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COMMISSION ON
STATE MANDATES

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February 24, 2009

VIA FIRST CLASS MAIL

Ms. Paula Higashi
Executive Director
Commission on State Mandates
980 Ninth Street, Suite 300
Sacramento, CA 95814

**Re: City of Vallejo; Withdrawal of Test Claim
Claim Number CSM-07-TC-07, "Ferry Assets."**

Dear Ms. Higashi:

We represent the City of Vallejo ("Vallejo") in the above test claim ("the Test Claim"). Vallejo's Test Claim relates to Senate Bill 976, the San Francisco Bay Area Water Emergency Transportation Response and Disaster Recovery Act (the "Act"), which was effective January 1, 2008 and which created a new entity named the Water Emergency Transportation Agency ("WETA"). Vallejo's test claim asks the Commission to determine whether the Act, by authorizing WETA to seize, without compensation, certain of Vallejo's assets, including its ferries, parking lots, contracts, and other real and personal property associated with its ferries, constitutes a reimbursable state mandate on local agencies within the meaning of Section 6 of Article XIII B of the California Constitution.

The purpose of this letter is to inform the Commission, all parties and interested parties that Vallejo is withdrawing its Test Claim. This application for withdrawal of Vallejo's Test Claim is being served on all parties and interested parties, pursuant to California Code of Regulations, title 2, chapter 2.5, sections 1181.2 and 1183.08.

PROOF OF SERVICE

City of Vallejo; Withdrawal of Test Claim Number CSM-07-TC-07, "Ferry Assets"

I, Janis Ruzgerian, declare:

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 555 West 5th Street, 31st Floor, Los Angeles, CA 90013. On February 24, 2009, I served the document(s) described as **City of Vallejo Withdrawal of Test Claim letter** on the interested parties in this action as follows:

By placing the original a true copy thereof enclosed in a sealed envelope addressed as follows:

SEE ATTACHED SERVICE LIST

BY MAIL: The envelope was mailed with postage thereon fully prepaid. I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. postal service on that same day with postage thereon fully prepaid at Los Angeles, CA in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if the postal cancellation date or postage meter date is more than one day after service of deposit for mailing in affidavit.


OVERNIGHT DELIVERY: I deposited such envelope in a facility regularly maintained by FEDERAL EXPRESS UPS Overnight Delivery [specify name of service:] with delivery fees fully provided for or delivered the envelope to a courier or driver of FEDERAL EXPRESS UPS OVERNIGHT DELIVERY [specify name of service:] authorized to receive documents at 555 West 5th Street, 31st Floor, Los Angeles, CA 90013 with delivery fees fully provided for.

BY FACSIMILE: The foregoing document was transmitted to the above-named persons by facsimile transmission from (213) 533-4191 before 5:00 p.m. on said date and the transmission was reported as complete and without error.

[State] I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

[Federal] I declare that I am employed in the offices of a member of the State Bar of this Court at whose direction the service was made. I declare under penalty of perjury under the laws of the United States of America that the above is true and correct.

Executed on February 24, 2009, at Los Angeles, California.



Janis Ruzgerian