

Log of Comments and Authors' Responses

Public Review Draft Miscellaneous Services MSR

Com-ment #	Commenter	PRD MSR Page	Comment (Abridged)	MSR Author's Response
1	Town of Moraga, Feb. 22, 2013	Fig. 3-5	Submitted street light information	Added.
2	Michael Sands, General Manager, Blackhawk Geologic Hazard Abatement District, Feb. 27, 2013	49	In "Geologic hazard abatement services are provided by a private contractor," change "private contractor" to "the Blackhawk GHAD."	Revised to "contractors." In this introductory paragraph, we report succinctly who is the actual service provider. The GHAD is managed by a private contractor, and hires private contractors to provide direct services.
3	(Sands continued)	53	Insert "certain" before "ravines."	Revised.
4	(Sands continued)	55	Delete the word "staff" and replace "support staff" with "officers."	Clarified. Added header.
5	(Sands continued)	55	Delete sentence: The Blackhawk GHAD is managed by a private firm that also manages another GHAD; its employees are shared and the respective GHAD's pay their share of employee work time.	Added header. Sentence not deleted.
6	(Sands continued)	53	Delete: "The GHAD discovered this oversight in December 2012, and has removed the affected area from its service area until the funding problem is resolved."	Deleted. The GHAD clarified that its board has not taken action on the service area, and that there have been no service needs in the affected area since the problem's discovery.
7	Lynette Tanner-Busby, Contra Costa Centre Association, Mar. 11, 2013	61	100 additional housing units are planned for the BART station property.	Removed the number of planned units since some of these units have been completed. See comment #39.
8	(Busby continued)	61	CCCA job estimate is 6,000	Added job capacity. Current job estimate is based on 2010 employee survey (4,885 jobs) and ABAG estimate.
9	(Busby continued)	61	There are 423 hotel rooms	Added.
10	(Busby continued)	62	Revise housing unit count to 422.	Not revised. See comment #39.
11	(Busby continued)	63	Countrywood Shopping Center is a destination for employees via mid-day shuttles.	Added.

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12	(Busby continued)	64-65	Compliance with the County's TDM Ordinance is measured on an areawide basis at Contra Costa Centre. Individual property performance is not measured for compliance purposes.	Added.
13	(Busby continued)	66	Revise jobs to 6,000 and add 423 hotel rooms.	See response to comment # 8
14	(Busby continued)	66	Please note that compliance with the County's TDM ordinance is determined by the County's Department of Conservation and Development, not by LAFCO.	Noted.
15	(Busby continued)	67	Delete determination #12 and replace with: "The CSA is within the territory of Contra Costa Centre Municipal Advisory Council (MAC) and advisory body to the County. The MAC hears periodic reports from the Contra Costa Centre Association on TDM performance.	Added content elsewhere. Determination #12 not revised.
16	(Busby continued)	67	Under recommendation, add "concurrent with a future expansion of the CSA via annexation proceeding."	Not revised. This point was already covered under Governance Alternatives.
17	City of Walnut Creek, Mar. 12, 2013	CSA D-2	Provided copies of Preliminary Design Report for Homestead Drainage Area (1998) and Hydraulic Alternatives Analysis (2009).	Added content.
18	Commissioner Sharon Burke, Mar. 12, 2013	1	Add information on miscellaneous CSAs reviewed in the Police Services MSR (2011) and the Parks and Cemetery Services MSR (2010).	Added.
19	(Burke continued)	4	The report notes 4,000-5,000 employees working at the commercial properties in CSA M-31. Contra Costa Centre Association reports 6,000 employees. This is a significant difference and should be verified.	See footnote 74 on p. 61 for job estimate sources. There is capacity in the CSA for 6-7,000 jobs during robust economic times.
20	(Burke continued)	5	For unincorporated communities, Census Designated Place (CDP) place names can be confusing since CDP place names are not commonly used by the general public or even by affected government agencies.	Added map showing unincorporated communities by name. See Appendix Map 1 in Draft Final MSR.

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21	(Burke continued)	18	CSA D-2 is in Flood Control District Zone 3-B and partly in the City of Walnut Creek. Are there overlapping responsibilities and financing sources? How do these agencies and responsibilities apply to CSA D-2?	Added content. The Flood Control District handles regional flood infrastructure; whereas, the CSA handles local infrastructure. The City conducts planning and design studies, and may choose to fund projects directly.
22	(Burke continued)	31	The discussion of the recent LAFCO action to pursue annexation of Round Hill into CSA R-7 is pertinent since it is the only recent action to pursue a reallocation of future property taxes through annexation into a CSA. However, the action is not analogous to the discussion on this page of annexing portions of the county receiving services from L-100 because the communities discussed are widely separated and annexation would not make whole a community of interest, as Round Hill and Alamo were.	Noted. The discussion is included to illustrate the potential and precedent for property tax allocations associated with annexation.
23	(Burke continued)	31	Add content on communities within the CSA that have private roads and are gated where residents pay HOA dues for private streetlights in addition to CSA L-100 charges.	Added. Note that the MSR lacked the information to identify such areas. Review of google earth images indicated some gated communities have minimal (decorative) lights.
24	(Burke continued)	32	CSA L-100: With a fund balance well over \$5 million dollars, recent revenues in line with recent expenditures, no debt, and service levels far exceeding levels provided by a private utility, PG&E, there does not appear to be any justification for the statement that the current level of financing for the CSA is "minimally adequate to finance services." The CSA should be encouraged to use its fund balance for public purposes and not allow it to sit unused.	Revised.
25	(Burke continued)	44	Figure 3-9 caption	Revised.

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26	(Burke continued)	45	CSA M-20: It does not appear to be cost effective or efficient for two county maintenance workers to spend one hour per week trimming the trees on the north side of Willow Avenue. Since the Viewpointe HOA is already maintaining most of the trees in the subdivision, perhaps it would be more efficient to contract this work to the HOA and simply use the CSA as a passthrough.	Note that County staff has a route that covers more than just the work they do in CSA M-20.
27	(Burke continued)	63	It would be useful to have a discussion of the financial impacts of the termination of the County RDA on the finances of M-31, since the narrative states the RDA reimbursed the CSA for certain costs. Has this funding been replaced and will it affect services provided by the CSA?	RDA funding has not been replaced. Content added.
28	(Burke continued)	63	It would be useful to have information about the usage levels for the CSA M-31 mid-day shuttle.	Added.
29	(Burke continued)	64	CSA M-31 should do more work to effectively use the taxpayer funding provided. CCCA should conduct usage surveys to determine by vehicle and program (Segway, smart car, various incentives) which are used and which are not and discontinue ineffective programs.	Noted. See determination #7 for CSA M-31.
30	(Burke continued)	CSA M-31	CCCA provides child care services. The CSA can only fund transportation demand management services. It seems it would be important to determine if any funds are commingled. However, since the CCCA did not provide budget information to LAFCO, this determination is not possible.	The Auditor-Controller reports that County payments to CCCA are made from separate funds for the CSA and child care trust fund respectively. See subsequent comments #38, 49 and 50.

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31	(Burke continued)	76	CSA T-1 has been in existence for seven years and has provided no direct services during that time while collecting assessments. The services it was formed to provide do not appear to be in demand, that CSA transit trips would amount to 77 transit trips per day (compared to the total 10,000 car trips per day from the CSA). It would be useful to have a discussion of a zero sphere of influence for CSA T-1.	Added.
32	(Burke continued)		Please note according to the 2008 update of County Service Area Law, California Government Code requires regular audits of CSAs, annual reports, and determinations of Gann appropriations limits. It is not clear from the MSR if any of these requirements are being met by the CSAs reviewed.	All 7 CSAs complied with annual budgeting and annual reports to the State Controller. County staff reports that CSA funds are audited annually.
33	(Burke continued)		The Public Works Department which manages these CSAs appears to charge differing administrative fees which are not applied uniformly.	County staff reported that they charge actual cost for services (such as preparing budgets, engineers reports, etc.).
34	(Burke continued)		CSAs M-31 and T-1 receive assessments only and not a percentage of the 1% property tax. It appears these agencies would more appropriately be benefit assessment districts and not CSAs.	Noted. When the assessments were approved, the entities were structured as CSAs rather than assessment districts.
35	Paul Detjens, CSA D-2, Mar. 12, 2013	CSA D-2	Provided clarifying information relating to expenditures.	Added.
36	Susan Cohen, CSA T-1, Mar. 13, 2013	CSA T-1	Provided settlement agreement and conditions of approval for development in the CSA bounds.	Added.
37	Lynette Tanner-Busby, Contra Costa Centre Association, Mar. 13, 2013	CSA M-31	CCCA has recently evaluated and changed the mid-day shuttle so that the destination is twice a week the Kohl's shopping center.	Updated.

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38	(Busby continued)	CSA M-31	The CCCA budget (separate from the CSA) pays for salaries, a resident sheriff deputy, overhead, and child care. The child care costs amount to \$1,100 monthly per enrolled child.	Noted.
39	Maureen Toms, County Department of Conservation & Development, March 15, 2013	CSA M-31	Provided interview with current information on office tenants, employee capacity (6-7,000), and housing units (35 additional units completed). Indicated that DCD monitors CSA M-31 program effectiveness and outcomes.	Added.
40	Tim Jensen, Senior Civil Engineer, County Public Works Dept., Mar. 27, 2013	CSA M-23	Provided a description of the nature and extent of drainage services provided by CSA M-23.	Added.
41	Susan Cohen, CSA T-1, Mar. 27, 2013	CSA T-1	We have completed the community outreach program to educate and gather feedback from the residents within CSA T-1. We are preparing to review the analysis of the transportation survey feedback. Our mid-term strategy is anticipated to include a vanpool and/or shuttle service, connecting CSA T-1 to select locations including BART stations or Bishop Ranch. We would initiate the process of selecting a vanpool leasing or shuttle company to provide transit service, via an RFP in 2013.	Added.
42	(Cohen continued)	CSA L-100	CSA services do not differ depending on type of ownership of the street light and what PG&E maintains.	Noted.

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43	Maureen Toms, County Department of Conservation & Development, March 29, 2013	62	Entitlements for commercial development in the CCC area include conditions of approval which most recently include: providing bicycle parking, preferential parking for low-emission vehicles and carpools, promoting BART use, and adopting trip reduction goals and enforcement procedures.	Added.
44	(Toms continued)	65	The TDM program and budget is reviewed annually by the CCCA board, and CCCA conducts employee surveys every 3 years to determine effectiveness. CCCA provides monthly expenditure reports to the County. The County Board of Supervisors approves the budget and renews the contract with CCCA annually.	Added.
45	(Toms continued)	62	The County's records show different information for the FY 11-12 fund balance (\$39,000 rather than \$218,000) total expenditures (\$282,000 rather than \$200,000), and changes by expenditure category.	Not revised. The Auditor-Controller's office confirmed the MSR figures for fund balance and total expenditures were accurate.
46	(Toms continued)	63	The former Redevelopment Agency assisted the TDM program with funds for green fleet equipment rooms, reservation systems and electric vehicle charging stations. This source of revenue is no longer available.	Added.
47	(Toms continued)	63	CCCA was instrumental in obtaining grant funds from the U.S. Department of Energy, 511 Contra Costa and other sources to fund eight vehicle charging stations, as well as installation costs for electric vehicle charging stations, commuter survey analysis and bike lockers.	Added.
48	(Toms continued)	CSA M-31	CCCA is partnering with Contra Costa Transportation Authority to develop a real-time ride-share program.	Added.

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49	(Toms continued)	CSA M-31	In response to comment #30, CCCA does not provide child care services per se. The commercial property owners funded a \$1 million trust account held by the County to comply with General Plan conditions and enhance marketability of office space. The trust fund interest provides subsidies for child care expenses to low- and moderate-income employees.	Added.
50	(Toms continued)	CSA M-31	In response to comment #30, there is no factual basis to suggest that CSA and child care funds are commingled.	Noted. The County Auditor-Controller confirmed that the County keeps the funds separated.
51	(Toms continued)	CSA M-31	"The consultant to LAFCO has requested the entire operating budget" for CCCA; however, the County does not have the operating budget and has no legal grounds to demand it.	The comment is inaccurate. The LAFCO consultant requested on Feb. 21 the total CCCA budget, explicitly indicating an interest in knowing the CSA funds as a percent of the CCCA budget. CCCA declined to provide that.