

ITEM 11

EXECUTIVE DIRECTOR'S REPORT

Proposed 2024 Hearing Calendar, Workload Update, and Tentative Agenda Items for the October 2023 and December 2023 Meetings (info/action)

I. New Commission Staff

Since the Commission's last meeting, our former Assistant Executive Director, Heidi Palchik has left the Commission for a promotion at the Office of Emergency Services, and we have hired two new staff members.

Joseph Ortiz, Information Specialist I. Joseph graduated Magna Cum Laude from Arizona State University earning a BA in Interdisciplinary Studies, with a minor in IT. In addition to his degree, he has obtained several IT certifications, including Exchange 365, Intune, SCCM, Group Policy Management, and Windows Desktop Enterprise Support.

Mr. Ortiz has worked in IT for state and local government agencies since 2017 including the State's Office of Systems Integration, Nevada County and, most recently, the City of Roseville.

Mr. Ortiz started on August 16, 2023, as part of our IT team, and we are thrilled to have him join us.

Additionally, I am pleased to announce our new Assistant Executive Director: Administrative Services: Cristina Bardasu, who will begin working at the Commission on Monday, September 24, 2023.

Ms. Bardasu earned her Bachelors in Business Administration from the University of Economy, Romania after which she attended the University of Law, Romania for a year. And, she earned her Certificate of Bookkeeping from Sunrise Tech Center and her Certificate of Completion of Real Estate Courses from Accredited Real Estate Schools.

Cristina is coming to us from the Department of Education, Tobacco-Use Prevention Education Program, where she has served as an Staff Services Manager I since 2018 and led and supervised a team working on budget, contracts, grants, personnel, legislation, and planning.

Prior to her promotion to management she served briefly as an AGPA in a lead capacity working on budgeting, administrative, analytical, and technical assistance support for the Foster Youth Services Coordinating Program.

And, for those who have served on or participated in Commission hearings for a while, you might remember Cristina also worked at the Commission from January 2016 to May 2017 where she adeptly handled the Commission's budgeting and accounting functions, including establishing new systems and means of tracking critical information. She also

prepared a statewide cost estimate and was a lot of fun for Commission staff to work with. We are delighted to have her as a new member of our executive team.

II. PROPOSED 2024 HEARING CALENDAR (action)

Commission meetings are generally held on the fourth Fridays of odd months, unless they conflict with a holiday. In 2024, there are no holiday conflicts for the Commission’s regular hearing dates, though the May hearing is proposed for the Friday of the Memorial Day weekend, as is usual. Therefore, all 2024 regular meetings are proposed for the fourth Fridays of odd months.

In addition, tentative hearing dates are proposed for April 26, 2024 and October 25, 2024.

Staff recommends that the Commission adopt the proposed 2024 hearing calendar as follows:

**COMMISSION ON STATE MANDATES
2024 HEARING CALENDAR
(The Commission will conduct its hearings at 10:00 a.m. on Fridays)
Friday, January 26, 2024
Friday, March 22, 2024
Friday, April 26, 2024 (Tentative)
Friday, May 24, 2024
Friday, July 26, 2024
Friday, September 27, 2024
Friday, October 25, 2024 (Tentative)
Friday, November 22, 2024**

III. Workload¹ (info)

A. COMPLETED WORKLOAD SUMMARY

Type of Caseload	Completed in 2021-2022	Completed in 2022/2023
Test Claims	3	4
Parameters & Guidelines	2	1
Parameters & Guidelines Amendments	1	1
Requests for Reconsideration	0	0
Statewide Cost Estimates	2	3
Request to Review Claiming Instructions	0	0

¹ As of September 1, 2023.

Type of Caseload	Completed in 2021-2022	Completed in 2022/2023
Requests for Mandate Redetermination ²	0	0
Requests for Mandate Redetermination to be Amended, Set Aside, or Reinstated, as Directed by the Legislature or Court Action	0	0
Requests for Mandate Redetermination Reconsideration Based on Court Action	0	0
Incorrect Reduction Claims	4	3
Appeal of Executive Director Decisions	0	0
Order to Set Aside a Test Claim, Parameters and Guidelines or Incorrect Reduction Claim Decision	0	1

B. COMMISSION WORKLOAD REPORT

Type of Action	Pending on 7/1/2023	Filed Since 7/1/2023	Completed Since 7/1/2023	Pending on 9/1/2023
Test Claims	43 ³	0	0	43 ⁴
Parameters and Guidelines	1	0 ⁵	0	1
Joint Reasonable Reimbursement Methodologies	0	0	0	0
Pending Requests To Jointly Develop Legislatively Determined Mandates	0	0	0	0
Requests for Reconsideration	0	0	0	0
Requests to Review Claiming Instructions	0	0	0	0

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

³ Two of these claims were filed in fiscal year 2022-2023 but were not deemed complete and issued for comment until after July 1, 2023.

⁴ There are a total of 44 pending test claims. 42 of the pending claims (including one test claim to be reconsidered) are local agency claims, 37 of which are regarding National Pollutant Discharge Elimination System (NPDES) permits. There are two school district test claims currently pending.

⁵ A test claimant may file proposed parameters and guidelines or Commission staff may prepare and issue draft expedited parameters and guidelines upon the adoption of an approved test claim or upon the expiration of a joint reasonable reimbursement methodology.

Type of Action	Pending on 7/1/2023	Filed Since 7/1/2023	Completed Since 7/1/2023	Pending on 9/1/2023
Statewide Cost Estimates	1	0 ⁶	0	1
Test Claims to be Reconsidered, Amended, Set Aside, or Reinstated, as Directed by the Legislature or Court Action	1	0	0	1
Parameters and Guidelines to be Amended, Set Aside, or Reinstated, as Directed by the Legislature or Court Action	1	0	0	1
Proposed Amendments to Parameters and Guidelines	0	0 ⁷	0	0
Requests for Mandate Redetermination ⁸	0	0	0	0
Requests for Mandate Redetermination to be Reconsidered, Amended, Set Aside, or Reinstated, as Directed by the Legislature or Court Action	0	0	0	0
Incorrect Reduction Claims	1	0	0	1
Incorrect Reduction Claims to be Reconsidered Based on Court Action	0	0	0	0
Appeals of Executive Director's Decisions	0	0	0	0
Order to Set Aside a Test Claim, Parameters and Guidelines or Incorrect Reduction Claim Decision	0	0	0	0
Regulatory Actions Pending	0	0	0	0

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

⁷ An affected local or state agency may file proposed parameters and guidelines amendments for any of the reasons specified by section 1183.17 of the Commission's regulations or Commission staff may be issue them upon the adoption of new test claim decision under the mandate redetermination process.

⁸ Requests for Mandate Redetermination require a two-hearing process.

Type of Action	Pending on 7/1/2023	Filed Since 7/1/2023	Completed Since 7/1/2023	Pending on 9/1/2023
Applications for Findings of Significant Financial Distress	0	0	0	0

IV. TENTATIVE AGENDA ITEMS (info)

The tentative agenda items are subject to change based on, among other things, Commission workload, staffing, litigation, requests for extensions of time to file comments on draft proposed decisions, hearing postponements, informal conferences, and the complexity of the matters.

October or December 2023 Meetings

A. TEST CLAIMS

1. *California Regional Water Quality Control Board, San Diego Region, Order No. R9-2009-0002, 10-TC-11*
County of Orange, Orange County Flood Control District, Cities of Dana Point, Laguna Hills, Laguna Niguel, Lake Forest, Mission Viejo, and San Juan Capistrano, Claimants
2. *California Regional Water Quality Control Board, Santa Ana Region, Order No. R8-2010-0033, 10-TC-07*
County of Riverside, Riverside County Flood Control and Water Conservation District, and Cities of Beaumont, Corona, Hemet, Lake Elsinore, Moreno Valley, Perris, and San Jacinto, Claimants
3. *California Regional Water Quality Control Board, San Diego Region, Order No. R9-2013-0001, 14-TC-03*
County of San Diego, Claimant

B. PARAMETERS AND GUIDELINES

California Regional Water Quality Control Board, San Diego Region, Order No. R9-2007-0001, Permit CAS0108758, Parts D.1.d.(7)-(8), D.1.g., D.3.a.(3), D.3.a.(5), D.5, E.2.f, E.2.g, F.1, F.2, F.3, I.1, I.2, I.5, J.3.a.(3)(c)iv-viii & x-xv, and L, Adopted January 24, 2007, 07-TC-09-R
County of San Diego, Cities of Carlsbad, Del Mar, Imperial Beach, Lemon Grove, Poway, San Marcos, Santee, Solana Beach, Chula Vista, Coronado, Del Mar, El Cajon, Encinitas, Escondido, Imperial Beach, La Mesa, Lemon Grove, National City, Oceanside, San Diego, and Vista, Claimants