



July 25, 2011

Mr. Drew Bohan
Executive Director
Commission on State Mandates
980 Ninth Street, Suite 300
Sacramento, CA 95814

Proposed Parameters & Guidelines 02-TC-10 and 02-TC-51 "California Public Records Act—Los Angeles County."

Dear Mr. Bohan:

The Department of Finance (Finance) has reviewed the proposed Parameters and Guidelines (Ps & Gs) for the California Public Records Act mandate submitted by Los Angeles County (claimant). We have a number of concerns with the content of the proposed Ps & Gs and associated activities including, but not limited to, the following:

- The non-italicized portions submitted by the claimant do not clearly match up with the Commission's Statement of Decision (SOD) and appear to add to the activities found reimbursable by the Commission.
- Many of the italicized activities, including, but not limited to, developing data base software for tracking and processing public records requests appear to be outside of the scope of the SOD as these were likely already required and utilized before this mandate and for purposes other than complying with this mandate.
- Many of the italicized activities listed are duplicative and repetitious or are too vague and general and therefore lack sufficient specificity.
- Many of the italicized activities, including, but not limited to, logging and tracking requests and tracking and shipment of records do not appear to be reasonably necessary to comply with the mandate, are inconsistent with the SOD, and additive in nature.
- Several of the italicized activities submitted by the claimant could be performed by lower-level staff than what is referenced in the proposed Ps & Gs.
- We recommend that Commission staff apply the *Clovis Unified School District v. Chiang* (2010) 188 Cal.App.4th 794 case and offset any and all applicable costs for specified activities in the Ps & Gs to the extent of the fee authority provided by law.

Pursuant to section 1181.2, subdivision (c)(1)(E) of the California Code of Regulations, "documents e-filed with the Commission need not be otherwise served on persons that have provided an e-mail address for the mailing list."

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If you have any questions regarding this letter, please contact Jeff Carosone, Principal Program Budget Analyst at (916) 445-8913.

Sincerely,



NONA MARTINEZ
Assistant Program Budget Manager

Enclosure

Enclosure A

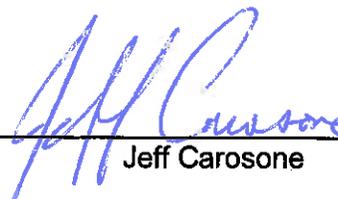
DECLARATION OF JEFF CAROSONE
DEPARTMENT OF FINANCE
CLAIM NO. CSM-02-TC-10, 02-TC-51

1. I am currently employed by the State of California, Department of Finance (Finance), am familiar with the duties of Finance, and am authorized to make this declaration on behalf of Finance.

I certify under penalty of perjury that the facts set forth in the foregoing are true and correct of my own knowledge except as to the matters therein stated as information or belief and, as to those matters, I believe them to be true.

7-25-11

at Sacramento, CA



Jeff Carosone