controller’s Late Comments on the IRC, pages 19-20, 71 (Controller’s calculations of offsetting savings for the audit period).

<sup>72</sup> Exhibit B, Controller’s Late Comments on the IRC, page 19.

<sup>73</sup> Exhibit B, Controller’s Late Comments on the IRC, pages 19, 71 (Controller’s calculations of offsetting savings for the audit period).

<sup>74</sup> Exhibit A, IRC, page 34 (Final Audit Report). Exhibit B, Controller’s Late Comments on the IRC, page 19.

<sup>75</sup> Exhibit A, IRC, page 31, footnote 2 (Final Audit Report); Exhibit B, Controller’s Late Comments on the IRC, page 71.

<sup>76</sup> Exhibit A, IRC, page 34 (Final Audit Report).

The Controller calculated total offsetting savings for the audit period at \$171,209,<sup>77</sup> but because the adjustment exceeded the amount claimed for three fiscal years (2007- 2008 through 2009-2010) an excess of \$31,574 was subtracted from the offset amount, leaving a net audit adjustment of \$139,635.<sup>78</sup>

### III. Positions of the Parties

#### A. Sierra Joint Community College District

The claimant maintains that the audit reductions are incorrect and requests the reinstatement of the full amount reduced. The claimant alleges that it did not realize any cost savings as a result of the mandate and quotes the Superior Court decision (discussed above) that cost savings will “most likely” occur as a result of reduced or avoided costs of landfill disposal. Claimant argues that:

The court presupposes a previous legal requirement for districts to incur landfill disposal fees to divert solid waste. Thus, potentially relieved of the need to incur new or additional landfill fees for increased waste diversion, a cost savings would occur. There is no finding of fact or law in the court decision or from the Commission Statement of Decision for the test claim for this assumed duty to use landfills.<sup>79</sup>

The claimant further argues that the offsetting savings provision in the Parameters and Guidelines does not assume that the cost savings occurred, but instead requires that the cost savings be *realized*. For the savings to be realized, the claimant contends that the following chain of events are required:

The cost savings must exist (avoided landfill costs); be converted to cash; amounts in excess of \$2,000 per year deposited in the state fund; and, these deposits by the districts appropriated by the Legislature to districts for purposes of mitigating the cost of implementing the plan. None of those prerequisite events occurred so no cost savings were “realized” by the District. Regardless, the adjustment cannot be applied to the District since no state appropriation of the cost savings was made to the District.<sup>80</sup>

The claimant also argues that the Parameters and Guidelines are silent as to how to calculate the avoided costs, but that the court provided two alternative methods, either disposal reduction or diversion reported by districts. The Controller used the diversion percentage, which assumes, without findings of fact, that all diversion tonnage is landfill disposal tonnage reduction. The claimant contends that the Controller’s calculation of cost savings is wrong because: (1) the formula is a standard of general application that was not adopted pursuant to the Administrative Procedure Act and is therefore an unenforceable underground regulation; (2) the Controller’s

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<sup>77</sup> Exhibit A, IRC, page 32 (Final Audit Report).

<sup>78</sup> Exhibit A, IRC, pages 16-17, 24, 29 (Final Audit Report). Exhibit B, Controller’s Late Comments on the IRC, page 26.

<sup>79</sup> Exhibit A, IRC, page 11.

<sup>80</sup> Exhibit A, IRC, page 13. Emphasis in original.

formula assumes facts not in evidence, such as applying the same percentage of waste diverted in 2007 to all subsequent years without evidence in the record, and assumes that all tonnage diverted would have been disposed in a landfill, although some waste may have been composted or may not apply to the mandate (e.g. paint); and (3) the landfill disposal fee, a statewide average calculated by the CIWMB, does not include the data used to generate the average fee amounts, so the average is unknown and unsupported by the audit findings.<sup>81</sup>

Claimant also argues that application of the formula is incorrect. Since no landfill costs were claimed, none can be offset, so the offsets are not properly matched to relevant costs. Moreover, the Controller's calculation method prevents the claimant from receiving full reimbursement for its actual increased program costs. Claimant contends, using audit results for 23 other claimants under the *Integrated Waste Management* program, the application of the Controller's formula has arbitrary results because the percentages of allowed costs for those claimants ranges from zero to 83.4 percent.<sup>82</sup>

Finally, the claimant argues: (1) the Controller used the wrong standard of review in that the claimed costs were not found to be excessive or unreasonable, as required by Government Code section 17561(d)(2); and (2) the Controller has the burden of proof as to the propriety of its audit findings "because it bears the burden of going forward and because it is the party with the power to create, maintain, and provide evidence regarding its auditing methods and procedures, as well as the specific facts relied upon for its audit findings."<sup>83</sup>

#### **B. State Controller's Office**

The Controller maintains that the audit findings are correct and that the offsetting savings were correctly deducted from the costs claimed. The Controller notes that the claimant does not indicate how undiverted solid waste would be disposed of if not at a landfill. In addition, the claimant does not state that it disposed of its solid waste at any location other than a landfill or used any other means to dispose of its waste rather than to contract with a commercial waste hauler.<sup>84</sup>

The Controller concludes that the claimant's comments relating to alternatives for the disposal of solid waste are irrelevant. The Controller cites the claimant's annual reports of tonnage disposed for each year of the audit period, and argues that the claimant "does not indicate in these annual reports that it used any other methodology to dispose of solid waste."<sup>85</sup> The Controller also cites the narrative in some of the claimant's annual reports that indicates that the claimant disposed of waste in a landfill.<sup>86</sup> According to the Controller:

Unless the district had an arrangement with its waste hauler that it did not disclose to us or CalRecycle, the district did not dispose of its solid waste at a landfill for

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<sup>81</sup> Exhibit A, IRC, pages 14-16.

<sup>82</sup> Exhibit A, IRC, pages 16-18.

<sup>83</sup> Exhibit A, IRC, pages 20-21.

<sup>84</sup> Exhibit B, Controller's Late Comments on the IRC, page 16.

<sup>85</sup> Exhibit B, Controller's Late Comments on the IRC, page 17.

<sup>86</sup> Exhibit B, Controller's Late Comments on the IRC, pages 16-17.

no cost. Sierra Joint Community College is located in Rocklin, California. An internet search for landfill fees revealed that the Western Placer Waste Management Authority in Lincoln, California (12 miles from Sierra Joint Community College), currently charges \$69.00 per ton to dispose of solid waste [citation omitted]. Thus, the higher rate of diversion results in less trash that is disposed at a landfill, which creates cost savings for the district.<sup>87</sup>

As to the claimant not remitting cost savings from the implementation of its IWM plan into the Integrated Waste Management Account in compliance with the Public Contract Code, the Controller asserts that the claimant is not precluded from the requirement to do so, as indicated in the Parameters and Guidelines and the court ruling. The Controller says the evidence supports that the claimant realized cost savings that should have been remitted to the state and that must be used to fund IWM plan costs.<sup>88</sup>

In response to the claimant's argument that the Controller's formula is a standard of general application that is an underground regulation, the Controller responds that the calculation is a "court approved methodology" to determine the "required offset." The Controller also states that the claimant did not amend any of its reimbursement claims after the Parameters and Guidelines were amended in September 2008. According to the Controller: "We believe that this "court-identified" approach provides a reasonable methodology to identify the required offset."<sup>89</sup>

The Controller also states that it "allocated" the offsetting savings to avoid penalizing the claimant for diverting more than the minimum percentage of diversion required. According to the Controller:

As there is no State mandate to exceed solid waste diversion for amounts in excess of 25% for calendar years 2002 through 2003 or 50% for calendar year 2004 and later, there is no basis for calculating offsetting savings realized for actual diversion percentages that exceeded the levels set by statute.<sup>90</sup>

The Controller notes that after the passage of Statutes 2008, chapter 343, the CIWMB no longer required districts to report their tonnage or percentage diverted, but they are still required to divert 50 percent of their solid waste.

Defending its use of the claimant's 2007 reported diversion to calculate claimant's offsets for 2007-2008 through 2009-2010, the Controller calls the 2007 report a "fair representation" of 2008 -2010 "because the district's recycling processes have already been established and committed to." The Controller notes that the claimant's reported per-capita disposal rate is well below the target rate for 2008, 2009, and 2010, so "the district is meeting its requirement to divert 50% of its solid waste."<sup>91</sup> The Controller also cites the claimant's 2008 report that states: "There has been less waste disposed of in 2008. We have been more proactive in increasing

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<sup>87</sup> Exhibit B, Controller's Late Comments on the IRC, page 17.

<sup>88</sup> Exhibit B, Controller's Late Comments on the IRC, pages 17-18.

<sup>89</sup> Exhibit B, Controller's Late Comments on the IRC, page 18.

<sup>90</sup> Exhibit B, Controller's Late Comments on the IRC, page 19.

<sup>91</sup> Exhibit B, Controller's Late Comments on the IRC, page 20.

awareness of what materials can be recycled and therefore not placed in our solid waste stream. Our cardboard, metals and wood pallet recycling increased in 2008.”<sup>92</sup> Based on these claimant statements, the Controller states that its savings calculations for 2007-2008 through 2009-2010 may be understated.<sup>93</sup>

The Controller also responded to claimant’s argument against the assumption that all tonnage diverted would have been disposed in a landfill, even though some waste may have been composted or may not apply to the mandate (e.g. paint). Noting that it was not until 2010 (the last year of the audit period) that claimant reported that it was composting grass clippings, and that none of the narratives in the annual reports for 2000 through 2009 mention composting performed by the claimant, the Controller concludes that composted material was not a significant amount of the tonnage diverted. The Controller also states that claimant’s reference to paint disposal is irrelevant because hazardous waste is not included in the diversion amounts that claimant reported, and therefore, are not included in the Controller’s offsetting savings calculation.<sup>94</sup>

Regarding the data for the statewide disposal fee, the Controller states the information was provided by the CIWMB, is included in the record, and is based on private surveys of a large percentage of landfills across California. In addition, claimant “did not provide any information, such as its contract with or invoices received from its commercial waste hauler to support either the landfill fees actually incurred by the district or to confirm that the statewide average landfill fee was greater than the actual landfill fees incurred by the district.”<sup>95</sup>

In response to the claimant’s argument that it “did not claim landfill costs, so there are none to be offset,” the Controller answers that the mandated program does not reimburse claimants for landfill costs incurred to dispose of solid waste, so none would be claimable. Rather, the claimant’s costs to divert solid waste from disposal are reimbursable, which according to the Controller, results in both a reduction of solid waste going to a landfill in compliance with its IWM plan, and the associated costs of having the waste hauled there, which are required to offset reimbursement claims.<sup>96</sup>

In response to the claimant’s argument that “the adjustment method does not match or limit the landfill costs avoided to landfill costs, if any, actually claimed,” the Controller quotes Public Resources Code section 42925 that “cost savings realized as a result of the IWM plan are to “fund plan *implementation and administration costs*.” The Controller argues that offsetting savings applies to the whole program and is not limited to solid waste diversion activities. The Controller also cites the reimbursable activities in the Parameters and Guidelines that refer to “implementation of the IWM plan,” concluding that it is reasonable that offsetting savings from implementing the plan be offset against direct costs to implement the plan. The Controller also

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<sup>92</sup> Exhibit B, Controller’s Late Comments on the IRC, pages 20 and 48.

<sup>93</sup> Exhibit B, Controller’s Late Comments on the IRC, page 20.

<sup>94</sup> Exhibit B, Controller’s Late Comments on the IRC, page 21.

<sup>95</sup> Exhibit B, Controller’s Late Comments on the IRC, page 22.

<sup>96</sup> Exhibit B, Controller’s Late Comments on the IRC, page 22.

asserts, in response to claimant's reference to other IWM audits, that other audits are irrelevant to the current issue.<sup>97</sup>

The Controller also disagrees with claimant's assertion that the Controller used the wrong standard of review because it did conclude that the claims were excessive. As to the burden of proof, the Controller states that it used data from the claimant's annual reports from implementing its IWM program.<sup>98</sup>

#### **IV. Discussion**

Government Code section 17561(d) authorizes the Controller to audit the claims filed by local agencies and school districts and to reduce any claim for reimbursement of state mandated costs that the Controller determines is excessive or unreasonable.

Government Code Section 17551(d) requires the Commission to hear and decide a claim that the Controller has incorrectly reduced payments to the local agency or school district. If the Commission determines that a reimbursement claim has been incorrectly reduced, section 1185.9 of the Commission's regulations requires the Commission to send the decision to the Controller and request that the costs in the claim be reinstated.

The Commission must review questions of law, including interpretation of the parameters and guidelines, de novo, without consideration of legal conclusions made by the Controller in the context of an audit. The Commission is vested with exclusive authority to adjudicate disputes over the existence of state-mandated programs within the meaning of article XIII B, section 6 of the California Constitution.<sup>99</sup> The Commission must also interpret the Government Code and implementing regulations in accordance with the broader constitutional and statutory scheme. In making its decisions, the Commission must strictly construe article XIII B, section 6 of the California Constitution and not apply it as an "equitable remedy to cure the perceived unfairness resulting from political decisions on funding priorities."<sup>100</sup>

With regard to the Controller's audit decisions, the Commission must determine whether they were arbitrary, capricious, or entirely lacking in evidentiary support. This standard is similar to the standard used by the courts when reviewing an alleged abuse of discretion of a state agency.<sup>101</sup> Under this standard, the courts have found that:

When reviewing the exercise of discretion, "[t]he scope of review is limited, out of deference to the agency's authority and presumed expertise: 'The court may

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<sup>97</sup> Exhibit B, Controller's Late Comments on the IRC, pages 22-23.

<sup>98</sup> Exhibit B, Controller's Late Comments on the IRC, pages 25-26.

<sup>99</sup> *Kinlaw v. State of California* (1991) 54 Cal.3d 326, 331-334; Government Code sections 17551, 17552.

<sup>100</sup> *County of Sonoma v. Commission on State Mandates* (2000) 84 Cal.App.4th 1264, 1281, citing *City of San Jose v. State of California* (1996) 45 Cal.App.4th 1802, 1817.

<sup>101</sup> *Johnston v. Sonoma County Agricultural Preservation and Open Space Dist.* (2002) 100 Cal.App.4th 973, 983-984. See also *American Bd. of Cosmetic Surgery, Inc. v. Medical Bd. of California* (2008) 162 Cal.App.4th 534, 547.



not reweigh the evidence or substitute its judgment for that of the agency. [Citation.]” ... “In general ... the inquiry is limited to whether the decision was arbitrary, capricious, or entirely lacking in evidentiary support. . . .” [Citations.] When making that inquiry, the “ “court must ensure that an agency has adequately considered all relevant factors, and has demonstrated a rational connection between those factors, the choice made, and the purposes of the enabling statute.” [Citation.]’ ”<sup>102</sup>

The Commission must review the Controller’s audit in light of the fact that the initial burden of providing evidence for a claim of reimbursement lies with the claimant.<sup>103</sup> In addition, sections 1185.1(f)(3) and 1185.2(c) of the Commission’s regulations require that any assertions of fact by the parties to an IRC must be supported by documentary evidence. The Commission’s ultimate findings of fact must be supported by substantial evidence in the record.<sup>104</sup>

### **The Controller’s Reduction of Costs Is Partially Incorrect as a Matter of Law.**

- A. The test claim statutes define cost savings as avoided landfill fees and, thus, presume that by complying with the mandate to reduce and divert solid waste through the IWM program, landfill fees are reduced or avoided and cost savings are realized.

The test claim statute added Public Resources Code section 42925(a), which provides that “Any cost savings realized as a result of the state agency integrated waste management plan shall, to the extent feasible, be redirected to the agency’s integrated waste management plan to fund plan implementation and administration costs, in accordance with Sections 12167 and 12167.1 of the Public Contract Code.”

The court’s Ruling on Submitted Matter, states that community colleges are “likely to experience costs savings in the form of reduced or avoided costs of landfill disposal” as a result of the mandated activities in Public Resources Code section 42921 because reduced or avoided costs “are a direct result and an integral part of the IWM plan mandated under Public Resources Code section 42920 et seq.: as solid waste diversion occurs, landfill disposal of the solid waste and associated landfill disposal costs are reduced or avoided.” The court noted that “diversion is defined in terms of landfill disposal for purposes of the IWM plan mandates.” The statutory definition of diversion provides that “activities which reduce or eliminate the amount of solid waste from solid waste disposal for purposes of this division.” And the statutory definition of disposal is “the management of solid waste through landfill disposal or transformation at a permitted solid waste facility.”<sup>105</sup> The court explained that:

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<sup>102</sup> *American Bd. of Cosmetic Surgery, Inc. v. Medical Bd. of California* (2008) 162 Cal.App.4th 534, 547-548.

<sup>103</sup> *Gilbert v. City of Sunnyvale* (2005) 130 Cal.App.4th 1264, 1274-1275.

<sup>104</sup> Government Code section 17559(b), which provides that a claimant or the state may commence a proceeding in accordance with the provisions of section 1094.5 of the Code of Civil Procedure to set aside a decision of the Commission on the ground that the Commission’s decision is not supported by substantial evidence in the record.

<sup>105</sup> Exhibit B, Controller’s Late Comments on the IRC, page 63 (Ruling on Submitted Matter).

[R]eduction or avoidance of landfill fees resulting from solid waste diversion activities under § 42920 et seq. represent savings *which must be offset* against the costs of the diversion activities to determine the reimbursable costs of the IWM plan implementation . . . The amount or value of the savings may be determined from the calculations of annual solid waste disposal reduction or diversion which California Community Colleges must annually report to petitioner Integrated Waste Management Board pursuant to subdivision (b)(l) of Public Resources Code section 42926.<sup>106</sup>

The court harmonized section 42925(a) with Public Contract Code sections 12167 and 12167.1:

By requiring the redirection of cost savings from state agency IWM plans to fund plan implementation and administration costs “in accordance with Sections 12167 and 12167.1 of the Public Contract Code,” section 42925 assures that cost savings realized from state agencies’ IWM plans are handled in a manner consistent with the handling of revenues received from state agencies’ recycling plans under the State Assistance for Recycling Markets Act. Thus, in accordance with section 12167, state agencies, along with California Community Colleges which are defined as state agencies for purposes of IWM plan requirements in Public Resources Code section 42920 et seq. [citations omitted], must deposit cost savings resulting from IWM plans in the Integrated Waste Management Account in the Integrated Waste Management Fund; the funds deposited in the Integrated Waste Management Account, upon appropriation by the Legislature, may be expended by the Integrated Waste Management Board for the purpose of offsetting IWM plan costs. In accordance with section 12167.1 and notwithstanding section 12167, cost savings from the IWM plans of the agencies and colleges that do not exceed \$2000 annually are continuously appropriated for expenditure by the agencies and colleges for the purpose of offsetting IWM plan implementation and administration costs; cost savings resulting from IWM plans in excess of \$2000 annually are available for such expenditure by the agencies and colleges when appropriated by the Legislature.<sup>107</sup>

Thus, the court found that offsetting savings are, by statutory definition, likely to occur as a result of implementing the mandated activities. Reduced or avoided costs “are a direct result and an integral part of the IWM plan mandated under Public Resources Code section 42920 et seq.: as solid waste diversion occurs, landfill disposal of the solid waste and associated landfill disposal costs are reduced or avoided.”<sup>108</sup> As the court held, “landfill fees resulting from solid

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<sup>106</sup> Exhibit B, Controller’s Late Comments on the IRC, page 64 (Ruling on Submitted Matter). Emphasis added.

<sup>107</sup> Exhibit B, Controller’s Late Comments on the IRC, pages 65-66 (Ruling on Submitted Matter).

<sup>108</sup> Exhibit B, Controller’s Late Comments on the IRC, page 63 (Ruling on Submitted Matter).

waste diversion activities under § 42920 et seq. represent savings *which must be offset* against the costs of the diversion activities to determine the reimbursable costs. . . .”<sup>109</sup>

The statutes, therefore, presume that by complying with the mandate to reduce and divert solid waste through the IWM program, landfill fees are reduced or avoided and cost savings are realized. As indicated in the court’s ruling, the amount or value of the cost savings may be determined from the calculations of annual solid waste disposal reduction or diversion, which community colleges are required to annually report to the CIWMB. The amount of cost savings realized must be identified by the claimant and used to offset the costs incurred to comply with IWM plan implementation and administration activities approved for reimbursement in the Parameters and Guidelines. Accordingly, the court’s ruling requires claimants to report in their reimbursement claims the costs incurred to comply with the reimbursable activities (which includes the activities and costs to divert at least 25 or 50 percent of all solid waste from landfill disposal) and the cost savings from the avoided landfill disposal fees, for a bottom line request for reimbursement of the net increased costs.

The Parameters and Guidelines are consistent with the court’s ruling and require in Section IV. that “[t]he claimant is only allowed to claim and be reimbursed for increased costs for reimbursable activities identified below. Increased cost is limited to the cost of an activity that the claimant is required to incur as a result of the mandate.”<sup>110</sup> Section VIII. requires that “[r]educed or avoided costs realized from implementation of the community college districts’ Integrated Waste Management plans shall be identified and offset from this claim as cost savings, consistent with the directions for revenue in Public Contract Code sections 12167 and 12167.1.”<sup>111</sup> The court’s decision and the amended Parameters and Guidelines are binding.<sup>112</sup>

B. During the audit period, the claimant exceeded the mandated diversion rate for solid waste, but has filed no evidence to rebut the presumption that cost savings were realized.

In this case, the claimant reported no cost savings in its reimbursement claims and asserts that no cost savings were realized, but does not explain why.<sup>113</sup>

The record shows that the claimant complied with the mandate and diverted more solid waste during the audit period than the amount mandated by the state. The mandate requires community colleges to divert at least 25 percent of all solid waste from landfill disposal or transformation facilities by January 1, 2002, through source reduction, recycling, and composting activities, and divert at least 50 percent of all solid waste from landfill disposal or transformation facilities by

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<sup>109</sup> Exhibit B, Controller’s Late Comments on the IRC, page 64 (Ruling on Submitted Matter). Emphasis added.

<sup>110</sup> Exhibit A, IRC, page 54 (Parameters and Guidelines).

<sup>111</sup> Exhibit A, IRC, page 59 (Parameters and Guidelines).

<sup>112</sup> *California School Boards Association v. State of California* (2009) 171 Cal.App.4th 1183, 1201.

<sup>113</sup> Exhibit A, IRC, page 7.

January 1, 2004.<sup>114</sup> The claimant's annual reports to the CIWMB for calendar years 2000, 2001, and 2003 report diversion percentages from 28.62 percent to 45.59 percent of the total tonnage of waste generated, which exceeds the mandated diversion requirement of 25 percent.<sup>115</sup> The claimant's annual reports to the CIWMB for calendar years 2004 through 2007 also report diversion percentages that exceed the mandated diversion requirement of 50 percent, and range from 53.98 percent to 60.27 percent of the total tonnage of waste generated.<sup>116</sup>

In 2008, the CIWMB stopped requiring community college districts to report the actual amount and percentage of tonnage diverted, and instead required community colleges to report the "per-capita disposal" of waste as a result of 2008 legislation.<sup>117</sup> As amended, each community college now has a disposal target that is the equivalent to a 50 percent diversion, and is expressed on a per capita basis. Thus, if the district's per-capita disposal rate is less than the target, it means that the district is meeting the requirement to divert 50 percent of its solid waste.<sup>118</sup>

In this case, the reports for 2008, 2009, and 2010 show that the claimant's annual per capita disposal rate for both the employee and student populations to be equivalent to, or below the target rate and thus, the claimant satisfied the requirement to divert 50 percent of its solid waste during these years.<sup>119</sup> In addition, the claimant's 2008, 2009, and 2010 reports continue to show that the claimant had solid waste reduction programs in place, such as the following programs reported in 2008:

Business Source Reduction, Material Exchange, CRV beverage containers, cardboard, glass, newspaper, mixed office paper, scrap metal, collection at special events, grasscycling, commercial pickup of compostable yard wastes, tires, white/brown goods, wood waste, concrete/asphalt demolition, oil rendering and utilizing the Placer County MRF [material recovery facility]. We also continue to collect and recycle electronic wastes, batteries, CFL's/light tubes and mercury containing bulbs/switches. Newly implemented were collection of all plastics

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<sup>114</sup> Exhibit A, IRC, pages 51 and 55 (Parameters and Guidelines, section IV.(B)(5)); Public Resources Code sections 42921 and 42922(i).

<sup>115</sup> Exhibit B, Controller's Late Comments on the IRC, pages 33-37 and 71.

<sup>116</sup> Exhibit B, Controller's Late Comments on the IRC, pages 38-54 and 71.

<sup>117</sup> Statutes 2008, chapter 343 (SB 1016).

<sup>118</sup> Exhibit B, Controller's Late Comments on the IRC, page 79 ["Understanding SB 1016 Solid Waste Per Capita Disposal Measurement Act", <http://www.calrecycle.ca.gov/lgcentral/goalmeasure/Tools/SimplePresen.pdf>.]

<sup>119</sup> Exhibit B, Controller's Late Comments on the IRC, pages 47 (2008 report, showing an employee population target of 2.00, and 1.40 was achieved; and a student population target of .10, which the claimant met); 49 (2009 report, showing an employee population target of 2.00, and .90 was achieved; and a student population target of .10, which the claimant met); and 52-53 (2010 report, showing an employee population target of 2.00, and 1.30 was achieved; and a student population target of .10, and .09 was achieved).

PETE 1-7, pressed board, non CRV glass and tin cans at the Nevada County Campus.<sup>120</sup>

The 2008 report also states: “The District has continued to work towards creating a sustainable environment and looks for opportunities to divert more of it's [sic] solid wastes from the landfill. . . .”<sup>121</sup>

The record also shows that the tonnage of solid waste that was not diverted was disposed at a landfill. The annual reports filed by the claimant with the CIWMB during the audit period identify the total tonnage of waste disposed and the use of a disposal waste hauler.<sup>122</sup> Moreover, there are statements in the claimant’s 2001, 2003, 2004, 2005 and 2006 annual reports regarding decreased landfill disposal, indicating that the claimant used a landfill.<sup>123</sup> The avoided landfill disposal fee was based on the statewide average disposal fee provided by the CIWMB for each fiscal year in the audit period, since the claimant did not provide any information about the landfill fees it was charged.<sup>124</sup>

Based on this documentation, the Controller correctly presumed, consistent with the presumption in the test claim statutes and the court’s interpretation of those statutes and without any evidence to the contrary, that the percentage of waste diverted results in offsetting savings in an amount equal to the avoided landfill fee per ton of waste diverted.

The statutory presumption of cost savings controls unless the claimant files evidence to rebut the presumption and shows that cost savings were not realized.<sup>125</sup> The claimant has the burden of proof on this issue. Under the mandates statutes and regulations, the claimant is required to show that it has incurred increased costs mandated by the state when submitting a reimbursement claim to the Controller’s Office, and the burden to show that any reduction made by the

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<sup>120</sup> Exhibit B, Controller’s Late Comments on the IRC, pages 48; 51 (2009 report); and 54 (2010 report).

<sup>121</sup> Exhibit B, Controller’s Late Comments on the IRC, page 48.

<sup>122</sup> The 2000 report to CIWMB states: “We will continue to work closely with our local waste haulers to further reduce our solid wastes.” See Exhibit B, Controller’s Late Comments on the IRC, page 34. The 2009 and 2010 reports state, in response to the question regarding how the annual tons disposed was calculated: “The tonnage number was received from our waste hauler.” See Exhibit B, Controller’s Late Comments on the IRC, pages 50 and 53.

<sup>123</sup> Exhibit B, Controller’s Late Comments on the IRC, pages 36, 38, 40, 42, and 44.

<sup>124</sup> Exhibit B, Controller’s Late Comments on the IRC, pages 22, 91-103, 115 – 119.

<sup>125</sup> Government Code section 17559, which requires that the Commission’s decisions be supported by substantial evidence in the record. See also, *Coffy v. Shiimoto* (2015) 60 Cal.4th 1198, 1209, a case interpreting the rebuttable presumption in Vehicle Code section 23152 that if a person had 0.08 percent or more, by weight, of alcohol in the blood at the time of testing, then it is presumed by law that he or she had 0.08 percent or more, by weight, of alcohol in the blood at the time of driving, unless he or she files evidence to rebut the presumption. The court states that unless and until evidence is introduced that would support a finding that the presumption does not exist, the statutory presumption that the person was driving over the legal limit remains the finding of fact.

Controller is incorrect.<sup>126</sup> The Parameters and Guidelines, as amended pursuant to the court's writ, also require claimants to show the costs incurred to divert solid waste and to perform the administrative activities, and *to report and identify* the costs saved or avoided by diverting solid waste: "Reduced or avoided costs realized from implementation of the community college districts' Integrated Waste Management plans *shall be* identified and offset from this claim as cost savings."<sup>127</sup> Thus, the claimant has the burden to rebut the statutory presumption and to show, with substantial evidence in the record, that the costs of complying with the mandate exceed any cost savings realized by diverting solid waste.

An example of when cost savings may not have been realized is the claimant's costs to divert waste through a material recovery facility (MRF). The record shows that beginning in 2000, the claimant reported that:

All solid waste generated in Placer County is processed at the Nor tech Material Recovery Facility (MRF) at Lincoln. At this facility, the Districts solid wastes are again processed to recover additional recyclable materials prior to being landfilled. As a customer and participant, the District shall accept the additional 16% credit for recycling through the MRF.<sup>128</sup>

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<sup>126</sup> Evidence Code section 500, which states the following: "Except as otherwise provided by law, a party has the burden of proof as to each fact the existence or nonexistence of which is essential to the claim for relief or defense that he is asserting." See also, *Simpson Strong-Tie Co., Inc. v. Gore* (2010) 49 Cal.4th 12, 24, where the court recognized that "the general principle of Evidence Code 500 is that a party who seeks a court's action in his favor bears the burden of persuasion thereon." This burden of proof is recognized throughout the architecture of the mandates statutes and regulations. Government Code section 17551(a) requires the Commission to hear and decide a claim filed by a local agency or school district that it is entitled to reimbursement under article XIII B, section 6. Section 17551(d) requires the Commission to hear and decide a claim by a local agency or school district that the Controller has incorrectly reduced payments to the local agency or school district. In these claims, the claimant must show that it has incurred increased costs mandated by the state. (Gov. Code, §§ 17514 [defining "costs mandated by the state"], 17560(a) ["A local agency or school district may . . . file an annual reimbursement claim that details the costs actually incurred for that fiscal year."]; 17561 [providing that the issuance of the Controller's claiming instructions constitutes a notice of the right of local agencies and school districts to file reimbursement claims based upon the parameters and guidelines, and authorizing the Controller to audit the records of any local agency or school district to "verify the actual amount of the mandated costs."]; 17558.7(a) ["If the Controller reduces a claim approved by the commission, the claimant may file with the commission an incorrect reduction claim pursuant to regulations adopted by the commission."]. By statute, only the local agency or school district may bring these claims, and the local entity must present and prove its claim that it is entitled to reimbursement. (See also, Cal. Code Regs., tit. 2, §§ 1185.1, et seq., which requires that the IRC contain a narrative that describes the alleged incorrect reductions, and be signed under penalty of perjury.)

<sup>127</sup> Exhibit A, IRC, page 95. Emphasis added.

<sup>128</sup> Exhibit B, Controller's Late Comments on the IRC, pages 33-34.

A MRF is a “permitted solid waste facility where solid wastes or recyclable materials are sorted or separated, by hand or by use of machinery, for the purposes of recycling or composting.”<sup>129</sup> Information in a CalRecycle report on landfill tipping fees indicates a *higher cost* to dispose of waste at a MRF (\$61 statewide average per ton) than in a landfill (\$45 per ton), probably due to higher costs to process and transport waste at a MRF.<sup>130</sup>

Although the claimant’s annual reports identify tonnage diverted to the MRF in calendar years 2003, 2004, 2005, 2006 and 2007,<sup>131</sup> the claimant did not identify any costs incurred to divert

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<sup>129</sup> California Code of Regulations, title 14, section 18720(a)(36). Another definition of MRF (in and limited to Pub. Res. Code, § 50000(a)(4)) is “a transfer station that is designed to, and, as a condition of its permit, shall, recover for reuse or recycling at least 15 percent of the total volume of material received by the facility.” MRF is also defined as “An intermediate processing facility that accepts source-separated recyclables from an initial collector and processes them for wholesale distribution. The recyclable material is accumulated for shipment to brokers or recycled content manufacturers, or for export out of state.” See California Department of Resources Recycling and Recovery, “Landfill Tipping Fees in California” February 2015, page 44.

<sup>130</sup> Exhibit X, California Department of Resources Recycling and Recovery, “Landfill Tipping Fees in California” February 2015, pages 12-13. MRFs and transfer stations were treated together in the survey. According to the report (page 14):

Transfer stations charge a median fee of \$61 per ton for MSW [municipal solid waste], which is \$16 more per ton than the median that landfills charge for MSW. This higher fee may be a result of transportation costs as well as tipping fees incurred by the transfer station for final disposal at the landfill. The range of transfer station tipping fees, from \$0 to \$178, is higher than all other facility types surveyed. The maximum of the transfer station tipping fee data set is \$50 higher than any other facility. This suggests that transfer stations have additional costs that lead to higher tipping fees.

The report also states:

Most landfills have more than one tipping fee. They usually have a publicly posted fee for individuals or businesses “self-hauling” waste, but they also negotiate rates with solid waste haulers, cities, counties, and other facility operators. This is an important distinction because in California, only about 20 percent of disposal is self-hauled waste. The other 80 percent of disposal is transported to landfills by solid waste haulers and thus would be more likely to be subject to negotiated disposal rates. . . . Disposal tipping fees in California are as complex and varied as the state itself. Tipping fees vary due to the unique circumstances at each landfill, such as location, owner, size, proximity to other landfills, and other operational factors.

The range for tipping fees in the report was \$0 to \$125 per ton, with a \$45 per ton median. (*Id.*, page 3).

<sup>131</sup> Exhibit B, Controller’s Late Comments on the IRC, pages 38, 40, 42, 44, and 46.

waste to the MRF (which is expressly allowed as a reimbursable cost under Section IV.(B)(5) of the Parameters and Guidelines);<sup>132</sup> nor has claimant identified any costs avoided if it had disposed of the waste in a landfill instead of a MRF.

Accordingly, the Commission finds that the claimant has not filed any evidence to rebut the statutory presumption of cost savings. Therefore, the Controller's presumption of cost savings is correct as a matter of law.

- C. For fiscal years 1999-2000, 2000-2001, the second half of fiscal year 2003-2004, and fiscal years 2004-2005 through 2009-2010, there is no evidence that the Controller's calculation of cost savings is incorrect as a matter of law, or is arbitrary, capricious or without evidentiary support.

The Controller determined that for every year except the first half of fiscal year 2003, the claimant diverted more solid waste than the amount mandated by the test claim statute. Therefore, for those years where the claimant exceeded the mandate, the Controller allocated the diversion percentage to the mandated level and used a formula to calculate offsetting savings that divides the percentage of solid waste required to be diverted (either 25 percent or 50 percent) by the actual percentage of solid waste diverted (as reported by the claimant to CIWMB). The resulting quotient is then multiplied by the tons of solid waste diverted (as annually reported by the claimant to the CIWMB), multiplied by the avoided landfill disposal fee (based on the statewide average fee).<sup>133</sup> The formula works to allocate or reduce cost savings to the mandated levels, and is intended to prevent the claimant from being penalized for diverting more solid waste than the amount mandated by law.<sup>134</sup>

The claimant raises several arguments to assert that the Controller's calculation of cost savings is incorrect. These arguments, however, are not supported by the law or evidence in the record.

The claimant first alleges that cost savings cannot be realized because the chain of events required by Public Contract Code sections 12167 and 12167.1 did not occur: that savings have to be converted to cash, and amounts in excess of \$2000 per year must be deposited in the state fund and appropriated back by the Legislature to mitigate the costs.<sup>135</sup> Because the Controller agrees that the claimant did not remit to the state any savings realized from the implementation of the IWM plan, this fact is undisputed.<sup>136</sup> However, as indicated above, cost savings are presumed by the statutes and the claimant has not filed evidence to rebut that presumption.

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<sup>132</sup> Exhibit A, IRC, pages 223 – 258 (reimbursement claims). See also page 91. The Parameters and Guidelines authorize reimbursement to: "Divert at least 25 percent of all solid waste from landfill disposal or transformation facilities by January 1, 2002, and at least 50 percent of all solid waste from landfill disposal or transformation facilities by January 1, 2004, through source reduction, recycling, and composting activities." Maintain the required level of reduction, as approved by the Board. (Pub. Resources Code, §§ 42921 & 42922 (i).)"

<sup>133</sup> Exhibit A, IRC, pages 33-35; Exhibit B, Controller's Late Comments on the IRC, pages 19 and 20.

<sup>134</sup> Exhibit B, Controller's Late Comments on the IRC, page 19.

<sup>135</sup> Exhibit A, IRC, page 13.

<sup>136</sup> Exhibit B, Controller's Late Comments on the IRC, page 17.



Thus, based on the evidence in the record, the claimant should have deposited the cost savings into the state's account as required by the test claim statutes, but failed to do so. The claimant's failure to comply with the law does not make the Controller's calculations of cost savings incorrect as a matter of law, or arbitrary or capricious. Since cost savings are presumed by the statutes, the claimant has the burden to show increased costs mandated by the state. As the court determined, "[r]eimbursement is not available under section 6 and section 17514 to the extent that a local government or school district is able to provide the mandated program or increased level of service without actually incurring increased costs."<sup>137</sup>

The claimant next asserts that the Controller's formula is an underground regulation.<sup>138</sup> The Commission disagrees. Government Code section 11340.5 provides that no state agency shall enforce or attempt to enforce a rule or criterion which is a regulation, as defined in section 11342.600, unless it has been adopted pursuant to the Administrative Procedures Act. As indicated above, however, the formula is consistent with the statutory presumption of cost savings, as interpreted by the court for this program. Interpretations that arise in the course of case-specific adjudication are not regulations.<sup>139</sup>

The claimant also contends that using landfill fees in the calculation of offsetting savings is not relevant because "[t]he District did not claim landfill costs, so there are none to be offset."<sup>140</sup> The claimant's interpretation of the cost savings requirement is not correct. The cost of disposing waste at a landfill is not eligible for reimbursement. Reimbursement is authorized to *divert* solid waste from the landfill through source reduction, recycling, and composting activities.<sup>141</sup> As explained by the court,

In complying with the mandated solid waste diversion requirements of Public Resources Code section 42921, California Community Colleges are likely to experience cost savings in the form of reduced or avoided costs of landfill disposal. The reduced or avoided costs are a direct result and an integral part of the mandated IWM plan ....

Such reduction or avoidance of landfill fees and costs resulting from solid waste diversion activities under § 42920 et seq. represent savings which must be offset against the costs of the diversion activities to determine the reimbursable costs of IWM plan implementation -- i.e., the actual increased costs of diversion -- under section 6 and section 17514.<sup>142</sup>

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<sup>137</sup> Exhibit B, Controller's Late Comments on the IRC, page 63 (Ruling on Submitted Matter).

<sup>138</sup> Exhibit A, IRC, page 14.

<sup>139</sup> *Tidewater Marine Western, Inc. v. Bradshaw* (1996) 14 Cal.4th 557, 571.

<sup>140</sup> Exhibit A, IRC, page 17.

<sup>141</sup> Exhibit A, IRC, page 55 (Parameters and Guidelines).

<sup>142</sup> Exhibit B, Controller's Late Comments on the IRC, pages 63-64 (Ruling on Submitted Matter).

The court also noted that diversion “means activities which reduce or eliminate the amount of solid waste from solid waste disposal.”<sup>143</sup>

In addition, the claimant argues that the formula assumes facts without evidence in the record. For example, the claimant questions the Controller’s assumption that the diversion percentage achieved in 2007 applies equally to subsequent years, that all diverted waste would have been disposed in a landfill, and that the statewide average cost to dispose of waste at a landfill actually applied to the claimant.<sup>144</sup> However, the Controller’s assumption is in fact supported by evidence in the record. The Controller applied the diversion percentage achieved in 2007 to subsequent years because the CIWMB stopped requiring community college districts to report the actual amount and percentage of tonnage diverted in 2008. As the Controller notes, the claimant’s diversion program was well-established by 2007, and the claimant’s reports of subsequent years reflect increased diversion. For example, the 2008 report notes that:

There has been *less waste disposed of* in 2008. We have been more proactive in increasing awareness of what materials can be recycled and therefore not placed in our solid waste stream. . . . [And in describing new programs for 2008] . . . we were able to obtain new collection containers for our Nevada County campus and we are able to comingle a lot of our recyclable materials. Also, *the types of materials acceptable for recycling was increased* at that campus.<sup>145</sup>

Likewise, the 2009 report states: “We have added many more recycling containers to help increase the recycled materials,”<sup>146</sup> and “*There was a decrease in the per capita disposal.*”<sup>147</sup> Additionally, the 2010 report states, in response to a question about changes in waste reduction programs during the report year: “We are *now composting the grass clippings.*”<sup>148</sup> Thus, there is evidence in the record that for 2008-2010 claimant exceeded the diversion rates recorded in 2007.

The Controller obtained the statewide average cost for landfill disposal fees from the CIWMB, which was based on private surveys of a large percentage of landfills across California.<sup>149</sup> The Controller’s audit report indicates that the claimant did not provide documentation to support a different disposal fee.<sup>150</sup> In addition, the Controller states:

The district did not provide any information, such as its contract with or invoices received from its commercial waste hauler, to support either the landfill fees

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<sup>143</sup> Exhibit B, Controller’s Late Comments on the IRC, page 63 (Ruling on Submitted Matter).

<sup>144</sup> Exhibit A, IRC, pages 15-16.

<sup>145</sup> Exhibit B, Controller’s Late Comments on the IRC, page 48, emphasis added.

<sup>146</sup> Exhibit B, Controller’s Late Comments on the IRC, page 50.

<sup>147</sup> Exhibit B, Controller’s Late Comments on the IRC, page 51, emphasis added.

<sup>148</sup> Exhibit B, Controller’s Late Comments on the IRC, page 53, emphasis added.

<sup>149</sup> Exhibit B, Controller’s Late Comments on the IRC, page 21-22.

<sup>150</sup> Exhibit A, IRC, page 34.

actually incurred by the district or to confirm that the statewide average landfill fee was greater than the actual landfill fees incurred by the district.<sup>151</sup>

On these audit issues, the Commission may not reweigh the evidence or substitute its judgment for that of the Controller. The Commission must only ensure that the Controller's decision is not arbitrary, capricious, or entirely lacking in evidentiary support, but adequately considered all relevant factors.<sup>152</sup> There is no evidence that the Controller's assumptions are wrong or arbitrary or capricious with regard to the statewide average landfill fee.

The claimant also points to the Controller's audits of other community college districts, arguing that the costs allowed by the Controller in those cases vary and are arbitrary.<sup>153</sup> The Controller's audits of other community college district reimbursement claims are not relevant to the Controller's audit here. Each audit depends on the documentation and evidence provided by the claimant to show increased costs mandated by the state.

Accordingly, the Controller's calculation of cost savings for fiscal years 1999-2000, 2000-2001, the second half of fiscal year 2003-2004, and fiscal years 2004-2005 through 2009-2010 is correct as a matter of law, and is not arbitrary, capricious, or entirely lacking in evidentiary support.

- D. The Controller's finding that the claimant's diversion of solid waste for the first half of fiscal year 2003-2004 (July 1, 2003 through December 31, 2003) did not achieve the mandated diversion percentage, and its recalculation of cost savings for that time period using 100 percent of the tonnage diverted rather than the allocated diversion percentage to reflect the mandate, is incorrect as a matter of law.

The Controller found that the claimant did not achieve the mandated "50 percent" diversion in the first half of fiscal year 2003-2004 (July 1, 2003, through December 31, 2003). Therefore, the Controller did not allocate the diversion percentage to reflect the mandate, but used 100 percent of the tonnage diverted by the claimant to calculate offsetting savings, which resulted in a reduction of \$7,513 for this time period (204 tons of diverted waste multiplied by the avoided statewide average landfill disposal fee of \$36.83).<sup>154</sup>

As indicated in the Parameters and Guidelines, the mandate is to divert at least 25 percent of all solid waste from landfill disposal or transformation facilities by January 1, 2002, and at least 50 percent of all solid waste from landfill disposal or transformation facilities by January 1, 2004, through source reduction, recycling, and composting activities.<sup>155</sup> Thus, from July 1, 2003, through December 31, 2003, community college districts were mandated to achieve diversion

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<sup>151</sup> Exhibit B, Controller's Late Comments on the IRC, page 22.

<sup>152</sup> *American Bd. of Cosmetic Surgery, Inc. v. Medical Bd. of California* (2008) 162 Cal.App.4th 534, 547-548.

<sup>153</sup> Exhibit A, IRC, pages 17-18.

<sup>154</sup> Exhibit A, IRC, page 31, footnote 2 (Final Audit Report); Exhibit B, Controller's Late Comments on the IRC, page 71.

<sup>155</sup> Exhibit A, IRC, page 91 (Parameters and Guidelines). This is based on Public Resources Code sections 42921.

levels of only 25 percent. The Controller's comments agree with this reading of the mandate and state that "there is no state mandate to exceed solid waste diversion for amounts in excess of 25% for calendar years 2000 through 2003 or 50% for calendar year 2004 and later . . ."<sup>156</sup>

However, the Controller's calculation of cost savings incorrectly applied a 50 percent diversion level to July 1, 2003, through December 31, 2003, instead of the mandated 25 percent diversion level.<sup>157</sup> The claimant's 2003 report to the CIWMB shows a diversion percentage of 45.6 percent, and the Controller's calculation for July 1, 2003, through December 31, 2003 shows "the actual diversion percentage" of 45.59 percent.<sup>158</sup> This percentage not only achieves, but *exceeds* the mandated diversion level of 25 percent. Therefore, the Controller's finding that the claimant's diversion of solid waste for the first half of fiscal year 2003-2004 did not achieve the mandated diversion percentage is incorrect as a matter of law. Moreover, the Controller's calculation of offsetting savings, which did not reduce cost savings by allocating the diversion percentage to reflect the mandate as it did for other years when the claimant exceeded the mandate, is arbitrary, capricious, or entirely lacking in evidentiary support. As the Controller concedes, "there is no state mandate to exceed solid waste diversion for amounts in excess of 25% for calendar years 2000 through 2003." Thus, the reduction of \$7,513 in costs is incorrect.

As indicated above, the Controller's formula for cost savings for years where the claimant exceeded the mandate, which allocates the diversion percentage to the mandated level, is consistent with the test claim statutes and the court's decision on this program. That calculation is the percentage of solid waste required to be diverted (either 25 percent or 50 percent) divided by the actual percentage of solid waste diverted (as reported by the claimant to CIWMB). The resulting quotient is then multiplied by the tons of solid waste diverted (as annually reported by the claimant to the CIWMB), multiplied by the avoided landfill disposal fee (based on the statewide average fee).<sup>159</sup> Applying that formula to the first half of fiscal year 2003-2004, results in a finding of offsetting costs savings of \$4,120, rather than \$7,513 (25 percent divided by 45.59 percent, multiplied by 204 tons diverted, multiplied by the avoided statewide average landfill disposal fee of \$36.83).<sup>160</sup>

Accordingly, the Commission finds that the law and the record support offsetting cost savings for the first half of fiscal year 2003-2004 of \$4,120, rather than \$7,513, and that the difference of \$3,393 has been incorrectly reduced.

## **V. Conclusion**

Based on the foregoing, the Commission concludes that the Controller's reduction of costs claimed for fiscal years 1999-2000, 2000-2001, the second half of fiscal year 2003-2004, and

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<sup>156</sup> Exhibit B, Controller's Late Comments on the IRC, page 19.

<sup>157</sup> Exhibit B, Controller's Late Comments on the IRC, page 71.

<sup>158</sup> Exhibit B, Controller's Late Comments on the IRC, pages 37 and 71.

<sup>159</sup> Exhibit A, IRC, pages 33 - 34 (Final Audit Report). Exhibit B, Controller's Late Comments on the IRC, page 71.

<sup>160</sup> Exhibit B, Controller's Late Comments on the IRC, pages 37 and 71.

fiscal years 2004-2005 through 2009-2010 is correct as a matter of law and is not arbitrary, capricious, or entirely lacking in evidentiary support.

However, the reduction of costs claimed for the first half of fiscal year 2003 is incorrect as a matter of law.

Accordingly, the Commission partially approves this IRC and requests, pursuant to Government Code section 17551(d) and section 1185.9 of the Commission's regulations, that the Controller reinstate \$3,393 to the claimant.

## 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 May 19, 2017, I served the:

- **Draft Proposed Decision issued May 19, 2017**

*Health Fee Elimination*, 10-4206-I-32

Former Education Code Section 72246 (Renumbered as 76355)<sup>1</sup>

Statutes 1984, Chapter 1 (1983-1984 2nd Ex. Sess.) (AB2X 1);

and Statutes 1987, Chapter 1118 (AB 2336)

Fiscal Years: 2002-2003, 2003-2004, 2004-2005, 2005-2006, and 2006-2007

State Center 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 May 19, 2017 at Sacramento, California.

  
\_\_\_\_\_  
Jill L. Magee  
Commission on State Mandates  
980 Ninth Street, Suite 300  
Sacramento, CA 95814  
(916) 323-3562

---

<sup>1</sup> Statutes 1993, chapter 8.

# COMMISSION ON STATE MANDATES

## Mailing List

**Last Updated:** 3/22/17

**Claim Number:** 13-0007-I-02

**Matter:** Integrated Waste Management

**Claimant:** Sierra Joint Community College District

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**BETTY T. YEE**  
California State Controller

**RECEIVED**

June 06, 2017

**Commission on  
State Mandates**

June 6, 2017

Heather Halsey  
Executive Director  
Commission on State Mandates  
980 Ninth Street, Suite 300  
Sacramento, CA 95814

**Re: Draft Proposed Decision**

Incorrect Reduction Claim

*Integrated Waste Management*, 13-0007-I-02

Public Resources Code Sections 40418, 40196.3, 42920-42928

Public Contract Code Sections 12167 and 12167.1

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

State Agency Model Integrated Waste Management Plan (February 2000)

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

Sierra Joint Community College District, Claimant

Dear Ms. Halsey:

The State Controller's Office (SCO) has reviewed the Commission on State Mandates' (Commission) draft proposed decision dated May 19, 2017, for the above incorrect reduction claim filed by Sierra Joint Community College District.

We agree with the Commission's conclusion and recommendation to support our reduction of costs claimed for fiscal years (FY) 1999-2000, 2000-2001, the second half of FY 2003-2004, and FY 2004-2005 through FY 2009-2010.

However, with regards to the first half of FY 2003-2004, the Commission concluded that the offset should be reduced by \$3,393, from \$7,513 to \$4,120, because the district was only required to divert 25% of its solid waste. Therefore, the Commission concluded that for us to calculate an offset using the actual tonnage diverted of 45.59% is incorrect as a matter of law. We disagree.

For the first half of FY 2003-2004, we agree that the district diverted 45.59% of its solid waste, which is above the mandated level of 25%. However, there is no evidence in its FY 2003-2004 mandated cost claim that the district pro-rated the direct costs to claim only 54.84% ( $25\% \div 45.59\%$ ) of the total diversion costs incurred. In fact, on its FY 2003-2004 Form IWM-2, the

Heather Halsey, Executive Director

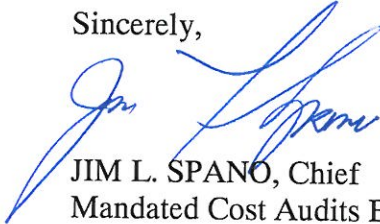
June 2, 2017

Page 2

district reported time for "diverting solid waste from landfill disposal or transformation facilities – source reduction / recycling / composting" (Exhibit D, page 230). No proration or allocation was noted. Based on the information provided in the claim, we believe the district claimed 100% of the direct cost incurred to perform the mandated activities. Therefore, we believe the correlated offsetting savings should also be calculated at 100% of the actual diversion rate of 45.59%, totaling \$7,513.

If you have any questions, please contact me by telephone at (916) 323-5849.

Sincerely,



JIM L. SPANO, Chief  
Mandated Cost Audits Bureau  
Division of Audits

## **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 7, 2017, I served the:

- **State Controller's Office Comments on the Draft Proposed Decision**

Integrated Waste Management, 13-0007-I-02

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

Public Contract Code Section 12167 and 12167.1

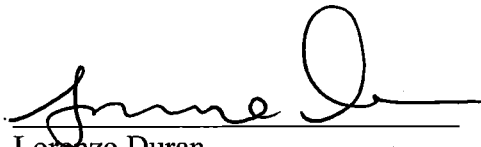
Statutes 1992, Chapter 1116 (AB 3521); Statutes 1999, Chapter 764 (AB 75)

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

Sierra Joint 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 7, 2017 at Sacramento, California.



Lorenzo Duran

Commission on State Mandates

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# COMMISSION ON STATE MANDATES

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**Claim Number:** 13-0007-I-02

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## **Landfill Tipping Fees in California**



California Department of Resources Recycling and Recovery

**February 2015**



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Governor

**Matt Rodriquez**  
Secretary, California Environmental Protection Agency

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# Executive Summary

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For California to reach the statewide goal of 75 percent recycling (source reduction, recycling, and composting) in 2020, more waste must go to its highest and best use while minimizing greenhouse gas emissions. California must maximize source reduction, recycling, and composting while reducing disposal. Solid waste landfills compete for the same resources and wastes, so the cost of landfill disposal affects the flow of these materials. While high disposal (tipping) fees could push material away from landfills, disposal fees that are too low essentially incentivize disposal. In order to provide a broad basis for future policy development, this study explores California landfill tipping fees.

Through websites and phone surveys, CalRecycle staff gathered the publicly posted tipping fees, or gate fees, paid by “self-haul” customers delivering municipal solid waste (MSW) to all 98 active California landfills that accept waste from the public. Included in the analysis are tipping fees for MSW at transfer stations, landfills located out of state, and transformation facilities. Green waste tipping fees at landfills, transfer stations, chipping and grinding facilities, compost facilities, and biomass conversion facilities were also surveyed.

Most landfills have more than one tipping fee. They usually have a publicly posted fee for individuals or businesses “self-hauling” waste, but they also negotiate rates with solid waste haulers, cities, counties, and other facility operators. This is an important distinction because in California, only about 20 percent of disposal is self-hauled waste. The other 80 percent of disposal is transported to landfills by solid waste haulers<sup>1</sup> and thus would be more likely to be subject to negotiated disposal rates. A census, or statistical sampling, of negotiated rates is not included in this report, because these rates are often considered to be proprietary information and thus are not readily available. Some negotiated rates were obtained and included to provide an anecdotal narrative to help complete California’s overall tipping fee picture.

Disposal tipping fees in California are as complex and varied as the state itself. Tipping fees vary due to the unique circumstances at each landfill, such as location, owner, size, proximity to other landfills, and other operational factors. Using a single number (average or median) to describe the enormous variation in California is challenging, but it does allow for comparisons to other entities inside and outside of the state.

The tipping fee data was analyzed and the main findings were:

- The median “self-haul” tipping fee in California for MSW disposal at landfills was \$45 per ton, with a range of \$0 to \$125 per ton. Staff found the median to be a more meaningful representation of landfill tipping fees than a simple average because the range included such extremes and the distribution was asymmetrical. A majority of landfills charged \$36 to \$50 per ton (Figure 1, Table 1).
- Based on a small sample of negotiated rates among 22 landfills and various haulers, negotiated rates for MSW disposal at landfills were discounted at 20 of the landfills. The median discount for negotiated tipping fee was \$25 per ton less than their publicly posted counterparts. If this is accurate, the \$45 per ton median tipping fee is a high estimate for most landfill disposal in California. If the negotiated fees are as low as suggested by this preliminary anecdotal research, landfills are likely the cheapest path for materials to flow

down. If true, this makes building a competitive recycling and composting infrastructure very challenging.

- The median green waste tipping fee at landfills in California was \$39 per ton. More than half of landfills (58 percent) charge less for green waste than MSW, while only 16 percent charge more for green waste (Figure 4).
- California's per ton landfill tipping fee data had pronounced regional fee differences. The Bay Area and Coastal Area median tipping fees were \$68 and \$64. The Southern region median tipping fee was \$56. The Central Valley median tipping fee was \$43, with only four landfills with fees above the statewide median. The Mountain region appeared to have the lowest median of \$42, but this data set is split with half of the fees below \$42 and the other half above \$70, so the median does not describe this data well (Table 6).
- The 27 private landfills had a much narrower range in tipping fees, with a median of \$57 per ton, which was well above the \$45 median of the more variable 71 public landfills (Table 8).
- Tipping fees vary most at smaller landfills (less than 200,000 tons per year), while there is less variation in tipping fees at medium (from 200,000 tons to 1,000,000 tons per year) and larger landfills (more than 1,000,000 tons per year). Lower fees were also more common at these medium and larger landfills (Table 10).
- Areas with many nearby landfills tend to have lower tipping fees than landfills without other landfills nearby (Table 11).
- When comparing California tipping fee data to other entities that use averaged data, it is necessary to use the California average tipping fee as a more comparable metric rather than the median.
  - In the United States, the average tipping fee at landfills was \$49 in 2013, \$5 less than California's average tipping fee of \$54 per ton (Figure 12).
  - In the European Union, the average tipping fee at landfills was \$100 in 2012, nearly double California's average tipping fee of \$54 per ton (Figure 16).
- In both the United States and the European Union, states or countries that landfill more of their waste have lower average tipping fees compared to states or countries that landfill less of their waste. When viewed in this context, California charges slightly less than expected given our high percentage of waste diverted from landfills. (Figure 13 and Figure 18).

Some general conclusions can be drawn from these finding:

- Tipping fees in California are complex and have a lot of local variation.
- California has lower landfill tipping fees compared with other environmentally progressive areas such as the Northeastern and Northwestern regions of the United States and the European Union. With some exceptions, the higher the tipping fee, the lower percentage of waste a region landfills.

- California has lower landfill tipping fees than would be expected given its percentage of waste landfilled.
- California's low landfill tipping fees likely present the lowest cost option for the disposition of most of the materials that make up MSW.
- California's low landfill tipping fees do little to drive materials to higher and better uses, and may make it more difficult to reach the 75 percent statewide recycling goal by 2020. Unlike the European Union, California has not pursued policy directives that increase tipping fees or landfill taxes to dis-incentivize landfilling.
- As California moves toward its 75 percent statewide recycling goal, the resulting reduction in waste disposal will cause a sharp decline in disposal, tipping fee revenue for landfills, and governmental fee revenue for both local governments and the state. That decline in tipping fee revenue, both for landfills and agencies that charge taxes on disposal tonnages, could make it difficult to meet all statutory obligations. Imposing (or increasing) the governmental fees on landfill disposal could dis-incentivize disposal and raise needed revenue. However, with landfills projected to play a diminishing role in solid waste and materials management, disposal and diversion program funding options should be explored that are not solely reliant on landfill fees.

# Introduction

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A comprehensive and sustainable waste management system in California must maximize source reduction, recycling, and composting while reducing disposal. As California moves toward reducing, recycling, and composting 75 percent of waste generated in the state by 2020, CalRecycle wants to ensure that waste generated in California goes to its highest and best use while minimizing greenhouse gas emissions. As noted in the ARB 2014 Scoping Plan Update,<sup>2</sup> recycling can help minimize disposal and reduce greenhouse gas emissions. Disposal fees play an important role by influencing the flow of materials. High tipping fees could encourage waste reduction, facilitate the recovery of materials, and allow for more expensive recycling technologies, while low tipping fees could incentivize more disposal.

In 2013, a significant amount of green material was landfilled as waste (about 2 million tons) and as alternative daily cover, alternative intermediate cover, or beneficial reuse (about 2 million tons). Differentials in green waste tipping fees between disposal and recycling facilities likely impact the flow of green waste to these facilities.

In past years, CalRecycle surveyed landfill operators regarding tipping fees, but this practice ended almost 15 years ago. Articles published by BioCycle,<sup>3</sup> Columbia University (EEC),<sup>4</sup> the Environmental Protection Agency (EPA),<sup>5</sup> and the National Solid Wastes Management Association (NSWMA)<sup>6</sup> have discussed landfill tipping fees at a country or state level for publicly posted MSW rates, but these reports are not current, do not discuss California in depth, and do not include materials other than MSW. Additionally, the data is only collected from the largest landfills in each state. No data source exists that adequately addresses California landfill tipping fees.

The purpose of this study was to explore landfill tipping fees in California. The scope of this study was to conduct a census of the publicly posted tipping fees, or gate fees, paid by “self-haul” customers delivering municipal solid waste to landfills. Included in the analysis are similar tipping fees for MSW at transfer stations, landfills located out of state, and transformation facilities. Some data on green waste tipping fees at landfills, transfer stations, chipping and grinding facilities, compost facilities, and biomass conversion facilities were also collected. In order to provide a broad basis for future policy development, this study explores California landfill tipping fees and compares them to fees in the United States and the European Union.

The publicly posted fees researched in this study are generally accepted as an indicator of the local cost of landfilling and are also the basis for most tipping fee analyses in the current literature. The NSWMA article<sup>7</sup> describes these fees as the “spot market” value and explains that fees accepted under long-term contracts, discounts, and special waste fees could be higher or lower than the spot market price described by tipping fees.

In most cases, landfills do not have just one tipping fee. Fees vary by types of material, types of delivery vehicle, volume delivered, and, most importantly, contractual relationships. This study focuses on the publicly posted fees for “self-haul” disposal of waste (described by NSWMA as the “spot market” value). Some anecdotal information is included on negotiated rates between the landfill operators and solid waste haulers, cities, or counties and other facility operators. This distinction between public rates and negotiated rates is important because in California 80 percent of the waste stream is transported to landfills by solid waste haulers,<sup>8</sup> who are more likely to have a negotiated rate with a landfill. Currently it is unknown how much of the waste stream is actually

charged a negotiated rate, but for the purposes of this study it is assumed, based on research from CalRecycle's 2008 waste characterization study<sup>9</sup>, that 20 percent of loads, at a minimum, are charged the public rate, and 80 percent or less are subject to negotiated rates. Some negotiated rates were obtained to provide a more complete picture of California's overall tipping fee, and this area will be the subject of future research if additional data can be obtained. A census (or statistical sampling) of negotiated rates is outside the scope of this research. These data were not readily available during the data collection portion of this study and are considered proprietary business information by many in the solid waste industry.

This study also explores some of the factors that might influence tipping fees on a local level in California: region, landfill owner, county, location, landfill disposal amount, and landfill proximity (how close landfills are to each other). The factors that could be more easily quantified were explored in detail, but it is important to acknowledge that many other factors influence tipping fees, including demographics, economics, recycling rates, operating and transportation costs, land values, land acquisition costs, climate, geography, and local policies and/or regulations.

Data collected from the United States and the European Union were compared to California's average MSW tipping fee to provide a broader context and to compare policy strategies in the context of tipping fees. While there is no country-wide landfill policy in the United States, there is in the European Union. The European Union's Landfill Directive requires that by 2016, each member state landfill 35 percent or less than what they landfilled in 1995.<sup>10</sup> This difference in mandate makes comparisons to the European Union valuable as California's progressive policies may align more closely with the European Union than with the United States as a whole. The European Union has also done more research on the effect that tipping fees and other factors have on the amount of waste landfilled.



# Methodology

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## **Data Collection**

Information on public fees for self-haulers was collected in this study. Solid waste haulers that negotiated special agreements with individual landfills may pay different fees and are not reflected in the survey portion of this study. A small sample of negotiated fees was collected, and these are discussed briefly in comparison to the public fees in the results. Publicly posted fees are generally accepted as indicators of landfilling costs locally and are used in the mentioned literature.

Data was gathered for facilities and operations through facility websites or by telephone if the facility did not have a website. As a result of these surveys, facilities were categorized into one of three groups: facilities that were surveyed (accepted MSW or green waste from the public), facilities that did not accept disposal from the public, and facilities that were not surveyed. All 98 landfills that accepted waste from the public for disposal were surveyed. More detail is provided in Appendix A.

Data for each facility surveyed included the following, and is presented in Table 2:

- **Minimum Charge:** User-based fee that is a base line fee for loads that fall under a certain weight threshold (76 percent of the sample).
- **Per Ton:** Unit-based fee (weight) that is the charge for 1 ton of waste (79 percent of the sample).
- **Per Cubic Yard:** Unit-based fee (volume) that is the charge for 1 cubic yard of waste (approximately the size of a washing machine) (7 percent of the sample).
- **Per Vehicle:** User based fee that is divided into subcategories:
  - **Per Car:** User-based fee for one passenger car or SUV (17 percent of the sample).
  - **Per Truck (pick-up):** User-based fee for a small to large pickup truck (definition varies by landfill) (21 percent of sample).
  - **Per Truck Loaded Over Cab:** User-based fee for a pickup truck with waste stacked higher than the cab of the truck (~4-5 ft. high) (10 percent of the sample).
  - **Per Generic Vehicle:** User-based fee for a “vehicle,” which usually indicates that the landfill used the word “vehicle” or another vague term (auto, load) to describe its tipping fee. These definitions vary the most by landfill.
- **Standardized Tipping Fee:** For all 98 landfills (100 percent of sample), CalRecycle staff converted other fees to “\$ per ton.” The individual conversion factors used to determine these fees are discussed in the analysis section.

The standardized tipping fee is the basis for most of the analyses below, because it allows for comparisons between facilities and for data aggregation and analyses. Unless otherwise indicated, tipping fee dollar amounts are given for one ton (2,000 pounds) of material.

## **Data Analysis**

Data on disposal tonnages for landfills and counties were obtained from CalRecycle's Disposal Reporting System (DRS),<sup>11</sup> and facility information was obtained from CalRecycle's Solid Waste Information System (SWIS).<sup>12</sup> Disposal data from 2012 was used in this study's analysis because at the time of the original surveys, this was the current finalized year (DRS finalizes the previous year's disposal data every June). Disposal only increased by 1 percent from 2012 to 2013, so 2012 data should accurately represent current disposal in California for the purposes of this study.

### **Median, Average, Weighted Average, and Range**

In order to provide the most useful analysis, staff looked for an indicator that correctly expresses the central tendency of the tipping fee data points. Averages have traditionally been the most popular because they are mathematically easy to calculate. However, averages have the disadvantage of being affected by high or low outliers. For a skewed distribution with outliers, medians can be a better measure of the central tendency. The median finds the middle point in a set of data, with an equal number of values higher and lower than the median. Averages are the totaling of a list of values and dividing by the total number of values. Weighted averages, in this study, take into account how much waste each landfill disposed to calculate an average.

Because of the skewed distribution of California's tipping fee data (Figure 1), medians should be the most representative of the three measurement methods, and therefore provide the best summary. Averages are used in this study to compare fees in California with other studies from the United States and the European Union.

### **Conversion Factors**

Conversion factors were used to create a standardized fee (in dollars per ton) for all facilities to facilitate comparisons. The conversion factors used were landfill-specific and reported to CalRecycle by the landfill in 2012 DRS annual or quarterly reports. Site-specific conversion factors were used because MSW has a wide range of conversion factors to convert from cubic yards to tons, and landfills are more aware of the type and consistency of waste they receive.

All green waste values were converted using a standard conversion factor from CalRecycle.<sup>13</sup> For green waste received at chipping and grinding facilities, biomass conversion facilities, and landfills, staff use the green waste conversion factor because these operations collect more lightweight yard waste materials. A food waste conversion factor was used for compost facilities, which could receive more dense materials such as food or other organic materials.

### **Spatial Analysis**

ArcGIS software was utilized to spatially analyze the standardized tipping fees in California (Figures 6-11). Staff investigated and looked for correlations between tipping fees and:

- Geographic region
- Public and private ownership
- Location in the state (by region and county)
- Facility disposal amount
- Landfill proximity to other landfills

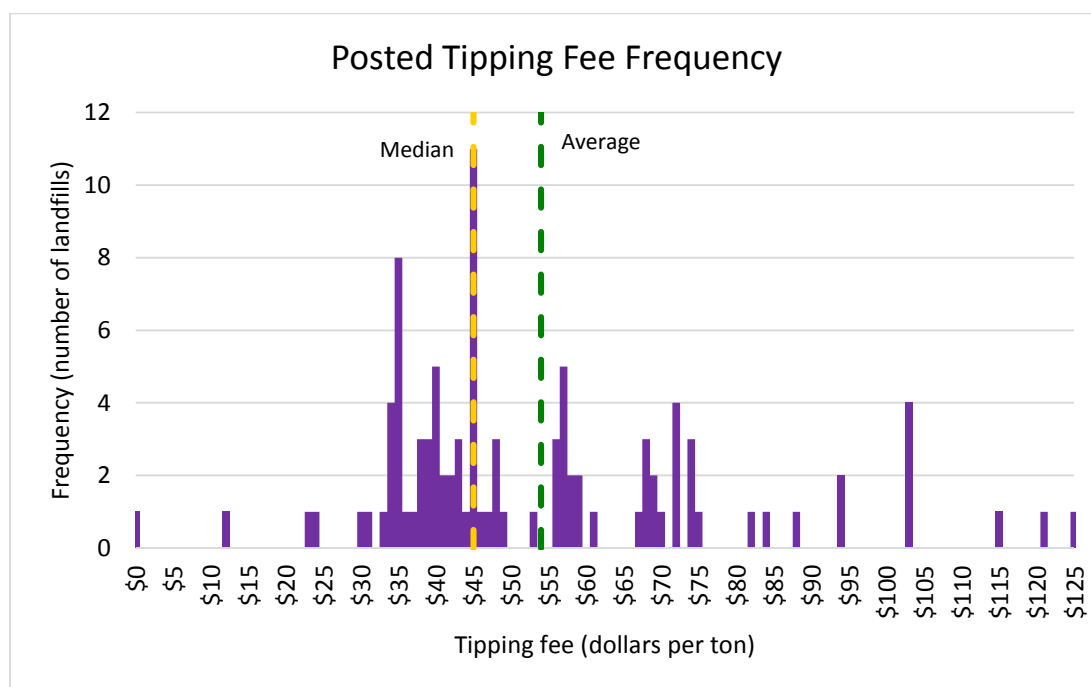
# Results

## Posted Landfill Tipping Fees for Municipal Solid Waste (MSW)

Publicly posted tipping fees for MSW at landfills in California were found to vary from \$0 to \$125 per ton. The median of this data set was \$45 per ton, which was the most meaningful representation of publicly posted landfill tipping fees in California. The average, \$54 per ton, was higher than 60 percent of landfills in the state, making it less useful as an overall representation of tipping fees in California. The frequency chart (Figure 1) of all the tipping fees at landfills in California illustrates these results. The standardized posted tipping fees were grouped in \$1 increments. One dollar was a small enough increment to show detail without losing the granularity of the frequency distribution.

Here, the median and average posted tipping fee in California can be compared with the frequency distribution. Due to numerous outliers and non-normal distribution, the median value is thought to be most representative of the central tendency of this data set.

**Figure 1: Posted tipping fee frequency. All landfills accepting public disposal in California, by tipping fee. The yellow dashed line represents the median of the data set, and the green line represents the average of the data set.**



The data presented in Table 1 summarizes the frequency chart in Figure 1. Almost half of California's landfills charge between \$36 and \$50 per ton, supporting the use of a median value to represent the central tendency of the data set. Another frequently used statistical measure is the mode, or the most frequently observed value, which in this case is also \$45 per ton. Table 1 was also used as the basis to classify data in the map section of this study into groups of data points between \$36 and \$50, between \$51 and \$75, the low outliers (\$0 to \$35) and the high outliers (\$76 to \$125).

**Table 1: Frequency from Figure 1 divided into ranges of posted tipping fee data (used in mapped data section)**

Range (Per Ton)	Number of Landfills	Percentage of Landfills
\$0-\$35	12	12%
\$36-\$50	45	46%
\$51-\$75	28	29%
\$76-\$125	13	13%

Table 1 uses the “standardized tipping fees” based on tonnage. Table 2 summarizes all the landfill data collected and provides calculations for the medians, averages, and weighted averages.

Posted landfill tipping fees are generally a user-based or a unit-based fee:

- The “user-based fee” (minimum or per vehicle fee) does not vary based on the amount of waste discarded and is a standard value per user or per vehicle.
- The “unit-based fee” or variable pricing (per ton, per cubic yard, standardized fee) does vary based on the amount of waste disposed; as disposal increases, the tipping fee increases. Unit-based pricing creates an incentive to reduce the amount of waste discarded.

Landfills have different resources available for gatehouse staff to use in order to decide how much to charge a customer (e.g. operational scales, other estimation tools), but the vast majority of landfills surveyed charge a minimum fee (90 landfills) and a per ton fee (82 landfills). Less common charges were volume estimations or vehicle type charges, with less than one-third of the landfills surveyed using these charges.

The difference between the weighted and unweighted averages in Table 2 shows that, on average, landfills that receive more waste charge more for minimum fees, for a cubic yard, for pickup truck loads and for “vehicle” loads, while charging less by weight for car and truck loads stacked higher than the cab.

Finally, the “standardized” tipping fee calculated by CalRecycle staff is included in Table 2. Many landfills charge both per ton fees and per cubic yard fees, but some charge only per cubic yard fees. The 16 landfills that charge only volume fees were converted to tonnage fees for the rest of the analysis in this paper. This standardized fee allows all 98 landfills to be analyzed in one group.

The most meaningful indicator for posted landfill tipping fees is the median of \$45 per ton of MSW.

**Table 2: Posted landfill MSW tipping fees.**

Fee Category	Number of Landfills that Reported the Fee	Median Fee	Average Fee	Average Fee Weighted by Annual Disposal
Minimum Charge	90	\$13	\$17	\$27
Per Ton	82	\$48	\$54	\$50
Per Cubic Yard	22	\$13	\$15	\$27
Type of Vehicle				
Car	19	\$9	\$11	\$9
Truck (Pickup)	29	\$20	\$22	\$24
Truck Loaded Over Cab	14	\$34	\$31	\$29
Vehicle	13	\$15	\$22	\$36
Standardized Tipping Fee (Per Ton)	98	<b>\$45</b>	\$54	\$51

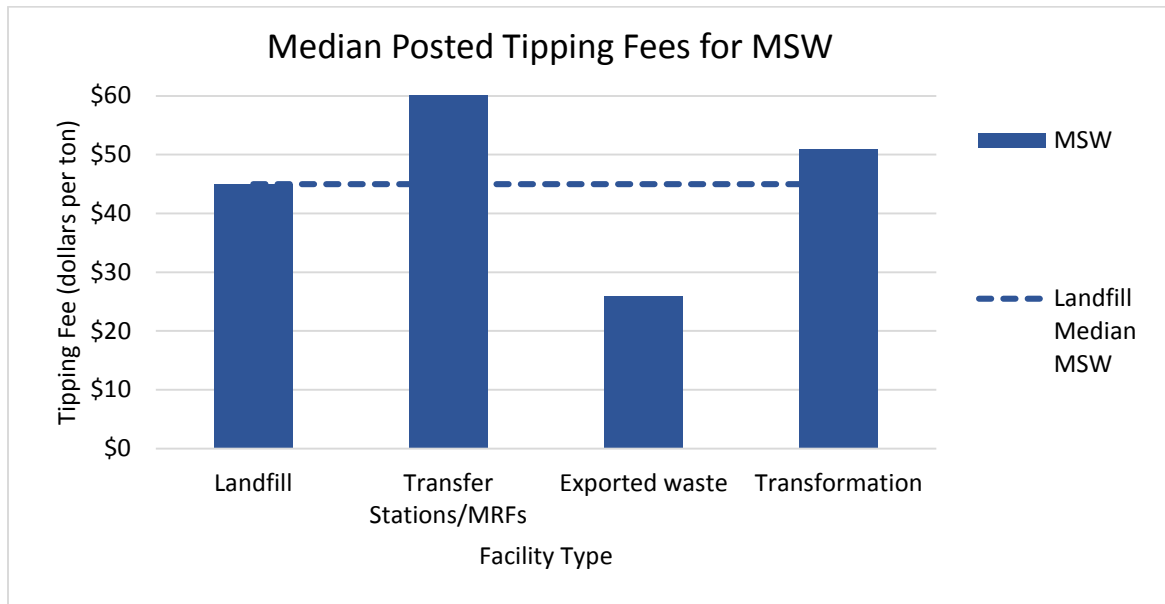
### ***Posted Landfill MSW Tipping Fees Compared to Other Facilities***

Landfill tipping fees in California were also compared to other solid waste management activities in the state. While the vast majority of waste disposed in California during 2012 was landfilled in state (96 percent), waste was also exported to landfills in Nevada and Oregon (1 percent) and sent to one of three transformation facilities (3 percent). Transfer stations also accept waste in the state for processing and transportation to landfills. Table 3 and Figure 2 summarize tipping fee survey results by facility type, material type, median, average, and range.

**Table 3: Median, average, and range of posted tipping fees for each disposal facility surveyed in dollars per ton. All landfills and transformation facilities were surveyed in this study; data for other facilities are from a sampling of facilities (Appendix A).**

Facility	Median MSW	Average MSW	Range MSW
Landfill	\$45	\$54	\$0- \$126
Transfer Station	\$61	\$74	\$0-\$178
Exported Waste	\$16 per cubic yard NV \$26 per ton OR	N/A	N/A
Transformation	\$52	\$52	\$50-\$53

**Figure 2: Median posted tipping fees for MSW. The blue line is the landfill median. All landfills and transformation facilities were surveyed in this study; for other facilities, a portion of facilities was sampled (Appendix A).**



## Exports

Waste from California was exported to Lockwood Regional Landfill in Nevada and Dry Creek Landfill in Oregon in 2012. Lockwood Regional Landfill charged \$15.50 per cubic yard (California Median: \$13 per cubic yard) and Dry Creek Landfill charged \$26 per ton (California Median: \$45 per ton). While the tipping fees in Nevada were comparable to California, the Oregon tipping fee was lower than the California median. This might help explain why some border counties choose to send their waste to Oregon or Nevada rather than pay higher transportation and disposal costs at a neighboring county's landfill. For some communities, the out-of-state landfills are closer than landfills in California.

## Transformation Facilities

Transformation facilities are CalRecycle-permitted waste-to-energy facilities. Three permitted transformation facilities were in operation in California during 2012, located in Stanislaus County in the Central Valley and in Los Angeles County. These transformation facilities charge between \$50 and \$53 per ton of waste, a median (and average) of \$51.50 per ton, which is higher than the statewide landfill tipping fee median of \$45 per ton. Around the Central Valley transformation facility, four of the five landfills within 35 miles of the facility charge between \$33 and \$45, with only one facility charging more than the state median, at \$88. Around the Los Angeles County facilities, half of the landfills charge \$38 to \$41, while the other half charge between \$49 and \$59 within 35 miles. This local data again affirms why the median values are so important. When using the statewide average (\$54), transformation appears less expensive than landfiling, while transformation is actually a more expensive alternative to landfiling in California when compared to the statewide median as well as the surrounding landfills. Negotiated rates at the transformation facilities may also differ significantly from the public "self-haul" rates.

## Transfer Stations

Waste can also be taken to a transfer station. There, it is either transported directly to a landfill for disposal, or the recyclables are sorted and processed for end users and recyclables markets prior to the transport of the residuals to a landfill. This consolidated waste is usually transported longer distances in fewer vehicles to a landfill. These added steps (transportation and sorting) may also play a role in the tipping fees charged at these facilities. In many counties without landfills, transfer stations are the only self-haul option for the public.

Transfer stations charge a median fee of \$61 per ton for MSW, which is \$16 more per ton than the median that landfills charge for MSW. This higher fee may be a result of transportation costs as well as tipping fees incurred by the transfer station for final disposal at the landfill. The range of transfer station tipping fees, from \$0 to \$178, is higher than all other facility types surveyed. The maximum of the transfer station tipping fee data set is \$50 higher than any other facility. This suggests that transfer stations have additional costs that lead to higher tipping fees.

## ***Posted Landfill Tipping Fees for Green Waste***

Landfills often charge different fees based on material type disposed, so the tipping fees for MSW discussed in the previous section will now be compared to green waste tipping fees at California's landfills. Many landfills charge different fees for green waste, construction waste, and hard-to-handle items such as appliances and carpet.

CalRecycle does not directly track how much green waste is disposed at landfills or how much green waste is sent to diversion facilities. However, CalRecycle does conduct periodic waste characterization studies, which provide estimates for the waste stream composition in California. Based on these studies, CalRecycle estimates that 7.1 percent of the waste disposed at landfills was green waste and 15 percent was food waste in 2008.<sup>14</sup> Green waste landfill disposal is estimated to be about 2 million tons annually.

Landfills are required to report green waste tonnages if they are used as alternative daily cover (ADC) or alternative intermediate cover (AIC) on site. For the purposes of local jurisdiction diversion mandates, this tonnage is not considered disposal until 2020 (and would be in addition to the 7.1 percent of the waste stream\*).<sup>15</sup> Green waste ADC and AIC accounted for about 2 million tons annually.<sup>16</sup>

Most tipping fee studies, particularly those cited in this study, focus primarily on MSW at landfills. In California, the 4 million tons of green waste going to landfills annually could go to higher and better uses. Recent legislation expands organics recycling,<sup>17</sup> and the California Air Resources Board (ARB) 2014 Scoping Plan Update<sup>18</sup> has noted green waste recycling's potential to reduce greenhouse gas emissions.<sup>19</sup> Redirecting this recyclable material away from the landfill can play a key role in determining whether California meets waste recycling and greenhouse gas reduction goals in the future. Given this background, it is important to understand how the fees charged for green waste vary by facility type. Twenty-two landfills (about 15 percent of landfills) are co-located with compost facilities.

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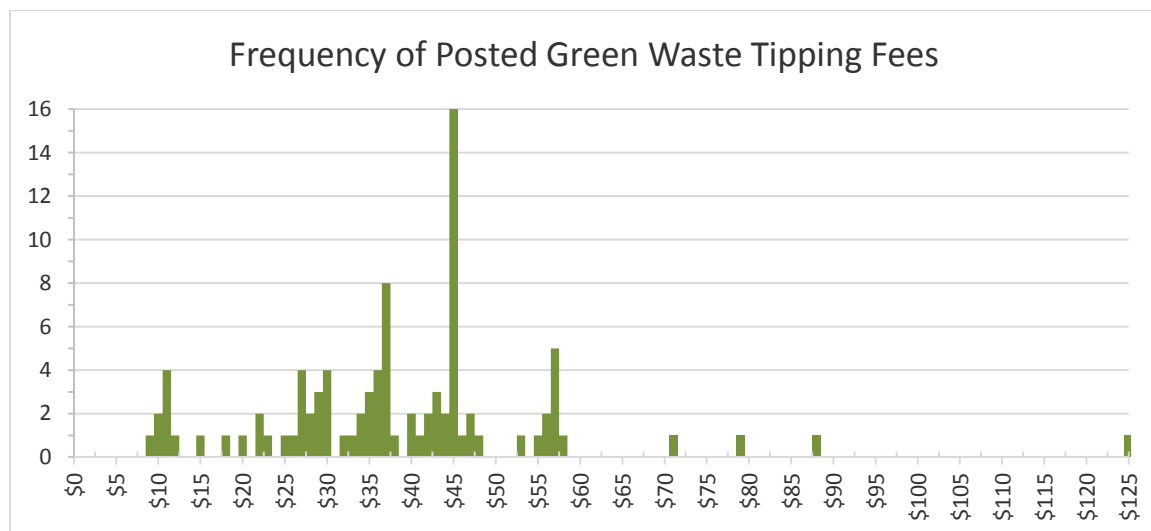
\* Due to passage of AB 1594 (Williams, Chapter 719, Statutes of 2014), green waste ADC will no longer be considered diversion as of 2020.

The median public tipping fee for green waste at landfills was \$39 per ton, \$6 less than the MSW public tipping fee. The complexity in how landfills charge customers for MSW is similar for green waste material, as noted in Table 4. The median is likely a more accurate representation of green waste tipping fees, but the average is only \$1 higher.

**Table 4: Posted landfill green waste tipping fees from survey in detail.**

Fee Category	Number of Landfills that Reported the Fee	Median Fee	Average Fee
Minimum Charge	88	\$11	\$15
Per Ton	78	\$42	\$41
Per Cubic Yard	25	\$7	\$10
Standardized Tipping Fee (Per Ton)	97	\$39	\$40

**Figure 3: Frequency of posted green waste tipping fees. Chart of all landfills accepting green waste from the public in California by tipping fee.**



Green waste was less expensive to send to a landfill than MSW by \$6 per ton, but not all landfills charge less for green waste. Staff found that while most facilities (58 percent) charge less for green waste than MSW, there were 16 percent that charged more for green waste than for MSW (Figure 4).

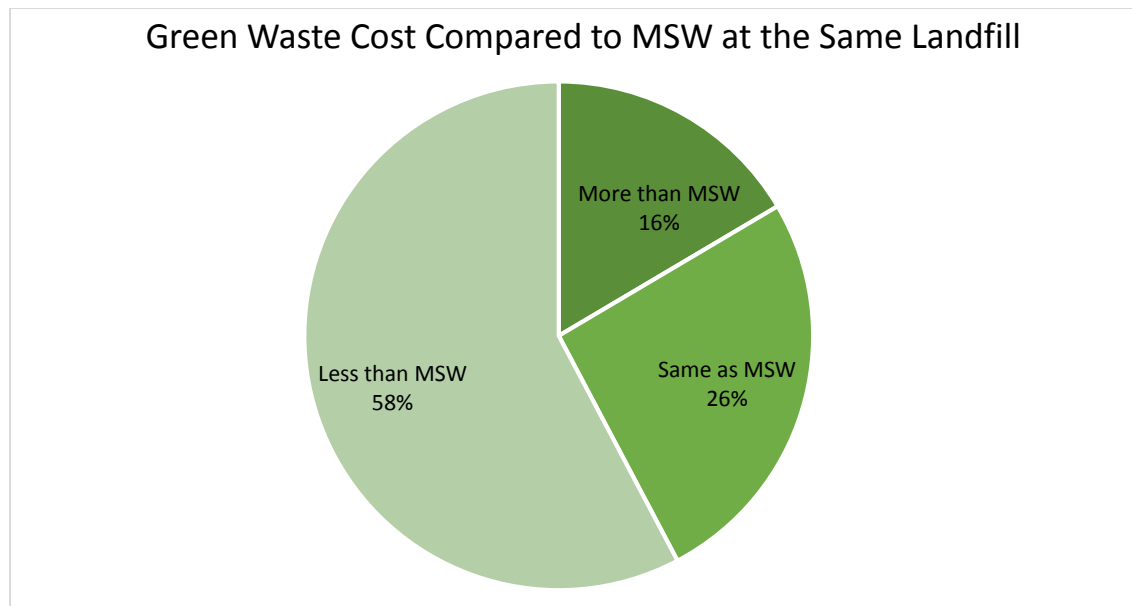
Landfills might charge less for green waste than for MSW because:

- Green waste may be easier to handle.
- Green waste may be a resource when used as ADC or other purposes on-site.
- Landfills do not pay the \$1.40 state disposal fee on green waste ADC.

Landfills might charge more for green waste than for MSW to discourage green waste disposal.



**Figure 4: Posted green waste cost compared to MSW at the same landfill. Chart compares the green waste fees and MSW fees at the same landfill.**



### ***Posted Landfill Green Waste Tipping Fees Compared to Other Facilities***

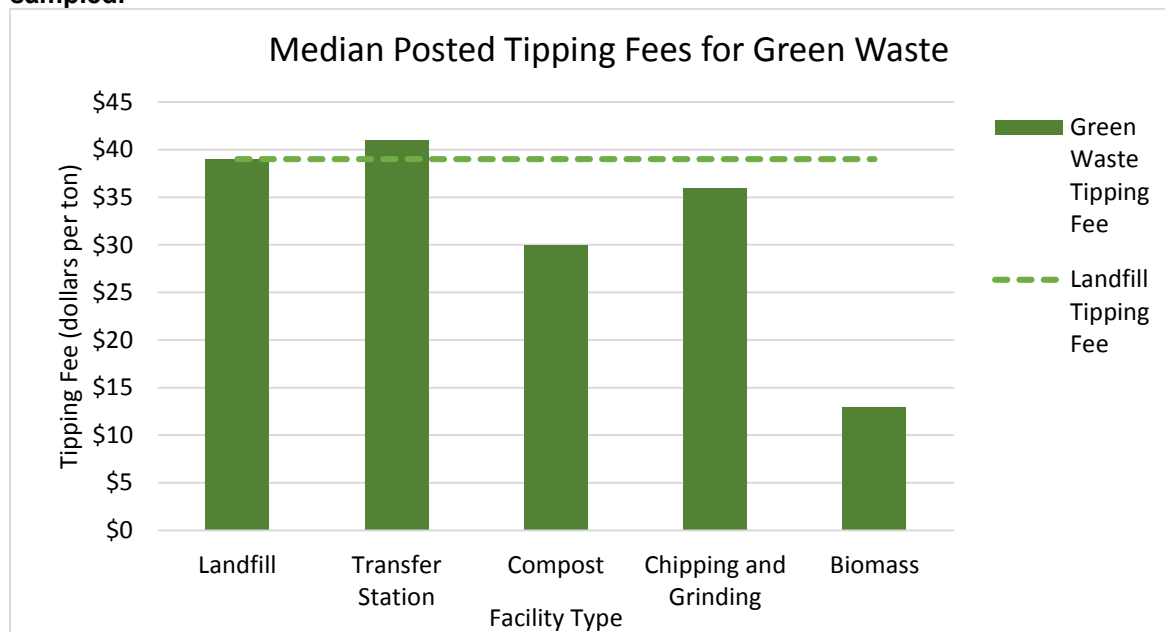
This section discusses tipping fees at facilities that dispose of MSW and green waste, and facilities that divert green waste. Table 5 and Figure 5 show the medians, averages, and ranges for green waste tipping fees by facility type.

Landfills and transfer stations (usually associated with the “disposal” of waste) charge the most per ton for green waste received compared to the other facilities surveyed in this study. Landfills and transfer stations might have the benefit of being the culturally accepted means of dealing with waste in the United States, as noted in the Columbia University study,<sup>20</sup> requiring other facilities to compete with landfills for business. It is also important to note that public fees are not paid by solid waste haulers with negotiated rates, so the dynamics of the fees actually charged by landfills or other facilities may be complex.

**Table 5: Posted green waste tipping fees at disposal and diversion facilities that accept green waste in California.**

Facility	Median Green Waste	Average Green Waste	Range Green Waste
Landfill	\$39	\$40	\$9-\$126
Transfer Station	\$41	\$49	\$0-\$178
Compost	\$30	\$30	\$0-\$127
Chipping and Grinding	\$36	\$40	\$0-\$128
Biomass	\$13	\$16	\$0-\$47

**Figure 5: Median posted tipping fees for green waste. The green line is the landfill median. All landfills were surveyed in this study; other facilities have a portion of facilities sampled.**



A substantial amount of green waste generated in California goes to facilities other than landfills. In California, disposal is tracked in CalRecycle's DRS, but for the most part diverted materials are not directly tracked. Green waste materials can be recovered for recycling at some transfer stations (those that act as material recovery facilities), converted into energy at a biomass conversion facility, processed at a chipping and grinding facility for future use, or composted at a composting facility (includes anaerobic digestion). Compost, chipping and grinding facilities, and biomass conversion facilities capture organic material and process or convert the material for a more beneficial use. The products from these facilities are sold to agricultural and horticultural consumers as soil amendment and mulch or to public utilities as electricity from biomass conversion. There are more than 350 of these facilities in California.

Compost, chipping and grinding facilities, and biomass conversion facilities that accept green waste on average charge less than disposal facilities accepting green waste. As an incentive to secure feedstock, green waste diversion facilities may take green waste for free, which significantly lowers the median fee of this data set. The pricing contrasts at green waste facilities plays out at the local level between facilities directly competing for feedstock, rather than at the statewide level. Chipping and grinding facilities charged the most per ton of green waste (\$36), which was slightly less than landfills. Compost facilities and biomass conversion facilities had lower medians than other green waste diversion facilities (\$30 and \$13 per ton respectively). Some of the difference may be attributed to the fact that green waste is not subject to the \$1.40 per ton state fee. Green waste can also be turned into a product (compost or energy) at these facilities, creating a source of revenue that could offset tipping fees. More work is needed to understand the financial complexities related to green waste handling in California.

### ***Negotiated Tipping Fees in California***

When discussing tipping fees, one must take into account the fee structures at landfills. In addition to the public “self-haul” tipping fee, landfills can have negotiated rates. Negotiated fees are tipping fees agreed to between the landfill and a city, county, hauler, or other facility. The negotiated fees are usually for a given time period and can be renegotiated once they expire. In California, solid waste haulers, which are most likely to have a negotiated fee, transport about 80 percent of the waste received at landfills.<sup>21</sup> So, up to 80 percent of loads are charged a negotiated rate.

Negotiated fees may be lower or higher than the “self-haul” fee on a case-by-case basis. Based on a small sample size of 22 negotiated tipping fees at a handful of different landfills across the state, the majority of negotiated tipping fees were much lower than the public tipping fees. When taking the difference between the two, the median difference was \$25. The discount from the public fee to the negotiated fee ranged from an 11 percent discount to a 76 percent discount. Only two negotiated fees in our sample were higher than the publicly posted tipping fees, each being about 20 percent higher.

So while the public tipping fees in California have a median of \$45 per ton disposed, about 80 percent of loads at landfills in California could be charged much less in tipping fees. This lowers an already low statewide tipping fee. While this sample of negotiated rates is small, not statistically representative, and doesn’t capture every nuance of the state, the results suggest that the effective median landfill tipping fee for most waste in California could be as low as \$20 per ton.

# Mapped Landfill MSW Tipping Fee Data

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There are major differences between landfills in terms of demographics, ownership, scale, population, material bans, volume, types of materials handled, capacity, local regulatory policies or fees, as well as site specific factors such as terrain, climate, and accessibility. These are just a few of the ways that landfill tipping fees can be influenced. Looking at the data for the state as a whole can lead one to easily miss the nuances of local data. While not every variable that could influence how a landfill sets its tipping fee was quantified, some descriptive factors that may differentiate landfills are explored in the following maps.<sup>†</sup> They include:

- Regional location
- Rural or urban county location
- Public or private ownership
- 2012 disposal tonnage amounts
- Landfill proximity to other landfills

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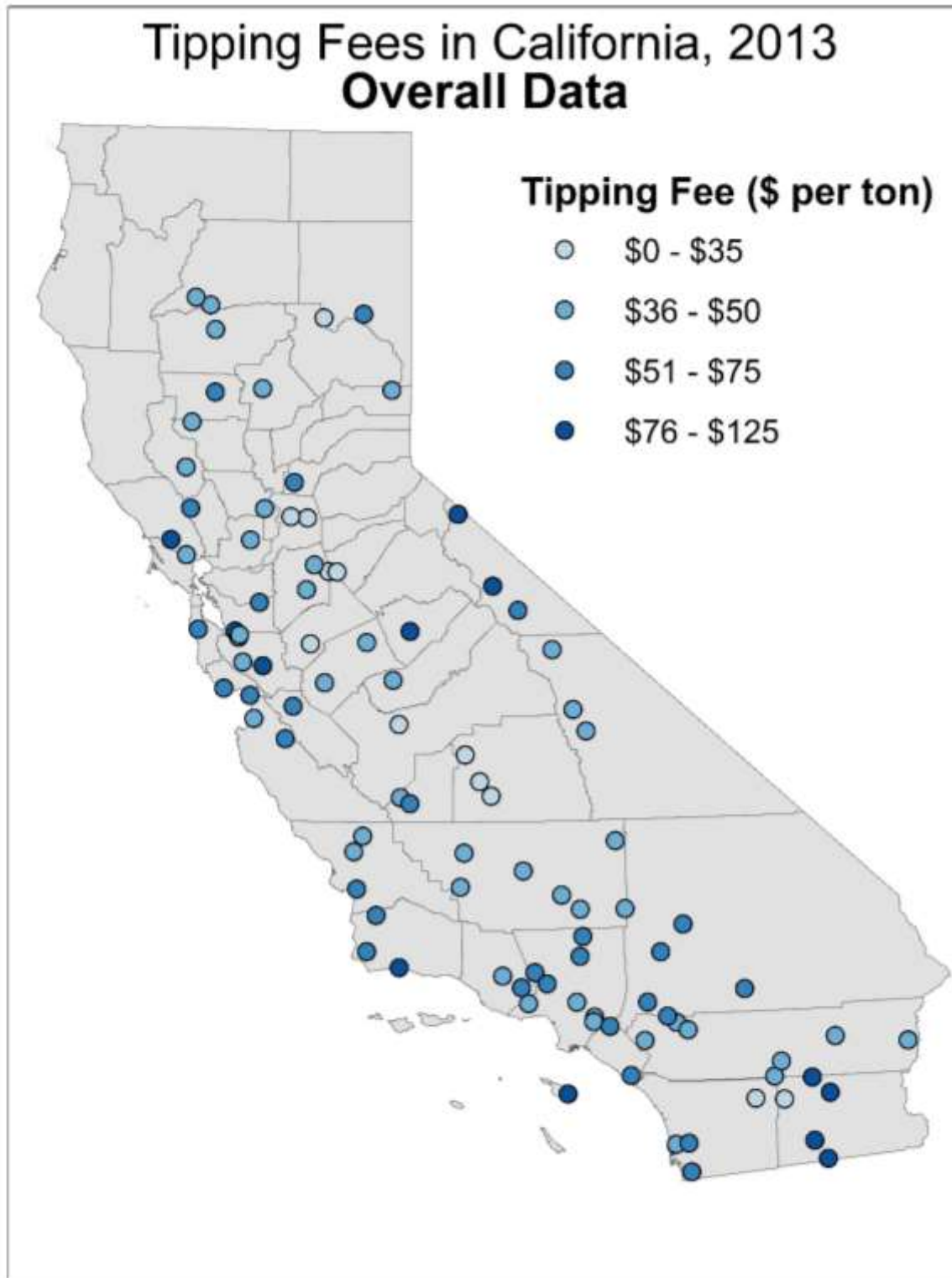
<sup>†</sup> All of the maps in this section present tipping fee data as \$ per ton, except for the disposal tonnage and landfill proximity comparison maps (these maps use a low, mid, high scale). The frequency graph (Figure 1) was used to choose appropriate classifications (ranges) of tipping fee data when mapping, and the classifications remain constant throughout the mapped analysis (Table 1).

## **Overall Data**

Figure 6 presents the tipping fees for all the landfills surveyed in this study. The darker colors (higher tipping fees) occur primarily in the Bay Area and Sierra (mountainous) regions, while lighter colors fall in the Central Valley.

The detail presented on this general map emphasizes the complexity of data within the state of California, while also revealing certain patterns or data clusters. California, as a state, has a wide range of market types, communities, climates, county sizes, population centers, and concerns (environmental, business, etc.), which are just as important to understanding tipping fee data as the landfill factors stated in the previous section. California is a complex state, so, naturally, data concerning California's landfills will also be complex.

Figure 6: Overall data. Map of all landfills with tipping fees. The tipping fees are \$ per ton. See Table 1 for a breakdown of the tipping fee data.



## Regional Data

Figure 7 divides the state into five regions based upon certain shared characteristics (i.e. demographics, climate, economics, and industry) that impact waste management practices. These regions are identical to those used in CalRecycle's 2008 waste characterization study.<sup>22</sup>

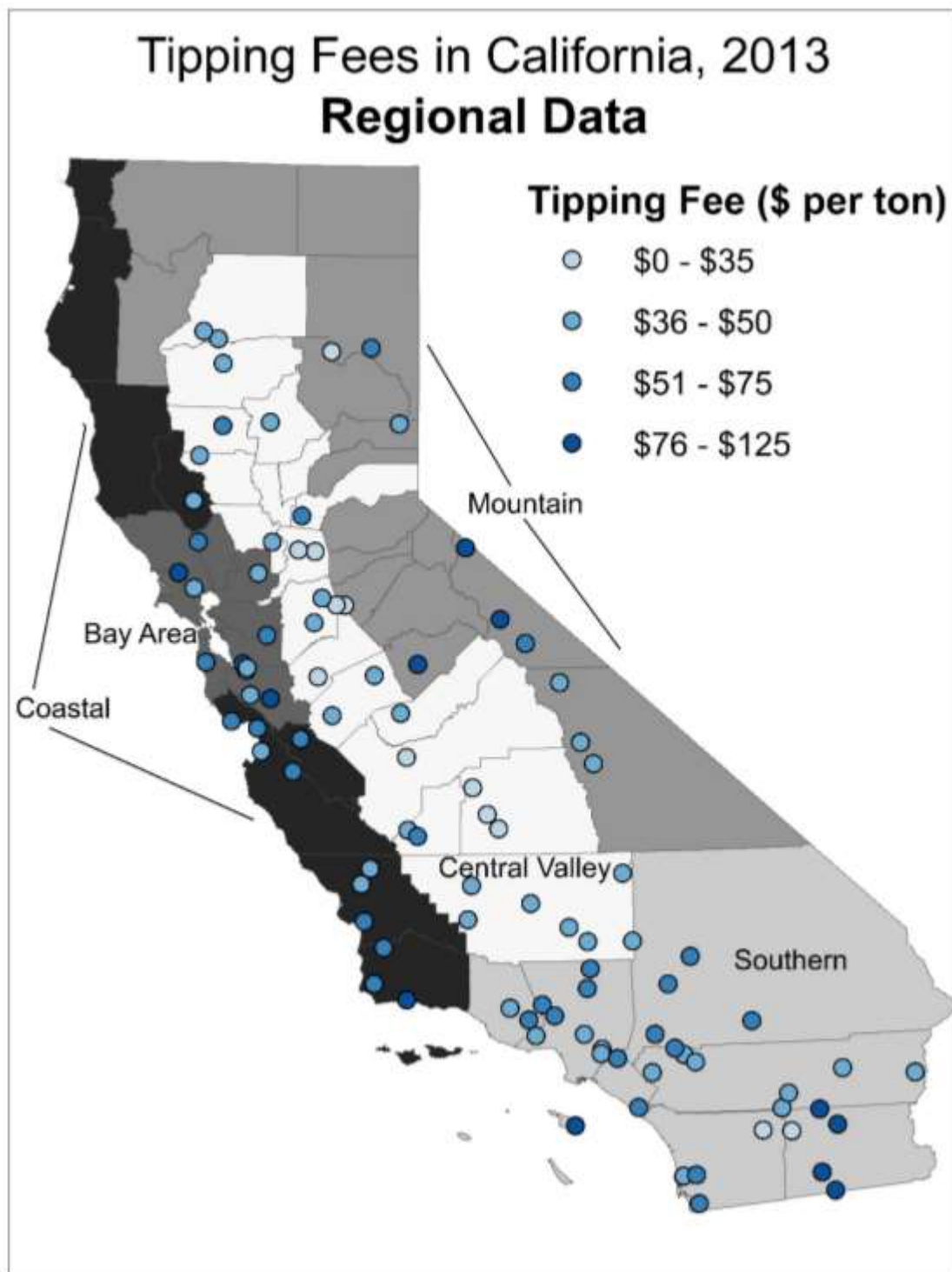
**Table 6: Regional Data. Median fees for facilities in regions as drawn in Figure 7.**

California Regions	Median Fee	Number of Landfills	Range of Fees	Percentage of Waste Disposed in CA
Bay Area	\$68	11	\$37 - \$115	15.5%
Coastal	\$64	12	\$45 - \$82	5%
Southern	\$56	34	\$12 - \$126	61%
Central Valley	\$43	30	\$23 - \$75	18%
Mountain	\$42	11	\$0 - \$121	0.5%

- **Bay Area:** These are urban counties in the San Francisco Bay Area. They are metropolitan and have strong industrial components. Most landfills in this region are privately owned. The median tipping fee in the Bay Area region, \$68 per ton, is the highest in the state.
- **Coastal:** These are northern and central coastal counties (not in the Bay Area or Southern regions). The coastal region is more populated than the rural mountain region and has a large agricultural component similar to the Central Valley. The central coast has a mix of public and private landfills. The tipping fee median in this region is \$64 per ton, with all fees in the data set at, or above, the statewide median (data range: \$45 to \$82).
- **Southern:** These southern counties are strongly industrial with large populations and some agricultural influences. This region has the most landfills in the state (34) and a mix of landfill owners. The median tipping fee in this region was \$56 per ton, \$11 above the state median.
- **Central Valley:** These counties between the Mountain and the Coastal regions have a major agricultural base, some important population centers, and some manufacturing. The median tipping fee is \$43 per ton and is just below the state median. The range of tipping fees has the lowest maximum in the state (\$75). Only four tipping fees in the Central Valley region are above the state median.
- **Mountain:** These are rural counties with strong agricultural economies, a low population density, and a low industrial base. All landfills are publicly owned. The median of \$42 per ton is below the state median, but the data set is the only one with a clear division in fees: Half the data set is \$42 and below, the other half is \$70 and above. More counties in this region have no tipping fees (\$0) and use other methods (e.g. property taxes) to fund their landfills.

There are clear regional differences in California's tipping fees. The Bay Area and Coastal regions have the highest median tipping fees, \$20 above the statewide median, but with different distributions. The Southern region has a lower median fee than these two regions at \$56, but it is still above the statewide median. The Mountain and Central Valley regions both fall below the statewide median.

Figure 7: Regional data. Regions are shaded to show the geographic extent. Medians are presented in Table 6. Region borders were determined using CalRecycle's waste characterization study regions.





## Owner Data

In Figure 8, tipping fees are mapped with private landfills in purple and public landfills in green. Privately owned landfills are owned by a private company, while public landfills are owned by a city, county, or federal entity (i.e. military base). Landfills owned by a public entity but operated by a private company were considered publicly owned for this analysis. Table 7 breaks down this data by the overall category, public or private, and by specific owner. In the public category only counties and cities are considered, but there are other types of public owners in California. The data presented in Table 7 shows that landfill owner has a strong correlation to tipping fees.

**Table 7: Median landfill tipping fee based on owner.**

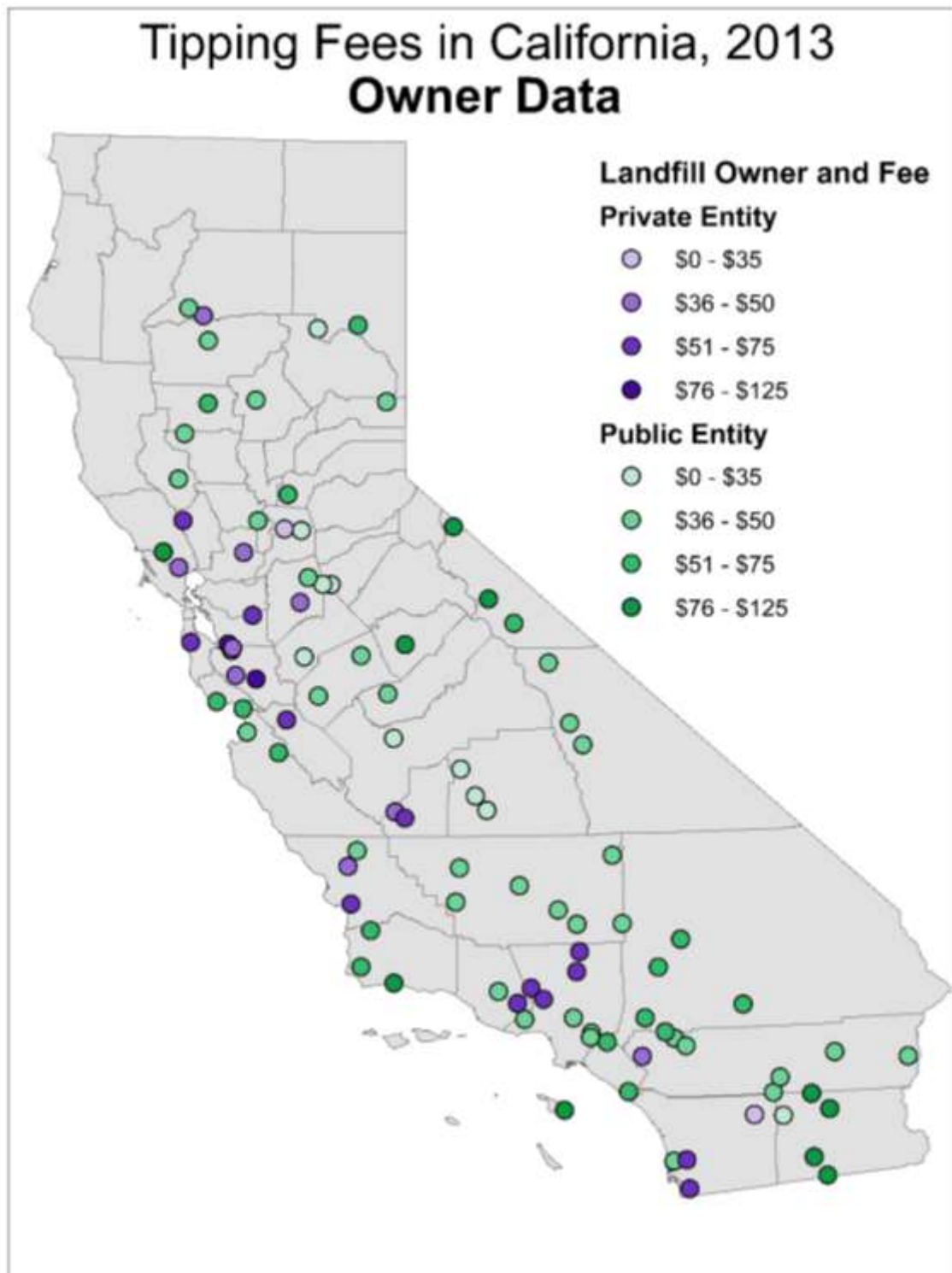
Owner	Median	Number of Facilities	Range of Fees
<b>Public</b>	<b>\$45</b>	<b>71</b>	<b>\$0-\$125</b>
City	\$49	11	\$38-\$125
County	\$45	56	\$0-\$121
<b>Private</b>	<b>\$57</b>	<b>27</b>	<b>\$31-\$88</b>
Recology	\$40	1	\$39.50
Republic	\$64	8	\$31-\$72
Waste Connections	\$60	4	\$40-\$72
Waste Management	\$56	10	\$35-\$88
Other Independent	\$45	4	\$35-\$69

Public and private landfills have considerably different median fees. Public landfills have a median fee of \$45 per ton (the same as the state); private landfills have a much higher median fee of \$57 per ton. Public landfill tipping fees range from \$0 to \$125, while private landfill tipping fees only vary from \$31 to \$88.

Private landfills are predominately located in the larger metropolitan areas of Southern California and the Bay Area, where they are more likely to be able to take advantage of economies of scale (large production of waste) to contain costs.<sup>23</sup> There are only a few private landfills outside of high-population areas. Conversely, public landfills are distributed throughout the state but are uncommon in the Bay Area. More than two-thirds of California's 98 landfills that accept waste from the public are owned by a public entity (71).

Public landfills rely on both public taxes and tipping fees, while private landfills rely only on tipping fees as a source of revenue.<sup>24</sup> According to national data on public landfills, 30 percent of landfills receive all their revenue from tip fees, 35 percent receive all revenue from local taxes, and 35 percent cover the costs through a combination of tip fees and local taxes.<sup>25</sup> Public entities are also responsible for an entire solid waste management program (i.e. special waste pick-up, recycling, outreach), not just the landfill. These fundamentally different funding structures based on landfill ownership likely have an impact on tipping fees.

Figure 8: Owner data. Tipping fees at public and private landfills in California. Medians and ranges are presented in Table 7. Some public landfills may be operated by private companies; these are considered public.



## Rural and Urban Data

California is often considered an urban state, and the majority of landfills are located in urban areas. However, more than half of the state's counties (34) are considered rural.<sup>‡</sup> During 2012, 20 rural counties had landfills. Figure 9 splits landfills into four separate categories (Table 8) and symbolizes each facility by tipping fee, owner, and county location. As a group, the 34 rural counties disposed 2,201,142 tons (7.6 percent of total disposal) in 2012, with the landfills in these rural counties making up 5.8 percent of California's total in-state disposal. (Some rural counties export their waste to Oregon or Nevada.)

Urban landfills have a median tipping fee of \$45 per ton, the same as the statewide median tipping fee. Rural landfills have a median tipping fee that is only \$2 more than this (\$47 per ton), so it would seem that rural and urban landfills charge fairly similar rates. The maximum values between rural and urban are also similar, but the minimums are not. In fact, 4 of the lowest tipping fees are in rural counties.

**Table 8: Median landfill tipping fees by rural and urban county and owner.**

Category	Median Fee	Number of Landfills	Tipping Fee Range
<b>Rural</b>	<b>\$47</b>	<b>32</b>	<b>\$0 - \$121</b>
Public	\$47	26	\$0 - \$121
Private	\$53	6	\$38 - \$75
<b>Urban</b>	<b>\$45</b>	<b>66</b>	<b>\$23 - \$125</b>
Public	\$45	45	\$23 - \$125
Private	\$57	21	\$31 - \$88

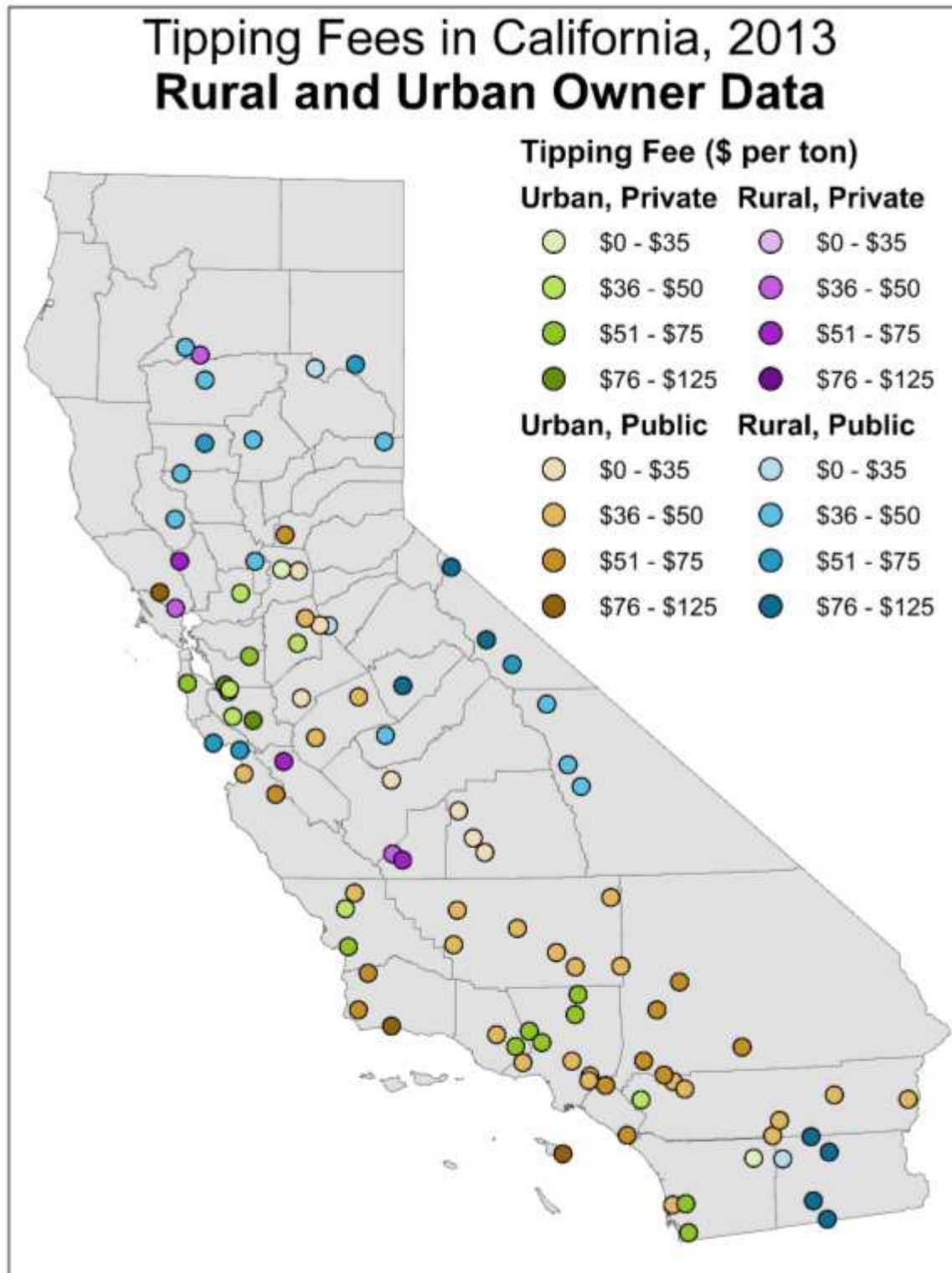
Building on the previous section, rural landfills are also predominately owned by a public entity. Of the 32 rural landfills, more than 80% were owned by a public entity, while only 6 were owned by a private entity. Further, the 6 privately owned landfills in rural counties are located in either the more populated areas of the Central Valley or Central Coast, or along a major transportation corridor.

The most common type of landfills are publicly owned urban landfills, and these landfills charge the lowest median tipping fee (\$45 per ton). This all suggests that rural or urban county location does not influence tipping fee price as much as landfill owner.

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<sup>‡</sup> According to Public Resources Code (PRC) Section 40183-4 rev. 2008, a rural county is defined as only disposing of 200,000 tons in a given year. Table included in Appendix B with rural counties, their disposal, and if they have a landfill or not.

Figure 9: Rural and urban owner data: Rural and urban owner tipping fees.



## Disposal Tonnage and Tipping Fee Data

The amount of waste disposed at a landfill annually also appears to impact tipping fees. In Figure 10, each landfill was categorized (Table 10) based on tipping fee and amount disposed using criteria from Table 9.

**Table 9: Definitions for low, mid-range, and high fees and disposal tonnages**

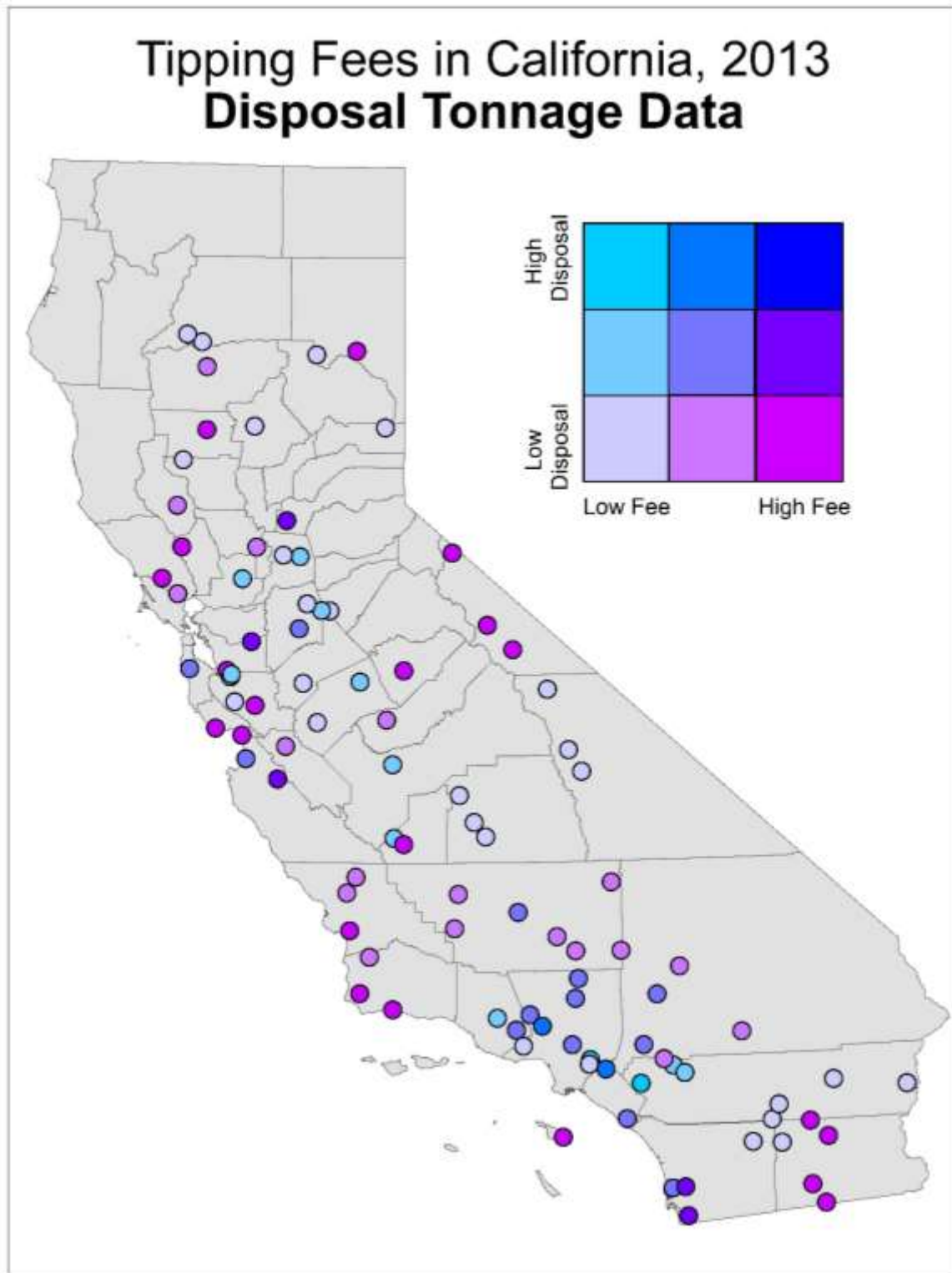
Disposal Category	Fee Category
Low Disposal <200,000	Low Fee <\$35
Mid-Range Disposal 200,000-1,000,000	Mid Fee \$35-\$75
High Disposal >1,000,000	High Fee >\$75

Two-thirds of landfills fall into the “low disposal” category and their fees span the full range from low to high. The most common combination (28 percent) was low tipping fee and low disposal landfills. One quarter of landfills are mid-range disposal and are more likely to charge low or mid-range tipping fees. The very small percentage of landfills with high disposal also charge a low or mid-range fee. Landfills taking in a high volume of waste do not appear to require as high tipping fees to support their operations. The variability in fees charged at public landfills with low volumes may suggest that some of these landfills may have a variety of funding sources other than just the tipping fee.

**Table 10: Facilities that fall into each category, as defined in Table 9 (the organization of this table correlates to the key in Figure 10).**

Low Fee, High Disposal 2 (2%)	Mid-Range Fee, High Disposal 2 (2%)	High Fee, High Disposal 0	<b>4%</b>
Low Fee, Mid-Range Disposal 10 (10%)	Mid-Range Fee, Mid-Range Disposal 13 (13%)	High Fee, Mid-Range Disposal 5 (5%)	<b>28%</b>
Low Fee, Low Disposal 27 (28%)	Mid-Range Fee, Low Disposal 18 (18%)	High Fee, Low Disposal 21 (22%)	<b>68%</b>
<b>40%</b>	<b>33%</b>	<b>27%</b>	<b>100%</b>

Figure 10: Disposal tonnage data: Map ranking disposal tonnages and tipping fees. Each point is symbolized based on its disposal rank and fee rank (Table 9 and Table 10).



## Landfill Proximity and Tipping Fee Data

In Figure 11, tipping fees were clustered into low, mid-range, and high categories (same criteria as Table 9), and landfill proximity was similarly categorized using an ArcMap contouring tool.<sup>§</sup> The number of landfills in a given geographic area (landfill proximity) appears to have some impact on the tipping fees at landfills. The number of facilities charging within each fee category was recorded by each density range in Table 11.

**Table 11: Landfill proximity and tipping fee distribution.**

	Low Fee	Mid Fee	High Fee
Low Density	16	14	14
Mid-Range Density	10	13	8
High Density	13	6	4

In areas with only a few landfills, there is no relationship between proximity and tipping fees. A landfill in these low-proximity areas is as likely to charge a high or low fee, suggesting that other factors besides landfill proximity are more significant in terms of setting tipping fees.

Mid-density landfill areas follow a similar pattern. Mid-density landfill areas are most likely to charge a mid-range fee, but there is only a slight difference between those likely to charge a low or high fee. This difference is so low that it suggests the same concepts as for the low density areas; there is more freedom in setting prices when a landfill is low to mid proximity areas.

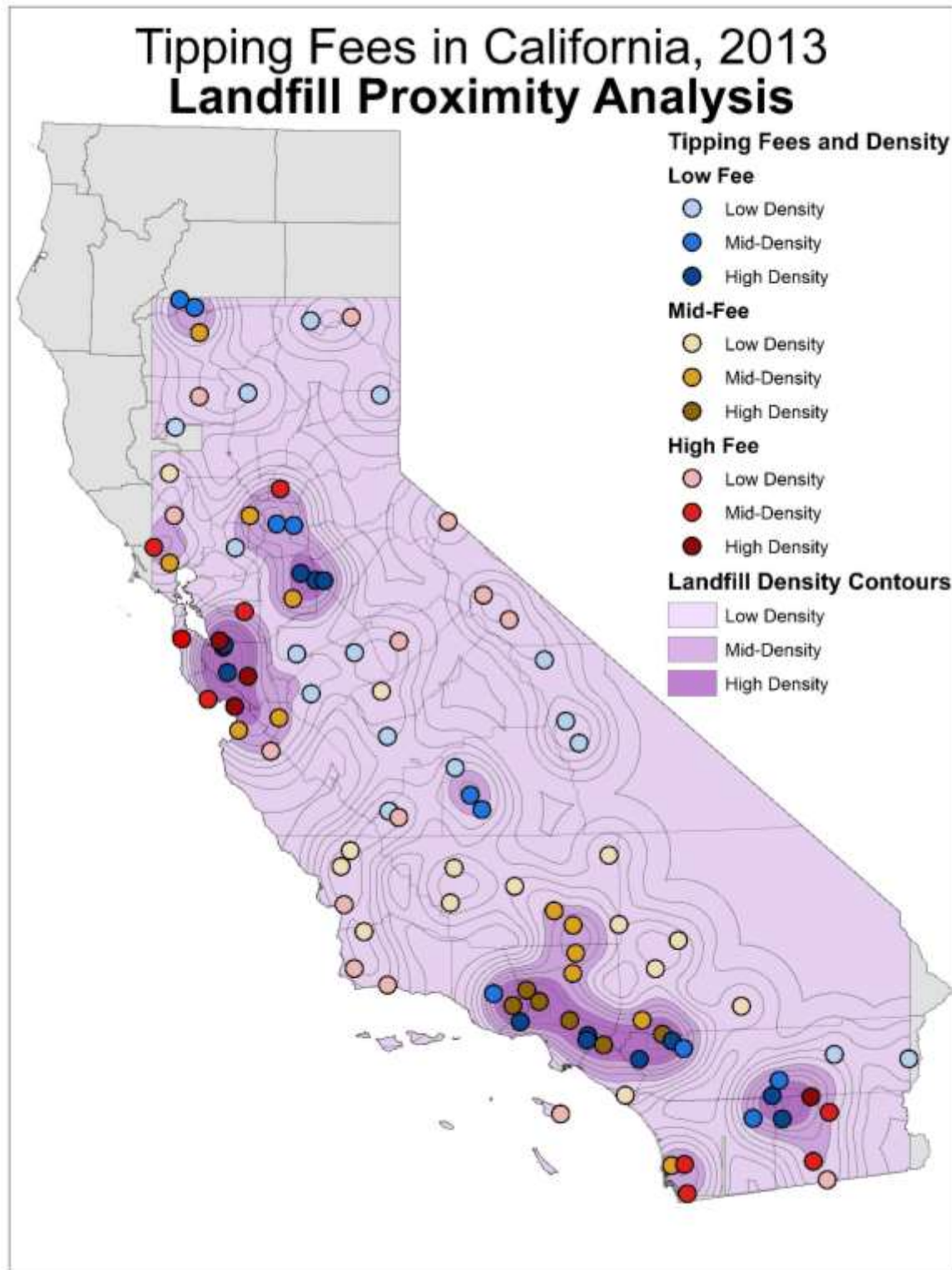
Differences in tipping fees emerge in high density locations where there are more landfills located near each other. These landfills are twice as likely to charge a low fee over a mid-fee, and three times as likely to charge a low fee over a high fee. This suggests that competition between nearby landfills may result in lower tipping fees.

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<sup>§</sup> Contours were created by first turning the landfill points into a heat or density map, with hot spots or darker areas containing more landfills than lighter areas. The contouring tool then took this raster heat-map and created contour lines, which were numbered .0002 through .0012. These contour lines were then divided by staff into regions of high density, medium-range density, and low density. (These lines are included in Figure 11).



Figure 11: Landfill proximity analysis: Tipping fees and landfill proximity (Table 11). Landfill proximity was determined using an ArcMap contouring tool, with the contours displayed here.





# California Tipping Fees Compared to the United States and the European Union

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## ***U.S. Tipping Fees***

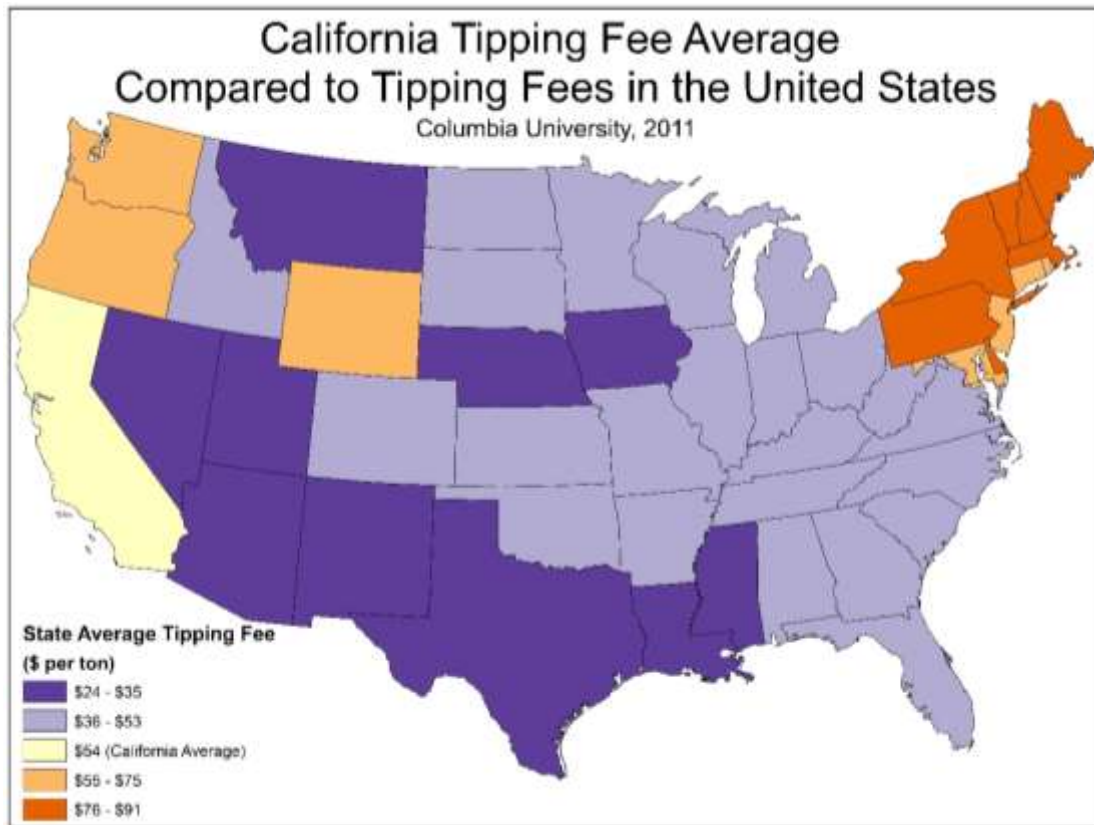
To understand how tipping fees may impact waste management decision making, this study reviewed national data compiled by BioCycle<sup>26</sup> and Columbia University (EEC)<sup>27</sup> detailing landfill tipping fee data and other MSW data. Columbia University's and BioCycle's bi-annual survey, *State of Garbage in the United States*, is considered the authority on waste management practices in the United States. In 2011, Columbia University took over the research and replaced this bi-annual report with a more comprehensive study of waste management practices in the United States. The data collected by both BioCycle and Columbia rely on state-reported statistics, and for this section the latest data<sup>28</sup> from 2011 is used and presented in Figure 12. Due to the fact that Columbia and BioCycle used averages in their analysis, this section will use California's average rather than median value for comparison. It is important to note that California's average (\$54 per ton) is inflated due to skewed data, the median (\$45 per ton) is more representative, and California's predominance of negotiated tipping fees most likely drives this price even further down. Because these surveys looked at a few of the largest facilities in each state rather than a census of all facilities, the results may not be directly or completely comparable to the data gathered for this report. As in California, each state's full set of landfill tipping fees may show characteristics that would suggest that the averages for the limited samples may or may not be the best representation of their fees. As a result, these comparisons, while illustrative, should not be considered conclusive.

Figure 12 compares statewide average tipping fees in the United States to California's average tipping fee. Average tipping fees in the Northeast and West regions are the highest in the United States and are higher than California's tipping fee average. Columbia University reported an average U.S. tipping fee of \$49 for 2011.

The average tipping fee in a region generally correlates with the percentage of waste landfilled in that region (Table 12). With some exceptions, the higher the tipping fee, the lower percentage of waste a region landfills. In the Northeast and Mid-Atlantic, a greater percentage of waste is sent to waste-to-energy facilities rather than to landfills, the West sends more generated waste to be either recycled or composted, and all of these regions have the highest tipping fees in the United States. Higher landfill tipping fees may make other alternatives like transformation or recycling competitive economically. The Southern and Midwestern states charge well below California's average tipping fee, and they landfill a majority (up to 75 percent) of their waste. Higher tipping fees appear to be discouraging landfilling but may not spur recycling unless this option is specified as a priority by state-level policy, as it is in the Western states.

Figure 13 plots this information but with the added detail of each state's data and a trend line that shows the relationship between tipping fees and percentage landfilled. Based on the national data, California charges less per ton than expected based on the percentage landfilled in each state.

**Figure 12: California tipping fee average compared to tipping fees in the United States.** Average tipping fees for each state in 2011 (Columbia University) compared to California's average landfill tipping fee of \$54.<sup>29</sup> Dataset provided in Appendix C.



**Table 12: Average tipping fees and percentage of waste landfilled (based on tonnage and tipping fees reported by Columbia University)<sup>30</sup> and using BioCycle's regions.<sup>31</sup> A complete table is provided in Appendix C.**

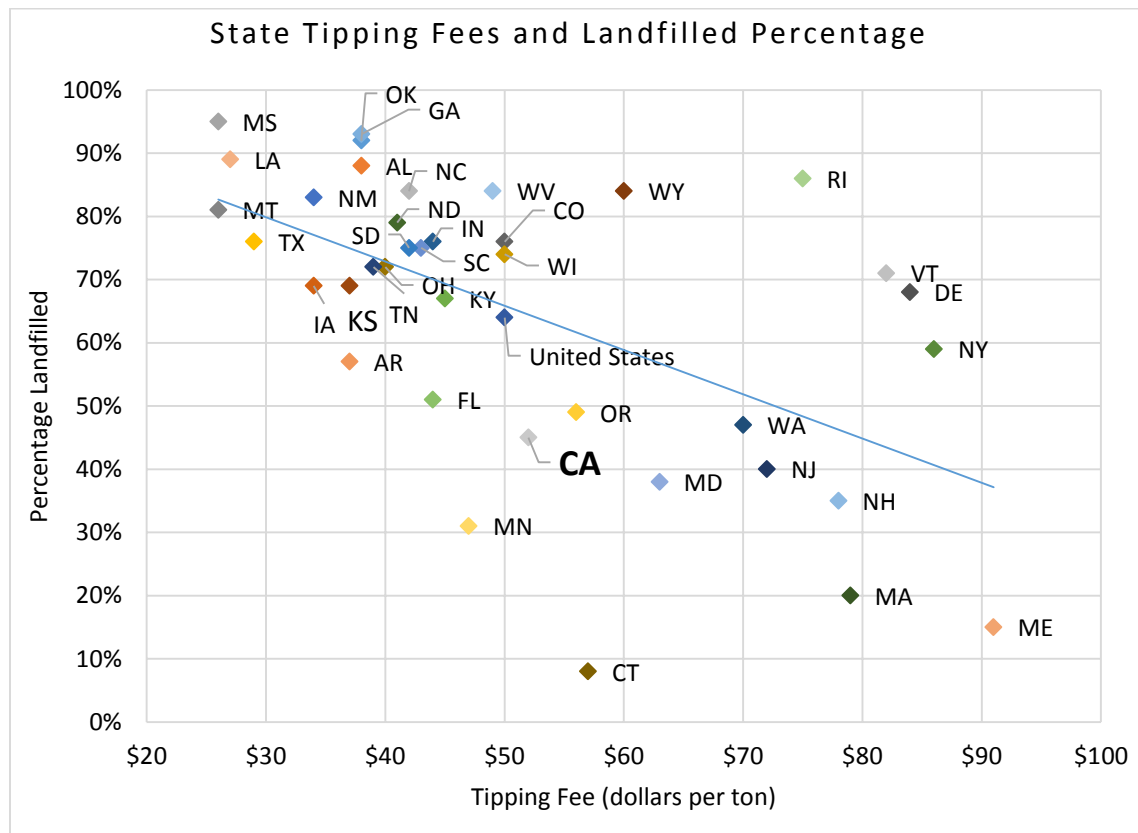
United States Regions	Tipping Fee Average	Percentage Landfilled
New England	\$77	24%
West	\$51	46%
Mid-Atlantic	\$72	49%
South	\$39	73%
Midwest	\$36	75%
Great Lakes	\$45	76%
Rocky Mountains	\$39	84%

When comparing other states to California, it is important to consider factors outside of the amount landfilled that could affect tipping fees. First, landfills in each state have various operational needs and concerns. Among others, these concerns could include operating

conditions, land value, climate, demographics, and the cost to implement technologies that protect the environment. There is also the policy side of landfilling, with jurisdictions, counties, and states across the United States regulating landfill behavior to different levels. Many states have bottle bills, landfill bans, and other policies that limit landfilling, encourage waste-to-energy projects, or incentivize recycling. While higher tipping fees may disincentivize landfilling, other programs, policies, or economic instruments likely contribute to lowering the percentage of generated waste landfilled in a state.

California appears to have a low tipping fee when compared to the United States, especially when compared to other regions that have similar environmental policies.

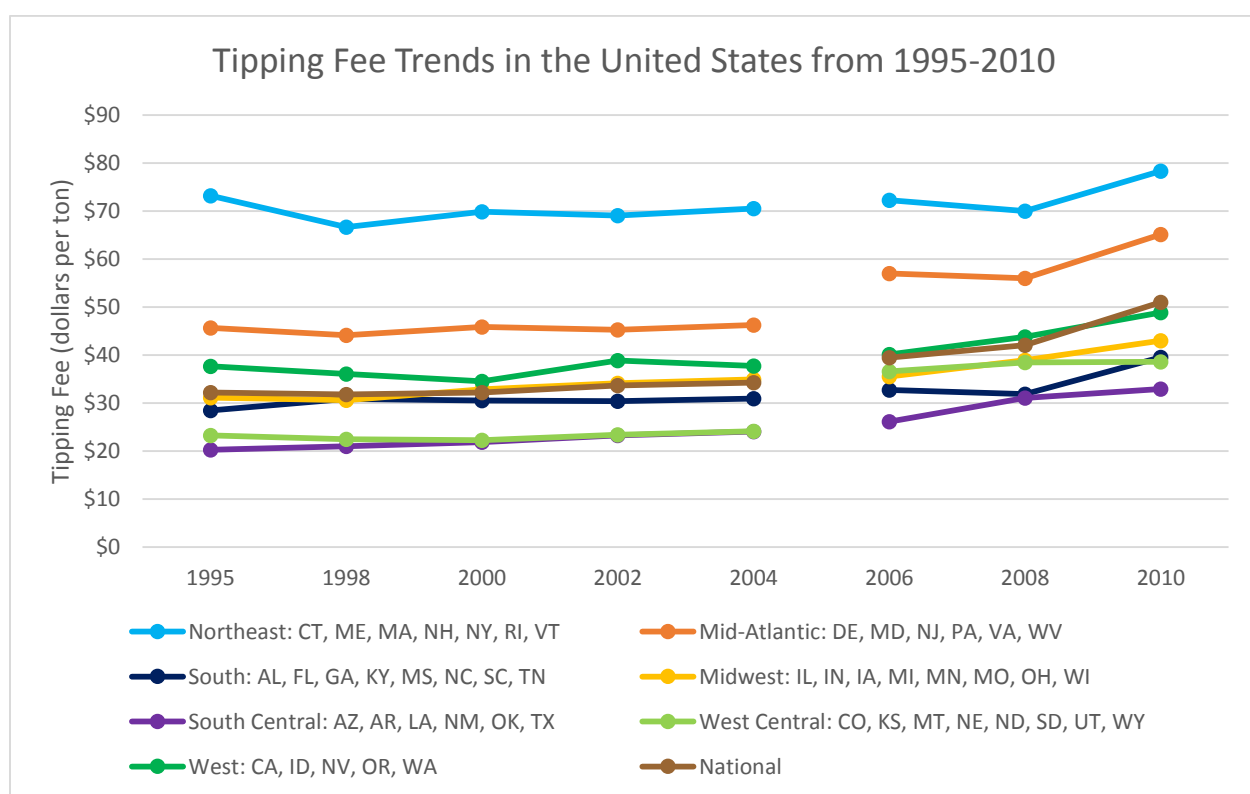
**Figure 13: State tipping fees and landfilled percentage. Trend of landfill tipping fees and percentage of generation landfilled (recycled + composted + combusted + landfilled = generation, according to Columbia University)<sup>32</sup>**



## Historic Tipping Fees in the United States and California

As was mentioned in the introduction, tipping fees have been the subject of research for many years. The NSWMA relied on information from the *Solid Waste Digest* to record tipping fees from 1995-2004 for seven regions of the United States and the national average. The national average and tipping fees in general stayed relatively consistent between 1995 and 2004, but between 2004 and 2010 tipping fees rose \$1.62 per year, which NSWMA has attributed, in part, to rising fuel costs (Figure 14).<sup>33</sup>

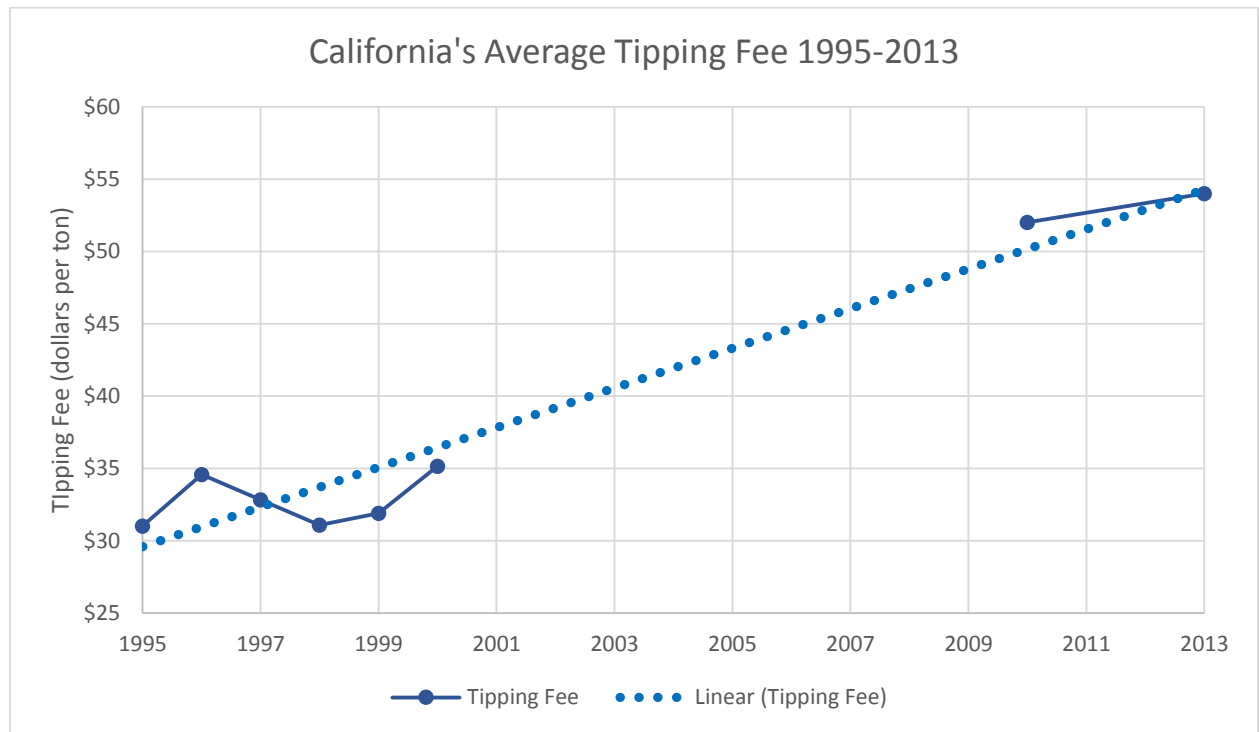
**Figure 14: Posted tipping fee trends in the United States from 1995-2010.** Data from 1995-2004 for the nation's regions and the national average for all years are from NSWMA's article,<sup>34</sup> and data from 2006-2010 are from BioCycle and Columbia University's statewide surveys.<sup>35,36,37</sup> Regions on this graph are from NSWMA's publication and are slightly different from BioCycle's regions used in the previous section.



With limited data for California for the years between 1995 and 2013, we are able to piece together how California's tipping fee has increased in the last 20 years. Between 1995 and 2000, when the last CalRecycle tipping fee surveys were conducted, the tipping fee average varied between \$30 and \$35 per ton. Between 2010 and 2013 the average was \$52 to \$54 per ton. For the years between 2000 and 2010, California-specific data is not available, NSWMA's article only provided data by region, and in the BioCycle surveys California did not supply an average tipping fee. Therefore, as a general trend, in the 10 years between 2000 and 2010, California's average tipping fee increased \$17, an average of \$1.70 per year, which is comparable to the

national trend of \$1.62 per ton increase per year, but the exact increases and trends are not known (Figure 15).

**Figure 15: California's average posted tipping fee 1995-2013: Data prior to 2000 was collected by the California Integrated Waste Management Board (CIWMB, CalRecycle's predecessor), 2010 data is from Columbia University's study, and 2013 data is from this study.**



## European Union Tipping Fees

Given the higher rates of recycling and the ambitious policy directives that focus on moving waste away from landfilling in the European Union, landfill tipping fees in the European Union may be more relevant for understanding how landfill tipping fees could impact future policy development in California. Tipping fees for the European Union member states are displayed in Figure 16. The average “typical” tipping fee in member states of the European Union was \$100 per ton in 2012, with a range of \$0-\$215.<sup>38</sup> California’s average MSW tipping fee at landfills, \$54 per ton, is much lower than the European Union’s average MSW tipping fee at landfills, and the European Union’s range is almost double that of California’s (\$0-\$125).

When comparing the European Union and California, it is important to consider the differences in policy priorities. In the European Union’s Landfill Directive states that by 2016 each member state should be landfilling only 35 percent of what they landfilled in 1995.<sup>39</sup> California jurisdictions are required to divert 50 percent of their generated waste by meeting a disposal target measured as “per capita disposal.”<sup>40</sup> In addition, jurisdictions may receive diversion credit for using waste as a feedstock for energy, which lowers a jurisdiction’s per capita disposal. Transformation accounts for approximately 3 percent of solid waste disposed statewide. Further, California has not promoted the use of waste as a feedstock for energy in the last decade. In the

European Union, waste-to-energy (WTE) is considered a beneficial way to limit waste reaching the landfill and promote energy independence. This is a difference in approach to the issue of waste management: California has concentrated its efforts more on reduction, reuse, recycling, and composting of waste, while the European Union has considerable reliance on WTE.

The range of average tipping fees in the United States is both lower and smaller (\$24 to \$91) than the European Union average tipping fee range (\$4 to \$215). The higher average landfill tipping fee in the European Union may be partially attributed to its landfill directive (the United States does not have a nationwide landfill goal or directive). The wider range in the European Union may be due to the fact that newer member states do not have to meet the landfill directive (or are newly forming waste management strategies) and therefore have lower fees.

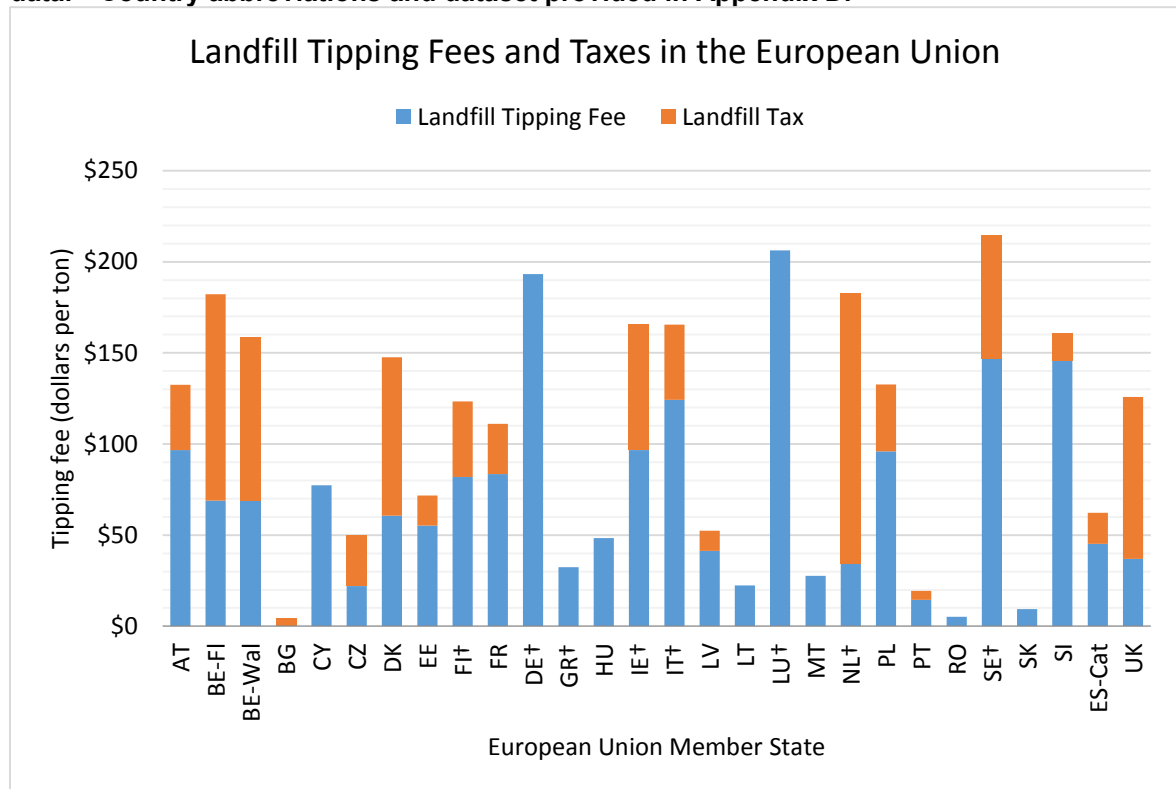
**Figure 16: Tipping fees in the European Union. European Union averages (converted from euros to dollars)<sup>41</sup> compared to California's average tipping fee of \$54.<sup>42</sup> Fees below California's average are light and dark purple, and those above California's average are light and dark orange. Dataset provided in Appendix D.**



The European Environmental Agency (EEA) analysis of European Union tipping fees noted that the landfill directive requires that gate fees cover all costs associated with operating a landfill, including siting, closure, and after-care for up to 30 years, and that this requirement may have led to higher tipping fee costs.<sup>43</sup> Another important factor to consider when contextualizing European Union landfill data is that the data set used in Figure 16 combines landfill gate fees (charged by the operator, the focus of this study) and landfill taxes (charged by public entities). European

Union landfill taxes average \$35 per ton but vary greatly, as shown in Figure 17. California's \$1.40 per ton state fee on each ton of waste landfilled hardly compares to these larger fees, although some local jurisdictions in California do charge landfill taxes that were not researched in this study. Due to these high landfill taxes, the authors of the EEA calculated a "typical landfill fee," which included both the average tipping fee and the landfill tax of each member state.

**Figure 17: Landfill tipping fees and landfill taxes in the European Union, based on EEA data.<sup>44</sup> Country abbreviations and dataset provided in Appendix D.**



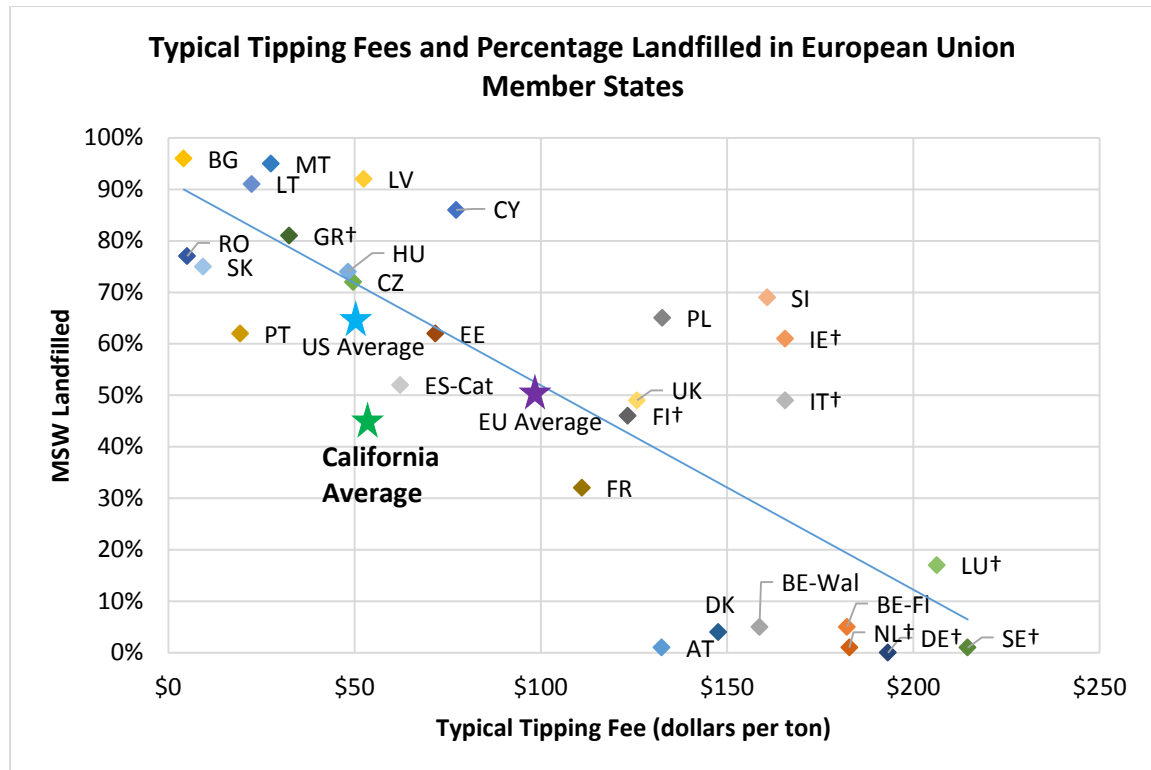
Due to these landfill taxes, the authors from the European Environment Agency (EEA) noted that member states fell into one of three groups<sup>45</sup> (plotted in Figure 18):

- high "typical landfill fee" and low landfill percentage
- mid-range to high "typical landfill fee" and mid-range landfill percentage
- low "typical landfill fee" and high landfill percentage

The same correlation was also observed for landfill fees and the amount of waste recycled and composted.<sup>46</sup> The authors concluded that as an economic instrument for behavior change, increased landfill gate fees and taxes can lower the amounts landfilled, and specifically landfill taxes can change consumer behavior if the customer believes the taxes are high.<sup>47</sup>



**Figure 18: Typical tipping fees and percentage landfilled in European Union member states. European Union member state “typical tipping fees” (which include landfill taxes presented in Figure 17) and percentage landfilled.<sup>48</sup> Country abbreviations are provided in the Appendix.**



Further, in their research, the authors found that while increasing fees at the landfill moves some waste up the waste hierarchy (i.e. to incineration, recycling, or composting), other programs and policies were used in countries that achieved the lowest percentages of landfilling. Germany, for example, has one of the lowest landfilling percentages, one of the highest landfill fees, but also has a landfill ban in place. The EEA authors concluded that while landfill taxes disincentivize landfilling, other programs or economic instruments must be used to achieve a low landfilled percentage.<sup>49, 50</sup>



# Conclusion

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## ***Landfill Tipping Fees Are Complex and Varied***

Tipping fees in California are as complex as the state itself. Tipping fees vary by the unique circumstances at each landfill, which can include, among other factors, their regional location, rural or urban location, ownership, annual disposal tonnage, proximity to other landfills, and operational factors. California is a large state with many different demographics, climates, political subdivisions, and environmental concerns that could also lead to diverse landfill tipping fees. Generalizing about California landfill tipping fees can be difficult and is perhaps more illustrative than decisively conclusive in many cases. Even with these limitations, some interesting findings and conclusions from this preliminary research are included below:

- Larger (more annual disposal) landfills tend to have lower fees than smaller landfills.
- Landfills with other landfills nearby tend to have lower fees than remote landfills.
- Privately owned landfills tend to charge more than government-owned landfills.
- Privately owned landfills are more likely to operate in urban areas, while government-owned landfills are more evenly distributed throughout California (with the exception of the Bay Area).
- Based on a comparison within the United States and with the European Union, landfill tipping fees in California are lower than would be expected based on the percentage of MSW that is landfilled in the state.

## ***Low Landfill Tipping Fees for MSW***

This report supports the general conclusion that tipping fees in California are lower than would be expected in a progressive state with effective programs and ambitious waste management goals. The cost of landfilling solid waste may be too low to promote the behavioral changes needed to push materials to higher and better uses. In relation to the statewide goal of 75 percent recycling by 2020, low landfilling costs do little to help drive the changes that are needed to reach the goal. Data presented in this report for both the United States and the European Union show a correlation between tipping fees and the amount of waste landfilled. In countries that landfill very little waste, tipping fees were higher than in countries that landfill a majority of their waste, and California's data fell below the expected level given its moderate level of landfill disposal. Further, the policy directives of the European Union include economic instruments like increased tipping fees and landfill taxes to act as disincentives to landfilling while they simultaneously promote producer responsibility, environmentally responsible packaging, recycling, and composting. While raising tipping fees is not the only method to change behavior and reduce disposal, it has been an effective strategy in other localities and could be a policy option to explore.

Although the posted "self-haul" tipping fees analyzed in this report only reflect about 20 percent of overall disposal, the limited data for solid waste haulers suggest that the negotiated tipping fees are up to 30 percent (or \$20 per ton) lower than the already low tipping fees in California. These commercial rates should be more thoroughly researched and analyzed in future work, considering that solid waste haulers make up approximately 80 percent of the waste stream in California. If

the negotiated fees are as low as suggested by this preliminary anecdotal research, landfills are likely the cheapest path for materials to flow down. If true, this makes building a competitive recycling and composting infrastructure very challenging.

Regardless of its relative cheapness in California, solid waste disposal is big business in California. If 20 percent of the landfilled waste in 2013 (6 million tons) had a landfill tipping fee of \$45 per ton and 80 percent of the waste had a landfill tipping fee of \$25 per ton (24 million tons), the total would be almost \$900 million. This is an extremely rough calculation with oversimplified assumptions and is only meant to be illustrative, but it does show the order of magnitude of landfill tipping fees in California.

### ***Lack of Disincentive for Green Waste Going to Landfills***

Diverting green waste and other organics away from landfills is a priority for both greenhouse gas reduction and to meet CalRecycle's 75 percent statewide recycling goal. However, current tipping fees for green waste, both within landfills and at other facilities, do not appear to significantly incentivize diversion and drive materials to their highest and best use. As noted in the European Union study, a perceived high fee influences consumer behavior,<sup>51</sup> but currently a majority of landfills do not have high green waste fees that would be likely to significantly change consumer behavior.

If tipping fees for green waste are going to send appropriate market signals to the consumer, it should be considerably less expensive to divert the material than to dispose of it. Currently, the \$15 difference between landfills and green waste diversion facilities may not be enough to drive consumer behavior; this may be especially true at landfills where consumers see it is cheaper to send green waste to the landfill than MSW. If landfills are negotiating even lower prices that compete for these resources (for use as ADC, AIC, or beneficial reuse), these materials will be even less available for higher and better uses. Further, if green waste continues to flow into landfills due to convenience, price, or habit, it will continue to draw feedstock away from other green waste diversion facilities; this will hamper efforts to site more green waste diversion facilities and build the infrastructure needed to appropriately handle these materials.

### ***Tipping Fees and Landfill Capacity***

Based on the European Union and United States data, when landfills play a more limited role in waste management, tipping fees are usually higher. Currently, California's tipping fees are not as high as expected in relation to our level of landfilling. Given the ample amount of total landfill capacity in California (approximately 1.7 billion tons), it is unlikely that landfill tipping fees will rise quickly due to supply constraints. In addition, as recycling increases, there will be less disposal, so demand is likely to decrease over time. In 2013, 30 million tons of waste were disposed at landfills. Only 16 million tons are projected to be landfilled in 2020 if the 75 percent goal is achieved. Even with increases in population over time, it may be many years before there are significant shortages in statewide landfill capacity. (This may not always be true at the local or regional levels.)

As California moves toward its 75 percent statewide recycling goal, the resulting reduction in waste disposal will cause a sharp decline in disposal, tipping fee revenue for landfills, and governmental fee revenue for both local governments and the state. That decline in tipping fee revenue, both for landfills and agencies that charge taxes on disposal tonnages, could make it difficult to meet all statutory obligations. Imposing (or increasing) the governmental fees on

landfill disposal could dis-incentivize disposal and raise needed revenue. However, with landfills projected to play a diminishing role in solid waste and materials management, disposal and diversion program funding options should be explored that are not solely reliant on landfill fees.

## Future Research

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This study began research into the field of tipping fees in California. There are additional questions that could be answered and additional areas to explore:

- The tipping fees researched in this study are for a minority of waste hauled in the state of California. Self-haul makes up about 20 percent of the disposal at Californian landfills. Future research could seek to understand the negotiated tipping fees that apply to the other 80 percent of disposal. Only limited anecdotal information was available for negotiated fees, but in the future there could be a more methodical and representative approach to collecting and analyzing negotiated tipping fee data for solid waste haulers at landfills. However, challenges related to proprietary data may hamper this effort unless some solid waste industry sources are willing to provide this data.
- Further research could more comprehensively compare tipping fees at facilities using green waste for ADC, compost, biomass, anaerobic digestion, and other alternatives for recycling organics.
- National, state, and local fees and/or taxes on landfill disposal have a direct monetary impact on tipping fees. A more comprehensive and complete comparison (currently underway) with other localities, states, and nations could help illuminate the relative impact and magnitude of these fees.
- As part of a broader exploration of total available landfill capacity in California, additional research could be done on the relationship between landfill capacity and tipping fees.

## Data Limitations

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As discussed above, this report is based on research with some limitations:

- The data represents a census of landfills of tipping fees on waste accepted from the public but does not contain tipping fee information on waste accepted from solid waste haulers.
- Data sets for facilities other than landfills were not censuses or even statistically representative due to difficulties in contacting or obtaining information from them.
- Negotiated agreements between haulers and landfills were not thoroughly researched in this report because of proprietary concerns.
- More robust statistical tools (beyond averages and medians) could be used to further explore the data, particularly if a more robust data set can be gathered.
- Tipping fees change over time; this report only contains a snapshot in time.

# Abbreviations and Acronyms

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ADC – Alternative Daily Cover

DRS – Disposal Reporting System

EEA – European Environment Agency

EEC – Earth Engineering Center (Columbia University)

FacIT – Facility Information Toolbox

MRF – Material Recovery Facility

MSW – Municipal Solid Waste

NSWMA – National Solid Wastes Management Association

PRC – Public Resources Code

SWIS – Solid Waste Information System

WTE – Waste-to-Energy

# Glossary of Terms

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**Biomass conversion:** The process of using controlled combustion of specified types of organic materials (essentially wood, lawn or crop residue) to produce electricity. Biomass conversion facilities are not permitted as solid waste facilities or regulated by CalRecycle. See PRC 40106 (a).

**Chipping and grinding:** The process that separates, grades, and resizes woody green wastes or used lumber to be sent to a composting facility, a landfill to be used for ADC, or miscellaneous end markets such as feedstock at biomass to energy plants.

**Commercial composting:** The process of taking organic materials such as green waste, manure, food waste and other organics and transforming them through controlled biological decomposition for sale as an end product, usually in the form of home or farm soil amendments.

**Disposal Reporting System (DRS):** The system used to track disposal information in California. For more information go to: <http://www.calrecycle.ca.gov/LGCentral/DRS/default.htm>

**Disposal:** The process of collecting municipal solid waste and transferring it to a transfer station, landfill, or transformation facility.

**Exported waste:** Waste that is sent out of the state of California for disposal.

**Facility Information Toolbox (FacIT):** Informational database on disposal and recycling activities in the state of California. For more information go to: <http://www.calrecycle.ca.gov/FacIT/>

**Food waste:** All surplus food scraps. The term has fallen out of favor with some composters, who prefer to view this material as a resource rather than as waste material. However, this term is interchangeable with food scraps.

**Green waste:** A term used to refer to urban landscape waste generally consisting of leaves, grass clippings, weeds, yard trimmings, wood waste, branches and stumps, home garden residues, and other miscellaneous organic materials.

**Green waste diversion facilities:** The term used in this study to describe compost facilities, chip and grind facilities, and biomass conversion facilities.

**Landfill:** A permitted facility that provides a legal site for final disposal of materials including mixed solid waste, beneficial materials used for landfill construction, ADC, and specialized material sites such as waste tires and construction and demolition waste.

**Material recovery facility (MRF):** An intermediate processing facility that accepts source-separated recyclables from an initial collector and processes them for wholesale distribution. The recyclable material is accumulated for shipment to brokers or recycled content manufacturers, or for export out of state.

**Municipal solid waste (MSW):** Garbage. Refuse that may be mixed with or contain nonorganic material, processed industrial materials, plastics, or other recyclables with the potential for recovery. It includes residential, commercial, and institutional wastes.

**Rural:** According to Public Resources Code (PRC) section 40183-4 rev. 2008,<sup>52</sup> a rural county is defined as one that disposes 200,000 tons or less MSW in a given year.

**Self-hauler:** A person who hauls their residential or business waste themselves to a solid waste facility.

**Solid waste hauler:** A waste hauler that collects residential or business waste for a fee and transports that waste to a solid waste facility. These haulers may be contracted or franchised and might have a negotiated fee with a landfill.

**Solid Waste Information System (SWIS):** The database that tracks solid waste facilities in California. For more information go to:

<http://www.calrecycle.ca.gov/SWFacilities/Directory/Default.htm>

**Tipping fee:** As defined in this study, a tipping fee is the amount of money per ton of waste charged at the gate of a landfill for a self-hauler and is publicly disclosed either online or by phone.

**Transfer station:** Receives, temporarily stores, and ships unprocessed waste/recyclables. The ones we considered in this study accepted MSW, green waste, or both.

**Transformation facility:** The use of incineration, pyrolysis, distillation, or biological conversion (other than composting) to combust unprocessed or minimally processed solid waste to produce electricity. See PRC 40201.

# Appendix A: Survey Information

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During the course of this study, every active, permitted landfill that accepts disposal from self-haulers (the general public) in California was contacted and provided staff with a tipping fee.

Lists for landfills, compost facilities, and transfer stations were pulled from CalRecycle's SWIS database, as these facilities are permitted. Unpermitted facilities (facilities that have special permits or are regulated by other agencies) were pulled from the FacIT database. Due to the nature of the permits, and how facilities are stored in the SWIS and FacIT databases, staff had to make sure that each facility was only counted once in the survey process. Facilities can house more than one operation, and Table A1 shows the complication of the SWIS database: Some facilities showed up on the lists more than once. Therefore, staff weighted the operations. Landfills had first priority (so all landfills on the SWIS list are considered "landfills" in our study, regardless of whether they have transfer or compost facilities co-located). The second priority was compost facilities, because the "transfer" permit is most likely there to allow the compost facility to house and use green material. Transfer stations had final priority in the survey, mostly because there were so many and also because at other facilities they are often secondary operations.

The FacIT lists only show operations, so these would be in addition to the SWIS lists. Chip and grind and biomass conversion facilities are not in the SWIS database and are entirely operations. Some transfer stations and compost facilities are considered operations in the state and are considered separately in Table A2 but averaged with the overall survey data.

Due to the smaller nature of most green waste diversion facilities (compost, chipping and grinding, and biomass) and transfer stations, not all facilities or operations were contacted or participated. Chip and grind facilities and biomass conversion facilities were the hardest to contact because many did not have current contact information in CalRecycle's FacIT database or were pilot projects (biomass).

As a result of these surveys, facilities were categorized into one of three groups:

- Surveyed. The facility fell into the scope of our research (accepted MSW or green waste from the public) and was surveyed.
- No public disposal. The facility:
  - Exclusively processed materials that did not fall under the purview of this study (i.e. construction material, recyclables, etc.) or
  - Was not open to the public, so no fee information was collected.
- Not surveyed. The facility fell under the scope of research but could not be contacted (had no website and did not respond to at least two phone calls) or refused to provide CalRecycle staff with tipping fee information.

**Table A1: Due to the way SWIS pulls data, it is important to note that some facilities fall into more than one category because more than one activity may be permitted at a facility.**

Facility	Number of Facilities
<b>Landfills Only</b>	112
Landfill and Transfer	7
Landfill and Compost	13
Landfill, Transfer, and Compost	6
<b>Total Landfills</b>	138
<b>Compost Only</b>	56
Compost and Transfer	26
<b>Total Compost Facilities</b>	82
<b>Transfer Station Only (Total)</b>	271

To determine how a facility was defined in this survey, we considered landfills first, compost facilities second, and transfer stations third, meaning that if a facility was a landfill and a compost facility or a transfer station, or all three, its tipping fees were in the “landfill” survey. Compost and compost/transfer stations were on the compost list, and transfer stations only are on the transfer station list. This is primarily because the study focused on what the facility is primarily doing: A landfill is usually a landfill that homes other operations, and transfer stations that are “with” landfills or compost facilities are usually not the main focus of the operation.



**Table A2: Survey information. Breakdown of the facilities surveyed, facilities not accepting public disposal, and facilities that were not surveyed. Landfills were the only facility type of which all facilities were either surveyed or did not have public disposal. Some transfer station and compost operations were also surveyed in addition to the permitted facilities and are therefore not counted in the totals.**

<b>Information Obtained</b>	<b>Number of Facilities</b>	<b>Percentage of Facilities</b>
<b>Landfills</b>		
Surveyed	98	70%
No Public Disposal	42	30%
<b>Total</b>	140**	100%
<b>Transfer Stations</b>		
Surveyed (Facility)	74	28%
Surveyed (Operation)	55	(not included)
No Public Disposal	69	25%
Not Surveyed	127	47%
<b>Total</b>	271	100%
<b>Compost Facilities</b>		
Surveyed (Facility)	35	43%
Surveyed (Operation)	29	(not included)
No Public Disposal	12	14%
Not Surveyed	35	43%
<b>Total</b>	82	100%
<b>Chipping and Grinding Operations</b>		
Surveyed (Operation)	47	30%
No Public Disposal	12	8%
Not Surveyed	100	62%
<b>Total</b>	159	100%
<b>Biomass Conversion Facilities</b>		
Surveyed (Operation)	8	26.7%
No Public Disposal	8	26.7%
Not Surveyed	14	46.6%
<b>Total</b>	30	100%

\*\* Two landfills have closed between the time of this survey and now.

# Appendix B: Rural Counties in California

**Table A3: Rural counties**

<b>Tons Disposed</b>	<b>County</b>	<b>Landfill in County?</b>
1,652	Alpine	No
27,455	Amador	No
197,203	Butte	<b>Yes</b>
32,695	Calaveras	<b>Yes</b>
22,037	Colusa	No
18,590	Del Norte	No
133,245	El Dorado	No
19,203	Glenn	<b>Yes</b>
84,491	Humboldt	No
178,915	Imperial	<b>Yes</b>
21,213	Inyo	<b>Yes</b>
94,750	Kings	<b>Yes</b>
35,628	Lake	<b>Yes</b>
17,979	Lassen	<b>Yes</b>
117,354	Madera	<b>Yes</b>
180,704	Marin	<b>Yes</b>
11,362	Mariposa	<b>Yes</b>
51,224	Mendocino	No
5,318	Modoc	No
22,530	Mono	<b>Yes</b>
99,518	Napa	<b>Yes</b>
50,324	Nevada	No
16,424	Plumas	No
55,803	San Benito	<b>Yes</b>
163,579	Santa Cruz	<b>Yes</b>
145,343	Shasta	<b>Yes</b>
2,376	Sierra	<b>Yes</b>
29,458	Siskiyou	No
62,506	Sutter	No
41,921	Tehama	<b>Yes</b>
7,473	Trinity	No
35,481	Tuolumne	No
154,882	Yolo	<b>Yes</b>
62,506	Yuba	<b>Yes</b>

## Appendix C: United States Data<sup>53</sup>

Table A4: United States data

States, by Region	Tipping Fee Average (dollars per ton)	Percentage Landfilled <sup>††</sup>
<b>New England</b>	<b>\$77</b>	<b>24%</b>
Connecticut	\$57	8%
Maine	\$91	15%
Massachusetts	\$79	20%
New Hampshire	\$78	35%
Rhode Island	\$75	86%
Vermont	\$82	71%
<b>West</b>	<b>\$51</b>	<b>46%</b>
California	\$52 <sup>‡‡</sup>	45%
Nevada	\$25	69%
Oregon	\$56	49%
Washington	\$70	47%
<b>Mid-Atlantic</b>	<b>\$72</b>	<b>49%</b>
Delaware	\$84	68%
Maryland	\$63	38%
New Jersey	\$72	40%
New York	\$86	59%
Pennsylvania	\$76	42%
West Virginia	\$49	84%
<b>South</b>	<b>\$39</b>	<b>73%</b>
Alabama	\$38	88%
Florida	\$44	51%
Georgia	\$38	93%
Kentucky	\$45	67%
Louisiana	\$27	89%

<sup>††</sup> Percentage landfilled for each region was calculated by totaling the generated waste from each state in the region and the total landfilled tonnage from each state in the region, not by averaging the percentage landfilled. This is due to the fact that smaller states would skew the true percentage landfilled.

<sup>‡‡</sup> The tipping fee referenced for California in this table is from the Columbia University study and is not the same as the median or tipping fee found in this study. This is most likely due to inflation (the data collected at Columbia University and for this study were collected in different years).

States, by Region	Tipping Fee Average (dollars per ton)	Percentage Landfilled <sup>††</sup>
Mississippi	\$26	95%
North Carolina	\$42	84%
South Carolina	\$43	75%
Tennessee	\$41	79%
Virginia	\$46	66%
<b>Midwest</b>	<b>\$36</b>	<b>75%</b>
Arkansas	\$37	57%
Iowa	\$34	69%
Kansas	\$37	69%
Missouri	\$38	80%
Nebraska	\$31	87%
North Dakota	\$39	72%
Oklahoma	\$38	92%
South Dakota	\$42	75%
Texas	\$29	76%
<b>Great Lakes</b>	<b>\$45</b>	<b>76%</b>
Illinois	\$43	89%
Indiana	\$44	76%
Michigan	\$47	87%
Minnesota	\$47	31%
Ohio	\$40	72%
Wisconsin	\$50	74%
<b>Rocky Mountains</b>	<b>\$39</b>	<b>84%</b>
Arizona	\$33	94%
Colorado	\$50	76%
Idaho	\$44	91%
Montana	\$26	81%
New Mexico	\$34	83%
Utah	\$24	81%
Wyoming	\$60	84%

## Appendix D: European Union Data<sup>54</sup>

Table A5: European Union data

Full Member State Name	Abbreviation	Converted Tipping Fee (dollars per ton)	Converted Typical Fee (includes Landfill Taxes, in dollars per ton)	Percentage Landfilled
Austria	AT	\$97	\$132	1%
Belgium, Flanders	BE-FI	\$69	\$182	5%
Belgium, Wallonia	BE-Wal	\$69	\$159	5%
Bulgaria	BG	\$0	\$4	96%
Cyprus	CY	\$77	\$0	86%
Czech Republic	CZ	\$22	\$50	72%
Denmark	DK	\$61	\$148	4%
Estonia	EE	\$55	\$72	62%
Finland	FI†	\$82	\$123	46%
France	FR	\$83	\$111	32%
Germany	DE†	\$193	\$193	0%
Greece	GR†	\$32	\$32	81%
Hungary	HU	\$48	\$48	74%
Ireland	IE†	\$97	\$166	61%
Italy	IT†	\$124	\$166	49%
Latvia	LV	\$41	\$52	92%
Lithuania	LT	\$22	\$22	91%
Luxembourg	LU†	\$206	\$206	17%
Malta	MT	\$28	\$28	95%
Netherlands	NL†	\$35	\$183	1%
Poland	PL	\$96	\$133	65%
Portugal	PT	\$14	19.32	62%
Romania	RO	\$5	\$5	77%
Sweden	SE†	\$147	\$215	1%
Slovakia	SK	\$9	\$9	75%
Slovenia	SI	\$146	\$161	69%
Spain, Catalonia	ES-Cat	\$45	\$62	52%
United Kingdom	UK	\$37	\$126	49%

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<sup>18</sup> “First Update to the Climate Change Scoping Plan: Building on the Framework,” California Air Resources Control Board, 2014.

<sup>19</sup> “Composting and Anaerobic Digestion,” California Air Resources Board, 2013, [http://www.arb.ca.gov/cc/waste/compost\\_ad.pdf](http://www.arb.ca.gov/cc/waste/compost_ad.pdf), (December 15, 2014).

<sup>20</sup> Dolly Shin, “Generation and Disposition of Municipal Solid Waste (MSW) in the United States—A National Survey,” Columbia University, New York, 2014, p. 53.

<sup>21</sup> Cascadia Consulting Group, “California 2008 Statewide Waste Characterization Study,” CalRecycle, 2009, p. 3.

<sup>22</sup> Ibid., p. 11.

<sup>23</sup> U.S. Environmental Protection Agency, Office of Air and Radiation, “Municipal Solid Waste Landfills: Economic Impact Analysis for the Proposed New Subpart to the New Source Performance Standards,” U.S. EPA, North Carolina, 2014, pp. 2-12

<sup>24</sup> Ibid., pp. 2-19

<sup>25</sup> Ibid., pp. 2-20

<sup>26</sup> Nora Goldstein, Nickolas Themelis, and Rob van Haaren, “The State of Garbage in America,” BioCycle, Pennsylvania, 2010, p. 5.

<sup>27</sup> Dolly Shin, “Generation and Disposition of Municipal Solid Waste (MSW) in the United States—A National Survey,” Columbia University, New York, 2014, p. 18.

<sup>28</sup> Ibid., p. 18.

<sup>29</sup> Ibid., p. 18.

<sup>30</sup> Ibid., pp. 18, 22.

<sup>31</sup> Nora Goldstein, Nickolas Themelis, and Rob van Haaren, “The State of Garbage in America,” BioCycle and Columbia University, Pennsylvania, 2010, pp. 1-2.

<sup>32</sup> Ibid., p. 23.

<sup>33</sup> Edward W. Repa, Ph.D., “Municipal Solid Waste Landfill Facts,” NSWMA, Washington, D.C., 2011, p. 3.

<sup>34</sup> Edward W. Repa, Ph.D., “NSWMA’s 2005 Tip Fee Survey,” NSWMA, Washington, D.C., 2005, p. 1.

<sup>35</sup> Ljupka Arsova, Nora Goldstein, Scott Kaufman, Nickolas J Themelis, and Rob van Haaren. “The State of Garbage in America,” BioCycle, Pennsylvania, 2008, Table 5.

<sup>36</sup> Nora Goldstein, Nickolas Themelis, and Rob van Haaren, “The State of Garbage in America,” BioCycle, Pennsylvania, 2010, p. 5.

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<sup>37</sup> Dolly Shin, “*Generation and Disposition of Municipal Solid Waste (MSW) in the United States—A National Survey*,” Columbia University, New York, 2014, p. 18.

<sup>38</sup> Dominic Hogg, Andreas Mitsios, Shailendra Mudgal, Alexander Neubauer, Hubert Reisinger, Jenny Troeltzsch, Mike Van Acoleyen, and Emma Watkins, “*Use of Economic Instruments and Waste Management Performances*,” Bio Intelligence Service, Paris, 2012, pp. 44-51.

<sup>39</sup> “*Diverting Waste from Landfill: Effectiveness of Waste-Management Practices in the European Union*,” EEA, Copenhagen, 2009, p. 53.

<sup>40</sup> “*Bill Number: SB 1016*,” LegalInfo.Ca, 2007, [http://www.leginfo.ca.gov/pub/07-08/bill/sen/sb\\_1001-1050/sb\\_1016\\_bill\\_20080926\\_chaptered.html](http://www.leginfo.ca.gov/pub/07-08/bill/sen/sb_1001-1050/sb_1016_bill_20080926_chaptered.html), (August 22, 2014).

<sup>41</sup> “*Google Currency Conversion*,” Google, 2014, <https://www.google.com/search?q=conversion+factor+dollars+to+euros&sourceid=ie7&rls=com.microsoft:en-US:IE-Address&ie=&oe=&safe=active#safe=active&rls=com.microsoft:en-US:IE-Address&q=Euro%20to%20Dollar>, (May 1, 2014)

<sup>42</sup> Dominic Hogg, Andreas Mitsios, Shailendra Mudgal, Alexander Neubauer, Hubert Reisinger, Jenny Troeltzsch, Mike Van Acoleyen, and Emma Watkins, “*Use of Economic Instruments and Waste Management Performances*,” Bio Intelligence Service, Paris, 2012, pp. 41-51.

<sup>43</sup> “*Diverting Waste from Landfill: Effectiveness of Waste-Management Practices in the European Union*,” EEA, Copenhagen, 2009, pp. 59-60.

<sup>44</sup> Dominic Hogg, Andreas Mitsios, Shailendra Mudgal, Alexander Neubauer, Hubert Reisinger, Jenny Troeltzsch, Mike Van Acoleyen, and Emma Watkins, “*Use of Economic Instruments and Waste Management Performances*,” Bio Intelligence Service, Paris, 2012, p. 53.

<sup>45</sup> *Ibid.*, pp. 54-55.

<sup>46</sup> *Ibid.*, p. 56.

<sup>47</sup> *Ibid.*, p. 59.

<sup>48</sup> *Ibid.*, pp. 55.

<sup>49</sup> *Ibid.*, p. 4-5

<sup>50</sup> “*Diverting Waste from Landfill: Effectiveness of Waste-Management Practices in the European Union*,” EEA, Copenhagen, 2009, pp. 59-60.

<sup>51</sup> Dominic Hogg, Andreas Mitsios, Shailendra Mudgal, Alexander Neubauer, Hubert Reisinger, Jenny Troeltzsch, Mike Van Acoleyen, and Emma Watkins, “*Use of Economic Instruments and Waste Management Performances*,” Bio Intelligence Service, Paris, 2012, p. 59.

<sup>52</sup> “*Who is Considered Rural?*” CalRecycle, 2014, <http://www.calrecycle.ca.gov/lgcentral/rural/WhoIs.htm> (March 3, 2014).

<sup>53</sup> Dolly Shin, “*Generation and Disposition of Municipal Solid Waste (MSW) in the United States—A National Survey*,” Columbia University, New York, 2014, p. 18.

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<sup>54</sup> Dominic Hogg, Andreas Mitsios, Shailendra Mudgal, Alexander Neubauer, Hubert Reisinger, Jenny Troeltzsch, Mike Van Acoleyen, and Emma Watkins, *“Use of Economic Instruments and Waste Management Performances,”* Bio Intelligence Service, Paris, 2012, pp. 44-51.

# **MINUTES**

## **COMMISSION ON STATE MANDATES**

State Capitol, Room 447

Sacramento, California

September 26, 2008

Present: Member Tom Sheehy, Chairperson  
Representative of the Director of the Department of Finance  
Member Francisco Lujano, Vice Chairperson  
Representative of the State Treasurer  
Member Richard Chivaro  
Representative of the State Controller  
Member Anne Schmidt  
Representative of the Director of the Office of Planning and Research  
Member J. Steven Worthley  
County Supervisor  
Member Sarah Olsen  
Public Member

Absent: Member Paul Glaab  
City Council Member

### **CALL TO ORDER AND ROLL CALL**

Chairperson Sheehy called the meeting to order at 9:38 a.m.

### **APPROVAL OF MINUTES**

Item 1 August 1, 2008

The August 1, 2008 hearing minutes were adopted by a vote of 5-0. Ms. Schmidt abstained.

### **PROPOSED CONSENT CALENDAR**

INFORMATIONAL HEARING PURSUANT TO CALIFORNIA CODE OF REGULATIONS,  
TITLE 2, CHAPTER 2.5, ARTICLE 8 (ACTION)

#### **A. PROPOSED PARAMETERS AND GUIDELINES**

Item 7 *Reporting Improper Governmental Activities*, 02-TC-24  
Education Code Section 87164  
Statutes 2001, Chapter 416, Statutes 2002, Chapter 81  
Santa Monica Community College District, Claimant

Mr. Petersen responded that they would not be compelled to do the state portion if they were not in the DSPS program. Ms. Olsen then asked where is the practical compulsion. Mr. Petersen responded that they still have to continue performing the federal mandate which has always been funded by the state.

Ms. Shelton added that it was funded by the state under the state's vocational rehabilitation program, and before enactment of DSPS, students were receiving overlapping services. Therefore, the Department of Rehabilitation and the Chancellor's Office s came to agreement that the colleges would perform the services and vocational rehabilitation would not. There was no funding in that agreement.

Member Olsen stated that she was trying to clarify the practical compulsion allegation and whether it was based on the parents of DSPS students going to court if a district did not comply with DSPS. Mr. Petersen clarified that the practical compulsion is that school districts still have to continue the federal mandate, which was previously funded by the state. If a district stops participating in the state DSPS program, there would be no funding for providing any service.

Chairperson Sheehy asked Mr. Petersen if he wished to discuss the next issue on instructional materials. Mr. Petersen stated that he would not, because the Commission must decide the threshold issue first.

Member Chivaro moved to adopt the staff recommendations. With a second by Member Lujano, the Commission adopted the staff recommendation to deny the test claim by a vote of 6-0.

#### B. PROPOSED STATEMENT OF DECISION

Item 4      *Disabled Student Programs and Services, (02-TC-22)*  
See Item 3

Ms. Shelton also presented this item. She stated that the sole issue before the Commission was whether the proposed Statement of Decision accurately reflected the Commission's decision on the *Disabled Student Programs and Services* test claim. Staff recommended that the Commission adopt the proposed Statement of Decision including minor changes.

Member Chivaro made a motion to adopt the proposed Statement of Decision. With a second by Member Lujano, the Statement of Decision was adopted by a vote of 6-0.

Ms. Higashi noted that Items 5 and 6 were postponed at the request of the claimant.

#### **INFORMATIONAL HEARING PURSUANT TO CALIFORNIA CODE OF REGULATIONS, TITLE 2, CHAPTER 2.5, ARTICLE 8 (ACTION)**

##### PROPOSED PARAMENTERS AND GUIDELINES

Item 8      *Integrated Waste Management Board, (00-TC-07)*  
Public Resources Code Sections 40148, 40196.3, 42920-42928, Public  
Contract Code Sections 12167 and 12167.1, Statutes 1999, Chapter 764,  
Statutes 1992, Chapter 1116, Manuals of the California Integrated Waste  
Management Board  
Santa Monica and South Lake Tahoe Community College Districts,  
Co-Claimants

Camille Shelton, Chief Legal Counsel, presented this item. Ms. Shelton explained that this item is on remand from the Sacramento County Superior Court on a judgment and writ. The *Integrated Waste Management Board* program requires community college districts to develop and adopt waste management plans to divert solid waste from landfills and to submit annual

reports to the Integrated Waste Management Board. The writ issued by the court requires the Commission to amend the parameters and guidelines for this program in two respects: It requires the Commission to amend the offsetting revenue section to require claimants to identify and offset from their reimbursement claims, all revenue generated as a result of implementing their waste plans, without regard to the limitations described in the Public Contract Code.

The second amendment requires that the Commission add an offsetting cost savings section to the parameters and guidelines to require claimants to identify and offset from their reimbursement claims cost savings realized as a result of implementing their plans, consistent with the limitations provided in the Public Contract Code.

Ms. Shelton continued that under the Public Contract Code provisions, community colleges are required to deposit all cost savings that result from implementing their waste plans in the Integrated Waste Management account. Upon appropriation by the Legislature, the funds may be expended by the Integrated Waste Management Board for the purpose of offsetting plan costs. Subject to Board approval, cost savings by a community college that do not exceed \$2,000 annually, are appropriated for expenditure by the community college for the purpose of offsetting their costs. Cost savings exceeding \$2,000 annually may be available for expenditure by the community college only when appropriated by the Legislature. The proposed amendments contain these changes required by the court.

Ms. Shelton added that the Integrated Waste Management Board is requesting that the Commission add more language to the offsetting cost-savings section to require community college districts to: (1) provide information with their reimbursement claims identifying all cost savings resulting from the plans, including costs savings that exceed \$2,000; and (2) to analyze categories of potential cost savings to determine what to include in their claims.

Staff finds that the Board's request for additional language goes beyond the scope of the court's judgment and writ. Therefore, staff recommends that the Commission deny the Board's request and adopt the proposed amendments to the parameters and guidelines as recommended by staff.

Parties were represented as follows: Keith Petersen, an interested party having represented the claimant many years ago; Elliot Block representing the California Integrated Waste Management Board, and Susan Geanacou representing the Department of Finance.

Mr. Block stated that he disagreed with the staff analysis. The Board argues that staff is viewing the court's decision more narrowly than is necessary. The reimbursement claims are difficult to review. The Board is requesting the language to provide additional guidance to help the claims be formulated in a way that they are actually reviewable and usable. He noted that the Board has a pending request to amend the parameters and guidelines to add these additional reporting requirements, and that the staff analysis suggests that the additional reporting requirements could be added prospectively, but not retroactively. He stated that if the parameters and guidelines could have been originally drafted to include this requirement, why can't the parameters and guidelines be amended now to include this guidance.

Chairperson Sheehy asked Mr. Block to clarify the comment that the claims that are being submitted are difficult to review.

Mr. Block reiterated that the claims were incomplete and difficult to review, and pointed out that even Commission staff sought help from the Board when they initially reviewed the claims because there were portions of the claims filed that did not make sense and did not seem to align with the original parameter and guidelines.

Ms. Higashi noted that when the Commission adopted the statewide cost estimate, it requested a summary compilation of the amounts claimed by the community college districts filing timely reimbursement claims with the State Controller's Office. The State Controller's Office report identified the claimant by name, amount claimed and amounts offset and was the basis for the Commission's preparation of the statewide cost estimate.

Ms. Geanacou stated that the Department of Finance, as a co-petitioner before the court, has followed this matter closely. She observed that the cost savings information required in the claims will clearly appear as an offset for reimbursement and is already available in two sources of information if the test claim statutes are complied with.

Ms. Shelton stated that the Commission's jurisdiction in this matter is really limited to the court's writ and the writ directed two specific changes to the parameters and guidelines. She noted that the court found that the information to support cost savings was already provided to the Board in their existing annual report. The court did not indicate that the Board needed additional information. She added that every year, the Board receives a report that describes the calculations of annual disposal reduction and information on changes in waste generated or disposed. Also, this issue can be addressed in the Board's pending request to amend the parameters and guidelines.

Member Worthley moved to adopt the staff recommendations. With a second by member Olsen, the staff recommendation to approve the proposed amendments to the parameters and guidelines was adopted by a vote of 6-0.

## **STAFF REPORTS**

Item 12      Chief Legal Counsel's Report (info)

No report was made.

Item 13      Executive Director's Report (info)

Ms. Higashi introduced our newest analyst Heidi Palchik.

Ms. Higashi also recognized staff member Lorenzo Duran who recently participated in a state agency sponsored fundraiser for the California State Employees Charitable Campaign. He successfully dunked our Commission Chair, Mr. Genest, in the dunk tank.

Ms. Higashi reported the adopted State Budget did not make any new changes to the Commission's budget. Also, the Commission filed the annual workload report with the Director of Finance.

Ms. Higashi proposed changing the November 6th hearing to an alternate date in December. It was decided to find an agreeable date and report it back to the Commission. She also noted that work is continuing on the proposal for delivery of agenda materials.

Ms. Higashi reported that Anne Sheehan, Chief Deputy Director of the Department of Finance, was appointed Director of Corporate Governance, CALSTRS.

Ms. Higashi also noted that the Commission will probably be exploring a hiring freeze exemption.

## **PUBLIC COMMENT**

Chairperson Sheehy introduced Deborah Borzelleri and acknowledged her upcoming retirement. On behalf of the Commission, Chairperson Sheehy presented Ms. Borzelleri with a Resolution recognizing her retirement as a state employee for 35 years and her many accomplishments.

**ITEM 9**  
**FINAL STAFF ANALYSIS**  
**PROPOSED AMENDMENTS TO PARAMETERS AND**  
**GUIDELINES**

Public Resources Code Sections 40148, 40196.3, 42920-42928  
Public Contract Code Sections 12167 and 12167.1

Statutes 1999, Chapter 764 (A.B. 75)  
Statutes 1992, Chapter 1116 (A.B. 3521)

State Agency Model Integrated Waste Management Plan (February 2000)

*Integrated Waste Management*  
05-PGA-16

Integrated Waste Management Board, Requestor

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**EXECUTIVE SUMMARY**

**Background**

This is a request filed by the Integrated Waste Management Board pursuant to Government Code section 17557, subdivision (d), to amend the original parameters and guidelines for the *Integrated Waste Management* program. If the Commission approves the Board's request, the amendments would be effective for costs incurred beginning July 1, 2005.

The Board requests that the parameters and guidelines be amended in Section VIII, Offsetting Cost Savings, to include language requiring community college districts to analyze avoided disposal costs and other offsetting savings relating to staffing, overhead, materials, storage, etc., as a result of the test claim statutes when filing reimbursement claims. A similar request was made by the Board at the Commission's September 26, 2008 hearing, when the Commission amended the parameters and guidelines pursuant to the court's writ and judgment in *State of California, Department of Finance, California Integrated Waste Management Board v. Commission on State Mandates* (Sacramento County Superior Court, Case No. 07CS00355). The Commission denied the Board's request and found that the request was not consistent with the statutes or the court's judgment and writ. (See Exhibit G.)

The Board also requests that the following additional language be included in Section IX, State Controller's Claiming Instructions:

The claiming instructions shall include sufficient instructions to ensure that only additional expenses related to this mandate are included and that any offsetting savings, as described above, are not included.



The Board contends that the proposed amendments should be made “to more accurately capture the information necessary to provide accurate claims and a Statewide Cost Estimates [sic].”

The request to amend the parameters and guidelines was issued for comment on April 10, 2006. No comments were received. A draft staff analysis recommending that the Commission deny the Board’s request was issued on December 8, 2008. On December 30, 2008, the Integrated Waste Management Board filed comments on the draft. No other comments have been received.

### **Staff Analysis**

Staff recommends that the Commission deny the request to amend the parameters and guidelines to include language requiring community colleges to specifically analyze the cost savings information identified by the Board when filing reimbursement claims for the following reasons:

- There is no requirement in statute or Board regulations that community college districts perform the analysis specified by the Board.
- The Commission does not have the authority to impose additional requirements on community college districts regarding this program.
- The current offsetting cost savings paragraph identifies the offsetting savings consistent with the language of Public Resources Code section 42925, subdivision (a), and Public Contract Code sections 12167 and 12167.1, and with the court’s judgment and writ in *State of California, Department of Finance, California Integrated Waste Management Board v. Commission on State Mandates, et al.* (Sacramento County Superior Court, Case No. 07CS00355).
- Information on cost savings is already available to the Board in the community colleges’ annual reports submitted to the Board pursuant to Public Resources Code section 42926, subdivision (b)(1).

Staff further recommends that the Commission deny the proposed language to amend Section IX of the parameters and guidelines to require that the claiming instructions include sufficient instructions to ensure that only additional expenses related to this mandate are included and that any offsetting savings are not included, for the following reasons:

- The requirement that only increased costs be claimed is already provided in the boilerplate language of Section IV of the parameters and guidelines.
- The offsetting cost savings are adequately described in Section VIII of the parameters and guidelines, the first sentence of which states that “[r]educed or avoided costs realized from implementation of the community college districts’ Integrated Waste Management plans *shall be identified and offset from this claim* as cost savings, consistent with the directions for revenue in Public Contract Code sections 12167 and 12167.1.” (Emphasis added.)

- The claiming instructions prepared by the State's Controller's Office are required to be derived from the test claim decision and the adopted parameters and guidelines. (Gov. Code, § 17558, subd. (b).)

**Conclusion and Staff Recommendation**

Staff recommends that the Commission deny the request of the Integrated Waste Management Board to amend the original parameters and guidelines.

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## STAFF ANALYSIS

### Requestor

Integrated Waste Management Board

### Chronology

03/25/04	Statement of Decision adopted by Commission
03/30/05	Parameters and guidelines adopted by Commission
03/30/06	Integrated Waste Management Board files comments to the proposed statewide cost estimate and requests that the Commission amend the parameters and guidelines
04/10/06	Integrated Waste Management Board's request to amend the parameters and guidelines is issued for comment
10/26/06	Commission adopts statewide cost estimate
03/--/07	Integrated Waste Management Board and Department of Finance file petition for writ of mandate challenging the Statement of Decision and parameters and guidelines (Sacramento County Superior Court, Case No. 07CS00355)
06/30/08	Sacramento County Superior Court issues judgment and writ of mandate in Case No. 07CS00355 ordering Commission to amend the parameters and guidelines with respect to offsetting revenue and cost savings
09/26/08	Commission amends parameters and guidelines in compliance with the court's writ of mandate
12/08/08	Draft Staff Analysis issued on the request to amend the parameters and guidelines by the Integrated Waste Management Board
12/30/08	Integrated Waste Management Board files comments on the draft staff analysis

### Background

#### *The Board's Request to Amend the Parameters and Guidelines*

This is a request filed by the Integrated Waste Management Board (hereafter "the Board") pursuant to Government Code section 17557, subdivision (d), to amend the parameters and guidelines for the *Integrated Waste Management* program.<sup>1</sup> If the Commission approves the Board's request, the amendments would be effective for costs incurred beginning July 1, 2005.

The Board requests that the parameters and guidelines be amended in Section VIII, Offsetting Cost Savings,<sup>2</sup> to include the following language requiring community college

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<sup>1</sup> Exhibit A.

<sup>2</sup> Exhibit B, parameters and guidelines.

districts to analyze avoided disposal costs and other offsetting savings as a result of the test claim statutes when filing reimbursement claims.

Only additional expenses related to this mandate may be included in a claim and offsetting savings to the same program experienced as a result of this same mandate shall be subtracted from the amount of the claim. Claimants shall analyze the following items in determining what to include in their claims:

Staffing:

Through the implementation of the program being claimed a reduction in staff hours (PYs) can be achieved. In order to determine any cost increases or decreases the claimant will need to evaluate the total staff required to implement the program being claimed prior to AB 75 and the staff needed to implement and operate the current program. All values identified must be calculated based on a conversion to the dollar values for the particular year being claimed.

Overhead:

Costs incurred for overhead, such as benefits, for the PYs identified under “staffing.”

Materials:

Through the implementation of the program being claimed a reduction or elimination of supplies and materials may have been achieved. This could include, and is not limited to: White office paper, mixed office paper, cardboard, printed catalogs, postage, envelopes, and other office supplies.

Storage:

Through the implementation of this program being claimed a reduction or elimination of storage of supplies and materials may have been achieved. The elimination of storage is a cost savings that must be allotted to offset any costs associated to the implementation of the identified program(s) being claimed by the claimant.

Transportation Costs:

The transportation of supplies and waste materials has a cost. The claimant should determine how many trips staff was making to purchase, pick-up and deliver supplies needed for the program being claimed and the current level of the activity.

Claimant should also consider the cost incurred or avoided for the collection of waste materials associated with the activity being claimed.

Equipment:

Any costs associated with new/replacement equipment, including any costs avoided for maintenance of obsolete equipment.

Sale of Commodities:

This would include any and all revenues generated due to the sale of materials collected through the implementation of the specific program being claimed. This could include, but is not limited to white office paper, mixed office paper, cardboard, beverage containers, ferrous and nonferrous metals, glass, plastic, re-sale of used text books, compost, mulch, and firewood.

Avoided disposal fees:

Through the implementation of the AB 75 program(s) a facility will see a direct reduction in the amount of materials that would have been placed into a landfill or a trash dumpster on the campus. These direct savings are to be credited to the program based on today's disposal costs.

Sale of obsolete equipment:

Proceeds of any sales of obsolete equipment.

Other revenue related to program:

Dependent on the particular program or activity being submitted to the Commission for reimbursement several other factors can and will generate a cost savings.

The Board also requests that the following additional language be included in Section IX, State Controller's Claiming Instructions:

The claiming instructions shall include sufficient instructions to ensure that only additional expenses related to this mandate are included and that any offsetting savings, as described above, are not included.

The Board contends that the proposed amendments should be made "to more accurately capture the information necessary to provide accurate claims and a Statewide Cost Estimates [sic]."

On December 30, 2008, the Board filed comments on the draft staff analysis, stating that "since the Commission has already rejected our arguments, rather than reiterate them, we are simply incorporating by reference our earlier comment letter, dated August 26, 2008, and asking that they be included in the record, so that the record will reflect our arguments in the matter."<sup>3</sup> The Board's August 26, 2008 letter is in the record under Exhibit G, (Item 8, September 26, 2008 Commission Hearing, Adoption of Amendments to Parameters and Guidelines, on Remand from the Sacramento County Superior Court in Case No. 07CS00355) on page 385, and is summarized in the history and analysis below.

The Board further states the following:

In closing, I just want to note that the Board's position is that the Commission views its authority too narrowly in this matter and the result will be that it will receive a number of inaccurate claims that it and other

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<sup>3</sup> Exhibit H.

state agencies will have to spend unnecessary time and resources reviewing. Furthermore, if those claims are not completely reviewed and/or audited, the State may end up paying for claims that it should not.

### ***History of the Claim***

The *Integrated Waste Management* program requires community college districts to develop and adopt, in consultation with the Integrated Waste Management Board, an integrated waste management plan. Each community college is required to divert from landfills at least 25 percent of generated solid waste by January 1, 2002, and at least 50 percent by January 1, 2004. Community college districts are also required to submit annual reports to the Integrated Waste Management Board describing the calculations of annual disposal reduction and information on changes in waste generated or disposed for the year. The Commission approved the test claim and adopted the Statement of Decision on March 25, 2004.<sup>4</sup>

Parameters and guidelines were adopted in March 2005.<sup>5</sup> In comments to the proposed parameters and guidelines, the Integrated Waste Management Board argued that the program would inevitably result in cost savings as a result of avoided disposal costs and recommended that the parameters and guidelines require information on cost savings in any claim submitted to the State Controller's Office. Similar to the Board's request in this item, the Board proposed that the Commission adopt the following costs/savings worksheet to be attached to the parameters and guidelines "as guidance for collecting relevant information."

#### Expenses

- *Staffing.* Through the implementation of the program being claimed a reduction in staff hours (PYs) can be achieved. In order to determine any cost increases or decreases the claimants will need to evaluate the total staff required to implement the program being claimed prior to AB 75 and the staff needed to implement and operate the current program. All values identified must be calculated based on a conversion to the dollar values for the particular year being claimed.
- *Overhead.* Costs incurred for overhead, such as benefits, for the PYs identified under "staffing."
- *Materials.* Through the implementation of the program being claimed a reduction or elimination of supplies and materials may have been achieved. This could include, and is not limited to: white office paper, mixed office paper, cardboard, printed catalogs, postage, envelopes, and other office supplies.
- *Storage.* Through the implementation of the program being claimed a reduction or elimination of storage of supplies and materials may have been achieved. The elimination of storage is a cost savings that must be

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<sup>4</sup> Exhibit C.

<sup>5</sup> Exhibit D.

allocated to offset any costs associated to the implementation of the identified program(s) being claimed by the claimants.

- *Transportation costs:* The transportation of supplies and waste materials has a cost. The claimants should determine how many trips staff was making to purchase, pick-up and deliver supplies needed for the program being claimed and the current level of the activity. It should be calculated based on a conversion of the previous programs' activities being converted to the dollar values for the particular year for which a claim is being submitted.

Claimants should also consider the cost incurred for the collection of waste materials associated with the activity being claimed.

- *Equipment.* Any costs associated with new/replacement equipment, including any costs avoided for maintenance of obsolete equipment.
- *Disposal fees.* Costs associated to the disposal of materials prior to the implementation of the specific program being implemented. Since the intent and impact of the legislation is to divert materials from the landfill, a direct savings is seen.
- *Other expenses related to program.* The claimants should take into consideration the specific program being claimed for reimbursement and identify all areas that have been impacted.

#### Revenue

- *Sale of commodities.* This would include any and all revenues generated due to the sale of materials collected through the implementation of the specific program being claimed. This could include, but is not limited to, white office paper, mixed office paper, cardboard, beverage containers, ferrous and nonferrous metals, glass, plastic, re-sale of used text books, compost, mulch, and firewood.
- *Avoided disposal fees.* Through the implementation of the AB 75 program(s) a facility will see a direct reduction in the amount of materials that would have been placed into a landfill or a trash dumpster on the campus. These direct savings are to be credited to the program based on today's disposal costs.
- *Sale of obsolete equipment.* Proceeds of any sales of obsolete equipment.
- *Other revenue related to program.* Dependent on the particular program or activity being submitted to the Commission for reimbursement several other factors can and will generate a cost savings. It is suggested that the claimants be required to identify all savings associated to the particular program or activity as per the findings of the Commission.<sup>6</sup>

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<sup>6</sup> Exhibit D.



In the parameters and guidelines analysis adopted in March 2005, the Commission found that community colleges are not required to identify in their reimbursement claims the potential costs savings that may result from avoiding disposal costs. The Commission also found that community college districts are not required by law to submit with their reimbursement claims a program worksheet recommended by the Board.<sup>7</sup>

Thus, the parameters and guidelines did not identify any offsetting cost savings for avoided disposal costs as a result of the mandate to divert solid waste.

In October 2006, the Commission adopted a statewide cost estimate in the amount of \$10,785,532 (with an average annual cost of \$1,198,392), covering fiscal years 1999-2000 through 2006-2007. The statewide cost estimate was based on 142 actual, unaudited, reimbursement claims filed by 27 community college districts for fiscal years 1999-2000 through 2004-2005, and estimated costs using the implicit price deflator for fiscal years 2005-2006 through 2006-2007. During the proceedings for the statewide cost estimate, the Board contended that the Commission's failure to include offsetting cost savings in the parameters and guidelines resulted in inaccurate cost claims. The Board filed comments arguing that the statewide cost estimate should be set at zero since community college districts collectively reported to the Board the diversion of waste in a tonnage amount that equaled \$22 million in avoided disposal costs.<sup>8</sup>

The Integrated Waste Management Board and the Department of Finance then filed a petition for writ of mandate in March 2007, asking the court to set aside the Commission's decision granting the test claim and to require the Commission to issue a new Statement of Decision and parameters and guidelines that give full consideration to the community colleges' cost savings (e.g. avoided landfill disposal fees) and revenues (from recyclables) by complying with the test claim statutes. They contended that the Commission did not properly account for all the offsetting cost savings from avoided disposal costs, or offsetting revenues from the sale of recyclable materials in the Statement of Decision or parameters and guidelines. (*State of California, Department of Finance, California Integrated Waste Management Board v. Commission on State Mandates, et al.* Sacramento County Superior Court, Case No. 07CS00355.)

On May 29, 2008, the Sacramento County Superior Court issued its Ruling on Submitted Matter, finding that the Commission's rationale for the treatment of cost savings and revenues in the parameters and guidelines was erroneous and required that the parameters and guidelines be amended.<sup>9</sup>

With regard to cost savings, the court found that the reduction or avoidance of costs resulting from solid waste diversion activities represent savings that must be offset and deducted from the claim for costs incurred as a result of the mandated activities in accordance with Public Contract Code section 12167 and 12167.1. Cost savings may be determined from the calculations of annual solid waste disposal reduction or diversion that community colleges must annually report to the Board pursuant to Public Resources

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<sup>7</sup> Exhibit D.

<sup>8</sup> Exhibit E.

<sup>9</sup> Exhibit F.

Code section 42926, subdivision (b)(1).<sup>10</sup> The court further concluded that offsetting savings are limited by Public Contract Code section 12167 and 12167.1, which require community colleges to deposit cost savings into the Integrated Waste Management Account in the Integrated Waste Management Fund. These funds may, on appropriation by the Legislature, be spent by the Board to offset integrated waste management plan implementation costs. The cost savings that do not exceed \$2000 annually are continuously appropriated for the colleges to spend to offset implementing and administering the costs of the integrated waste management plan. Cost savings in excess of \$2000 annually are available for this same purpose when appropriated by the Legislature.<sup>11</sup> The judgment and writ issued by the court on June 30, 2008, directed the Commission to amend the parameters and guidelines with respect to cost savings as follows:

Amend the parameters and guidelines in Test Claim No. 00-TC-07 to require community college districts claiming reimbursable costs of an integrated waste management plan under Public Resources Code section 42920, et seq. to identify and offset from their claims, consistent with the directions for revenue in Public Contract Code sections 12167 and 12167.1, cost savings realized as a result of implementing their plans.<sup>12</sup>

The hearing on the parameters and guidelines on remand from the court took place on September 26, 2008. In addition to making the changes required by the court's writ, the Board requested that the Commission amend the parameters and guidelines to further require community college districts to provide information with their claims identifying all cost savings resulting from the plans, including amounts that exceed \$2000. The Board also requested that the Commission require community college districts to analyze the following categories of potential cost savings in determining what to include in their claims:

Staffing:

Through the implementation of the program being claimed a reduction in staff hours (PYs) can be achieved. In order to determine any cost increases or decreases the claimant will need to evaluate the total staff required to implement the program being claimed prior to AB 75 and the staff needed to implement and operate the current program. All values identified must be calculated based on a conversion to the dollar values for the particular year being claimed.

Overhead:

Costs incurred for overhead, such as benefits, for the PYs identified under "staffing."

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<sup>10</sup> Exhibit F, Ruling, page 7.

<sup>11</sup> Exhibit F, Ruling, pages 8-9.

<sup>12</sup> Exhibit F.

Materials:

Through the implementation of the program being claimed a reduction or elimination of supplies and materials may be have been achieved. This could include, and is not limited to: White office paper, mixed office paper, cardboard, printed catalogs, postage, envelopes, and other office supplies.

Storage:

Through the implementation of this program being claimed a reduction or elimination of storage of supplies and materials may have been achieved. The elimination of storage is a cost savings that must be allotted to offset any costs association to the implementation of the identified program(s) being claimed by the claimant.

Transportation Costs:

The transportation of supplies and waste materials has a cost. The claimant should determine how many trips staff was making to purchase, pick-up and deliver supplies needed for the program being claimed and the current level of the activity.

Claimant should also consider the cost incurred or avoided for the collection of waste materials associated with the activity being claimed.

Equipment:

Any costs associated with new/replacement equipment, including any costs avoided for maintenance of obsolete equipment.

Sale of Commodities:

This would include any and all revenues generated due to the sale of materials collected through the implementation of the specific program being claimed. This could include, but is not limited to white office paper, mixed office paper, cardboard, beverage containers, ferrous and nonferrous metals, glass, plastic, re-sale of used text books, compost, mulch, and firewood.

Avoided disposal fees:

Through the implementation of the AB 75 program(s) a facility will see a direct reduction in the amount of materials that would have been placed into a landfill or a trash dumpster on the campus. These direct savings are to be credited to the program based on today's disposal costs.

Sale of obsolete equipment:

Proceeds of any sales of obsolete equipment.

Other revenue related to program:

Dependent on the particular program or activity being submitted to the Commission for reimbursement several other factors can and will generate a cost savings.

The Board argued that “this change is consistent with the Commission’s statutes which provide that the ‘reasonable reimbursement methodology’ used should identify the costs to implement the mandate in a cost-efficient manner.”<sup>13</sup>

The Commission disagreed with the Board’s argument and denied the request. The Commission found that the request to require community college districts to provide offsetting savings information whether or not the offsetting savings generated exceeds the \$2000 continuous appropriation was not consistent with the statutes or the court’s judgment and writ. Pages 6-8 of the analysis adopted by the Commission makes the following findings in this regard:

Rather, as described below, the court interpreted the plain language of these statutes as requiring community college districts to deposit all cost savings resulting from their Integrated Waste Management plans in the Integrated Waste Management Account in the Integrated Waste Management Fund. The funds deposited in the Integrated Waste Management Account, upon appropriation by the Legislature, and approval of the Integrated Waste Management Board, may be appropriated for the expenditure by those community college districts for the purposes of offsetting program costs.

Public Resources Code section 42925, subdivision (a), states the following:

Any cost savings realized as a result of the state agency integrated waste management plan shall, to the extent feasible, be redirected to the agency’s integrated waste management plan to fund plan implementation and administration costs, in accordance with Sections 12167 and 12167.1 of the Public Contract Code.

Public Contract Code section 12167 states:

Revenues received from this plan or any other activity involving the collection and sale of recyclable materials in state and legislative offices located in state-owned and state-leased buildings, such as the sale of waste materials through recycling programs operated by the California Integrated Waste Management Board or in agreement with the board, shall be deposited in the Integrated Waste Management Account in the Integrated Waste Management Fund and are hereby continuously appropriated to the board, without regard to fiscal years, until June 30, 1994, for the purposes of offsetting recycling program costs. On and after July 1, 1994, the funds in the Integrated Waste Management Account may be expended by the board, only upon appropriation by the Legislature, for the purpose of offsetting recycling program costs.

Public Contract Code section 12167.1 states:

Notwithstanding Section 12167, upon approval by the California Integrated Waste Management Board, revenues derived from the sale of recyclable materials by state agencies and institutions that do not

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<sup>13</sup> Exhibit G.

exceed two thousand dollars (\$2,000) annually are hereby continuously appropriated, without regard to fiscal years, for expenditure by those state agencies and institutions for the purposes of offsetting recycling program costs. Revenues that exceed two thousand dollars (\$2,000) annually shall be available for expenditure by those state agencies and institutions when appropriated by the Legislature. Information on the quantities of recyclable materials collected for recycling shall be provided to the board on an annual basis according to a schedule determined by the board and participating agencies.

The court interpreted these statutes as follows:

By requiring the redirection of cost savings from state agency IWM plans to fund plan implementation and administration costs “in accordance with Sections 12167 and 12167.1 of the Public Contract Code,” section 42925 assures that cost savings realized from state agencies’ IWM plans are handled in a manner consistent with the handling of revenues received from state agencies’ recycling plans under the State Assistance for Recycling Markets Act. Thus, in accordance with section 12167, state agencies, along with California Community Colleges which are defined as state agencies for purposes of IWM plan requirements in Public Resources Code section 42920 et seq. [citations omitted], must deposit cost savings resulting from IWM plans in the Integrated Waste Management Account in the Integrated Waste Management Fund; the funds deposited in the Integrated Waste Management Account, upon appropriation by the Legislature, may be expended by the Integrated Waste Management Board for the purpose of offsetting IWM plan costs. In accordance with section 12167.1 and notwithstanding section 12167, cost savings from the IWM plans of the agencies and colleges that do not exceed \$2000 annually are continuously appropriated for expenditure by the agencies and colleges for the purpose of offsetting IWM plan implementation and administration costs; cost savings resulting from IWM plans in excess of \$2000 annually are available for such expenditure by the agencies and colleges when appropriated by the Legislature.<sup>14</sup>

Accordingly, the Board’s request is not consistent with these statutes or the court’s judgment and writ. Thus, the Commission does not have jurisdiction to make the changes requested by the Board.

The Commission also found that the Board’s request to require community college districts to analyze specified categories of potential cost savings in staffing, overhead, materials, etc., when filing their claims was not required by the test claim statutes and not consistent with the court’s ruling, judgment, and writ. The Commission’s findings are as follows:

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<sup>14</sup> Exhibit F, Ruling, page 9.

The Commission's jurisdiction on this item is limited by the court's judgment and writ. The court's judgment and writ do not direct the Commission to include the additional language requested by the Board in the parameters and guidelines.

The court agreed with the Board that community college districts are required by Public Resources Code section 42925, subdivision (a), to redirect any cost savings realized as a result of the diversion activities to fund the district's implementation and administration of the integrated waste management plan. But the court determined that the amount or value of cost savings is already available from the annual report the community colleges provide to the Board pursuant to Public Resources Code section 42926, subdivision (b).<sup>15</sup> This report is required to include the district's "calculations of annual disposal reduction" and "information on the changes in waste generated or disposed of due to increases or decreases in employees, economics, or other factors." The court's writ requires the Commission to amend the parameters and guidelines as follows:

Amend the parameters and guidelines in Test Claim No. 00-TC-07 to require community college districts claiming reimbursable costs of an integrated waste management plan under Public Resources Code section 42920, et seq. *to identify and offset from their claims, consistent with the directions for revenue in Public Contract Code sections 12167 and 12167.1, cost savings realized as a result of implementing their plans.*

The writ does not direct the Commission to amend the parameters and guidelines to require community college districts to analyze the potential categories of cost savings identified by the Board.

Thus, the offsetting cost language adopted by the Commission on September 26, 2008, tracks the statutory language of Public Resources Code sections 42925 and Public Contract Code sections 12167 and 12167.1. Section VIII of the parameters and guidelines, Offsetting Cost Savings, states the following:

#### **VIII. OFFSETTING COST SAVINGS**

Reduced or avoided costs realized from implementation of the community college districts' Integrated Waste Management plans shall be identified and offset from this claim as cost savings, consistent with the directions for revenue in Public Contract Code sections 12167 and 12167.1.

Pursuant to these statutes, community college districts are required to deposit cost savings resulting from their Integrated Waste Management plans in the Integrated Waste Management Account in the Integrated Waste Management Fund; the funds deposited in the Integrated Waste Management Account, upon appropriation by the Legislature, may be expended by the California Integrated Waste Management Board for the

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<sup>15</sup> Exhibit F, Ruling, page 7.

purpose of offsetting Integrated Waste Management plan costs. Subject to the approval of the California Integrated Waste Management Board, cost savings by a community college that do not exceed two thousand dollars (\$2,000) annually are continuously appropriated for expenditure by the community college for the purpose of offsetting Integrated Waste Management program costs. Cost savings exceeding two thousand dollars (\$2,000) annually may be available for expenditure by the community college only when appropriated by the Legislature. To the extent so approved or appropriated and applied to the college, these amounts shall be identified and offset from the costs claimed for implementing the Integrated Waste Management Plan.<sup>16</sup>

**Issue 1: Should the Commission amend Section VIII of the parameters and guidelines to require community college districts to analyze specified categories of potential cost savings in staffing, overhead, materials, etc., when filing their claims?**

The Board requests that the parameters and guidelines be amended in Section VIII, Offsetting Cost Savings, to include the following language requiring community college districts to analyze avoided disposal costs and other offsetting savings as a result of the test claim statutes when filing reimbursement claims.

Only additional expenses related to this mandate may be included in a claim and offsetting savings to the same program experienced as a result of this same mandate shall be subtracted from the amount of the claim. Claimants shall analyze the following items in determining what to include in their claims:

Staffing:

Through the implementation of the program being claimed a reduction in staff hours (PYs) can be achieved. In order to determine any cost increases or decreases the claimant will need to evaluate the total staff required to implement the program being claimed prior to AB 75 and the staff needed to implement and operate the current program. All values identified must be calculated based on a conversion to the dollar values for the particular year being claimed.

Overhead:

Costs incurred for overhead, such as benefits, for the PYs identified under “staffing.”

Materials:

Through the implementation of the program being claimed a reduction or elimination of supplies and materials may have been achieved. This could include, and is not limited to: White office paper, mixed office

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<sup>16</sup> Exhibit B.

paper, cardboard, printed catalogs, postage, envelopes, and other office supplies.

Storage:

Through the implementation of this program being claimed a reduction or elimination of storage of supplies and materials may have been achieved. The elimination of storage is a cost savings that must be allotted to offset any costs associated to the implementation of the identified program(s) being claimed by the claimant.

Transportation Costs:

The transportation of supplies and waste materials has a cost. The claimant should determine how many trips staff was making to purchase, pick-up and deliver supplies needed for the program being claimed and the current level of the activity.

Claimant should also consider the cost incurred or avoided for the collection of waste materials associated with the activity being claimed.

Equipment:

Any costs associated with new/replacement equipment, including any costs avoided for maintenance of obsolete equipment.

Sale of Commodities:

This would include any and all revenues generated due to the sale of materials collected through the implementation of the specific program being claimed. This could include, but is not limited to white office paper, mixed office paper, cardboard, beverage containers, ferrous and nonferrous metals, glass, plastic, re-sale of used text books, compost, mulch, and firewood.

Avoided disposal fees:

Through the implementation of the AB 75 program(s) a facility will see a direct reduction in the amount of materials that would have been placed into a landfill or a trash dumpster on the campus. These direct savings are to be credited to the program based on today's disposal costs.

Sale of obsolete equipment:

Proceeds of any sales of obsolete equipment.

Other revenue related to program:

Dependent on the particular program or activity being submitted to the Commission for reimbursement several other factors can and will generate a cost savings.

The Board contends that the proposed amendments should be made “to more accurately capture the information necessary to provide accurate claims and a Statewide Cost Estimates [sic].”



Staff recommends that the Commission deny the request to amend the parameters and guidelines by requiring community colleges to specifically analyze the cost savings information identified by the Board when filing reimbursement claims. There is no requirement in statute or Board regulations that community college districts perform the analysis specified by the Board. Moreover, the Commission does not have the authority to impose additional requirements on community college districts regarding this program. Rather, section 1183.1, subdivision (a)(8), of the Commission's regulations simply requires that the parameters and guidelines include an identification of offsetting savings in the same program experienced because of the state statutes or executive orders found to contain a mandate. The current offsetting cost savings paragraph identifies the offsetting savings consistent with the language of Public Resources Code section 42925, subdivision (a), and Public Contract Code sections 12167 and 12167.1, and with the court's judgment and writ. The language is also consistent with Public Resources Code section 42927, subdivision (b), which becomes operative and effective on January 1, 2009. (Stats. 2008, ch. 343, Sen. Bill No. 1016.) Section 42927 is consistent with the court's ruling and judgment, and requires a community college to "expend all cost savings that result from implementation of the district's integrated waste management plan pursuant to this chapter to fund the continued implementation of the plan consistent with the requirement that revenues from the sale of recyclable materials be used to offset recycling program costs, as specified in Sections 12167 and 12167.1 of the Public Contract code."

Furthermore, the Board incorrectly argues that "this change is consistent with the Commission's statutes which provide that the 'reasonable reimbursement methodology' used should identify the costs to implement the mandate in a cost-efficient manner." A reasonable reimbursement methodology is defined in Government Code section 17518.5 to mean a formula for reimbursing school districts for costs mandated by the state that is based on general allocation formulas, uniform cost allowances, and other approximations of local costs. Reasonable reimbursement methodologies are used in lieu of a district maintaining detailed documentation of actual local costs and may be developed by the Department of Finance, the State Controller's Office, an affected state agency, a claimant, or an interested party. The Commission has not adopted a reasonable reimbursement methodology in this case, and one has not yet been proposed.

Finally, the Board contends that the proposed amendments are necessary to capture information necessary to provide accurate claims. But the information on cost savings is already available to the Board. The court found that cost savings can be determined from the calculations of annual solid waste disposal reduction or diversion included in the community colleges' annual reports to the Board pursuant to Public Resources Code section 42926, subdivision (b)(1).<sup>17</sup> In comments to the proposed statewide cost estimate, the Board was able to determine from this report the dollar amount of cost savings for the fiscal years in question and argued that the statewide cost estimate should be set at zero "since community college districts collectively reported to the Board the

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<sup>17</sup> Exhibit F, Ruling, page 7.

diversion of waste in a tonnage amount that equaled \$22 million in avoided disposal costs.”<sup>18</sup>

Therefore, staff recommends that the Commission deny the Board’s request to amend the parameters and guidelines to require community colleges to specifically analyze the cost savings information identified by the Board when filing reimbursement claims.

**Issue 2: Should the Commission amend Section IX of the parameters and guidelines to add language regarding the State Controller’s claiming instructions?**

Section IX of the parameters and guidelines states the following:

**IX. STATE CONTROLLER’S REVISED CLAIMING INSTRUCTIONS**

The Controller shall, within 60 days after receiving amended parameters and guidelines prepare and issue revised claiming instructions for mandates that require state reimbursement after any decision or order of the commission pursuant to section 17558. The claiming instructions shall be derived from the test claim decision and the parameters and guidelines adopted by the Commission. Pursuant to Government Code section 17561, subdivision (d)(2), issuance of the claiming instructions shall constitute a notice of the right of the local agencies and school districts to file reimbursement claims, based upon parameters and guidelines adopted by the Commission. In preparing revised claiming instructions, the Controller may request the assistance of other state agencies. (Gov. Code, § 17558, subdivision (c).)

If revised claiming instructions are issued by the Controller pursuant to subdivision (c) of section 17558 between November 15 and February 15, a local agency or school district filing an annual reimbursement claim shall have 120 days following the issuance date of the revised claiming instructions to file a claim.

The Board requests that the Commission add the following language to Section IX:

The claiming instructions shall include sufficient instructions to ensure that only additional expenses related to this mandate are included and that any offsetting savings, as described above, are not included.

Staff recommends that the Commission deny the proposed language. The requirement that only increased costs be claimed is already provided in the boilerplate language of Section IV of the parameters and guidelines, Reimbursable Activities, which states that:

The claimant is only allowed to claim and be reimbursed for increased costs for reimbursable activities identified below. Increased cost is limited to the cost of an activity that the claimant is required to incur as a result of the mandate.

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<sup>18</sup> Exhibit E.

Furthermore, staff finds that offsetting cost savings are adequately described in Section VIII of the parameters and guidelines, the first sentence of which states that “[r]educed or avoided costs realized from implementation of the community college districts’ Integrated Waste Management plans *shall be identified and offset from this claim* as cost savings, consistent with the directions for revenue in Public Contract Code sections 12167 and 12167.1.” (Emphasis added.)

The claiming instructions prepared by the State’s Controller’s Office are required to be derived from the test claim decision and the adopted parameters and guidelines. (Gov. Code, § 17558, subd. (b).)

Accordingly, staff recommends that the Commission deny the proposed amendments to Section IX of the parameters and guidelines.

### **Conclusion and Staff Recommendation**

Staff recommends that the Commission deny the request of the Integrated Waste Management Board to amend the parameters and guidelines.