

COMMISSION ON STATE MANDATES

1300 I STREET, SUITE 950  
SACRAMENTO, CA 95814  
PHONE: (916) 323-3562  
FAX: (916) 445-0278  
E-mail: csminfo@csm.ca.gov



October 15, 1998

Ms. Kathryn Radtkey-Gaither  
Department of Finance  
Program Budget Manager  
915 L Street  
Sacramento, CA 95814-3706

Re: Request for Extension of Time to File Comments on *Acquisition of Agriculture Land  
For School Site; CSM 98-TC-04*  
Statutes of 1996, Chapter 509

Dear Ms. Radtkey-Gaither:

Your request for an extension of time to file comments on the "*Acquisition of Agriculture Land for School Site*" CSM 98-TC-04, has been approved. Comments are now due on December 31, 1998.

Please contact Shirley Opie if you have questions at (916) 323-3562.

Sincerely,

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

Paula Higashi  
Executive Director

cc: Interested Parties

STATE OF CALIFORNIA

PETE WILSON, Governor

## DEPARTMENT OF FINANCE

915 L STREET  
SACRAMENTO, CA 95814-3706

October 13, 1998

Ms. Paula Higashi  
Executive Director  
Commission on State Mandates  
1300 I Street, Suite 950  
Sacramento, CA 95814

Dear Ms Higashi:

As requested in your letter of September 3, 1998, the Department of Finance has reviewed the test claim submitted by the Brentwood Union School District (claimant) asking the Commission to determine whether specified costs incurred under Chapter No. 509, Statutes of 1996, (AB 1724, McPherson), are reimbursable state mandated costs (Claim No. CSM-98--TC-04 "Acquisition of Agricultural Land for a School Site"). Commencing with page 12, of the test claim, claimant has identified the following new duties, which it asserts are reimbursable state mandates:

- Develop and adopt policies and procedures in accordance with Education Code §39006 for the acquisition of real property for a school site.
- Train school district personnel regarding the requirements of acquiring real property designated as agricultural land.
- Evaluate the property based upon all factors affecting the public interest.
- Research city and/or county general plans to determine if the desired parcel of land is designated in either document for agricultural use or zoned for agricultural production.
- Notify and consult with the city and/or county if the land sought to be purchased is designated for agricultural use and zoned for agricultural production.
- Prepare a report for the governing board that will allow the governing board to make findings that: the school district has notified and consulted with the city and/or county; an evaluation of final site selection has been made based on issues of public interest; and public health and safety issues have been minimized.
- Conduct a meeting of the governing board to make findings required by Education code §39006.
- Prepare and draft a board resolution which contains the following findings: the school district has notified and consulted with the city and/or county; an evaluation of final site selection has been made based on issues of public interest; and public health and safety issues have been minimized.

## PROOF OF SERVICE

Test Claim Name: "Acquisition of Agricultural Land for a School Site"

Test Claim Number: CSM-98--04

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, 7th Floor, Sacramento, CA 95814.

On October 13, 1998, 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, 7th Floor, for Interagency Mail Service, addressed as follows:

A-16

Ms. Paula Higashi, Executive Director  
Commission on State Mandates  
1300 I Street, Suite 950  
Sacramento, CA 95814  
Facsimile No. 445-0278

B-8

State Controller's Office  
Division of Accounting & Reporting  
Attention: William Ashby  
3301 C Street, Room 500  
Sacramento, CA 95816

B-29

Legislative Analyst's Office  
Attention Marianne O'Malley  
925 L Street, Suite 1000  
Sacramento, CA 95814

Education Mandated Cost Network  
C/O School Services of California  
Attention: Dr. Carol Berg, PhD  
1121 L Street, Suite 1060  
Sacramento, CA 95814

Sixten & Associates

Attention: Keith Petersen  
5252 Balboa Avenue, Suite 807  
San Diego, CA 92117

E-8

Department of Education  
School Business Services  
Attention: Marie Johnson  
560 J Street, Suite 170  
Sacramento, CA 95814

Mandated Cost Systems, Inc.

Attention: Steve Smith  
2275 Watt Avenue, Suite C  
Sacramento, CA 95825

San Diego Unified School District  
Attention: James Cunningham  
4100 Normal Street, Room 3159  
San Diego, CA 92103-2682

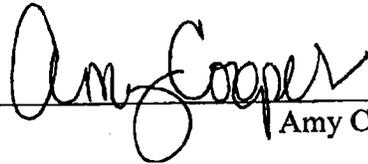
E-8  
State Board of Education  
Attention: Bill Lucia, Executive Director  
721 Capitol Mall, Room 532  
Sacramento, CA 95814

California Teachers Association  
Attention: Steve DePue  
2921 Greenwood Road  
Greenwood, CA 95635

Girard & Vinson  
Attention: Paul Minney  
1676 N. California Blvd., Suite 450  
Walnut Creek, CA 95496

Brentwood Union School District  
Mr. Paul C. Minney, Esq.  
Girard & Vinson  
1676 North California Blvd., Ste. 450  
Walnut Creek, CA 94596

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 October 13, 1998, at Sacramento, California.

  
\_\_\_\_\_  
Amy Cooper

# Commission on State Mandates

## Mailing List

20-Oct-98

**CSM/SB# and Claim Title** 98-TC-04

Brentwood Union School District

**Government Code Sec.**

**Chapters** Chapter 509, Statutes of 1996, Education Code Sec 39006

**Originated:** 03-Sep-98

**Issue** Acquisition of Agriculture Land for a School Site

Mr. James Apps (A-15),  
Department of Finance

915 L Street 8th Floor, Rm 8020  
SACRAMENTO CA 95814

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*FAX:* (916) 327-0225

Ms. Carol Berg, Ph. D.,  
Education Mandated Cost Network

1121 L Street Suite 1060  
SACRAMENTO CA 95814

*Tel:* (916) 446-7517  
*FAX:* (916) 446-2011

Mr. Jim Cunningham, Leg. Mandate Spclst. (Interested Party)  
San Diego City Schools

4100 Normal Street Room 3159  
SAN DIEGO CA 92103-2682

*Tel:* (619) 293-8205  
*FAX:* (619) 293-8474

Mr. Steve DePue, Interested Party  
California Teachers Assoc.

2921 Greenwood Road  
Greenwood CA 95635

*Tel:* (530) 823-3747  
*FAX:* (530) 333-8333

Ms. Diana Halpenny, General Counsel  
San Juan Unified School District

3738 Walnut Avenue P.O. Box 477  
CARMICHAEL CA 95609-0477

*Tel:* (916) 971-7109  
*FAX:* (916) 971-7704

Mr. Scott Hannan (E-8), Manager

Department of Education  
School Business Services

560 J Street, Suite 170  
SACRAMENTO CA 95814

*Tel:* (916) 322-5792  
*FAX:* (916) 322-1465

Mr. Bill Lucia (E-8), Executive Director  
State Board of Education

721 Capitol Mall Room 532  
SACRAMENTO CA 95814

*Tel:* (916) 657-5478  
*FAX:* (916) 653-7016

Government Code Sec.

Chapters Chapter 509, Statutes of 1996, Education Code Sec 39006

Originated: 03-Sep-98

Issue Acquisition of Agriculture Land for a School Site

Mr. Paul Minney, Interested Party  
Girard & Vinson  
  
1676 N. California Blvd. Suite 450                      *Tel:* (925) 746-7660  
WALNUT CREEK CA 94596                                      *FAX:* (925) 935-7995

Mr. Keith B. Petersen, President (Interested Party)  
Sixten & Associates  
  
5252 Balboa Avenue Suite 807                              *Tel:* (619) 514-8605  
SAN DIEGO CA 92117    *FAX:* (619) 514-8645

Ms. Kathryn Radtkey-Gaither, Program Budget Manager  
Department of Finance  
  
915 L Street, 7th Floor                                      *Tel:* (916) 445-0328  
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Mr. Steve Smith, CEO (Interested Person)  
Mandated Cost Systems  
  
2275 Watt Avenue Suite C                                      *Tel:* (916) 487-4435  
SACRAMENTO CA 95825    *FAX:* (916) 487-9662

Mr. Paige Vorhies (B-8),  
State Controller's Office  
Division of Accounting & Reporting  
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