

ITEM 9

EXECUTIVE DIRECTOR'S REPORT

Workload Update, 2018 Hearing Calendar, and Tentative Agenda Items for the December 2017 and January 2018 Meetings (info/action)

I. WORKLOAD¹ (info)

A. COMPLETED WORKLOAD SUMMARY

| Type of Caseload | Completed in 2016/2017 | Completed in 2017/2018 |
|--|-----------------------------------|-----------------------------------|
| Test Claims | 1 | 0 |
| Parameters & Guidelines | 0 | 0 |
| Parameters and Guidelines Amendments | 0 | 0 |
| Requests for Reconsideration | 2 | 0 |
| Statewide Cost Estimates | 4 | 0 |
| Request to Review Claiming Instructions | 0 | 0 |
| Mandate Redetermination Requests | 0 | 0 |
| Incorrect Reduction Claims | 19 | 2 |
| Appeal of Executive Director Decisions | 1 | 0 |

¹ As of September 1, 2017.

B. COMMISSION WORKLOAD REPORT

| Type of Action | Pending on 7/1/2017 | Filed Since 7/1/2017 | Completed Since 7/1/2017 | Pending on 9/1/2017 |
|---|---------------------|----------------------|--------------------------|---------------------|
| Test Claims | 16 | 0 | 0 | 16 ² |
| Parameters and Guidelines | 1 | 0 ³ | 0 | 1 |
| Joint Reasonable Reimbursement Methodologies | 0 | 0 | 0 | 0 |
| Pending Requests To Jointly Develop Legislatively Determined Mandates | 0 | 0 | 0 | 0 |
| Requests for Reconsideration | 0 | 0 | 0 | 0 |
| Requests to Review Claiming Instructions | 0 | 0 | 0 | 0 |
| Statewide Cost Estimates | 1 | 0 ⁴ | 0 | 1 |
| Test Claim Reconsiderations or Reinstatements Based on Court Action | 0 | 0 | 0 | 0 |
| Parameters and Guidelines to be Amended, Set Aside, or Reinstated, as Directed by the Legislature or Court Action | 0 | 0 | 0 | 0 |
| Proposed Amendments to Parameters and Guidelines | 1 | 0 ⁵ | 0 | 1 |
| Requests for Mandate Redetermination | 0 | 0 | 0 | 0 |
| Incorrect Reduction Claims | 14 | 1 | 2 | 13 |

²14 of the 16 pending local agency claims are regarding regional water quality control board permits were on inactive status pending the outcome of litigation pending in the California Supreme Court regarding the extent of the federal clean water mandate. The California Supreme Court has issued its decision and these matters are now active.

³ Proposed parameters and guidelines may be submitted by the test claimant or expedited and issued by Commission staff upon the adoption of an approved test claim or upon the expiration of a joint reasonable reimbursement methodology.

⁴ Statewide cost estimates are not filed, but are issued by the Commission after claiming instructions have been issued and initial claims have been received by the State Controller's Office.

⁵ Proposed parameters and guidelines amendments may be submitted by an affected local or state agency for any of the reasons specified by section 1183.17 of the Commission's regulations or they may expedited and issued by Commission staff upon the adoption of new test claim decision under the redetermination process.

| Type of Action | Pending on 7/1/2017 | Filed Since 7/1/2017 | Completed Since 7/1/2017 | Pending on 9/1/2017 |
|---|------------------------------------|-------------------------------------|---|--------------------------------|
| Incorrect Reduction Claims to be Reconsidered Based on Court Action | 0 | 0 | 0 | 0 |
| Appeals of Executive Director's Decisions | 0 | 0 | 0 | 0 |
| Regulatory Actions Pending | 1 | 0 | 0 | 1 |
| Applications for Findings of Significant Financial Distress | 0 | 0 | 0 | 0 |

II. 2018 HEARING CALENDAR (action)

Commission meetings have generally been held on the fourth Fridays of odd months. However, a special hearing date is required for the November hearing because the fourth Friday of November is a State holiday. Because there are five Fridays in November 2018, staff recommends setting the November hearing for November 30, 2018.

Staff recommends that the Commission adopt the proposed 2018 hearing calendar as follows:

COMMISSION ON STATE MANDATES

2018 HEARING CALENDAR

(The Commission will conduct its hearings at 10:00 a.m. on Fridays in 2018)

Friday, January 26, 2018

Friday, March 23, 2018

Friday, May 25, 2018

Friday, June 22, 2018 (Tentative)

Friday, July 27, 2018

Friday, September 28, 2018

Friday, October 26, 2018 (Tentative)

Friday, November 30, 2018

III. TENTATIVE AGENDA ITEMS (info)

The tentative agenda items are subject to change based on Commission workload, staffing, litigation, requests for extensions of time to file comments on draft proposed decisions, hearing postponements, informal conferences, and the complexity of the matters.

December or January Meetings

A. TEST CLAIMS

1. *California Regional Water Quality Control Board, Santa Ana Region, Order No. R8-2009-0030, 09-TC-03*

County of Orange, Orange County Flood Control District, Cities of Anaheim, Brea, Buena Park, Costa Mesa, Cypress, Fountain Valley, Fullerton, Huntington Beach, Irvine, Lake Forest, Newport Beach, Placentia, Seal Beach, and Villa Park, Claimants

2. *California Regional Water Quality Control Board, San Diego Region, Order No. R9-2009-0002, 10-TC-11*

County of Orange, Orange County Flood Control District, Cities of Dana Point, Laguna Hills, Laguna Niguel, Lake Forest, Mission Viejo, and San Juan Capistrano, Claimants

B. INCORRECT REDUCTION CLAIMS

1. *Integrated Waste Management, 14-0007-I-05*
State Center Community College District, Claimant
2. *Integrated Waste Management, 14-0007-I-06*
Victor Valley Community College District, Claimant
3. *Integrated Waste Management, 14-0007-I-07*
El Camino Community College District, Claimant