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DIRECTOR OC COMMUNITY SERVICES

**MARK DENNY** 

DIRECTOR OC PARKS

**HELEN FRIED** 

**COUNTY LIBRARIAN** OC PUBLIC LIBRARIES

Steve Danley, Director, Performance Audit

FROM:

DATE:

TO:

Steve Franks, Director, OC Community Resources

Mark Denny, Director, OC Parks

SUBJECT:

**RESPONSE TO REVIEW OF OCSD HARBOR PATROL - FINAL DRAFT** 

REPORT

MEMORANDUM

November 1, 2010

OC Community Resources (OCCR) appreciates the opportunity to review the subject Final Draft Report. It is exceptionally well-researched and well-written. In terms of content, OCCR is generally supportive of the Report's overall recommendations and is willing to support their implementation going forward.

However, a fundamental concern we have is regarding the legal basis of Harbor Patrol's "range and level of services" (Finding 1). Absent a formal opinion by LAFCO, we respectfully request that an independent legal analysis be performed to review the Report's conclusion that the LAFCO and Board actions of 1988 and 1989 dissolving the Harbors, Beaches and Parks (HBP) District established the current staffing requirements for Harbor Patrol. We do not understand why those 1980s' actions should underpin the type and level of staffing for Harbor Patrol, as they have never served as the basis for subsequent staffing levels for other CSA 26 functions (e.g. Park Ranger classification and/or staffing) Nor has the LAFCO action dictated the level and type of CSA 26 contracts (e.g. architect-engineers and/or construction contractors). Because the conclusion is so critical to the Report's recommendations, we believe a thorough look at the subject would be beneficial.

Another concern we have is the Report's breakdown-by-city of the secured property tax contributions to CSA 26. While new language has been added in the Final Draft regarding other County funds that receive secured property taxes, we do not believe that the information related to CSA 26 is relevant to Harbor Patrol funding and may lead readers to draw inappropriate conclusions.

Thanks again for the opportunity to review the Report. If you have any questions, please feel to call me at (714) 480-2788.

Steve Franks, Director OC Community Resources Mark Denny, Director

OC Parks

C: Sandra Hutchens, Sheriff-Corner, Sheriff-Coroner Department Thomas G. Mauk, County Executive Officer, County Executive Office Alisa Drakodaidis, Deputy CEO, OC Infrastructure Brad Gross, Director, OC Dana Point Harbor