

Log of Comments

Law Enforcement Public Review Draft Municipal Service Review

Commenter	Comment Number	Page/ Section	Comment	Response
Vicki Koc	1	Page 20	Accelerated pension reform.	Comment noted.
	2	Pages 21 and 277	Disagree with proposal for Zero SOI for CSA M-30; annexation would not serve residents well.	Comment noted. Any annexation would require notice and protest provisions.
	3	Page 21	Mapping for CSA P-6 zones.	Comment noted.
	4	Page 21	Within Alamo CSA P-6 should have advisory representation with the currently established CSA P-2B advisory committee.	Concur.
	5	Page 21	Adjustment for 'return to source' funds from CSA P-6 to the Alamo area.	Concur.
	6	Page 22	CSA P-6 Advisory Committee for Bay Point; allocation of funds.	Funds for enhanced law enforcement services for Bay Point were allocated by the Board of Supervisors on April 13, 2010; however, an Advisory Committee was not formed. The Bay Point Municipal Advisory Council (MAC) currently receives reports from the SO and CHP.
	7	Page 22	Advisory Committees for all areas with enhanced CSA P-6 services.	Comment noted.
	8	Page 22	Size of Alamo CDP.	Corrected to reflect the Alamo 2010 CDP at 9.7 square miles.
	9	Page 22	Add CSA P-5 to larger CSA P-2; need map to define the boundary.	Concur with need to map the Alamo area boundary.
	10	Page 257	Unclear what is included in the Alamo CDP.	Concur; detailed mapping was beyond the scope of this MSR, but is necessary to define the affected area.
	11	Page 257	Percentage of CSA P-2, Zone B to Alamo CDP.	Revised to reflect Zone B as 55% of Alamo CDP.
	12	Page 258	Increase in salary and benefits for CSA P-2 Zone B.	Explanation requested from the SO.
	13	Page 261	Officers assigned to graveyard shift in Alamo	Verified with the SO that one deputy is assigned to each vehicle, and they are deployed out of the Valley Station in Alamo.
Steve Mick	1	Page 22	Hap McGee Park funded by CSA R-7 and the Town Danville is 0.3 miles from CSA M-30.	Text corrected to reflect this comment.
	2	Page 22	Wording for CSA P-5 in the Alamo CDP is ambiguous.	Concur. Text has been revised to clarify.
	3	Page 23	Expanding the CSA P-2 SOI to include CSA P-5, or vice versa.	Comment noted.

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Commenter	Comment Number	Page/ Section	Comment	Response
Harald A. Bailey	1		Use of tax funds verses General Funds for law enforcement services in the Alamo region.	Comment noted.
	2		Representation regarding public safety in the Alamo region.	Comment noted.
Nancy Domes	1	Page 20	Agree with pension reform.	Comment noted.
	2	Pages 21 and 22	Disagree with annexing CSA M-30 to Town of Danville; suggest detaching 11 lots within Alamo Springs Subdivision from Town of Danville and include within the CSA P-2 SOI.	Comment noted.
	3	Page 23, Bullet 1	Remove CSA P-2 area west of Danville from the CSA P-2 SOI.	Concur.
	4	Page 21, Bullet 1	The 111 Zones within CSA P-6 need to be mapped.	Concur.
	5	Page 21, Bullet 7	Agree that consideration should be given to establishing CSA P-6 Advisory Committees in areas that receive enhanced police services; also suggest combining P-6 committee with P-2B committee as a cost saving measure.	Concur; comment noted.
	6	Page 22	Size of Alamo CDP.	Corrected to reflect the Alamo 2010 CDP at 9.7 square miles.
	7	Page 23	Suggest merging P-5 into P-2, as P-2 has the larger SOI in Alamo area.	Comment noted.
	8	Page 257	The website www.alamore.org is owned and maintained by a private resident; suggest removing reference to this site as it can be removed at any time.	Text revised to reflect private website.
	9	Page 257	Suggest speedy disbursement of CSA P-6 Zone funds to CSA P-2B.	Comment noted.
	10	Page 258	Increase in salary and benefits for CSA P-2 Zone B.	Explanation requested from the SO.
Sharon Burke	1	Page 22	CSA M-30 and its relationship to the Alamo Community	Text revised for location of park facilities provided by CSA R-7; other comments are noted.

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	2	Page 22	Middle school-age children from Alamo Springs Subdivision attend Stone Valley Middle School in Alamo, and Alamo Springs residents attend special events in the Alamo downtown; therefore CSA P-2 Zone B is providing law enforcement services to the residents of M-30.	Comment noted.
	3	Page 22	Properties within the Alamo Springs Subdivision that are within the Town of Danville are being charged CSA P-6 Zone assessments. These property owners are due a refund.	Concur.
	4	Page 22	Use of Census Designated Place (CDP) identifiers for Alamo and Blackhawk; and not include Camino Tassajara CDP.	Concur. The 2010 CDPs provide more finite boundaries, allowing for more detailed SOIs.
	5	Page 22	Update to Alamo CDP.	Corrected to reflect the Alamo 2010 CDP at 9.7 square miles.
	6	Page 22	Property Tax generated from CSA P-2 No Zone includes properties within Diablo Community Services District and the Stonegate Subdivision. Properties within Diablo CSD should be removed from CSA P-2 and the Stonegate TRA should be corrected to reflect an allocation to CSA P-2B.	Concur. LAFCO and County GIS are aware of these anomalies; resolution of which was beyond the scope of the MSR.
	7		Additional boundary issues not addressed in the MSR include Stonecastle Subdivision annexed to Zone B without annexation to CSA P-2; and 40 parcels in Blackhawk annexed to Zone A without annexation to CSA P-2. These parcels should be annexed to CSA P-2.	Concur.
	8	Page 253	The chronological history for CSA P-2, including the detachment of CSA P-5 territory and the incorporation of Danville, plus the respective parcel tax for Zone A (Blackhawk) and Zone B (Alamo) is necessary to understand the SOI recommendations contained in the MSR.	Details are provided in Comment No. 8.
	9	Page 256	Indicates that Blackhawk Country Club was annexed to CSA P-2 in 1975 not 1985, and that enhanced police services began that year.	Text has been corrected to reflect these dates.
	10	Page 257	Estimated population for CSA P-2 Zone A should be 9,425 based on 3,250 residential parcels and 2.0 persons per household.	Text has been revised to reflect this data.

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Commenter	Comment Number	Page/ Section	Comment	Response
	11	Page 257	The tax allocation for TRA 66056 (Stonegate Subdivision) needs to be evaluated since it differs from the two other TRAs in CSA P-2 Zone B.	Concur.
	12	Page 257	P-6 Zone funds should be returned to source to augment CSA P-2 Zone B costs.	Comment noted.
	13	Page 258	Increased costs for CSA P-2B for FY 10-11 need to be investigated.	Expenditure data in the MSR for CSA P-2 Zone B for FY 10-11 reflects the Final Special Districts Budget approved by the Board of Supervisors.
	14	Page 258	Enhanced police service in Alamo began in 1970.	So noted; text has been revised.
	15	Page 260	Reference to Comment No. 6.	So noted.
	16	Page 262	A portion of Windsor Green Subdivision is within CSA P-5 and a portion is not in CSA P-5. These discrepancies should be rectified.	Concur.
	17	Page 22	P-5 should consolidate with CSA P-2B because P-5 school children attends schools where CSA P-2B provides service; and P-5 residents utilize Livorna Park and the downtown business area where CSA P-2B provides service.	Comment noted.
Steve Cohn	1		The crisis in deferred employment benefit funding.	Comments noted.
Comments and Statistical Information was provided by Law Enforcement Agencies as follows:				
Antioch Police Department			Priority 1 Response Times and Crime Clearance Rates	Integrated into Chapter 4 and Summary Tables.
Brentwood Police Department			Priority 1 Response Times and Crime Clearance Rates	Integrated into Chapter 5 and Summary Tables.
Clayton Police Department			Crime Clearance Rates	Integrated into Chapter 6 and Summary Tables.
Danville Police Department			Priority 1 Response Times and Crime Clearance Rates	Integrated into Chapter 8 and Summary Tables.

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Commenter	Comment Number	Page/Section	Comment	Response
Hercules Police Department			Comments and corrections to chapter	Text corrections to Chapter 10.
Oakley Police Department			Comments and corrections to chapter; Priority 1 Response Times and Crime Clearance Rates	Integrated into Chapter 14 and Summary Tables.
Orinda Police Department			Priority 1 Response Times and Crime Clearance Rates	Integrated into Chapter 15 and Summary Tables.
Kensington Police Protection and CSD			Priority 1 Response Times and Crime Clearance Rates	Integrated into Chapter 25 and Summary Tables.
Moraga Police Department			Comments and corrections to chapter; Priority 1 Response Times and Crime Clearance Rates	Integrated into Chapter 13 and Summary Tables.
Pinole Police Department			Comments and corrections to chapter; Priority 1 Response Times and Crime Clearance Rates	Integrated into Chapter 16 and Summary Tables.
Pittsburg Police Department			Priority 1 Response Times and Crime Clearance Rates	Integrated into Chapter 17 and Summary Tables.
Walnut Creek Police Department			Priority 1 Response Times and Crime Clearance Rates	Integrated into Chapter 22 and Summary Tables.

Bruce Baracco

To: Lou Ann Texeira
Subject: RE: Comments on MSR from Hal Bailey

Dear Lou Ann,

A group of CDSI members, including me, just completed a 212 pages Technical Findings for advanced technologies groups meeting in our bay area, July 10 through 20. A massive project, but nothing in comparison to http://www.contracostalafco.org/municipal_service_reviews/law_enforcement/Police%20MSR%20Public%20Review%20DRAFT%207-15-11.pdf.

I read all the summary and specifics related to local police districts in the Diablo Vista Region as Saranap through Blackhawk. WHY? It seems some very powerful, very wealthy senior officers of bar area corporations, as residents of the Alamo region, are significantly concerned about the conclusions of your report. Their specific point of view is CCC-BOS failures to control employment costs including retirement and medical benefits are artificially impacting the operating expenses for police services in our area. Their instructions to counsel and analysts are to determine specific legal actions to restrict general expenses from being offset by dedicated Alamo funds. They see all failure by CCC-BOS past and present for the period 2002 to date as the cause of expense overruns and lack of rational accountability in applying expenses to P-2B, P-5 parcel tax appropriations.

The major interest is to either capture local police services under a locally managed district, such as a CSD, or restrict or discontinue P district parcel taxes in favor of creating a private public safety force in our region. At present, your recommendations including making P-2B a zone in P-5 is seen as less and less local control. With Mary Piepho's reconstitution of P-2B committee and control of the agenda, committee members are meaningless in accountability for Alamo region residents. As a result, Diablo Vista region neighborhoods forum has a 21 member public safety committee fully engaged in audit of county services and planning of regional actions in protection of our neighborhoods. In addition, neighborhoods are supporting the establishment of a public safety and preparedness committee of the Alamo Improvement Association to be the PUBLIC independent voice for Alamo region residents.

I now see why Alamo neighborhoods would like to make our area a gated community just like Blackhawk with its own private patrols.

As a news service alliance courtesy, please share this information with the commissioners.

Harald A. Bailey
Member, CDSI Research Fellowship
+1.925.933.4076 (press 2 to leave a private message)
halbailey@mphb.net

MUNICIPAL SERVICE REVIEW

Law Enforcement Services

Public Review Draft dated 7/15/11

Public Comment to Contra Costa County LAFCO

Thank you for accepting my comments below on the referenced MSR. I am currently a volunteer on the Alamo CSA P2, Zone B committee and very much appreciate LAFCO's comprehensive study on the Law Enforcement Services in Contra Costa.

Signed: *Nancy Dommès*, Alamo Resident, P2-B Committee Member (925) 831-0111

Issue Location	Topic	Comment
Pg 20	Pension Reform	Agree
Pg 21	CSA M-30	Disagree - Suggest exploring annexation of the 11 lots in Town of Danville SOI with the larger balance of Alamo Springs lots which currently are within the SOI of unincorporated Alamo.
Pg 21 & 23- bullet 1	CSA P-2	Agree - <i>"the portion of CSA P-2 west of Danville...should be removed from the CSA P-2 SOI"</i> as outlined
Pg 21, bullet 1	The P-6 Conundrum	Agree - <i>"needs to map each of the 111 Zones"</i>
Pg 21, bullet 7	The P-6 Conundrum	Agree - <i>"...consider establishing P-6 Advisory Committees in areas that receive 'enhanced' polic services from CSA P-6 funding "</i> . Also suggest P-6 combining committee with P2-B as a cost saving measure.
Pg 22, bullet 2	County Service Area P-2	Agree - <i>"consideration should be given to increasing the CSA P-2 SOI in the alamo area to 20.6 square miles consistent with the Alamo CDP"</i> Question - is the CDP really 20.6 square miles?
Pg 23, para. 2	County Service Area P-2	Partially agree - <i>"...consideration could be given to expanding the SOI for CSA P-5(Roundhill) to include all of the Alamo Area....merger of CSA P-2 in the Alamo area into CSA P-5"</i> Suggest merging P-5 into P2-B as latter has the larger SOI in Alamo.
Pg 257, para. 1	Accountability & Governance	Comment - the website www.alamore.org is owned and maintained by a local resident. Suggest removing this location as it is a non-County site and could be removed at any time. This is especially important due to MSRs being generated every 10 years.
Pg 257, para. 2	Planning and Management Practices	Suggest speedily disbursing CSA P-2, Zone B's portion of P-6 funds caused by a mistake of the County Auditor many years ago. Bay Point and Discovery Bay have received their allocations of P-6 funds and Alamo P2-B is the sole remaining area yet to receive its share. These return to sourcefunds have been brought to the attention of the Sheriff's office and has been stalled since February, 2009.
Pg 258, para. 2	Financing	Disagree - Increased expenditures for fy 10-11 from \$183,600 to plus \$264,000 (or \$447,600 total) to a possible total of \$482,600 appears excessive to fund one deputy at a fully loaded salary. Please explain the causes for these proposed increases.

The following are comments on the Law Enforcement Municipal Services Review.

1. p. 20 Pension Reform:

More aggressive acceleration of reforms, above even those suggested in this report, to curb escalating retirement and health benefit costs should be implemented as soon as possible.

2. p. 21 and p.277 M-30

I disagree with the zero SOI as the first step in dissolution and annexation. I don't believe annexation is what those residents would want and preempting their input by dissolution on this issue, which could lead to steps for an annexation of which they are unawares, does not serve them well nor does adjusting the Town of Danville limits.

Additionally, the developed property known as Alamo Springs has only 11 Town of Danville lots, a peninsula, which is surrounded by 42 lots in the unincorporated Alamo Springs development as well as other Alamo property around it Valley Oaks Drive, Eagle Drive, etc.

3. p. 21

I concur the zones should be mapped.

4. p. 21

CSA P-6 in Alamo should have advisory representation within the current established P-2-b Advisory Committee in Alamo for the 'return to source' portion of funds within P-6. In combination and consolidation with P-2B there would be stronger law enforcement representation.

5. P-6 Return to source

In 2008 it was reported that the Sheriff wanted to spend the return to source P-6 funds in the respective zones (CC Times Oct. 21, 2008). After it was agreed that this could be done for 'all CAB (central administrative base) funds, the Sheriff and Board of Supervisors proceeded with an Appropriation Adjustment for Discovery Bay in July of 2009. A similar adjustment should be considered for similar P-6 funds in Alamo as well as other communities.

6. p. 22

'The SO and the Board of Supervisors should consider establishing P-6 Advisory Committees in areas that receive 'enhanced' police services from CSA P-6 funding (East Richmond Heights, North Richmond, and Bay Point) similar to the P-6 Advisory Committee established in Discovery Bay.

The MSR recommendation above indicates this has not been done for Bay Point but at an April 13, 2010 Board of Supervisor meeting it appears Bay Point was recommended for an adjustment. Please clarify if this approval did or did not take place.

7. Advisory Committees

I concur that all of the areas should have Citizen Advisory Committees.

8. p. 22 County Service Area:

The Alamo CDP is about 10 square miles not 20.6.

9. p. 22

CSA P-5 should be included in the larger CSA P-2 SOI.

I agree increasing P-2 to include P-5 and that the SOI should be the area proposed for incorporation which is inclusive of the Alamo zip code. Without a better map or CDP definition of this particular boundary it is unclear whether or not the following areas are included in the calculation of area (but they were included in the incorporation boundary and zip code): Whitegate, Bryan Ranch, Montecito, etc.

10. p. 257 CSA P-2 Zone B – Alamo figure 23-1

For the CDP in Alamo it is unclear what is included. The zip code does include Bryan Ranch, Whitegate and Montecito developments at the end of Stone Valley Road. Zone mapping and mapping of the Alamo CDP would help readers determine whether or not these areas are included.

11. p. 257

I believe Alamo is closer to ten square miles (perhaps 9.6) not 20.6. Thus Zone B is not 32% of the CDP area but closer to 55% to 60% of CDP. The statement that 'the remainder of the Alamo CDP is '68%' also needs adjustment to reflect the prior change.

12. p. 258 Financing:

Please explain the following comparisons for expenditure increases projected for Blackhawk and Alamo. Blackhawk figures for increased benefits for three officers is projected to be \$103,000 more for FY 10-11 on a base of \$744,000 for three personnel; but Alamo, with one officer, is expected to 'increase significantly by \$264,000' on a base of \$183,600 per year. (all round figures) If this is correct, what is the reason in P2-B for an increase 2.5 times the year's salary and benefits.

13. p. 261

Explain or revise that 'single officers are assigned to each beat vehicle' as recently the Alamo community was informed that two officers are assigned to each vehicle for safety reasons on the graveyard shift and that shift is out of Martinez, not Alamo Plaza Shopping Center.

Thank you.

Vicki Koc

Vicki Koc
Alamo, CA

July 18, 2011

To: Contra Costa LAFCO Commissioners
From: Steve Mick
Subject: Law Enforcement Municipal Service Review

The following are my comments regarding the Law Enforcement Municipal Service Review.

1. The *County Service Area M-30 (Alamo Springs)* section on Page 22 notes that:

"The nearest park facility funded by CSA R-7 is one mile away from the CSA M-30 boundary."

This is incorrect. Hap Magee Ranch Park, a premier park facility that is supported by tax revenue from R-7 and from the Town of Danville, is three-tenths of a mile from Alamo Springs. The next nearest facility (which is funded solely by CSA R-7) is Rancho Romero School Park and is seven-tenths of a mile from Alamo Springs.

2. The *County Service Area P-2 (Alamo, Blackhawk and Other)* section on Page 22 notes that:

"At the present time, the boundary for CSA P-2B in the Alamo area consists of 5.3 square miles with an SOI coterminous with its boundary. This portion of CSA P-2B is within the larger Alamo CDP which is 20.6 square miles (and also includes the adjacent CSA P-5, Roundhill)."

This wording is ambiguous. The Alamo CDP does include the adjacent CSA P-5 Roundhill, however CSA P-2B does not include CSA P-5.

3. The report recommends consideration be given to expanding the SOI of P-2B to include P-5 or alternatively expanding P-5 to include P-2B. I strongly support either of these alternatives. Alamo is just over 20 square miles in area and yet has three police districts. It is time to bring uniformity to the level of police services in Alamo.

Kindest regards,

Steve Mick

6 La Sonoma Drive
Alamo, CA 94507
Steve@alamore.org

Comment #1:

Page 22, Recommendations for CSA M-30 (Alamo Springs)

The nearest park facility funded by CSA R-7 is not one mile away; it is immediately adjacent to and within walking distance of the Alamo Springs subdivision, Hap Magee Ranch Park. Alamo Springs residents in the unincorporated portion are Alamo residents, have Alamo addresses, vote in Alamo elections and identify with Alamo. It is reasonable to expect they use Hap Magee Ranch Park and attend Alamo events sponsored by R-7, and it is not reasonable to detach the subdivision from R-7 so long as it remains unincorporated. The unincorporated portion of Alamo Springs was included in the recent incorporation effort boundary by LAFCO, and using LAFCO guidelines, it must be included in any future incorporation effort as it is an unincorporated island; it is included in Alamo's Zone 36 Lighting and Landscaping District, it is included in the Alamo Area of Benefit by County Public Works, and it is included in the Alamo Municipal Advisory Council boundary by the County BOS. To remove this unincorporated portion would create illogical boundaries with all of these entities. Of course, if Danville were to annex this territory, that would be a different matter.

Comment #2:

Page 22, Recommendations for CSA M-30 (Alamo Springs)

Although P-2, Zone B does not provide patrol service to the Alamo Springs area, the middle school age children of this subdivision are assigned to Stone Valley Middle School in Alamo. The principal duties of the P-2 Zone B officer are as School Resource Officer at Stone Valley Middle School; therefore, P-2 Zone B is providing services to the residents of M-30. It is reasonable to expect that these Alamo residents attend special events in the Alamo downtown, where extra policing is provided by P-2 Zone B. In addition, previous comments apply as to the creation of illogical boundaries for Alamo unincorporated residents if this area were to detach from P-2 Zone B. As previously stated, this does not apply if Danville annexes the subdivision.

Comment #3:

Page 22, Recommendations for CSA M-30 (Alamo Springs)

Tax bills for the 11 parcels of Alamo Springs located inside the incorporated boundaries of Danville reveal that these 11 parcels are being charged the P-6 Zone tax for Zone 1802, currently being charged at \$138.62 for vacant land and \$277.26 for developed parcels. CSA P-6 was created in 1983, a full year after the incorporation of Danville on July 1, 1982. This territory was never part of CSA P-6. It is not legally possible for a zone of a CSA to be created when the underlying territory is not in the CSA. I believe this was an error on the auditor's part when the tax bills were first created and there is no legal authority for collecting this tax from these parcels and these landowners are due a refund of the tax they have paid. Since a large portion of their 1% property tax goes to the Town of Danville, their police services are paid in full just like other Danville landowners.

Comment #4:

Page 22, Recommendations for CSA P-2 (Alamo, Blackhawk and Other)

It is problematic adjusting special district boundaries to CDP boundaries. The census seems to change CDP boundaries for every census, and I do not think we can affect the US Census in any way. For instance, in the 2000 census, Alamo CDP included huge tracts of parkland to the west and east of Alamo proper, resulting in a CDP area of 20.6 square miles, more than twice the size of the community of Alamo. In the 2000 census, Blackhawk and Camino Tassajara were combined in one CDP and for the 2010 census; Blackhawk and Camino Tassajara were split into separate CDP's. Please refer to the 2010 census, where these areas are separate CDP's. If the recommendation is to use the CDP boundaries, it would make more sense to use the Blackhawk only CDP and not include the Camino Tassajara CDP in the P-2 Zone SOI.

Comment #5:

Page 22, Recommendations for CSA P-2 (Alamo, Blackhawk and Other)

The Alamo CDP in the 2010 census is 9.667 square miles. The 2000 census reported Alamo as 20.6 square miles, so this figure should be updated. The 9.667 square miles tracks exactly with the incorporation boundary approved by LAFCO in the failed incorporation effort in 2009.

Comment #6:

Page 22, Recommendations for CSA P-2 (Alamo, Blackhawk and Other)

As the uninhabited area west of Danville owned by EBRPD generates no property tax, it is not the source of the approximately \$7,000 per year in property tax accruing in the P-2 No Zone account at the county (although this property is still in P-2 and should be detached from P-2 as the consultant recommends). There are two sources of this \$7,000 per year property tax, which at P-2's approximately 0.48% allocation represents assessed valuation of over \$200 million. The first source of this property tax is five developed parcels developed in 1987 inside Diablo Community Services District, and accessed only from Diablo Community Services District. The TRA is 66000. These parcels should be detached from P-2 and the property tax given to Diablo Community Services District which provides enhanced police services to these parcels, or the property tax should revert to the other categories in the TRA. This was probably just a boundary error at the time P-2 was created in 1969 and these parcels were not developed. The second and larger source of the approximately \$7,000 in property tax per year accruing in the P-2 account is the 202 home Stonegate subdivision in far northeast Alamo, developed in 1986. The TRA is 66056. LAFCO records confirm that the Stonegate subdivision was legally annexed to Zone B of P-2 in 1986. An error by the auditor at the time resulted in the 1% property tax allocation accruing to P-2 No Zone, while the Zone B parcel tax of \$18 was correctly collected. An incorporation proponent discovered the error in 2008, verified with LAFCO and Auditor Bob Campbell that the Stonegate subdivision TRA allocation should be to the P-2 Zone B district. Funds accruing to this account now total more than \$100,000 after 25 years of incorrect accounting. The Finance Officer of the Sheriff's office is aware of the error and has spent some time and effort in separating out the property tax attributed to the Diablo parcels from the property tax attributed to the Stonegate Alamo parcels. The P-2 Zone B Advisory Committee was informed of the error in 2009, and is awaiting a report from the SO allocating the correct funds to Diablo CSD and to P-2 Zone B. This should be done as expeditiously as possible.

To sum up, the three parcels on the westside of Danville remaining in P-2 should be detached; the five parcels in Diablo remaining in P-2 should be detached (no annexation necessary as these parcels are already in Diablo CSD); and the TRA allocation in the Stonegate subdivision in Alamo should be corrected to reflect that the allocation goes to Zone B of P-2. This will clean up all the boundary issues with the original P-2 CSA.

Comment #7:

Additional Boundary Issues with CSA P-2 not mentioned in the MSR:

The Stonecastle subdivision in northwest Alamo was developed in 1997. A previous LAFCO with a previous Executive Director apparently annexed the subdivision to Zone B of CSA P-2 without annexing the subdivision to CSA P-2 itself. The TRA is 98092. LAFCO records show this subdivision as "Zone B only" and the tax bills reflect only the \$18 zone parcel tax and not the TRA allocation to P-2B. It is not legally possible for a zone to exist without being in the underlying CSA. It seems as if the correct remedy would be to annex the subdivision into CSA P-2.

The same procedure was followed in the annexation of approximately 40 parcels on the northern boundary of Blackhawk Country Club, which were apparently annexed into "P2-A Only". The TRA is 66343. The tax bills reflect only the \$280 zone parcel tax and not the TRA allocation to P-2A. It is not legally possible for a zone to exist without being in the underlying CSA. It seems as if the correct remedy would be to annex these parcels into CSA P-2.

Comment #8:

Page 253. The chronological history given for CSA P-2 is somewhat inaccurate. According to LAFCO records, CSA P-2 was formed by the CCCBOS in 1969 and confirmed by the voters in 1970. It included around two-thirds of present day Alamo and present day Danville, then unincorporated. Funding provided by P-2 property taxes provided an additional sergeant and two additional deputies for Danville and Alamo. In 1972, in the largest detachment from P-2, the Round Hill Country Club area detached from P-2 and formed its

own police district, P-5. In 1975, the largest annexation to P-2 took place when Blackhawk Country Club was developed and annexed. In 1982, Danville incorporated and received its share of the P-2 tax allocation as well as its share of P-2 reserves. This left two large disconnected unincorporated areas in P-2: Around 60% of present day Alamo, and Blackhawk Country Club. The two areas were geographically separated and had different police needs. Zone A (Blackhawk) and Zone B (Alamo) were created in 1985 by the BOS to provide for the different police needs of the two communities. With the incorporation of Danville and the passage of Prop 13, there was no longer enough funding for P-2 to provide additional patrol services in Zone B (Alamo), although voters passed an \$18 parcel tax to provide additional funds. Zone A voters in Blackhawk passed a larger parcel tax of \$280 per residential parcel, and with this larger property tax revenue, Zone A has been able to maintain additional patrol services as was the original voter intent of P-2. Zone B, with its smaller tax revenues, has not been able to fund additional patrol services for the Alamo community, and the Zone B voters have considered two ballot measures to increase the \$18 parcel tax, one in 1987 and one in 2000. Both failed to achieve a two thirds vote of district voters, and no subsequent attempts have been made to increase funding. The Zone B Advisory Committee has chosen to use its limited funding to fund one resident deputy, whose assigned duties are as a School Resource Officer for the two elementary schools and one middle school in the district, as well as serve as the business district police liaison, the coordinator of extra policing for community wide special events, and as extra patrol backup for the beat officers in Alamo in case of need.

I believe the complete history of the detachments and annexations to P-2 is necessary to understand the SOI recommendations relating to P-2 and P-5 and offer this history as additional background material, as well as previous attempts to increase funding for Zone B.

Comment #9:

Page 256: As described above, the Blackhawk Country Club area was annexed to P-2 in 1975 and not 1985, according to LAFCO records, and enhanced police services began that year.

Comment#10:

Page 257: Alamo is comprised of 9.667 square miles, according to the 2010 census. The number shown of 20.6 square miles is from the 2000 census. Zone B with 5.3 square miles therefore consists of 55% of the CDP area. The number of total households in P-2, Zone B is given as 2,627, and this number is not accurate as it does not correlate to the \$65,000 in revenue from the \$18 parcel tax. At the time of the 2000 ballot measure to increase funding for Zone B, the number of parcels was stated by the county to be 3,308, and this number has only increased since then, with no detachments and with additional subdivisions being made. A more accurate figure would be 3,400 commercial and residential parcels in Zone B, with a population of 9,425 in the district, at 2.9 persons per residential household (excluding approximately 150 commercial parcels in the district).

Comment #11:

Page 257: TRA 66056, the Stonegate subdivision, is also in the Zone B district, with an average 0.29009% tax allocation. As previously mentioned in Comment #6, the county auditor made an error at the time of the annexation of the Stonegate subdivision, continuing a tax allocation to P-2 No Zone instead of to P-2 Zone B. It is possible the tax allocation was also miscalculated since it differs so markedly from the tax allocation of P-2 Zone B in the other two TRAs in the district.

Comment #12:

Page 257. The 12 P-6 zones within P-2 Zone B currently generate \$40,486 annually and these revenues are not currently being returned to source to provide enhanced police services. Alone, these revenues are not enough to fund a resident deputy. However, a good solution to this situation would be for the P-2 Zone B Advisory Committee to petition the BOS to allow the Committee to advise on the expenditure of the P-6 Zone funds. This would allow the Committee to add the P-6 zone funds to augment its existing budget and use these funds to pay for additional policing at community wide events, which benefit the entire community of Alamo.

Comment #13:

Page 258: The enormous increases in salaries and benefits for P-2 Zone B for FY 10-11, which is already concluded, that are noted in the MSR have not been reported to the Zone B Advisory Committee. In fact, the

most recent financial report given to the Committee by the SO's Finance Office does not include any such increases. Increased costs for retirement & medical benefits cannot account for this 144% increase, more than doubling the previous year's expenditures. Moreover, this huge increase does not track with any of the expenditure increases reported by the County for other special districts staffed by the SO; and if this increase were attributable to increased costs for retirement & medical benefits, the same percentage increase would be reported for the other districts. The county already charges the Zone B account full retirement & medical benefits as well as salary for its one resident deputy. This increase must either be a mistake or the result of charges made to the Zone B account that were not recommended or advised on by the Advisory Committee. In any case, an increase of this nature which would basically wipe out the reserve account of the Zone and put it in a deficit spending mode should be investigated more closely as it means the Zone is unsustainable, if it is accurate.

Comment #14:

Page 258: As previously noted, enhanced law enforcement services to the Alamo area began in 1970 not 1981.

Comment #15:

Page 260: See Comment #6 for a complete discussion of the remaining territory in P-2 No Zone.

Comment #16:

Page 262, CSA P-5 Map

An examination of the map reveals a police service delivery problem in CSA P-5, and also inaccuracies in the map provided by LAFCO. Oak Meadow Court and Royal Ridge Court are not part of the P-5 district; they are a separate TRA 66100, and there is no allocation to P-5 in this TRA. Oak Meadow Court and Royal Ridge Court are part of the Windsor Green subdivision, were developed forty years after the original Round Hill Country Club, and twenty years after the formation of P-5 and were not annexed into P-5 as probably would be the case with the present day CCLAFCO policies. A portion of Windsor Green, however, is in the P-5 district, Meadow Grove Court. In order to serve this street, the P-5 patrol officer must exit the district, travel two streets outside the district, and then re-enter the district to access Meadow Grove Court. A more logical boundary would be to annex all of the Windsor Green subdivision into P-5, as these homeowners are benefiting from additional patrol services without paying for it. This would mean a recommendation to expand the SOI of P-5 to include all of the Windsor Green subdivision.

Comment #17:

Additional support for the recommendation to consolidate P-5 and P-2, Zone B:

P-5 resident school children are assigned to Rancho Romero School and Stone Valley Middle School, where the P-2 Zone B deputy is the School Resource Officer and the diversion officer in the case of the middle school. P-5 residents receive these services but are not currently paying for them. In addition, P-5 residents attend community events at Livorna Park, where additional policing is provided by P-2 Zone B, and community events in the downtown business area, where additional policing is provided by P-2 Zone B.

To: Lou Ann Texeira: Executive Office, LAFCO
From: Steve Cohn
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Date: August 7, 2011
Subject: A full understanding of deferred public employee benefit liabilities

With the upcoming completion of LAFCO's MSR for law enforcement services, I believe either an addendum to the MSR, or better yet a special study for all county entities, should be made with respect to the crisis in deferred employee benefit funding that has evolved, or become apparent, over the past couple of years. While pension reform was mentioned several places in the MSR, I do not believe that most agencies have a true grasp of the magnitude of the problem that they are dealing with.

I live in Orinda and, therefore, am most concerned with the services that directly affect me. Orinda contracts police services from the County and therefore the Sherriff's Department benefit funding only indirectly affects my service levels. However, I am directly affected by deferred benefit costs to my emergency services provider, the Moraga-Orinda Fire District (MOFD), so it is this agency that I have focused on and will use as an example of all other agencies. (I have reviewed the recently released CCCERA actuarial report for 12/31/2010 and MOFD is actually in better shape than most.)

As you may recall from the Fire and Emergency Medical Provider MSR completed in 2009, MOFD is well funded, possibly even over-funded. And yet, when you look deep at the deferred liabilities that it has promised its employees over the years, it is in serious financial straights. It is just beginning to understand this and this coming fiscal year is reducing its base salary budget 8% from \$8.4 million to \$7.7 million. But will that address its problems? Is it aware of what its problems really are? Are any of Contra Costa's agencies really aware of what their problems are? I don't think so and I will use MOFD as an example. I believe LAFCO may be the one agency that can orchestrate a true understanding of the problem within the agencies.

Do the agencies understand the magnitude of the problem affecting them? Last year CCCERA told MOFD that their pension plan was \$11.6 million underfunded. MOFD also knew that it owed \$26 million on a Pension Bond and that its Post Retirement Medical Benefit liabilities were totally unfunded with an actuarial liability of \$24 million. They had \$7 million in reserve funds and yet, with over \$60 million in liabilities and less than \$10 million in reserves, they accepted without comment an audited financial statement showing \$10 million in net assets. Do agencies really understand what is going on or are accounting practices obfuscating the disaster they have gotten themselves into and who, possibly LAFCO, is going to help them to clear the air?

What is MOFD's true financial position?

Its pension fund. The \$11.6 million underfunding reported last year, and just updated by CCCERA to \$17 million, is the tip of the iceberg. MOFD currently has \$115 million dollars in pension assets but for accounting purposes CCCERA reports them as \$123 million; "smoothing" past losses and gains. But that \$8 million discrepancy is nothing compared with how liabilities are evaluated and

reported. Number one; they are not reported. Nowhere in the just released 131 page CCCERA report from its actuary will you be able to find a number reflecting MOFD's liabilities; amounts it has promised to pay its employees for past services that it will be paying for the next 60 years. What the report does say (on page 7) is that the accounting value of MOFD's assets are \$123 million and on page 79 it says that MOFD's liabilities are \$17 million underfunded so it can be implied that MOFD has \$140 million in liabilities. But are those really its liabilities? No, that is the present value of 60 years worth of projected liabilities using a 7.75% discount rate. Are those projections known? Yes. But not by CCCERA (they could not tell me) and not by MOFD (they could not tell me either; they just said CCCERA does not have that information). So I derived what I thought was a reasonable methodology for estimating these liabilities and the 60 year total comes to a staggering \$820,000 million; one hundred times last year's base salary. And how much has MOFD saved to cover this liability? \$115 million. If this \$115 million does not earn what people hope it will earn will MOFD owe any less than \$820 million? No. How much more will MOFD have to "contribute" to pay these pension liabilities if its investments earn 7.5%? 6.5%? 5.5%? No one knows because they have never seen the \$820 million stream that they have promised their employees they will pay them when they retire.

But this is not all they are going to owe over the next 60 years. They also owe the Post Retirement Medical Benefits that are \$24 million and are totally unfunded. But again, this \$24 million is a present value of these benefits. What are the actual benefits they have promised? This could, in actual dollars, be another \$75 million.

And finally there is the Pension Obligation Bond. The good news is MOFD actually knows how much it will cost to pay this off over the next 10 years and that is \$33 million dollars; averaging \$3 million per year (remember, their base salary is only \$8 million).

This is a total of 900 million dollars, almost one billion dollars, for an organization that was formed 14 years ago and has been funded by about 200 million dollars in property taxes over that time period. How can this be? How can you collect \$200 million for services, withhold enough to save up \$115 million in high yielding investments, and expect that to pay off \$900 million in deferred liabilities over the next 60 years where the taxpayer takes the full risk that the investments will perform? I believe it has happened because year after year no one has been presented with the real numbers so that they can say "what happens if these investments don't earn 7.75%?"

Someone has to force the agencies to look at what they have actually promised to pay their employees over the years. Only then can a solution for what everyone calls "an unsustainable cost" be arrived at. Everyone, from the managers to elected officials to employees to the taxpayers has to be aware of the situation we have gotten ourselves. And LAFCO, as the overseer of community services, is the one to orchestrate the logical presentation of the pertinent data.