

STATE OF CALIFORNIA
Spring Finance Letter - Cover Sheet
 DF-46 (REV 02/15)

Fiscal Year 2016-17	Business Unit 3960	Department Toxic Substances Control	Priority No. 5
Budget Request Name 3960-006-SFL-BR-2016-GB		Program 3960 - CLEANUP 3265 - Hazardous Waste Management 9900100 Administration 9900200 Distributed Administration	Subprogram

Budget Request Description
 Strategic Program Development

Budget Request Summary

The Department of Toxic Substances Control (DTSC) requests an augmentation of \$747,000 (\$374,000 from the Hazardous Waste Control Account and \$373,000 from the Toxic Substances Control Account), and to convert 5.0 positions from limited-term to permanent, for ongoing Strategic Program Development. The Office will be responsible for developing and implementing performance management strategies, including metrics, to improve efficiency and accountability. This initiative will provide crucial oversight and promote a systemic culture of change, accountability, and transparency.

Requires Legislation <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Code Section(s) to be Added/Amended/Repealed	
Does this BCP contain information technology (IT) components? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <i>If yes, departmental Chief Information Officer must sign.</i>	Department CIO	Date

For IT requests, specify the date a Special Project Report (SPR) or Feasibility Study Report (FSR) was approved by the Department of Technology, or previously by the Department of Finance.

FSR SPR Project No. Date:

If proposal affects another department, does other department concur with proposal? Yes No
Attach comments of affected department, signed and dated by the department director or designee.

Prepared By <i>[Signature]</i>	Date 4/8/16	Reviewed By <i>[Signature]</i>	Date 4.8.16
Department Director <i>[Signature]</i>	Date 4.8.16	Agency Secretary <i>[Signature]</i>	Date 4/8/16

Department of Finance Use Only

Additional Review: Capital Outlay ITCU FSCU OSAE CALSTARS Dept. of Technology

BCP Type: Policy Workload Budget per Government Code 13308.05

PPBA Original Signed By: Ellen Moritt	Date submitted to the Legislature 4-8-16
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more effectively address the health and safety issues that directly impact the people and businesses of California. A flowchart of the permitting process was baselined and updated to reflect work plan improvements. A measurable goal of reducing the average time to process a permit application -- from the current average of 4.3 years down to 2.0 years for 90% of permits -- is now being tracked, and new processes are being applied to achieve that goal.

Through DTSC's engagement in the Lean Six Sigma pilot¹ process improvement project -- sponsored by the Governor's Office of Business and Economic Development (Go Biz) and the California Department of Human Resources -- 3 Lean Six Sigma projects have been completed to improve the hazardous waste permitting process. Additional future Lean Six Sigma projects have been identified, for example to improve review under CEQA, decrease the time needed to refer environmental crimes for prosecution, and speed the processing of field samples by the Environmental Chemistry Laboratories. The Department plans to continue with new projects in future years. Lean Six Sigma projects are aimed at identifying root causes of performance issues, and recommending actions to effect positive change. Over the course of these projects, DTSC gained valuable experience and insight into the process of continual improvement.

Note that the resource and workload history of permitting is provided for context, although the proposed resources will address multiple programs and support services within DTSC.

Workload Measures*

WORKLOAD MEASURE	FY11-12	FY12-13	FY13-14	FY14-15	FY15-16
Accountability, Supervisory & Organizational Structure Actions Completed	--	--	1	7	0
Lean Six Sigma individual action items **	--	--	2	6	4
Permit Writer Guidance, Tools, and Processes Completed	--	--	--	17	10
Departmental Procedures Memorandums for Intra-Departmental Coordination	--	--	--	1	7
Technology Improvement Action Completed	--	--	--	0	1
Violations as Basis for Permit Denial Actions Completed	--	--	--	1	1
Environmental Justice and Public Participation Actions Completed	--	--	--	2	7
EnviroStor Actions Completed	--	--	--	2	5
Training Actions Completed	--	--	6	8	6

*FY 15-16 Includes completed and projections

Dashes (--) indicate no activity. The Work Plan team was not in place until FY14-15. Select actions were completed prior to FY15-16 by the Permitting Division as shown in the workload history chart above.

**Within the Department's three Lean Six Sigma projects there were several deliverables outlined in the work plan. These numbers reflect those discrete tasks.

**Work Plan
 Resource History
 (Dollars in thousands)**

Program Budget	FY2011-12	FY2012-13	FY2013-14	FY2014-15	FY2015-16
Authorized Expenditures	--	--	--	699	699
Actual Expenditures	--	--	--	699	699

¹ Lean Six Sigma combines two powerful business methodologies. "Lean" was developed by the Toyota Motor Corporation and focuses on streamlining. "Six Sigma" was developed by Motorola and stresses improving quality through data analysis. Lean Six Sigma has been successfully adapted by government agencies across the country to improve the delivery of services.

**Work Plan
 Resource History**
(Dollars in thousands)

Program Budget	FY2011-12	FY2012-13	FY2013-14	FY2014-15	FY2015-16
Revenues	---	--	---	0	0
Authorized Positions	--	---	---	5	5
Filled Positions	---	--	--	5	5
Vacancies	---	---	---	0	0

The Permitting program is one of many high-visibility functions of DTSC. The Department has also undertaken a similarly successful initiative to strengthen its Cost Recovery system and is actively engaged in reforming its Enforcement program. Critical reviews from stakeholders, as well as the ongoing interest in the Legislature, demonstrate the need to expand reform efforts to all program and support areas in the Department.

In the last year, the Legislature conducted four in-depth oversight hearings on DTSC and some of its key programs. In addition, the Confirmation Hearing of the Director highlighted a number of areas where improvements can and should be made.

In 2015 the Governor signed several key pieces of legislation that call for additional improvements in DTSC's core programs, including development of more protective standards and processes for permitting and enforcement under SB 673 (Lara) and AB 1075 (Alejo). Additional legislation is pending in the current year that would call for further program improvements if passed and signed.

Although DTSC recognizes the imperative to address gaps in its program and achieve organizational excellence in the service of protecting California's people and environment, the Department lacks the resources to accomplish and sustain these improvements across all programs.

B. State Level Considerations

This proposal will improve DTSC's ability to carry out its program responsibilities and improve processes and accountability throughout DTSC. These goals are incorporated into the following areas of DTSC's Strategic Plan:

Goal 2: Effectively, efficiently and fairly administer and enforce California's hazardous waste management laws.

2.1: Identify and implement policies and procedures to ensure hazardous waste permits are protective, timely, legally defensible, and enforceable, and to improve transparency and public confidence in permit decisions.

2.5: Develop and apply criteria and processes to prioritize work within the hazardous waste enforcement and permitting programs, including the use of tools such as new environmental screening methods and Geographic Information System (GIS) technology.

Goal 4: Maintain and increase DTSC's organizational and operational capacity, effectiveness and performance.

4.4: Implement a sustainable training needs assessment and prioritization process and upgrade the electronic learning management system to support implementation of DTSC's training plan for providing staff and managers with the skills they need to succeed in their jobs and careers.

Goal 5: Increase the effectiveness of organizational engagement with external partners.

5.3: Develop and implement a process for regular public meetings to obtain broad-based public input on various DTSC projects and proposals and to better inform stakeholders concerning DTSC's programs and activities.

5.4: Develop and implement an engagement strategy for impacted communities that aligns with program initiatives and community needs.

5.6: Integrate DTSC's public participation strategies and activities into the site cleanup and hazardous waste management programs, including the use of cross-program workgroups.

This proposal also directly relates to the following DTSC "Fixing the Foundation" Objectives:

Objective 1.a: Implement sustainable solutions where all staff hold themselves and others accountable and encourage frank and open internal discussions at DTSC.

Objective 4.b: Improve efforts to ensure hazardous waste permits are protective, timely, legally defensible, and enforceable.

Objective 4.d: Improve public confidence in permit decisions.

Objective 4.k: Implement a new information technology system that improves the availability and usability of hazardous waste management data.

Objective 5.e: Create a training plan that provides staff members with the skills they need to succeed in their jobs and careers.

C. Justification

DTSC successfully demonstrated its ability to reform a key program in a manner that is responsive to stakeholder needs and consistent with the principles of good government by developing and implementing its Permit Enhancement Work Plan. However, these efforts have been successful only because DTSC received temporary spending authority and 5.0 limited term positions to implement the programs that would enhance the Department's performance and accountability. DTSC lacks the resources and structure that would allow it to conduct ongoing strategic planning and performance management, identify deficiencies across all program areas, and develop corrective action plans to address them.

The measurable success of the Permitting Program improvement effort demonstrates the importance of dedicated resources to develop, support, assess, and monitor reform efforts. Notwithstanding that success of that effort, however, DTSC continues to receive close scrutiny by the Legislature and the public through oversight hearings and the creation, in the current year budget, of an Independent Review Panel for the Department. That Panel is charged with reviewing, reporting on, and recommending improvements to DTSC's programs.

In order to institutionalize continuous improvement, and to address the issues raised through Legislative hearings, DTSC proposes to establish a permanent team to carry out organized and integrated strategic planning and program review. This team will work collaboratively with the Department's core programs and

support services to conduct baseline assessments, prioritize issues and development needs, create strategic development plans, establish standards and metrics, provide implementation support, design and assist in training on new processes and tools, conduct periodic reviews, and develop progress reports. The effort will build from the DTSC's mission and vision, and the mission and vision of each program or support area, using them as guiding principles.

DTSC requests 5.0 permanent positions reporting to the Special Assistant for Program Review, who reports to the Chief Deputy Director, to comprise the Strategic Program Development Team. These positions, one Senior Hazardous Substances Engineer (1.0 Senior HSE) to serve as a team leader, one Hazardous Substances Engineer (1.0 HSE), one Attorney III (1.0 Attorney III) and two Associate Government Program Analysts (2.0 AGPAs), will support continuous improvement in the Department through organized and integrated strategic planning.

The Team will work systematically through the Department's core programs and support services to evaluate the strengths, weaknesses, opportunities and threats in the programs and service functions. The work will be done in collaboration with program staff and management, and in partnership with the Department's Office of Environmental Justice and Tribal Affairs.

Working with the staff and management, the Team will prioritize areas or issues for development. Prioritization will consider the degree of threat posed to achieving the core mission; opportunities to improve transparency and accountability; mandates and other obligations; impact on staff morale; and workplace culture, cost, and feasibility.

The Team will create a Strategic Program Development Plan for each identified program and service area that will provide a prioritized roadmap for enhancement efforts with clear actions and timelines. These plans will support and integrate with the Department's overall Strategic Plan. The Team will use a variety of tools and approaches, including the Baldrige Excellence Framework and Criteria, Lean Six Sigma assessments, brainstorming, team-building, and change management. Plans will be developed with input from the staff and management of the program or service area, and engagement with executive management.

As the Team addresses actions and tasks under the Strategic Program Development Plans, it will work with program or support service staff to establish performance standards and metrics. Where issues span across multiple program areas or support services, the Team will facilitate group problem solving. Performance standards may, in some cases, require new or amended regulations. In these instances, the Team will either lead or support rulemaking activities, depending on the nature of the regulation.

The Team will also provide targeted support for implementation of the enhancements in a variety of modes as needed and appropriate, including, for example, pilot projects, mentoring and story-booking progress. Where new standards or process changes create significant changes in workflow, or involve new tools, the Team may develop and training for staff, guidance documents, fact sheets or other support.

Periodically, the Team will review and evaluate progress and outcomes considering performance metrics, employee, management and stakeholder acceptance of and satisfaction with changes, and other measures of success. These reviews will be structured and documented, and will serve as the basis for future planning and improvement cycles. In addition, the Team will produce periodic formal reports, such as the Biennial Report required under H&SC Section 57007 (next due in December 2016), and track the Department's compliance with other reporting obligations.

The Team will also lead the development of the Department's Strategic Plan and any needed updates to that Plan, building on the progress achieved through the individual Strategic Program Development Plans, and chart the course for the next three years. Strategic planning and continuous improvement are critical components of organizational excellence, and it is imperative that DTSC dedicate the resources needed to formally embed them in the structure and management of the Department.

In the first year, the Team will focus on four main deliverables: (1) Preparing the initial Scoping Plan for program evaluation and improvement; (2) Completing a Statutory Program Review for the Voluntary

Cleanup Program (completing the review for all DTSC programs by year two); (3) Conducting a Baseline Program Evaluation and development of a Strategic Program Development Plan for the Voluntary Cleanup Program; and (4) Preparing the Biennial Report pursuant to H&SC Section 57007.

The Scoping Plan will generally identify program areas and support services that will be evaluated for performance improvement. With input from executive leadership, the Plan will prioritize the program areas and support services for review. It will specifically identify the work areas for the coming year, with an outline of projected program reviews in future years. In the first year, the Voluntary Cleanup Program will be the program area evaluated. The Plan will be updated annually.

The Statutory Program Review for the Voluntary Cleanup Program, and, subsequently for each program area, will identify the statutory authorities and mandates that underpin the program's activities, minimum performance standards and other obligations, and the specific program activities that implement those statutes. It will also identify statutes that are not fully implemented, and statutes that are no longer needed or appropriate in light of current conditions. The resources needed to fulfill these obligations will be identified based on current program practices. This information will provide the foundation for the Baseline Program Evaluation.

The Baseline Program Evaluation will build on the Statutory Program Review with detailed analyses of work processes, existing performance metrics and other quality measures. It will assess the program performance issues and gaps identified through internal review, legislative oversight, recommendations of the Independent Review Panel, or other stakeholder input. Functional analyses of the program or service area will be developed (such as a matrix analysis of Strengths, Weaknesses, Opportunities and Threats, or SWOT analysis). These analyses will identify the program or service elements where improvements can be most productively made.

The Strategic Program Development Plan will provide the overall performance improvement map, including expected outcomes, tools and methods, and specific deliverables and milestones. Some of the tools and methods identified may include Lean Six Sigma projects and other structured performance improvement strategies. The Plan will incorporate internal and external feedback as appropriate.

In the first year, the Department expects to complete the Statutory Program Review, Base Program Evaluation and Strategic Program Development Plan for the Voluntary Cleanup Program. This program area is a priority for review because of questions raised by impacted communities and the Independent Review Panel, as well as internal reviews of some of the Department's voluntary cleanup projects. The Plan will be implemented in the second year, including one or more Lean Six Sigma projects and the development of concrete performance goals and metrics.

In the first year, the Team will also produce the Biennial Report on DTSC's implementation of continual quality improvement required pursuant to H&SC Section 57007.

D. Outcomes and Accountability

The Strategic Program Development Team will carry out the following activities:

1. Prepare Annual Scoping Plan:
 - Outline of functional program areas and discrete support service areas
 - Prioritized order for evaluation of outlined areas with approximate timing of review
 - Schedule of reviews and other substantive activities for year ahead

2. Complete Statutory Program Review:
 - Review of federal and state statutes specific to the program or support service area

- Review of applicability of general statutes
- Review of federal guidance, grant obligations, and other performance mandates
- Evaluation of program or service activities against mandates to identify mandates that are fully implemented, partially implemented, or not implemented; activities that are not mandated; mandates that are no longer needed or appropriate; and limits on authorities
- Evaluation of resources needed to appropriately implement mandates and opportunities to prioritize resources.

3. Conduct Baseline Program Evaluations:

- Initial meetings with executive leadership, program management and staff
- Engaging the Office of Environmental Justice and Tribal Affairs
- Identification of the program partnership team for the program area under review
- Review of mandates and available program metrics
- Solicitation of internal and external input to identify potential issue areas
- Functional analyses (e.g. SWOT analysis) of program area
- Drafting of Baseline Program Evaluation

4. Create Strategic Program Development Plans:

- Development of overall performance improvement map for program area or support service function
- Identification of outcomes, including opportunities to reduce resource needs through efficiencies improvements in processes and operations, and selection of key focus areas for improvement
- Selection of improvement tools, methods, etc. best suited to address each focus area
- Setting of actions, deliverables, and milestones
- Drafting of Strategic Program Development Plan
- Incorporating internal and external input, as appropriate, into draft Plan prior to finalizing it

5. Develop Standards & Performance Metrics:

- Review of authorities, and identification of potential conflicts and/or limitations, resolution and/or redirection
- Consultation with internal and external stakeholders to identify appropriate performance targets
- Consultation with internal and external stakeholders to identify meaningful performance metrics
- Identification/implementation of appropriate mechanism to establish standards/metrics (procedural memorandum, policy, regulation, etc.) and associated processes

6. Provide Implementation Support & Training:

- Development of and/or participation in pilot projects as needed
- Mentoring of staff in new program elements, and other support such as story-booking progress and on-call support
- Development of training for staff, guidance documents, and fact sheets as appropriate

7. Conduct Periodic Reviews:

- Monitoring of performance metrics (and the periodic posting of metrics on DTSC's website) for identified DTSC programs or support services
- Continuous reviews of various improvements implemented in previous years.
- Review and reinforcing of standardized use of new guidelines, procedures and other reform measures instituted.
- Documenting progress and shortfalls

8. Reports

- Status reports to executive leadership on activities and outcomes
- Development of periodic reports on strategic improvement efforts
- Development of the Biennial Report on Performance Improvement required under H&SC Section 57007

Accountability will be assured through:

- Periodic reports posted on the DTSC website
- Biennial Report on Performance Improvement required under H&SC Section 57007
- Regular reporting to the Independent Review Panel (IRP) on performance metrics; the IRP is required by law to report quarterly on DTSC's progress improving its Permitting, Enforcement, Public Engagement, and Fiscal Management.

Projected Outcomes

Workload Measure	CY	BY	BY+1	BY+2	BY+3	BY+4
Annual Scoping Plan	-	1	1	1	1	1
Baseline Program Evaluations	-	1	1	1	1	1
Strategic Program Development Plans	-	1	1	1	1	1
Biennial Reports	-	1	-	1	-	1

E. Analysis of All Feasible Alternatives

Alternative 1: Adopt this proposal to make permanent 5.0 positions to provide Strategic Program Development, and maintain and oversee the continued implementation of improvements to DTSC's programs and support services.

Pros:

- Ensures DTSC undertakes critical strategic planning and continuous improvement efforts necessary for the Department to achieve performance excellence.
- Establishes a mechanism for institutionalizing required or recommended enhancements and reforms.
- Ensures that any efficiencies and/or enhancements to programs and support services, and new or improved standards are fully authorized and legally defensible.
- Creates accountability and transparency across DTSC's programs and support services.
- Aligns with, supports and leverages efforts by the Office of Environmental Justice and Tribal Affairs.

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- Incorporates input into program and service enhancements, standards, and metrics through multi-level staff engagement and iterative internal and external consultation.
- Provides mentoring, training, support and documentation necessary to sustain program enhancements.

Cons:

- Requires expenditure of additional State funds
- Increases position authority and expands State government.
- New staff will need to be trained.

Alternative 2: Redirect existing staff to provide Strategic Program Development, and maintain and oversee the continued implementation of improvements to DTSC's programs and support services.

Pros:

- Does not require the expenditure of additional State funds.
- Does not increase position authority or expand State government.
- Does not require training of new staff.
- Supports critical strategic planning and continuous improvement efforts necessary for the Department to achieve performance excellence.
- Establishes a mechanism for institutionalizing required or recommended enhancements and reforms from the Legislature.
- Provides legal review of efficiencies and/or enhancements to programs and support services, and new or improved standards.
- Creates accountability and transparency across DTSC's programs and support services.
- Aligns with, supports and leverages efforts by the Office of Environmental Justice and Tribal Affairs.
- Incorporates input into program and service enhancements, standards, and metrics through staff engagement and internal and external consultation.
- Provides some mentoring, training, support and documentation to sustain program enhancements.

Cons:

- Would adversely impact other programs, including cleaning up contaminated sites, taking action against violators of hazardous waste laws, and ensuring permits are processed in a timely manner.
- Would delay other legal reviews and actions through competition for overcommitted legal resources.
- It will take longer to put consistent processes and standards in place.
- Long term maintenance of reforms may be compromised.
- Potentially prevents other high-priority work within DTSC from being addressed.

Alternative 3: Do Nothing

Pros:

- Does not require the expenditure of additional State funds.
- Would not increase position authority or expand State government.

- Does not require the training of new staff.
- Would not result in a redirection or disruption of current program and support service activities

Cons:

- DTSC will not undertake critical strategic planning and continuous improvement efforts necessary for the Department to achieve organizational excellence.
- DTSC will lack sufficient resources to implement potential program efficiencies, enhancements, and reforms .
- DTSC will not create accountability and transparency across its programs and support services.
- Provides mentoring, training, support and documentation necessary to sustain program enhancements

F. Implementation Plan

July 2016

Hire new staff

Begin on-the-job training of new hires with experienced staff

September 2016

First Annual Scoping Plan

December 2016

Biennial Report on performance improvement (H&SC Section 57007)

Ongoing

Baseline program evaluations

Strategic Program Development Plans

New/improved performance standards and metrics

Implementation support

Monitoring and reporting on progress and performance

G. Supplemental Information

None.

H. Recommendation

Approve Alternative 1 to make permanent 5.0 positions to provide Strategic Program Development, and maintain and oversee the continued implementation of improvements to DTSC's programs and support services.

BCP Fiscal Detail Sheet

BCP Title: Strategic Program Development

DP Name: 3960-006-BCP-DP-2016-A1

Budget Request Summary

FY16

CY	BY	BY+1	BY+2	BY+3	BY+4
0.0	5.0	5.0	5.0	5.0	5.0
0.0	5.0	5.0	5.0	5.0	5.0
0	426	426	426	426	426
\$0	\$426	\$426	\$426	\$426	\$426
0	201	201	201	201	201
\$0	\$627	\$627	\$627	\$627	\$627

Positions - Permanent
Total Positions

Salaries and Wages
 Earnings - Permanent
Total Salaries and Wages

Total Staff Benefits
Total Personal Services

Operating Expenses and Equipment

5301 - General Expense	36	36	36	36	36
5302 - Printing	6	6	6	6	6
5304 - Communications	10	10	10	10	10
5306 - Postage	5	5	5	5	5
5320 - Travel: In-State	10	10	10	10	10
5322 - Training	10	10	10	10	10
5324 - Facilities Operation	40	40	40	40	40
5326 - Utilities	6	6	6	6	6
5342 - Departmental Services	1	1	1	1	1
Total Operating Expenses and Equipment	\$124	\$124	\$124	\$124	\$124

Total Operating Expenses and Equipment

Total Budget Request

Fund Summary

Fund Source - State Operations					
0014 - Hazardous Waste Control Account	376	376	376	376	376
0557 - Toxic Substances Control Account	375	375	375	375	375
Total State Operations Expenditures	\$751	\$751	\$751	\$751	\$751

Total All Funds

Program Summary

Program Funding					
3625 - Hazardous Waste Management	751	751	751	751	751
9900100 - Administration	55	55	55	55	55
9900200 - Administration - Distributed	-55	-55	-55	-55	-55

Total Air Programs

\$0

\$751

\$751

\$751

\$751

\$751

Personal Services Details

Positions	Salary Information									
	Min	Mid	Max	CY	BY	BY+1	BY+2	BY+3	BY+4	
3724 - Supvng Hazardous Substances Engr I (Eff. 07-01-2016)				0.0	1.0	1.0	1.0	1.0	1.0	1.0
3726 - Hazardous Substances Engr (Eff. 07-01-2016)				0.0	1.0	1.0	1.0	1.0	1.0	1.0
5393 - Assoc Govtl Program Analyst (Eff. 07-01-2016)				0.0	2.0	2.0	2.0	2.0	2.0	2.0
5795 - Atty III (Eff. 07-01-2016)				0.0	1.0	1.0	1.0	1.0	1.0	1.0
Total Positions				0.0	5.0	5.0	5.0	5.0	5.0	5.0
Salaries and Wages										
3724 - Supvng Hazardous Substances Engr I (Eff. 07-01-2016)	0	111	111		111		111		111	111
3726 - Hazardous Substances Engr (Eff. 07-01-2016)	0	82	82		82		82		82	82
5393 - Assoc Govtl Program Analyst (Eff. 07-01-2016)	0	124	124		124		124		124	124
5795 - Atty III (Eff. 07-01-2016)	0	109	109		109		109		109	109
Total Salaries and Wages	\$0	\$426	\$426		\$426		\$426		\$426	\$426
Staff Benefits										
5150900 - Staff Benefits - Other	0	201	201		201		201		201	201
Total Staff Benefits	\$0	\$201	\$201		\$201		\$201		\$201	\$201
Total Personal Services	\$0	\$627	\$627		\$627		\$627		\$627	\$627