

Minutes

COMMISSION ON STATE MANDATES

Location of Meeting: California Department of Food and Agriculture (CDFA),
First Floor Auditorium, 1220 N Street, Sacramento, California, 95814 and via Zoom
September 26, 2025

Present: Member Michele Perrault, Chairperson
Representative of the Director of the Department of Finance
Member Malia Cohen, Vice Chairperson
State Controller
Member Deborah Gallegos, Vice Chairperson
Representative of the State Controller's Office (Replacing Member
Cohen as her Designee for Closed Session and Adjournment only)
Member Lee Adams
County Supervisor
Member Karen Greene Ross
Public Member
Member Renee Nash
School District Board Member
Member William Pahland
Representative of the State Treasurer
Member Alexander Powell
Representative of the Director of the Office of Land Use and Climate
Innovation

NOTE: The transcript for this hearing is attached. These minutes are designed to be read in conjunction with the transcript.

CALL TO ORDER AND ROLL CALL

Chairperson Perrault called the meeting to order at 10:04 a.m. Executive Director Gmur called the roll. Members Adams, Cohen, Greene Ross, Nash, Pahland, Perrault, and Powell, all indicated that they were present with Member Gallegos absent.

APPROVAL OF MINUTES

Chairperson Perrault asked if there were any objections to or corrections of the July 25, 2025 minutes. There was no response. Chairperson Perrault asked if there was any public comment on this item. There was no response. Assistant Executive Director Supachana stated that there were no online public comments. Executive Director Gmur stated that there were no public comments in the room. Chairperson Perrault asked if there were any questions from the members. There was no response. Chairperson Perrault asked, if there was no further discussion, for a motion to adopt the July 25, 2025 minutes. Member Nash made the motion to adopt the minutes. Member Adams seconded the motion. Executive Director Gmur called the roll. The Commission voted to adopt the July 25, 2025 minutes by a vote of 5-0 with Members Greene Ross and Pahland abstaining.

PUBLIC COMMENT FOR MATTERS NOT ON THE AGENDA

Chairperson Perrault asked if there was any public comment. There was no response. Assistant Executive Director Supachana stated that there were no online public comments. Executive Director Gmur stated that there were no public comments in the room.

CONSENT CALENDAR

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

ADOPTION OF ORDER TO ADOPT RULEMAKING

- Item 3* General Cleanup (Order 25-01), Proposed Amendments to California Code of Regulations, Title 2, Division 2, Chapter 2.5, Articles 1, 3, 4, 5, 6, 7, 8, and 10

Executive Director Gmur stated that Item 3 was proposed for consent. Chairperson Perrault asked if there were any objections to the proposed consent calendar from the members or from any members of the public. There was no response. Assistant Executive Director Supachana stated that there were no online public comments. Executive Director Gmur stated that there were no public comments in the room. Chairperson Perrault asked for a motion to adopt the consent calendar. Member Greene Ross made the motion to adopt the consent calendar. Member Cohen seconded the motion. The Commission voted to adopt the consent calendar by a vote of 7-0.

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

Executive Director Gmur swore in the parties and witnesses participating in the Article 7 portion of the hearing.

TEST CLAIMS

- Item 2 *Criminal Procedure: Discrimination*, 24-TC-02
Statutes 2022, Chapter 739 (AB 256), Sections 2 and 3.5; Penal Code Sections 745 and 1473
County of Los Angeles, Claimant

Senior Commission Counsel Laura Dougherty presented this item and recommended that the Commission adopt the Proposed Decision to approve the Test Claim.

Fernando Lemus and Lucia Gonzalez appeared on behalf of the County of Los Angeles. Chris Hill appeared on behalf of the Department of Finance.

Following statements by Ms. Gonzalez and Mr. Hill, Chairperson Perrault asked if there were any public comments on this item. There was no response. Assistant Executive Director Supachana stated that there were no online public comments. Executive Director Gmur stated that there were no public comments in the room. Chairperson Perrault asked if there were any questions from the Members. There was no response.

Chairperson Perrault asked, if there was no further discussion on this item, if there was a motion. Member Greene Ross made a motion to adopt the staff recommendation. Member Cohen seconded the motion. The Commission voted to adopt the Proposed Decision by a vote of 7-0.

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

REPORTS

Item 4 Legislative Update (info)

Program Analyst Jill Magee presented this item.

Item 5 Chief Legal Counsel: New Filings, Recent Decisions, Litigation Calendar (info)

Chief Legal Counsel Shelton presented this item.

Item 6 Executive Director: Proposed 2026 Hearing Calendar, Workload Update, and Tentative Agenda Items for the December 2025, January 2026, and March 2026 Meetings (info/action)

Executive Director Gmur presented this item and recommended that the Commission adopt either Option A or Option B of the Proposed 2026 Hearing Calendar.

Chairperson Perrault asked if there were any public comments on the 2026 hearing calendar. There was no response. Assistant Executive Director Supachana stated that there were no online public comments. Executive Director Gmur stated that there were no public comments in the room. Chairperson Perrault asked if there were any questions from the Members. Member Greene Ross stated that she appreciated the additional option and that she preferred Option B.

Chairperson Perrault asked if there were any other comments from the members. There was no response. Chairperson Perrault asked if there was a motion. Member Greene Ross made a motion to adopt the staff recommendation and choose Option B. Member Pahland seconded the motion. Executive Director Gmur stated that there was previous discussion of an alternative date for Option B for the December hearing to the first Friday, December 4, 2026. Chairperson Perrault asked if there was any objection to that amendment to the motion. There was no response. The Commission voted to adopt Option B with the amended date of the first Friday of December of the Proposed 2026 Hearing Calendar by a vote of 7-0.

Executive Director Gmur continued presenting this item.

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

The Commission adjourned into closed executive session at 10:28 a.m., pursuant to Government Code section 11126(e). The Commission met in closed session to confer with and receive advice from legal counsel for consideration and action, as necessary and appropriate, upon the pending litigation listed on the published notice and agenda; to confer with and receive advice from legal counsel regarding potential litigation; and to confer on personnel matters pursuant to Government Code section 11126(a)(1).

A. PENDING LITIGATION

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

There are no cases currently pending.

B. POTENTIAL LITIGATION

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

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

C. PERSONNEL

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

RECONVENE IN PUBLIC SESSION

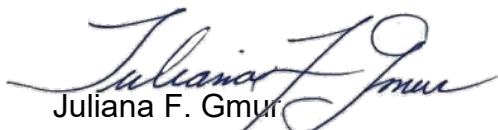
At 10:47 a.m., the Commission reconvened in open session.

REPORT FROM CLOSED EXECUTIVE SESSION

Member Deborah Gallegos replaced Member State Controller Malia Cohen for Closed Session. Chairperson Perrault reported that the Commission met in closed executive session pursuant to Government Code section 11126(e). The Commission conferred with and received advice from legal counsel for consideration and action, as necessary and appropriate, upon the pending litigation listed on the public notice and agenda, and conferred with and received advice from legal counsel regarding potential litigation, and, pursuant to Government Code section 11126(a)(1) to confer on personnel matters.

ADJOURNMENT

Chairperson Perrault asked for a motion to adjourn. Member Gallegos made the motion to adjourn the meeting. Member Nash seconded the motion. The September 26, 2025, meeting was adjourned at 10:48 a.m., by a vote of 7-0 with Member Cohen absent and Member Gallegos present.



Juliana F. Gmur
Executive Director

STATE OF CALIFORNIA
COMMISSION ON STATE MANDATES

PUBLIC MEETING

FRIDAY, SEPTEMBER 26, 2025

10:00 A.M.

MEETING HELD AT

CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE (CDFA)

FIRST FLOOR AUDITORIUM

1220 N STREET

SACRAMENTO, CALIFORNIA

AND

VIA ZOOM

VIDEO COMMUNICATIONS PLATFORM

REPORTER'S TRANSCRIPT OF PROCEEDINGS

ORIGINAL

STENOGRAPHICALLY REPORTED BY:

KATHRYN S. SWANK

Certified Shorthand Reporter No. 13061

Registered Professional Reporter

KATHRYN S. SWANK, CSR
303 Paddock Court
Roseville, California 95661
Telephone (916) 390-7731
KathrynSwankCSR@sbcglobal.net

KATHRYN S. SWANK, CSR, RPR (916) 390-7731

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

A P P E A R A N C E S

COMMISSIONERS PRESENT

MICHELE PERRAULT
Representative for Joe Stephenshaw
Department of Finance
(Chairperson of the Commission)

WILLIAM PAHLAND
Representative for FIONA MA
State Treasurer
(Vice Chairperson of the Commission)

LEE ADAMS III
Sierra County Supervisor
Local Agency Member

ALEXANDER POWELL
Representative for SAMUEL ASSEFA, Director
Office of Land Use and Climate Innovation

MALIA COHEN
State Controller
and
DEBORAH GALLEGOS
Representative for MALIA COHEN
State Controller

KAREN GREENE ROSS
Public Member

RENEE NASH
Eureka Union School District
School District Board Member

---o0o---

COMMISSION STAFF

JULIANA GMUR
Executive Director

DENNIS SUPACHANA
Assistant Executive Director

CAMILLE N. SHELTON
Chief Legal Counsel

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

A P P E A R A N C E S C O N T I N U E D

COMMISSION STAFF
(Continued)

JILL MAGEE
Program Analyst

LAURA DOUGHERTY
Senior Commission Counsel

---o0o---

PUBLIC PARTICIPANTS

FERNANDO LEMUS
County of Los Angeles, Claimant
(Item 2)

LUCIA GONZALEZ
County of Los Angeles, Claimant
(Item 2)

CHRIS HILL
Department of Finance
(Item 2)

---o0o---

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

E R R A T A S H E E T

Page	Line	Correction
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

I N D E X

ITEM NO.	PAGE
I. Call to Order and Roll Call	7
II. Approval of Minutes Item 1 July 25, 2025	9
III. Public Comment for Matters Not on the Agenda (none)	11
IV. Proposed Consent Calendar for Items Proposed for Adoption on Consent Pursuant to California Code of Regulations, Title 2, Article 7 and 8	12
V. Hearings and Decisions Pursuant to California Code of Regulations, Title 2, Article 7	
A. Test Claims	
Item 2 Criminal Procedure: Discrimination, 24-TC-02	13
Statutes 2022, Chapter 739 (AB 256), Sections 2 and 3.5; Penal Code Sections 745 and 1473	
County of Los Angeles, Claimant	
VI. Informational Hearings Pursuant To California Code of Regulations, Title 2, Article 8	
A. Adoption of Order to Adopt Rulemaking	
Tentative: General Cleanup (Order 25-01), Item 3 Proposed Amendments to California Code of Regulations, Title 2, Division 2, Chapter 2.5, Articles 1, 3, 4, 5, 6, 7, 8, and 10	12

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

I N D E X C O N T I N U E D

ITEM NO.	PAGE
B. Reports	
Item 4 Legislative Update	19
Item 5 Chief Legal Counsel: New Filings, Recent Decisions, Litigation Calendar	22
Item 6 Executive Director: Proposed 2026 Hearing Calendar, Workload Update, and Tentative Agenda Items for the December 2025, January 2026, and March 2026 Meetings	22
VII. Closed Executive Session Pursuant to Government Code Sections 11126 and 11126.3	29
A. Pending Litigation	
B. Potential Litigation	
C. Personnel	
VIII. Report from Closed Executive Session	30
Adjournment	31
Reporter's Certificate	32

---o0o---

1 FRIDAY, SEPTEMBER 26, 2025, 10:04 A.M.

2 ---o0o---

3 MS. GMUR: Madam Chair, we are in open session.

4 You can begin the hearing.

5 CHAIRPERSON PERRAULT: Thank you so much. I
6 appreciate this.

7 Good morning. The meeting on the Commission of
8 State -- on State Mandates will come to order. The time
9 is 10:04. Welcome to our hybrid meeting.

10 For those participating in person, I have some
11 housekeeping information:

12 On the table at the back of the room are paper
13 copies of the meeting notice and agenda, new filings,
14 proposed consent calendar, and witness list. The
15 electronic public hearing binder is also located there
16 on a laptop.

17 Please note that the room is "microphoned," so
18 speakers and microphones on all devices must stay muted
19 for the duration of the meeting to eliminate any
20 feedback.

21 When called up for an item, the parties and
22 witnesses will please come to the table and sit at a
23 designated laptop.

24 The restrooms are located out the entrance door and
25 through the door on the left. The men's restrooms are

1 located on the right, and the women's restroom is
2 located at the end of the hallway to the right.

3 Finally, please take note of the emergency exits in
4 the room. In the event of an emergency, please exit to
5 the door to my left, turn left, and go down the stairs.

6 For those participating remotely, the materials for
7 today's meeting, including the notice, agenda, proposed
8 consent calendar, and witness list, are available on the
9 Commission's website at www.csm.ca.gov, under the
10 "Hearings" tab.

11 When being sworn in at the beginning of the hearing
12 and when called for an item, the parties and witnesses
13 will please turn on their video and unmute their
14 microphone. At the conclusion of the item, please turn
15 off the video and mute the microphone.

16 In the event we experience technical difficulties
17 or the meeting -- or the meeting is bumped offline, we
18 will restart and allow time for people to rejoin before
19 recommencing the meeting. If we are unable to restart,
20 a notice will be published on the Commission's website
21 listing the items to be heard at the next meeting.

22 Please remember to speak slowly and accurately for
23 the benefit of the court reporter and an accurate
24 transcript of the hearing.

25 Juliana, will you please call the roll.

1 MS. GMUR: Yes, ma'am.
2 Mr. Adams.
3 MEMBER ADAMS: Here.
4 MS. GMUR: Controller Cohen.
5 MEMBER COHEN: Good morning. Present.
6 MS. GMUR: Ms. Greene Ross.
7 MEMBER GREENE ROSS: Here.
8 MS. GMUR: Ms. Nash.
9 MEMBER NASH: Here.
10 MS. GMUR: Mr. Pahlant.
11 MEMBER PAHLANT: Here.
12 MS. GMUR: Ms. Perrault.
13 CHAIRPERSON PERRAULT: Present.
14 MS. GMUR: Mr. Powell.
15 MEMBER POWELL: Here.
16 MS. GMUR: Madam Chair, we have a quorum.
17 CHAIRPERSON PERRAULT: Thank you very much.
18 Next is Item 1.
19 Are there any objections to or additional
20 corrections of the July 25th, 2025, meeting minutes?
21 (No response.)
22 CHAIRPERSON PERRAULT: Seeing none. Okay.
23 Are there any public comments on this item?
24 (No response.)
25 MR. SUPACHANA: Madam Chair, I do not see any

1 public comments.

2 MS. GMUR: No public comments in the room, Madam
3 Chair.

4 CHAIRPERSON PERRAULT: Thank you very much.

5 Are there any questions from members of the
6 Commission?

7 (No response.)

8 CHAIRPERSON PERRAULT: Seeing none.

9 Is there any -- if there's no further discussion,
10 is there a motion to adopt the July 25th, 2025, minutes?

11 MEMBER NASH: I will move approval.

12 CHAIRPERSON PERRAULT: Moved by Ms. Nash.

13 Is there a second?

14 MEMBER ADAMS: I would second that.

15 CHAIRPERSON PERRAULT: Okay. There's been a motion
16 and a second.

17 If you could please call the roll.

18 MS. GMUR: Mr. Adams.

19 MEMBER ADAMS: Aye.

20 MS. GMUR: Controller Cohen.

21 MEMBER COHEN: Aye.

22 MS. GMUR: Ms. Greene Ross.

23 MEMBER GREENE ROSS: Abstain. Was not present.

24 MS. GMUR: Ms. Nash.

25 MEMBER NASH: Aye.

1 MS. GMUR: Mr. Pahland.
2 MEMBER PAHLAND: Abstain.
3 MS. GMUR: Ms. Perrault.
4 CHAIRPERSON PERRAULT: Aye.
5 MS. GMUR: Mr. Powell.
6 MEMBER POWELL: Aye.
7 CHAIRPERSON PERRAULT: Thank you very much.
8 That motion carries.
9 We will now go ahead and move on to public comment.
10 Ms. Gmur.
11 MS. GMUR: We are now taking up public comment for
12 matters not on the agenda. Please note that the
13 Commission may not take action on items not on the
14 agenda. However, it may schedule issues raised by the
15 public for consideration at future meetings. We invite
16 the public to comment on matters that are on the agenda
17 as they are taken up.
18 CHAIRPERSON PERRAULT: Thank you very much.
19 Is there any public comment either in the room or
20 online?
21 MR. SUPACHANA: Madam Chair, there are no online
22 public comments.
23 MS. GMUR: There are no public comments in the room
24 either, Madam Chair.
25 CHAIRPERSON PERRAULT: Okay. Thank you so much.

1 So hearing no public comments, we will go ahead and
2 move on to the next item, which is our consent calendar.

3 Ms. Gmur.

4 MS. GMUR: Yes, ma'am.

5 Item 3 is proposed for consent.

6 CHAIRPERSON PERRAULT: Great. Are there any
7 objections to the proposed consent calendar from members
8 or from members of the public?

9 MR. SUPACHANA: Madam Chair, I do not see any
10 public comments online.

11 MS. GMUR: There are no public comments in the
12 room, Madam Chair.

13 CHAIRPERSON PERRAULT: Okay. Thank you very much.

14 In that case, is there a motion to adopt the
15 proposed consent calendar?

16 MEMBER GREENE ROSS: I so move.

17 CHAIRPERSON PERRAULT: Moved by Ms. Greene Ross.
18 Is there a second?

19 MEMBER COHEN: Second.

20 CHAIRPERSON PERRAULT: Second by Controller Cohen.
21 If we could please have a roll call.

22 MS. GMUR: Yes, ma'am.

23 Mr. Adams.

24 MEMBER ADAMS: Aye.

25 MS. GMUR: Controller Cohen.

1 MEMBER COHEN: Aye.

2 MS. GMUR: Ms. Greene Ross.

3 MEMBER GREENE ROSS: Aye.

4 MS. GMUR: Ms. Nash.

5 MEMBER NASH: Aye.

6 MS. GMUR: Mr. Pahland.

7 MEMBER PAHLAND: Aye.

8 MS. GMUR: Ms. Perrault.

9 CHAIRPERSON PERRAULT: Aye.

10 MS. GMUR: Mr. Powell.

11 MEMBER POWELL: Aye.

12 CHAIRPERSON PERRAULT: Great. That motion carries.

13 We'll now go ahead and move on to our swearing in.

14 Ms. Gmur.

15 MS. GMUR: Will the parties and witnesses for

16 Item 2, participating remotely, please be sure that both

17 your first and last names are listed on your Zoom window

18 for the benefit of the court reporter. Turn on your

19 video and unmute your microphone and please rise.

20 Beginning with the Claimants on behalf of the

21 County of Los Angeles, please state your names for the

22 record.

23 MR. LEMUS: Good morning. My name is Fernando

24 Lemus, County of Los Angeles.

25 MS. GMUR: Thank you.

1 MS. GONZALEZ: Good morning. My name is Lucia
2 Gonzalez, County of Los Angeles.

3 MS. GMUR: Thank you.

4 And now for the Department of Finance.

5 MR. HILL: Chris Hill, Department of Finance.

6 (Parties/witnesses stood to be sworn or
7 affirmed.)

8 MS. GMUR: Do you solemnly swear or affirm that the
9 testimony which you are about to give is true and
10 correct, based on your personal knowledge, information,
11 or belief?

12 (Affirmative responses.)

13 MS. GMUR: Thank you. Please be seated.

14 Next is Item 2. Senior Commission Counsel Laura
15 Dougherty will please present a proposed decision on
16 Criminal Procedure: Discrimination 24-TC-02.

17 CHAIRPERSON PERRAULT: Ms. Gmur, before you move to
18 that, it appears that perhaps one of our representatives
19 from the County of Los Angeles might have been -- have
20 lost some internet. She's frozen.

21 So just for purposes of swearing in, I don't know
22 whether or not -- we didn't get affirmative from her, so
23 I don't know whether you need to just verify that.

24 Oh, she appears to be back.

25 MS. GONZALEZ: Sorry. I had changed cameras. I

1 did affirm. And I'm sorry about the camera problems.

2 CHAIRPERSON PERRAULT: Great. Thank you. Just
3 wanted to make sure we captured that adequately. Okay.

4 Let me go ahead and turn it back over to
5 Ms. Dougherty.

6 MS. GMUR: Thank you, Madam Chair.

7 MS. DOUGHERTY: Thank you. Good morning.

8 Item 2 is a test claim alleging new State-mandated
9 activities and costs under Penal Code sections 745 and
10 1473 as amended by the Racial Justice Act -- I'm sorry.
11 The Racial Justice For All Act in 2022.

12 In 2020, the Racial Justice Act passed, which
13 banned discrimination in criminal proceedings, but it
14 did so only prospectively for judgments entered on or
15 after January 1st, 2021.

16 The test claim statute made the Racial Justice Act
17 retroactive, thereby opening up a petition process for
18 those in state prison and the juvenile justice system.

19 Now anyone who is incarcerated with a judgment
20 entered before January 1st, 2021, may file a petition
21 for writ of habeas corpus to collaterally attack their
22 judgment for racial bias in the prosecution.

23 These claims can go back decades.

24 The purpose of the test claim statute is to erase
25 implicit and explicit racial bias from criminal

1 judgments entered before January 1st, 2021. It
2 addresses government behavior through the civil
3 proceeding of a habeas corpus petition.

4 To facilitate these habeas corpus petitions, the
5 act newly requires courts to appoint county public
6 defenders to represent petitioner inmates. This starts
7 when an inmate, by themselves, states facts on a habeas
8 corpus petition that would establish a Racial Justice
9 Act violation, or if the state public defender specially
10 requests that the petitioner be represented.

11 Once appointed, the county public defender must
12 review the petition and amend it if necessary.

13 Then, if the judge finds that a substantial
14 likelihood of a Racial Justice Act violation exists, the
15 judge schedules an evidentiary hearing. The public
16 defender must represent the habeas petitioner until the
17 conclusion of that hearing.

18 Commission staff finds the test claim statute
19 imposes a reimbursable State-mandated program within the
20 meaning of Article XIII B, section 6, of the California
21 Constitution and Government Code section 17514; and
22 recommends the Commission approve this test claim and
23 authorize staff to make any technical, nonsubstantive
24 changes to the proposed decision following the hearing.

25 Thank you.

1 CHAIRPERSON PERRAULT: Thank you very much.

2 Parties and witnesses, if you could please state
3 your names for the record. Please -- we'll first bring
4 forward, for the Claimant, County of Los Angeles. Would
5 you like to begin? And if you would just, again,
6 introduce yourselves.

7 MS. GONZALEZ: Yes. Thank you. My name is Lucia
8 Gonzalez, and I'm with the Office of County Counsel for
9 the County of Los Angeles.

10 CHAIRPERSON PERRAULT: It appears maybe our
11 other -- Mr. -- oh, there he is.

12 MR. LEMUS: Hi. My name is Fernando Lemus, and I
13 am with the County of Los Angeles, the Department of the
14 Auditor-Controller.

15 CHAIRPERSON PERRAULT: Great.

16 Do either of you have additional comments you would
17 like to provide?

18 MS. GONZALEZ: No additional comment.

19 Only that the County of Los Angeles recommends that
20 the Commission adopt the staff's proposed decision. And
21 we'll submit on the Commission staff's finding.

22 CHAIRPERSON PERRAULT: Thank you so much.

23 Mr. Hill, for the Department of Finance, do you
24 have any comments?

25 MR. HILL: Chris Hill, Department of Finance.

1 We have no additional comments.

2 CHAIRPERSON PERRAULT: Thank you, Mr. Hill.

3 Are there any other public comments either in the
4 room or online for this item?

5 MR. SUPACHANA: Madam Chair, there are no online
6 public comments.

7 MS. GMUR: There are no public comments in the
8 room, Madam Chair.

9 CHAIRPERSON PERRAULT: Thank you so much.

10 Are there any comments or questions from members of
11 the Commission?

12 (No response.)

13 CHAIRPERSON PERRAULT: Seeing none.

14 Without any further discussion, is there a motion
15 on this item?

16 MEMBER GREENE ROSS: Move to approve staff's
17 recommendation.

18 MS. GMUR: That was a motion by Ms. Greene Ross.

19 CHAIRPERSON PERRAULT: Thank you. I can't hear her
20 but I saw -- okay. So a move by Ms. Greene Ross.

21 Is there a second?

22 MEMBER COHEN: I'll make --

23 MEMBER POWELL: Madam Chair. Second.

24 CHAIRPERSON PERRAULT: A second by Controller
25 Cohen.

1 If we could please get a roll call.
2 MS. GMUR: Yes, ma'am.
3 Mr. Adams.
4 MEMBER ADAMS: Aye.
5 MS. GMUR: Controller Cohen.
6 MEMBER COHEN: Aye.
7 MS. GMUR: Ms. Greene Ross.
8 MEMBER GREENE ROSS: Aye.
9 MS. GMUR: Ms. Nash.
10 MEMBER NASH: Aye.
11 MS. GMUR: Mr. Pahlund.
12 MEMBER PAHLAND: Aye.
13 MS. GMUR: Ms. Perrault.
14 CHAIRPERSON PERRAULT: Aye.
15 MS. GMUR: Mr. Powell.
16 MEMBER POWELL: Aye.
17 CHAIRPERSON PERRAULT: Great. Thank you. That
18 motion carries.
19 MS. GMUR: We now ask the presenters participating
20 remotely for Item 2 to please turn off their video and
21 mute their microphone.
22 Next, Program Analyst Jill Magee will please
23 present Item 4, the Legislative Update.
24 MS. MAGEE: Good morning. Good morning.
25 The following are the legislative updates since the

1 last time the Commission met:

2 First, AB 964, Commission on State Mandates: State
3 mandates. AB 964 was introduced by Assembly Member
4 Hadwick.

5 This bill amends Government Code section 17558.5.

6 This bill would require the Controller to notify
7 the claimant in writing within 30 days of any adjustment
8 that results from an audit or review; and now requires
9 the Controller to allow a local agency or school
10 district, at the sole discretion of the local agency or
11 school district, to offset any reduced reimbursement as
12 prescribed or to remit funds to the Controller.

13 There has been no new action on this bill.

14 Next, AB 1452, State Mandates: Claims. AB 1452
15 was introduced by Assembly Member Ta.

16 This bill amends Government Code section 17564.

17 This bill would change the minimum claim amount
18 that requires the State to reimburse the local
19 government from \$1,000 to \$800.

20 There has been no new action on this bill.

21 Next, SB 470, Bagley-Keene Open Meeting Act:
22 Teleconferencing.

23 SB 470 was introduced by Senator Laird. This bill
24 now amends Government Code sections 11123.2 and 11123.5.

25 The act authorizes an additional alternative set of

1 provisions under which a state body may hold a meeting
2 by teleconference, subject to specified requirements.

3 Existing law repeals these provisions on
4 January 1st, 2026. This bill now repeals these
5 provisions on January 1st, 2030.

6 On September 16th, 2025, this bill was enrolled and
7 presented to the governor at 3 p.m.

8 Finally, AB 395, Holidays. AB 395 was introduced
9 by Assembly Member Gabriel.

10 This bill amends Government Code section 11131, the
11 Bagley-Keene Open Meeting Act.

12 Among other things, this bill would require that a
13 state agency shall make every reasonable effort to avoid
14 conducting any meeting, conference, or other function on
15 a date for which the state agency knows or has reason to
16 know that members of the public would be unable to
17 participate or be present due to the ritual observance
18 of a religious, cultural, or ancestral holiday,
19 including, but not limited to, Eid al-Adha, Eid al-Fitr,
20 Feast of the Nativity, Maha Shivaratri, the first and
21 last two days of Pesach, also known as Passover, Rosh
22 Hashanah, Yom Kippur, Dawali, and Dussehra.

23 There has been no new action on this bill.

24 Staff will continue to monitor legislation for
25 bills that impact the Mandates process.

1 Thank you.

2 MS. GMUR: Thank you, Jill.

3 Next, Chief Legal Counsel Camille Shelton will
4 present please Item 5, the Chief Legal Counsel Report.

5 MS. SHELTON: Good morning. The Commission is not
6 involved in any pending --

7 (Court reporter interruption.)

8 MS. SHELTON: I will start over then.

9 The Commission is not involved in any pending
10 litigation at this time. So I have nothing to report
11 today.

12 MS. GMUR: Thank you, Camille.

13 And now the Executive Director Report.

14 I have an action item that we're going to begin
15 with, and then two information items thereafter.

16 Our first action item is the proposed 2026 hearing
17 calendar. Traditionally, the Commission members have
18 set the next year's hearing calendar at the September
19 hearing.

20 While Commission meetings are generally held on the
21 fourth Friday of odd-numbered months, unless they
22 conflict with a holiday, this year, an alternative
23 schedule is proposed with hearings on the second Friday
24 of even-numbered months.

25 So Option A. This is the -- this is our

1 traditional calendar. The Thanksgiving holiday
2 conflicts with the Commission's regular hearing date, so
3 the hearing will be moved to the following Friday. And
4 the May hearing is proposed to be the Friday before
5 Memorial Day weekend.

6 The dates are January 23rd, March 27th, a tentative
7 hearing on April 24th, May 22nd, July 24th,
8 September 25th, a tentative hearing on October 23rd, and
9 December 4th.

10 Option B. This would be the second Friday of
11 even-numbered months. The February hearing is proposed
12 for the Friday before President's Day. And the April
13 hearing is proposed for the Friday after Easter.

14 And the dates are February 13, April 10, a
15 tentative hearing on May 15, June 12, August 14,
16 October 9, a tentative hearing for November 13, and
17 December 11.

18 Staff recommends the Commission adopt one of the
19 proposed 2026 hearing calendars.

20 CHAIRPERSON PERRAULT: Thank you so much.

21 I know you have some additional items to comment
22 on, but let's please take up this action item first.

23 Before I move to conversation amongst the
24 commissioners, are there any -- is there any public
25 comment on the 2026 hearing calendar?

1 MR. SUPACHANA: Madam Chair, there are no online
2 public comments.

3 MS. GMUR: No comments in the room, Madam Chair.

4 CHAIRPERSON PERRAULT: Okay. Thank you.

5 Then I'm going to go ahead and bring it back to the
6 Commission.

7 We have two proposed calendars:

8 Essentially one would continue with the schedule we
9 currently have, which is the last Friday of the
10 odd-numbered months. And -- I'm sorry. The last
11 Friday. Did I say that? The fourth Friday.

12 The other one would move it to the second Friday on
13 the even-numbered months, with a few exceptions for
14 holidays.

15 Is there a preference or are there comments from
16 commissioners regarding the options?

17 Yes, Ms. Greene Ross.

18 MEMBER GREENE ROSS: I appreciate the additional
19 options --

20 (Court reporter interruption.)

21 CHAIRPERSON PERRAULT: We can hear you.

22 MEMBER GREENE ROSS: I'm a big fan of the second
23 option, B. I would prefer not to have some of the
24 holiday weekends that the original one has.

25 CHAIRPERSON PERRAULT: Okay. Excellent.

1 Any other comments from the commissioners?

2 (No response.)

3 CHAIRPERSON PERRAULT: I will just note that I did
4 ask the Executive Director to look at some additional
5 options because it -- many of the State's boards and
6 commissions tend to like to meet in the last week of
7 each month, which can make it a little bit difficult for
8 some of us who sit on multiple boards when we come up
9 with some conflicts.

10 I appreciate her bringing forward an alternative
11 option.

12 Ms. Greene Ross has indicated her preference would
13 be Option B, which would move us to the second week.

14 Ms. Greene Ross -- unless there's other comments
15 from commissioners, Ms. Greene Ross, would you like to
16 make a motion?

17 MEMBER GREENE ROSS: Yes. Move to approve Option
18 B.

19 CHAIRPERSON PERRAULT: Okay. Any other
20 conversation before we seek a second?

21 (No response.)

22 CHAIRPERSON PERRAULT: Okay. Seeing none, is there
23 a second for Option B?

24 MEMBER PAHLAND: I will second.

25 CHAIRPERSON PERRAULT: If not, I will second it.

1 MEMBER PAHLAND: I will second.

2 CHAIRPERSON PERRAULT: Okay. I'm not sure who that
3 was. I apologize.

4 MEMBER PAHLAND: Mr. Pahlund.

5 CHAIRPERSON PERRAULT: Thank you.

6 Okay. It's been motioned and seconded for Option
7 B.

8 If we could please have a roll call.

9 MS. GMUR: Madam Chair, I believe that you wanted
10 to make -- if we went with Option B, you wanted to make
11 an alteration. Did you want to address that now with an
12 alternative motion?

13 CHAIRPERSON PERRAULT: Oh, the December date.
14 That's right.

15 MS. GMUR: Yes, ma'am.

16 CHAIRPERSON PERRAULT: Thank you. And please
17 remind me -- I apologize, because I didn't note it.
18 Remind me what date we had discussed moving that to.

19 MS. GMUR: Yes, ma'am.

20 Your motion would be for Option B. However, with
21 regard to the December hearing, you would move it to our
22 usual -- a week earlier. So the December 11 hearing
23 would actually be a December 4 hearing.

24 CHAIRPERSON PERRAULT: Great. That's right. Thank
25 you so much for that reminder.

1 Is there any objection to that amendment from
2 Ms. Greene Ross who motioned and from the second?

3 MEMBER PAHLAND: None.

4 CHAIRPERSON PERRAULT: No? Okay. Then go ahead.
5 And we have a motion and second for Option B with the
6 amended date for December.

7 MS. GMUR: Yes, ma'am.

8 Mr. Adams.

9 MEMBER ADAMS: Aye.

10 MS. GMUR: Controller Cohen.

11 MEMBER COHEN: Aye.

12 MS. GMUR: Ms. Greene Ross.

13 MEMBER GREENE ROSS: Aye.

14 MS. GMUR: Ms. Nash.

15 MEMBER NASH: Aye.

16 MS. GMUR: Mr. Pahland.

17 MEMBER PAHLAND: Aye.

18 MS. GMUR: Ms. Perrault.

19 CHAIRPERSON PERRAULT: Aye.

20 MS. GMUR: Mr. Powell.

21 MEMBER POWELL: Aye.

22 CHAIRPERSON PERRAULT: Thank you so much.

23 That motion carries.

24 And then back to you, Ms. Gmur, for the rest of the
25 report.

1 MEMBER ADAMS: Madam Chair, could I just make a
2 comment, please?

3 CHAIRPERSON PERRAULT: Absolutely, Mr. Adams.
4 Please.

5 MEMBER ADAMS: Just a request that staff could get
6 us a copy of that finalized hearing schedule on one
7 sheet of paper, for those of us who sit on another
8 Commission, so that we can forward it to them as soon as
9 possible to try and avoid conflicts.

10 Thank you.

11 CHAIRPERSON PERRAULT: Absolutely. I appreciate
12 that request.

13 MS. GMUR: Yes, Mr. Adams. We'll get that off to
14 you today.

15 And now my two information items:

16 Workload. As of September 1, there are 38 pending
17 test claims, 32 of which are regarding stormwater NPDES
18 permits. There are two parameters and guidelines, five
19 statewide cost estimates, and one IRC pending.

20 Tentative agenda items. Currently, we have six
21 matters scheduled for the hearing in December, with two
22 of those involving stormwater permits.

23 And now a reminder to please check the tentative
24 agenda items on the Executive Director's Report or the
25 pending caseload documents on the Commission's website,

1 which are updated at least bimonthly, to see when
2 something is tentatively set for hearing.

3 Draft proposed decisions on all test claims and IRC
4 matters are issued for review and comment at least eight
5 weeks prior to the hearing date; and a proposed decision
6 approximately two weeks before the hearing.

7 That concludes my report, Madam Chair.

8 CHAIRPERSON PERRAULT: Thank you very much.

9 Are there any other additional comments or
10 questions on the reports?

11 (No response.)

12 CHAIRPERSON PERRAULT: Seeing none, are there any
13 additional public comments on any of the reports?

14 MR. SUPACHANA: Madam Chair, there are no online
15 public comments.

16 MS. GMUR: There are no public comments in the
17 room, Madam Chair.

18 CHAIRPERSON PERRAULT: Thank you so much.

19 With that, we will go ahead now and we are going to
20 move into closed session.

21 The Commission will meet in closed executive
22 session, pursuant to Government Code section 11126(e),
23 to confer with and receive advice from legal counsel for
24 consideration and action, as necessary and appropriate,
25 upon the pending litigation listed on the published

1 notice and agenda; and to confer with and receive advice
2 from legal counsel regarding potential litigation.

3 The Commission will also confer on personnel
4 matters pursuant to Government Code section 11126(a)(1).

5 We will be reconvening in open session in
6 approximately 10 minutes. Thank you so much.

7 (Closed session was held:

8 10:28 a.m. to 10:47 a.m.)

9 (Member Deborah Gallegos replaced
10 Member State Controller Malia Cohen.)

11 CHAIRPERSON PERRAULT: Okay. So we have -- we are
12 returning from closed session. The Commission met in
13 closed executive session pursuant to Government Code
14 section 11126(e), to confer with and receive advice from
15 legal counsel for consideration and action, as necessary
16 and appropriate, upon the pending litigation listed on
17 the published notice and agenda; and to confer with and
18 receive advice from legal counsel regarding potential
19 litigation.

20 The Commission also conferred on personnel matters
21 pursuant to Government Code section 11126(a)(1).

22 With no further business to discuss, I will
23 entertain a motion to adjourn.

24 Is there a motion?

25 MEMBER GALLEGOS: So moved.

1 CHAIRPERSON PERRAULT: Moved by Ms. Gallegos.
2 Is there a second?
3 MEMBER NASH: Second.
4 CHAIRPERSON PERRAULT: Second by Ms. Nash.
5 Go ahead and -- let's see. It's been moved and
6 seconded. So Juliana, please call the roll.
7 MS. GMUR: Mr. Adams.
8 MEMBER ADAMS: Aye.
9 MS. GMUR: Ms. Gallegos.
10 MEMBER GALLEGOS: Aye.
11 MS. GMUR: Ms. Greene Ross.
12 MEMBER GREENE ROSS: Aye.
13 MS. GMUR: Ms. Nash.
14 MEMBER NASH: Aye.
15 MS. GMUR: Mr. Pahland.
16 MEMBER PAHLAND: Aye.
17 MS. GMUR: Ms. Perrault.
18 CHAIRPERSON PERRAULT: Aye.
19 MS. GMUR: Mr. Powell.
20 MEMBER POWELL: Aye.
21 CHAIRPERSON PERRAULT: Thank you.
22 That motion carries.
23 And we are adjourned at 10:48. Thank you so much.
24 Have a great weekend, everyone.
25 (Proceedings concluded at 10:48 a.m.)

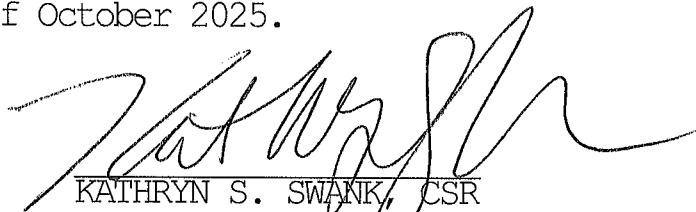
CERTIFICATE OF REPORTER

I, KATHRYN S. SWANK, a Certified Shorthand Reporter of the State of California, do hereby certify:

That I am a disinterested person herein; that the foregoing proceedings were reported in shorthand by me, Kathryn S. Swank, a Certified Shorthand Reporter of the State of California, and thereafter transcribed into typewriting.

I further certify that I am not of counsel or attorney for any of the parties to said proceedings nor in any way interested in the outcome of said proceedings.

IN WITNESS WHEREOF, I have hereunto set my hand this 22nd day of October 2025.


KATHRYN S. SWANK, CSR
Certified Shorthand Reporter
License No. 13061

---o0o---