



CITY OF NEWPORT BEACH

REVENUE DIVISION
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MAY 16 1997

COMMISSION ON
STATE MANDATES

May 12, 1997

Ms. Paula Higashi
Executive Director
Commission on State Mandates
1300 I Street, Suite 950
Sacramento, CA 95814

Re: California Fire Incident Reporting System (CFIRS)
Test Claim CSM -4419

Dear Ms. Hagashi:

Thank you for your April 18 response to the January 31 prehearing conference and submissions by the State Fire Marshal. Your letter represented your position that you could not assume that all data elements require the same effort to complete, and your need for "programmatically information to bridge the analytical gap between the increase or decrease in the number of data elements and the existence of reimbursable state-mandated activities or the existence of cost savings to local agencies". To that end, you have requested the City provide additional detail on each new data element and each deleted data element, compare the levels of service, and to quantify the net effect. Your letter also requested this additional study be completed and the results provided to the Commission and interested parties by May 16, 1997.

Page eight of the Draft Staff Analysis of Test Claim stated that Commission staff's conclusion, pursuant to section 17556 of the Government Code, was that the facts on the issue of offsetting savings must be made by testimony at a public hearing. While it is clear to the City that Government Code establishes a net increase in the level of service is required to find a mandate exists, Commission Staff's assertion that the facts must be made by testimony at a public hearing is not as clear. Does your April 18 request for evidence of the net effect replace or supplement the reported public testimony requirement?

Determination of the net effect appears to require not only a time and motion study of the data elements categorized in the Analysis as "added" and "deleted" as your letter requests, but also those data elements the Analysis categorized as "optional" and "same as" if the nature of the reporting of the data element changed. The City is prepared at this time to assert that there is a net increase in the level of service resulting from the new CFIRS reporting requirement, and provide the required public testimony as well as the detailed comparison you have requested at the scheduled July 31 public hearing. However, this comprehensive review will not occur before your letter's deadline of May 16, 1997. If Commission staff's position is that detail of the net effect is required in advance of the public hearing, the City respectfully requests a continuance on the May 16 deadline.

If you have any questions regarding this correspondence please contact me at (714) 644-3141.

Sincerely,

Glen Everroad
Revenue Manager