DEPARTMENT OF FINANCE
ARNOLD SCHWARZENEGGER, GOVERNOR
915 L STREET ■ SACRAMENTO CA ■ 95814-3706 ■ WWW.DOF.CA.GOV

March 23, 2007

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

RECEIVED
MAR 28 2007
COMMISSION ON
STATE MANDATES

Dear Ms. Higashi:

The Department of Finance (Finance) has reviewed the amended proposed parameters and guidelines submitted by the City of San Jose, 01-TC-16 "Fire Safety Inspections of Care Facilities." Finance concurs with portions of the proposed parameters and guidelines but recommends changes as detailed below:

IV: REIMBURSABLE ACTIVITIES

A. ~~One-Time Activity of Training~~
~~"For each new fire inspector assigned to the inspection of care facilities a maximum of eight hours of facilities training is allowable".~~

Delete the one-time training activity as there is no requirement to attend the training provided by the State Fire Marshal and training for conducting preinspections is not different than training for conducting final inspections.

B. On-going Activities
~~5. Administration and clerical time for file maintenance.~~

Finance recommends the deletion of this activity because Chapter 993, Statutes of 1989, did not specifically require file maintenance. Since the California Code of Regulations only requires the care facility to secure and maintain an approved fire clearance, file maintenance costs incurred by a local agency could be recovered through indirect costs.

VII. OFFSETTING SAVINGS AND REIMBURSEMENTS

1. Fees authorized to be charged and collected by the Legislature and any other inspection fees collected. Presently, the fees that are authorized by the Legislature to be collected are: 1) $0 for facilities which serve six or fewer persons; 2) $50 for facilities with a capacity to serve seven to 25 persons; and 3) $100 for facilities with a capacity to serve 26 or more persons. In the event that the pertinent fee authority~~Legislature~~ shall ~~enact legislation which~~ either be increased~~s~~ or decreased~~s the fee authority~~, such adjustments~~legislation~~ shall control and will not necessitate an amendment to these parameters and guidelines unless the activities to be performed are amended as well.

Finance recommends this additional language to clarify that all inspection fees authorized are to be deducted from claims.

As required by the Commission's regulations, we are including a "Proof of Service" indicating that the parties included on the mailing list which accompanied the November 21, 2006 letter

have been provided with copies of this letter via either United States Mail or, in the case of other state agencies, Interagency Mail Service.

If you have any questions regarding this letter, please contact Carla Castañeda, Principal Program Budget Analyst at (916) 445-3274

Sincerely,

Thomas E. Dithridge
Program Budget Manager

Attachments

Attachment A

DECLARATION OF CARLA CASTAÑEDA
DEPARTMENT OF FINANCE
CLAIM NO. 01-TC-16

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.

March 23 2007
at Sacramento, CA

Carla Castañeda
Carla Castañeda

Mr. J. Bradley Burgess
Public Resource Management Group
1380 Lead Hill Blvd, Ste 106
Roseville, CA 95661

Ms. Annette Chinn
Cost Recovery Systems, Inc.
705-2 East Bidwell St, #294
Folsom, CA 95630

Mr. Jim Jaggers
PO Box 1993
Carmichael, CA 95609

Mr. Glen Everroad
City of Newport Beach
PO Box 1768
Newport Beach, CA 92659-1768

Ms. Beth Hunter
Centration, Inc.
8560 Utica Ave, Ste 100
Rancho Cucamonga, CA 91730

Ms. Jesse McGuinn
Department of Finance
915 L Street, 8th Floor
Sacramento, CA 95113

Ms. Susan Geanacou
Department of Finance
915 L Street, 12th Floor
Sacramento, CA 95814

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on March 23, 2007, at Sacramento, California.

Ann Slaughter

PROOF OF SERVICE

Test Claim Name: Fire Safety Inspections of Care Facilities
Test Claim Number: 01-TC-16

I, the undersigned, declare as follows:
I am employed in the County of Sacramento, State of California, I am 18 years of age or older and not a party to the within entitled cause; my business address is 915 L Street, 12th Floor, Sacramento, CA 95814.

On March 23, 2007, I served the attached recommendation of the Department of Finance in said cause, by facsimile to the Commission on State Mandates and by placing a true copy thereof: (1) to claimants and nonstate agencies enclosed in a sealed envelope with postage thereon fully prepaid in the United States Mail at Sacramento, California; and (2) to state agencies in the normal pickup location at 915 L Street, 12th Floor, for Interagency Mail Service, addressed as follows:

A-16
Ms. Paula Higashi, Executive Director
Commission on State Mandates
980 Ninth Street, Suite 300
Sacramento, CA 95814
Facsimile No. 445-0278

Executive Director
California State Firefighters' Association
2701 K Street, Ste 201
Sacramento, CA 95816

Mr. David Wellhouse
David Wellhouse & Associates, Inc.
9175 Kiefer Blvd., Ste 121
Sacramento, CA 95826

San Jose Fire Department
170 W. San Carlos
San Jose, CA 95113

Mr. Leonard Kaye, Esq.
County of Los Angeles
Auditor-Controller's Office
500 W. Temple St, RM 603
Los Angeles, CA 90012

Mr. Gregory Lake
Sacramento Metropolitan Fire District
2101 Hurley Way
Sacramento, CA 90012

Mr. Allan Burdick
MAXIMUS
4320 Auburn Blvd, Ste 2000
Sacramento, CA 95841

Ms. Ginny Brummels
State Controller's Office (B-08)
Division of Accounting & Reporting
3301 C St, Ste 500
Sacramento, CA 95816

Ms. Bonnie Ter Keurst
County of San Bernardino
Office of the Auditor-Controller-Recorder
222 West Hospitality Lane
San Bernardino, CA 92415-0018

Mr. Ruben Grijalva
Office of the State Fire Marshal
PO Box 944246
Sacramento, CA 94244-2460

ICC: DITHRIDGE, GEANACOU, FEREBEE, CASTANEDA, MCGINN, FILE
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