

ITEM 9

EXECUTIVE DIRECTOR'S REPORT

January 2018-December 2019 Strategic Plan, Workload Update, and Tentative Agenda Items for the January and March 2018 Meetings (info/action)

I. JANUARY 2018-DECEMBER 2019 STRATEGIC PLAN (action)

On January 23, 2015, the Commission on State Mandates (Commission) adopted its strategic plan for January 2015-December 2017. Commission staff has developed an updated proposed strategic plan for January 2018-December 2019. The majority of the goals in the current plan have been met or required updating. Therefore, Commission staff have expanded upon and updated the strategic plan proposed for adoption by the Commission. (See Exhibit A, Proposed Strategic Plan.)

Staff recommends that the Commission adopt the attached proposed Strategic Plan.

II. WORKLOAD¹ (info)

A. COMPLETED WORKLOAD SUMMARY

Type of Caseload	Completed in 2016/2017	Completed in 2017/2018
Test Claims	1	1
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	3
Appeal of Executive Director Decisions	1	0

¹ As of November 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 11/1/2017
Test Claims	18 ²	0	1 ³	17 ⁴
Parameters and Guidelines	1	0 ⁵	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 ⁶	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 ⁷	0	1

² This includes three claims that were filed in late 2016-2017 but not deemed complete until after July 1, 2017 due to completeness issues.

³ One heard and decided.

⁴ 15 of the 16 pending local agency claims are regarding National Pollutant Discharge Elimination System (NPDES) permits and these matters are now active and the record for the remaining local agency test claim has not yet closed for analysis. The single pending school district test claim is tentatively set for hearing January 26, 2018.

⁵ Proposed parameters and guidelines may be filed 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.

⁶ 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.

⁷ Proposed parameters and guidelines amendments may be filed 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 11/1/2017
Requests for Mandate Redetermination	0	0	0	0
Incorrect Reduction Claims	14	3	3	14
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

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.

January or March 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
3. *Cal Grant: Grade Point Average and Graduation Certification, 16-TC-02*
Fairfield-Suisun Unified School District, Claimant

B. INCORRECT REDUCTION CLAIMS

1. *Integrated Waste Management, 14-0007-I-07*
El Camino Community College District, Claimant
2. *Integrated Waste Management, 14-0007-I-08*
North Orange County Community College District, Claimant
3. *Integrated Waste Management, 14-0007-I-09*
Long Beach Community College District, Claimant



Proposed Strategic Plan January 2018 – December 2019

Vision

The Commission on State Mandates timely renders sound quasi-judicial decisions, in compliance with article XIII B, section 6 of the California Constitution, resolving disputes regarding reimbursement for state-mandated local programs and relieving unnecessary congestion of the courts.

Mission

To fairly and impartially:

- Hear and determine matters filed by state and local government;
- Resolve complex legal questions in a deliberative and timely manner; and
- Produce clear, well-reasoned, and lawful decisions.

Values

We act with professionalism, integrity, transparency, objectivity, and efficiency in making determinations. We value:

- Parties. We treat all parties with courtesy and respect and we consider their views with objectivity.
- Quality. We produce sound, well-reasoned decisions, in a timely manner, using innovative tools and techniques to improve our efficiency.
- Integrity. We demonstrate fair, honest, and ethical behavior.
- Safety. We provide a safe and healthy work environment to promote the physical and mental well-being of staff.
- Teamwork. We encourage cooperation and collaboration, and support personal and professional development.
- Sustainability. We ensure that our practices are protective of the environment and human health and are energy and resource efficient.

Goals and Implementing Objectives

1. Eliminate Caseload Backlog

- a. Continue to implement the Commission's backlog reduction plan with a goal of hearing and deciding all test claims and incorrect reduction claims filed through fiscal year 2016-2017 by the end of fiscal year 2018-2019.
- b. Work to ensure newly filed test claims, with the exception of National Pollutant Discharge Elimination System permit claims, which have records that are 50-100 times larger than typical test claims and raise numerous unique and complex issues of state and federal law and fact requiring substantial evidence in the record, are completed within 12 months of filing.
- c. Continue to work to increase automation of repetitive administrative functions and eliminate duplication of efforts to ensure the efficient completion of workload.
- d. Continue to improve the accuracy of statewide cost estimates considering reimbursement claims filed under penalty of perjury, using the best publicly available information, and consulting with affected state agencies and local governments.

2. Provide Superior Customer Service

- a. Update the Commission's interactive, user-friendly, web-based system for retrieving mandate-related documents and matter information by July 1, 2018.
- b. Add matters from 1985-2006 to the Commission's website by December 2019.
- c. Meet with local governments and affected state agencies to update the Commission's forms for filing claims by June 2018.
- d. Provide workshops regarding requirements for filing mandate claims.

3. Promote Staff Development

- a. Take appropriate steps to recruit and retain high quality staff.
- b. Provide career development and training opportunities to enhance the skills and performance of staff and to prepare staff for promotion.
- c. As part of the Commission's succession planning, cross-train staff.

4. Organize Business Processes

- a. Annually review and revise Commission regulations, as necessary, for clarity and ease of use for participants in Commission processes.
- b. Annually review and update, as necessary, and ensure staff annually reviews, all Commission policies and procedures.
- c. Biannually review and update mandate claim forms.

5. Promote Sustainability

- a. Continue to reduce paper usage through e-filing, e-service, and reduction of printing.
- b. Continue to look for new ways to exceed state requirements for eco-sensitive procurement.
- c. Encourage staff to individually reduce energy consumption and environmental impact throughout the workday.