

COMMISSION ON STATE MANDATES

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SACRAMENTO, CA 95814
PHONE: (916) 323-3562
FAX: (916) 445-0278
E-mail: csminfo@csm.ca.gov



May 12, 2009

Mr. Frederick G. Soley
City Attorney
City of Vallejo
555 Santa Clara Street
Vallejo, Ca 94590

And Affected State Agencies and Interested Parties (See Enclosed Mailing List)

RE: Proposed Statement of Decision for Withdrawal of Test Claim

Ferry Assets, 07-TC-07

Government Code Sections 66540 through 66540.69 and Streets and Highway Code
Sections 30913 and 30914

Statutes 2007, Chapter 734 (SB 976)

City of Vallejo, Claimant

Dear Mr. Soley:

The proposed Statement of Decision for withdrawal of the above-named test claim is enclosed.

Hearing

This matter is set for hearing on Friday, **May 29, 2009, at 10:30 a.m.** at 915 L Street, Redwood Room, Sacramento, California. This matter is proposed for the Consent Calendar. Please let us know in advance if you or a representative of your agency will testify at the hearing, and if other witnesses will appear. If you would like to request postponement of the hearing, please refer to section 1183.01, subdivision (c)(2), of the Commission's regulations.

Special Accommodations

For any special accommodations such as a sign language interpreter, an assistive listening device, materials in an alternative format, or any other accommodations, please contact the Commission Office at least five to seven *working* days prior to the meeting.

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

Sincerely,

A handwritten signature in cursive script that reads "Paula Higashi".

PAULA HIGASHI
Executive Director

Enclosure

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ITEM 7

TEST CLAIM DISMISSAL PROPOSED STATEMENT OF DECISION

Government Code Sections 66540 through 66540.69 and
Streets and Highway Code Sections 30913 and 30914

Statutes 2007, Chapter 734 (SB 976)

Ferry Assets
07-TC-07

EXECUTIVE SUMMARY

On March 4, 2009, claimant requested withdrawal of the test claim filing *Ferry Assets* (07-TC-07)¹ Claimant's request was served in writing, and a sixty-day notice of this withdrawal and dismissal was provided pursuant to California Code of Regulations, title 2, section 1183.08.²

No interested parties objected to the claimant's request for withdrawal, or took over the claim by substitution of the parties, on or before May 8, 2009.

Therefore, the sole issue before the Commission on State Mandates (Commission) is whether the Commission adopts the proposed Statement of Decision, dismissing the above-named test claim.³

Recommendation

Staff recommends that the Commission adopt the proposed Statement of Decision, dismissing the *Ferry Assets* test claim.

¹ Exhibit A. Claimant's withdrawal request letter.

² Exhibit B. Commission's notice of withdrawal and dismissal hearing.

³ California Code of Regulations, test claim, section 1188.1, subdivision (g).

BEFORE THE
COMMISSION ON STATE MANDATES
STATE OF CALIFORNIA

IN RE TEST CLAIM:

Government Code Sections 66540 through 66540.69 and Streets and Highway Code Sections 30913 and 30914

Statutes 2007, Chapter 734 (SB 976)

Filed on February 28, 2008 and withdrawn on April 9, 2009,

By City of Vallejo, Claimant.

Case No.: 07-TC-07

Ferry Assets

PROPOSED STATEMENT OF DECISION
PURSUANT TO GOVERNMENT CODE
SECTION 17500 ET SEQ.; CALIFORNIA
CODE OF REGULATIONS, TITLE 2,
DIVISION 2, CHAPTER 2.5, ARTICLE 7
(Proposed for Adoption on May 29, 2009)

PROPOSED STATEMENT OF DECISION

On March 4, 2009, claimant requested withdrawal of the test claim filing *Ferry Assets* (07-TC-07). Claimant's request was served in writing, and a sixty-day notice of this withdrawal and dismissal was provided pursuant to California Code of Regulations, title 2, section 1183.08.

No interested parties objected to the claimant's request for withdrawal, or took over the claim by substitution of the parties, on or before May 8, 2009.

CONCLUSION

IT IS HEREBY ORDERED that the test claim filing, *Ferry Assets* (07-TC-07), is dismissed, without prejudice, pursuant to California Code of Regulations, title 2, section 1183.08.

Any claimant may file a new test claim on the above-referenced test claim legislation. However, any such claim shall be subject to a new filing date and to the statute of limitations pursuant to Government Code section 17551.

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CITY OF VALLEJO
CITY ATTORNEY'S OFFICE

Exhibit A

555 SANTA CLARA STREET • P.O. BOX 3088 • VALLEJO • CALIFORNIA • 94590 • (707) 648-4545
E-mail: oltyatty@ci.vallejo.ca.us • FAX (707) 648-4687

RECEIVED

MAR 10 '09 2009

**COMMISSION ON
STATE MANDATES**

March 4, 2009

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

Re: **Notice of Withdrawal of Test Claim**
Ferry Assets, 07-TC-07

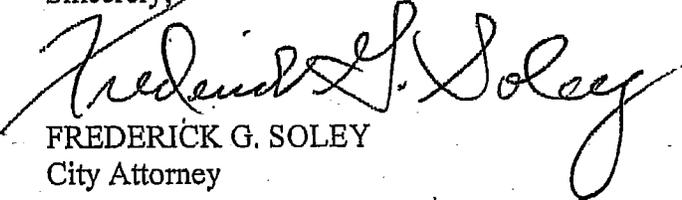
Dear Ms. Higashi:

I am in receipt of your correspondence dated March 3, 2009 regarding the Commissions' regulations requiring a test claimant to designate one person as sole representative for the test claim.

In response, I offer this letter noticing the City of Vallejo's withdrawal of the above-referenced test claim.

Please feel free to call me should you have any questions.

Sincerely,


FREDERICK G. SOLEY
City Attorney

COMMISSION ON STATE MANDATES**Exhibit B**

980 NINTH STREET, SUITE 300
SACRAMENTO, CA 95814
PHONE: (916) 323-8562
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E-mail: csminfo@esm.ca.gov

March 9, 2009

Mr. Frederick G. Soley
City Attorney
City of Vallejo
555 Santa Clara Street
Vallejo, Ca 94590

And Affected State Agencies and Interested Parties (See Enclosed Mailing List)

Re: Notice of Withdrawal of Test Claim

Ferry Assets, 07-TC-07

Government Code Sections 66540 through 66540.69 and Streets and Highway
Code Sections 30913 and 30914
Statutes 2007, Chapter 734 (SB 976)

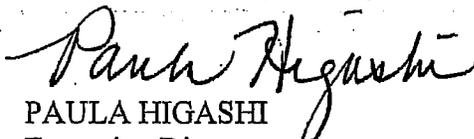
Dear Mr. Soley:

This is to notify you that your March 4, 2009 application to withdraw the above-named test claim has been accepted.

Pursuant to section 1183.08 of the Commission's regulations, the test claim will be dismissed if no other local agency takes over the claim by substituting parties on or before **May 8, 2009**.

Please contact Nancy Patton at (916) 323-8217 with any questions regarding this matter.

Sincerely,


PAULA HIGASHI
Executive Director

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Commission on State Mandates

Original List Date: 3/7/2008
Last Updated:
List Print Date: 03/09/2009
Claim Number: 07-TC-07
Issue: Ferry Assest

Agenda Mailing List

TO ALL PARTIES AND INTERESTED PARTIES:

Each commission mailing list is continuously updated as requests are received to include or remove any party or person on the mailing list. A current mailing list is provided with commission correspondence, and a copy of the current mailing list is available upon request at any time. Except as provided otherwise by commission rule, when a party or interested party files any written material with the commission concerning a claim, it shall simultaneously serve a copy of the written material on the parties and interested parties to the claim identified on the mailing list provided by the commission. (Cal. Code Regs., tit. 2, § 1181.2.)

Ms. Harmeet Barkschat Mandate Resource Services, LLC 5325 Elkhorn Blvd. #307 Sacramento, CA 95842	Tel: (916) 727-1350 Fax: (916) 727-1734
Mr. Steve Smith Steve Smith Enterprises, Inc. 2200 Sunrise Blvd., Suite 220 Gold River, CA 95670	Tel: (916) 852-8970 Fax: (916) 852-8978
Ms. Annette Chinn Cost Recovery Systems, Inc. 705-2 East Bidwell Street, #294 Folsom, CA 95630	Tel: (916) 939-7901 Fax: (916) 939-7801
Ms. Ginny Brummels State Controller's Office (B-08) Division of Accounting & Reporting 3301 C Street, Suite 500 Sacramento, CA 95816	Tel: (916) 324-0256 Fax: (916) 323-6527
Mr. David Wellhouse David Wellhouse & Associates, Inc. 9175 Klefer Blvd, Suite 121 Sacramento, CA 95826	Tel: (916) 368-9244 Fax: (916) 368-5723
Mr. Jim Spano State Controller's Office (B-08) Division of Audits 300 Capitol Mall, Suite 518 Sacramento, CA 95814	Tel: (916) 323-5849 Fax: (916) 327-0832
Ms. Susan Geanacou Department of Finance (A-15) 915 L Street, Suite 1280 Sacramento, CA 95814	Tel: (916) 445-3274 Fax: (916) 449-5252

Mr. Ken Moy
Association of Bay Area Governments
101 Eighth Street
Oakland, CA 94607

Tel:

Fax:

Water Emergency Transportation Authority
Pier 9, Suite 111, The Embarcadero
San Francisco, CA 94111

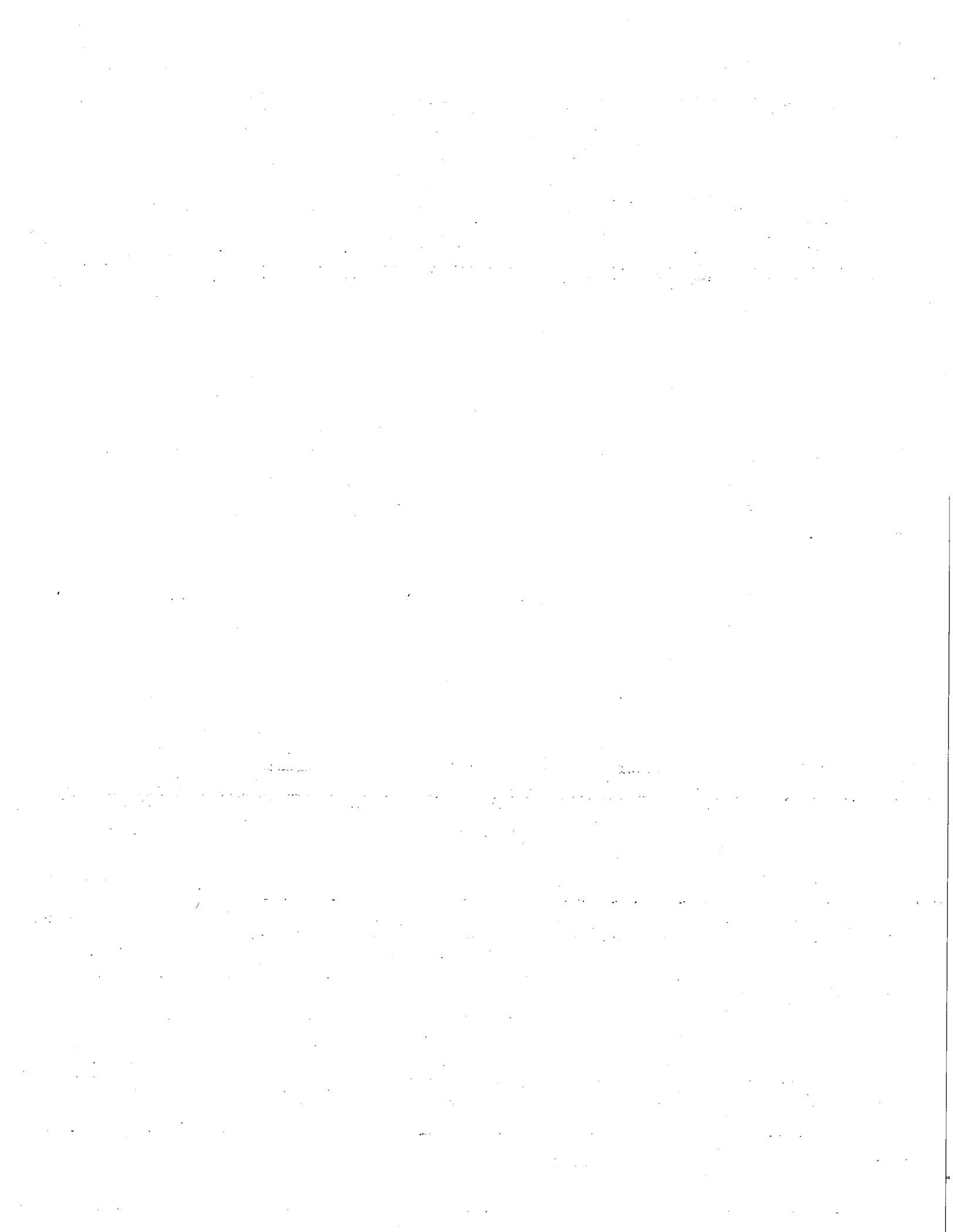
Tel:

Fax:

San Francisco Bay Conservation and Development
50 California Street, Suite 2600
San Francisco, 94111

Tel:

Fax:



Commission on State Mandates

Original List Date: 3/7/2008
Last Updated:
List Print Date: 05/12/2009
Claim Number: 07-TC-07
Issue: Ferry Assets

Mailing Information: Final Staff Analysis

Mailing List

TO ALL PARTIES AND INTERESTED PARTIES:

Each commission mailing list is continuously updated as requests are received to include or remove any party or person on the mailing list. A current mailing list is provided with commission correspondence, and a copy of the current mailing list is available upon request at any time. Except as provided otherwise by commission rule, when a party or interested party files any written material with the commission concerning a claim, it shall simultaneously serve a copy of the written material on the parties and interested parties to the claim identified on the mailing list provided by the commission. (Cal. Code Regs., tit. 2, § 1181.2.)

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<p>Ms. Jolene Tollenaar MGT of America 455 Capitol Mall, Suite 600 Sacramento, CA 95814</p>	<p>Tel: (916) 712-4490 Fax: (916) 290-0121</p>
<p>Mr. Allan Burdick MAXIMUS 3130 Kilgore Road, Suite 400 Rancho Cordova, CA 95670</p>	<p>Tel: (916) 471-5538 Fax: (916) 366-4838</p>
<p>Mr. Leonard Kaye County of Los Angeles Auditor-Controller's Office 500 W. Temple Street, Room 603 Los Angeles, CA 90012</p>	<p>Tel: (213) 974-9791 Fax: (213) 617-8106</p>
<p>Ms. Carla Castaneda Department of Finance (A-15) 915 L Street, 12th Floor Sacramento, CA 95814</p>	<p>Tel: (916) 445-3274 Fax: (916) 323-9584</p>
<p>Mr. Glen Everroad City of Newport Beach 3300 Newport Blvd. P. O. Box 1768 Newport Beach, CA 92659-1768</p>	<p>Tel: (949) 644-3127 Fax: (949) 644-3339</p>
<p>Ms. Bonnie Ter Keurst County of San Bernardino Office of the Auditor/Controller-Recorder 222 West Hospitality Lane San Bernardino, CA 92415-0018</p>	<p>Tel: (909) 386-8850 Fax: (909) 386-8830</p>
<p>Mr. David Zocchetti Office of Emergency Services 3650 Schriever Avenue Mather, CA 95655-4203</p>	<p>Tel: (916) 845-8537 Fax: (916) 845-8511</p>
<p>Mr. Christopher McKenzie League of California Cities 1400 K Street, #400 Sacramento, CA 95814</p>	<p>Tel: (916) 658-8200 Fax: (916) 000-0000</p>

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