

COMMISSION ON STATE MANDATES

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February 19, 2002

Ms. Veronica Vela
City of Los Angeles
Department of Recreation and Parks
200 North Main Street, Suite 1360
Los Angeles, Ca 90012

And Affected State Agencies and Interested Parties (see enclosed mailing list)

Re: **Local Recreational Areas: Background Screenings, 01-TC-11**
City of Los Angeles - Department of Recreation and Parks, Claimant
Public Resources Code, Section 5164; Subdivision (b)(1) and (b)(2).

Dear Ms. Vela:

Commission staff has reviewed the above-named test claim and determined that it is complete. A copy of the test claim is being provided to affected state agencies and interested parties because of their interest in the Commission's determination.

The key issues before the Commission are:

- Do the provisions listed above impose a new program or higher level of service within an existing program upon local entities within the meaning of section 6, article XIII B of the California Constitution and costs mandated by the state pursuant to section 17514 of the Government Code?
- Does Government Code section 17556 preclude the Commission from finding that any of the test claim provisions impose costs mandated by the state?

The Commission requests your participation in the following activities concerning this test claim:

- **Informal Conference.** An informal conference may be scheduled if requested by any interested party. See Title 2, California Code of Regulations, section 1183.04 (the regulations).
- **State Agency Review of Test Claim.** State agencies receiving this letter are requested to analyze the merits of the test claim and to file written comments on the key issues before the Commission. Alternatively, if a state agency chooses not to respond to this request, please submit a written statement of non-response to the Commission. Requests for extensions of time may be filed in accordance with sections 1183.01 (c) and 1181.1 (g) of the regulations. State agency comments are due 30 days from the date of this letter.

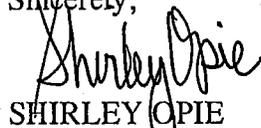
- **Claimant Rebuttal.** The claimant and interested parties may file rebuttals to state agencies' comments under section 1183.02 of the regulations. The rebuttal is due 30 days from the service date of written comments.
- **Hearing and Staff Analysis.** A hearing on the test claim will be set when the record closes. Pursuant to section 1183.07 of the Commission's regulations, at least eight weeks before the hearing is conducted, a draft staff analysis will be issued to parties, interested parties, and interested persons for comment. Comments are due 30 days following receipt of the analysis. Following receipt of any comments, and before the hearing, a final staff analysis will be issued.
- **Mailing Lists.** Under section 1181.2 of the Commission's regulations, the Commission will promulgate a mailing list of parties, interested parties, and interested persons for each test claim and provide the list to those included on the list, and to anyone who requests a copy. Any written material filed on that claim with the Commission shall be simultaneously served on the other parties listed on the claim.
- **Dismissal of Test Claims.** Under section 1183.09 of the Commission's regulations, test claims filed after May 5, 2001, may be dismissed if postponed or placed on inactive status by the claimant for more than one year. Prior to dismissing a test claim, the Commission will provide 150 days notice and opportunity for other parties to take over the claim.

If the Commission determines that a reimbursable state mandate exists, the claimant is responsible for submitting proposed parameters and guidelines for reimbursing all eligible local entities. All interested parties and affected state agencies will be given an opportunity to comment on the claimant's proposal before consideration and adoption by the Commission.

Finally, the Commission is required to adopt a statewide cost estimate of the reimbursable state-mandated program within 12 months of receipt of an amended test claim. This deadline may be extended for up to six months upon the request of either the claimant or the Commission.

Please contact Nancy Patton at (916) 323-8217 if you have any questions.

Sincerely,



SHIRLEY OPIE

Assistant Executive Director

Enclosures: Copy of Test Claim

MAILED: 2/19/02
INITIAL: [initials]
DATE: 2/19/02
FILE: [initials]
CHRON: [initials]
WORKING BINDER: [initials]
FAXED: [initials]

Commission on State Mandates

List Date: 02/19/2002

Mailing Information

Mailing List

Claim Number 01-TC-11 **Claimant** City of Los Angeles - Department of Recreation and Parks

Subject Public Resources Code, Section 5164; Subdivision (b)(1) and (b)(2)

Issue Local Recreational Areas: Background Screenings

Ms. Harmeet Barkschat,
Mandate Resource Services

5325 Elkhorn Blvd. #307
Sacramento CA 95842

Tel: (916) 727-1350

FAX: (916) 727-1734

Interested Person

Mr. Gary Cooper, Bureau Chief
Department of Justice

4949 Broadway Room G114
Sacramento CA 95820

Tel: (916) 227-3844

FAX: (916) 737-2129

State Agency

Mr. Glenn Haas, Bureau Chief (B-8)

State Controller's Office
Division of Accounting & Reporting

3301 C Street Suite 500
Sacramento CA 95816

Tel: (916) 445-8757

FAX: (916) 323-4807

State Agency

Ms. Tom Lutzenberger, Principal Analyst (A-15)

Department of Finance

915 L Street, 6th Floor
Sacramento CA 95814

Tel: (916) 445-8913

FAX: (916) 327-0225

State Agency

Mr. Paul Minney,
Spector, Middleton, Young & Minney, LLP

7 Park Center Drive
Sacramento Ca 95825

Tel: (916) 646-1400

FAX: (916) 646-1300

Interested Person

Claim Number

01-TC-11

Claimant

City of Los Angeles - Department of
Recreation and Parks

Subject

Public Resources Code, Section 5164; Subdivision (b)(1) and (b)(2)

Issue

Local Recreational Areas: Background Screenings

Mr. Andy Nichols, Senior Manager
Centration, Inc.

12150 Tributary Pint Drive Suite 140
Gold River CA 95670

Tel: (916) 351-1050
FAX: (916) 351-1020

Interested Person

Mr. Keith B. Petersen, President
Sixten & Associates

5252 Balboa Avenue Suite 807
San Diego CA 92117

Tel: (858) 514-8605
FAX: (858) 514-8645

Interested Person

Ms. Sandy Reynolds, President
Reynolds Consulting Group, Inc.

P.O. Box 987
Sun City CA 92586

Tel: (909) 672-9964
FAX: (909) 672-9963

Interested Person

Mr. Steve Smith, CEO
Mandated Cost Systems, Inc.

2275 Watt Avenue
Sacramento CA 95825

Tel: (916) 487-4435
FAX: (916) 487-9662

Interested Person

Mr. Jim Spano,
State Controller's Office
Division of Audits (B-8)
300 Capitol Mall, Suite 518
Sacramento CA 95814

Tel: (916) 323-5849
FAX: (916) 327-0832

State Agency

Ms. Veronica Vela,
City of Los Angeles
Department of Recreation and Parks
200 North Main Street Suite 1360
Los Angeles Ca 90012

Tel: (213) 473-6970
FAX: (213) 000-0000

Claimant

Claim Number

01-TC-11

Claimant

City of Los Angeles - Department of
Recreation and Parks

Subject

Public Resources Code, Section 5164; Subdivision (b)(1) and (b)(2)

Issue

Local Recreational Areas: Background Screenings

Mr. David Wellhouse,
David Wellhouse & Associates, Inc.

9175 Kiefer Blvd Suite 121
Sacramento CA 95826

Tel: (916) 368-9244
FAX: (916) 368-5723

Interested Person

