

Adopted: 10/25/84
Amended: 4/25/85
Amended: 7/23/87
Amended: 4/28/88
WP 0022s

Parameters and Guidelines
Title 8, California Administrative Code Section 3401(c)
Personal Safety Alarm Devices

I. Summary of Mandates

In January of 1982, the Occupational Safety and Health Standards Board of the State, of California amended Title 8, California Administrative Code Section 3401(c) to provide that local agency fire departments must have a personal alarm device for every firefighter engaged in interior structural firefighting activities to be used in conjunction with a self-contained breathing apparatus after September 30, 1983.

II. Board of Control Decision

On March 28, 1984 the State Board of Control considered the claim of the City of Paradise (SB 90-4087) that the rule as formulated by the Occupational Safety and Health Standards Board constituted a **state-**mandated cost. The Board held that the personal alarm equipment requirement constituted a new requirement that increased program service levels by requiring local entities to incur increased costs to meet the requirements, and that there were no federal requirements established in the area.

III. Effective Date of the Mandate

January 27, 1982

IV. Eligible Claimants

Any local agency, as that term is defined by Revenue and Taxation Code 2211, which on or after January 27, 1982 in the course of performing structural fire protection was required to purchase and make available to its employees a personal alarm device required by Title 8, California Administrative Code Section 3401(c).

V. Period of Claim

All eligible costs incurred on or after January 27, 1982 are reimbursable. The first claim submitted will report costs incurred from January 27, 1982 through June 30, 1982 and subsequent fiscal years. Pursuant to Revenue and Taxation Code Section 2231 (d)(1), all claims for reimbursement of costs shall be submitted within 120 days from the date of notification by the Controller of the enactment of the claims bill.

If total costs incurred in a single fiscal year do not exceed \$200.00, no reimbursement shall be allowed except as otherwise provided in Revenue and Taxation Code Section 2233.

VI. Reimbursable Costs

Reimbursable costs include the following:

(1) Initial costs associated with the acquisition of personal alarm devices as required by Title 8, California Administrative Code, Section 3401(c).

(2) Costs of repairs to personal alarm devices and replacement of personal alarm devices and their component parts (such as batteries), when necessary.

The furnishing of invoices for (1) and (2) above, with an indication of payment from the involved local agency shall constitute evidence of such purchase cost.

(3) Staff time spent in procuring or replacing this equipment.

(4) Staff time spent for initial orientation in the proper use of these devices for employees unfamiliar with personal safety alarm devices.

(5) Staff time spent in periodic testing of personal alarm devices to ensure operability.

VII. Salaries, Benefits and Allowable Overhead Costs

Employer costs should be supported by the following: employee name and/or position (job title), productive hourly rate, hours worked, salary and benefits amounts and a description of the tasks performed as they relate to this mandate.

Local agencies have the option of using 10% of direct labor as indirect costs or preparing a departmental rate for this program using the Indirect Cost Rate Proposal method.

VIII. Supporting Documentation

All costs claimed shall be traceable to source documents including final determination documents which shall be retained by the claimant for audit purposes. Claimants who have been reimbursed under these parameters and guidelines are required to retain all source documentation for three years from the date of final payment by the State Controller's Office. Selection of appropriate data is the responsibility of the claimant.

IX. Certification of Costs

All claimants must complete and sign the following certification of costs: "I do hereby certify that Sections 1090 to 1096, inclusive, of the Government Code and other applicable provisions of the law have been complied with; and that I am the person authorized by the local agency to file claims for the funds of the State of California."

Signature of Authorized Representative

Date

Title

Telephone Number

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If total costs incurred in a single fiscal year do not exceed \$200.00, no reimbursement shall be allowed except as otherwise provided in Revenue and Taxation Code Section 2233.

1. The following outlines the costs eligible for reimbursement for the pre-November 11, 1978 costs:
 - a. Preliminary planning public hearings and meetings necessary during the development of the plan.
 - b. Cost of providing the Solid Waste Management Board with a schedule for preparation of the plan as required in Section 17138 of the CAC. A copy of the schedule must accompany the claim.
 - c. Cost of providing progress reports, on December 21, 1974, and June 30, 1975, to the Solid Waste Management Board as required by Section 17139 of the CAC. Copies of progress reports must accompany the claim.
 - d. Cost for duplication of preliminary draft of the plan which is provided to the Solid Waste Management Board as required by Section 17150 of the CAC. Cost for preparation and duplication of the abridged plan which is required by Section 17140 of the CAC.
 - e. Cost for preparation of the plan review check list which is prepared for submission to the Solid Waste Management Board as required by Section 17153 of the CAC.
 - f. Cost for inclusion of city plans in the county plan as required by Section 17170 of the CAC. These costs may include collection and analysis of the city plans as well as inclusion in the countywide plan.
 - g. Cost for identification of solid waste as required by Section 17172 of the CAC. This includes the determination of volume, extent and composition of solid waste,
2. The activities undertaken subsequent to November 11, 1978 which are eligible for reimbursement in the Preparation of Original Solid Waste Management Plans are outlined below:
 - a. Preliminary planning public hearings and meetings necessary during the development of the plan.
 - b. Cost of providing the Solid Waste Management Board with a schedule for preparation of the plan as required in Section 17139 of the CAC.
 - c. Cost of duplication of a preliminary draft if requested by the State Solid Waste Management Board.
 - d. Cost for inclusion of city plans in the county plan as required by Section 17129(b) of the CAC. These costs may include collection and analysis of the city plans as well as inclusion in the countwide plan.
 - e. Cost for identification of solid waste as required by Section 17131 of the CAC. This includes the determination of volume, extent and composition of solid waste.

Any costs claimed for the Preparation of Original Solid Waste Management Plans must be-reduced by the amount of funds received from "non-local agency sources" if such funds reimburse activities claimed. Only actual, not estimated costs shall be claimed. If total costs are less than \$200, no reimbursement will be allowed (Revenue and Taxation Code, Section 2253(c)(3).

. B. For Revisions of Solid Waste Management Plans

Counties will be reimbursed for increased costs associated with-those activities required by Chapter 1309, Statutes of 1976 and Section 17141 of Title 14, CAC. There are two areas of costs reimbursable:

1) Preparation of Plan Review Report and 2) Preparation of Plan Revision and amendments.

These claimed amounts must be reduced by the amount of funds received from "non-local agency sources" if such funds also reimburse activities claimed. For clarification, those costs associated with both the Non-Hazardous Waste portion and the Hazardous Waste portion of the Plan Review Report or Plan Revision are reimbursable. Only actual, not estimated costs shall be claimed. If total costs are less than \$200, no reimbursement will be allowed (Revenue and Taxation Code, Section 2253(c)(3).

1. Reimbursable county employee costs associated with preparation of Plan Review Report.

County employee costs claimed must show classification of employee, mandated function performed, amount of time spent and hourly rates. Some of the mandated functions which are reimbursable include, but are not limited to:

- Review of county plan, in conformance with Government Code 66380.5, in order to assure that the county plan remains consistent with state policy and the Planning Guidelines for the Preparation of Solid Waste Management Plans. The reviews eligible for reimbursement are those required prior to the third anniversary date of the Solid Waste Management Board (SWMB) approval of the plan or most recent revision or report. Development of Plan Review Report by the counties. This report outlines if and where a plan's content, policy, etc., must be updated. This report serves as a basis for the county and the SWMB to determine if revisions to the CoSWMP are necessary.
- Attendance of county staff at meetings/hearings required prior to development of Plan Review Report. This includes 1) Citizens Solid Waste Advisory Committee meetings, 2) City Council meetings, 3) State Solid Waste Management Board hearings (when county staff are requested by the State SWMB to attend the hearings).
- Incorporating city plans into the county plan. These costs may include collection and analysis of the city plans as well as inclusion in the countywide plan.

2. Reimbursable county employee costs associated with preparation of Plan Revision and amendments.

Costs in this section are reimbursable if, after submitting the Plan Review Report to the SWMB, the SWMB determines that a Plan Revision is necessary. A copy of the SWMB "Resolution order or finding" must be included with any claims for reimbursement. County

employee costs claimed must show classification of employee, mandated function performed, amount of time spent and hourly rates. The primary reimbursable mandated functions are:

- Review of the Plan Review Report to assure that the various elements of the report, as approved by the SWMB are incorporated into the Plan Revision.
- Development of the Plan Revision by counties.
- Attendance of county staff at meetings/hearings required to prior to development of the Plan Revision. This includes 1) Citizens Solid Waste Advisory Committee meetings, 2) City County meetings, 3) State SWMB hearings.
- Incorporating city plans into county plan. These costs may include collection and analysis of the city plans as well as inclusion in the countywide plan.

C. Other Reimbursable Costs

1. Professional Consultant Services

Separately show name of consultants, describe reasons for hiring consultants, specify functions consultants performed relative to the mandate, length of appointment, and itemized costs for such services. Only those consultant costs associated with the reimbursable activities indicated under parts A and B of these parameters and guidelines will be allowed.

2. Travel Costs

The reasonable and necessary travel costs related to county staff attending the various hearings/meetings outlined in parts A and B.

3. Services and Supplies

Only expenditures identified as a direct cost as a result of the mandate can be claimed. List costs of material acquired which have been consumed or expended specifically for the purposes of this work phase. Travel and subsistence expenses are paid in accordance with rules of the local jurisdiction. Compensation for use of equipment is allowable through a use allowance or depreciation during the period it is assigned to the work phase. Normally, cost for use of equipment is claimable through an indirect cost rate. However, if such cost is directly charged, a supporting schedule must be attached showing how this cost was computed.

4. Allowable Overhead Cost

Indirect cost may only be claimed through an indirect cost rate proposal prepared in accordance with the provisions of Federal Regulation OASC-10 (formerly OMB Circular A-87 and FMC 74-4) as a percentage of, generally direct salary and wages. Indirect cost may include costs of space, equipment, utilities, insurance, administration, etc. (i.e., those elements of indirect cost incurred as a result of the mandate, originating in the performing unit and the costs of central administrative services distributed through the central services cost allocation plan and not otherwise treated as direct cost). The indirect cost rate percentage used must be shown on the report.

D. Special Note

1. For audit purposes, all costs claimed shall be traceable to source documents or worksheets which show the validity of such costs. These documents shall be kept on file (i.e., receipts, vouchers, contracts, timesheets, cost plans, etc.). If timesheets are not available to verify hours attributable to the mandate, documentary evidence must include dates, hours worked, and description of activities performed.
2. The following certification must accompany all claims:

I DO HEREBY CERTIFY:

THAT sections 1090 to 1096, inclusive, of the Government Code and other applicable provisions of the law have been complied with; and

THAT I am the person authorized by the local agency to file claims for funds with the -State of California.

SIGNATURE OF AUTHORIZED REPRESENTATIVE	DATE
TITLE	TELEPHONE NUMBER